

Charlestown Planning Board
Community Room
July 2, 2019 7 pm

Planning Board Present: Steven Neill, Ex-Officio; Sharon Francis, Vice Chair; Dick Lincourt;
Terry Spilsbury; Rosie Smith-Hull
Planning Board Absent: Robert Frizzell, Douglas Neill
Alternates Present: Duane Wetherby
Staff Present: Steven Schneider

CALL TO ORDER & SEATING OF ALTERNATES: Mrs. Francis called the meeting to order at 7:00 PM. A quorum was present so no need to call upon an Alternate member.

Motion made by Mrs. Smith - Hull second by Mr. Lincourt to accept the minutes as presented. All present members voted in the affirmative.

Mrs. Francis noted that the previous minutes indicated that T Cobb LLC would be offering a new amended site plan with updated parking lot details. This has been received according to Mr. Schneider. Parking and use will be discussed, with a more detailed site plan review when tenants come before the Planning Board.

Minor Subdivision -- Elinor Olsen -- 259 Birch Drive.

Travis Royce is present to explain the request for a minor subdivision of the property located at 259 Birch Dr. Mr. Royce presented new copies of the map that includes a surveyor stamp. The Olsen property off Birch Dr. on Breakneck Hill contains an existing cell tower and municipal tower on the property. The goal of the minor subdivision as presented is to separate the land including the towers from the residential home site. The proposal is to subdivide 5.72 acres, leaving almost 114 acres with the house. The uses are existing for the towers and home and will not be changing at this time. The goal of the subdivision is to be a separation of the home lot from the tower lots so the towers could potentially be sold in the future. There is currently a lease in place for the use of the commercial cell tower. The municipal tower does not have a formal agreement for use, according to Mr. Royce. There are easements on the property for power and utilities, though the site has restricted access (book 1894, pg 605). Mr. Lincourt asks about how tall are the towers? Mr. Royce advised that the cell tower is about 100 ft tall and the municipal tower is about 50 ft tall. The access easement is off Birch Dr. meaning that there is a looping route for access. The access from Hackett Swamp is not a recorded access to the towers. Ms. Leslie Doolittle is an abutter. She notes that there is also an access from Acworth Rd., outside of the access recorded on the map.

There are waiver requests for this subdivision. Included are:

- Sewage disposal. Site at the top of the hill is not expected to need sewage disposal, as there is no foreseeable need. The waiver request stipulates that this lot will not be used for residential purposes. The sewage would need to be addressed separately in the future if the land was to be used for residential.

Mr. Spilsbury asks that in order to make this a dwelling, a separate approval will need to occur. He would stipulate the condition that this lot not be acceptable for a dwelling, due to lack of road frontage. Mr. Royce feels that this would be amenable with the land owner.

- Wetlands. Mr. Lincourt notes the waiver request regarding present wetlands. It is a wetland according to Mr. Royce. In the vicinity of the infrastructure, there is some wetlands. Nothing is being proposed to impact the wetlands -- No new roads are needed and the existing road from Hackett swamp crosses a separate lot also owned by Elinor Olsen.
- Road Frontage. The only access to this 5 acre parcel would be via an easement granted through the existing parcel. Mr. Royce clarifies that the new 5 acre lot is surveyed, that a previous survey is used for the small lots, and that the parent lot was surveyed in 1971.

Mrs. Francis asks the board for any concerns or comments from the board regarding this matter. Seeing none, Mrs. Francis invited the public to speak.

Mr. Thibodeau notes his appreciation, as an abutter, that this subdivision will not be built on -- as there is no road frontage to the parcel. According to Charlestown's regulations, one cannot subdivide without road frontage. He notes that for the proposed use, he has no concerns for a subdivision. Mr. Royce explains that the frontage requirement is in the subdivision regulations. It would be the Planning Board can make the determination, not the Zoning Board. This is why it is a request for a waiver.

