

DRAFT Document

**Conway Planning Board**

Public Hearing on Revision to the Proposed Protective (Zoning) Bylaws – February 27, 2014, 7:00 p.m.

**Location:** Conway Town Hall, 5 Academy Hill Road, Conway, MA 01341

**Meeting was posted:** Town Library, Town Hall, Town Office, Post Office, Baker’s Country Store, *Caring Conway*, Town Web Site, Greenfield Recorder, *Visitor*. News article published in Greenfield Recorder. Flyers available. Abutting towns notified. Complete draft of revised bylaws (dated 2-5-14) available for download on the Town’s web site, at the Town Office or upon request.

**Attendees:** Four members of the Planning Board (Poland, Strzegowski, McClintock and Chichester). List of citizen attendees attached. Peggy Sloan, Technical Advisor from the Franklin Regional Council of Governments.

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Hearing opened by Mr. Strzegowski at 7:10 p.m. There were 17 people in the room. He explained the purpose and conduct of the hearing; that is to convey to Conway citizens the proposed changes, to answer questions and to encourage feedback and comments from participants. A Power Point slide presentation was used.

**USE TABLE**

- ❖ Mr. S. explained the addition of the Use Table and its components.
  - Q from the floor. What is considered livestock?
  - Q. Why limited to animals raised for food or food production?
  - Q. Can the bylaws also include large domestic animals (horses) or pets?
    - ◆ We should consider addressing horses. Need to look at farms and what animals are included in the definition.
    - ◆ Horses on less than 5 acres might require a hearing. It is reasonable to require Special Permits.
    - ◆ We should look at small chicken operations and selling eggs at farm stands.

- Q. Are there any bylaws that protect neighbors from large animals getting loose and annoying neighbors? A. There probably should be language in Non-Criminal Disposition General bylaws, currently being discussed by the Selectboard.

- ◆ Comment from the floor: Should be included in Zoning Bylaws.

- ❖ Discussion of marijuana production and dispensaries. Referral to State regulations. Grant received to study in more depth.
- ❖ Discussion of changes regarding business uses, light industrial uses, situations that are grandfathered. Conversation about retail business spaces vs. home and cottage businesses.

### **HOME BASED BUSINESSES**

- ❖ Mr. S. highlighted and explained the differences.

### **COTTAGE INDUSTRIES**

- ❖ Mr. S. highlighted and explained the changes

### **LARGE COTTAGE INDUSTRY**

- ❖ Mr. S. highlighted and explained the differences
  - Q. Can exceptions be allowed above 10,000 sq. ft.? A. No, not in a rural, residential, agricultural district.
    - Comment from floor – concerned about rules that are obsolete or situations requiring variances. Would have to go to Town Meeting to change the bylaws. Is this okay? Is 10,000 sq. ft. the right cap? Consensus: Going to Town Meeting to change is a reasonable avenue.
  - Q. Is there an appeals process?
    - We should look at the appeals process to ensure it is inclusive of most situations.

### **DIMENSIONAL SCHEDULE**

- ❖ Explained

### **SOLAR OVERLAY**

- ❖ Explanation of the differences between large scale solar areas already designated By Right per the Green community profiles (e.g., 1 acre) and other methods of measuring the sizes.

## ZONING MAP

- ❖ Reviewed

## GENERAL

- ❖ Comment from the floor.

- It is important, when presenting to Town Meeting, to emphasize that these changes are designed to open up new possibilities, allowing more flexibility, rather than being rigid, exclusive and simply outlawing situations

- ❖ Comment by Mr. S.

- Bylaws revisions have been reviewed by Town Counsel. Recommended action:
  - ◆ Expand Definitions section; for example, “cottage industry,” “home based business,” etc.
  - ◆ Clarify setback section
  - ◆ Examine Section (63) on “accessory scientific research or development.”
  - ◆ Review language pertaining to mechanisms for appeals.
  - ◆ Clarify medical marijuana sections
- Question: Are we doing anything to expand light industrial zone? Answer: Not at present.
  - ◆ Suggest we expand light industrial zone concept, but how and where is problematical. For example, water and sewer issues.
- Question: Who decides and enforces the regulations? Where are the remedies? What is the town doing to provide “teeth?” Answer: the Court System (p. 19 Article 6). Again, reference to the Selectboard effort to develop Non-criminal Disposition provisions. One person suggested look problem situations from the perspective of “how can we help you remedy the problem?” Rather than pursuing the difficult area of enforcement.
- Discussion of Home Based Business versus Cottage Industry. Looks like it is discouraging people from using an existing building and emphasizing Home Based businesses.
  - ◆ We should be encouraging people to use existing buildings in town.

- ◆ We should look at the artisan community toward allowing a more flexible use of existing buildings in town. Comment by Mr. S; we did not intend to make it difficult to move downtown.
  - Brief discussion of multiple family dwellings expanding to 4 units. Not much comment.
  - One citizen troubled by the limited Light Industrial Zone
    - ◆ Would like to make the LIZ bigger, but doesn't know how to do it. But, should be explored further. Question; is there a demand for it? Might be a hard sell.
    - ◆ We should build the infrastructure to support what we already have, not to expand into something we may or may not want in the future.
- ❖ There being no further questions or comments, the hearing was adjourned by Mr. S at 8:40 p.m.

Respectfully submitted,

David Chichester,

Planning Board member