

Conway Planning Board Minutes
Thursday, Sept. 7, 2023 - 7-9 p.m.
Location: Town Hall, General Purpose Room

Present for the Planning Board: George Forcier, Chair; Members Bill Moebius, Jenn Mullins, Cheryl Case. Associated Member Joe Strzegowski.

Also attending for River Corridor discussion: Kimberly MacPhee, Franklin Regional Council of Governments land use planner; Conservation Commission Chair Grace Larson and member Tony Somers.

Meeting called to order at 7:03 p.m.

1. Approval of minutes of July 20, 2023. Unanimous.
2. Discussion of whether the board wished to bring a draft River Corridor Protection Overlay Zone proposal to completion. The current draft was begun about three years ago under different Planning Board membership, part of river protection efforts that have been in the works for a dozen or more years.

Larson sought assurances that Natural Heritage and Endangered Species Act protections for wildlife in the river corridor would not be weakened by the local proposed bylaw intended to toughen regulation of land use in the river corridor. MacPhee assured her those state protections would not change.

MacPhee noted that the river corridor totaled about 638 acres, with about 223 acres overlapping the current floodplain overlay zone, with another 415 acres within the river corridor overlay alone. A small amount of acreage in the flood plain would lie outside the river corridor.

Discussion covered other points:

- That the river corridor was very precisely mapped with areas of relative erosion risk delineated, so that surveyors could locate its boundaries on the ground.
- That the proposal would regulate use along the river more than today's flood plan bylaw alone, forbidding certain uses and requiring special permits from the Planning Board for others. This is not the case now.
- That, according to longtime selectman and planner Joe Strzegowski, creating a river corridor zone, and putting enforcement teeth into it, would be culmination of 13 years of efforts to provide more protection to the town against flooding.

Following discussion, the board voted unanimously to take the draft bylaw to completion — on a motion by Mullins, seconded by Moebius. The board plans to meet with MacPhee Oct. 5, Oct. 19 and Nov. 2 to work through the draft.

3. George reported about advice from Town Counsel Donna MacNicol regarding possible expiration of special permits for Vertex Tower Assets and Roaring Glen Farms LLC. MacNicol said that giving the timing of the permits and timing of the Mass. Covid state of emergency that extended permit deadlines, that the permit holders needed to make substantial use of their permits by June 14, 2023.

Vertex's permit for a cell tower on Deerfield Road has probably expired as no construction has taken place.

However, Town Counsel felt that if Roaring Glen Farm feels it has made substantial use of its permit or can show good cause why it didn't make substantial use before June 14, 2023, it needs to make that case in person to the Planning Board, which has the authority to extend the life of the permit.

Consequently the board voted to invite Roaring Glen Farm owners to its Oct. 19 meeting to discuss the future of their permit. (Mullins motion, seconded by Case; Forcier, yes; Moebius had left by this time).

4. Forcier noted that updating a town master plan was something that would have to come after river corridor work is complete and that he was representing the board on a Selectboard working group called Age-Friendly Conway, Serving Older Adults, tasked with finding ways the town might better serve its residents as they age.

4. Public comment: None

Upcoming Meetings: Sept. 21, Oct. 5 and Oct. 19

Adjourn: at 9 p.m.