

**TOWN OF CHARLESTOWN
PLANNING BOARD MEETING
FEBRUARY 6, 2018**

Members Present: Robert Frizzell (Chair); Sharon Francis (Vice-Chair); Richard Lincourt, Doug Neill, Rose Smith-Hull; Thomas Cobb (Ex-Officio)

Alternates Present: James Jenkins, Patricia Chaffee (late)

Staff Present: Roger Thibodeau – Interim Planning Board Administrator

CALL TO ORDER: Mr. Frizzell called the meeting to order at 7:00 PM. He noted the absence of regular member, Mr. John Bruno, and alternate members Mr. Duane Wetherby and Ms. Patricia Chaffee (late). Mr. Frizzell asked Mr. Jim Jenkins to sit on the Board in Mr. John Bruno's place. He advised that meetings are recorded and asked anyone wishing to speak to identify themselves for the record.

APPROVAL OF MINUTES OF JANUARY 2, 2018:

Mrs. Smith-Hull moved to accept the Minutes of the January 2, 2018, Planning Board meeting, as presented. Mrs. Francis seconded. Mr. Lincourt made the following correction, page 2, line 3, Dussault Property Management, change "If he does this lot line adjustment the Claremont Savings Bank will be more than 50% impervious surface" to "If he does this lot line adjustment as proposed the Claremont Savings Bank will be more than 50% impervious surface". It is a question if he does the paving or the lot line adjustment. With seven members in favor, the motion and amendment were approved.

DUSSAULT PROPERTY MANAGEMENT, LLC – Lot Line Adjustment between Claremont Savings Bank – 135 Main Street, Map #118 Lot 101 and Dussault Property Management, LLC. – 125 Main Street, Map #118 Lot 100. Partial Zone B (Business) and Zone E (Mixed Use). Mr. Joe DiBernardo, DiBernardo Associates, was representing Dussault Property Management, LLC. At the last meeting the issue of impervious surface was brought up. Mr. DiBernardo presented a revised plan which indicates Mr. Dussault will gain .09 acres instead of .29 acres. There will be 50% impervious surface on the main property. Mr. Frizzell pointed out that Mr. Dussault will not be able to put anything more on his property if it is impervious. The Planning Board (PB) will be strong on this because of the existing drainage problems. Mr. DiBernardo stated Mr. Dussault is aware of this. If he wants to put in a parking lot he will go through the Site Plan process.

Mrs. Francis asked if the bank is aware of this change and have they approved it. Mr. DiBernardo replied it is not on the plan as it is a separate agreement. The bank representative will sign the mylar. It is giving the bank more property. Mr. Frizzell stated the PB would like a copy of that signed agreement as well as other documents relative to this lot line adjustment. He asked if abutters or interested parties were present; there were none.

Mr. Lincourt moved to accept this Lot Line Adjustment for completeness for Dussault Property Management, LLC. Mrs. Smith-Hull seconded. With seven members in favor, the motion was approved.

Mr. Lincourt moved to grant final approval to this Lot Line Adjustment but it is contingent upon a signed agreement with the Claremont Savings Bank. Mrs. Francis seconded. Mr. DiBernardo will provide a copy of the Purchase and Sale Agreement. Mr. Cobb amended the motion to state any public documents pertaining to this land transfer be provided for the PB records. Mr. Lincourt and Mrs. Francis accept this friendly amendment. Mr. Frizzell questioned the right-of-way. Mr. DiBernardo replied this is the bank's right-of-way; it does not affect tract Two only tract One. With seven members in favor, the motion and amendment were approved.

GARY AND MAUREEN PURTLE – Voluntary Merger of Map 205, Lot 006 and Map 205, Lot 040, – Calavant Hill Road. Merge as Map 205, Lot 006. – Zone E (Mixed Use): Mr. Purtle was present as well as Mr. Joe DiBernardo, DiBernardo Associates. The proposed plan was reviewed. Access for Lot 6 is off River Road; access for Lot 5 is off Calavant Hill Road. Mr. Frizzell advised it is easier to merge two lots than it is to subdivide if he chooses to do that in the future. There were no abutters or interested parties present.

Mr. Jenkins moved to grant this Voluntary Merger for Gary and Maureen Purtle, as presented. Mrs. Smith-Hull seconded. With seven members in favor, the motion was approved.

