

minutes Planning board meeting, October 4, 2012

Present: Diane Poland (Chair), Joe Strzegowski, Mike Kurkulonis, Kate Eugin-Moore, and David Barten

The meeting began at 7:00 pm. There were six agenda items:

(1) Minutes—the revised draft minutes for the meeting of September 20 were unanimously accepted.

(2) Dowd request—this item had been third on the agenda, but the members wanted to address it immediately. Several meetings before, the Dowds had requested a variance from the Planning Board in order to expand a shed, a change that would bring the structure closer to an abutting property than the 25' buffer stipulated in the Bylaws. The Planning Board, which sees its role as placement-oriented, not dimension-oriented, referred the request to the Zoning Board of Appeals, because the issue was in its view dimensional, an existing building being expanded in size, not one of placement of a new structure.

The ZPA sees the problem as one of a structure being placed too close to a boundary line and referred the Dowd request back to the Planning Board,

The discussion that followed focused on the ambiguity in the Bylaws about the roles of the Planning Board and Zoning Board of Appeals, since the distinction between authority over placement and over dimension is not clear.

The members decided that because the Dowds are not in a rush to change the nature of the shed, the members of the Planning Board and the Zoning Board of Appeals should meet to discuss the ambiguity and determine which Board has authority in this matter and should address the question of variance with the Dowds. Diane said she would call Lee Whitcomb and invite the members of ZBA to the PB meeting on October, 18<sup>th</sup>.

(3) Master plan—This item had been second on the agenda. Diane brought copies of the Town of Amherst Master Plan, adopted by the Amherst Planning Board, 2010. She sees this plan as a model plan because of the clarity with which all ten chapters are written, each addressing some aspect of significance where planning for the future is required by the State. Diane recommended that the members read through the plan by the next meeting, so it can be the basis for discussion.

Diane said she had spoken with Peggy Sloan (FRCOG) about getting help in reformulating Conway's draft plan. Peggy had said she would be very willing to help. Of course, there would be a fee.

Mike suggested that before we invite FRCOG to help that we see if there were any on-line template put forward by a State or private agency that would, through asking questions and respondents answering them, lead to the kind of master plan

the board wants, one free of the abstract verbiage that so befuddles and confuses the reader. Mike volunteered to search the internet for such a template.

(4) Bylaws—this had been the fifth item, but at the members' request was moved to fourth. The issue was when to draw FRCOG into the process of streamlining and updating the Town's Protective Bylaws. At previous meetings first Joe and Mike, and then Peggy Sloan (FRCOG) had shown that there was lack of clarity in the way some bylaws were written and that the overall presentation was somewhat antiquated.

The consensus was that the Board should address the problem itself before drawing on FRCOG for aid. A set amount of time should be given over at all future meetings to deal with the problems in the existing bylaws that have been already identified. The aim would be to place a revised set of Protective Bylaws, newly titled "Protective Zoning Bylaws", before the Town at the Annual Meeting in May, 2013. We reminded ourselves that from beginning of revision to final approval and implementation the process of revising and updating the Bylaws could take close two years.

Diane asked whether members wanted to undertake this lengthy project with the timelines as outlined. David made a motion to do so; Kate seconded. The vote in favor was unanimous.

Time will be set aside at the next meeting to address ambiguities in Sect. 22.4 and 22.5 of the Bylaws.

The discussion continued, focused on a question which Joe wanted to see addressed. He felt that because the Town has no subdivision bylaw, and therefore the Planning Board has no say in what is created in the way of residential structures, that the Board should at least know what is being proposed. As it is, plans are occasionally brought to the Board out of courtesy, and the members asked to sign them. This gesture has no official meaning. If nothing more, Joe proposed that all those who want to build new residences should be required to present architect's/contractor's drawings to the Board for review and comment.

The members agreed the Board should have this authority, which it can not simply assume, but would have to be granted by the Town. Joe and Mike were asked to phrase a bylaw or amend an existing one as part of the effort to revise the Bylaws.

Diane pointed to Worthington's Flexi-development Bylaws, which actually have their origin in Conway's own decision to encourage back lot development. Diane thought Worthington had taken the idea of back lot development a step further by encouraging cluster housing, in which lots are smaller and all units are served by a central water supply and septic system. Members thought the matter should be taken up at a future meeting, since a change in Conway's zoning bylaws would be required to encourage this kind of development.

(5) Burkeville development—The discussion of economic development in Burkeville encompassed not only the problem Russ French has in expanding his business on land that he owns, but also how retailers might use the seven acres zoned light manufacturing to serve the public. Diane mentioned that Jack Gates, Chair of ConCom, is willing to consider suggestions about how to resolve the long-standing obstacle to development in Burkeville, the artificially constructed canal that served the woolen mill but which now has no function or flow-through of water. The canal is filled with standing water, and, as was pointed out, is both a designated wetland and a breeding ground for mosquitoes.

This discussion evolved into one focused on the Rt. 116 corridor from Boyden's Sugar House to Sunset Package, and how given the designation of Rt. 116 as a Scenic Byway, those having businesses and others who might want to be retailers in downtown Conway could be helped to take advantage of increased tourist traffic through the town once the Byway is advertised as a scenic road.

The discussion about the corridor then evolved into one about how all business activity in Conway could be helped. Three operations have from fifteen to twenty employees and many more have one person who is self-employed. Kate, one of two owners of Pages, described the difficulty she and Laurie have experienced in trying to conduct their coffee bar/used book store business in the center of town.

It was decided that because the business side of Conway's life is important, and an aspect the Planning Board needs to study in its effort to help spur business development, all business owners in Conway should be invited to a meeting in the Town Hall where the problems they face and the recommendations they might have for making Conway "business friendly" can be presented. Diane volunteered to talk with Ginny K. and Lee W. about who owns businesses in town. The aim would be to invite all to a meeting to be held on November 15<sup>th</sup>, which would take the place of the regular Board meeting on that evening.

(6) Invites to other Committees—Diane asked that the members identify the Town Committees whose projects or work the Planning Board should know about and whose members should be invited to a future Board meeting. There are three major projects in the works—Town Garage planned by the Garage Committee, Renovation of the Town Hall planned by the Select Board, and on-going interest in a Safety Complex. No committee has been established to pursue the project, but Ken Ouimette and Mike have an interest. Diane added that the Board should invite the Housing Committee in the future, for there seems to be a project proposed by Conway architect Tom O'Brien.

It was decided that Mike would talk to Rick Bean about the status of both the garage and Town Hall projects, and that Diane would talk with Pixie Holbook, Chair of the Housing Committee, about a future visit.

The last item, not an agenda item, was the matter of a site visit to the Buckland waster water treatment plant. Diane wants to see members make this visit because

the Town has long had before it the need to consider such a plant to serve downtown Conway. A visit would help members see an operating plant. She said such a visit could be arranged on Wednesday, Thursday, or Friday at 3:00 pm. It was decided that those members who can make the visit will do so on October 18<sup>th</sup>.

There being no further business, Diane asked for a motion to end the meeting. Joe motioned, and Kate seconded. The meeting ended at 8:55 pm. The next meeting will be on the 18<sup>th</sup>, the site visit taking place at 3:00.

Respectfully submitted,

David Barten, clerk