

**MINUTES  
CHARLESTOWN PLANNING BOARD  
JUNE 17, 2014**

Members Present: Sharon Francis (Vice-Chair), Steve Neill (Ex-Officio), Richard Lincourt, Pat Royce, Roger Thibodeau

Alternates Present: John Bruno

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

**CALL TO ORDER & SEATING OF ALTERNATES:** Mrs. Francis, acting on behalf of Mr. Frizzell, called this meeting to order at 7:00 PM. She mentioned that regular members, Robert Frizzell and Rose Smith-Hull were not present and therefore called upon alternate member, Mr. Bruno, to sit on the Board for Mrs. Smith-Hull. Mrs. Francis advised that meetings are tape recorded and asked anyone wishing to speak to identify themselves for the record.

**APPROVAL OF MINUTES OF JUNE 3, 2014:**

**Mrs. Royce moved to approve the Minutes of the June 3, 2014, meeting, as written. Mr. Lincourt seconded the motion. Mrs. Francis made the following correction on page 2, first and second lines, change “Mrs. Francis said it is having a plan” to “Mrs. Francis said the Board needs to receive a plan”. On the bottom of page 2, there are a lot of “they” and “them”; that should be clarified. Change “The ground was finally soft enough for them” to “The ground was finally soft enough for the Sumner House”. Last line - change “Mrs. Clark thought they” to “Mrs. Clark thought the Wellness Center”. Mr. Thibodeau requested that on page 2, under Sign Permit for Granite State Lawn Care, the last two sentences should be moved up to appear under the Site Plan Review. With six members in favor the minutes were approved as corrected.**

**GRANITE STATE LAWN CARE / PHILIP FRANK METHOT, cont'd – Retail Sales of Bark Mulch, Loam, Stone, Wood Chips, Firewood – 3607 Claremont Road – Map 205, Lot 64 – Zone E (Mixed Use):** Mrs. Francis advised that at the previous meeting the application was tabled in order to have a plan to show the various activities, where they are being located in relation to the property boundaries and the highway. It appears that is what they received from Mr. Campbell at this meeting. Mr. Edkins confirmed that the plan is for the entire property. Mr. Thibodeau pointed out that abutters are not shown on the plan. Mr. Edkins advised that an abutters' list was provided with the application but they are not shown on the plan; the abutters were notified by certified mail. Mrs. Francis mentioned that from Route 12 what is apparent are the bins for the material but much more of his use is for storage out back. Mr. Campbell said it is. Mrs. Francis asked if customers would be going out back. Mr. Campbell said “no”. Mr. Lincourt asked if we know whether the land is in Current Use. Mr. Edkins did not check on that. In response to a question about the auction business, Mr. Campbell said they are in the evenings about once a month. Mr. Thibodeau asked if the wood chips kept out back are different than the

ones out front. Mr. Campbell said they are different; like a playground chip. There is not enough room for them out front. Mr. Thibodeau asked if he would have any unused vehicles parked there. Mr. Campbell responded that all his vehicles are registered and inspected; there are no unused vehicles there. Mr. Edkins had gone back to his office to check on the Current Use question. He advised that none of the property is in Current Use; it is all taxed as Commercial property. Mrs. Francis asked about snow storage. Mr. Campbell noted that he does not provide snow removal on that property. As far as things in the front of the building, they are there for only three-to-four months so then the snow can be piled on the northeast side of the parking lot. All his equipment in the rear is 99% gone in the winter.

Mrs. Francis asked Mr. Peter Wojenski if he had any questions about this plan as he is an abutting user. Mr. Wojenski said he had not seen the layout.

Responding to a question from Mr. Bruno about being grandfathered in, Mr. Edkins thinks this pre-dates the Site Plan Review regulations. The PB has approved different uses in the various buildings; the hair salon, the auction barn, but there is no original Site Plan for the buildings themselves. They had an application when the commercial space on the end was the wood burning furnace business. All the businesses are under the same map and lot number so they can see what was approved over the years.

