

**Charlemont Planning Board
August 5, 2021 Meeting Minutes
Charlemont Fairgrounds**

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

Others Participating: Amy Coates, Jonathan Mirin

Call to Order

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

6:00 P.M. Appointment; Amy Coates for Approval Not Required (ANR) Plan

Amy wants to divide her property on West Oxbow Road, keeping 8.9 acres for herself and leaving 48.9 acres to sell. After determining that sufficient frontage and area will remain, the Board signed the plan.

6:15 Appointment; Jonathan Mirin, Discussion on Proposed 5G Bylaw

It was noted that Mirin had combined the 5G bylaw with their current cell tower bylaw, and that the Term CRS (Commercial Radio Service) Facility includes cell towers. Nelson asked whether the bylaw addressed future changes in power output and siting distances. Mirin said they didn't really address it. The Board discussed that they noticed Shelburne's bylaw required a distance of 1,500 feet from residential structures while he changed theirs to 2,500 feet. After discussion, the Board felt this was a lot and would likely prevent any such structure from being located in Town. Further discussion centered on whether there would be a need for CRS facilities with the installation of broadband and better cell phone coverage in Town. Mirin replied that proposals for cell towers are still being submitted. After discussion as to some sections in the bylaw that may not be needed, Mirin agreed to shave the bylaw down and provide another draft, for discussion with Peggy Sloan (FRCOG) at their next meeting.

Mirin then discussed his plans for a playhouse in the future, noting he plans to buy some property from an abutter to operate the playhouse on. He will discuss this with his neighbors and come to the Planning Board when he is closer to applying.

Review Correspondence

Improvements to Potters Road Ext. After the Board visited Potters Road extension with the Highway Super and being satisfied it was brought up to subdivision standards for a building permit, Walker composed a letter to property owner Thorne Palmer indicating this. Chair Nelson signed the letter and Hayden will mail it to Mr. Palmer and the Building Inspector.

Letter from Building Inspector to Vacationland, LLC. The Board reviewed a letter from the Building Inspector to Vacationland, LLC ordering them to cease and desist the use of the cabins at their campground until the height of the doors is brought up to code of 6', 6". Harker noted that he's been to the site and that otherwise, the owners have done an exceptional job preparing the site for the campground and said the sitework was very well done. The Board will visit the property to check the progress after the code violations are resolved.

Approval of Minutes

The Board reviewed the minutes from their 7/29/2021 meeting and on a motion by Nelson and seconded by Harker, the minutes were unanimously approved as written.

Board Discussion

It was noted that Nelson had replied to Nicole Durant's 5/20 email regarding what will be needed to improve Mountain View Drive and that she has not responded back. He will wait a couple days and email her again to make sure she understands that further improvements than what she is anticipating will be needed in order to obtain a building permit.

Hayden noted that in looking something up in their Subdivision Regulations, she noticed that the Form A application (for ANR's) that they have been using is only the first page of a two page application, the second page being where the applicant fills out the reason they believe their plan is an ANR. Hayden presented the full Form A application from the subdivision Regulations to the Board for their review. The Board reviewed and directed Hayden to update the Form on their website and to begin using it.

The Board discussed their permit fees and ways to address the shortfall in the fees not covering the cost of advertising. Hayden said she discussed this with her contact at the Recorder, who suggested that the applicant be responsible for payment of the legal notice that runs in the newspaper, as some other Towns do. Hayden would need to get the legal ad to the Recorder a few days earlier than usual and the Recorder will email her and the applicant the fee and the date it needs to be paid by. If not paid by the due date, the ad will not run and the applicant will not have a hearing. The Board will still charge an application fee to cover the time in preparing and mailing the notices, as well as a fee to cover the abutter mailing costs. The Board agreed this seemed to be the best solution to address the shortfall and the changing costs of ad fees. Hayden said she will amend the permit applications to include a place for email addresses.

The Board reviewed an eUpdate from KP Law regarding zoning to address short-term rentals. After discussion, it was felt that this didn't apply as we do not have a strictly single family residential district.

The Board reviewed their proposed zoning revisions, beginning with agricultural uses. Hayden pointed out that per the Attorney General's letter with their last zoning revisions, they should change their requirement from 5 acres to less than 2 acres to be consistent. The Board also added a category of 2 acres or more and will add a definition of ruminant. Walker suggested some revisions to the dimensional schedule wording for clarification. Hayden will mark up their revisions and send them to Peggy Sloan.

The Board discussed the need for a tracking system to remind them to revisit permitted properties to check for compliance. Hopefully this is something the Secretary to the Boards can do, if they receive any applications for the position.

The Board regretfully acknowledged Bill Harker's resignation from the Planning Board, as he has won the seat of Select Board and cannot serve on both. Harker assured the Board he would remain in contact with them and assist them as much as possible. Bill has been an invaluable presence on the Board and an excellent source of knowledge and he will be very sorely missed. The Board will have a going away gathering for Bill on August 22nd.

Adjournment

At 8:15 pm on a motion by Harker and seconded by Nelson, the Board voted unanimously to adjourn the meeting.

Respectfully submitted,
Carlene Hayden

Documents viewed in the Planning Board meeting of 8/5/2021*

1. Agenda for meeting of 8/5/2021
2. Draft Minutes for the 7/29/2021 meeting
3. Form A application from Amy Coates, 8/2/2021
4. Survey (ANR Plan) for Amy Coates, 7/29/2021
5. Draft of proposed 5G Bylaw, 4/1/2021
6. Planning Board letter to Thorne Palmer, regarding 48 Potters Road Ext. improvements, 8/5/2021
7. Letter from Building Inspector to Vacationland, LLC regarding door size code violations, 8/3/2021
8. Form A Applications-current and proposed
9. eUpdate from KP Law regarding zoning for short-term rentals, 7/8/2021
10. Draft of proposed zoning revisions, 3/15/2021
11. Bill Harker resignation from the Planning Board, 8/5/2021

*Documents are stored in their respective files