

## Minutes of the Charlemont Planning Board Meeting June 03, 2021

Meeting location: Charlemont Fairgrounds

Members present: Bob Nelson, Gisela Walker, Bill Harker, Dan Miller, Carlene Hayden

Public present: Marie Hyytinen, Kelly & John Riley, Frank Taylor, Marguerite Willis, Paul Fantucchio, Mary Ellen & Phil Banks, Patrick & Katie Banks, Helen & Frank Carcio, Jennifer Mooney, Gregory Rowehl, and Sarah Reynolds.

Chairman Bob Nelson opened the meeting at 6:05 pm

The board reviewed paperwork and discussed some scheduling.

The hearing for 7 & 23 Tea Street, Charlemont, Hyytinen Hollow Tubes was opened at 6:15 pm. Bob Nelson read the notice of public hearing and went over the hearing procedures.

Marie Hyytinen explained:

- She wants to be able to park 75-80 cars, she previously was only able to park 30-40
- The hotdog stand has a Board of Health permit
- She ran a bus shuttle to the river.
- The camping on the end of the property was for her children and grandkids and she is hoping to add cabins to the property in the future.

A letter was then read from abutter Franklin Taylor, explaining that they had concerns about the tubers walking less than 10' from the property line and less than 100' from their family camping area causing privacy concerns, they also question the parking proximity to the water and want to have a stockade fence added by Marie.

Marie Hyytinen explained she would be willing to fence the property line, and the type of fence was discussed, the planning board stated they could not require it to be a stockade fence. Kelly Riley brought up that the tubing guests miss the takeout and end up on their property, and they walk right past no trespassing signs and she does not agree with parking cars right next to the river.

Paul Fantucchio explained his concerns that there are no guides with the tubers like there is with the rafting companies, how are these businesses operating using a state rest area as a resource- isn't that illegal, it is out of control every weekend, and even though the state police last summer made it better, who is responsible for all the people on the river? And if there is a law change reducing the number of tubes these businesses can have, would the permit reflect that?

Marie Hyytinen then explained that you cannot assume every vehicle has 3 or 4 people in it as they sometimes only have 1 or 2; the parking she is requesting reflects the hotdog stand, and other property uses. They do not rent tubes after 4 pm.

Katie Banks asked how they could park if the parking area was on a wetlands map and why was her plan not to scale so it would be clear the number of cars that they could fit?

The planning board explained they had visited the property as part of a site visit. They reviewed the numbers of cars that could fit in the different areas on the map. They also explained the zoning setbacks as relative to the property lines and the river.

Katie Banks then brought up that people gather instead of moving along when they were done tubing, and tubers who were not Hyytinen Hollows customers also stopped as a result. Was there something that could be done about the noise and sound pollution? Also, tubers miss the exit for the business and end up on their family's property and increases their issue with trespassing from river users.

The planning board discussed more signage with Marie Hyytinen to help with this issue; was there any way to add some more signs up by the railroad bridge so the tubers would know to get over. Marguerite Willis explained that the FRCOG is presently working with public funding on designing and producing new and consistent signs to be installed along the river. These may help if placed strategically to alert tubers early enough about exit sites.

Jen Mooney brought up that an effective way to get the guests' attention would be to put someone at the waters edge with a whistle and they could blow it as they see their tubes coming to guide them to the proper exit.

Gregory Rowehl then brought up maybe doing a YouTube video for the customers going over the dos and don'ts, including in it no drinking and tubing as well as lifejackets etc. Helen Carcio explained that Great Outdoors does a talk in person as they rent the tubes. Jen Mooney brought up that rafting companies do talks on the bus as they head up to the river.

Katie Banks asked if they have tubes numbered; do they have a system to account for all their guests? Do they sign a waiver? Can they apply by-laws to protect the neighbors' properties? The hanging out while they get hotdogs for the other tubers, who are not her tubing customers compounds problems.

Marguerite Willis spoke to the question of the river usage and bylaws and relayed that the town was participating in meetings for the river issues that clearly wanted free access and free use, and with the amount of people who have discovered the Town, there would be issues with or without the businesses. The state has conflicting interest groups and conflicting laws compounding the situation.

After discussion, the planning board then brought up that they would have to shift the parking out of the wetlands area; Marie Hyytinen could encourage her guests to not hang out on the rocks and encourage them to move to her picnic area, still allowing them to take a break and use the hotdog stand, and this could help with the neighbor's concerns.

On a motion from Gisela and second from Carlene at 8:24pm, the hearing was continued to Thursday, July 1, 2021 at 6:15pm. The planning board will do a second site visit of Hyytinen Hollow on June 24<sup>th</sup> at 4:30 pm to measure parking spaces and firm up those numbers.

The site visits for the Potter's Road extension and Mountain View Drive were then discussed and there was a reminder of the sawmill hearing on July 29<sup>th</sup>.

Respectfully Submitted,  
Sarah Reynolds, Town Administrator

**Documents viewed in the Planning Board meeting of 6/3/2021\***

1. Agenda for meeting of 6/3/2021
2. Application submitted by Marie Hyytinen
3. Letter and pictures submitted by Franklin Taylor

\*Documents are stored in their respective files