

**MINUTES
CHARLESTOWN PLANNING BOARD
JULY 21, 2015**

Members Present: Robert Frizzell (Chair); Sharon Francis (Vice-Chair); Steven Neill (Ex-Officio); Richard Lincourt, Roger Thibodeau

Alternates Present: James Jenkins, Duane Wetherby

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

CALL TO ORDER & SEATING OF ALTERNATES: Mr. Frizzell called the meeting to order at 7:00 PM. He noted that meetings are tape recorded and asked that anyone wishing to speak identify themselves for the record. Regular members, John Bruno and Rose Smith-Hull, were absent therefore Mr. Frizzell called upon alternate members, James Jenkins and Duane Wetherby, to sit in their seats on the PB. Alternate members, Patricia Chaffee and Doug Neill, were not in attendance.

APPROVAL OF MINUTES OF JULY 7, 2015:

There was a consensus to table approval of the July 7, 2015 meeting Minutes as a quorum of those attending that meeting was not present tonight. Only three PB members who had attended the July 7, 2015 meeting were present at this meeting.

NORMAND R. & ANTOINETTE M. BEAUDRY and NORM & MIKE EXCAVATING, INC. (Cont'd) – Boundary Adjustment(s) Among Three (3) Existing Lots – Old Claremont Road and Caryl Lane – Map 102, Lots 58 & 59 and Map 103, Lot 44 – Zone E (Mixed Use):

Mr. Travis Royce was representing the applicants. Mr. Royce advised that Mike and Joan Beaudry gave Normand and Antoinette Beaudry a right-of-way that was deeded and recorded. This is the only change to the plan since the July 7, 2015, meeting. Mr. Frizzell noted that the PB voted for completeness of this application at the last meeting. Mrs. Frances raised the question of how could Mr. Beaudry get a Building Permit when he does not have access to a Town road. Mr. Royce explained that it was an existing lot until the 1990s; around 1998-2000 Mr. N. Beaudry built his house. Perhaps there should have been a Deeded right-of-way through there at that time but Mr. Royce's understanding, based on State law, is that a right-of-way to the parcel is enough to get a Building Permit. There are many existing lots in Town that do not have frontage on a Town road but if they have a right-of-way a Building Permit is permitted. Mr. Frizzell pointed out that the PB tries to protect the property owner. Mr. Edkins explained that the PB regulations were changed pursuant to being "grandfathered" in. They re-did their subdivision regulations; their frontage requirements are contained in the subdivision regulations not in the Zoning Ordinance. They re-did their subdivision regulations in 2004/2005 and that requirement was not in there before then. The right-of-way is not the issue in this case; the only thing in front of the PB is the boundary adjustment between existing lots. This right-of-way goes across Mike and Joan Beaudry's mini storage lot and circles onto Norm Beaudry's lot. Mr. Frizzell noted that they could not subdivide on a right-of-way but they can get a Building Permit.

Mrs. Francis stated that the Deeded right-of-way is an improvement but there is still a larger question of what the PB's policy is. What concerns her is granting Building Permits on the basis of a right-of-way for a house that is not on a Town road. Mr. Frizzell responded that in the Beaudry case it was grandfathered in. Mr. Edkins advised that the Town has a number of private roads that they would not allow this to happen now. (*Alternate member, Patty Chaffee, came into the meeting.*)

Mrs. Francis moved to grant final approval for the Boundary Adjustments for Normand R. & Antoinette M. Beaudry and Norm & Mike Excavating, Inc. and note that the plan also includes a deeded right-of-way. Mr. Thibodeau seconded the motion. With seven members in favor, the motion was approved.

SAVANNAH DARRELL – Sign Permit – 16 Main Street – Map 117, Lot 6 – Zone A-2 (North Main Street): Mr. Edkins reported that this is Dr. Dan Caloras's new commercial building on the west side of North Main Street. Ms. Darrell wants to open a Gentlemen's Grooming Shop in a portion of the building. The color version of the sign is white with red and black lettering. The sign is 24" x 29" which is well within the limits of the new regulations. The sign will be located where the "For Lease" sign is now. Mr. Lincourt would like to see a drawing of where the sign will actually go on the property. Mr. Edkins advised that when there is another tenant in the building they can easily put another equally sized sign on the same post. Each business can have one sign on the building. Mr. Neill agreed that this application is incomplete in that the description of the sign location is missing.

Mr. Neill moved to table this Sign Permit application until it is complete. Mr. Thibodeau seconded the motion.

Mrs. Francis questioned the height on the ground. Is the 5-feet from the top or bottom of the sign? Mr. Edkins pointed out that the regulations state that they can have one sign per business on the building and one sign per property on the same post. In that zoning district no sign or group of signs can exceed 25 square feet. The dimensions of this sign leave more than enough room for another sign of a similar size.

Vote on Motion: With six members in favor, the motion was approved. Mr. Jenkins was opposed to the vote.

