

**MINUTES  
CHARLESTOWN PLANNING BOARD  
APRIL 16, 2013**

Members Present: Robert Frizzell (Chair); Sharon Francis (Vice-Chair); Steve Neill (Ex-Officio); James Jenkins, Pat Royce, Roger Thibodeau

Alternates Present: Eric Lutz

Staff Present: David Edkins – Planning & Zoning Administrator

**CALL TO ORDER:** Chairman Frizzell called the meeting to order at 7:00 PM. He noted that regular member, Rose Smith-Hull, was not present and called upon alternate member, Eric Lutz, to sit on the Board in her place. Noting that meetings are tape recorded, he asked that anyone wishing to speak identify themselves for the record.

**APPROVAL OF MINUTES OF APRIL 2, 2013, MEETING:**

**Mr. Jenkins moved to approve the Minutes of the April 2, 2013 meeting as printed. Mrs. Francis seconded the motion. With six members in favor, the Minutes were approved. Mr. Lutz abstained as he was not present at this meeting.**

**ADMINISTRATION & CORRESPONDENCE:**

**Consideration of Alternates:** Mr. Frizzell pointed out that the PB was successful in having two residents express an interest in serving as alternate members. Mr. Edkins advised that Andy Jellie did not run for his seat on the PB but Mr. Jenkins, who was an alternate, did run for that seat and was elected. This leaves Mr. Lutz, who still has two years left on his term, as the only alternate. Traditionally the PB has tried to carry three alternate members. Dick Lincourt and John Bruno have expressed an interest in serving.

John Bruno advised that they moved to Town about seven years ago. He is a licensed engineer and surveyor in both New Hampshire and Vermont. Before retiring he had a business in Woodstock for about 35 years. He served 25 years as the Chairman on the Zoning Board in West Windsor and 10 years on the Planning Commission in West Windsor until they moved to Charlestown. He is a graduate of the University of Connecticut. He would be happy to serve as an alternate to this Board.

Mr. Frizzell noted that they are pleased to have members on this Board who have engineering degrees. However if the PB makes a decision to have an engineering study done they do not expect to have it done in-house.

Dick Lincourt advised that they always wanted to move back to the east as they grew up in up-state New York in a rural area about the size of Charlestown. He worked in Chicago for 39 years working with Kraft as a food scientist (dairy products). He sat on the Board for his homeowners association in the Chicago area for about 20 years. During that same period of time he also managed a 75-acre lake and had plenty of opportunity to interact with a number of engineers and

Board members. He wants to get involved in Charlestown as he believes strongly in volunteering and giving back to the community. He looks forward to the opportunity.

Mr. Thibodeau asked what brought Mr. Lincourt to Charlestown. Mr. Lincourt responded that they were originally looking a little further north but decided on the southwestern section of NH because they still have family in New York. They found the house and barn with a view in Charlestown and agreed that this would be their home.

**Mrs. Francis moved to nominate John Bruno as an alternate member for a three year term and Richard Lincourt as an alternate member for a one year term. Mr. Thibodeau seconded the motion. With seven members in favor, the motion was approved.**

Mr. Edkins advised that there are several other vacancies with Planning and Zoning implications. There is the Capital Improvements Planning Committee. Andy Jellie and Pat Royce represented the Planning Board on this committee but because Andy Jellie is no longer a member of the Planning Board he cannot represent them. It is an important group that meets about once a month usually on a Thursday evening. Mr. Thibodeau represents the Finance Committee on the CIP Committee along with Bob Beaudry. Brenda Ferland represents the Selectboard and Barry Metcalf represents the Highway Advisory Board. The committee was a little dormant for a period of time but they are trying to get things moving again. They have been able to establish three Capital Reserve funds.

In addition, Charlestown is entitled to two representatives to the Upper Valley Lake Sunapee Regional Planning Commission. State Representative Steve Smith is our only representative at this time. He is willing to be re-appointed but given his schedule both as a State legislator and his regular job he often finds it difficult to make their meetings. They usually meet on a Wednesday about 4:30 pm not more than once a month. It was suggested that Mr. Edkins contact Tom Laware to see if he would be interested as Mr. Neill felt he would be a good member.

Mr. Edkins pointed out that the Town is entitled to representation on the Mount Ascutney Subcommittee of the Connecticut River Joint Commissions. We have not had any representation on this committee for quite some time.

There are also openings on the Zoning Board of Adjustment as both regular and alternate members. The ZBA meets very infrequently given the nature of the Zoning Ordinance as there is very little call for Variances and/or Special Exceptions. If they meet twice a year, that is a busy year. If anyone is interested or knows of anyone that would be interested please contact Mr. Edkins.