DIANE FOSTER, GLENN FOSTER, JEANNIE FOSTER – Voluntary Merger of Map 228, Lot 014 and Map 115, Lot 022-000-001, - Old Acworth Stage Road. Merge as Map 228, Lot 014. – Zone E (Mixed Use): Due to the fact that the applicants were not present Mr. Frizzell recommended the PB defer this application until later in the meeting.

SPRINGFIELD MEDICAL CARE SYSTEMS, INC. – Revised Landscaping Plan – 250 CEDA Road, Map 105, Lot 029 – Zone F-1 (Industrial/Business): Mr. Thibodeau reported the applicants will not be present. The applicant requested being deferred until April as they are unable to pull the photos together at this time. Mr. Thibodeau wrote two different versions of a letter to the applicant that have not yet been sent. He asked PB members to read them and make comments. (*Ms. Patricia Chaffee came into the meeting.*) Mr. Neill recommended deferring further discussion on this Agenda item until the end of the meeting.

BLANC & BAILEY CONSTRUCTION. INC. – Addition of a second floor on an existing office building – 18 Depot Street – Map 118, Lot 82 – Zone B (Business): Mr. Doug Neill recused himself from the PB for this application. Ms. Chaffee was asked to sit on the PB in his place. Mr. Matt Blanc and Mr. Caramore were present. Mr. Thibodeau had a set of revised plans that came in today; copies were distributed. Mr. Lincourt asked if this requires a Site Plan Review as this addition is going up and not out; there will be no more vehicles than at the current

time. Mr. Thibodeau replied previously the PB members wanted to see more information. It was changed from the original application. Mr. Blanc explained there were some challenges with the site as they had four different surveys; Champlain Oil, Depot Home Center, the State's on Main Street and their own plus the tax cards. Nothing matched. He had one done from the Deed therefore they know this one is fairly correct. They are proposing on a second story, extending the porch across the front and adding a handicapped ramp down the side of the building. He displayed a picture of the completed project. He has an Intent to Purchase the Champlain Oil property; they are putting a plan together but it is complicated due to the contamination. Their plan is to remove the building and clean-up the site. It will not be a parking lot.

Mrs. Francis asked how many employees and customers might be on the site at any one time. Mr. Blanc replied they have 30 employees; four work out of this building but on average 2-to-4 vehicles plus a customer/vendor. The upstairs will be a conference room; there could be about 15 when there is a staff meeting about once a month. Right now they park anywhere close to their building. Parking was never a problem even with Champlain Oil operating; there were no complaints. The two properties will not be merged. They have two parking spots in the front, two on the side of the building. Their boundary line is in the middle of Depot Street. There is enough off-road parking for what they do.

Mr. Cobb questioned if this requires a Site Plan adjustment. They are just looking for more usable space. Does it constitute a change of use? Mr. Blanc said there will be no additional staff. Mr. Thibodeau read the section in the regulations pertaining to this. For a minor Site Plan it states less than a 25% Change in Use or Expansion; floor space, parking, etc. Mr. Frizzell asked if there were any abutters or interested parties present who would like to comment; there were none. Mr. Caramore wanted it to be clear that any vehicles parked in front of the building are actually off the road. Mr. Jenkins mentioned additional land between the Blanc and Bailey building and the Home Depot property line that could be used. Mr. Blanc agreed there is; 4-to-6 vehicles could be easily parked in there. Mrs. Francis would like to see the Site Plan show parking spaces. Ms. Chaffee mentioned needing a Major Site Plan checklist. Mr. Blanc had filled out the documents given to him. Mr. Thibodeau advised the PB has the discretion to make a decision at this meeting on how they wish to proceed.

Mr. Lincourt moved to accept this application from Blanc and Bailey Construction, Inc. as a minor Site Plan review. Mr. Cobb seconded. With seven members in favor, the motion was approved.

Mr. Blanc mentioned there was parking on the original plan submitted. Mrs. Francis referenced a problem with parking spaces in this general business area going back many years. She asked about a small sign with an arrow that would indicate parking in the back. Options for parking were discussed.

Mr. Cobb referenced the checklist; Mr. Blanc noted there would be no changes to exterior lighting, snow storage plan does not change; location of waste will continue in the building.

Mr. Cobb moved to accept this Site Plan application from Blanc and Bailey Construction, Inc. as complete with some wording and a small sign to show additional parking in the back of the building. Mrs. Smith-Hull seconded. Mrs. Francis would like the plan to show parking in the front and back. Mr. Cobb and Mrs. Smith-Hull accepted the amendment. With seven members in favor, the motion was approved.

