

**MINUTES
CHARLESTOWN PLANNING BOARD
MAY 5, 2009**

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

Alternates Present: Herb Greenwood

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 the absence of regular members Andy Jellie and Ken Moore and alternate member Linda Stewart therefore called upon alternate member Herb Greenwood to sit on the Board for Andy Jellie.

APPROVAL OF MINUTES OF APRIL 21, 2009:

Doug Ring moved to approve the Minutes of the April 21, 2009 meeting as printed. Sharon Francis seconded the motion. With six members in favor, the minutes were approved.

RODERIC A. & BETTINA Z. LAVOIE, cont'd. – Two (2) Lot Subdivision – Sam Putnam Road – Map 238, Lot 11 – Zone E (Mixed Use): Gilbert Bailey of Landmark Land Services, LLC was present representing Mr. and Mrs. LaVoie. The signature page had been signed by the applicant and the Approval for the Subdivision was received from the State. No new information was submitted and no abutters were present. There was discussion relative to the disclaimer statement on the bottom of the DES Approval for Subdivision form. Mr. Edkins explained that if there is a glitch when the septic system is being installed DES is stating that they reviewed the plans but are not going to be responsible, however it could fall back on the designer.

Mr. Ring moved to grant final approval for Roderic A. & Bettina Z. LaVoie for the two lot subdivision on the Sam Putnam Road as presented. Eric Lutz seconded the motion. With six members in favor, the motion was approved.

JENNIFER BAKER d/b/a WEE HAVEN CHILD CARE & PRESCHOOL – Increase License Capacity of Existing Facility – 1 South Main Street – Map 119, Lot 28 – Zone E (Mixed Use): Jennifer Baker advised that they no longer live in this building so they would like to utilize the second floor for the school age children (five and older). She needs Planning Board (PB) approval prior to the State giving their approval. There is a fire escape, smoke detectors and fire extinguishers; the children do not sleep there. Building Inspector, Bud Von Ahnen, did an inspection. The measurements worked out for the number of children she wants to put up there. Mr. Edkins noted that at the last meeting there was a question about traffic issues but a letter

from Police Chief Ed Smith indicated that he has no problems there. He did, however, bring up the issue of the need for sidewalks in this area because, in the event of an evacuation of the nearby primary school, this area would be used by over 200 children and adults to walk to safety. Jennifer Baker said some kids run along this area and it is not a good safe place. Because of the safety issue they drive their children between the Primary School and Wee Haven; there are fifteen school age children. Mr. Edkins agreed and felt this is the next area the Town should look at for a sidewalk. Mrs. Francis questioned the outside play area. Jennifer Baker said there are two areas that exceed the requirements. Mr. Edkins noted that the abutters were notified; none were present at this meeting.

Mr. Lutz moved to grant final approval of this Amendment to the previous approval. He included that the Planning Board is in favor of sidewalks in this area. Mrs. Francis seconded the motion. With six members in favor, the motion was approved.

Jennifer Baker would like the sidewalk on their side of the street and they are willing to give up some land on their two properties for this purpose.

RICHARD CAHILL d/b/a CHARLESTOWN HERITAGE RESTAURANT & TAVERN – Sign Permit – 122 Main Street – Map 118, Lot 91 – Zone E (Mixed Use):

Mr. Cahill intended to advise the PB about the new signs but unfortunately they were put up before he took care of it. Mr. Edkins noted that they are entitled to have one free standing sign per building and one sign attached to the building for each existing business. The two new signs are within the 50-square feet requirement. Mr. Cahill said the existing free-standing Tavern sign will be removed. The Heritage and the Tavern are two different businesses. There is a new Tavern sign on the side of the building facing south. Mr. Cahill summarized that there will be three signs: one sign attached to the building for the Tavern plus one sign attached to the building for the Restaurant and one free standing sign.

Hillbilly Hot Tubs has a free standing sign but that is in a separate building; they also have a banner that is attached to his vehicle. Mr. Cahill will talk to Mr. West about the “banners” that are attached to the pole in the ground.

