

Minutes of the Planning Board Public Meeting
February 18, 2010 at the Town Hall

Members Present: Bill Stephens, Dan Miller, Trevor Mackie, Jerry Pratt, Kathy Eichholz
Members Absent: Gisela Walker

Also present: members of the public (see sign in sheet)

Bill Stephens opened the meeting at 7:00 PM. At 7:15PM, he opened the continuation of the Special Permit Public Hearing for the application from Sonam Lama to add a take-out restaurant and related new sign to the gift shop usually referred to as the Big Indian located at 2217 Route 2, Charlemont.

Jerry Pratt brought up the question of the appropriateness of the stone wall business being on the sign, as it is an out of town business. The PB and Mr. Lama came to an agreement to take the stone wall business off the large sign, leaving only the take-out restaurant and the Native American shop sign pieces. Mr. Lama may place a small sign on the actual stone walls themselves, identifying who made them.

Trevor Mackie, who removed himself from sitting on the Board for this application, asked, as a member of the public, the PB why there weren't 2 applications for this permit. Bill Stephens explained that Gisela Walker, after some investigation, had said that there was some confusion when the application was filled out, but that the application should be fine as submitted.

Bill Stephens explained to Mr. Lama that the PB needs to have 3 copies of the plot plan for the application to be complete. He must also provide measurements of the sign island and of the curb cuts for the property.

Mr. Stephens now enumerated to Mr. Lama a variety of concerns for the permit:

1. The exact location of the sign: Mr. Lama explained that it was to be 25 ft. from fence at the edge of his property to the center point of sign, with sufficient sight lines.
2. The two new lights on the building and the lights on the sign must be down-washing.
3. The dumpster area should have screening.
4. The parking lot should also have screening, to mitigate noise for the neighbors. Mr. Lama agreed to shrubs along his property line, from the planned retaining wall to the teepee by Route 2.
5. The concerns of noise and odor from the restaurant: the take-out window will be on the north side, with cooking vents placed on the building as far from the abutters as possible.
6. Pest control: Mr. Lama should manage the area responsibly for cleanliness, to avoid rodents and other pests.
7. Also rubbish disposal should be maintained.

8. There is to be no external seating or trash bins.

At 8:30PM, Bill Stephens made a motion to grant Sonam Lama a special permit for a take-out and delivery restaurant and to erect a sign at 2217 Route 2, with the following conditions:

1. Business hours are from 11AM-8PM, 7 days a week.
2. The sign to be erected on the SE corner of property and designed per attached plan (applicant to submit changed drawing to PB with copies of property plan).
3. Dumpster to be fenced with a gated solid fence and located on NE corner of parking lot, per attached plan.
4. Parking as laid out in attached plan.
5. 2 additional exterior lights, to be cutoff lighting, to be mounted on N and E sides of building.
6. Light on telephone pole in NW corner to be controlled by timer, operating until 9 PM. Light should also have a deflector, to direct light into parking lot.
7. Applicant agrees to keep site in good order, no open dumpster or exterior food storage.
8. Applicant agrees to plant living screen on western side of property line from approximately existing teepee to NW corner.
9. Applicant agrees to mitigate effects of noise and odor from kitchen vents.

Dan Miller seconded.

The Planning Board now considered the following criteria for this permit:

- a. The degree to which the activity, site plan and building design are consistent with economic development activities, including tourism, as identified in the Master Plan: the PB felt it was consistent with developmental activities.
- b. Capability of and cost to the town to provide municipal services for the proposed use and premises, including police, fire, emergency services, and road maintenance and the ability of existing infrastructure to support the proposed use including but not limited to existing roads and bridges and their condition: no change.
- c. Impact on the town's school or other educational facilities: minimal.
- d. Consequences of sound, light odor, noise, traffic congestion, or other disturbances for abutting and other properties that may be impacted: the PB took measures to mitigate effects.
- e. Environmental impact of the proposal, including the degree to which the proposal results in water, air, noise or light pollution; topographic change; removal of mature trees or other botanical assets; removal or cover vegetation; risk of erosion or siltation, increased storm water runoff from the site; or displacement of natural habitats: applicant agreed to improve drainage and mitigate noise and light pollution.
- f. Impact on existing traffic conditions and vehicular and pedestrian safety on all roads in town, particularly at intersections with the Mohawk Trail: no change.
- g. Degree to which the proposal is compatible with the character of the surrounding area and neighborhood: the property was already a commercial site.

- h. Degree to which the proposal preserves scenic views and historic, natural, and cultural resources through site design, landscaping and protection of resources: applicant will take measures to improve site by adding stone walls and landscaping.
- i. Employment, housing and fiscal consequences to the town: business may provide additional jobs to town.
- j. Impact on agricultural or forestry operations or the productivity of the land for those uses: not applicable.
- k. Capability of the town or other public or private entities to provide water supplies, sewage treatment, and storm water management: no change.
- l. Other impacts on the town including support of local products and businesses, protection of open space, provision of recreational opportunities for town residents, and energy conservation: potential for use of local farm products.

At 8:50PM, the Planning Board voted unanimously for the permit and then proceeded to close the public meeting.

Other business:

1. The PB approved the paying of the Post Office box bill.
2. The PB approved to pay the Special Permit Hearing ad bill from the Recorder.
3. The Board looked at the town report due date memo and the Open meeting/minute taking memo.
4. All attending Board members received the Ethics Reform law.

Meeting was adjourned at 9:14PM.

Respectfully submitted by Kathy Eichholz