

Charlemont Planning Board Meeting
September 29th, 2022 6:30 pm Meeting Minutes
Via conference call and in-person, Hawlemont Elementary School

Members Participating: Bob Nelson, Gisela Walker, Colleen Champ, Lori Shulda-Merrigan, Andy Mueller

Select Board Participating: Marguerite Willis

Others Participating: Secretary Star Atkeson, Carlene Hayden, Tony Walker, Bella Levavi (Greenfield Recorder;) hearing attendance sheet attached.

Participating via Conference Call: Peggy Sloan, FRCOG

Called to Order by B.Nelson at 6:31 p.m.

Public Hearing on Bylaw Revisions

Bob Nelson read the Public Hearing Notice. Bob Nelson started going through the revisions starting with:

Section 32.3 Use Table

Agriculture:

- Board members gave B.Nelson an overview of the September 22nd Planning Board meeting wherein they had decided on changes which could not be changed for the Public Hearing draft of the Bylaw Revisions but which would be changed for the Town Meeting version, namely the decision to change in the Agriculture (in the Use table:) "The keeping or raising of livestock...larger than 2 acres..." in the Village Center District. Originally it was "No," changed to "Yes" after the September 1st public info meeting and now changed to "Site Plan Review" in order to keep it consistent with the Site Plan Review required for "Other Agriculture and Forestry... on a lot larger than two acres" in the Village Center District.
- The Board decided to delete some unnecessary wording to make the revisions read more effectively. They will take out some of the anatomical detail in the definition of a ruminant as well as some examples of ruminants (giraffes etc.)

Commercial Greenhouse in Section 32.3

- Was changed from a lot less than 5 acres to a lot less than 2 acres
- A definition was added in Article V Definitions
- C.Hayden proposed the Board keep the two rows containing the Greenhouse information in the Use Table grouped together rather than separated by two rows of unrelated information.
- Proposed to remove the word "Seasonal" in the Definitions and Use Table as it is restrictive.

Dimensional Schedule 33.1

- The Planning Board proposed adding the word "Setback" for clarity.
- The Board engaged in the Yard vs. Setback discussion and decided to keep it as written.

Section 33.2 Back Lot Development

- The Board proposed removing the first defunct sentence of the Bylaw in order to allow more lots to be eligible for backlot development; this was previously suggested by Town Counsel.

- The Board proposed changing the frontage requirements and the “connecting strip” width requirements in the different districts; smaller dimensional requirements in the Village Center and larger in the other districts.
- M.Willis supports the change and proposes a subdivision control law to avoid “porkchop” lots.

Article V Definitions:

- B.Nelson read the proposed definitions.
- The Board Proposed to remove the word “Seasonal” in regards to Farmers Markets and Farm Stands.

Solar in Section 32.3 and Article V Definitions; Gisela Walker addressed the proposed revisions to the Solar Bylaws.

- Information about Solar is mainly located in the footnotes of the Use Table.
- Solar in the definitions reads “principal” and in use table it reads “primary,” the Board will change to “primary” to be consistent.
- The Board proposed to remove the size restriction in the solar overlay district by adding “of any size” to Footnote #5 and removing “small scale” in Footnote #5 in the Use Table.
- It is noted that it is very hard to follow the Solar Bylaw the way it is written in the Use Table and footnotes and definitions. M.Willis suggests G.Walker have a handout at Town Meeting so that it is clear.
- G.Walker discussed write-up regarding her proposed restriction of Solar Industrial size restrictions which will be a part of Town Report. She wants it to be clear to the Town and the Attorney General that Charlemont’s Tourism-Based Economy would be endangered if there was large scale Industrial Solar Installations especially in the scenic corridor. It would be farmland versus Solar; and there is an imperative to keep Agriculture strong.

Section 21 Enforcement

21.2 Penalty

- There was discussion on the topic.
- The proposed fine is more lenient than the General Bylaws, it starts with a warning; the first fine is \$100, then \$300 per day (each day counts as a new offense.)
- The Board proposed to add the sentence: “Such penalties shall be written by the Building Inspector under his authority as Zoning Enforcement Officer.”

**The Board went over the next steps needed to get the Revisions to Town Meeting on October 18th.
The meeting was closed at 8:15.**

The next meeting will be held on October 6th, 2022
Respectfully submitted by Star Atkeson 10/06/2022

Documents reviewed in meeting:

- The Agenda for September 29th Planning Board Meeting
- Public Hearing Notice
- Proposed Zoning Bylaw Revisions
- Changes for Peggy Sloan decided at the September 22nd meeting.

- G.Walker’s write-up formatted and edited by C.Champ “An explanation of the Planning Board’s Proposed Bylaw Modifications Regarding the Size Restrictions on Ground-mounted Solar Installations”
- Hearing Attendance sheet
- Map of Charlemont Zoning District