

**MINUTES  
CHARLESTOWN PLANNING BOARD  
APRIL 5, 2011**

Members Present: Robert Frizzell (Chair); Sharon Francis (Vice-Chair); Steve Neill (Ex-Officio); Andy Jellie, Roger Thibodeau, Rosie Smith-Hull

Alternates Present: Jim Jenkins, Herb Greenwood

Staff Present: David Edkins – Planning & Zoning Administrator

Chair;

**CALL TO ORDER & SEATING OF ALTERNATES:** Mr. Frizzell called the meeting to order at 7:00 PM. He noted the absence of regular member Pat Royce and called upon alternate member Jim Jenkins to sit in her place. Mr. Frizzell welcomed Rosie Smith-Hull as a newly elected member of the Board.

**ELECTION OF OFFICERS FOR 2011-12**

**Roger Thibodeau nominated Robert Frizzell as Chair. Steve Neill seconded the nomination. Mr. Frizzell stepped down as Chair and asked Vice Chair Sharon Francis to Chair the meeting for this matter. Mrs. Francis called for a vote and with six members in favor, Mr. Frizzell was elected Chair. Mr. Frizzell abstained. Mr. Frizzell resumed his position as Chair.**

**Andy Jellie nominated Sharon Francis as Vice Chair. Steve Neill seconded the nomination. Mr. Frizzell called for a vote and with six members in favor Mrs. Francis was elected Vice Chair. Mrs. Francis abstained.**

**APPROVAL OF MINUTES OF JANUARY 18, 2011:**

**Andy Jellie moved to approve the Minutes of the January 18, 2011 meeting as printed. Jim Jenkins seconded the motion. With five members in favor, the Minutes were approved. Mrs. Francis and Mrs. Smith-Hull abstained as they were not present at the January 18 meeting.**

**APPROVAL OF MINUTES OF MARCH 1, 2011:**

**Mrs. Francis moved to approve the Minutes of the March 1, 2011 meeting as printed. Mr. Neill seconded the motion. With four members in favor, the Minutes were approved. Mrs. Smith-Hull, Mr. Jenkins and Mr. Thibodeau abstained as they were not present at the March 1 meeting**

**APPOINTMENT OF ALTERNATES**

Mr. Edkins noted that two Alternate positions were open; one for 1 year and one for 3 years. Herb Greenwood's term as an Alternate expires this year and he has expressed an interest in being re-appointed. Mr. Edkins added that the Planning Board packets for this meeting included a letter from Larry Crocker expressing interest in being appointed as an Alternate. Mr. Frizzell

noted that former Planning Board member Eric Lutz has expressed an interest in being appointed as an Alternate. Mr. Crocker and Mr. Lutz were both present in the audience.

**Sharon Francis moved that Herb Greenwood be re-appointed as an Alternate for a 3 year term. Andy Jellie seconded the motion and, with all in favor, Mr. Greenwood was re-appointed as an Alternate for a 3 year term.**

**Roger Thibodeau moved that Eric Lutz be appointed as an Alternate for a 1 year term. Steve Neill seconded the motion and, with all in favor, Mr. Lutz was appointed as an Alternate for a 1 year term.**

**PLANNING & POLICY ISSUES:**

**Subdivision Regulations:** Mr. Edkins noted that he had included language for several potential amendments to the Subdivision Regulations in the Planning Board packets. These included:

**Amendment #1 - Amend Section 4.5.2 by adding a new paragraph 19 as follows:**

19. A Natural Resources map of the site based on the Charlestown Natural Resources Inventory that depicts wetlands, vernal pools, riparian areas, wildlife and rare plant habitat, rock outcrops, historic features and that indicates where natural resources will be preserved on the site as part of the proposed subdivision.

**Amendment #2 - Amend Section 4.6.4 as follows:**

- 4.6.4 ~~Wherever feasible~~, suitable steps shall be taken to preserve and protect significant existing features *as identified in the Master Plan and Natural Resources Inventory* such as trees, scenic points, stone walls, rock outcroppings, water bodies, and historic landmarks. Where possible, boundary line(s) should follow existing stone walls.  
(Added language in *bold italics*; deleted language shown with ~~striketrough~~)

**Amendment #3 - Amend Section 4.4.3 by inserting a new paragraph 3 and renumbering subsequent paragraphs accordingly:**

3. The Planning Administrator shall transmit a copy of all major subdivision applications to the Conservation Commission for review and comment.

Mr. Jellie expressed reservations over the use of the Natural Resources Inventory as a regulatory document which was not its intent. Several other members agreed while others felt that it could at least be a useful tool in identifying areas where natural resource concerns may be present.

Larry Crocker distributed a bound packet containing his suggested language for the amendments along with some additional thoughts on the justification for such amendments. He pointed out that the State's Geographic Information System contains a wealth of information on important natural resources and that could be used as a source of data by developers.

