

**TOWN OF CHARLESTOWN
PLANNING BOARD MEETING
JUNE 5, 2018**

Members Present: Richard Frizzell (Chair); Sharon Francis (Vice-Chair); Richard Lincourt, Rose Smith-Hull, Terry Spilsbury; Thomas Cobb (Ex-Officio Selectboard member)

Alternates Present Duane Wetherby

Staff Present: Travis Royce, Planning & Zoning Administrator

CALL TO ORDER & SEATING OF ALTERNATES: Mr. Frizzell called this meeting to order at 7:00 PM. He noted the absence of regular member, Doug Neill, and asked alternate member, Duane Wetherby, to sit in his place on the PB. Alternate members Patricia Chaffee and Jim Jenkins were not present. Mr. Frizzell advised that meetings are recorded and asked anyone wishing to speak to identify themselves for the record.

APPROVAL OF MINUTES OF MAY 15, 2018:

Mrs. Smith-Hull moved to accept the Minutes of the May 15, 2018, Planning Board meeting, as submitted. Mr. Lincourt seconded. Mrs. Francis mentioned on page 3 after the voting on the St. Pierre / Beaudry application she stated that “It will be very nice if everybody remains neighborly”. Mr. Spilsbury noted on page 3, second paragraph, line 5, to clarify his comment, delete “is not persuaded this is a great proposal” and insert “stated that this site is ill-suited for the intended purpose. In particular, he questioned the need to alter the topography to this degree for a land-bridge”. Line 5, change wording to: “He would like *the applicant* to find a better piece of property for this”. With six members in favor, the motion and corrections were approved. Mr. Cobb abstained as he was not present at this meeting.

DANIELLE SPURGEON – Site Plan Review for a Hair Salon, - 16 Main St. Suite A, Map 117, Lot 006, located in Zone A-2 (North Main St.). Ms. Spurgeon has been a hair stylist for about fifteen years. At this time she would like to work for herself and this property became available. It is not a high volume business. The landlord indicated there are three designated parking spaces including her own for the business. There were ten parking spaces for this building however three were added. The hours of operation will be from 9:00 AM to 8:00 PM. Monday through Friday; Saturday from 8:00 AM to 6:00 PM. Time allotments for appointments are a half-hour to one-hour. On occasion there might be a walk-in. The other business in the building is almost all walk-ins. There is a handicapped parking space not often used. Mrs. Smith-Hull questioned if there are public parking spaces in back of the Fire Station for over-flow parking. The property is town-owned. Mr. Royce will look into these parking spaces. There is a crosswalk in front of the Fire Department. Mr. Lincourt asked if a backflow preventer will be required for this business. Mr. Royce replied this was discussed with Ms. Spurgeon and she will contact Mr. Dave Duquette, Superintendent of Water/Wastewater Department, prior to opening. No abutters were present.

Mrs. Francis moved to approve this Site Plan Review application for a Hair Salon for Danielle Spurgeon as complete for the hours of operation as presented with three designated parking spaces for the business. Mr. Lincourt seconded. With seven members in favor, the motion was approved.

Mrs. Francis moved to grant final approval for this Site Plan Review application for a Hair Salon for Danielle Spurgeon for the hours of operation as presented with three designated parking spaces for the business. Approval must be obtained from David Duquette, Superintendent of the Water/Wastewater Department regarding a Backflow preventer. Mr. Lincourt seconded. With seven members in favor, the motion was approved.

SYLVIA M. WILSON ESTATE – 2 Lot Subdivision – Pecor Road and Langdon Road, Tax Map 255, Lot 017, Located in Zone E (Mixed Use): Mr. Joe DiBernardo from DiBernardo Associates was representing the applicants for the Sylvia M. Wilson Estate. He had been in before the PB a few meetings ago. Mr. DiBernardo distributed and explained copies of a revised plan for this 2 Lot Subdivision; it is not the plan that was originally warned. This is a 2 Lot Subdivision as they are only creating two lots.

Mr. DiBernardo submitted the following Narrative Description of this plan as follows: “The purpose of this subdivision is to divide up the estate of Sylvia M. Wilson amongst her heirs. The estate describes one heir is to acquire the old Salvage Yard with 15 acres. There is an access road that traverses through the proposed 15-acre parcel that will be used for access to the remaining 34 acres. This access road will be a shared right of way for use by both lots. In addition to the subdivision there is proposed a Boundary/Line Adjustment between the Sylvia M. Wilson Estate homestead parcel (Lot 255-17) and Kathleen M. Wilson (Lot 258-03) and between Kathleen Wilson and Craig A. Wilson (Lot 258-02). The lines between the three parcels could not be definitively concluded on due to the lack of evidence in the field. Therefore, the owners would like to take care of all the issues with one application. There is no proposed development of the parcels at this time. This application is purely made to settle the Estate of Sylvia M. Wilson.”

Mr. Royce does not see any record of one lot being a separate lot; it was originally deeded in 1964. Mr. Craig Wilson, an heir, confirmed the house was bought before the salvage lot. Mr. DiBernardo said the problem is the Tax Map does not show this lot; 52 +/- acres. The small house was the original purchase and other pieces were purchased periodically. Mrs. Donna Montgomery, Executrix, submitted copies of a letter from Kenneth Wilson, an heir, who does not agree with his siblings’ plan. Mrs. Montgomery also submitted copies of the Judicial Branch / Probate Division orders/decisions.

