

**MINUTES
CHARLESTOWN PLANNING BOARD
JANUARY 21, 2014**

Members Present: Robert Frizzell (Chair); Sharon Francis (Vice-Chair); Steven Neill (ex-officio) James Jenkins, Pat Royce, Rose Smith-Hull,

Alternates Present: John Bruno, Richard Lincourt

Staff Present: David Edkins – Planning and Zoning Administrator

CALL TO ORDER: Mr. Frizzell called the meeting to order at 7:00 PM. He advised that Mr. Steve Neill, Ex-Officio Member, is not present but an alternate member cannot be seated on the PB to replace him. Noting that meetings are tape recorded, he asked that anyone wishing to speak identify themselves for the record.

APPROVAL OF MINUTES OF DECEMBER 3, 2013:

Mrs. Francis moved to approve the Minutes of the December 3, 2013, meeting, as written. Mr. Thibodeau seconded the motion. With six members in favor, the Minutes were approved.

ZAREMBA PROGRAM DEVELOPMENT, LLC. – 9,240 Square Foot “Dollar General” Retail Store – 20 Sullivan Street and 113, 117-119 Main Street – Map 118, Lots 90, 98 & 99 – Zones B (Business) and E (Mixed Use):

Mr. Thibodeau moved to continue the Zaremba Program Development, LLC application until the next meeting on January 21, 2014, at 7:00 PM. Mr. Jenkins seconded the motion. With six members in favor, the motion was approved.

ZAREMBA PROGRAM DEVELOPMENT, LLC – Sign Permits (2) – 117 – 119 Main Street – Map 118, Lots 98 & 99 – Zones B (Business): Mr. Edkins reported that the Sign Permit applications have been withdrawn but new Sign Permit applications have been submitted and they will be considered at the next meeting.

PETER M. PLUNKETT – Gunsmith as a Home Occupation – 623 Meany Road – Map 243, Lot 5 – Zone E (Mixed Use): Mr. Edkins explained that the PB had received Mr. Plunkett’s Site Plan drawing showing how the immediate site works out but he also distributed a tax map that gives the PB the orientation of the layout of the land. Mrs. Francis pointed out that Mr. Plunkett does not present any impact to the surrounding area.

Mr. Jenkins moved to accept the application from Peter M. Plunkett as complete. Mrs. Francis seconded the motion. With six members in favor, the motion was approved.

Mr. Jenkins moved to grant final approval for Peter M. Plunkett for a Home Occupation as a Gunsmith, as presented. Mrs. Francis seconded the motion. With six members in favor, the motion was approved.

CHESTNUT HILL VILLAGE, LLC – Boundary Adjustment – 470 River Road – Map 210, Lot 23 – Zone E (Mixed Use): The PB members reviewed the proposed Boundary Adjustment for Chestnut Hill Village, LLC as presented. Mr. Albert St. Pierre, Mr. Charles St. Pierre, Mr. Dominick St. Pierre were present. This development was approved in 2008. When they attended the PB meeting in 2008 they were going to demo the house on the corner but now they are trying to save the house. They took off the wing or “L”. He just applied for an addition to the house. They are requesting to put the lot line back to where it was prior to 2008. Replying to a question from Mrs. Francis, Mr. A. St. Pierre said the 50-foot is from Chestnut Hill Road, the Town right-of-way. The house will not be 50-feet from the road. Mr. Edkins pointed out that for clarification Boundary Adjustments require PB approval no matter what the circumstances are.

No abutters were present. Mr. A. St. Pierre had asked Mrs. Higgins to attend on behalf of the Historical Society. Mrs. Higgins noted that they are delighted that St. Pierre, Inc. has decided to save this house. It is a refreshing change to find out that a historic building they thought was going to come down is now going to be saved. It is a part of North Charlestown’s Historic aspect. There was originally a big barn on that site but it was torn down about 20 years ago. She hopes they can repair this house to keep it on the National Register and let it provide a focal point in their development at the same time.

Mr. A. St. Pierre advised that when they had the gravel business behind this house it was blocked from view but now there is minimal traffic and it will not be long before they move their garage to the other site; it will just be local traffic from this development.