Ms. Chaffee moved to grant final approval to this Site Plan application for Blanc and Bailey Construction, Inc. Mr. Cobb seconded. With seven members in favor, the motion was approved.

Mr. Neill resumed his seat on the PB; Ms. Chaffee returned as an alternate member.

CHRISTINA BELL dba BELLA’S REPEAT BOUTIQUE, - Sign Permit, - Map 118, Lot 108, - 177 Main Street, - Zone A. Ms. Bell is located in the Rick’s Electric building. Mr. Thibodeau reported a sign on this property was approved by both the ZBA and Planning Board in 2006. A lighting plan was also approved; two lights on the top of the sign from dusk to dawn.

Mrs. Francis moved to approve this Sign Permit for Christina Bell dba Bella’s Repeat Boutique to be attached to the frame above the Century 21 sign. Mrs. Smith-Hull seconded. Mr. Lincourt amended this motion to include external lighting was previously approved for this sign. Mrs. Francis and Mrs. Smith-Hull accepted this amendment. With seven members in favor, the motion and amendment were approved.

ESTATE OF SYLVIA WILSON – Preliminary discussion of development, - Map 255, Lot 17, 75 Pecor Road, - Zone E (Mixed Use): Mr. Craig Wilson was before the PB about a year ago without a formal plan. They now have a Driveway Permit for Route 12A. He presented two plans for the PB to review and indicate which one they preferred. It will then go back to the Probate Court Judge to have the Estate of Sylvia Wilson finalized. Mr. Joe DiBernardo, DiBernardo Associates, explained the two different options presented, dated January 5 and 11, 2018. Lot #2, 15.02+/- acres, will contain the salvage; currently it is not being operated. Lot #1 is 3.51+/- acres. Lot #3 is 34.49+/- acres. Mr. Frizzell expressed concern with the right-of-way. Mr. Wilson said it is written on the document for the court. The right-of-way will go through Lot #2; the only difference is the length of it. Mr. DiBernardo said it is a 50-foot right-of-way therefore meets the regulations. The power company has an easement. This is a subdivision with a lot line adjustment for the house. Three lots will end up as four lots. They are here to see if the two plans are compatible and meet the Town’s regulations so it can go back to the Judge who will make a decision. She will require a formal document from the PB.

Mrs. Francis moved that both of these two drafts dated January 5 and January 11, 2018, for the Estate of Sylvia Wilson are accepted as complete and meet the guidelines of the Town of Charlestown. Mr. Cobb seconded. With six members in favor, the motion was approved. Mr. Frizzell was opposed; he would like to see the right-of-way resolved and it can be.

Mr. Wilson advised their next hearing with the Judge is February 26th.

Mr. Cobb moved the PB grant final approval for both of these plans and whatever one the Judge precludes gets stricken from the record. Mrs. Smith-Hull seconded. Vote in Favor: Mr. Cobb, Mrs. Smith-Hull, Mrs. Francis, Mr. Jenkins. Abstained: Mr. Lincourt, Mr. Neill and Mr. Frizzell. The motion passed by a 4-to-3 vote.

Mr. Thibodeau advised no application was submitted. This was to be a preliminary discussion of development. Mr. DiBernardo stated the Judge is just looking for guidelines that both of these plans meet the Town's regulations. Mr. Thibodeau said an application needs to be submitted before any documents get signed by the PB.

Mr. Cobb moved to amend his motion to make this final approval for the Judge but Mr. Wilson has to come back in with the application and final plans. Both of these plans are good. Mrs. Smith-Hull seconded. There was no vote.

Mr. Thibodeau will draft a letter to the Judge stating that these plans were looked at by the PB members. After a preliminary review and opinion of the plans they both meet the criteria for the Town of Charlestown. This letter will be sent to Mr. Craig Wilson who will hand it into the Judge..

Mr. Cobb moved to withdraw his two motions for final approval as they are null and void. Mrs. Smith-Hull seconded. With seven members in favor, the motion was approved.

BEAUDRY ENTERPRISES, – Preliminary discussion for replacement of fire destroyed office building, - Map 108, Lot 43, Old Claremont Road, - Zone E (Mixed Use): Mr. Travis Royce was representing Beaudry Enterprises. They are looking to re-build the building that burned last year. Plans were submitted and an explanation provided. The building will be 90-foot x 100-feet. They are looking to turn the building into a rectangular building that will be more useful. It will be drive through which the other one was not. It will be on the same site as much as possible.