Mr. Frizzell advised this has to meet Subdivision regulations. They will have to show test pits and a well radius for each lot. There was discussion relative to the size of the lots and if this should be a requirement. Mr. DiBernardo mentioned a lot of towns waive this requirement if the

lot is over five acres. Mrs. Francis read the section on the Town's Subdivision regulations. Mr. DiBernardo asked if the applicants were to put a statement on the two lots that they would not be developed would this requirement be waived. Mr. Craig Wilson thought someone might want to build on these lots in the future. Mr. Royce said if that were to happen the new owner would need to come back before the PB.

Mr. Frizzell stated this is a Preliminary Consultation rather than a Public Hearing. Mr. DiBernardo made a formal request that the applicant would retract the original plan/application that was warned and come forward with this new application.

Mr. Cobb felt the PB members should make clear recommendations on what will be needed when the revised application comes in. Mr. DiBernardo asked if they could get Waivers to not do test pits and a well radius on each lot. Mr. Royce said the 3-1/2 acre lot would need to have these. Mr. Frizzell felt it should be considered a new lot.

There were no abutters or interested parties present at this meeting.

Mr. Cobb moved that the applicant come back with Lots A, B and C labeled and have suitable locations marked on the three lots on the plan for test pits/septic systems and well designs. They also should have preliminary approval for what the PB had previously approved for the Probate Court. Mrs. Francis seconded. With seven members in favor, the motion was approved.

WIMBISCUS AND SONS LLC – Proposed construction and property maintenance business, 51 Salt Shed Road Unit C, Tax Map 213, Lot 013, Located in Zone E (Mixed Use): Mr. Nathan Wimbiscus has been in the trades business for a number of years. He has been running this business out of a three-car garage for many years but has been looking for a suitable business space for some time. Generally if he wrote an estimate he would go to that property, people usually mail in their checks; there will not be a lot of customers as this is not a retail business. He has two business vehicles and would like to add a small van in the future. Employees will arrive in the morning, load their trucks and not come back in until the end of the day. He does not carry an inventory but buys what he needs when he needs it.

Mr. Tom French, abutter to the north, stopped in the office to speak with Mr. Royce; his concern is the marker pin on the corner by the stockade fence is missing. Mr. Robert Connelly, owner of the building, was not aware of anyone having an issue. He has a registered survey and will look into this. There were no abutters or interested parties present except for the land owner.

Mr. Lincourt moved to accept this application for Wimbiscus and Sons LLC as complete. Mrs. Smith-Hull seconded. With seven members in favor, the motion was approved.

Mrs. Francis moved to grant final approval for the Wimbiscus and Sons LLC application as presented. Mr. Lincourt seconded. With seven members in favor, the motion was approved.

PRELIMINARY CONSULTATION – Use Change – SUGAR RIVER MENNONITE FELLOWSHIP – 3849 Claremont Road – Tax Map 203, Lot 002, Located in Zone E (Mixed Use): Mr. Schuler advised the Sugar River Mennonite Fellowship is the new church group in the area. They have been able to purchase the former “Fun Spot” property on Route 12. There are six families who would like a place of worship. They will clean-up the property. Their plans include a day school for their children. Mr. Dave Schuler introduced his wife, Mrs. Kristy Schuler. Mr. Schuler had presented information on their plans to Mr. Royce. Mr. Royce noted they can have a Public Hearing at the next PB meeting. Mr. Lincourt feels this is a Minor Site Plan Review. Mrs. Francis welcomed Mr. and Mrs. Schuler and the Sugar River Mennonite Fellowship to the Town of Charlestown.

PLANNING & POLICY ISSUES:

Beaudry Site Plan: The PB members acknowledged receipt of the email from Mr. Jim McClammer regarding a “Request for Reconsideration of Beaudry Site Plan Approval” dated June 5, 2018. Mr. Royce advised the only process for Reconsideration is through an Appeal to the Court. This is in line with the State RSAs. Mrs. Francis had signed the Notice of Action following the last meeting but did not sign the Site Plan as it is conditional on having a Wetlands Permit approved. Mr. Royce shares Mrs. Francis’ concerns. He spoke with representatives of the NH Municipal Association and Upper Valley Lake Sunapee Regional Planning Commission and, without hesitation, they advised a Notice of Decision must be issued within five business days of the decision. Mrs. Francis said that is what they did. There was a consensus of the PB members to have Mr. Royce write a letter to Mr. McClammer referencing that there is a procedure for reconsideration of reopening a Site Plan and note the regulations/RSAs regarding the 30 day window for an appeal to Superior Court begins.

ADMINISTRATION & CORRESPONDENCE:

PB Binders: Mr. Royce had distributed up-dated sections 7, 8 and 9 that should be replaced in their binders. Mr. Spilsbury received his new binder and Mr. Jenkins will be receiving one.

Building Permits: Mr. Lincourt suggested that the one year to obtain a Building Permit and one year for the Construction be combined in the regulations.

Sustainable Energy: Mr. Lincourt reported there was a Sustainable Energy Webinar. It was informative but there are no model ordinances. He will email the link to model ordinances to the PB members.

ADJOURNMENT:

Mrs. Smith-Hull moved to adjourn this meeting. Mr. Lincourt seconded. With seven members in favor, the meeting was adjourned at 9:16 PM.

Respectfully submitted, Regina Borden, Recording Secretary

(Note: These are unapproved Minutes. Corrections will be found in the Minutes of the June 19, 2018, Planning Board meeting.)