

Charlemont Planning Board
June 2nd, 2022 6:00 pm Meeting Minutes
Via conference call and in person, Town Hall

Members Participating: Bob Nelson, Carlene Hayden, Colleen Champ, Lori Shulda-Merrigan

Absent: Gisela Walker

Others Participating: Star Atkeson (secretary,) Patrick Banks

Call to Order

Called to order by BNelson at 6:02 p.m.

Action Item

1. Review/approve minutes from 5/19/2022

- Board members took turns stating their edits to the minutes and discussing, as appropriate. Still some debate over how to review minutes, whether it would be acceptable to do edits on a shared document as has been done in the past or whether that would be a form of deliberation outside of a meeting which is not allowed according to Open Meeting Law.
- P.Banks suggested calling the Ethics Commission who provide guidance on the interpretation of the Open Meeting Law.
- C.Champ thinks that is a good idea and will do so before finalizing one of the lines in the 5/19/2022 minutes.
- C.Hayden made a motion to approve the minutes of 5/19/22 as amended. C.Champ, L.Shulda-Merrigan and C.Hayden were in favor.

2. Review of Economic Development ideas for RKG consultants, the addition of a zoning amendment for campgrounds

- The Board touched on the issue but wishes to wait until G. Walker is in attendance before going further.
- They look forward to having an amendment ready for Special Town Meeting in the fall including a bylaw for Accessory Dwelling Units, or "Moveable Tiny Houses."
- C.Hayden explained the months long zoning bylaw amendment process to new Board Members. Section 5 Chapter 40A dictates what to do on revisions. There are many steps including a public hearing. There are a lot of timelines involved. FRCOG helps draft the warrant articles.
- B. Nelson thinks it's reasonable to lessen the land requirement from 10 acres to 5 acres or even lower. Would also like to clarify if there can be one or more than one Tiny House on a property with a house. Currently there cannot.
- Accessory apartments are currently allowed, the owner must live on property.
- C.Hayden would also like to clarify the language for backlot development.
- P.Banks who has a recently permitted campground, was thankful that the Board was looking into amending zoning bylaws which will help businesses coming in, and would be happy to come in during the public comment period to give input.

3. Tubing Companies' Special Permit conditions

- B.Nelson wishes to wait until G.Walker is here to go over the conditions, as well as waiting for the tubing companies to get into their active season before checking on them to make sure they are following the conditions laid out in their Special Permits.
- To be added as action item in the next meeting's agenda (June 16th.)

Discussion Topics

1. Review of Special Permit tracking spreadsheet

- Many of the Special Permits granted in the last 5 years have not been recorded in the Registry of Deeds which is the required last step of the process and which is the applicant's responsibility.
- C.Champ will make a form letter to be used to notify businesses which have not recorded the decision.
- S.Atkeson will write a letter to The Heritage Diner asking the proprietor to come in and get a Special Permit as the permit he thinks is his was recently found out to have "ran with the applicant" of the previous business, so is not valid for the current business.
- B.Nelson thinks that businesses who have not recorded their Special Permits in The Registry of Deeds should be notified a few months before the end of the second year to let them know that if they plan to pursue their project, they will need to record it.
- C.Hayden will talk to H.Carcio about recording her permit with the Registry of Deeds.

2. Great Barrington's Tiny House zoning regulations

- Board members received pages of Great Barrington's zoning bylaws and the warrant article from Great Barrington's Sept. 2020 special town meeting having to do with the amending of their bylaw (Section 8.2) having to do with Accessory Dwelling Units (ADU) and Moveable Tiny Houses (MTH)
- B.Nelson will spend time thinking about the issue and come up with wording for the bylaw, in a way that would allow multiple Tiny Houses and would address the land requirements.

Other Discussions:

1. 176 Main Street zoning violation.

- Board members discussed the lack of progress on getting the zoning violation at 176 Main Street taken care of. (Unpermitted shed and years of noise disturbance from male fowl.)
- When the building inspector has gone to inspect previously, there was no noise, so he couldn't do anything.
- Board members discussed whether the building inspector should inspect the property without advance notice, but to simply knock on the door, so that the inspector may see what's going on without giving the residents a chance to remove the animals.
- L.Shulda-Merrigan will call the Building Inspector again.
- C.Champ stated that "in his defense" the building inspector has not been asked to go back to the property since the most recent inspection.

2. Board Members discussed upcoming Citizen Planners Training Collaborative courses and other webinars that they will take; EV charging stations, land conservation exemptions, wireless siting permits, multi-family zoning.)

- There is a small fee for some courses that members will be reimbursed for.

3. Board Members discussed the upcoming second meeting led by RKG, the economic development consultants on Wednesday June 8, 2022 from 6:30 -8:00PM at Hawlemont.
 - B.Nelson was told there will be an open meeting regarding the designation of the \$400,000. recreation grant.

There being no further agenda items, meeting was adjourned at 8:05 PM.

The next meeting will be held June 16, 2022

Respectfully submitted by Star Atkeson 6/08/2022

Documents reviewed in meeting:

Agenda for 6/2/2022 meeting

Minutes from 5/19/2022 meeting

Page 8 (Article 14), and p.10 (Article 16) of Great Barrington's September 2020 Special Town meeting

Warrant Article

Page 15 (Section 3.2,) p.52 (Section 8.2,) and pp.137, 144(Section 11) of Town of Great Barrington Zoning bylaws

Planning Board Permit Tracking Sheet 2015-2022