

**MINUTES
CHARLESTOWN PLANNING BOARD
JUNE 15, 2010**

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

Alternates Present: James Jenkins

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

CALL TO ORDER & SEATING OF ALTERNATES: Vice-Chair Sharon Francis called the meeting to order at 7:00 PM. She noted the absence of regular member Robert Frizzell and called upon Alternate member James Jenkins to sit in his place.

APPROVAL OF MINUTES OF MAY 18, 2010:

Mrs. Royce moved to approve the Minutes of the May 18, 2010 meeting as printed. Mr. Thibodeau seconded the motion. Mr. Jellie wanted to clarify the following: on page 2, Hawkers and Peddlers Licenses – he is not opposed to the hot dog cart across from his office but if the flags and signs are there on a permanent basis then he has an issue. With seven members in favor, the minutes were approved as corrected.

JOSEPH SYLVESTER – Auto Body Welding, Light Fabricating & General Repairs w/ Parking for Up to 15 Vehicles – 60 Cummings Avenue (Former Smith & Allen Property) – Map 118, Lot 122 – Zone E (Mixed Use): Mr. Sylvester is asking for the hours of operation to be from 7:00 am to 7:00 pm Monday through Saturday and from 9:00 am to 6:00 pm on Sundays. His normal hours will be 8:30 am to 5:30 or 6:00 pm Monday through Saturday but he feels the added hours are necessary when he gets backed up. Some one may need to pick up their vehicle early so they can get to work. Some days he needs to finish up a job so his bay is not tied up the next day. He would like the option to work on a Sunday but could keep the door shut; it is only to get caught up or do paperwork; it is not business as usual. The number of vehicles on the property will average about eight but in the summer it might be 12-to-15.

Mr. Lutz noted that the subject that came up at the last meeting was the noise; does he do most of his work inside or outside the building? Mr. Sylvester does most of the work inside; when he runs his welding or grinding equipment he usually does it inside. He uses an air file, sander and chisel on occasion but does do a lot of work by hand. Usually he stops welding and grinding by 4:00 pm as a safety precaution for the building so the sparks are all out. He tries to be as quiet as possible.

Mr. Tim Chase has been a neighbor for 40 years back to when Smith & Allen operated on this property. Many times they were working and banging their trucks at 2:00 am. Mr. Chase is a next door neighbor directly to the east. Mr. Sylvester has been a good neighbor and has been very respectful. He is trying to make an honest living. Who cares if he works on a Sunday?

When the building was vacant it brought a lot of teenagers to the property; now they are gone. Most of the neighbors have no complaints.

Mr. Jenkins rode by the business one day when there were thirteen vehicles in the yard but the place was very neat and well-kept. He didn't notice any noise. Personally he wouldn't care if he was working there at 5:00 am provided he wasn't making any noise. Mr. Chase said one of the vehicles was probably his as he sometimes leaves two or three of his own vehicles parked there. Another vehicle could have been Mr. Sylvester's.

Mr. Phil Shaw does not have an ax to grind with anybody including Skip Smith. He heard that Mr. Sylvester is a nice guy that does excellent work. The Site Plan Review is not to punish anyone but rather to protect as this is basically a residential neighborhood. There is a Covenant on the Deed to that building; it was the intent of the Connecticut River Bank to keep property values up in the neighborhood. He does not have a problem with extended hours Monday through Friday but he, personally, does not even mow his lawn on Sunday. He would like to see some conditions put on the building. He doesn't see a need for more than ten cars.

Mr. Smith noted that when they bought that building there was a florist business there; nothing has changed. Mr. Sylvester might have a car or two waiting for an insurance adjuster to look at it; that takes time. When Smith & Allen ran the business there they had all kinds of equipment and they would go out at 2:00 or 3:00 am.

Mr. Sylvester needs so many billable hours. People stop in, the phone rings, there are customers; estimates to make, parts to order, it takes a lot of hours to get in 40 hours of work. Sometimes during inspection times especially close to the end of the month he might have more vehicles but it is only a short time.

Mr. Jellie questioned if he could do all the work inside on a Sunday. Mr. Sylvester did not have a problem with that but asked if he could keep the door open, especially on nice days, provided there would be no noise. Mr. Shaw would not have a problem with that; he agrees that so far the place has been well kept. Mr. Thibodeau does not have an issue if Mr. Sylvester has to work inside at night where no body can see or hear him. Mr. Shaw does not have an issue with the hours if the doors are closed.

Mrs. Polly Sylvester noted that one day when she stopped by the garage there was noise but it was not Joe. Someone in the trailer park was striping down a car so that is where the noise was coming from.

Mr. Lutz asked about outside lighting. Mr. Sylvester said there is a sensor light on the left side corner.

Mr. Lutz moved to grant final approval for the Site Plan Review application for Joseph Sylvester with the following conditions:

- **There will be a maximum of fifteen (15) business related vehicles stored outside at any one time; it could be a combination of cars, trucks, etc.; this excludes employee vehicles;**

- Working hours outside will be Monday to Friday from 7:00 am to 5:00 pm; Saturday will be 8:00 am to 4:00 pm.;
- He is free to work indoors anytime with the doors closed to control the noise level.

Mrs. Royce seconded the motion. With seven members in favor, the motion was approved.

PLANNING & POLICY ISSUES:

Floodplain Maps: Mr. Edkins advised that they had previously talked about the discrepancies in the Flood Plain maps. Smaller maps were enclosed in the packets; colored maps were displayed at the meeting. They will not be easy fixes. One discrepancy goes through two expensive lots in the St. Pierre development. Flood insurance will be required. A company was paid to do this work so they should have to make it right at their expense. The Town maps are accurate in depicting stream cannels but the FEMA floodplain maps are not. Mr. Edkins has talked to the State Coordinator who is the go-between with FEMA. FEMA acknowledged a problem but offered no quick solution. He then talked to the Selectboard who felt it was time to contact our Congressional delegation.

Main Street: When Mr. Lutz and his wife were working on the Triangle Mr. Poisson spoke to him about the statement in the May 18th Planning Board minutes relating to his property. Mr. Poisson indicated that it is his intent to erect a 10-foot high fence on his Main Street property.

Permanent Yard Sale: Mr. Thibodeau mentioned that there is a permanent yard sale on the corner of Arbor Way and Perry Street. Mr. Edkins will do a follow-up.

Borough Road – Vacation Home: Mrs. Francis reported that there has been illegal dumping of a sofa, mattress and several black bags at the property on Borough Road where there is a camper. Mr. Edkins will send the property owner a letter and enclose a copy of the new Ordinance dealing with campers.

ADMINISTRATION & CORRESPONDENCE: None.

Next Meeting: The next regular meeting is scheduled for Tuesday, July 6, 2010. There was a consensus to cancel this meeting if there is no new business.

ADJOURNMENT:

There being no other business, Mr. Lutz moved for adjournment. Mr. Thibodeau seconded the motion, all in favor, meeting adjourned at 8:28 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Minutes Filed: 6-17-10

(Note: These are unapproved minutes. Corrections, if necessary, may be found in the minutes of the July 6, 2010, Planning Board meeting.)