

Charlemont Planning Board
May 19th, 2022 6:00 pm Meeting Minutes
Via conference call and in person, Town Hall

Members Participating: Gisela Walker, Carlene Hayden, Colleen Champ, Lori Shulda-Merrigan, Dan Miller

Others Participating:

Star Atkeson secretary, Tim Eichholz, Greg Rowehl, Mike Hayden and Cathy Buntin by phone

Call to Order

Called to order at 6:02 PM

G.Walker made a motion to appoint C.Hayden as acting Chair as B.Nelson was absent.

Seconded by L.Shulda-Merrigan. All in favor

Appointments

1. Tim Eichholz re:tiny house

- T.Eichholz came in to talk to the Board about the zoning bylaws for tiny houses. The Board and he discussed and compared the bylaws for mobile homes and camper trailers. He believed there is a lot of gray area and suggested that the Board clarify the zoning bylaws. The Board agreed and will put it on a future agenda along with campgrounds, yurts, geodesic domes etc.
- C. Champ arrival 6:32 PM

2. Greg Rowehl re: ATM sign:

- G.Rowehl came in to discuss his plans to allow Greenfield Savings Bank to rent a space in his pizzeria (Berkshire Pizzeria) to house an ATM machine to be embedded in the north wall, facing the street. His current signage was discussed and math was done to determine if The Greenfield Savings Bank sign was small enough. Both Signs together must be 64 sq. feet or under, per the zoning bylaws. There was controversy about how to measure his current signage. G.Rowehl understood that since his letters were cut-outs that only the letters themselves be counted toward the square footage and not the building backdrop, as advised by his sign maker. All the Board members disagree and believe that the background should also be counted.
- C.Champ asked for clarification as to who was requesting the special permit, Berkshire Pizzeria LLC., The owners of the building itself (The Rowehts), or Greenfield Savings Bank. G.Rowehl said he would get back to them with this information.
- The Board gave G. Rowehl the list of items he would need for a Special Permit including documentation of the area of the current signage and setting aside a parking space in front of the ATM machine. The Board suggest asking for a more aesthetically pleasing color than the green. G.Rowehl agreed and will ask the bank if they can change the color.

Action Items

1. Review/Approve minutes from 4/21/2022 and 5/05/2022:

G.Walker moved to approve the minutes of 4/21 as corrected, seconded by C.Hayden

All in favor; 4/21/2022 minutes were unanimously approved & initialed.

L.Shulda-Merrigan moved to approve the edits to the minutes of 5/05/2022 seconded by C.Hayden.

All in favor. 5/5/2022 minutes were unanimously approved & initialed.

2. Department of Housing and Community Development correspondence re: Subsidized Housing Inventory:

- The Board looked at the inventory supplied by the State and noted only one change of ownership. (There is only one building at 25 Main Street)
- S.Atkeson will inform the agency of the change of ownership.

3. Review G.Rowehl's Letter re: Right of Way and his 2105 Site Plan Review(SCR):

- As G.Rowehl was in attendance this discussion took place with him. He gave the backstory for his email to the board including a loud and dramatic reenactment of Cathy Buntin's supposed rude interaction with him many years ago regarding his need for a Site Plan Review permit for his deck project for which he assumes she is responsible. (He had also blamed the Planning Board for many years.) All (long-term resident) Board members (thereby excluding C.Champ) although acknowledging that it wasn't their place as Board members to help in this matter took part in trying to reason with and/or dissuade G.Rowehl from his withholding of C. Buntin's access/easement. G.Rowehl wants to be paid for the land and said C.Buntin should make him an offer.
- C.Champ asked G. Rowehl to clarify his intent of contesting the accuracy the 2015 SCR in his letter to the Board, asking him if he was requesting that the Board nullify it. He responded that he was not requesting anything from the Board; his intent was "pre-emptive".
- G.Rowehl's recent survey of his parcel was compared to the one he submitted in 2015 and to C.Buntin's recent survey. There is discrepancy over the area which C.Buntin is using as a driveway on the surveys.
- G.Rowehl's Site Plan Review permit was reviewed and Board members noticed a discrepancy in the information entered as owner. It was different on his copy and the permit file.
- G.Rowehl expressed his annoyance at the Board and left abruptly.
- C.Buntin made a statement that G.Rowehl had needed their land in order to do work on his land with bulldozing and he had reneged on the agreement,
- Going forward The Planning Board will not approve a SCR on the premise that the neighbors "work something out."

