

**MINUTES  
CHARLESTOWN PLANNING BOARD  
JANUARY 20, 2015**

Members Present: Sharon Francis (Vice-Chair); Brenda Ferland (Ex-Officio);  
Richard Lincourt, Pat Royce, Rose Smith-Hull, 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 called this meeting to order at 7:00 PM. She is chairing this meeting as Mr. Robert Frizzell (Chair) is not well. Mr. Bruno, alternate member, was asked to sit on the Board for Mrs. Francis. Mrs. Ferland is representing the Selectboard as Mr. Neill was unable to attend this meeting.

**APPROVAL OF MINUTES OF JANUARY 6, 2015:**

**Mr. Thibodeau moved to approve the Minutes of the January 6, 2015, meeting, as printed. Mrs. Smith-Hull seconded the motion. Mr. Thibodeau amended the motion to state that these Minutes do not mention that at the beginning of the last meeting the Planning Board tabled approval of these Minutes until they had a quorum of members who were present at this meeting. Mrs. Royce pointed out that on page 5, 4<sup>th</sup> paragraph, line one: change “referred Mr. Laughlin’s book” to “referred to Mr. Laughlin’s book”. With four members in favor, the Minutes were approved. Mrs. Royce, Mr. Bruno and Mrs. Ferland abstained as they were not present at this meeting.**

**PLANNING & POLICY ISSUES:**

**Proposed Historic District Ordinance – Vote on Final Form:** Mrs. Francis pointed out that the PB held their Public Hearing on the proposed Historic District Ordinance at their last meeting on January 6<sup>th</sup>, 2015. The business for this meeting is for the PB to decide what their wish is with regards to the final form. As the PB left the last meeting the sentiment was that this ordinance, as proposed, was not ready to be presented to the voters. Rather than make the motion at the January 6<sup>th</sup> meeting the members decided they would send their suggestions of what the motion could contain to Mr. Edkins who would have a consolidated version of the motion to be considered at this meeting. The members have a proposal before them on what they discussed as to why the PB feels the ordinance is not ready to go before the voters. Mr. Thibodeau stated that this list says it all.

**Mr. Thibodeau moved to table this proposed Historic District Ordinance for a year so that more information can be gathered on the budgeting for how this will operate, regulations and how the entire thing will work. Mrs. Smith-Hull seconded the motion.**

## Charlestown Planning Board Minutes – January 20, 2015 – Page 2

Mrs. Francis advised that the PB has eight reasons as to why the ordinance is not ready to go to the voters. She suggested that each member read one of the reasons why the proposed Historic District Ordinance is not ready to send to voters in 2015.

Mrs. Francis read No. 1: “The proposed boundaries of the district are unmeasured and inexact. Instead, the tax map boundary of each included property should be followed.”

Mr. Thibodeau read No. 2: “North Charlestown village is omitted. Instead, it should be included.”

Mrs. Ferland read No. 3: “There are no criteria that will guide the Historic District Commission’s actions. Instead, criteria should be spelled out in the ordinance to give voters the final say in the principles that will guide the commission’s work”.

Mrs. Smith-Hull read No. 4: “There is too little information about the regulatory role proposed for the Historic District Commission. Instead, voters should know what permits may be required, how certificates of approval and demolition permits will be applied, costs that may be imposed, timeframes for review, and participation by the public in the commission’s deliberations.”

Mr. Lincourt read No. 5: “The Historic District Commission has spoken of having a regulatory role regarding “streetscape”. Instead, because the NH RSAs give regulatory authority for streetscapes to “architectural review boards”, not to historic district commissions, and because Charlestown has several responsible committees and boards who engage in streetscape and coordinate their activities, a regulatory role on the part of the Historic District Commission is not warranted or needed.”

Mrs. Royce read No. 6: “The ordinance proposes only a regulatory role for the Historic District Commission, an unelected body of citizens. Instead, the ordinance should also include an educational role for the Historic District Commission, and an advisory role to the elected Planning Board when non-residential or multi-family development is proposed within the historic district”.