**Mr. Bruno moved to approve this application as complete. Mr. Lincourt seconded the motion. With six members in favor, the motion was approved.**

**Mr. Lincourt moved to grant final approval for Granite State Lawn Care. The motion was seconded by Mr. Thibodeau. Mr. Neill felt there should be some stipulations: 1) that there be no pressure washing on the site and 2) that no vehicle maintenance will be done. Mr. Lincourt and Mr. Thibodeau accepted these as friendly amendments. With six members in favor, the amended motion was approved.**

**SIGN PERMIT – Granite State Lawn Care:** Mr. Edkins advised that originally Mr. Campbell submitted a Sign Permit application for the price signs that were in the individual bins but the PB came to a conclusion that those signs did not require a permit. However his business sign that is there on a temporary basis is visible on the site from the bins but is not visible from Route 12. Mr. Campbell advised that this sign faces away from the center line of the road by about 200-feet; the sign is 2-feet by 3-feet.

**Mr. Bruno moved to approve the Sign Permit to be located in the vicinity of the bark mulch bins. Mr. Thibodeau seconded the motion. With six members in favor, the motion was approved.**

**TRISH PATRICK – Voluntary Merger of Existing Lots – Claremont Road – Map 101, Lots 24 & 25 – Zone E (Mixed Use):** Mr. Edkins advised that Ms. Patrick owns two lots on Route 12 just south of Hemingway Farms. One lot is 1.15 acres and the second lot is 5.80 acres which is where her home is. She would like to merge them together.

**Mr. Thibodeau moved to approve this Voluntary Merger for Trish Patrick as submitted. Mr. Bruno seconded the motion. With six members in favor, the motion was approved.**

**SIGN PERMIT – Peter Wojenski:** Mr. Edkins reported that Mr. Wojenski brought this Sign Permit application in today. Mr. Edkins felt it would be in order to bring this application to this meeting since there is no new business for the July 1<sup>st</sup> meeting which might be cancelled. A color drawing of the sign was viewed. This sign will go in the existing sign panel over the end unit. It will go where previous signs have been in that frame.

**Mr. Neill moved to approve this Sign Permit for Peter Wojenski as presented. Mr. Thibodeau seconded the motion. Mr. Lincourt asked what the hours will be if this is an illuminated sign. Mr. Wojenski advised that the sign will be lit during business hours or when somebody is in the office. It might be on if they were having a special event. With six members in favor, the motion was approved.**

**PLANNING & POLICY ISSUES:**

**Procedural Questions Prompted by the Land Use Legal Seminar that Mr. Bruno, Mr. Lincourt and Mrs. Francis attended.** A three page handout had previously been emailed to the members by Mr. Lincourt. Mr. Edkins pointed out that they can change the Rules of Procedure but if they are going to make changes to the Site Plan Review regulations that will have to be done after a Public Hearing.

Mr. Lincourt said they wanted to change the voting requirements for passing a motion, to call for the numbers voting for and against, and also to change the procedures on abstaining to mention the reasons rather than just voting “yes”, “no” or “abstaining”. Mrs. Francis noted they would make the reason for the abstention optional. Mr. Lincourt explained that this document is just a draft. He feels they do need to change the requirements for approving a motion; a majority of the voting members. Mr. Edkins noted that it is usually “those present and voting”. It needs to be clear that if a motion to approve something is defeated that does not mean that the application is denied it just means they have not taken any action yet so they need to make another positive motion. Motions to deny should include the reasons for the denial. Mrs. Francis felt that needs to be addressed. The document says “every member present when a motion is put to a vote shall vote either “yes”, “no” or “abstain” so it is not a question of being present and voting. Mr. Edkins pointed out that if someone recuses themselves they are not sitting on the Board and are not counted. Mrs. Francis feels the Board should know why someone abstains. Mr. Neill said when someone abstains they are yielding to the majority of the vote. He does not believe it is necessary to state a reason; it should be optional. Mr. Lincourt noted they could add the wording “and is encouraged to do so”. Mr. Edkins said if there is a tie and somebody abstains they have not done anything as they have not passed the motion. Mr. Bruno does not have a problem with it being optional. Mr. Edkins explained that they are changing it to bring their Rules of Procedures more in line with how they actually do business; this change makes sense. They would be substituting the language in the first paragraph with the language in the second paragraph. Mr. Bruno thinks it should be replaced. Mr. Lincourt would like to change the third sentence to “all votes shall be recorded in such a manner that the public may know how each member voted”. Mr. Edkins noted that we state that in the minutes now; if it is all in favor we do

