

**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
MONDAY, SEPTEMBER 11, 2017
Selectmen's Meeting Room, Lawrence Memorial Hall**



Present: Brenda Q. Aldrich, Nicholas O'Connor, Ronald E. Aponte, George D. Archible,
William R. Barnett

Call to Order: Chairman Aldrich called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

2) Sign Documents:

- a) Warrant #1811 was signed for \$610,330.19.
- b) Routine documents
- c) Approval of Minutes: Mr. Aponte moved the Board accept the minutes of August 14, 2017. Mr. O'Connor was not present for this meeting. Motion seconded by Mr. Archible. Motion passes 4 – 0 -1 (O'Connor). Mr. Aponte moved the Board accept the minutes of August 28, 2017 as amended by Mr. Archible showing Ms. Aldrich as the chairman of the board on the signature page. Mr. Barnett was not present for this meeting. Motion passes 4 – 0 -1(Barnett).

3) Additions to the Agenda:

- Accept Resignation of Heavy Equipment Operator 1: Mr. Archible presented the details. Brandan Kennedy has submitted his resignation as a heavy equipment operator effective immediately. A letter will be sent to Mr. Kennedy accepting his resignation and thanking him for his service to the Town.
- Accept Resignation Associate Member Conservation Commission: Mr. O'Connor presented the details to the Board. Linda Leduc is resigning her position. A letter will be sent to Ms. Leduc thanking her for her service to the Town.

4) Appearances Before the Board:

- 7:35 p.m. Steven Williams, Director of Public Works: Order of Takings for Easements – Sheffield Estates (Sheffield Drive, Lexington Drive, Spring Hill Road, Waterford Drive): Steve Williams presented the details to the Board. He is asking the Board to endorse the Order of Takings for Easements at Sheffield Estates. There is a need to accept these roads as public ways. He has been in front of the Planning Board, there have been public hearings, it's gone before town meeting and the final process is to finalize the legal process of taking of the land. When that officially occurs then the roads will be town ways and will be eligible for State aid for maintenance. The town will have legal access to the infrastructure that's not in the roadways. He is asking the Board to endorse the Order of Takings and allowing KP Law to finish the process and record all of the easements against the property deeds. Once that is done it will be forwarded in to the State inventory. The document does need to be notarized.

Mr. Archible moved the Board endorse the Order of Takings for Easements for Sheffield Estates. Motion seconded by Mr. O'Connor. Motion passes 4 – 0 - 1 – abstain (Barnett).

- 8:00 p.m. Kyle Thibeault, Director of Parks & Recreation and LeeAnne Connolly, Conservation Administrator – Discuss Disc Golf on Piper Farm: Mr. Thibeault presented the details to the Board. Disc golf is becoming very popular. A consultant walked several locations recently and it was decided that Piper Farm offers an interesting concept.

Mr. Archible questioned the cost. The estimate that is available at the time of this meeting covers the design and tee pad construction and that is \$7,200. Baskets and other costs including clearing of the land is approximately an additional \$12,000 to \$15,000. Mr. Thibeault suggested that the DPW may be able to help to some degree; however, Mr. Williams was not prepared to commit. The project could be partially funded by community preservation funds, business sponsorship and donations.

Mr. Thibeault also confirmed that the Recreation Department will manage and own the disc golf.

Mr. Archible moved the Board approve the use of Piper Farm for disc golf and that funding will come from the recreation department budget, community preservation funds, business sponsorship ships and donations. Motion seconded by Mr. Aponte. Motion passes 5 – 0.

5) Discussion/Action Items:

- a. Review / Endorse Belchertown Day School Letter: Mr. O'Connor presented the details to the Board. Dan Alexander from the Day School stated he hopes the updated letter meets the Boards approval.

Mr. Aponte questioned the last sentence that talks about their program not adversely affecting similar facilities in town. Mr. Alexander does not feel this is an issue.

Ms. Aldrich questioned the sentence regarding the need for childcare as it is not fully met in the community. She would like to see this changed as it makes it seem that they are the only facility that can provide it.

Mr. Archible stated he will not endorse the letter as the Board does not endorse for other business ventures. Mr. Aponte agreed that we do not endorse other business in town and has an issue with the perception that the town is endorsing this business. He agrees with Ms. Aldrich the wording needs to be changed so as to not appear they board is endorsing their business.

Mr. Alexander clarified that the USDA wants to see the town supports their loan and that there is a need in town for their facility.