Mrs. Francis moved to accept this application for a Boundary Adjustment for Chestnut Hill Village, LLC as complete. Mr. Thibodeau seconded the motion. With six members in favor, the motion was approved.

Mr. Thibodeau moved to grant final approval for this Boundary Adjustment for Chestnut Hill Village, LLC, as presented. Mr. Jenkins seconded the motion. With six members in favor, the motion was approved.

CHAMPLAIN OIL COMPANY, INC. – Landscaping Modifications to a Previously Approved Site Plan – 104 Main Street – Map 118, Lot 92 – Zone E (Mixed Use): Matt Wamsganz of Champlain Oil Company advised that they are applying for some Landscaping Modifications to a previously approved Site Plan. First: the two maple trees in the right-of-way that were planted by two different groups (one by the Heritage Commission and the second by the Tree Committee). They began to notice during the start of construction there is damage from mowing equipment to the trunks so they thought it would be good to propose replacing rather than relocating them. However after speaking with Mrs. Higgins she would rather the proposed locations remain the same, one at the south corner of their entrance drive. He spoke to Aare

Ilves about the north tree and he was agreeable to remove and replace it with a nicer tree at the location to be determined by the Town. This part of their request has been resolved.

Second: There are four maple trees on the north property or next to the Masonic property. During the process of doing the soil borings after they purchased the property, they discovered there were unstable soils. Their footing design came back, a 9-foot footing for the foundation wall, made it so the cut in the soil got closer to the root system of the trees. The arborist said they could do that however it is likely that in about three years the trees will suffer and die. They want to be pro-active by removing those trees and replace them with three to four large 12-foot high balsam firs to provide screening year round. He talked to the Masonic Building officers who were agreeable and they sent the email to Mr. Edkins that he included in the PB packet. Long-term this is a better solution.

Mrs. Higgins explained that the Heritage Commission has already purchased the plaque that states that the existing tree was planted by them at the location of the Hassam House. They realize there is always a risk to moving a good sized tree and that it may not survive but they would prefer to try that first. If they take down the tree completely the plaque will be in error because it says planted in 2006. Mr. Edkins noted that the dedication of that tree was a major event. Mr. Bruno asked if it would be appropriate to have a condition on it that the tree be moved by professionals rather than a small business. Mr. Wamsganz was agreeable to this condition as that is what they were planning to do.

Mr. Wamsganz pointed out that Sheet 3 shows the Demolition Plan and Sheet 6 shows the Landscape Plan. Mr. Bruno felt that another condition should be the up-dated plans that were discussed at this meeting.

Mr. Jenkins moved to approve the amended Demolition and Landscaping Plan with the following conditions: 1) That the Hassam tree be re-located by a professional landscaping contractor and 2) the applicant submit an Up-dated Plan for clarification to be signed by the Chairman. Mrs. Francis seconded the motion. Mr. Jenkins added that if the re-location of the Hassam tree is not successful within two years it will be replaced with a tree of comparable size and quality. All landscaping is to be done by professional landscaping contractors. With six members in favor, the motion was approved.

PUBLIC HEARING – PROPOSED ZONING AMENDMENT #1 – Creating a New Zone A-2 on the North End of Main Street: Mr. Frizzell opened the Public Hearing on the Proposed Zoning Amendments. Mr. Edkins advised that there are three new proposed Zoning Amendments. The First One would create a new Zone A-2 covering most of the properties on North Main Street. He distributed copies of a map indicating the existing Business Zone (B) on Main Street in orange. The properties outlined in yellow are in the area (currently zoned E) that would be covered by the new Zone A-2. The property outlined in orange would be added to the existing Business Zone. They are the Sumner House and the new Jiffy Mart properties.

Mr. Jim Feleen expressed concern in an email to Mr. Frizzell that the Board not go too far down the road where there are patch-works of zoning all over Town so nobody is sure what zone they

are in. Mr. Edkins told Mr. Feleen that none of these proposals would have any effect on his property at all. There was discussion relative to looking at the Form Based Zoning approach for the future. Mrs. Francis did not feel it would be applicable to this section of North Main Street.

