

Planning Board meeting, November 7, 2013

Present: Diane Poland (Chair), Joe Strzgowski (Vice-chair), Dave Chichester, Dave Barten. Absent: Mary McClintock

The meeting began at 7:05 pm. There were five items on the agenda:

(1) Minutes—the minutes for the meeting of October 17th were unanimously accepted;

(2) Zoning Bylaw update—Based on the negative reaction at the informational meeting October 16 to the proposed creation of a Village Center District (VCD), the Board had decided at its meeting on the 17th to place before the town only those proposed changes in bylaws relating to Cottage industries and Home-based businesses. The creation of a VCD will be taken up at some point in the future.

Peggy Sloan, FRCOG planner, had sent a fourth draft of the proposed Protective Zoning Bylaw revision in which the Board's decision about the VCD was taken into account. She also had sent a draft of the legal notice of a Public Hearing about the proposed change in By laws. According to Mass. law, this notice has to appear in print (The Recorder), no less than two weeks before the Hearing is scheduled to take place.

It was decided unanimously that the Hearing should take place sometime in February.

(3) Medical marijuana dispensaries—invitations had been directed to those Town bodies that the PB felt had a vested interest in medical marijuana dispensaries, both as regards shaping a zoning bylaw about where a dispensary could be established in Conway, and also creation of those Town regulations, in addition to the State's own, that would regulate a dispensary's activities. The invitations to the meeting were directed to the Select Board, the Board of Health, Police Department, and Ambulance Department. It was suggested that each body send a representative to a meeting at 7:30 pm.

The members waited to 7:45, and when no reps appeared acted on their own. The Board decided unanimously that a dispensary can be built and operated anywhere within Conway's borders, but that those who want to create a dispensary in the town will have to get a Special Permit from the PB to do so. There will be two requirements.

First, a dispensary cannot be located within five hundred feet of a school, playground, or where young people congregate. The Board reserves the right to increase the limit to a thousand feet in the future, should it deem this necessary. The second restriction is that a dispensary cannot change the character of the neighborhood in which the owners want to place it.

As for regulating the activities of the dispensary, it was decided that the State's own regulations and commitment to enforce them will be adequate to protect Conway's residents from any mistakes or wrongdoing by the dispensary owners.

The members decided that a Bylaw would have to be written about placement of dispensaries, and that this Bylaw will be mentioned along with those others about Cottage and Home-based businesses in the proposed Public Hearing for February.

The question was raised about fees the Town would charge owners of a dispensary for services rendered. The members decided that these fees had to be determined by the Select Board, the PB having no responsibility for them.

Diane volunteered to inform the Select Board of the PB's decisions about placement of dispensaries, regulation and fees.

(4) Responsibilities/current activities—Both Dave C. and Mary had asked that the Board address these and establish priorities. But because Mary was absent due to illness, Diane proposed that this agenda item be tabled and taken up at a future meeting. The members agreed.

(5) Old business—Diane reported that representatives from Weston & Sampson, the engineering firm, had taken a look at tax maps for both the old garage property in Burkeville, a possible site for a Safety Complex, and also the likely routing for a sewage disposal system in the Town center. Asked to estimate the cost of feasibility studies for each, she said that the ball park figure for the former would be about \$4,000 and for the latter about \$10,000.

Diane had indicated both to the Select Board and Tom H., Town Administrator, that the Board would like to request funds for both studies at the up-coming SPTM, planned for a date in December. Jim Bosman, Chair of the Finance Committee, said he preferred to see requests of this kind done at the Annual Meeting, since so few residents attended Special Meetings.

The Board discussed Jim's concern, but decided that determining feasibility sooner rather than later was necessary so that recommendations about these projects could be made to the Select Board in time for the May meeting. The members unanimously agreed that the PB should request funds at the SPTM for these studies.

(6) Old business—Dave B. reminded the Board that at the previous PB meeting it had made a commitment to keep those who attended the October 16th info session informed about the Board's response to what residents had said. This commitment was to take the form of a newsletter sent to each person who attended. David B. had volunteered to write a draft document picturing the Board's future course and send it to the members for their input. His question: did the Board still want to send this newsletter? The members said "yes", and so David will draft the document, and send it to the members of the Board for their input. David C. and David B. had volunteered to fold newsletters, and seal and address envelopes. It was decided that postage is to be paid by the Board from its funds.

There being no further business, the members voted unanimously to end the meeting at 7:43. The next meeting of the PB will be on November 21st at 7:00 pm.

Respectfully submitted,

David Barten, clerk