

Planning Board, October 17, 2013

Present: Diane Poland (Chair), Joe Strzegowski (Vice-chair), David Chichester, Mary McClintock, and David Barten. It is to be noted that in a joint meeting of the Planning Board and Select Board, held on September 30th, the vote was unanimous that, until the May Town election, Mary is to fill the Planning Board seat vacated by Mike Kurkulonis.

The meeting began at 7:00 pm. There were four items on the agenda:

(1) Minutes—the minutes for meeting of October 3 were unanimously accepted.

(2) Recap of information meeting—The informational meeting took place as scheduled, in the Town Hall on October 16th at 7:00 pm. The Board's intention was to inform residents about changes the Board proposes for Conway's Protective Zoning Bylaws. This gathering was the first step in a process that at some point will include a legal Public Hearing, and the last step of which is placing the proposed changes before residents at the Annual Town Meeting in May, as required by Mass Gen. Law.

The informational meeting had been advertised to residents through the local web/internet and also with a printed notice and maps posted at strategic locations around the town. Additionally, Diane and Dave C., and Joe and Dave B. went door-to-door on River Street, Main Street and Elm Street the morning of the 15th, urging residents who were home to attend the meeting, and where no person was available placing brochures in the doors. The result was that thirty-one residents were in attendance. Including Peggy Sloan from FRCOG and the five PB members, total attendance was thirty-seven.

The power point presentation had been carefully planned, and the roles played by the members worked out in advance. Peggy was there to answer questions, should the need arise. Otherwise, Diane and especially Joe and Mary carried the ball for the hour and forty-five minutes the meeting lasted.

The recap of the meeting, discussion of implications, and then actions to be taken formed the content of most of the meeting on the 17th. Each of the five members gave her/his impressions of the informational meeting. In general, all felt the meeting had been a very good one, especially because there had been so little contentiousness. There were negatives expressed by some residents, but more as a means to get clarification about the specific aims of the Board in proposing changes in the Town's Bylaws, and about specific Bylaws themselves. The Board members felt that the "push back" was to be expected, and very helpful.

For the sake of brevity and to identify how what was said relates to decisions made at the meeting on the 17th, we compress residents' reactions into several salient points:

PARAMETERS OF THE VCD—the PB's decisions regarding location of the boundaries of the proposed VCD zone were challenged by some, who thought there was a degree of arbitrariness in how boundaries were laid out.

The questions asked: Why not include the east side of Elm Street, when the west side is within the zone? Why was the land mass between Ed Rose's on the south side of Rt. 116 and the nearest house just to west, not included? Why was the Town-owned land just north of the Town center on Shelburne Falls Road left out, when depending upon what is built on it, the structures could be an integral part of the Town center ?

WASTE-WATER TREATMENT-- attention was directed to the present, archaic and costly system whereby all property owners have their own septic systems and wells. The system as it exists dates from the '70s, when the Town voted down a municipal system.

The question asked: Shouldn't this system be made a municipal, technologically advanced system before a VCD is brought into being?

BUSINESSMENS' PERCEPTION-- Even though the VCD lies on either side of Rt. 116, Scenic By-way, whose own parameters span a half mile on either side of the highway, there is no real attraction that would lead tourists and bikers to stop and spend money. There also are no blocks of parking spaces available anywhere in the center where travelers could rest and walk about. As mentioned, there is no municipal water or septic system. Additionally, the center of the village is vulnerable to flooding should the South River flow beyond its banks. These negatives won't change because new Bylaws encouraging retail development and creation of lower income housing are put into effect. Rather, these negatives are big problems that will cost millions to solve.

The question asked: Why would investors want to spend money in the Town center when these negatives are seemingly insurmountable, or at least, not going to be changed in the immediate future? If we want to see more economic development in town, why shouldn't the Town invest \$1,000,000 in seeing that every family in the town has access to broadband, and therefore high speed internet. The result would lead to the creation of many small home businesses and cottage industries.

WHAT'S WRONG WITH WHAT WE HAVE?— Several persons pointed out that the center has been a quiet, unexciting place for decades, and this fact has not bothered Townspeople generally.

The question asked: If this prosaic, unexciting center has not posed a problem to this point for Conway residents generally, why not leave it the way it is? Conway residents seem to want to live in a quiet, rural community, rather than a tourist destination like Shelburne Falls.

OTHER POINTS--There were, of course, other points made, for example, about the omissions in the "Use Table", and the possibility that what was envisioned as a need for economic development could be met by simply letting those who wanted to make money do so on their own properties in the outlying areas, where they were less constrained.

RECAP--Diane asked each member of the Board to express her/his reaction to the meeting:

Mary pointed out that nowhere in the informational session was reference made to the Board's recently completed Master Plan. This was a lack, since the Plan is the Board's vision for the future. The members acknowledged that this was so, and in fact mention is made in the MP of the need for economic development in the town. She also thought Joe would have been helped by having a facilitator handle particular facets of the presentation, such as recognizing persons who wanted to speak. Mary offered to fill this role, given her long experience as a facilitator.

Joe expressed his disappointment in those "old-timers" who seemed to have given up on the Town and its center. He thought they were not in sync with most of the participants, and that there was real energy underlying the meeting. He thought the negative reactions would be helpful as the Board charts a future course in its efforts to create zoning changes.

Dave B. thought that most of those in attendance had good will and wanted to participate in a dialogue with the members of the Board, which is what the Board, had hoped would happen. He asked whether there was a way the Board could build on this good will by using the list of names of those who attended and keeping them apprised of how the Board is proceeding.

