

**MINUTES  
CHARLESTOWN PLANNING BOARD  
JANUARY 20, 2009**

Members Present: Robert Frizzell –Chair; Sharon Francis –Vice-Chair; Brenda Ferland –Ex-Officio; Eric Lutz, Ken Moore, Doug Ring, Pat Royce

Alternates Present: Andy Jellie, Linda Stewart

Staff Present: David Edkins – Planning & Zoning Administrator  
Regina Borden – Recording Secretary

**CALL TO ORDER & SEATING OF ALTERNATES:** Robert Frizzell called the meeting to order at 7:00 PM. He noted that a full Planning Board was present therefore no Alternates were seated. He thanked Eric Lutz for chairing the January 6<sup>th</sup> meeting due to the fact that both the Chair and Vice-Chair were absent.

**APPROVAL OF MINUTES OF JANUARY 6, 2009:**

**Pat Royce moved to approve the Minutes of the January 6, 2009 meeting as printed. Eric Lutz seconded the motion. Sharon Francis noted on page 3, Route 12 Project, the next meeting will be on February 11<sup>th</sup>, 2009. Mr. Edkins confirmed that this is correct but at the time of the January 6<sup>th</sup> meeting the next meeting date for this Project was scheduled for January 13<sup>th</sup> however it was then postponed to February 11<sup>th</sup>, 2009. With four members in favor, Eric Lutz, Doug Ring, Pat Royce, and Andy Jellie, the minutes were approved. Abstained: Robert Frizzell, Sharon Francis, Brenda Ferland, and Ken Moore as they were not present.**

Mr. Frizzell called the Public Hearing to order at 7:07 PM.

**THIRD PUBLIC HEARING ON PROPOSED ZONING AMENDMENT:**

**Amendment #3 – Prohibited Uses (Revised):** Mr. Lutz explained that at the last meeting the members voted to take “Pulp Mills” out of Amendment #3 – Prohibited Uses – after Roger Thibodeau spoke about the fact that they are now a lot cleaner and the smell is gone. Mrs. Francis said the fact remains that there would be multiple trucks on the roads and the Town may not be able to handle the impact. She feels they are safe deleting this because realistically the Town probably would not receive an application for one. Mr. Edkins explained that this third Public Hearing was required due to the fact that the “Pulp Mills” were deleted from this amendment at the last meeting. Last week the entire proposed Town Warrant was sent to the Town Attorney who sent her legal opinion back relating to “(d) Pornographic, erotic or sexually oriented adult entertainment establishments”. This could be considered a violation of the First Amendment rights of persons and would be subject to legal challenge (and would, almost certainly, succeed). She recommended looking at the Lebanon zoning ordinance as it has a section on that type of business and establishes operational standards for it. There isn’t enough time to schedule another Public Hearing before Town Meeting. At present there are two options: 1) submit it as it is now knowing that it could be successfully challenged, or 2) drop the entire Amendment #3 for this year.

**Mrs. Ferland moved to drop Amendment #3 for this year. Mrs. Royce seconded the motion. She added that there have been several obstacles with this proposal so let's wait and do it right. With six members in favor, the motion was approved. Mr. Lutz was opposed as he would rather test the waters instead of waiting to modify it next year.**

Mr. Frizzell closed the Public Hearing at 7:18 PM and opened the regular meeting.

#### **PLANNING & POLICY ISSUES:**

**Amendment #4 – Small Wind Energy Systems:** Mr. Edkins advised that the Town Attorney recommended one editorial change to this Amendment. In accordance with State Statutes the authority to adopt this ordinance does not become effective until July 11, 2009; he will add this on the bottom of the document.

**Pellerin's Store / Beauty Shop:** Mrs. Ferland noted that there is a sign on the building for the Beauty Shop. Mr. Edkins will do a follow-up as a Sign Permit was not approved.

**St. Pierre Development in North Charlestown:** Mr. Lutz asked about the progress being made. Mr. Edkins reported that they posted a bond for the rest of the infrastructure improvements. The mylars were signed and recorded. They are all set to sell lots.

**Student Conservation Association:** Mrs. Ferland advised that SCA is ready to move the trailer off their property.

#### **ADMINISTRATION & CORRESPONDENCE:**

**Annual Town Report:** Mr. Edkins distributed a draft copy of the Planning Board report for inclusion in the Town Report. He will delete reference to Amendment #3 – Prohibited Uses. Comments from the members: 1) Fourth paragraph, sixth sentence, delete the first "the" word. 2) First paragraph, first sentence, delete "in terms of development activity".

**Terms of Office:** The filing period to run for office is from January 21<sup>st</sup> through January 30<sup>th</sup>. Mrs. Francis's and Mrs. Royce's terms expire this year.

**Next Meeting:** Three new applications have been received for the next meeting scheduled for Tuesday, February 3<sup>rd</sup>, 2009 at 7:00 PM.

#### **ADJOURNMENT:**

**There being no other business, Mrs. Ferland moved for adjournment. Mrs. Royce seconded the motion, all in favor, the meeting adjourned at 7:34 PM.**

Respectfully submitted,  
Regina Borden, Recording Secretary

Minutes Filed: 1-22-09

**(Note: These are unapproved minutes. Corrections, if necessary, may be found in the minutes of the February 3, 2009, Planning Board meeting.)**