

TOWN OF CHARLEMONT
MINUTES OF THE PLANNING BOARD PUBLIC MEETING
1/3/2013

Members present: Gisela Walker, Chair, Trevor Mackie, Steve Ferguson, Dan Girard, Tom Cashin Jr, Mike Cain

Open meeting at 7:00 PM

No Public in attendance.

Motion made (Walker) and seconded (Girard) to accept the previous meetings minutes with changes

Walker Yes, Ferguson Yes, Girard Yes, Cashin Jr Yes

7:15 Barbara Ovitt and Laura Griswold appeared before the PB for an extension of the existing SP for 495 Zoar Rd.

Original SP is for a mobile home with provisions for a 2 year extension provided the condition of need are still applicable. Laura explained that she still required the SP and that having it there has been beneficial to all parties. Members of the PB complimented her on the improvements/installation of the mobile home. There was discussion on how to allow her to continue having two year extensions, provided the original SP condition where still valid.

Motion made (Walker) and seconded (Ferguson) That the SP issued to Laura Griswold for a temporary mobile home at 495 Zoar Rd be extended for an additional two years, with further extensions of two years interval until no longer needed as listed in original SP.

Walker Yes, Mackie Yes, Ferguson Yes, Girard Yes, Cashin Jr Yes

Motion made (Girard) and seconded (Walker) To extend the SP for original user in 2 year intervals until no longer needed for original SP purpose.

Walker Yes, Mackie Yes, Ferguson Yes, Girard Yes, Cashin Jr Yes

7:30 Phil Banks Re Work on Zoar Rd.

Mr. Banks has observed excavation equipment that appears to be working in the area of one of the proposed cell tower access roadways. This work as observed from the road looks to be where there is an existing culver/intermittent stream and there are no silt barriers installed in the area. There has been some rain which has caused muddy water to flow down to Zoar Rd, into the towns culvert then onto Mr. Bank's property. Question asked if he has contacted the ConCom committee, yes has meeting scheduled.

Another concern he has is that the SP for the cell tower has conditions that require PB involvement,prior to working on access road.

According to Mr. Banks, he has been in touch with the Franklin County Building Inspector and relayed his concerns about the runoff and construction. The Building Inspector called the landowner and was told that a well was being installed for the trailer park. Mr. Banks reports that further checks by him with the DEP and BoH, neither have any information about a well being installed in that area.

Mr. Banks also has heard recently what sounds like heavy machinery jack hammering up in the gravel bank area. Since there is no public access to the area he is unable to verify. But

according to the SP for the gravel bank there is to be no permanent ledge removal and Mr. Banks would like the PB to look into this.

The PB has concerns about the dirty runoff entering/blocking the culvert under Zoar Rd and it dumping onto Mr. Banks's property. We all understand that there will some silt during runoff but this has been increased due to no silt barriers being installed. PB suggested that Mr. Banks contact the Charlemont road boss about this, PB will also follow up with the road boss.

On the possible ledge issue, jack hammering along with the runoff from the proposed access road. The PB will ask the building inspector to check on it.

In response to the complaint by Mr. Banks and the visual materials he submitted about activities on Mr. Bowen's land, Walker moved to ask the building Inspector to ask permission from Mr. Bowen to inspect his gravel pit because of neighbor complaint re possible permit violations re erosion flow and mud coming down the entry road of the pit and flowing across onto the neighbor's land (Settlement agreement condition #3) and re breaking up of ledge with jackhammers (Condition #4). Seconded by Girard
Walker Yes, Mackie Yes, Ferguson Yes, Girard Yes, Cashin Jr Yes

Motion (Walker) made and seconded (Mackie) to invite Mr. Bowen to the next PB meeting to explain the impact of installing a well and the impact clearing on access Rd #2 for the cell tower SP.

Walker Yes, Mackie Yes, Ferguson Yes, Girard Yes, Cashin Jr Yes

835 The All Boards meeting, the BoH will be discussing the "Block" building. There will possible be a site visit, Walker will let member know when it is.

Discussion on does the PB want to pursue an earth removal bylaw vs. doing it by SP? and bringing it up at the All Boards meeting. Members would like it discussed.

Person for the ANR did not show

Annual Report DRAFT handed out

Because all members will be present at the All Boards meeting we will post it as a meeting. The next regular PB meeting will be on 1/24/2013 at the Town Hall 7PM.

Motion to adjourn made at 8:55 PM

Walker Yes, Mackie Yes, Ferguson Yes, Girard Yes, Cashin Jr Yes

Respectfully submitted by
Trevor Mackie, Clerk