

Charlemont Planning Board
January 5th, 2023 6:00 pm Meeting Minutes
Via conference call and in person, Town Hall

Members Participating: Bob Nelson, Lori Shulda-Merrigan, Andy Mueller, Alternate Member Gisela Walker

Others Participating: Wendell Rheinheimer, Jonathan Mirin, Carlene Hayden, Star Atkeson (Secretary)

Called to Order by B.Nelson at 6:00 p.m.

APPOINTMENTS:

6:15 Wendell Rheinheimer Approval Not Required (ANR) for signature

- W.Rheinheimer showed his Plans for the ANR of splitting off 17 acres from his land. The Zoning frontage size does not require it to fall under subdivision control law requirements.
- A.Mueller pointed out that the HWY department would need to approve the curb cut.

6:37 Jonathan Mirin to discuss the process for what he would like to do on the newly divided land.

- J.Mirin of Piti Theatre Co. spoke to the Planning Board about his plans to open a theatre performance space in the barn and the surrounding land, "Charlemont Art and Environmental Center," and also his desire to have camping capability for theatre participants, visiting artists and their families, and also as refuge for those with electromagnetic frequency sensitivity. They will survey the community, and then release a capital campaign in order to raise money for the project.
- A Special Permit will be required for the change of use of the barn; A building permit for renovation itself; and a campground permit when the time comes. Septic would need to be updated for public use and overnight visitors. The Planning Board's purview is signage and parking plan (layout and number of spots.)
- A.Mueller advised J.Mirin to be aware of the Wetland Protection Act rules, and said that there is a 200' buffer requirement from resource areas. A.Mueller also advised to be aware of ADA compliancy and weight limits as per the fire Department.
- Well use was brought up. W.Rheinheimer pointed out that J.Mirin will put in a well as part of the purchase and sale agreement. A public water supply requires a radius of 200' of undisturbed land. The Board recommends he plan on that 200 ft. before choosing a site for drilling.
- Carlene will put J.Mirin in touch with Board of Health official Randy Crocier.
- G.Walker suggests giving J.Mirin a Permit with a short time span 2-5 yrs or so to try things out, see what works (as they do for the tubing companies) and then to come back for the permanent permit.

- (OTHER DISCUSSION) J.Mirin brought up his other Project which is updating the language for Charlemont’s Telecom Bylaw. The Board let him know that the Telecom Bylaw revision stopped with Bob Handsaker, as he read it as expanding to areas they didn’t intend— preventing people from having a cell phone, for example. J.Mirin pointed out that similar revisions were passed in Buckland and signed by the District Attorney. Most likely the definitions just need some “clarifying tweaking.” J.Mirin hopes that Bob Handsaker could be brought in on the process so that his concerns could be addressed and something could be moved forward.

ACTION ITEMS:

1. Review/Approve 12/01/2022 Meeting Minutes
 - **Andy Mueller made a motion to approve the minutes as written, seconded by Lori Shulda-Merrigan. All in Favor.** The Minutes were initialed.
2. Discuss recommendation to P.Hazard written by Bob Nelson
 - The P.Hazard subdivision is revisited. B.Nelson asked if there was any issue with his draft letter to P.Hazard. A.Mueller did have an issue. G.Walker pointed out that new Planning Board members, going forward, should keep in mind that if something comes before the Planning Board it usually comes with a long history of previous attention and decisions by the Planning Board and others (including Town Counsel.) She advised the members to get up to speed first by asking Town Hall staff or G.Walker and C.Hayden what the history of the case is as it stands, before doing their own back research. Regarding the Mountain View “Drive” or Rd. as it is now known, they decided the situation, visited, wrote to Town Counsel, got advice, and were done with the exception of the fire chief and HWY super.
 - Andy reiterated his findings of frontage discrepancies, in the effort to advise P.Hazard on what his setback requirements would be. B.Nelson will edit his letter to include the advice to get a variance on the current setback requirements which would be a 50’ setback from the cul de sac circle.
 - S.Atkeson printed out 1981 Subdivision regulations for setback information, the setback information was there, but the document was viewed.

