

Minutes
SELECT BOARD
Monday, March 4, 2019 6:00 p.m.
Town Office, 32 Main Street

Select Board present: John O'Rourke, chair; Phil Kantor; Bob Armstrong

Others present: Peggy Sloan, FRCOG; John Moore and Lisa Gustavsen, Residents/Roaring Glen Farms; Beth Girshman, MTWP; Alan Singer, Roy Cohen, Finance Committee; Phil Bowden, Resident/Tornado Mountain; Joseph and Vivian Zadroga, Residents; Carol Betsch, Robin Karson, Maple Street Residents; Domenic Poli, Recorder; Dan Fentin, FCAT; Tom Hutcheson, Town Administrator; Lisa Turowsky, Assistant to Town Administrator

John O'Rourke called the meeting to order at 6:00 p.m.

Minutes

- **On a motion from O'Rourke to approve the minutes of February 25, 2019, seconded by Armstrong, the vote was unanimous in favor**

Warrants

Vendor warrant: **\$138,176.73**

Payroll warrant: **\$104,777.46**

Payroll deduction warrant: **\$26,563.81**

- **On a motion from O'Rourke to approve the vendor warrant of \$138,176.73, the payroll warrant of \$104,777.46, and the payroll deduction warrant of \$26,563.81, seconded by Armstrong, the vote was unanimous in favor.**

Meetings Attended by Select Board Members

Kantor attended Conway Grammar School and Frontier Regional School District budget meetings. He reported that the business manager hiring committee has received about 15 applications and will be interviewing applicants. He attended the Highway Facility Committee meeting and believes the current proposal for the facility, with in-house work on the cold storage barn, will be more attractive to Town Meeting than the previous garage proposal.

Armstrong attended two budget meetings, where he learned that Conway is virtually funding the entire increase at Frontier due to the state funding formula; a Conservation Commission meeting looking at the Nexamp design; a conference at Holy Cross for new Conservation Commission members; and a site visit to Maple Street, where Eversource is planning to do some pole work.

O'Rourke went to Massachusetts Municipal Association meeting where members were asked to support Gov. Baker's housing bill to increase affordable housing stock; Massachusetts Selectmen's Association regional meeting where the recycling problem was discussed, and some grant programs were announced.

Public Comments

None

Old Business

Mohawk Trail Woodlands Partnership: Peggy Sloan, FRCOG Director of Planning & Development

Peggy Sloan gave an overview of the project, which she described as an economic development measure. She reported that the enabling legislation was passed after changes were made prohibiting wood pellet/biomass manufacturing in the affected communities; the new bill incorporated the concerns of opponents and expanded the Advisory Committee to include the participation of a public health representative and a forest ecology expert, both from UMass. Now in order to proceed with the project, FRCOG needs at least 11 towns to opt in, either by Select Board or Town Meeting vote so that the Partnership will be able to proceed and get state and federal funding. It was noted that some chip manufacturing funding was recently passed for businesses in Dalton and Amherst.

Hutcheson asked if there is any opportunity for the Conway town forest to get management assistance; Sloan said there is. Kantor wondered how important it is to get the highest level of participation from Conway landowners. Girshman said that not everyone's land will be part of the project, as it is geared to larger parcels. Kantor was hoping for a recommendation from Girshman, but she declined, saying that she's both been for and against the project. Hutcheson recommends that the Select Board vote to opt in. O'Rourke said he has liked the plan since the beginning and thinks there

are great benefits for the environment and for forest management. Opposition to the project has “dissolved,” said O’Rourke and he believes there has been full participation in the 21 cities and towns that will be included in the partnership.

- **On a motion from O’Rourke to participate in the activities of the MTWP as provided for in section 91 of Chapter 209 of the Acts of 2018, an Act Promoting Climate Change Adaptation, Environmental and Natural Resource Protection, and Investment in Recreational Assets and Opportunity (the “Environmental Bond Bill”), seconded by Armstrong, the vote was unanimous in favor.**

6:30 JOINT MEETING with the FINANCE COMMITTEE

FY 2020 budget review

Other Town Meeting and budget business

Hutcheson distributed the draft budget for FY2020 to the Finance Committee and Select Board. He summarized key aspects of the budget, including revenues based on the estimated levy limit. The Town’s financial condition is much healthier than it’s been in several years. Details about free cash are supplied so people will know why there’s so much free cash this year. Hutcheson stated that the free cash situation is healthy. He recommends that capital stabilization funding be \$150,000, up from previous years. The tax rate is coming down compared to the statewide median although the exact rate for FY 2020 is not known yet. The warrant is slated to close next week. The draft Article 2 in the budget doesn’t include pay raises. The rate of increase in the budget has slowed considerably from last year.