Miss Doolittle is tax map 233-14, abutting the majority of the home property and much of the power lines. She noted that there is much use by recreational vehicles and hunters. She would like Mrs. Olson to mark her property. Mrs. Francis wonders where the vehicles enter the property. Miss Doolittle notes that it is off Hackett Swamp. Are the people who maintain the towers excessively on the property? No, according to Mrs. Doolittle. Mr. Spilsbury comments that the easement in question is only for the utility use. Separating commercial use from residential use is common, which makes this subdivision a common action. The access from

Hackett Swamp Rd. is also used by the power companies. Three gates to the trail are in the vicinity, but not in the questioned lots. Mr. Lincourt does not see anything in the proposed subdivision that will change the traffic etc. If any other subdivision should be desired, then there will need to be another presentation to the planning board. Mr. Spilsbury asked Mr. Royce if there is any intention to improve the current roadway? Mr. Royce notes that there may be a change to the municipal tower -- replacing it, which will then have to come before the planning board. Any intensification of use of this parcel would come before the board. This parcel can be bought and sold separate of the home and conversely -- if a cellular company wants to own the land with the tower, but not the 100 remaining acres, etc. Mr. Neill notes that this cannot be a residential property. This change is to protect the commercial use by making it less apt to be removed by a new owner. Mr. Royce notes future use of the five acre piece being restricted, as a part of this application, and any change in use would have to be presented to the board. There could be other uses that would be compatible. A restriction should not be created to make this parcel only for communications. The initial approval by the Planning Board was for a communications tower. Was this done under a site plan, asked Mrs. Francis? Mr. Royce notes that this went through the planning board. Mr. Lincourt wonders if the planning board can stipulate that this never be a residential use? Mr. Schneider notes that any change of use would need to come before the board. Mr. Spilsbury asks the Board to grant the waiver with the proviso that the 5 acre parcel never become a dwelling. This is not to exclude other commercial uses. Due to the lack of frontage, a dwelling would not be possible. Mrs. Francis asks if the Board has heard enough discussion of concerns, directly related to the subdivision in question, in order to accept the application as complete?

Motion made by Mr. Lincourt, to vote to accept the subdivision plan of Elinor Olsen as presented, seconded by Mr. Spilsbury. All members vote in the affirmative.

Motion made by Mr. Lincourt to approve the plan for the land of Elinor Olsen, with the waivers requested, seconded by Mrs. Smith-Hull. Amendment by Mr. Spilsbury to motion that stipulates that this property does not have a residential purpose. The amendment seconded by Mr. Neill. Mr. Lincourt accepts the amendment as does Mrs. Smith-Hull. All members vote in the affirmative.

Motion to approve the proposed subdivision including the waivers and subject to the amendment restricting future residential use. All members vote in the affirmative.

Planning and Policy Issues

The contract for UVLSRPC is due to be renewed. Mr. Schneider notes that there are no changes to the original contract. UV fiscal year starts 7/1, whereas Town of Charlestown is 1/1. Mr.

Neill notes that the hours can be adjusted. Mr. Spilsbury notes that the contract says 12 hours on average. Mrs. Francis wonders if the existing agreement gives Mr. Schneider time to address the current list of needs. He feels that there could be 40 hours worth of work in Charlestown. Mr. Lincourt likes the contract. Mrs. Francis wonders if perhaps one additional day could be added for Zoning purposes specifically. Mr. Spilsbury wonders if Mr. Schneider can do the work and leave the execution to the current staff? Mr. Schneider notes that this is not feasible, as he is the signer of the letters sent for Zoning purposes. Mr. Spilsbury wonders if we want to make this a six month plan to be in line with our fiscal year. Mr. Schneider states that this can be done, noting that this will happen every six months as the UV contracts go out 7/1. Mr. Lincourt asks if Mr. Neill looking for a formal recommendation to the Select Board from the Planning Board? Mr. Neill feels that the positive comments from the Planning Board indicate a consensus of the Planning Board and their support of the arrangement with UV.

Administration and Correspondence

No planned applications for the next meeting.
A subdivision is planned for the first week in August.

Consensus of the board is to meet next on August 6, 2019.

Motion to adjourn made by Mrs. Smith-Hull, second by Mr. Neill. All votes in the affirmative.
Adjourned at 8:21.

Respectfully Submitted,
Alissa Bascom

(Note: These are unapproved Minutes. Corrections, if necessary, will be found in the Minutes of the August 6, 2019 meeting.)