

**Charlemont Planning Board
November 21, 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

Others Present: Marguerite Willis, Jon Schaefer, Jim Scalise, Justin Korby, Helen Carcio, Brian Dupree

Call to Order

Planning Board Co-Chair Bill Harker called the meeting to order at 6:05 p.m.

Board Discussion

There was some confusion because the Board meets now at 6 pm instead of seven. While waiting for Jon Schaefer Harker informed the board that Brian DuPree (Stagecoach Auto Repair) will be coming to the meeting tonight to discuss his communication with Jim Hawkins (Building Inspector) regarding his application for a Class 3 license to store junk cars and it's automatically being approved.

In anticipation of the next two appointments there was some discussion regarding what a Tiki Bar is and the current use of the Warfield House, which is currently a Bed and Breakfast and wedding/catering operation. Harker said it is likely they would put the potential brewing facility in the building currently used for a sugaring operation. This prompted some discussion regarding whether Charlemont should be encouraging sugaring in town.

Town residents will be able to purchase electricity from the solar farm on Avery Brook Road at a lower rate. Regarding the Sunday work at the Bowen/ Danek Gravel Pit, the settlement agreement does not specify working hours but the underlying original special permit does. Walker has not called Bowen or Danek yet but promised to do so.

Approval of Minutes

Draft Minutes from the August 8, 2019, September 30, 2019, and October 10, 2019 meetings were approved unanimously as written.

Appointments:

Jon Schaefer (Berkshire East), Jim Scalise (Civil Engineer), Justin Korby (Stoneman Brewery) discussed two ideas. Jon Schaefer owns a house at 48 Main Street. He would like to use the first floor of the house as a welcome center. This would give Berkshire East a presence on Route 2 to inform those passing by to the recreational activities that they offer year-round at their locations. Behind the house they would have a seasonal, portable Tiki Bar, portable food truck, picnic area and sanitary facilities available. These would be open a few days a week open from about noon to dusk. Parking would be on site, screened to the east side of the house and include about 26 spaces. There would be disabled access. They have spoken with DEP about water. As long as they offer bottled water from the Berkshire East water supply, they would not require a public water supply on this site. The portable structures would be removed in the fall. They would need a liquor license. They said that they would keep the two curb cuts, but grass over one of them. Helen Carcio and the Board voiced concerns re traffic flow at this dangerous intersection of commercial driveways, the Long Bridge and the curve in the road. Harker suggested they use both access points from Route 2 to create a safer traffic flow. There was some discussion over traffic safety and speeding cars and possible solutions, including signage and more police presence. Marguerite Willis said she would take this to the Select Board if she is reminded with an e-mail. The second proposal put forth by Mr. Schaefer is to convert

the sugar house at the Warfield House into a brewery and tap house. Walker said that since the sugar house is agricultural, it did originally not require a permit but now they will need a special permit for the change of use.. They would have a five-barrel nano-brewery using all local ingredients with probably two employees. There is a very elaborate wastewater treatment system installed up to the building. The planning board arranged a site visit to both locations for Friday, December 6 at 3:30pm.

Tim Shaipus (surveyor for Molly Scott) requested sign-off on an ANR dividing out a section of her property. The board signed off the plans as requested.

Helen Carcio said she had two items to review with the planning board. She would like to make the six acres behind The Great Outdoors at 78 Main Street into a buildable lot. She discussed points of access and the triangular section that they own with its 25' foot wide access next to the post office and the current easy access from The Great Outdoors. Walker said that they can access the lower six acres from The Great Outdoors, but it is not a buildable lot since it does not have frontage. If the lot needs to be buildable and a building permit is required, they would first need to merge the lots in order to make a backlot development. She should ask the building inspector whether a building lot is required for the pavilion/Tiki Bar she envisions. If so, she can merge the lots first and then create a backlot. She also needs to speak to the Board of Health about the water and sanitary facility requirements. She should speak to Kathy Reynolds about a liquor license.

Brian Dupree spoke about his need for a Class 3 license to store junk cars. He said he was told by Jim Hawkins that since no decision was made at the time, he receives a license by default. Hayden and Walker explained to Mr. Dupree that the missing special permit for the use of the land for a Class 3 business is a one time permit that he has never applied for; and that the business license for conducting this business on the land comes from the Selectboard and gets renewed annually Jim Hawkins has no authority over these licenses, since they are from the state department of transportation. The Planning Board special permit was never submitted after 1994 when he was informed to return and apply for a Class 3 license since the requirements were changing and this did not occur. He needs to apply for this special permit. There is also a Conservation Commission violation regarding not removing the junk cars from the wetland he is under court order for. He also needs to ensure that the business permit states all the addresses that he uses for the business. Mr. DuPree left in a huff without taking the special permit application form offered to him.

Board Discussion

Walker suggested that we consider removing the cell tower bylaw, since technology is moving on to 5G. and no new application for a cell tower as specified in the bylaw has been filed in 15 years and the one permitted has never been built. Walker also suggested that we consider an auto-resign provision for board members that stop attending meetings since the present co-chair has been absent and unresponsive for months.

Both Hayden and Harker will need to recuse themselves for any decisions required for Berkshire East. The Planning Board will need to request the assistance of their alternate member and Marguerite Willis should a decision be required.

Adjournment

At 9:06 p.m., on a motion by Harker and seconded by Hayden, the board voted unanimously to adjourn the meeting.

Respectfully submitted,
Bob Nelson

Documents viewed in the Planning Board meeting of 11/21/2019*

1. Agenda for meeting of 11/21/2019
2. Draft Minutes from the August 8, 2019, September 30, 2019, and October 10, 2019 meetings
3. Packet of Documents regarding 48 Main Street with street view and plot plan
4. Packet of Documents regarding the Warfield House, with street view, overhead view, plot plan and proposed interior drawings
5. Plot Plan for 78 Main Street and surrounding area
6. Public Hearing Notice Town of Colrain November 6, 2019 at 5:00 pm regarding Marijuana Cultivation
7. Public Notice from the Colrain Zoning Board of Appeals November 6, 2019 at 7:00 pm regarding Atlantic Farms LLC Marijuana Cultivation

*Documents are stored in their respective files