

Planning board meeting, July 18th, 2013

Present: Diane Poland (Chair), Joe Strzegowski (Vice chair), David Chichester, and David Barten. Absent: Mike Kurkulonis

The meeting began at 7:00, as posted. There were seven items on the agenda:

(1) Minutes—the minutes for the meeting of June 19th were accepted unanimously.

David B. pointed out that the minutes for the meeting of June 6th, which preceded that of the 19th, had not been accepted nor been placed in the permanent record book. He surmised, and it was confirmed by the others, that he had not sent draft copies to anyone, though the minutes had been written. (The oversight was rectified the next day when draft copies were sent to all the Board members.)

(2) Meeting on the Rose property—Diane would like the Board to hold a meeting in early fall to determine which of two projects should be recommended by the Board to the Select Board as being the one the Town should consider as best suited for the property. These are a proposed senior housing complex for which a feasibility study is being made, and a safety complex, an idea put forward by interested parties who do not constitute, at present, a formal Town committee.

It was concluded that several things had to be done before such a meeting could be held-- all relevant facts supporting one or the other project should be collected and prepared for presentation at the meeting.

The Housing Committee, Diane said, is well along in collecting information. It had hired Peter Wells to do a site analysis. He said a perc test had to be conducted, the results of which would be part of his report.

Dave C. and Joe were asked if they knew whether perc tests had been made in the past. Dave thought there may have been one, a long time ago. Joe thought he remembered there being a test when the property was being considered as the site for a wastewater treatment plant. In any case, perc results were generally only valid for five years, and so one should be done, as Wells recommended. The Housing Committee, it was concluded, should pay to have such a test done. Diane will speak to Pixie Holbrook, Chair of the Committee.

When the Board members focused on the safety complex members, they realized that no formal committee has been created to pursue basic details about the project. Though Bob Baker (retired road boss), Ken Ouimette (Police Chief), and Jody Simpson (Ambulance Director) had expressed need for a complex, and all feel it should be located as close to the center of the Town as possible, they have not been empowered, nor has anyone else, to pursue the matter.

The members concluded that a committee has to be established by the Select Board before any attention can be given the project in the proposed meeting. It was also decided that the fall meeting, where both projects would be the focus, should take

place later in the fall, not September, in order to give a Safety Complex Committee a chance to study the complex vis-à-vis the property.

It was decided that a member of the Planning board should be on the a Safety Complex committee. Diane will speak to the Selectmen about creating this committee.

The subject of funding these projects was addressed, and reference made to the Rural Development Agency as an agency where loans and grants might be secured. Funding projects is a responsibility of the Selectmen, however, the members reminded themselves.

(3) Paula Olsen apartment complex—Paula has indicated that she intends to sell the apartment complex on Main Street and would consider selling it to the Town at fair market value.

In discussing the matter, the Board made its position clear in its reaction to Jack Lohead's proposal, placed before the members, of the Town's buying the property and tearing the building down. The empty lot, Jack suggested, could then be made into a direct and flat access route from Main Street to whatever is built on the Rose property. The members thought, in contrast, that the building should not be torn down but rather seen as a place where senior housing might be offered residents, but only after renovation and likely with the addition of an elevator. This apartment would not take the place of the proposed senior housing complex on the Rose property, but might offer simpler and cheaper options to the housing units contemplated for the Rose complex.

Diane said that she had alerted Pixie to Paula's intention to sell the building.

(4) Capital planning meeting—Diane would like to see a meeting held which would involve all those in Town government who have some kind of relation to capital planning. Treasurer Jan Warner has an expert in mind who might lead such a meeting. The members agreed such a meeting would be useful. Diane will pursue the matter, identifying and talking to those who might be interested in attending.

(5) Pole hearing—Don Fish, WMECO field manager, hand delivered a petition for a pole hearing to "Place 1 (one) jointly owned pole numbered 69/27M, on the westerly side of Williamsburg Road, one hundred thirty (130') feet going Northwesterly from the Conway town line." This pole is "To supply Peter Lafogg with utilities to a single building lot on the easterly side of Williamsburg Road."

After a discussion about the procedure involved in responding to the request, the members decided that the Hearing should be held on August 15th, 2103, 7:00 pm, in the Town Office, this date being the next scheduled regular meeting of the Planning Board. David will notify Don about the date, and will confirm with Lee Whitcomb, Assessor, that as the petition shows on an attached map, there is a single abutter, Suzanne Forman.

***NOTE—Since this discussion and decision, Joe looked up the law about which board, Selectmen or Planning, is responsible for holding a pole hearing. He learned, as he suspected, having been a Selectman, that it is the Select Board, not the Planning Board, which is required to hold the hearing.

It seems in retrospect that where the confusion entered in was during the period when Conway's Planning Board, which had been one and the same as the Select Board, was changed to be three Selectmen plus two elected persons, thus making a planning board of five. This group held pole hearings as the Planning Board, no one questioning whether the Selectmen on the Board, as Selectmen, had to hold the hearing themselves. This configuration changed to the present Planning Board of five independently elected members, only two of whom, Mike Kurkulonis and Dave Barten, had been on the previous board. But for Joe's own recollection, when he and his two other colleagues were both the Select Board and Planning Board, no members of the new board had knowledge or experience of the Selectmen being solely responsible for pole hearings.

Joe recommends that since a pole hearing has been set in motion that Don Fish be informed of the confusion, and the hearing held anyway, with the understanding that the Selectmen will be informed, and asked to certify the actions of the Planning Board. In the future, however, the Selectmen should have sole responsibility for pole hearings.

What has been written as **** NOTE, has been seen by the members of the Planning Board, but not discussed at an open meeting.

(6) Marijuana dispensary moratorium—Diane wants to see a meeting held in October in which all those Boards, Committees, and departments of the Town which will be impacted by the existence of a marijuana dispensary meet to discuss the implications. The issues involved include zoning, policing, traffic control, disposal of waste material. The focus of the meeting should be the process of formulating a detailed response to any proposal to create a dispensary in Conway. This response should be presented to the Town at the 2014 Annual Meeting, or exactly a year after the Town voted a year's moratorium in which to develop a response.

Diane will contact the Board of Health, Fire Dept., Police Dept., Ambulance Dept. Selectmen, and Council on Aging, asking each to select representatives to attend the meeting.

(7) New business—the last item on the agenda was a discussion about Conway's vulnerability to fracking, or the quest for natural gas through liquid under high pressure being directed into rock fissures to release gas. The members concluded that it is not clear, yet, how vulnerable the hill towns like Conway are, which are located on what is the eastern-most part of the of rock formation, where fracking could produce natural gas. Unlike parts of Pennsylvania and western New York State, where lucrative fracking contracts are being offered to and signed by

property owners, it is thought that the amount of gas beneath this easternmost section is negligible, and not likely to be of interest to those seeking gas in quantity.

The meeting ended at 8:10, through the unanimous vote of the members.

There will be a special meeting of the Planning Board on July 25th at 9:00 am in the Town Office, where again Peggy Sloan, FRCOG planner, will lead another workshop focused on creation of a Central Village District in Conway's center. The meeting is an open meeting.

The next regularly scheduled meeting of the Planning Board will be on August 15th at 7:00 pm in the Town Office. The first item on the agenda, will be a pole hearing requested by WMECO.

Respectfully submitted,

David Barten, clerk