

**Charlemont Planning Board
October 10, 2019 Meeting Minutes
Charlemont Town Hall Meeting Room**

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

Members Absent: Robert Malone, Co-Chair

Call to Order

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

Board Discussion

The board reviewed the Marijuana Retail District and the Scenic District. Walker and Nelson drove by and noted properties included in these sections in order to be prepared for questions that may arise during the upcoming Special Town Meeting.

Approval of Minutes

Draft Minutes from the June 27, 2019, July 11, 2019, September 4, 2019, September 4, 2019 Executive Session, September 5, 2019, September 12, 2019 and September 26, 2019 meetings were approved unanimously as written.

Letters to Building Inspector

Item a: A letter was drafted to the Building Inspector regarding Brian DuPree. The letter states that Mr. DuPree does not have a Special Permit to store/recycle vehicles and requests that the Building Inspector issue a cease and desist. There was discussion that the letter should be edited to ensure it included the property across the road, also owned by Mr. DuPree. The specific addresses will be included in a revision. Mr. Dupree spoke with board members prior to the meeting and said his wife will come by and pick up the special permit application from Carlene. It was suggested that once Mrs. DuPree picked up the application, she should be given 10 days to get it back to them, and if not, the letter to the Building Inspector will be sent.

Item b: A letter to the Building Inspector was drafted requesting that Marie Hall come for a Special Permit for the additional signs that she has been placing on the river advertising hot dogs and other items at Hyytinen Hollow Tubes. Only a sign on Route 2 was approved with the initial special permit for her business. Although the signs have been removed for the season, she will not be able to put them back without a special permit.

Motion

Harker moved that we send the letter regarding the signs on the Deerfield River at Hyytinen Hollow Tubes as written to the Building Inspector. Hayden seconded the motion. The motion was approved unanimously.

Item c: A letter was drafted requesting that Tom Danek of Zoar Stone & Gravel Processing Division, LLC discontinue his operation on Sundays. Only Monday through Friday 7:00 am to 5:00 pm and Saturday 8:00 am to 12:00 pm are the hours of operation as shown in the original special permit from 1999. There was some discussion as to whether there may have been a later permit issued. Walker will contact Earl Bowen and ask if the 1999 permit is still in force. Mr. Danek leases the property from Mr. Bowen.

Board Discussion

The board discussed the upcoming special town meeting. Walker said that Peggy Sloan of FRCOG believes that the Town Counsel never received the May version of the bylaws and this explains some recommendation that she believes can be ignored. There was discussion that the marijuana district extends 1/8 mile north of Route 2, not the Deerfield River. Peggy Sloan also let Walker know that the long map of the Town of Charlemont is the official zoning map and the document that shows just the three areas of the marijuana retail district (MRD) will not be included in the revised bylaws. Hayden requested a clearer version of the MRD to show which lots are included. Walker will type up the notes regarding the properties and other characteristics of the MRD. Walker will also obtain a town meeting version of the draft marijuana bylaws and print them in color and send this version to Hayden and Nelson. In addition to these copies and the large zoning map, Walker will also have some copies of the MRD only map and pictures of the Bernardston greenhouses and a multipage document of other greenhouse images that we received several months ago. During the special town meeting Nelson will review the use table and Hayden will review the procedures. It will require a 2/3 majority for the bylaws to pass. The Special Town Meeting also includes an item regarding Heath joining the school district.

Walker informed the board of the upcoming CPTC training. There are two topics. First is Writing Defensible Decisions and the second is Zoning with Overlay Districts. Walker suggests we attend the Overlay Districts meeting. The meeting is December 10 from 6:00 pm to 8:00 pm at FRCOG in Greenfield.

Robert Malone has not attended a meeting for months and mentioned to Hayden that he is resigning. Walker suggested that Hayden send him an email copying Kathy Reynolds that we consider him to have resigned and if he agrees to respond to all. That way we will have something dated to show his resignation.

Upcoming activities are special permits from the Banks and Mr. Dupree.

Hayden informed the board that Jim Williams wants a variance regarding the setback of a garage that he plans to rebuild. He wants it to be two feet from the property line in order to enhance his view. The neighbors do not mind. This is a ZBA issue, not a planning board issue.

Walker informed the board that the natural screening in from of Tatro Trucking needs to be maintained, as some trees have died and need to be replaced. Harker may have an opportunity to speak to them about this.

Hayden mentioned an email that was sent by Bill Coli regarding the possible cell tower on Legate Hill Road, though there did not appear to be an action item for the planning board in the email.

Walker will be out of the area from October 23 to November 12.

Hayden read the Nuisance Trade Law. It is not just noise but inclusive of many nuisances.

Motion

Harker moved that going forward the planning board meetings begin at 6:00 pm. Walker seconded the motion and the board approved the motion unanimously.

Adjournment

At 9:15 p.m., on a motion by Harker and seconded by Walker, the board voted unanimously to adjourn the meeting.

Respectfully submitted,
Bob Nelson

Documents viewed in the Planning Board meeting of 10/10/2019*

1. Agenda for meeting of 10/10/2019
2. Draft Minutes from the June 27, 2019, July 11, 2019, September 4, 2019, September 4, 2019 Executive Session, September 5, 2019, September 12, 2019 and September 26, 2019 meetings
3. Draft Marijuana Bylaws Town Meeting Version
4. Maps of the Marijuana Retail District
5. Marijuana Zoning Bylaw Strategy Document
6. Draft letters to the Building Inspector
 - a. Brian Dupree/Stagecoach Auto
 - b. Marie Hall/Hyytinen Hollow Tubes
 - c. Tom Danek/Zoar Stone & Gravel Processing Division , LLC
7. Image of signs on the Deerfield River at Hyytinen Hollow Tubes

*Documents are stored in their respective files