PLANNING & POLICY ISSUES:

Historic District Ordinance: Mr. Frizzell advised that the PB members discussed this at the last meeting and decided to consider it further at this meeting. Mr. Edkins summarized what was discussed at the last meeting. Mr. Nate Miller from the Upper Valley Lake Sunapee Regional Planning Commission had offered to assist us in facilitating the "tweaking" of the ordinance that was presented to the Town in a joint effort with the Historic/Heritage District Commission and the PB. He conveyed this to the Historic/Heritage District Commission but their response was that they were happy with the ordinance that had originally been proposed and they would look at what the PB would offer but they were not interested in collaborating on improving the ordinance. Mr. Duane Wetherby, a member of the Historic/Heritage District Commission, confirmed that they did not want to participate. Mr. Edkins will do some research but he

understands that the State Statute is written that any Zoning Ordinance, Building Code Ordinance, or Historic District Ordinance, the PB holds the Public Hearing and the way the ballot question is phrased in the Statute is “Are they in favor of the Historic/Heritage District Ordinance as proposed by the PB”. He will research if it can state in the Warrant Article “Are you in favor of the proposed Historic/ Heritage District Ordinance as proposed by the Historic/ Heritage District Commission”. That would still give the PB some leeway in determining whether they supported / recommended the adoption of that ordinance. Mr. Frizzell suggested that they just leave it because the PB knows what works and what does not work and they knew it needed to be “tweaked”. They talked about discussion at past meetings, Mr. Edkins feels that a greater concern of past meetings was the fact that if the ordinance was adopted that would then authorize the Historic/Heritage District Commission to adopt regulations but nobody knew what those regulations would be. When Mr. Miller was here he stated that often times the regulations are developed concurrently with the ordinance so people know what they are voting for.

Mr. Thibodeau moved that the PB table this until there is further input from the Historic/Heritage District Commission. Mr. Neill seconded the motion. Mr. Lincourt suggested that they include that the PB strongly suggest that the Historic/Heritage District Commission develop regulations to be voted on at the same time as the ordinance. With seven members in favor, the amendment and motion were approved.

ADMINISTRATION & CORRESPONDENCE:

Old Jiffy Mart: Mr. Edkins contacted the owners to ask that they remove the “We’ve Moved” signs out of the window in the old Jiffy Mart. Although they did not have to do it, the signs were removed the day following his email.

Wetherby Road: A PB member reported that there is a lot of debris at the Poisson sales lot at the end of Wetherby Road from demolition of mobile homes. Mr. Edkins provided the following background on this property: Back in 1996 Mr. Poisson came in with an application for a Site Plan Review to buy, sell, store mobile homes, vehicles, etc. Back then the PB gave him an approval to do what he wanted with the one condition that there be no burning of mobile homes. In 2002 Mr. Poisson came in with another application for Site Plan Review to have a demolition operation there and the PB gave him an approval with a lengthy list of conditions including that there be no more than ten mobile homes stored on the site at any one time. However in order to do that he also had to get a permit from the State Department of Environmental Services (DES) to operate a Solid Waste Facility. He started that process to get the permit for the demolition facility but abandoned it because the engineering alone would have cost him a large amount of money. Now he is still relying on the original 1996 permit that did not have any conditions or requirements other than the fact that he cannot burn there. Mr. Edkins went through the Minutes and the issue in 1996 was that he was burning mobile homes on the property. Mr. Edkins recommended that the first step for the PB member is to contact the DES because that is a solid waste matter.

Charlestown Beautification: Mr. Frizzell and his wife have received many comments on how beautiful Charlestown looks. Mr. Ilves has taken care of the trees. The Woman’s Club has taken care of the flower pots that look very nice. Mrs. Francis and the Beautification Committee have

been working on a “Charlestown Beautification Book”. There is a reason why Charlestown looks so nice; we are all aware of this and why it is taken care of by so many volunteers. Mrs. Francis met with the person doing the design on the brochure and they hope to have the book in the mail to property owners on Main Street in September. Hopefully, it will enlist participation in the beautification project in Town. It includes what they want to accomplish, recommendations and what they are seeking support for.

North Hemlock Road Gravel Pit: A PB member questioned what has happened with Norm and Mike’s North Hemlock Road gravel pit and the material/construction debris. Ms. Chaffee and Mr. Edkins had a conversation with Mr. Mike Beaudry who said it was stone they were grinding up. Mr. Edkins explained that it is concrete that they plan to crush and mix with the aggregate that comes out of the pit to make a usable product. The PB member recommended that Mr. Edkins check the permit to see if this operation is covered.

Morningside Service Station: A PB member pointed out that Morningside Service Station now has about 25 or more vehicles parked there. Some are not registered. It was suggested that Mr. Edkins look at this. Mr. Edkins responded that they could never be permitted as a Junk Yard at that location under State law because of its proximity to Route 12.

Dollar General Store: A PB member recommended that the beautification brochure be sent to the Dollar General Store. Maybe they will cut their grass along Main Street. Mr. Edkins will continue to pursue having them cut their grass and the maintenance issues but it is difficult to contact the big corporation that owns the store. There is still the issue with the delivery trucks.

Corner of Old Claremont Road and East Street: A PB member brought up the issue of the amount of parked vehicles, trailers and equipment plus miscellaneous items on this property. Ms. Chaffee, Code Enforcement Officer, reported that two letters were sent to this property owner asking for a Site Plan Review application for both locations, they made an appointment with Mr. Edkins but did not show up.

Mr. Thibodeau moved to make a recommendation to the Selectboard that they look into these three properties and they take appropriate action. Mrs. Francis seconded the motion. With six members in favor, the motion was approved. Mr. Neill abstained as he is a Selectman.

ADJOURNMENT:

There being no other business, Mrs. Francis moved to adjourn this meeting. Mr. Lincourt seconded the motion. With seven members in favor, meeting was adjourned at 8:16 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Minutes Filed: 07-28-15

(Note: These are unapproved Minutes. Corrections, if necessary, will be found in the Minutes of the August 4, 2015, Planning Board meeting.)