

Town of Conway

Minutes of the Conway Planning Board Meeting, February 19, 2015

Present: Chairman Joseph Strzegowski, David Barten, Sue McFarland and David Chichester.

Absent: Mary McClintock

Guest: None

Chairman Strzegowski opened the meeting at 7:00 p.m.

1. The minutes of the meeting of January 29, 2015, were approved. Unanimous.
2. Mr. Strzegowski reported that the Wastewater *AdHoc* Committee met recently and awarded the bid for \$8,000 for a sewage treatment feasibility study for the downtown area to the White Engineering Company of Pittsfield. The Selectboard has signed the contract and the study is "ready to roll." It is hoped that the study will be completed, with recommendations, in time for the May Town Meeting.
3. Regarding the South River flood mitigation project, Mr. Strzegowski reported that further discussions between the various parties involved has brought more clarity to the project (see previous minutes). The engineer has provided responses to questions posed earlier by Natural Heritage and the Massachusetts Department of Environmental Protection.
4. Several weeks ago the PB received a letter from a company, known as AECOM and representing the Kinder Morgan Pipeline project. The letter was essentially a request for extensive information about the town, certain properties and myriad details pertinent to the Pipeline project. Upon the PB's vote, Mr. Strzegowski sent a return letter, acknowledging receipt and advising that some of the information requested is available in the town office or on the web site. Mr. Strzegowski now reports that no further response has been received. The PB voted unanimously to take no further action at this time.
5. The Town Assessor, Lee Whitcomb, addressed a question to the PB regarding a recent purchase of a home in Conway where the Deed was recorded as both 238 Warger Road and 238 Flagg Mountain Drive. Ms Whitcomb asked the PB to make a determination on the proper road name so that town maps could be updated. To add to the confusion Warger Road is in Ashfield and the property in question is in Conway.

Mr. Strzegowski had researched the history of this problem and presented the following for discussion:

- The name, Flagg Mountain Drive, was assigned to the previous owner in anticipation of a common private drive to serve a 20+ unit development planned for Flagg Mountain. These named **drives**, and associated house numbers, are assigned by the town to provide for emergency response by fire, police and ambulance services on common private drives serving 3 or more homes.
- Under current zoning bylaws and the bylaws in place at the time the name Flagg Mountain Drive was assigned (Section 41.5-2 (h) and Section 22.4), shared drives serving only one or two homes were not permitted to be assigned new names.
- Except for the single house existing on the property (i.e., #238 Warger Road), the mountain was never developed as planned and the extended property now belongs to the Fish and Wildlife Service of the U. S. Department of Interior. It is presumed at this time that further development will not occur.

- Since the original property, known as the Rowe Parcel, is now divided into Parcels A & B, it no longer meets the standard of supporting three building lots and no longer qualifies to be a named private drive.

Upon further discussion, the PB voted unanimously that, to maintain consistency with current zoning bylaws and avoid confusion on the part of first responders, the name “Flagg Mountain Drive” is rescinded for the access route to their house and that the Warger Road address (AKA North Warger Road) should be considered their official residential address.

ACTION ITEM:

- Mr. Strzegowski will send a letter to the new owners and will advise the Assessor and the Selectboard of the decision.

6. There was discussion about the PB’s plan to present selected Protective Bylaw provision changes to the Town Meeting in May. Several procedural steps were noted:
 - In the framework of timing, the Public Hearing will occur on March 19, 2015.
 - Neighboring towns need to be advised in writing.
 - Newspaper Public Notice published by 3/5 and again by 3/12.

ACTION ITEMS:

- Mr. Strzegowski will write the actual warrant articles. There will be 5 separate articles. He will send these to the PB members prior to the next meeting.
- Mr. Chichester will write and send the Public Notices to the Recorder, following review and approval of the Town Clerk.
- Mr. Chichester will reserve the General Purpose Room in the Town Hall for the Public Hearing.
- Mr. Chichester will send proper notices to the adjoining towns.

7. Mr. Strzegowski had previously emailed his suggested wording for the change in the Prohibited Use bylaw. Motion passed unanimously to accept his changes, as written.
8. There was a question raised about the appropriate license recently granted to a Conway resident who conducts a business in town relating to used vehicles. It appears he might have been mistakenly issued a Class 3 license enabling him to buy used vehicles for the purpose of remodeling and selling the same, or buying or selling parts of second hand motor vehicles or tires or assembling parts, otherwise known as “junk.” The point was made that this appears to be incompatible with the town’s Protective Bylaws, and he should have been issued a Class 2 license, as appropriate. Agreed.

ACTION ITEM:

- Ms McFarland will talk with this gentleman and suggest that he should have a Class 2 license, rather than the Class 3.

9. Ms McFarland reported the Chair of the *AdHoc* Pipeline Committee reported to the Selectboard on the conclusion of their formal Report. The Selectboard asked the Pipeline Committee to stay intact and continue to be active.

10. Important Dates in the future:

- Town Caucus – Monday, March 2nd.
- Next regularly scheduled Planning Board Meeting- Thursday, March 5th.
- Public Notice of hearing posted to the Recorder: March 5th and March 12th.
- Public Hearing re: proposed Protective Bylaw changes – Thursday, March 19th at Town Hall.

There being no further business, the members voted unanimously to adjourn the meeting at 8:35 p.m.

NEXT MEETING: Thursday, March 5, 2015; 7:00 p.m. in the Town Office.

Respectfully submitted,

David I Chichester