

Conway Planning Board Minutes for Public Hearing followed by Planning Board Meeting

Thursday, March 29, 2018

Meeting: 7:00 to 9:00 pm

Town Hall General Purpose Room, Academy Hill Road

Attendees: Chair Mary McClintock, Vice Chair Joe Strzegowski, Sue McFarland

Absent: Beth Girshman, Andy Jaffe

Public Hearing opened at 7:02 p.m.

- 1) Chair Mary McClintock opened the meeting at and introduced the process for public input on the two proposed bylaws. Comments on the proposed extension of the Marijuana Bylaw moratorium would be heard first followed by comments on the Large Scale Construction Bylaw.
- 2) Jerry Axelson of Shelburne Falls Road feels that the extension would hold other marijuana enterprises hostage because of uncertainty regarding café's and delivery business. He also feels that it may be a moot point since these types of establishments would probably not want to locate in Conway due to business climate.
- 3) Barbara Masson, Old Poland Road asked for an explanation of the types of marijuana establishments addressed by the bylaw. Chair McClintock detailed the different types.
- 4) Jerry Axelson questioned the viability of retail businesses in Conway.. Sue McFarland explained that different types of cottage industries such as manufacturing consumables and marijuana cultivation that may find Conway a viable place to set up a business. Joe Strzegowski also cited that land in Conway could support the size of buildings cited for certain buildings for licensed cultivation.
- 5) Mike Kurkulonis, Roaring Brook Road stated that if people voted for it they probably didn't think of the ramifications but that it's a done deal and questioned why would the town want to hold it up? Mike followed up by asking if Conway could ban retail marijuana in town completely. Joe S. replied that the short answer is yes.
- 6) Barbara Masson asked what banning would mean. Joe answered that the ban could only be on commercial establishments. Residents could still consume and grow small amounts of marijuana on their private property. Joe further explained the planning board is not prohibiting anything but looking to the town to see if residents want more detailed regulation.
- 7) General discussion followed regarding tracking sales regarding a town sales tax of commercial marijuana establishments and the effect on Conway law enforcement since all businesses would be cash only.
- 8) 7:42 Motion to close public hearing on Marijuana Bylaw moratorium extension –Sue McFarland; Joe Strzegowski second. All in Favor
- 9) 7:43 Motion to open the public hear on the proposed Large Scale Construction Bylaw–Chair Mary McClintock; Joe Strzegowski second. All in favor.
- 10) Joe Strzegowski gave a history of the Large Scale Construction Bylaw. Conway originally passed a similar bylaw at a Special Town meeting in 2016 but it was turned down because the Attorney General determined it could not be a general bylaw and as such a public hearing need to be held before the vote. Joe also informed group that a similar bylaw has been passed in Shelburne Falls and is also on the Town meeting agenda for Ashfield.

- 11) Jerry Axelson and Nancy Wilson were in favor of this bylaw
- 12) Mike Kurkulonis stated he could not see a company coming in to do a project of this size but would hate to have a Conway dam project having to jump through these hoops in case it was ever revived.
- 13) Barbara Masson stated that other people have looked into the dam project and number of times over the years and it is not feasible. She is in favor of the noise control
- 14) Mike Kurkulonis made a general comment that it would be good if the planning board and other boards could update/review the status of projects and bylaws that were passed by previous town meetings at annual town meeting.
- 15) 8:12 p.m, Motion to close Large Scale Construction Public Hearing by Sue McFarland. Joe Strzegowski Seconded. All in favor.

Planning Board Meeting March 29, 2018 opened by Chair Mary McClintock at 8:15 p.m.

- 1) Motion to approve minutes of March 15, 2018 as amended by Joe Strzegowki. Sue McFarlan Second. All in favor.
 - 2) Review of input of town meeting regarding marijuana bylaw. Discussion of plan to create bylaws ready for all marijuana establishments excepting cafes and delivery service ready for a possible Special Town Meeting in October. At that point the moratorium would be lifted for other types of marijuana establishments.
 - 3) Roll Call Vote extension of Marijuana Moratorium Bylaw as proposed. Mary McClintock-yes. Joe Strzegowski-yes. Sue McFarland-No.
 - 4) Discussion of input regarding Large Scale Construction Bylaw. Roll Call vote for bylaw as proposed. Mary McClintock-yes. Joe Strzegowski-yes. Sue McFarland-Yes.
- 16) Old Business- none
- 17) New Business not reasonably anticipated 48 hours in advance-none
- 18) Next Scheduled Meetings – as there was little pending business Motion by Joe Strzegowski to cancel the April 5, 2018 meeting, Seconded by Sue McFarland. All in favor.
- 9:00 p.m. Motion to adjourn- Sue M. Second-Joe S. All in favor.