

**MINUTES
CHARLESTOWN PLANNING BOARD
JULY 7, 2015**

Members Present: Robert Frizzell (Chair), Sharon Francis (Vice-Chair); John Bruno, Rose Smith-Hull, Roger Thibodeau

Alternates Present: Doug Neill

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, Mr. Richard Lincourt and Mr. Steve Neill (Ex-Officio), were absent therefore Mr. Frizzell called upon alternate member, Mr. D. Neill, to sit in Mr. Lincourt's seat. Mr. Art Grenier is Mr. Steve Neill's alternate however he is attending a Recreation Department meeting at this time. Alternate Members, Ms. Chaffee, Mr. Jenkins and Mr. Wetherby, were not in attendance.

APPROVAL OF MINUTES OF JUNE 16, 2015:

Mrs. Francis moved to approve the Minutes of the June 16, 2015 meeting, as printed. Mrs. Smith-Hull seconded the motion. With six members in favor, the Minutes were approved.

NORMAND R. & ANTOINETTE M. BEAUDRY and NORM & MIKE EXCAVATING, INC. – 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, surveyor, represented Normand & Antoinette Beaudry and Norm & Mike Excavating, Inc. This boundary adjustment involves Mr. Beaudry's office, house plus the shop. The office and shop will be taking a little land away from Mr. Beaudry's house lot. The existing house lot is 27.55 acres to start; 1.70 acres will go to the office and the other lot to the shop. There is a right-of-way from Caryl Lane. Mr. Edkins explained that it was there since Mr. Beaudry built his house. Mr. Frizzell expressed concern that, at some time, Mr. Beaudry's house will be sold to someone else and the right-of-way will be across someone else's land. This is all family owned now but someday it will not be. Mr. Edkins pointed out that about ten years ago Mr. Beaudry had proposed to extend Caryl Lane to give his house lot frontage on Caryl Lane but did not come to fruition. To extend the road would be expensive. He is going to Deed the right-of-way that he has been using. Mr. Royce noted that Mr. Beaudry can sell the land tomorrow just the way it is. Mr. Bruno advised that a condition of the permit could be that the Deed be recorded and it has to be described on the plan so there is no question that the owner has a right-of-way across the property. Years ago rights-of-way were not always described in detail. Mr. Edkins mentioned that if they were not doing this boundary adjustment he could just use the right-of-way without coming to the PB. The right-of-way does not need PB approval. Mr. Royce provided a brief history on this property; it was approved in the 1980s. Mr. Mike

Beaudry and Mrs. Joan Beaudry do not have a problem with this; they signed the application and will sign a Deed for the right-of-way. Mr. Frizzell stated that this is a 50-foot driveway so it should be Deeded driveway not a right-of-way. For many years the Planning Board (PB) has talked about problems with rights-of-way and he will not vote for this. Responding to a question from Mr. Edkins, Mr. Royce said the strip of land is about 265 feet in length. Mr. Frizzell felt they could move the circle. Mr. Royce said the Selectboard would have to approve any additional Town roads. Mr. Frizzell stated that the PB would not do this on a regular Subdivision therefore he feels they have to hold to those principles with this Lot Line Adjustment. They have to have a driveway. Mr. Edkins clarified that this did not even have to be shown on the plan as this was a Boundary Adjustment.

Mr. Bruno moved to accept the application for Boundary Adjustments for Normand R. & Antoinette M. Beaudry and Mike & Norm Excavating Inc. as complete. Mr. Thibodeau seconded the motion. With six members in favor, the motion was approved.

Mr. Bruno moved to approve the Lot Line Adjustment with the condition that the Right-of-Way be conveyed, by deed and recorded in the land records by the description shown on the plat. (There was a consensus to put this matter on hold until the July 21, 2015 meeting.)

The PB members discussed going back to their regular practice of accepting an application as complete but waiting until the following meeting to vote on final approval. Mr. Frizzell recommended that Mr. Royce go back to Mr. Beaudry to tell him what the PB discussed. Mr. Bruno mentioned that Caryl Lane is a gravel road that would have to be brought up to Town specs before they would consider accepting it as a Town road. Mr. Royce pointed out that some towns encourage, allow and sometimes even require private roads and shared driveways to avoid the Town having to maintain them. This is not creating a new lot or a building lot. Mr. Edkins clarified that Mike and Joan Beaudry could have conveyed/deeded Norm Beaudry a right-of-way without coming to the PB. Mr. Royce was just showing it on the plan. The road is not a consideration in this Boundary Adjustment.