Discussion Topics:

1. Tiny House, what is a tiny house; how is it different than a mobile home:

- Since this is a fairly new concept but gaining in popularity, the Board would like to revisit this topic along with campgrounds, yurts, geodesic domes etc. at a later date and add or amend an appropriate zoning bylaw.

2. Reaching out to Steven Thayer/ Heritage Diner to get a permit:

- The Board decided to write S.Thayer a letter about coming in to get a Special Permit for his business The Heritage Diner. They feel it would be fair to raise the money somehow to pay for the Special Permit since it was their mistake in thinking that the permit ran with the property when it actually ran with the applicant. There have been other instances of the Town paying bills having to do with Special Permits when the Town is at fault.

3. Clarification on Minutes editing protocol:

- The Board decided that editing the minutes could be done with tracking changes at least with C.Hayden and C.Champ, returning them directly to the secretary. L.Shulda Merrigan and G.Walker are less enthusiastic about the idea as they are not familiar with tracking changes.
- Being asked, S.Atkeson admits she's not a fan of having to acknowledge edits at a meeting in front of everyone and would prefer that they do it in email, finding it an awkward position to be in. S.Atkeson received constructive criticism and pointers, namely less is more except when detail is deemed to be important.

Other Discussions:

1. The Economic Development Spreadsheet:

- C.Champ will finish a summary and email to Sarah Reynolds, the Town Administrator, to forward to RKG, the Economic Development consultants working with the town. The Board members will be copied on the email.

2. The animals at 176 Main Street and the unpermitted shed:

- The Board is frustrated the flagrant zoning violation. There seems to be much more animal activity than they were aware of including a large number of rabbits and geese. The Board feels terrible for the neighbors and assumes that the manure could be hazardous to neighbor's wells.
- The Board thinks that having a picture taken with a drone of the unpermitted shed would be needed to have the Building Inspector check it for a building permit and to see if the shed is closer to the property lines than the bylaws allow (which requires a variance from the Zoning Board of Appeals).

3. 5G Zoning:

- C.Champ researched and found an expert who speaks about 5G to small towns all over the country and answers people's questions and concerns. He has a recorded talk that she will share the link to. She read the academic paper where he compiled all the research about 5G and thinks it is well done. C.Champ hopes the Board can stay neutral on the topic for a little while.
- G.Walker mentioned that John Mirin knew of a doctor who speaks on the topic from Vermont. She read an article about cell tower companies being approved pre-emptively and then towns not having power to change it afterwards.
- C.Hayden mentioned John Mirin wanted the Board Member's phone numbers to speak to them about 5G, and that she thought that was not appropriate.
- G.Walker thinks it is appropriate if the Board members are asked and consent to give their phone numbers as they are public officials and this is "lobbying."

4. Special Permit Tier System:

- Apropos of the Heritage Diner Special Permit requirement discussion, G.Walker is reminded that they had wanted to come up with a tier system in the pricing of permits, based on the value and cost of a project, as a way for the town to earn revenue. She tasked the other Board members to think creatively about it.

5. The upcoming resignation of Dan Miller

- Dan Miller has served the Board/town for about 25 years or more, this was his last meeting. When he steps down, G. Walker will ask the Select Board to be appointed as alternate in order to seat all three newly elected Planning Board candidates.

There being no further agenda items, C.Hayden moved to close the meeting at 9:21pm seconded by L.Shulda-Merrigan. All in favor.

The next meeting will be held June 2nd 2022

Respectfully submitted by Star Atkeson 5/20/2022

Edited by Planning Board members and resubmitted 6/13/2022

Documents reviewed in meeting:

Agenda for 5/19/2022 meeting

Minutes from meetings of 4/21/2022 & 5/5/2022

Printouts of pictures of proposed ATM signs

Email and letter to Select Board & Planning Board from Greg Rowehl regarding land dispute with abutter, including Site Plan Review Decision copy, deeds and plans, dated 5/6/2022

2015 Berkshire Pizzeria Site Plan Review file

Letter from DHCD regarding Charlemont's subsidized housing inventory, dated April 25, 2022