not mention names but if it is a split vote we do identify who voted for and against the motion. Mrs. Francis suggested that in the last sentence they could consider: “members voting in opposition or abstaining on a motion shall be afforded an opportunity to explain their reasons for the vote and are encouraged to explain why”. Mr. Edkins does not feel “encourage” should be a part of the rules of procedure but it is optional. Mrs. Francis clarified: “members voting shall be afforded an opportunity to explain the reasons for their vote”. Mr. Edkins thought that Mr. Lincourt did a good job with the change that was suggested, it makes sense. Mr. Edkins will re-type it so the PB members can see what the final version will look like at the next meeting.

**Should or Shall?** Mrs. Francis pointed out that the issues of “should” or “shall” in the Landscaping would have to be dealt with in a Public Hearing. Mrs. Royce noted that the PB has until March of 2015 to consider these other items. Mr. Bruno suggested having the Public Hearing at the next meeting.

Mrs. Francis stated that they should consider some changes to the sign regulations. Mr. Edkins advised that that is zoning and needs to be voted on by the Town.

**New Applications:** Mr. Thibodeau stated that an applicant should have every piece of information in two weeks before a meeting. The plan should show abutters and snow removal plans. Applicants need to be told that unless all the information is submitted in time for the packets it will be postponed until the next meeting. Mr. Edkins does not feel that it needs to be in two weeks in advance of the meeting but should be here in time to be included in the packets.

**ADMINISTRATION & CORRESPONDENCE:**

**Notice of Decisions:** Mrs. Francis thanked Mr. Edkins for sending out copies of the Notices of Decisions for the Jiffy Mart and the Dollar General. Mr. Bruno mentioned that they have not heard from the Jiffy Mart on the lighting. Mr. Edkins reported that the day they opened he spent an hour or so with Mr. Wamsganz walking the site and looking at everything. He acknowledged that he owes the PB the Lighting Study and the Sound Study plus one more tree needs to be put in. A few things are not complete yet but Mr. Wamsganz acknowledged that they will be done.

**Appointment - Mr. Bruno:** Mr. Bruno advised that he was appointed to the Governor’s Shore Line Committee. It is reviewing procedures, regulations and getting outside input to proposed changes. If anyone has any input, contact him. Most enforcement is based on somebody turning somebody in. The Department of Environmental Services is following up on complaints.

**Enforcement Issue:** A PB member advised that a citizen approached her to talk about the safety of people shopping at the Treasure Chest because they have merchandise displays out to far away from the building. Vehicles are pulling in and parking parallel to the road. It might help if the sidewalk was painted to keep vehicles out of there. Mr. Edkins pointed out that there have been a number of retail uses in that building but he will re-check the files to see if there ever was a Site Plan Review on the property. He will also talk to Mr. Weed about delineating the sidewalk with lines. It was suggested that Mr. Edkins could write a letter explaining the safety issue with the traffic circulation and that they need to eliminate the outside displays.

**Next Meeting:** Mr. Edkins advised that there is no new business for the next meeting plus it is the week of the July 4<sup>th</sup> holiday.

**ADJOURNMENT:**

**There being no other business, Mr. Thibodeau moved to adjourn this meeting. Mr. Bruno seconded the motion. With six members in favor, the meeting was adjourned at 8:31 PM.**

Respectfully submitted,  
Regina Borden, Recording Secretary

Minutes Filed: 6-30-14

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