Dave C. said he was overwhelmed by the magnitude of the task of getting a major change in Bylaws in the short time between now and May and wondered whether the task wouldn't be made easier by biting off small chunks, such as focusing initially on getting only the changes regarding cottage industries and home businesses passed at the Annual Meeting. Take the focus off the VCD, and work towards getting it passed a year later.

He also thought we should prioritize what we need to do, there being several large challenges that have emerged, such as solving the municipal water and sewage treatment problem.

Diane thought that we should not push our agenda, but bring others into the process of determining what was best for the village center and how to bring this into being. We need a Business Association composed of those men and women in Conway who are business people. David B. mentioned that the artists/crafts people need to be encouraged to create a comparable kind of group, because they have an interest in selling their creations locally and to travelers. Diane also suggested there should be a Downtown home-owners group established.

The discussion focused on these groups. It was decided that no one of these groups should be tied to the Board directly. The Board can urge individuals to organize, but the initiative for creating each group should arise from interested business men and women, artists and crafts people, and center village home owners. It was agreed that input from these groups would be very helpful, and Diane thought she would try to get the process of establishing a business group going by talking to Helen Baker. Dave B. said he would talk to some of the local artists, /crafts people like Sue McFarland.

CONCLUSION: The question of how the Board should proceed was put to a vote. It was decided unanimously that with Peggy's agreement, the Board would place before the

Town in May only those changes in the Protective Bylaws that addressed “Cottage industries and Home-based businesses”, solar arrays, and placement of a marijuana dispensary. David B. interjected that he had asked Peggy at the end of the meeting what her reaction was, and she said “Conway is not ready for the creation of a Village Center District.” This remark suggests that she will agree that the decision made about future course is the right one.

Additionally, it was decided that there should be a copy of the Master Plan present at each meeting, so members can better connect with the ideas put forward in it. These are suggestions about future direction to which all had subscribed except Mary ,who was not on the Board at the time it voted to accept the Plan.

It was also decided that we inform those who had been at the meeting of the Board’s own response to the meeting, especially the decisions about action to be taken as a result. David as Clerk volunteered to write this document, and the two Daves, C. and B., volunteered to stuff and stamp envelops. Only a few of those present at the meeting included e-mail addresses, while all included postal addresses and telephone numbers. There will be an attempt to get e-mail addresses.

When the list of attendees was studied, it was decided that there were center village residents absent from the meeting who should be kept informed of the Board’s thinking and actions. These were identified, and numbered seventeen residents.

It was agreed that the PB should pay the postage for sending the document to the nearly fifty residents.

It was also decided that Dave B., who volunteered to write a draft copy of the communication, should send it to the members for their input before anything is sent.

The discussion then focused on prioritizing major projects. The PB will request money from the Town at a yet-to-be-determined SPTM for a feasibility study to determine if the old garage facility in Burkeville can be transformed into a Safety Complex: Should the Board decide to shift emphasis and make a municipal water and septic system the top priority, could it change the request for money for a feasibility study for the Safety Complex to a study of a water and sewage system in the center of town? The cost would likely be two or three times the Safety Complex study, given the complexity of the lots and private septic systems in the downtown.

It was decided that as far as priorities go, any major project would not be undertaken immediately given problem of financing. The Select Board whose responsibility includes finding funds for such projects, is trying to find funding for the new garage. This is proving to be a slow process given that State funds have dried up. It was the consensus of the members that despite the problem of financing, and the length of time it might take to get the project completed, the water/sewer project should be given priority over the Safety Complex.

Diane said she would talk to Tom H. about rewording the request for money for a feasibility study so it is a request for money to study a water/sewer system for the center village.

(3) Marijuana dispensaries—the commitment had been made at the October 3 meeting to make the focus of the November 7th meeting marijuana dispensaries. The idea is to bring together representatives from those Town departments, Boards and Commissions having a vested interest in some aspect of dispensaries operation. In preparation for the gathering, all the information the PB has been sent or gathered on the subject will be sent in advance of the meeting to these bodies. Diane said she would undertake to do this.

Because the November 7th meeting is a regularly scheduled meeting of the Board, it is an open meeting which requires a posted notice—posting is usually done by Diane. The question was asked whether we should plan for a larger gathering than can be accommodated in the Town Office. It was concluded that few residents are likely to have an interest in the gathering, and we should hold it in the Town Office, as planned.

(4) Old business/New business— it was noted that the Conway Board of Health was holding an informational meeting about fracking. David C. said that local Boards have a significant connection to the issue, because matters of clean water and air fall under their jurisdiction. It was also noted that the Conway Board signified in advance that it was not taking a public stand on fracking, but only holding an informational meeting.

Mary registered her concern that some of the e-mail conversations between members may be violating the Open Meeting Law, given that what is said could be interpreted as deliberation outside of a meeting.

The three members—Diane, Joe and Dave B.-- who attended State Senator Downing's get-to-know-me coffee klatch on Tuesday the 15th, 2-4pm, reported on what they heard him say, and what they told him by way of concerns. Because there were so few residents in attendance, it was possible to engage in a dialogue with him.

Diane proposed that the meeting on November 8th not only focus on marijuana dispensaries, but also on Russ French's problem. In addition, if time permits, we can adjust the draft copy of the proposed changes to the Protective Bylaws to accord with what we learned at the info meeting, as mentioned earlier. Our decision, as mentioned, is not to push the VCD, but to postpone a future Hearing on it, and also to postpone placing this particular section before the Town in May.

There being no further business, it was voted unanimously to end the meeting at 8:45 pm. The next PB meeting will be on November, 8th at 7:00 pm.

Respectfully submitted,

David Barten, clerk