

Charlemont Planning Board
12/2/2021 6pm
Meeting Minutes
Town Hall

Members Participating: Bob Nelson Chair, Gisela Walker, Carlene Hayden, Dan Miller, Associate member

Others Participating: Doug Telling, Board of Health (via zoom), Bill Harker, Conservation Commission, Mark Scoco, Berkshire East, Bill Martin and Jon Schafer, Berkshire East via Telephone

Call to Order

Planning Board Chair Bob Nelson called the meeting to order at 5.40 pm.

Discussion of alternative housing

This discussion was in follow up to the last meeting's proposal for a one- lot cluster of several alternative housing models (yurts, geodesic domes, tiny houses, air streams) based on which *"the Board decided to call a meeting with the Building Inspector and the BoH to discuss this further."* There are zoning questions here and there are Board of Health regulations. The Building Inspector was not able to join us as he was working with another town. It seemed useful to this Board to understand more of the BoH rules and options so that both sides understand who comes first for an applicant, and to encourage applicants to do their research with both Boards and possibly the Con Comm in advance of getting into any real estate commitments. Without going into too much detail here, we learned that the BoH differentiates between temporary occupancy regarding campers/trailers for private residential use (14 days per permit up to 90 days) and for air b&b rentals.

Title 5 also has a separate section for what they call campgrounds, which is not the same as our campground zoning. Our zoning allows for 2 camper/trailers as temporary occupancy on residential lots; we need to look into the Definitions and how those relate with the alternative models Mr. O'Connor wants to set up. Our campground zoning is silent on density of camper/trailers. Does the placement of more than two of these (if they qualify as camper/trailers) then mean that it will need to be considered a campground? As none of those feature their own water and sewer capacity, could there then be either a shared septic system/water well or a residence with enough capacity to 'feed' these units? We learned that 'honey pots' e.g. from a single lot yurt cannot be transported off site to another dumping station. Tiny houses and camper/trailers cannot be set up as air b&bs or accessory dwellings. Our thanks to Doug Telling and Bill Harker for their contributions. For reasons of time we had to cut off this discussion to move on to the hearing for Berkshire East.

Public Hearing for Berkshire East new ski lift

The Chair opened the hearing at 6.15 p.m. as scheduled.

Berkshire East (B.E.) had received a special permit in 2014 for this new lift but did not proceed with construction within the required 2 year timeline and hence had to re-submit the application. MScoco, representing B. E. laid out that they still plan to build a 2,800 ft. lift using 11 towers as submitted on the plans. There will be a base camp to be access from South River Road via a new access road for emergency vehicles and maintenance stuff but which will be closed to the customers who get to the lift at the upper end. In response to questions from Board members he said that the ski trails underneath the lift, which already exist, will not have night skiing lights but the snowmaking equipment will require some. All erosion run off will be directed sideways and not downhill; set back to the nearest neighbor is about 700 ft.; there will be no commercial signs at the access road; a considerable area will need to be clear-cut, about 25 acres and be re-seeded as speedily as possible in the spring. **A site visit has been scheduled for Thursday December 9 at 3pm.** As the connection via phone was unsatisfactory and BE needed to look up some answers for the Board and we had more agenda items, we decided **to continue the hearing to December 16, 2021 at 6.15pm.** GWalker had made the motion, it was seconded by DMiller and all voted in favor.

Minutes of the 11/4/21 meeting approved

GWalker moved to approve the minutes of November 4, CHayden 2nded, all in favor.

Budget Request

CHayden presented last year's budget figures; we overdrew our revolving account but since we have changed our procedures so that the applicants will now pay the newspaper directly, we will no longer lose money due to the increased newspaper fees. We agreed to request level funding for expense account and increase the revolving to \$1,000, which will need to be requested in the form of a warrant article at Town Meeting. The Board will also discuss a three-tier fee schedule for special permits and site plans at an upcoming meeting.

Building permit request for Mountain Road 'extension'

The problem here is one of those old subdivisions in town that were never built out. A building permit application has been submitted for the last lot at the turn-around of a dead-end road approved by a P Bd in 1981. However, this is a deeded 50ft right of way across several other lots. Walker had solicited input from professional planners who said that a right-of-way couldn't be used for an ANR frontage. The road itself is in good shape, a solid gravel bed that has been cleared back to 20ft width and would still need drainage, a bit more clearing and the determination of the fire and highway chiefs that they consider it acceptable access. The Board would like to have input from town counsel and the Building Inspector and will also consider what other options there may be to make this a legitimate building lot.

Non-criminal disposition ticket for zoning and other violations

Members reviewed the draft violation ticket Carlene had put together so that we are finally able to fine the infamous rooster owner to do away with this source of great disturbance of his neighbors. Hopefully the Building Inspector will serve the violation ticket and follow up on the compliance; the money will go to the town.

Bob Nelson moved to close the meeting at 8.15pm, GWalker 2nded, all voted in favor.

Respectfully submitted by Gisela Walker

Documents reviewed:

Draft minutes of 11/4/21

2014 & 2021 Berkshire East ski lift special permit files

Map and deed of Mountain Road lot, plan book 50, page 27

Town of Buckland ZBA hearing 12/1/21

Letter from CHA Environmental Company re bridge replacement on East Oxbow Road starting in 2022

Fiscal Year 2023 budget request