

## PLANNING & ZONING COMMISSION MINUTES

April 3, 2014

7:00PM

Chairman Rogers Clements called the meeting to order at 7:00pm. In attendance were Rogers Clements, Commissioner Renee Capano, Dave Jarinko, Dwayne Sweet and Wib Pumpaly, town Administrator. Ursula Boudart was absent.

- March 6, 2014 minutes were presented. After review, Dave Jarinko motioned to approve and Renee Capano seconded it. All were in favor, approved 4 – 0
- March 18, 2014 Special meeting minutes were presented. After review, Dave Jarinko motioned to approve and Dwayne Sweet seconded it. All were in favor, approved 4 – 0.

### Old Business

- No old business to discuss

### New Business

- Permit 14 -08 Fran Pratt – Install & Replace Sliding doors. Mr. Pumpaly stated that it was approved by the Historic District Commission and it is a replacement of sliding glass doors and to install a second door in the place of a window. Mr. Jarinko checked that it was in the same footprint. After review, Dave Jarinko motioned to approve permit number 14-08 and Dwayne Sweet seconded it. All were in favor, approved 4 – 0.
- Permit 14-09 J. Weider – construct ½ bath Mr. Pumpaly explained it is the on the second floor and the renovation will not be evident from the outside, but a permit is required from the county so our permit is needed. Mrs. Capano motioned to approve permit number 14-09 and Dwayne Sweet seconded it. All were in favor. Approved 4 – 0.
- Permit 14-12 Victor Novoa – deck 16 x 18. After review, Renee Capano motioned to approve permit number 14-12, Dwayne Sweet seconded it. All were in favor. Motion approved 4 – 0.
- Permit 14-14 Vernon Vaughn – installed car port (penalty), blacktop pad under car port. Mr. Pumpaly explained that this resident had installed the car port without a permit and has paid the penalty and would like to blacktop under the car port. This permit has been approved by the Historic District Commission. Mr. Clements questioned why the Historic District Commission approved this car port when they disapproved one about 3 years ago. He requested an explanation from the Historic District Commission. After discussion, it was decided to not approve permit 14-14 and to seek an explanation from the Historic District Commission. Mr. Pumpaly stated that he would seek the explanation from the Historic District Commission. Permit 14-14 was not approved; all were in favor, 4 – 0.
- Permit 14-15 David Clemens – remove (9) nine trees. Mr. Pumpaly presented the permit for the tree removal. Rogers Clements questioned how big a tree needs to be to be considered a tree? Dave Jarinko stated that he thought it was between 2 ½” – 3”. Mr. Pumpaly stated this property is not in the critical area. Dwayne Sweet motioned to approve and Renee Capano seconded it. All were in favor, approved 4 – 0.

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- Permit 14-16 Ryan Homes – single family home/garage. After review, Dave Jarinko motioned to approve permit 14-16, Dwayne Sweet seconded it. All were in favor, approved 4 - 0
- Permit 14-17 Ryan Homes – single family home/garage. After review, Dwayne Sweet motioned to approve permit 14-17 and Renee Capano seconded it. All were in favor, approved 4 – 0.
- Permit 14-18 Ryan Homes – single family home/garage. After review, Renee Capano motioned to approve permit 14-18 and Dwayne Sweet seconded it. All were in favor, approved 4 – 0.
- Permit 14-19 Ryan Homes – single family home/garage. After review and discussion, Dwayne Sweet motioned to approve permit 14-19 and Dave Jarinko seconded it. All were in favor, approved 4 – 0.
  - Mike Spinelli – discussion regarding building permits in Cool Springs; Mr. Spinelli attended a recent HOA meeting and stated that some of the residents are talking about disbanding the Home Owners Association. They had heard that the Town of Charlestown took over the storm water drains and common areas for Trinity Woods since they do not have a HOA organization. Mr. Pumpaly stated that is not true and the responsibility of the storm water drains and common areas are still the Home Owners Association’s responsibility even if no association exists. The county has required them to maintain the storm water drains at any time as needed. Scott Gardens, as an example also does not have a functioning HOA and the developer comes a few times a year and maintains the storm water management ponds. Renee Capano also stated that the verbiage stated in the documents for Trinity Woods holds the property owners responsible if there is not a HOA organization in place. “Each homeowner could get a bill for a portion of whatever is needed instead of paying it annually into a HOA.” She suggested that it is most likely worded that way in the deeds for the Cool Springs Development too; that the home owners can be made to share in an expense for storm water drains or common areas of their development. Dave Jarinko explained that Mr. Lambdin set up the HOA based on regulations of the State before any homes were built. And the Charlestown zoning regulations prevails over the HOA regulations although it seems that the HOA is stricter than the Charlestown code. Mr. Pumpaly stated that when the streets are deeded to the Town, The Town is responsible to maintain them. Renee Capano asked if any power was turned over to the residents yet. Mr. Spinelli stated that the residents can only attend meeting but don’t have any power in the vote. Mr. Pumpaly stated that most projects require a Town Building permit.

### **Period of Public Comment**

There was no public comment.

Rogers Clements motioned to adjourn the meeting and Dave Jarinko seconded it. All were in favor, approved 4 – 0.

Minutes respectfully submitted by Janine Antoshak, town clerk.