Mr. Frizzell advised that the PB will not do a final approval at this meeting. Mr. Royce heard their discussion and will take it back to Mr. Beaudry. This will be carried over until the next PB meeting on July 21st.

PLANNING & POLICY ISSUES:

Historic District Ordinance: Copies of the note from Mr. Duane Wetherby, Chair of the Charlestown Heritage and Historic District Commission, advising that the members are happy with the proposed ordinance as submitted. They would review any ordinance the PB writes to see if they would approve, support and be able to enforce it. Mr. Jim McClammer spoke to Mrs. Joyce Higgins about this even though they are on opposite sides in some areas. He feels there were some good parts to the proposed ordinance and would not like to see it “thrown away” but there also are some bad things. For example: giving the authority to the CHDC to establish the rules and regulations. Some should be incorporated into the ordinance so people will know what they are voting on. Mr. Edkins pointed out that when Mr. Nate Miller of the Upper Valley Lake

Sunapee Regional Planning Commission (UVLSRPC) came to a meeting he said that in many cases the regulations and the ordinance were compiled at the same time. He was going to attend this meeting but after Mr. Edkins got the message that the CHDC was not interested in working with the PB he notified Mr. Miller. He is still more than willing to come back to work with the PB and the CHDC. Mr. Thibodeau's concern is that the entire Town is voting on what happens to a handful of people in the Historic District. It would help for all of them to know what this is about. Mr. Bruno's concern is that what they are trying to achieve will not be done with a Historic District and the regulations. People are concerned with aesthetics and heritage. With a Design Review Board they could control what a new building will look like. Mrs. Francis pointed out that on North Main Street there is a church that is not historic. There is not a big push for development in Charlestown. The population is about 5,100; a growth of about 200 in the last 16 years. Mr. Tom Cobb stated that Charlestown has building codes and a Building Inspector. He feels they should strive to maintain some type of a visual record on Main Street and establish guidelines. Mr. McClammer owns one of the 64 properties that will be affected by the Historic Ordinance. The guidelines need to be clear. Mr. Frizzell summarized the discussion by recommending that the PB members think about how they wish to proceed. This will be discussed again at a future PB meeting.

Drinking Water Protection District Ordinance: Mr. Edkins reported that they are in the early stages but the Town is in the final stages of redeveloping the Bull Run well site. It was originally drilled as a test well but now it is going to be a full blown production well that will generate about 700/gallons per minute; this will be the permitted capacity. Right now it is about 200/gallons. In doing that and getting it permitted the State is going to require the Town to expand the boundaries of the Drinking Water Protection District associated with this well. He does not yet have a map that shows what that will be. Mr. Dave Duquette, Superintendent of the Water and Wastewater Department, brought this before the Selectboard and he understands it would have to be the PB that would make any proposed changes to this district. Mr. Edkins provided him with a copy of the current ordinance to ask if in addition to expanding the boundaries do they need to make any other adjustments; the current ordinance was adopted in 1998. Mr. Duquette is willing to come in to talk to the PB about what they need to do, show them maps of the new zone of influence, etc. VHB is doing the analysis. The requirements for permitting are a lot stiffer than they were when they did the original well. A Water Conservation Plan also had to be submitted to the State. The Town will ask for a waiver, initially, as the State wants them to increase the billing frequency from semi-annual to quarterly billing to keep track of where the water is going; water conservation is a big emphasis with the DE. The Town needs to follow Best Management Practices. The old well will not be removed but this one will replace it. Water quality is not a problem. Any changes to the District boundaries or Ordinance language would be brought before the voters next March.

ADMINISTRATION & CORRESPONDENCE:

Dollar General Store: Responding to a question, Mr. Edkins has not yet heard from Dollar General regarding violations of their permit. He will continue to pursue this. The way deliveries are being made was also discussed. The PB members agreed that to have a valid permit they have to meet the conditions that were established.

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Old Jiffy Mart: Mr. Edkins will talk to them about removing the “We Have Moved” signs as they have been at their new location for over a year now.

Next Meeting: The next PB meeting is scheduled for Tuesday, July 21st at 7:00 PM.

ADJOURNMENT:

There being no other business, Mrs. Francis moved to adjourn this meeting. Mrs. Smith-Hull seconded the motion. With six members in favor, the meeting was adjourned at 8:29 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Minutes Filed: 07-13-15

(Note: These are unapproved Minutes. Corrections, if necessary, will be found in the Minutes of the July 21, 2015, Planning Board meeting.)