Mr. Bruno read No. 7: “The ordinance has been formulated almost entirely on the basis of advice from historic preservation authorities in Concord. Henceforth, the Historic District Commission should be attentive to the expertise and preferences of Charlestown residents, as the ordinance is reformulated for consideration in 2016.”

Mr. Bruno read No. 8: “There is no information for voters in 2015 about the potential fiscal impact of the proposed ordinance. Instead, the Historic District Commission should develop a proposed budget for 2016 that addresses their basic operating expenses, as well as annual costs associated with their educational, advisory, and regulatory roles.”

Mr. Edkins got a call from Nate Miller, Executive Director, at the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) after Mrs. Higgins had contacted them. He gave Mr. Miller the PB’s perspective on all of this. Mr. Miller offered the services of the Commission to facilitate a study / focus group to work on what needs to be addressed to do this.

Mr. Lincourt understands that this is an enormous and difficult task. He applauded and thanked the Charlestown Historic District Commission for all the work they put into this. It is an ordinance the Town needs but, for the reasons mentioned above, he feels it is not quite ready to go to the voters. He hopes they will continue to work with the Planning Board.

**Vote on Motion: With seven members in favor, the motion was approved.**

Mrs. Francis thanked everybody for all their work in contributing to this. The law in regards to Historic Districts is RSA 675:3.3: “After the Public Hearing the Planning Board shall by law determine the final form of the ordinance and/or amendments to be presented to the Town”. Mr. Edkins mentioned that if the PB is not comfortable with the ordinance then they should not be proposing it to the voters.

**Proposed Building Code Amendment – Vote on Final Form:** Mrs. Francis advised that the Public Hearing was held on the proposed Building Code Amendment at the last PB meeting on January 6<sup>th</sup>, 2015.

Mr. Thibodeau asked for clarity on 7.3.1, second paragraph, line five: “F: should also be deleted. Under 7.3.2 – No. 6 – he questioned “1975” as being the latest year for the HUD requirements as it seems old. Mr. Edkins explained that is when HUD originally proposed construction standards for manufactured housing; they were safety standards. It also states “and as amended thereafter”. If the home has the plate that says “Conforms to HUD standards” it can be utilized in Charlestown. Charlestown does not allow manufactured homes to be moved into Charlestown that do not have that HUD sticker. Mr. Thibodeau’s concern is that the Building Codes are always evolving; a mobile home may have been built in 1975 but they have not been up-graded yet we allow them to come into Town. It might not be safe. People have to keep their houses up to a certain code therefore manufactured homes should also have to do so. Mr. Edkins pointed out that Charlestown also allows manufactured homes that do not have the HUD sticker to be moved within Charlestown; from one location to another but does not allow them to be brought in from out of Town. Inspecting them is difficult; it could involve tearing out walls. HUD got rid of aluminum wiring which was a huge problem with manufactured homes prior to 1975. Mr. Bruno can understand what Mr. Thibodeau is saying. At some point in time they might want manufactured homes to be brought up to today’s standards. Mr. Edkins does not know how much the HUD standards have changed since 1975. Mr. Thibodeau mentioned that it just seems we could be allowing sub-standard housing to come into Town.

Mr. Edkins stated that this is the same language that was in the previous code; not much was changed. He suggested that they cannot change this now; it is after the Public Hearing but they can look at it next year.

Mrs. Ferland has a mobile home that was built in 1973 and it was built as good as many houses. If they have anything done by a professional contractor they will up-date to the current building codes. Some insurance companies are now saying they will not cover a mobile home unless the wiring is brought up to code.

Ms. Chaffee pointed out that if the Building Inspector has a request for a permit to bring in a mobile home it has to be on a foundation (slab) and there are other requirements as to how it is tied down and Mr. LeClair does an electric connection inspection. Some newer standards are being adhered to.

