

TOWN OF CHARLEMONT
MINUTES OF THE PLANNING BOARD PUBLIC MEETING
8-18-2011

Members present: Gisela Walker, Chair, Jerry Pratt, Trevor Mackie, Steve Ferguson and Dan Miller (alternate)
Public present- listed on sign in sheet
7:15 PM

Public Hearing on SP application by Mike Magnet to replace an existing non-conforming garage.

Existing garage is 15x23 new one would be 16x26. New one would be located aprox 2 feet more away from the property line. Building would be 2 stories tall. Existing garage is being held together with cables, in danger of collapsing. Abutters present had no issues with the replacing the garage. Went through the SP criteria:

- A. N/A B. No change C. N/A D. No Change E. None F. N/A
G. Improvement H. N/A I. None J. None K. No Change L. N/A

Motion moved and Seconded "To Grant a SP to Mike Magnant to replace an existing 15 x 23 non-conforming garage with a new garage 18w x 26l x 19.5h, with improved setbacks. New garage will still be non-conforming but it will be an improvement over the existing building"

Motion Passed unanimously.

Reopened the Public Hearing for SP request of Melody Weldon to operate an ice-cream/candy take out business at her home, meeting opened on 8-4-2011

PB did a site visit today at 6:30 to see the premises.

There will be a parlor area inside the house where people can make purchases to be taken outside to consume; there will be no seating area inside the house. Outside you will be able to also make purchases through an existing window. There will be seating on the porch area.

Hours of operation requested 12N – 8PM year round.

Lighting – will be motion sensor lighting aimed to shine onto the driveway area.

Porch and access lighting will be from existing overhead lights.

Signage – There will be an sign next to the take out window shaped like an ice-cream cone (apro 5' x 3'), Will also be a sign hanging from the existing B&B post hanging on the house sign (aprox 18" x 40")

Trash barrels to be located outside on the porch and also inside the parlor.

There presently is a SP for an antiques store which has closed and SP will cease.

Parking plan presented shows 9 spaces, PB feels this is not possible given what was observed during the site visit. By the SP criteria there is a requirement for minimum of 8 parking spaces. PB seeing parking as follows 3 spaces on the North side, on the East side 4 spaces – 2 angled at North end and 2 end/end towards the street, in the existing turn around area in front of the house it will be expanded to allow for the addition of 1 parking space.

There was extensive discussion on how the parking would work. Areas of concern was how to turn around safely so as to not back out onto Rte 2, not driving onto

the neighbors property, turning into the driveway so as not to create problem on Rte 2, that there be no parking on Rte 2, could you even park the cars within the layout devised.

One letter was received by the PB and read aloud during the hearing.

Abutters present spoke of their concerns which included: Parking, cars missing the driveway and stopping quickly on Rte 2, turning around in someone else's driveway, backing out onto the highway, trash being thrown on street after eating ice cream away from the store, noise, congregating/loitering, decreased property values, changing of neighborhood to be more commercial. Abutters see this as a totally different type of operation than what is presently there and expressed that they didn't see it as being appropriate in this location.

Went over the SP criteria:

A: serves a need B. N/A C. N/A D. noise increases, traffic negative impact
E. None F. Seen as a negative impact G. Changes character H. N/A I. N/A
J. N/A K. None L. Some positive impact

Motion made and Seconded "To grant a SP to Melody Weldon to operate a take-out ice-cream/candy business, with the following conditions:

- 1 Hours of operation 12 noon till 8PM, year round
- 2 Lighting to shine onto driveway
- 3 Signs: 1 located next to take-out window(menu) 1 located on existing post 18" x 3' 5"
- 4 Parking to be per attached plan (modified to show 8 spaces), total of 8 spaces plus 1 turn around space.
- 5 Trash cans to be provided.

Voting Yes – Steve Ferguson

Voting No - Trevor Mackie, Jerry Pratt, Gisela Walker

Not Voting - Dan Miller

Motion fails

Signed minutes, next Economic Development meeting to be at the Warfield House

Adjourned 9:45

Respectfully submitted by

Trevor Mackie, Clerk