Mr. Ring moved to approve this Sign Permit for Richard Cahill as presented with the condition that Mr. Cahill take down the one free-standing Tavern sign and the sandwich board signs. Mrs. Royce seconded the motion. With six members in favor, the motion was approved.

PLANNING & POLICY ISSUES:

Zoning Amendment – Lot Size Averaging: Mr. Edkins distributed a first draft of an ordinance relative to Lot Size Averaging. Mr. Edkins feels it will only work in two zones (Watershed and Mixed Use) as they cover 90% of the Town. Mrs. Francis feels they should talk about wetlands, slopes and the density. Mr. Frizzell feels the PB should not encourage building on the steep slopes but it should all be counted as land because it is

still open space. There was a consensus to have Mr. Edkins contact John Tuthill from Acworth and a representative from Lyme to see if they would attend a meeting to talk about their experience. In the meantime the PB members will look over this document and prepare for future discussion.

ADMINISTRATION & CORRESPONDENCE:

Town of Roxbury, NH: A notice was enclosed in the Board's packets advising that the Town of Roxbury, NH has scheduled two Public Hearings concerning an application by KJK Wireless for a Conditional Use permit and Site Plan Review for a 190 foot cellular tower to be built on land on Houghton Ledge Road. This requires notification of all towns within a 20 mile radius.

Letter from Christopher and Rebecca Clark: An acknowledgement was made of the letter received from Christopher and Rebecca Clark to the PB noting issues with the operation of R & K Towing on Almar Street and a copy of their letter to Kathy and Robert Scott, dated December 18, 2007. Mr. Edkins noted that at the time of the approval of this "impound lot" operation the PB had reservations due to the deeded "right-of-way" across the Clark's driveway. At that time the Clark's supported this operation. The approval included several conditions. The Clarks are now unhappy about the situation and are asking that the PB take some action. They suffered some damage to their leach field due to the heavy traffic. Mr. Edkins read from RSA 676:4-A – Revocation of an Existing Recorded Approval. There is a well set-out procedure to follow. He took some photos today that could give some grounds for revocation; there are oil stains, the screening is not considered adequate by the Clarks and some has died, possible expansion of the business onto an area on the Clark's property that was paved by the Scotts. There was one vehicle there today. According to the letter the Scotts sometimes unload vehicles on Almar Street. Mrs. Francis counted fourteen complaints in the Clark letter. Mr. Edkins will provide the PB with copies of meeting minutes with reference to this application. There was a consensus of the PB to have Mr. Edkins prepare the first notice that they are considering revocation of the Site Plan approval for Robert and Kelly Scott.

Regional Plan Commission: A newsletter was received from the Regional Plan Commission. There is a profile of Mr. Lutz as a Commissioner in this issue.

Drinking Water Newsletter: Mr. Edkins received the latest issue of the Drinking Water Newsletter.

Old Claremont Road: Mr. Greenwood mentioned that Gary Knight bought a property from Don Bigelow on the Old Claremont Road. Mr. Edkins wrote a letter to Gary Knight regarding his Sullivan Street property but to-date there has been no response. He will do a follow-up.

Willette Property: Mr. Frizzell noted that his neighbor, Willard Willette, has an on-going yard sale. Mr. Edkins will check on this.

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Halls Pond: Mrs. Francis observed a box trailer behind Halls Pond near the beaver swamp but on the Acworth side. When she reported it, the police dispatcher was already aware of it and her attitude was not friendly. Mr. Edkins will mention this to Police Chief Smith.

Next Meeting: The next meeting is scheduled for Tuesday, May 19, 2009, at 7:00 PM.

ADJOURNMENT:

There being no other business, Mr. Ring moved for adjournment. Mr. Greenwood seconded the motion, with all in favor, the meeting adjourned at 8:44 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Minutes Filed: 5-8-09

(Note: These are unapproved minutes. Corrections, if necessary, may be found in the minutes of the May 19, 2009, Planning Board meeting.)