With regard to the Conservation Commission review of major subdivisions, Mr. Crocker felt there should be some mechanism for assuring that the Commission has access to the property and that the Commission be required to make a report of its findings in writing. It was noted that

the Town's current Regulations require that an applicant make his property available for site visits when a Subdivision Application is submitted. However, the Planning Board has no authority to dictate how or if the Conservation Commission responds, it can only provide them the opportunity to review and comment on an application.

There was also discussion of the fact that the Town has a Drinking Water Protection District Ordinance intended to protect important aquifers that supply the Town's drinking water wells.

Considerable discussion was devoted to the subject of stream crossing buffers. Mr. Edkins mentioned that a 300 foot buffer around stream crossings would encompass some 6½ acres which he feels is excessive. Mr. Crocker felt that the issue of riparian buffers is more appropriately addressed in the Zoning Ordinance than in the Subdivision Regulations. Members agreed but expressed reservations over a "one size fits all" approach. Rather, most members felt that such buffers should be considered on a case by case basis when reviewing subdivision applications.

Mr. Crocker also suggested an amendment that would require that Erosion & Sediment Control Plans which can also be required in a major subdivision application be based on the principles and methods contained in the NH Stormwater Manual (2008) NH DES. There was general agreement that this Manual is more current than USDA Erosion and Sediment Control Design Handbook currently referenced in the regulations.

Members discussed how to proceed from this point with some feeling that the next step would be to finalize the language of the amendments and schedule a Public Hearing with others feeling that more work and consideration was necessary before scheduling a Public Hearing.

**After further discussion, Sharon Francis moved that Mr. Edkins be instructed to finalize the language of the proposed amendments as well as a list of the natural resources that the Board would consider and that the Board schedule a Public Hearing on the proposed amendments for the next meeting on April 19, 2011. Rosie Smith-Hull seconded the motion and with three members in favor (Mrs. Francis, Mrs. Smith-Hull and Mr. Frizzell) and four opposed (Mr. Neill, Mr. Jellie, Mr. Thibodeau and Mr. Jenkins) the motion was defeated.**

#### **ADMINISTRATION and CORRESPONDENCE:**

**Enforcement Issues:** Mr. Frizzell mentioned that there were several properties in Town that need cleaning up including several with multiple junk cars, accumulated trash, etc. Mr. Edkins noted that the Town has limited powers to address such issues. The Town can regulate unregistered vehicles through state junkyard statutes and excessive accumulated garbage through the health officer. However we can't necessarily force people to keep their properties neat and free of accumulated possessions, belongings and "stuff". Several other members mentioned properties that were in need of attention. Mr. Edkins will look into these properties and initiate the appropriate enforcement action in conjunction with the Building Inspector and Health Officer.

**Outdoor Furnaces:** Herb Greenwood stated that he thought the Town should consider some regulations on the use of outdoor wood-fired boilers. He noted that many communities provide that these can only be used in the cold weather months. Some outdoor furnace owners use these units year-round for hot water but their use in the warmer months can be a nuisance when smoke encroaches onto neighboring properties. Mr. Greenwood suggested a regulation prohibiting the use of such units from May 1 through September 30.

Mr. Edkins noted that the Town does regulate these units from the perspective of placement on the lot and stack height. He added that state statute gives the Town the right to regulate such units but he will need to check the statute on the issue of regulating seasonal use. He added that this issue would probably best be regulated through an ordinance adopted by the Selectboard under the Town's general police power rather than through the Planning Board.

**Regina Borden:** In response to a question from Mrs. Francis, Mr. Edkins reported that Recording Secretary Regina Borden is in the hospital for surgery and will probably be out for some time. The Board signed an impromptu "Get Well" note to Mrs. Borden.

**Spring Planning & Zoning Conference:** Mr. Edkins called the Board's attention to a flyer on the state's Spring Planning & Zoning Conference to be held on Saturday June 11 in Manchester. He asked that anyone wishing to attend let him know and he would make arrangements for payment of the conference fees.

**Request to Be Excused:** Mr. Edkins mentioned that his daughter would be receiving her Master's Degree at NYU on the morning of Wednesday May 18 which is the day after a scheduled Planning Board meeting. He requested to be excused from that meeting so he could travel to New York on Tuesday to attend. The Board agreed that if there was no significant business the meeting could be cancelled. Mr. Edkins added that if there were important business he could make other arrangements.

**ADJOURNMENT:**

**There being no other business, Mrs. Smith-Hull moved for adjournment. Mr. Neill seconded the motion and, with all in favor, the meeting adjourned at 8:50 PM.**

Respectfully submitted,  
David Edkins,  
Planning & Zoning Administrator

Minutes Filed: 4-12-11

(**Note:** These are unapproved minutes. Correction, if necessary, will be found in the minutes of the April 19, 2011, Planning Board meeting.)