

**MINUTES
CHARLESTOWN PLANNING BOARD
MAY 18, 2010**

Members Present: Robert Frizzell (Chair); Sharon Francis (Vice-Chair); Steve Neill – Ex-Officio; Andy Jellie, Eric Lutz, Pat Royce, Roger Thibodeau

Alternates Present: Herb Greenwood, James Jenkins

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

CALL TO ORDER & SEATING OF ALTERNATES: Chairman Robert Frizzell called the meeting to order at 7:00 PM. He noted that a full Board and all the Alternate members were present.

APPROVAL OF MINUTES OF MAY 4, 2010:

Mr. Lutz moved to approve the Minutes of the May 4, 2010 meeting as printed. Mr. Thibodeau seconded the motion. With six members in favor, the motion was approved. Mrs. Francis abstained as she was not present at this meeting.

VALERIE BAILEY & MICHAEL GALLAGHER – Boundary Adjustment between Existing Lots – 66 * 78 Wetherby Road – Map 255, Lots 9 & 10 – Zone E (Mixed Use): Mr. Edkins advised that Valerie Bailey and Michael Gallagher both own two adjacent lots on Wetherby Road. Tax Map 255, Lot 10 is .72 acres with a manufactured home on it and Map 255, Lot 9 is 41.20 acres with another home and some small outbuildings. They are proposing to swap two very narrow areas of .05 acres to 255/10 and .04 acres to 255/9. There is a minimal change in acreage and will bring both parcels into compliance with the setbacks requirements in the zoning regulations. The abutters were notified; none are present.

Mrs. Francis moved to approve this Boundary Adjustment as proposed by Valerie Bailey & Michael Gallagher. Mr. Neill seconded the motion. With seven members in favor, the motion was approved.

PLANNING & POLICY ISSUES:

Smith & Allen Property: Phil Shaw advised that when he was in the last time the PB said they would ask Mr. Sylvester, a renter at Smith & Allen, to come in for a Site Plan review; he feels six weeks is long enough. Mr. Sylvester is still working past 5:00 pm plus every other Sunday and, on occasion, works outdoors. Mr. Ring has been very cooperative but last night he was out there with a bucket loader after 6:30 pm. He would like the PB to bring in both of these renters to place conditions on their operations. Mr. Edkins will try to get them to come in to the next meeting for a discussion but there is not enough time to have them in for a formal Site Plan review at the next meeting.

Mr. Neill felt that a lot has changed on that property since the Site Plan was approved for Lennie Garrett therefore they should apply for a Site Plan review. Mr. Edkins noted that if the PB feels the use has changed substantially since the Garrett approval then he will ask the renters to come in for a new Site Plan review. They are both aware of the conditions placed on Garrett. Mr. Ring just uses the area to store leaves, dirt and other natural debris. Mr. Garrett primarily did towing and storing vehicles but he did want to start an auto repair business. Mr. Sylvester operates an auto body business concentrating on frame work more than body repairs. He had agreed to live with the conditions placed on Mr. Garrett. Mr. Edkins felt he could talk to both Mr. Sylvester and Mr. Ring and that would begin the enforcement of the conditions. It is ultimately Skip Smith's responsibility to make sure that tenants are in compliance with regulations.

Mr. Lutz felt a letter should be written to the owner Mr. Smith and the tenants, Mr. Sylvester and Mr. Ring. A suggestion would be to have Mr. Edkins hand-deliver the letters to them. It was noted that Mr. Ring never had any conditions placed on his operation therefore he should come before the PB. The Town does not have a formal Noise Ordinance but noise measured by decibels at the property line is referenced in the Site Plan Review Regulations. Mr. Shaw said the noise is not terrible most of the time but you can hear it more in the summer. Mr. Edkins will proceed based on the discussion at this meeting by writing a letter to Mr. Smith, Mr. Sylvester and Mr. Ring informing them that the uses to which the property is now being used are different than what was previously approved or grandfathered, therefore they need to submit a new application for Site Plan Review or show how they will comply with the conditions already set forth.

Noise Ordinance: Mr. Lutz felt that at some point he would like to see the PB address noise issues. Some trucks and motorcycles are noisy especially on Main Street. Mr. Edkins felt they can look into it but it would be difficult to regulate noise on a State road therefore he felt he should consult with the Town Attorney.

Poisson Property in South Charlestown: Mrs. Francis asked if there were any developments following the recent letter to Virginia Poisson. Mr. Edkins reported that the tires have been removed. He spoke with Mr. Poisson who was going out of town for ten days but upon his return will remove the mobile home from the site.

Hawkers and Peddlers Licenses: Mr. Jellie noted that the hot dog cart across from his office now has a port-a-potty and six flags; there are picnic tables on the lawn. If it is a temporary cart that is okay but if it is a regular location then he has an issue. Mr. Neill advised that the Hawkery and Peddlery License issued by the Selectboard does not give them authority to do other things; no signs or banners. Mr. Edkins will talk to him. Mr. Thibodeau questioned who regulates them; how many are allowed. Mr. Neill said the number is not regulated at this time. Some locations become safety issues.

Poisson Property on Main Street: Mr. Lutz mentioned that the Main Street lot owned by Mr. Poisson is getting out of hand. Mr. Edkins said this is on his enforcement list.

Police Station Building: Mr. Edkins advised that the advertisement for bids will be out on Thursday. There were no major changes since it was discussed at the PB meeting. The water and sewer lines were moved; landscaping is subject to the budget. Mrs. Francis noted that there are two crab-apple trees on Route 12 on the north side of the Fire Department building driveway; about 50-feet from the corner of the new building. They were planted by the Woman's Club so it would be important to save them during the construction.

ADMINISTRATION & CORRESPONDENCE:

Flood Plain Maps: Mr. Edkins distributed copies of an e-mail from Jennifer Gilbert, the State's Flood Plain Coordinator. They are aware of problems with the mapping discrepancies but she states that the mapping won't be fixed soon due to funding. There are four-or-five major discrepancies on the Charlestown maps. Mr. Edkins responded by asking for guidance on how to deal with them when it comes down to regulatory or insurance issues, etc. Banks will say properties are in the floodplain, force people to buy flood insurance when they clearly may not be in the floodplain. FEMA should go back to the mapping contractor to get them to make the corrections; it should not be an issue of funding. The PB has talked about strengthening the Flood Plain Regulations but it should not be done until this is straightened out.

Mrs. Francis felt it would be nice to see the flood maps on a meeting night when there is not a lot of PB business to take care of. Mr. Edkins will plan on bringing them to the next meeting.

Next Meeting: There are no new applications for the next meeting scheduled for Tuesday, June 1st, 2010.

ADJOURNMENT:

There being no other business, Mr. Lutz moved for adjournment. Mr. Thibodeau seconded the motion, all in favor, meeting adjourned at 8:08 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Minutes Filed: 5-21-10

(**Note:** These are unapproved minutes. Corrections, if necessary, may be found in the minutes of the June 1, 2010, Planning Board meeting.)