

**Charlemont Planning Board
December 11, 2018 Meeting Minutes**

Members Present: Bill Harker, Co-Chair, Robert Malone, Co-Chair, Gisela Walker, Carlene Hayden, Bob Nelson.

Others Present: Earl Bowen, Casper Martin, Abutter

Call to Order

Planning Board Co-Chair Bill Harker called the meeting to order at 7:00 p.m.

#1: 7:00 P.M. Continuation of NEIHC Special Permit hearing for communication tower at 300 Zoar Road

Co-Chair Malone opened the public hearing at 7:01 p.m.

This was originally thought to be a renewal of the original special permit, but Earl Bowen said that the access road approved in that original permit was not viable, because it is too steep. There are two proposed roads shown on a map of the property. Road #1 goes through the Casper property, Road #2 is the original steep road. Earl Bowen has an open agreement to improve the Road #1 from 2008. This still stands. Specifications for the tower are not going to change in the new special permit application. The original site is leased to SBA Communications. If they are interested in building a tower, the first thing they will do is inspect the site and they may request further changes. By getting this permit there is a chance that SBA will recognize that there are still opportunities in Charlemont. Robert Malone said that his cell tower permit lapsed and he called and e-mailed and could not get a response. The permit runs with the land, not the owner. They lease a 100' x 100' section. If SBA wants to move it, they would come to the planning board. Bill Harker said that he prefers the new location.

Robert Malone read the original conditions of the special permit from 6/12/2008. It is a 140-foot tower with up to 6 antennas. Changes were made to create the new application to locate the site to Road #1 which Earl Bowen has an agreement with Casper Martin.

Carlene Hayden let Earl Bowen know that he needed to resolve the issue of non-payment of personal property taxes before the permit can be issued. The town bylaws authorize the Planning Board (2009) to deny, revoke or suspend any permit of a party who according to the Tax Collector has neglected or refused to pay local taxes. Mr. Bowen was given a letter from the Board with copy of the town bylaw and amounts of taxes owed by NEIHC.

Mr. Bowen said he will seek to resolve this issue by the date of March 7, 2019. The Board finalized the language and conditions of the permit and continued the hearing to March 7, 2019. If at that date Mr. Bowen submits documentation that the taxes have been paid, the permit will be issued.

Motion

On a motion by Harker and seconded by Malone and approved unanimously the revised permit application submitted on 10/30/2018 was conditionally approved with changes from the original permit approved 6/12/2008.

Motion

On a motion by Harker and seconded by Malone and approved unanimously the public hearing was continued to March 7, 2019 at 7:00 P.M.

Adjournment

On a motion by Harker and seconded by Malone, the meeting was adjourned at 8:30 P.M.

Respectfully submitted, Bob Nelson

Documents viewed in the Planning Board meeting of 12/11/2018*

1. Agenda for meeting of 12/11/2018
2. Special Permit file for communication tower at 300 Zoar Road
3. Original Special Permit Application for communication tower at 300 Zoar Road from 11/7/2007
4. Special Permit Decision for communication tower at 300 Zoar Road; 6/12/2008
5. Map of the property at 300 Zoar Road showing the original and proposed access roads and sites
6. Letter from Planning Board to NEIHC regarding town bylaw and nonpayment of taxes; 12/11/2018

*Documents are stored in their respective files