Al Clark objected stating the perception is that the Day School is affordable is unfair when other competing daycares did not benefit from a million dollar grant and has to pay taxes.

Mr. O'Connor feels the Day School asked for the letter before agreeing to a tax pilot is basically putting the cart before the horse. The Board members agreed in principle. It was noted that 53 children are in the after school program which is presently offsite from their location. The will be included in the new facility.

The Day School agreed to amend their letter as directed by the Board of Selectmen. They will return on September 25, 2017 seeking the Boards signature on their letter at that time.

- b. Discuss Tax Pilot Committee: Mr. Aponte presented the details to the Board. The Board discussed the need for this tax pilot committee to come up with a plan for the Belchertown Day School. Mr. Aponte suggested it consist of two members of the board of selectmen, a member of the board of assessors or their appointee, a member of the Belchertown EDIC and Claire O'Neill from Mass Development.

Mr. Brougham questioned if Ms. O'Neill was okay with being on the committee. She indicated she is but wants to check with her legal department to see if the recommend it or advise against it.

Mr. O'Connor moved the Board form the subcommittee to discuss the tax pilot for the Day School. Motion seconded by Mr. Aponte. Motion passes 5 – 0.

Mr. Aponte, Mr. O'Connor and Mr. Archible all indicated that they want to serve on the committee as representatives of the Board of Selectmen. The Board will vote on who will represent the Board of Selectmen at their next meeting.

- c. Endorse 2017 Fair Contract: Mr. Brougham presented the details to the Board. The Belchertown Fair will be held September 22nd – 24th. The contract is between the Town of Belchertown and Dean & Flynn, Inc. d/b/a Fiesta Shows. This is the second year of a three year proposal with Fiesta Shows. The contract is in order and they have posted the necessary deposits and insurance policies. Fiesta shows will pay the Belchertown Fair Committee \$31,600.00. The Fair Committee uses this money to pay all the police details, the electricity, trash disposal and associated costs with the fair. The Fair Committee recommends the Board of Selectmen award the contract to Fiesta Shows for the 2017 Belchertown Fair.

Mr. Aponte moved the Board endorse the 2017 Belchertown Fair contract between the Town of Belchertown and Dean & Flynn, Inc., d/b/a Fiesta Shows. Motion seconded by Mr. OConnor. Motion passes 5 – 0.

- d. Appointment of At-Large member to Community Preservation Committee: Mr. O'Connor presented the details to the Board. Per the recommendation of Jim Natle, Chair, Community Preservation Committee, Mr. O'Connor moved to appoint Linda Leduc to the CP Committee member at-large seat, term to expire June 30, 2018. Motion seconded by Mr. Aponte. Motion passes 5 – 0.
- e. Review ZBA Special Permit Application – Jindela, Map 214, Lot 26, 65 Munsell Street: Mr. Brougham presented the details to the Board. the Zoning Board of Appeals has forwarded an application for a special permit for non-conforming property on Munsell Street where there are two homes on approximately a 21 acre parcel of land that are accessed by one driveway. The applicants are seeking a special permit so that they can have a second driveway and as a condition to do

that they need to remove one acre of their land that is currently enrolled in Chapter 61. Considering these are existing homes and the owner wants to invest in these properties that are in marginal condition it is a good opportunity for the owner. Mr. Brougham has no concerns regarding this application. The Board will send this back to the ZBA indicating they have no concerns at this time; however, ask that the ZBA pay attention to concerns that other boards, committees or abutters may have.

- f. Review ZBA Special Permit Application – Marion c/o JCP Capital Group, Map 252, Lot 73.1, Boardman Road: Mr. Brougham presented the details to the Board. The property owner is looking to build an additional property on a lot that has sufficient acreage but it would have encroached on wetlands. They are now seeking a special permit to build a duplex to preserve the buffer zone next to the wetland. It has been endorsed by the Conservation Commission. It is also in an area where there are other duplexes in existence. He has no concerns about this application. The Board will send this back to the ZBA indicating they have no concerns at this time; however, ask that the ZBA pay attention to concerns that other boards, committees or abutters may have.
- g. Review Application for Zone Change – 1100 Federal Street: Mr. Brougham presented the details to the Board. The Old Towne House restaurant was sold to someone who initially thought to open a different kind of restaurant. The change of use triggered a bunch of building code non-conformities and once they realized how much it would cost they gave up on the concept. The owners are now seeking a special permit to build a second structure on the property. It is zoned business, in an area with multiple businesses in the area. The zone change seems to be consistent with the contiguous area. He has no concerns with the request. The Board will send this back to the Planning area indicating they have no concerns at this time; however, ask that the Planning Board pay attention to concerns that other boards, committees or abutters may have.
- h. Review Application for Amendment to Special Permit – Dana Woods: Mr. Archible presented the details to the Board. The property is owned by Amy and Dave Clegg and abuts Dana Woods. The Clegg's built on the property and a portion of that the Dana Woods Homeowner's Association is claiming belongs to them. It appears that it was not properly surveyed. The concern is that it was supposed to be a section of open space for Dana Woods.

