

Charlemont Planning Board
April 2nd, 2026, 6:00 PM Meeting Minutes
Via conference call and in person, Town Hall

Members Participating: Bob Nelson, Lori Shulda-Merrigan, Jennifer Mooney

Members Absent: Bill Harker, Molly Cantor,

Others: Star Atkeson, Tim Jernigan-Smith, Madison Schofield, Ellen Landau

On phone: Jonathan Mirin

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

6:15 PUBLIC HEARING

to receive comments on proposed amendments to the Charlemont Zoning Bylaws concerning Accessory Dwelling Units, Personal Wireless Service Facilities setbacks, and Social Equity provisions related to marijuana establishments.

Bob Nelson opened the hearing at 6:15 and read the Public Hearing notice.

Telecom bylaw

- Jonathan Mirin went over history of bylaw, it passed nicely with the Planning Board's support last year, this current amendment would be for the small cell antennae that will be rolled out in the future. The bylaw is modeled on Shelburne's bylaw; they don't want small cells in their touristy town.
- Amended line H would include these setbacks for any new tower or monopole or "small cell" wireless installation: not nearer than 1500 feet to any residential structure in Rural residential and in Village center 500 feet apart, 350 from residential, 800 from school.
- Mirin cited Property value issues, companies can apply for a variance, gives people more discretion, less attractive.
- Bob read supportive letters from Ellen Landauer, 5G small cells depreciate values; read letter from Wendell Rheinheimer, realtor estimated a loss of 15% property value.
- Star read letter from Tim Jernigan Smith, telling personal story of mother's death from brain cancer and preference for town input on siting of towers.
- Bob Nelson said he had no intention of delaying the citizen's petition, the plan is to move it to the warrant. At town meeting he will mention that the focus needs to be aesthetics.
- LSM got confirmation that Shelburne passed their bylaw and the Attorney General approved it.
- Ellen Landauer shared research about the firefighter's union that banned small cells from being attached to fire houses after noticing health effects on the firefighters.

- She shared video clips of antennae and smart meters causing high heat fires 6000 degrees, she had presented to the Selectboard as well. She's nervous about the fires because of the regular long droughts that Massachusetts has been having.
- She touched on the smart meter controversy, people are upset that the high-quality analog meters which last 30-50 years are being replaced with smart meters which last 5-7 years, are potentially dangerous, and require a monthly fee to opt out of.

Bob Nelson made a motion to move forward with putting Jonathan Mirin's Citizens' Petition on the warrant at the Annual Town Meeting. Lori Shulda-Merrigan seconded the motion. All in favor.

ADU bylaw

- Bob said that the only change from what had been previously presented would be to remove the first 3 definitions from Article V section of the bylaws pertaining to Accessory buildings. The new bylaws definitions supersede the old.
- The entire bylaw and ten definitions are almost verbatim from the Massachusetts standard model for ADUs.
- 2 specific changes:
 - removed the "*1/2 the size of the primary dwelling*" or 900 square feet, "*whichever was smaller*") as Buckland did. It can be 900 square feet.
 - The state potentially allows many ADU's; Charlemont will put one extra forward this year and investigate for a future year to possibly increase the number of ADUs per property.
- They did not put anything in curtailing short term rental. Last year the town passed a general bylaw limiting the number of single-family homes/short term rentals
- Lori thinks the ADU's cannot be used for short term rental.
- Jen asked if ADU's could be on a commercial property.
- They suggest adding a short-term rental stipulation at Town meeting.
- Bob talked about 5 ADU's on a lot; one primary residence and 4 ADU's. A campground minimum is 10 acres. He can mention tiny house concept at Town Meeting and if people want to make a motion on the floor they can.
- Right now, it's 2 ADUs per lot. The local ADU requires a special permit.

Social Equity bylaw

- Not much to talk about, verbatim from the State of Massachusetts model social equity bylaw.
- It allows the town to require that ½ of their marijuana establishments be run by social equity applicants
- If there is no forward movement by social equity applicants after three years, and the town desires, they can remove the bylaw.

Bob Nelson made a motion to move the two zoning bylaws which pertain to ADUs and social equity provisions relating to marijuana establishments to town meeting, and with the ADU bylaw to include removing the three accessory definitions in Article V of the current zoning bylaws. Jennifer Mooney seconded the motion. All in favor.

Bob asked Star to avoid any scheduling of Planning Board meetings on religious holidays.

Bob Nelson made a motion to retroactively close the zoning bylaw hearing at 7:00. Lori Shulda Merrigan seconded the motion. All in favor.

Agenda Items:

1. Review / Approve Minutes from March 19, 2026

Bob Nelson made a motion to approve the March 19th minutes as written. Jennifer Mooney seconded the motion. All in favor.

2. Master Plan implementation next steps

Star suggested that the first item be to get the Business association in place, as that is one of the early objectives in the Master Plan and seems like what many of the volunteers are interested in. Jen said that it is underway, Kristie Faufaw is taking it on, handed over from Hinata.

3. **The Oxbow, building code violation letter, next steps for Planning Board

- The Board read the letter from Jim Hawkins to Travis DeCere, dated March 16th outlining a building code violation and a cease and desist of the R-2 use on the property, and mention of rescinding the special permit.
- The board would like a plan and estimated date of sprinkler system install completion at the next meeting, in two weeks. Star emailed Travis to ask him to notify the board of his plans.
- LSM will call Jim Hawkins.
- Travis responded that he had submitted plans on March 24th and was waiting for approval.

Bob Nelson moved to close the meeting at 7:22 pm. Jennifer Mooney seconded the motion. All in favor.

Documents reviewed in meeting

- Agenda for 4/2/2026
- Minutes from March 19, 2026
- Public hearing notice
- Marijuana Social Equity, ADU, and Citizen's petition telecom bylaw amendment proposals
- Email letters in support of telecom bylaw amendment from Ellen Landauer, Wendell Rheinheimer and Tim Jernigan Smith.
- Read Email from Travis DeCere re: March 24 submission of sprinkler plans for 1741 Mohawk Trail