

Charlemont Planning Board
July 21st, 2022 6:00 pm Meeting Minutes
Via conference call and in person, Town Hall

Members Participating: Bob Nelson, Carlene Hayden, Colleen Champ (by phone) Lori Shulda-Merrigan, Gisela Walker

Others Participating: Secretary Star Atkeson, Greg Rowehl, Cathy Buntin, David Kong, Brian Dupree

By Phone: member Colleen Champ, Peggy Sloan, Andy Mueller, Roger Lipton (C. Buntin's Attorney)

Called to Order by B.Nelson at 6:04 p.m.

APPOINTMENTS:

1. 6:15 Peggy Sloan from FRCOG to consult on Zoning Bylaw Revisions for September Town Meeting
 - Peggy Sloan joined by phone and went through all of the bylaw revisions that the Board will present to a Special Town Meeting in October. P.Sloan will draft the edits up to make them ready.
 - Currently on the list are Article V- Definitions Section; Section 33.2 Back Lot Development; Section 21-Enforcement of the Zoning Bylaws; Solar in the Use Table; 33.2 Update on animals on the Use Table
 - The timeline will be a public information session August 18th, end of September to send to Town Counsel and Public Hearing in October.

2. 7:15 Greg Rowehl to discuss his 2015 Site Plan Review
 - G.Rowehl would like to amend his 2015 Site Plan Review Permit to not allow use of his driveway by his neighbor.
 - Advised by town Counsel, The planning board told G.Rowehl that he would need to apply for a new Site Plan Review Permit instead of altering his current (2015) Site Plan Review.
 - At the close of his appointment, G.Rowehl told The Board that he would apply for a new Site Plan Review Permit.
 - C.Hayden mentioned that she had recused herself from participating in the hearing and the permit as an abutter.
 - C.Buntin's Attorney R.Lipton on phone clarified what had taken place after G. Rowehl left.

3. 7:45 David Kong, to discuss new plans for Avery's Store and Planning Board requirements
 - The Planning Board heard from D.Kong that he would like to proceed with his business in a way that would not require a Site Plan Review Permit, so that he will not be held up, as it is prohibitively expensive for him to keep his employees paid while not able to conduct business properly because of the Site Plan Review requirement of the Building Department. Therefore he will do business as usual and not allow eating in the store and will keep the hardware portion across the street at 128 Main Street as a partially heated storage for hardware materials. Once business picks up again and they are further along, he will consider doing a Site Plan Review for building an access ramp and possibly having tables in the store that people can stand at to eat.
 - Reflecting on the confusion that permit seekers have had with all the different Governmental Departments, C.Hayden told of how it was done in Greenfield, Massachusetts: all the

Departments and Boards would come together in a preliminary meeting to let the potential applicant know what was needed from each department.

ACTION ITEMS:

1. Review and approve Minutes from 7/07/2022.
 - Edits to the Minutes were discussed. C.Champ clarified her wording regarding the 176 Main Street violation.
 - **Bob Nelson made a motion, seconded my Lori Shulda-Merrigan to accept the Minutes. All in Favor. The Minutes were initialed**

2. Write a response to Greg Rowehl's Open Meeting Law complaint of July 8th, 2022 for Attorney General
 - An Open meeting Law complaint had been lodged against Carlene Hayden by Greg Rowehl on July 8th via email. The Board briefly deliberated before reading a letter written on behalf of the board by Town Counsel. B.Nelson thought that C.Hayden's comment that triggered the complaint was benign. She had written that there were "2 sides to every story" in an email to Planning Board members regarding conflict between G.Rowehl and his neighbor C.Buntin, and B.Nelson believed that could be said about any situation or dispute.
 - C.Hayden regrets that The Board will have to do any work (a training on Open Meeting Law) because of her statement.
 - C.Hayden also pointed out that as an abutter to G.Rowehl's business, she had recused herself from G.Rowehl's Site Plan Review Process.
 - C.Champ sees the Open Meeting Law training (that Town Counsel suggested they offer to take because of the complaint) as a learning opportunity.
 - **B.Nelson made a motion to accept the Town Counsel response letter as written, seconded by Lori Shulda-Merrigan. Dan Miller and Carlene Hayden abstained from voting. Lori Shulda-Merrigan, Gisela Walker and Colleen Champ voted yes.**

3. Sign the amendment to The Great Outdoors Permit
 - The amendment to The Great Outdoors Permit was signed.
 - The amendment removed the "no structure within 200' of the river" clause, as that is a Conservation Commission issue, not dealt with by the Planning Board.

4. Update from the Small Town Housing Committee
 - C.Champ voiced to The Board that there was a committee and that S. Atkeson was interested as well.
 - G.Walker and C. Hayden told C.Champ to consult with Kathy Reynolds, Town Clerk about how to start a subcommittee.
 - C.Hayden told C.Champ that generally they should reach out to other Boards who would have knowledge of housing issues, for example the Board of Health, The Conservation Commission and The Planning Board.
 - C.Hayden told of a subcommittee that had done work for a while on Abandoned Derelict Structures, and that there would be relevant work already done that the new housing committee could benefit from.

DISCUSSION TOPICS:

1. Discuss doing site visit at recently permitted Vacationland
 - The Board made plans to visit Vacationland.

Other TOPICS:

2. Report on Site Visits to the Tubing Companies
 - The Board conducted their site visits to the tubing companies on a weekend. The Planning Board conducted site visits to tubing companies to make sure they were following the conditions laid out in their 2 year permits. As the permits will be up for renewal soon, they needed to make sure they had information to renew the permits.

The meeting was adjourned at 9:05 PM

The next meeting will be held August 4th, 2022

Respectfully submitted by Star Atkeson 7/27/2022

Documents reviewed in meeting:

- July 21, 2022 Planning Board Agenda
- The Minutes from the 7/07/2022 Planning Board meeting
- The letter from Town Counsel to the Assistant Attorney General
- The amended Great Outdoors Permit
- Zoning bylaw revision drafts: Article V- Definitions Section; Section 33.2 Back Lot Development; Section 21-Enforcement of the Zoning Bylaws; Solar in the Use Table; 33.2 Update on animals on the Use Table