

Draft minutes, Planning Board meeting, April 4th, 2013

Present: Diane Poland (Chair), Joe Strzegowski (Vice-chair), Mike Kurkulonis, and David Barten. Also present: David Chichester and Heidi Flanders, candidates for the upcoming open seat. Also present: Sue Bridge, presenter of Master Plan. Absent: Kate Eugin-Moore.

The meeting began at 7:10. There were six agenda items:

(1) Minutes—the minutes for two meetings that occurred on March 21st were accepted unanimously. The first was a Special 2:00 pm meeting held with Peggy Sloan, FRCOG planner . The second was the scheduled 7:00 pm meeting.

(2) Mike's concern—Mike wanted clarification about whether the Planning board had actually met with the Garage Committee, a proposed invitation having been suggested at an earlier meeting. Diane thought that the Safety Complex meeting held on Tuesday, March 5th, constituted that meeting. Mike thought it did not because not all the members of the GC had been aware of the meeting. He suggested that we extend an invitation to the GC directly and meet with the members. Diane will extend that invitation for the next PB meeting, which is April 18th.

The discussion continued about the PB's role in raising money to build the garage. Rick Bean had told Diane that the PB should not concern itself about the matter, for raising funds was the responsibility of the Selectboard.

Joe said that Rick was right, for the PB's legal role was only to recommend whether to pursue or abandon the project after due consideration had been given to the details. Once the PB had recommended that the construction of the garage move forward , the PB had done its work.

The discussion, then, focused on the need for a Capital Projects Committee, a body which had been created at an earlier time but had never met. Diane said she thought that such a committee was needed for the PB to do its work, the two groups working together to identify capital projects and giving them priority. Diane thought too that the PB should have the same close connection to the Finance Committee.

It was proposed that the PB meet with both the Selectboard and the Finance Committee after the Annual Town Meeting in May, to discuss creating a viable, visible Capital Projects Committee. As for a connection with the FC, Joe said that shortly after the Annual Meeting, it goes into hibernation until a new budget has to be prepared. So, a meeting with the FC will have to be arranged for a point after the dust from the AM has settled, and before the FC disbands.

(3) Master Plan—Sue Bridge, who had been hired to complete the Master Plan, said the job is done. She had sent an earlier draft to twenty-six persons of differing persuasions for their input, and had been able to incorporate almost all suggestions.

The Plan, now in its final form, was ready to be printed.

Sue said that there was \$1,000 in the MP account after she had been paid the \$5,000 she was to receive, and that this amount would cover the cost of printing the text, graphs and photos, and spiral binding of some 200 copies. She assumed that this number of copies would be a sufficient for those at the Town Meeting who wanted one.

The Board expressed its gratitude to Sue for having completed the Plan, and admiration for how she had made the document so readable and the issues the State required be addressed so understandable to the lay reader.

It was decided that Diane as Chair should ask for time at the Town Meeting to mention that copies were available in the lobby, and that residents should know that this plan is an approximate course for charting the Town's future, not an absolute, inflexible one. PBs are required by law to update MPs every five years in order to make course correction.

(4) Sign—David said that he had given Rick Bean who, in the absence of a Town administrator, was compiling the articles to be put on the Warrant for the ATM, Mike's proposed article about an illuminated sign, a proposal passed at the last Board meeting. The discussion that followed was focused on the likelihood that the sign as proposed would be at variance with the Protective Bylaws about signage, which limit size to 3'x3', and specify no illumination, or animation. It was agreed that should the article be accepted by the Town that a Variance would have to be sought in order to construct the sign.

(5) Auxiliary members-- Diane expressed concern about the ability of the five members of the Board to be handle all the projects on which the Board is focused, and suggested that ad-hoc committees should be formed as projects needed more focus and detailing.

Mike said that because he had been a member of the Garage Committee, he was thoroughly familiar with the plans for the structure, and would act as liaison.

The other project now looming as a possible project is the proposed Safety Complex. Joe had pursued the idea for placing the complex in Burkeville, not on the Frenchs' land, but on abutting lots on the west side of Ives Road owned by Austin and the Catholic Diocese, and he reported that the basic need for septic and water for the complex might be resolved through Austin and the Church sharing a common septic system and water supply with the complex. This possible sharing might induce both parties to sell their lots, in which case there might be an actual site available for a Safety Complex.

Joe was identified as the point man for the Safety Complex as it might be constructed in Burkeville, a project that likely will be complicated to site and build. Diane pointed out that this project is one where an ad-hoc committee, headed by Joe, might be needed to bring the project to fruition.

(6) Zoning Bylaws—Diane asked Joe to lead this discussion, which he began by drawing attention to Peggy Sloan’s (FRCOG planner) recommended way of presenting zoning restrictions in a “Table format” rather than written, the latter being the format in which they appear in the Town’s listing of Protective Zoning Bylaws.

Quickly, a give and take, tangentially related to “Table format” , but about zoning bylaws began, which was spirited and vigorous, for Mike and Joe had differing views on the existing Bylaws as they relate to cottage industries, light industry, and back lot development.

One issue was whether the 15-50 rule is still viable. This Bylaw permits a small business to be created anywhere in Conway as long as it has no more than fifteen employees and no more than fifty customers on a daily basis. There are three such businesses in town, presently--OESCO, SOUTH RIVER MISO, and POPLAR HILL MACHINE WORKS.

Joe drew attention to the many farm stands that are being created around the town: should these be subject to a special permitting process? or should they be allowed to spring up freely, being covered by the existing 15-50 Bylaw?

Back lot development as this relates to small businesses was another issue. In a back lot development where residences had been created on three of four, four-acre lots, under the existing Bylaws the fourth lot could be purchased and a business established, and the owners of the residences would have no protection, except that provided by the Bylaw restrictions on what cannot be produced by a small business. Presumably, the business could be increased in size up to the limit provided in the 15—50 Bylaw, the other residential property owners having no recourse. Should this problem be addressed?

The focus on back lot development took into account the size of private drives as presently required by the Town’s Bylaws: are these acceptable as is? The purchaser of the most distant lot from the Town roadway ends up having to pay for creating a widened roadway, not only past the driveways of the other properties, but to his own. The cost of having to pay for a wider road to his property would likely prevent him from buying the property. Mike said this flaw in the Bylaw about common drives is the reason most back lot development in Town consists of only two houses, not four as allowed.

The focus shifted to “flexi-zoning” that encourages cluster development on small lots, with houses sharing a common septic system and well. The members were in agreement that zoning that encouraged cluster housing was needed. Bylaws encouraging this form of back lot development could be created to prevent creation of business ventures in the cluster, unless these were home-based, and there were few or no customers seeking products or services.

It was clear from the general give and take on bylaws that the Board needs to clarify or even write new Protective Zoning Bylaws before deciding on whether to

change the format in which they are presented in the “Table format.” Three zoning issues needed to be studied: (a) definition of what constitutes a “cottage” industry; (b) cluster housing of one acre lots, whose owners share a common driveway, septic and water system; (c) in general, common drives—size requirements as they hinder or promote back lot development.

Mike was asked if he would draft a flexi-development bylaw that would encourage back lot cluster housing and that would solve the problem inherent in the existing bylaws about common drives. He agreed to do so.

This spirited meeting ended at 9:00 pm with a unanimous vote to adjourn. The next meeting of the Planning board will be another Special meeting with Peggy Sloan on Thursday, April 18th at 2:00. There will also be a second meeting of the Board on the 18th, its regularly scheduled meeting, at 7:00 pm.

Respectfully submitted,

David Barten, clerk