

**Charlemont Planning Board  
January 21, 2021 Meeting Minutes  
Zoom Meeting**

Members Participating: Bob Nelson Chair, Bill Harker, Gisela Walker, Carlene Hayden

Call to Order

Planning Board Chair Bob Nelson called the meeting to order at 6:00 pm.

Approval of Minutes

Hayden moved that the minutes for 1/7/21 be approved as written, Harker seconded. The minutes were approved unanimously.

Review Correspondence

There was no appeal of the Special Permit for the Berkshire East Welcome Center special permit, as certified by the Town Clerk.

Zoning Revisions Language

Walker said we should await the next round of funding to obtain assistance from FRCOG to make various zoning bylaw changes. The changes we have discussed are pertaining to farm animals, 5G, land use table changes that the AG wanted us to do pertaining to lots between 2 and 5 acres primarily involved with agriculture and the ability to pursue marijuana activities.

After much discussion on the animals that should be allowable, we recommended that in the rural district over 5 acres farm animals would be a site plan review. Farm animals in rural residential, under 5 acres would require a special permit.

In the village a special permit would be required for all livestock, since all lots are under 5 acres. Hayden will look into the definition of livestock and determine whether certain animal are included or excluded from that term. No horses, cows or pigs would be allowed in the village. We discussed allowing up to five rabbits and chickens (caged), but no roosters. Walker suggested possibly getting assistance from the school and parents and children to determine the number of animals that should be allowed.

5G and Cell Tower Bylaw

Nelson mentioned seeing articles that suggested that 5G was not a health issue, but the board recommended that we pursue the amendment that Jonathan Mirin had developed previously as a possible amendment to the town's cell tower bylaws. A similar requirement was adopted in Shelburne to minimize the potential for issues and worries pertaining to 5G. We will try to have Mr. Mirin attend the next meeting on February 4. Walker will also try to call Trevor Mackie pertaining to cell towers.

Non-criminal Disposition Bylaw

Sarah Reynolds will be taking care of the issue of non-criminal disposition as part of her job as Town Administrator.

48 Potter Road

Walker sent out the subdivision regulations for Planning Board review. It specifies very clearly the requirements for roads built to serve various numbers of houses. In this case the level three requirements must be followed and they are spelled out in the regulations. According to the regulations, the

construction or upgrading of the road must be certified by the highway superintendent, the planning board and the fire department. We do not have a plan for that road. We need to ensure that Winfisky, who built the road followed the regulations. The owner Mr. Palmer told Walker that after mud season Winfisky will be topping off the road with more crushed stone. There was some discussion as to whether it was possible to follow the requirements given the specific location and its physical limitations and grade issues. The 100 foot turnaround may not be possible. We can give a waiver, but they would also need to get approval from the fire department and highway superintendent. They have telephone poles and will be getting broadband. Potter Road has access limitations as it stands now, because of the concrete posts at the entrance to the road. There are six or seven additional lots on the new road that could have houses in the future. Walker will call Winfisky and see what he did and if he knows about the turnaround and other requirements. We will need documentation from Winfisky that can be used for the certification.

Board Discussion

Hayden will inform Joe Pellegrino that Jim Hawkins did not see any chickens during a recent inspection and Mr. Pellegrino will need to take pictures or recordings of roosters to take any action going forward.

Hayden will try to obtain a laptop for planning board use.

Adjournment

At 7:25 pm on a motion by Walker and seconded by Harker; the Board voted unanimously to adjourn the meeting.

Respectfully submitted,  
Bob Nelson

**Documents viewed in the Planning Board meeting of 1/21/2021\***

1. Agenda for meeting of 1/21/2021
2. Draft Minutes for 1/7/21
3. Town of Charlemont 2007 Subdivision Regulations

\*Documents are stored in their respective files