Mr. Thibodeau felt if the PB were to look at this code and it says “1975” it could say “2005” for moving manufactured or pre-fab homes into Town. Mr. Edkins agreed that they should look at how much the HUD standards have changed since 1975. They could have Mr. LeClair look into this. Mrs. Francis agreed to ask Mr. LeClair to look into this and the PB could meet with him at a later date.

Under 7.6.1 – Building Code Board of Appeals: Mr. Thibodeau asked who the Board of Appeals is. Mr. Edkins responded the Zoning Board of Adjustment. The ZBA has been designated as having the authorities and powers of the Building Code Board of Appeals.

Under 7.5.1 – Conformance with National Codes: Mrs. Smith-Hull noted a typo error. In the first paragraph change “amended form tine to to time” to “amended from time to time”.

**Mr. Thibodeau moved to approve the Building Code for presentation to the voters at Town Meeting, as corrected. Mrs. Smith-Hull seconded the motion. With seven members in favor, the motion was approved.**

#### **ADMINISTRATION & CORRESPONDENCE:**

**Upper Valley Lake Sunapee Regional Planning Commission:** Mr. Edkins had included in the packets a letter from Nathan Miller, Executive Director of the UVLSRPC, regarding the “Release of Draft UVLSRPC Regional Plan for Public Review and Comment”. It is available on-line. They are taking public comments on the plan through Monday, February 16, 2015. There will be a Public Hearing on the plan on Wednesday, February 18, 2015, at 6:00 PM at the Grantham Town Office.

**PretiFlaherty:** A letter was received from a law firm, Preti Flaherty Beliveau & Pachios, who is offering a “Course on Planning and Zoning Laws in New Hampshire”. The cost for the course is \$175 per person. Mr. Edkins advised that there isn’t enough money in that budget line for all the PB members to attend but he wanted to make the members aware of it. If anybody would like to attend they should see Mr. Edkins and perhaps they can talk about sharing the cost. The NH Municipal Association offers courses every fall. They are closer and much more reasonable in cost.

**Agenda for February 3<sup>rd</sup>, 2015:** Mr. Edkins mentioned that there will be a minor subdivision on the Bellows Falls Road on the next Agenda. Putnam Farms would like to sell the house and one acre but retain the remaining acreage as farmland. There will be a Site Plan Review application for GKN Aerospace but it might not be on the next PB Agenda. They came in with a Building Permit application to put a 400 square foot addition on for a loading dock. Back in 2005 the PB approved a 600 square foot addition and now they want to add another 400 square feet. They were granted the Building Permit but it never came before the PB and it should have.

**Enforcement Issues:**

- The PB members discussed a possible enforcement violation with Ms. Chaffee. There is a question as to whether or not this should be considered an on-going business or just a solution to a one time problem. Mr. Edkins suggested that they just keep track of the activities on this property at this time.
- There is a problem on the Oxbrook Road and Unity Stage Road with several property owners parking vehicles, campers, etc. on the roadway. It appears that most of the vehicles are registered. Mr. Weed made it clear to the property owners that if any of those vehicles are damaged when the Town is plowing, the Town will not be responsible. Mr. Edkins pointed out that the vehicles should not be parked that close to the Town's right-of-way. A letter could be written to the property owners. Mr. Edkins and Mrs. Ferland will ride through the area to observe the parking problems.
- Mr. Edkins mentioned that there is an "International Property Maintenance Code" and the Town has a copy if the PB would like to look into this.
- There is another violation issue on Route 12 with box trailers being parked on the property.

**ADJOURNMENT:**

**There being no other business, Mrs. Smith-Hull moved to adjourn this meeting. Mr. Bruno seconded the motion. With seven members in favor, the meeting was adjourned at 8:04 PM.**

Respectfully submitted,  
Regina Borden, Recording Secretary

Minutes Filed: 01-27-15

(**Note:** These are unapproved Minutes. Corrections, if necessary, will be found in the Minutes of the February 3, 2015, Planning Board meeting.)