The draft budget has been posted on the Town website.

New Business

John Moore and Lisa Gustavsen (Roaring Glen Farms LLC): proposed marijuana establishment, 40 Whately Glen Road

Moore and Gustavsen distributed the packet they prepared per Cannabis Control Commission (CCC) policy about the recently-held community outreach meeting. Gustavsen summarized the documents in the packet. The community outreach meeting was held at the Town Hall on 3/1 and was attended by approximately 16 individuals, including a member of the Select Board, a member of the Board of Health, and a member of the Planning Board. The meeting was publicly noticed in the Recorder and Town offices, as well as FCAT and abutters. The proposal is to create a craft marijuana cooperative cultivation site which will be surrounded by forest. The wholesale business will sell its product to licensed marijuana establishments only; no retail sales are proposed, nor is any manufacturing activity. Approximately three acres will be used for cultivation. 40 Whately Road is in a rural residential zoning district; no zoning amendment is required but a special permit from the Planning Board is required for the marijuana business. Roaring Glen Farms has an active business certificate and their plan complies with buffer zone requirements. There will be 24-hour-security when the crop has any economic value, an approximate six-week time period at the end of the growing season. Moore and Gustavsen addressed nuisance factors such as noise and light pollution and additional traffic. The site is at least 1000 feet from the closest residence.

Moore presented his ideas about an equitable annual community impact payment; the CIP is further addressed in their draft community host agreement which was presented to the Select Board for their review. Gustavsen contacted the CCC last week to ask them to provide guidance about the CIP and included their email response in the packet submitted to the Select Board today. Moore and Gustavsen described the positive community impact of the proposed business, including priority for local vendors for good/services needed by the business.

Gustavsen provided a check for escrow in the amount of \$2,500, which will be given to the Treasurer.

Moore, who has been a farmer for 25 years, responded to questions about how they chose to grow their crop in a wooded area. He explained that they’re under Ch. 61 in an active forestry management plan; a registered forester suggested they take an area of scrub and blowdown and make it an upland meadow. This is the area that will be used for cultivation. It will be out of view of neighbors and would create the least impact. He might apply for a variance from some of the fencing requirements, although that is not clear at this point. CIP fee reasonably related to costs imposed on the host community, max of 3%. They’re trying to establish the business is not a revenue generator; he says there’s no impact to the Town from their business. All impacts will be documented after the first year. They’d like to cut fees in half for outdoor growing for annual license fee to make it equitable for farmers. They’d only operate for half a year.

7:00 p.m. Pole hearings: Postponed to 7:55.

Maple Street

Pole hearing opened at 7:55 p.m. for Maple Street. There was no representative of Eversource at the meeting. Residents of 228 Maple Street advised that the proposed installation would obstruct the main view into Pumpkin Hollow;

there's a conservation restriction on their land and the Land Trust required them to bury utilities at great expense. O'Rourke opined that Eversource needs to be present for the discussion on Maple Street.

- **On a motion from O'Rourke to table the pole hearing for Maple Street, seconded by Armstrong, the vote was unanimous in favor.**

Old Cricket Hill

There were no residents present to voice opinions on this item, which is to benefit a customer.

- **On a motion from O'Rourke to approve the additional pole as proposed for Old Cricket Hill, seconded by Armstrong, the vote was unanimous in favor.**
- **At 8:00 p.m., on a motion from O'Rourke to adjourn, seconded by Kantor, the vote was unanimous in favor.**

Next Meeting Monday, March 11th, 2019, at the Town Hall, 5 Academy Hill Road, at 6:00 p.m. Joint meeting with Finance Committee at 6:30 p.m.