

Charlemont Planning Board
February 16th, 2023 6:00 pm Meeting Minutes
Via conference call and in person, Town Hall

Members Participating: Bob Nelson, Colleen Champ, Lori Shulda-Merrigan, associate member Gisela Walker
Others Participating: Thorne Palmer, Carlene Hayden, Star Atkeson (Secretary,) Jackie Cashin, Bella Levavi by phone.

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

APPOINTMENTS: 6:15 Public Hearing for Jonathan Mirin/ Godeliève Richard

- B.Nelson read the public Hearing Notice to consider a Special Permit Application to conduct a theatre operation in a barn on 225 Avery Brook Rd.
- B.Nelson read a letter from Kate Stevens in favor of the proposal for a Theatre on 225 Avery Brook Rd in a Barn.
- Jonathan told about his plan to change the use of a barn into a theatre for 50 people or less, mainly family audiences (in line with what the Piti theatre Co. is doing right now which is work with schools and putting on environmentally themed shows.) He plans for 23 parking spaces for performances, rehearsals, and workshops for kids. Eventually, if neighbors and community are happy, they will look in to fundraising to create a 4 season space above the Barn. Right now, they are asking for change of use only.

Jonathan confirms he has spoken to Doug Telling, Board of Health. They will use bought water for drinking and porta potties for bathrooms. Jonathan would like bathrooms and a well within a year or two, (based on the success of the fundraising.) To have capacity for 50 people, one wheelchair accessible porta potty will be required. The purchase of some of the land at 225 Avery Brook Rd. is contingent on having the business on the property. Jonathan plans to use his own property on 224 Avery Brook Road for staff and overflow parking.

- The Board examined Jonathan's plan for parking spaces and porta potty placement. They are concerned with what the flow of cars will be exiting the parking lot. They would like cars to not back out on to Avery Brook Road. They discussed placing barrier rocks between Avery Brook Rd and the spots to prevent multiple cars from exiting at once. Jonathan said he will have a parking attendant to address the parking issue. The Board agreed that a parking attendant would be a required condition if an easy-to-follow parking scheme is difficult to come up with. The board wants measurements.
- There is a lot of discussion about the parking. The Board decide to do a site visit to walk off the parking spaces. G.Walker is concerned about kids crossing the road or getting into the road, she wants a picture of the fence.
- Trash cans will be located in the barn. There won't be a dumpster. J.Mirin will have a bubbler and provide compostable paper cups, and also encourage people to bring stainless steel water bottles.
- Jackie Cashin, an abutter, came to the meeting out of concern about noise. Growth, parking and traffic, noise and safety, hours of operation, size of venue. The music from the previous owners' parties and fundraisers was very loud. She felt all her concerns were addressed and she feels comfortable with the project.
- The Board discuss whether the permit should run with the property, or with the person.
- G.Walker suggested having a limited Special Permit to see how it goes and then to come back for the permanent Special Permit when they are ready for the next steps, when they have a sense of how they can expand. J.Mirin is okay with that as long as they are guaranteed to renew it. G.Walker confirms, they could set it up for 4 years and then they can come in to extend the permit.

- Colleen Champ notes that the proposed use of the Barn is aligned with the Charlemont Master Plan and read part of the master plan: “To promote a moderate and orderly rate of economic development consistent with Charlemont's small population and rural heritage in order to balance its tax base.”
- The Board discussed hours of operation, planned activities, location of activity on the property— Mirin expects to use the outdoor space when he can. They Plan to start slowly and be fully operational in 3-4 years. They discussed lighting (downwash lighting on Barn and in parking lot) and. They discussed traffic issues and a parking attendant as a possible condition of the Permit if the parking is at all confusing. G.Walker specifies no floodlights on the road. Charlemont has a noise ordinance set at 10:30PM.
- “Homework” for J.Mirin: Clarification of signs: number and size; parking layout measured and drawn on the plan; flow with parking exit and entrance; porta potty placement
- The Board went through the 12 Criteria set out in Special Permit application (letters A-L.) Gisela Walker took notes. There was a question of whether to let the Permit run with Land or with the Applicant. Jonathan should tell his preference at the continuation of the hearing.
- B.Nelson and L. Shulda-Merrigan will go on Tuesday February 21st to do a site visit. The Public Hearing will be continued to Thursday February 23rd.

ACTION ITEMS:

1. Review/Approve Meeting Minutes of 2/02/2023
Lori Shulda-Merrigan motioned to approve Minutes as amended, seconded by Colleen Champ. All in Favor. The Minutes were initialed.
2. Planning Board Requirements for 180 8A, create list for Select Board —B.Nelson will write up a note to Sarah Reynolds that the Planning Board will wait for Dupree to be in compliance with the other Boards before deciding on an action.
3. Approve Planning Board’s Rules and Regulations
Bob Nelson moved to approve the rules and Regulations with the most recent corrections. Lori Shulda-Merrigan seconded the motion, All in Favor.
There will need to be a Public Hearing to Approve the updated Rules and Regulations which can wait until May.
4. Notify Great Outdoors of Upcoming Special Permit renewal. —S. Atkeson will fill out the form to notify Great Outdoors that it is time to renew their permit.
5. Berkshire East Sewer attachment requirements letter for Select Board —B.Nelson will write a letter to the Select Board that there are no requirements pertaining to sewer attachments.

DISCUSSION TOPICS:

1. Start thinking about Housing.
 - The Board will continue to think about housing. B.Nelson wondered what they can do that other towns are doing, that is enhancing ability in their towns to facilitate affordable housing development. There are no apartments, no houses to buy, it takes a builder to come in and decide.
 - There is opportunity zone, try to apply to be an opportunity zone, entities could come and build and enhance the tax situation, encourage building in a town. They could do that with a subdivision.
 - The State could do a little subdivision and the state could sell them.
 - C.Champ would love to do a tiny home community with shared amenities.

2. Master Plan

- Colleen will email a version around.
- B.Nelson remarked how close the fairgrounds were through a trail behind the Federated Church. L.Shulda Merrigan, told that one needs to be creative in walking up 8A in order to stay safe. There is a trail behind the church, but it is narrow, and she avoids it because of ticks.

3. Subdivision Regulation Broadband requirement update— Town Counsel advised that Broadband could be considered a utility but that there is no statute that would require a developer to provide it. — B.Nelson will let Paul Hazard know that Broadband is not a requirement to build on Mountain Road extension.

B.Nelson motioned to adjourn at 8:45, All in Favor.

NEXT MEETING February 23rd, 2023, a continuation of Jonathan Mirin's Public Hearing

Respectfully Submitted by Star Atkeson 02/28/2023

Documents reviewed in meeting:

Agenda for 02/16/2023 Meeting

Meeting Minutes of 2/02/2022

Email from Kate Stevens

Public Hearing Notice

Jonathan Mirin Godeliève Richard Special Permit Application