

**Charlemont Planning Board**  
**September 22nd, 2022 6:00 pm Meeting Minutes**  
**Via conference call and in person, Town Hall**

Members Participating: Gisela Walker, Andy Mueller, Colleen Champ

Others Participating: Star Atkeson (Secretary,) Carlene Hayden

Called to Order by consensus at 6:05 p.m.

**Colleen Champ made a motion, seconded by Andy Mueller to appoint Gisela Walker as acting chair. All in favor.**

**ACTION ITEMS:**

1. Review/approve 8/4/2022, 8/18/2022, 9/01/2022 Meeting Minutes.
- **G. Walker motioned and C. Champ seconded the approval of the minutes of the meetings that they were in attendance at, as written. All in favor.**
- C. Hayden pointed out as an FYI that at an Open Meeting Law training she attended she learned that the Minutes could be reviewed and approved and that an official vote was not required.

G.Walker proposed to start the meeting with Agenda item #3 Review feedback of the Zoning Bylaw Revisions per Town Counsel.

1. Section 21, Non-Criminal Disposition enforcement. Town Counsel had no changes.
  - A.Mueller suggested adding State fine for Tree Warden to General Bylaw
  - The Board decided to keep the Bylaw it as it is written, the fines do not need to match the Town's General Bylaw. The Zoning Bylaw's fines are more lenient than the General Bylaw. The ticketing process starts with a warning, then \$100 for first offense, each day passed is a counted as a new offense with \$300 per day of fines.
  - It was pointed out that the fine amount was not on the ticket.
2. Section 33, setback requirements in the use table, the terms Yard vs. Setback. Town Counsel recommended a definition be added, as the two words are used interchangeably.
  - The Board felt it was clear as written.
3. Solar, Section 32.3
  - G.Walker finds it unfortunate that so much of the solar information is contained in the Use Table and footnotes, it is confusing, but it is too late to change. She would like to prepare an overview for Town meeting so that it is easy to follow.
  - The Board decided not to limit the installation size in the solar overlay district.
  - The Board discussed various aspects of solar installation including clear cutting, protecting the scenic corridor, wildlife corridors, industrial primary vs. industrial accessory.
  - G.Walker sited an example of 120 acres of Solar along the CT River; the developer took the town to court saying that 30 acre maximum was too restrictive.
  - G. Walker suggests applying to FRCOG with DLTA for comprehensive solar land use plan.
  - Counsel said to put the justification of solar installation size restrictions into the Town Meeting report.
  - G. Walker went over her write-up of the justification of the solar size restrictions. They wish to make it a quick read for the public but with enough substance to convince the AG that restricting solar installation in certain areas was imperative for the economy of the town.

4. Agriculture, Section 32.3

- Town Counsel didn't like the words "best agricultural practices" as it is not specific enough to enforce.
- The Planning Board would like to keep it in.
- Regarding Farm Stands, The Board decided to remove the words "seasonal" in two places, in the Ag use table and in definitions

5. Listen to and discuss Gisela Walker's questions and suggestions for some changes to the solar amendments.

- This item was covered above in item #3. Solar, Section 32.3.

Other Discussion on Agriculture in the Use Table

- C.Hayden noticed that in the Use Table that Forestry and other Agriculture on a lot larger than 2 acres in the village center does require a SPR. She felt that in the table "The keeping or raising of livestock...piggeries and large ruminants... larger than 2 acres should also be SPR"
- The Board agreed and will add that to the list of changes.

C.Champ compiled the list of changes they will ask Peggy Sloan to make during the meeting:

1. in Footnote #5, remove the words "Small scale" from "Small Scale Industrial Solar..."
2. Delete the entire definition of "Small Scale Solar".
3. Remove the word "Seasonal" from "Seasonal Farmer's Market" in the Ag table.
4. Remove "Seasonal" from the definition of "Seasonal Farmers Market". Do not remove the word "Seasonal" from the descriptive paragraph of Farmers Market.
5. in the table, "The keeping or raising of livestock...larger than 2 acres..." Change the allowance to "SPR" in the Village Center District.

6. Vote to approve Town Meeting Draft of Bylaws and vote on final version for the Public Hearing.

- **Gisela Walker motioned, seconded by Andy Mueller to accept proposed Zoning Amendments as reviewed by Town Counsel and modified by the Board be presented for public hearing on September 29<sup>th</sup>. All in favor.**

The meeting was adjourned at 8:55pm

The next meeting will be held September 29<sup>th</sup>, 2022

Respectfully submitted by Star Atkeson 10/06/2022

Documents reviewed in meeting:

- Planning Board Minutes from 8/04/2022, 8/18/2022 Meeting Minutes, 9/01/2022 Minutes distributed digitally.
- Town Counsel's recommendations
- Proposed revisions for Zoning Bylaws: Article V-Definitions section, additions and revisions; revisions to Section 21-Enforcement of the Zoning Bylaws; revisions to Section 33 Revisions to 32.3 Use table
- Gisela Walker's Defense of Solar revisions Draft/ Segment to be included in Planning Board's recommendation to Town Meeting.