Mr. Royce asked if they would need a Site Plan application to replace this building or just a Building Permit. Mrs. Francis stated this is a plan for a new building. The PB should see where the building will be on the lot, the parking, exterior lighting, access off the street because there is a plan and there should be a record of what is going on. Is there an existing application on the property? Mr. Thibodeau replied there is some information on the site but it is pretty old. Mr.

Royce mentioned it will be the same as it always has been. Mr. Cobb asked what provisions are in the PB policy for this. It is not a change of use; not more than 25% as it is the same footprint. Mr. Thibodeau agrees it would be a minor Site Plan but it is up to the discretion of the PB.

Mr. Neill moved to have a Minor Site Plan for Beaudry Enterprises. Mr. Lincourt seconded. With six members in favor, the motion was approved. Mr. Cobb was opposed.

Mr. Royce asked if it matters if they modify the building exactly to the footprint would they need an application or just a Building Permit. Mr. Frizzell said if the new building was close to the old one he would not need an application. Mr. Lincourt feels they should submit a Site Plan application. Mr. Thibodeau said now is the time to up-date everything that is there; it is a starting point and an expansion point for the future.

SPRINGFIELD MEDICAL CARE SYSTEMS, INC. (Continued): There was discussion relative to giving the applicant another extension or not. Mr. Lincourt would like to see them come back with a plan as agreed to. Mr. Cobb mentioned the Selectboard has agreed to take this application to task. Mrs. Francis noted the PB has been extremely patient with the applicant. She recommended Mr. Thibodeau send letter No. 2 to the CEO and to include information on the delays. Mr. Thibodeau will send a modified draft of the letter to Mrs. Francis before mailing it to the CEO with a copy to Mr. Mark Blanchard. The letter will state the applicant needs to appear at the March 20th, 2018, PB meeting or the next letter will be from the Town attorney. Mr. Frizzell, as Chair, will sign the letter. Mr. Lincourt suggested they talk to the attorney about withdrawing the permit and there be no more extensions.

Mrs. Francis moved to approve the second letter, as presented by Mr. Thibodeau and modified at this meeting, but to advise the next letter they receive will be from the Town's attorney. Mr. Jenkins seconded. With five members in favor, the motion was approved. Mrs. Smith-Hull abstained. Mr. Lincourt was opposed.

DIANE FOSTER, GLENN FOSTER, JEANNIE FOSTER – Voluntary merger of Map 228, Lot 014 and Map 115, Lot 022-000-001, - Old Acworth Stage Road. Merge as Map 228, Lot 014. – Zone E (Mixed Use): The applicants were not present. Mr. Frizzell is familiar with these lots and provided a brief history; they were owned by the Boy Scouts at one time. There is a mobile home on one lot.

Mr. Neill moved to approve this Voluntary Merger of two lots for Diane Foster, Glenn Foster and Jeannie Foster. Mrs. Smith-Hull seconded. With seven members in favor, the motion was approved.

PLANNING & POLICY ISSUES:

Dollar General Store: Mr. Thibodeau sent an email to the Dollar General Store and he received a reply stating they are not aware of any open items. They will meet any requirements if a list is provided. Mr. Thibodeau will write back and list conditions number 2, 7 and 8 (with explanations) as they are in non-compliance.

ADMINISTRATION & CORRESPONDENCE:

Town Administrator / Administrator of Planning and Zoning Boards: Ms. Chaffee was asked by the Selectboard to inquire if the PB would like to decide who will represent the PB when the Selectboard start interviews for this position. Previously the PB indicated an interest in being present to provide input. The Selectboard would like to begin this process.

Charlestown Community Forum: Mr. Jenkins mentioned the Charlestown Community Forum and the fact that they feel businesses are being forced out of Town. However we are here to help businesses comply. Mr. Frizzell thought this might have referred to CEDA rather than the PB.

Fall Mountain Region School District: Mr. Cobb advised the Deliberative Session for the FMRSB was postponed to Thursday, February 8th due to the storm.

Town of Charlestown: Mr. Cobb advised the Town of Charlestown Deliberative Session is scheduled for Saturday, February 10th at 10:00 AM in the Old Town Hall.

ADJOURNMENT:

Mr. Jenkins moved to adjourn this meeting. Mrs. Smith-Hull seconded. With seven members in favor, the meeting was adjourned at 9:40 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

(**Note:** These are unapproved Minutes. Corrections will be found in the Minutes of the February 20, 2018, Planning Board meeting.)