

Charlemont Planning Board
April 16th, 2026, 6:00 PM Meeting Minutes
Via conference call and in person, Town Hall

Members Participating: Bob Nelson, Lori Shulda-Merrigan, Jennifer Mooney, Bill Harker, Molly Cantor

Others: Star Atkeson, Travis DeCere

Bob Nelson called the meeting to order at 6:00 PM.

Citizen's Comments 6:00-6:15

6:00 Update from the Chair

• Potter's Road Extension

A property owner plans to place a yurt on the parcel while preparing to build a future house. Bob consulted the building inspector, who said the yurt is considered a tent and does not require action from his office, and to tell the BOH that it is a tent. Lori noted that could change if it is placed on a platform.

• 24 W. Oxbow – Wedding Venue Inquiry

The board discussed inquiries regarding a potential wedding venue at the Atwater property at 24 W. Oxbow. Prospective buyers are considering purchasing the property if they can move forward with plans for a banquet hall and overnight accommodations in the main house. They are familiar with the BOH and building code requirements.

Bob told a story about a candle company in Greenfield that was getting odor complaints. The owner argued that the previous company using the building had a special permit for a business at that location, and that they could operate under that same special permit. There was reference to a bylaw case in eastern Massachusetts involving a new business that was significantly different from the old business. In that case, the old special permit was no longer valid. He said that made sense, as candle making odors leaving the building created a different type of impact. They can use this example as precedent if something like this comes up again.

Appointment – 6:15 PM Travis DeCere, – Review of Current Permits and Uses for Former Otters Restaurant

• Travis said the purpose of the discussion was to review the property he purchased in October, formerly Otters Restaurant. After putting the property on the market and slowly trying to rent it, they have started receiving inquiries for different uses. He said he wanted to get out in front of any challenges and discuss current permissible uses with the board before moving forward with formal offers.

• Travis said they are primarily targeting restaurant use, as the building already has the footprint of a restaurant. He also noted there have been inquiries about using the property as a wedding venue or event hall. The building has approximately 6,000 square feet under air, which he said could be difficult for a single restaurant tenant to take on, leading them to consider multiple commercial uses, including retail, restaurant, and office space. Other inquiries have included a pool hall with minimal food service, a bar, music, and dancing.

- Bob Nelson said he believed most of the uses mentioned would likely be covered under the current use, as they all relate to food service and assembly-type activities, including bars, dancing, and restaurant operations. He said offices and multiple commercial uses may also fit within the existing approvals. He noted the property has always operated as a restaurant and has been sold several times. However, if no existing special permit documentation could be found, he felt it would still be worthwhile to go through the special permit process to put updated uses on the record.
- Bob said obtaining a special permit for uses such as a restaurant, banquet hall, or similar venue would likely be straightforward, with occupancy, Board of Health, and building inspector review handled through the normal process. Molly agreed that nothing discussed appeared problematic.
- Bob said it would be worthwhile to formally register the business uses and create a clear record going forward. The board also discussed the growing demand for wedding venues in the area and expressed support for the concept.

Agenda Items:

1. Oxbow Inn Update – Sprinkler System Plan Approval

- The board discussed the status of the sprinkler system plans for the Oxbow Inn. Travis said he believed Jim's 30-day review period ends on the 24th and hoped to hear from him by the 23rd.
- Travis reviewed the permitting history, noting that the special permit was issued in June. Plans filed on July 7 relating to moving the project forward were denied based on Jim's determination, which was then appealed and scheduled for a hearing in October. Travis said the State Bureau of Construction agreed the situation was a gray area regarding change of use and, out of caution regarding life safety and occupancy issues, supported the need for sprinklers.
- Travis said the engineered plans were prepared in accordance with the building code and had been reviewed at the state level. He stated the delays were not due to willful noncompliance, they had been proactive.
- Lori said she spoke with Jim Hawkins, who confirmed he had received the plans but was unsure whether Travis had an adequate water supply. Travis responded that he had already identified the existing well as inadequate and had proposed holding tanks, which he said should not delay plan approval.
- Travis said the inadequate water supply could qualify as grounds for a sprinkler waiver, noting the proposed sprinkler system would cost approximately \$150,000 and create a major financial undertaking. He said they had requested consideration for deferring or modifying the requirement based on what would be appropriate for the project. He also noted they were watching the outcome of similar issues at the Charlemont Inn to see whether any relief is granted.
- Travis said the hotel has \$60,000 fire alarm system and ADA improvements. He said that the State Board had upheld that the building official has discretion to require, modify, or defer sprinkler requirements, particularly where renovations are not substantial enough to trigger full compliance. He said the matter had been ongoing for nearly two years and expressed frustration with continued delays and uncertainty.

1. Review / Approve Minutes from April 2, 2026

Bob Nelson made a motion to approve the minutes as amended. Jennifer Mooney seconded the motion all in favor. All those present at the meeting said aye.

2. Look Into Dark Sky LED Replacement Lamps for Charlemont Streetlights

The board discussed the planned LED streetlight replacements previously arranged at a Selectboard meeting, noting the work must be completed by October before incentives expire. Members emphasized using “dark sky” compliant bulbs to avoid increased light pollution and discussed testing a few replacement bulbs first, noting LED options have improved.

Wilder said he would look into recommendations and get a product name from Star. Lori said the issue was important to her because she values being able to see the stars at night.

2. Draft and Sign Procedural Recommendation / Report for Selectboard re: Zoning Bylaws

The board reviewed two letters regarding zoning bylaw recommendations to the Selectboard. One letter stated no recommendation, while the other expressed support for the ADU and marijuana bylaw additions.

Bob Nelson made a motion to sign the letters and send them to the Selectboard. Lori Shulda Merrigan seconded the motion. All were in favor.

Bob Nelson moved to close the meeting at 7:05pm. Jennifer Mooney seconded the motion. All in favor.

Documents reviewed in meeting

- Agenda for 4/16/2026
- Minutes from April 2, 2026
- 2 Planning Board reports to selectboard on zoning bylaw amendments.