

**Charlemont Planning Board**  
**February 3, 2022 6pm**  
**Via conference call**  
**Meeting Minutes**  
**Town Hall**

Members Participating: Bob Nelson Chair, Gisela Walker, Carlene Hayden – in person

Others Participating: Douglas Powers, re his 3 ANRs from 2008.

Call to Order

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

Minutes from 1/20/22

BNelson moved to approve these minutes, CHayden 2nded, all voted in favor of approving.

Annual Report

The Chair had emailed his draft annual report for 2021. After a short discussion and thank you to the Chair GWalker moved to approve the report. BNelson seconded and all three members voted in favor.

Douglas Powers, Maxwell Road Approval Not Required's (ANR's)

In 2008 Mr. Powers bought about 30 acres along Maxwell Road. He divided them into three lots, 12A,B, and C. Each has enough size and frontage so that the then-Planning Board signed off on the 3 ANRs. Now Mr. Powers wants to sell the two large lots and keep the 3<sup>rd</sup> smaller one for himself. He came before us with the attached plan and to get our ok with the fact that the three lots are not accessible except by a shared driveway/easement as drawn into the plan! This is because of the very steep topography. A long discussion followed as to on what legal grounds we can approve 3 building lots with very limited access over a very limited (so far) driveway. GWalker questions whether we can call these lots building lots. Mr. Powers says he has done a lot of research and suggests the creation of easements reflected in the deeds to accommodate reasonable access. The Board is not certain that the proposed plan shows adequate access, and we have in other situations seen long-term problems between abutters of shared easements. GWalker does not think that the driveway as shown provides proper access or lay-out, connection to the other lots, turn around or anything resembling a minimum subdivision road. The Board felt particularly hampered by this being a telephone meeting and the landowner living 3-4 hours drive away.... GWalker suggested that the surveyor who is familiar with the property attend the

next possible meeting in person so he and the Board can look at the plans together and re-sketch an easement. Meanwhile the Board will ‘take this case under advisement’ and likely ask for permission to submit this to Town Counsel.

There being no further agenda items, BNelson moved to close the meeting at 7.20pm, GWalker 2nded, all in favor.

The next meeting will be February 17, 2022.

Documents reviewed:

Draft Minutes from 1/20/2022

Mr. Powers’ ANR plan; September, 2008

Respectfully submitted by Gisela Walker