

Charlemont Planning Board
November 6th, 2025, 6:00 PM Meeting Minutes
Town Hall, 157 Main Street and via conference call

Members Participating: Bob Nelson, Lori Shulda-Merrigan, Bill Harker

Others Participating: Star Atkeson,

Bob Nelson opened the meeting at 6:00 pm.

Agenda Items:

1. Review/Approve Minutes of October 16, 2025

Bill Harker made a motion to approve the October 16th Minutes. Bob Nelson seconded the motion. All in favor.

2. Jeff Lacy email re: Hinata

The Board talked about Jeff Lacy's email. He had noticed that the layout of the cabins was different from what was presented at the Special Permit hearings. The Board had reached out to Jeff and asked his opinion. He presented a lot of case law, but in the end, it was about whether the changes were deemed substantial or not, as that was the language in the Special Permit.

Lori suggested that they plan to do some more site visit, one in the winter, to drive up the road and past all the cabins.

Bob Nelson made a motion that the changes at Hinata pertaining to the two cabins moved across the road, we do not feel is a substantial change therefore it does not require a revision to the Special Permit; we will mention to Nielsen at a future site visit or other opportunity that future revisions need to be brought to the Planning Board in advance, to determine whether they are substantial or not. Lori Shulda-Merrigan seconded the motion. All in favor.

3. Bylaw changes to make for next year: State mandated requirements for Town regarding Marijuana applicants; Bob said that the reading Lori had given them was pretty clearly a template they could use in the bylaws. He also suggested that of the three options (towns must choose one of the options) meant to give those that had been hurt by marijuana laws in the past a leg up in getting into the marijuana business, they could choose to add the bylaw language exactly as written for three years and then remove it. Lori is still unclear on what is the Select Board's responsibility and what is the Planning Boards', she suggests they run both the ADU language question and the Marijuana language by Town Counsel.

Accessory Dwelling Units language for Bylaws

Bob found a clean annotated version of the ADU bylaw language online he suggests adding it to the bylaws almost verbatim. He noticed that Buckland had made their bylaw less stringent, allowing the ADU to be 900 square feet. The State law says the ADUs are allowed to be 900 square feet or half the size of the total living space of the current dwelling, whichever is less. Buckland made theirs less stringent. That was done in March, they wonder if it was approved by the AG.

4. Letter sent to Topstitch Upholstery, 2069 Mohawk Trail re: Special Permit, next steps
Bill Harker was going to find Robert Tatro's address in Florida to make sure he gets a copy of the letter sent to Top Stitch and was told that Robert's mail gets forwarded to him. Bill is going to take the lead on getting Jeff in to do a new Special Permit. Jeff isn't a fan of the trees, as they can fall on boats that are stored there and cause damage. He'd like to find a different solution. Bill says that Robert may get something notarized in Florida saying that the Board can write a new Special Permit and that his interests are represented by Jeff. Bill will bring it back after the Holidays.

5. Master Plan Implementation Committee email update
The email has not been sent out yet. Lori recruited Barbara McKenna to be on it. They figure 8 people total, meeting quarterly. Liz's email had mentioned meeting monthly. Lori isn't sure she wants to meet monthly, but perhaps the larger group of 8 can meet quarterly and smaller groups can do things within the quarter.

6. **Planning Board Chair recommendation for Municipal seat and alternate seat for newly formed Franklin Regional Planning Advisory Board (FRPAB)
Bob volunteered to do it. The meetings don't conflict with the Planning Board's this time. Molly Cantor can be the alternate if she'd like, she had expressed interest, he said.

7. **Review KPLaw's Significant Changes to Permitting of Clean Energy Facilities
KPLaw had sent an email about changes pertaining to clean energy facilities with links to State and 2 model zoning bylaws - one for battery energy storage systems and one for solar arrays. The battery one could be added verbatim. Solar is already in the bylaws. The main focus is cutting down on time. Things need to be approved within a year and not drag on and on.

Lori asked if they would bring all the new bylaw changes to a Special Town Meeting, it would be a lot to bring to the Spring town Meeting. Bob suggested bringing the energy topics next year. He thinks they can use a meeting for each topic and do the work at the meetings.

Bill Harker made a motion to adjourn at 6:57 Bob Nelson seconded the motion, all in favor.

Documents reviewed or talked about in meeting

- Agenda for 11/6/2025
- Minutes of 10/16/2025
- Franklin Regional Planning Advisory Board Member Onboarding orientation October 2025 16 pages.
- KP Law eUpdate Significant Changes in Permitting of Clean Energy Facilities Fall 2025 Draft EFSB and DOER Regulations October 29, 2025, 2 pages.