**Michael Avenue Substation Landscaping Update:** Mr. Edkins mentioned that the PB had talked about this during their last meeting and there was a newspaper article in the Eagle Times the following day. There is concern that the substation is not as invisible as the Board was told it was going to be. Last spring when they went through the regulatory process the power company requested a number of waivers from the Site Plan Review requirements and one of those was the

landscaping plan. The PB agreed to the waiver because the applicant assured the PB that it would be virtually invisible from Michael Avenue. However it is far from invisible. One of the neighbors took it upon himself to contact the power company about this and Mr. Edkins was invited to a meeting there about a week ago when the power company agreed to put together a landscaping plan for that facility to try to hide/soften it. That meeting was attended by some of their environmental engineers and landscape architects and they were told that plan would be ready in approximately four to six weeks. The power company has changed ownership from National Grid to Liberty Utilities out of Canada. Both companies still have an interest and/or share in the substation. Originally they were going to keep as much of the natural vegetation intact as much as possible to keep it almost invisible from Michael Avenue. The power company now realizes that there is a problem and they have committed to addressing it. Mrs. Francis felt the landscaping plan should be considered as an Amendment to the Site Plan. Mr. Frizzell asked if Mr. Edkins should send them a letter, on behalf of the PB, to confirm their position on the landscaping. Mr. Edkins pointed out that the Town never raised this issue until the neighbors brought it up. There was discussion relative to the original plan and if the facility was actually built according to it. Mr. Edkins felt that in hindsight they probably should not have granted all the waivers requested such as elevation views and the landscaping plan because the power company represented that it was going to be so far back into the woods and that so much natural vegetation would be left that it would be virtually invisible. He asked if the PB is willing to wait until they see the landscaping plan or do they want the power company to come in as soon as possible. It is not entirely as we envisioned it but as they represented it. There was a consensus to request that the power company attend a PB meeting soon. Mr. Neill felt the PB needs an up-dated site plan of what was actually built. Mr. Edkins had a sense of what the PB's intentions are and will contact the power company.

**PLANNING & POLICY ISSUES:**

**Sign Regulations:** Mr. Edkins had distributed copies of the email from Mike McCrory of the Upper Valley Lake Sunapee Regional Planning Commission. Mrs. Francis pointed out several portions of the follow-up that he addressed. Mr. Edkins had sent Cold River Cycles a letter indicating that the PB felt they were in violation of their sign permit because of all the peripheral signs over and above the permitted sign. The owners felt the PB was doing selective enforcement and showed Mr. Edkins pictures of other businesses where there were a number of peripheral signs. He shared the information with the Town Attorney but, at this point, it has not gone any further than that. There was discussion relative to the third paragraph in the email. Mr. Jenkins felt that they do not have to attack all the peripheral signs at once; it can be broken down but there is a need to follow through. Mr. Edkins explained that there are going to be proposals for two different businesses that will be built across Main Street from each other but they will be in two different zones for the signs; the east side of Main Street is the Business Zone but across the street it is Zone E. The principal business signs are not the problem it is all the other signs that are displayed. Mrs. Francis proposed that the PB write a letter to the businesses that this applies to saying that there has been a lot of discussion in the community with the PB about the Sign Ordinance so therefore they are sending them a copy of the Sign Ordinance, as voted by the Town. State that the PB has not been active in the enforcement realizing that there are varying interpretations. One of the things the PB came to realize is the issue of peripheral signs and that some businesses have significantly expanded the number of them. In the letter state that they would appreciate their cooperation as everybody in Charlestown shares the purpose of the

ordinance which is preserving the appearance of the Town. We would appreciate it if they would read the ordinance to see if it applies to their business. The Town is going to be putting an effort into enforcement over the coming year. The businesses are welcome to come in to talk about it and the PB will listen to what they have to say. If they say throw out the ordinance, well, that is the risk the PB will have to take. Mr. Edkins noted that the Sign Ordinance has not been interpreted to include peripheral signs. People usually come in for their main sign only but then add the smaller peripheral signs. Mrs. Royce felt that an option would be to send a letter to those businesses that are non-compliant stating that they are not complying with the Sign Ordinance. Mr. Edkins would like to go out and start taking pictures of signs at the various businesses so the PB can decide if the signs are objectionable or not.

Mr. Thibodeau mentioned that there are other violations that need follow-up beside the signs. They need to do enforcement. Mrs. Francis felt that if the Town does not keep up to their standards then they will begin to deteriorate. Responding to a question, Mr. Edkins advised that the penalties are in the State Statutes. Enforcement can be expensive especially if the Town takes someone to court. Mr. Edkins will start to work on the two enforcement site plan issues. Mr. Bruno pointed out that, as a PB, they have to determine what the interpretation of their Sign Ordinance is. Mrs. Francis responded that the PB has interpreted that the dimensional requirements are the one free standing sign and the sign on the building but they did not anticipate any peripheral signs. Mr. Edkins explained that the regulations are written as though there will be a free standing sign out front and a sign on the façade of the building but nothing else. They cannot exceed a specified number of square feet. Inside the windows peripheral signs are exempt but if they are not inside the buildings they are not exempt. A directional sign with an arrow and/or a building with multiple businesses in it can have a directory sign similar to the one on Dan's Max Saver property. There was a consensus to have a draft with proposed changes ready for consideration during the June 4<sup>th</sup> meeting.

**ADJOURNMENT:**

**There being no other business, Mrs. Francis moved to adjourn the meeting. Mrs. Royce seconded the motion. With seven members in favor, the motion was approved.** The time was 8:51 PM.

Respectfully submitted,  
Regina Borden, Recording Secretary  
(Transcribed from Tape)

Minutes Filed: 4-29-13

(**Note:** These are unapproved Minutes. Corrections, if necessary, will be found in the Minutes of the May 7, 2013, Planning Board meeting.)