DISCUSSION TOPICS:

1. Peggy Sloan’s response to the proposed amendment for Fiber Optic in Subdivision Control Law
 - This will be out on the next agenda.
2. Finalize and Approve Charlemont Planning Board Rules and Regulations (w/ updated Planning Board Clerk role)
 - This will be put on the next Agenda. S.Atkeson was asked to distribute the proposed revisions/additions to the rules and regulations that C.Champ had prepared.
3. 2023 Planning Board Goals, focus areas we want to advance, identify next benchmarks.
 - This will be out on a “working meeting” agenda, the meeting after next— Thursday Feb. 2nd.

4. What to bring to next town meeting for zoning changes to Town Meeting in May
 - B.Nelson suggests an update to the campground requirements suggesting 5 acres be sufficient as opposed to 10 acres and to have different types of campgrounds like “boutique campgrounds” or tiny house campgrounds.
 - G.Walker suggests putting in a request for the DLTA funds which are now being offered to do a real and exhaustive campground zoning revision. The danger of allowing loosely regulated small campgrounds is that after a while they deteriorate and are not kept up. Proper safeguarding is needed to prevent that. She suggested a CPTC person review the draft.
5. The grant obtained by Administrator to improve roads.
 - Administrator obtained \$500,000. grant to maintain road, and is at the point of asking people if they want to maintain it themselves or wanting the town to maintain it. Some people choose to maintain roads themselves in order to dissuade development.
6. Contacting tubing companies ahead of their permit renewal in spring.
 - Planning Board needs to give the Tubing Companies 3 months’ notice before their permits expire. S.Atkeson was asked to find out when permits expire.

OTHER DISCUSSION TOPICS:

1. DLTA FUNDS
 - On the subject of DLTA funds, B.Nelson hoped that the Select Board would use their DLTA funds to do the Broadband Zoning revision technical assistance from FRCOG.
 - As to the Planning Board choice of DLTA funding uses, A.Mueller chose “Master Planning” and “Economic Development: develop a mixed use housing action plan for a Village Center.” G.Walker told A.Mueller that the Master Plan can be updated section by section, or one section at a time.
 - L. Shulda-Merrigan chose “Local Official Continuing Education Workshops”
 - B.Nelson will take the 2023 Local technical Assistance Request Form home with him to think about it.
 - G.Walker as said above, recommends creating a campground bylaw with the DLTA funds.
 - C.Hayden recommended to let Select Board know that the Planning Board would like to choose something, Also, to let P.Sloan know at FRCOG directly so she is on alert.
2. All board meeting (8A North) on the 26th.
 - The Board wanted to figure out next steps to be prepared for the 8A meeting and suggested looking up the permits that Dupree was given. It was noted that he does not have permits for used car sales or storage. His files were briefly looked at, Planning Board members will come to town hall to read or the relevant permits will be emailed.
 - C.Hayden mentioned another angle: the Select Board has a bylaw that someone can only have 3 unregistered cars.
 - The DEP said that enforcement needs to start with the Select Board and they can use the Non-Criminal disposition ticket.

- He needs a proper permit to have a junkyard.
- S.Atkeson was asked to send a digital copy of Stagecoach Auto permit to A.Mueller.

B.Nelson motioned to adjourn at 8:30, All in Favor.

NEXT MEETING January 19th 2023

Respectfully Submitted by Star Atkeson 01/18/2023

Documents reviewed in meeting:

Agenda for 01/05/2023 Meeting

Meeting Minutes of 12/01/2022

ANR Plans

W.Rheinheimer's completed Form A for ANR

J.Mirin's Flyer for their capital campaign "All Hands on Barn"

2023 Local Technical Assistance Request Form

1981 Subdivision regulations