Relative to a question from Mrs. Higgins, Mr. Edkins clarified that the Business Zone allows any use that is allowed in Zone A-1 which is a Residential Zone. Mr. Edkins is not totally sure that this accomplishes what they are trying to accomplish which was the protection of the Historic and Architectural integrity of that section of Main Street; that is better done with the Historic District. The Heritage Commission has requested that an article be placed in the Warrant granting the powers of a Historic District Commission to the Heritage Commission which would then allow them the time to develop a Historic District Ordinance that would include boundaries and regulations over time. It would have to be approved by the voters at some future Town Meeting. It would give them the authority to begin doing the work but it doesn't make anything happen until the voters approve it. Mr. Frizzell felt this change would hold it a little for now.

Mr. Thibodeau wanted to be sure that "Retail" was added. Mr. Edkins confirmed that "Retail Establishments" was added as a permitted use. A is the south end of Main Street and includes some of East Street and the Summit Street development. There is a similar Zone A-1, Rural Residential, that is identical to Zone A and that includes the Beaudry Development, and the neighborhoods in the Riverview Park area and also the Scenic Hill Development. Zone A-2 is a little bit different allowing a little more in the way of Business development. Mr. Bruno asked if there was any interest in putting a limit on size of a business/retail in that area. Mr. Edkins noted that if the PB makes any substitutive changes they would have to hold another Public Hearing. Mrs. Francis suggested some changes: b. "Business" be deleted and start with "Uses"; the third line should state "businesses such as *retail establishments*, real estate -----." Mr. Edkins felt this editorial change would be a good one. The zoning amendment controls the use of property, not necessarily preserve the historical, architectural integrity of the area. There was a consensus to move "offices of non-profit organizations" up under the professional offices category as they are not businesses. There was discussion relative to adding size requirements. Mrs. Francis suggested adding under 'e' - "no new construction or building new to the site shall have a footprint greater than 4,000 square feet", however a majority of the members were not in favor of this.

PUBLIC HEARING – PROPOSED ZONING AMENDMENT #2 – Rezoning Two Properties On the West Side of Main Street from Zone E (Mixed Use) to Zone B (Business): Mr. Edkins advised that this Public Hearing extends the Business Zone to include the Sumner House property and the new Jiffy Mart property.

PUBLIC HEARING – PROPOSED ZONING AMENDMENT #3 – Providing that Existing Nonconforming Signs may be Replaced or Changed Provided There is no Increase From the Dimensions of the Existing Sign: Mr. Edkins advised that this Amendment changes the Sign Regulations a little bit to provide that existing signs can be replaced or modified in the dimensions that they were originally. Because of the proposed zoning changes the maximum amount of signage is being changed. Existing non-conforming signs may be replaced, changed in character or moved provided there is no increase in the dimensions of the existing sign. This applies to all zones.

Mr. Edkins summarized that at this Public Hearing the PB has moved language around and changed it editorially but have not made any substitutive changes so there would not need to be another Public Hearing unless the PB decides to do so. A final version of these Zoning Amendments will be ready for the next meeting.

PLANNING & POLICY ISSUES:

There were no Planning or Policy issues to come before this meeting.

ADMINISTRATION & CORRESPONDENCE:

Upper Valley Lake Sunapee Region Planning Commission: Mr. Edkins had sent out information on several meetings that are coming up soon. Their Transportation Advisory Committee meeting next Tuesday night has a special program on the DOT's Highway Safety Improvement Program. Mr. Edkins plans to attend. Charlestown is in the process of getting the Lovers Lane/Route 12 intersection incorporated into that program because of the accident record. There is another meeting the following week about the railroad initiative to try to hook Boston up with the Springfield, Mass. Corridor. Mr. Edkins does not plan to attend this meeting.

TERMS OF OFFICE: Mr. Frizzell and Mrs. Smith-Hull's terms will expire in March of 2014. The filing period runs from Wednesday, January 22nd until Friday, January 31st.

ADJOURNMENT:

There being no other business, Mr. Jenkins moved to adjourn the meeting. Mrs. Smith-Hull seconded the motion. With six members in favor, the meeting was adjourned at 8:59 PM.

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

Minutes Filed: 1-14-14

(**Note:** These are unapproved Minutes. Corrections, if necessary, will be found in the Minutes of the January 21, 2014, Planning Board meeting.)