Mr. Brougham stated it is an amendment to a designated open space. When a cluster development is done it is mandatory that sections are set aside areas for open space so the entire parcel isn't built out. The Board will refer this back to the Planning Board for a public hearing on September 26, 2017.

- i. Review Site Plan Application – Federal OP, LLC, Sunoco Gas Station & Convenience Store, 122 Federal Street: Mr. Brougham presented the history of the Sunoco to the Board. More recently the new owners are asking for a wine & malt license. The owner has submitted a site plan to expand the store. It is more a plot plan. It is very complex site for various reasons. The owner is looking to significantly increase the square footage in order to ask the Board for the wine & malt license. He feels the Planning Board needs to look at the plans very carefully and work with the Conservation Commission. The Board will refer this back to the Planning Board for their review.
- j. Miscellaneous Matters: None.

- 6) **Town Administrator's Report:** Senator Lesser was in Town last week and toured Christopher Heights with the owner. There is a piece of legislation being worked on regarding reimbursement for assisted living. The owner is looking to get Senator Lesser's assistance with the legislation.

Senator Lesser will be in town tomorrow at BUCC to speak with residents of town.

This Sunday tents will be going up for the Belchertown Fair. For all those who available to help be on the Town Common for noon.

- 7) **Review of Weekly Mail:** Mail reviewed, no discussion held.

- 8) **Individual Board Members' Reports:**

Mr. Archible: The SOAAR event did an awesome job this past weekend. Ms. Aldrich agreed it was a wonderful event.

Mr. O'Connor: September 16th at 2:00 pm at the Swift River Sportsman Club is the Tri-lakes Association Annual Pig Roast. It is a lot of fun.

He also mentioned the Cultural Council held their Food Truck event on the Town Common. They are planning on doing four of them next year. All of the trucks at this year's event sold out of food.

There is a tri-board meeting coming up with the Finance Committee, the Board of Selectmen and the School Committee. At this time he has no updates from the School Committee.

Ms. Aldrich: Attended the Granby Select board meeting last Monday night. She felt they were gracious having everyone there. There was an email that it was very quiet in Belchertown as the Granby Select board issued a cease and desist order. Mr. O'Connor added that the Gun Club had removed a bunch of trees which eliminated sound screen, expanded the size of the range which allowed for higher caliber weapons. When Granby investigated they found the Gun Club did not apply for a special permit as it is in a residential area so Granby immediately issued the cease and desist order on the long range. Also they found that the shooting shed built in 2014 was built two years after the special permit expired. There is a cease and desist on the shooting shed as well. They also removed too much ground. You are only allowed to remove 900 cubic yards of ground and the Gun Club removed 1500 cubic yards.

Ms. Aldrich applauded the Belchertown residents who were diligent and attended the Granby meetings and worked with Granby to come to a resolution of the situation.

- 9) **Questions from the Press:** Jim Russell from *The Republican* questioned if any Belchertown residents had received no trespass orders from the Granby Gun Club. The Board has not heard of any Belchertown residents receiving the no trespass order. He also asked for the information regarding the Tri-Lakes Pig Roast. Mr. O'Connor gave him the flyer and put in a plug for the Pig Roast as Tri-Lakes relies on it as their major fund raiser in the last few years as the ice derby has been cancelled because of the lack of cooperation from the weather. He asked if there was any update on the

Water Slalom Course. He was told there is no update as of this date. He was given confirmation on the date for the Amherst Survival Center Community Breakfast. He asked for a simple explanation of what is happening with the Sheffield Estates easements; he thought it might have something to do with the former State School grounds. An explanation was given to him.

Ms. Aldrich mentioned that the rose delivery, for anyone who bought them for BARC, has been delayed until the early part of October due to Hurricane Irma that hit Florida.

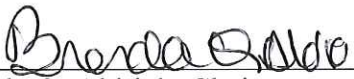
10) **Adjournment:** Meeting adjourned at 9:20 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

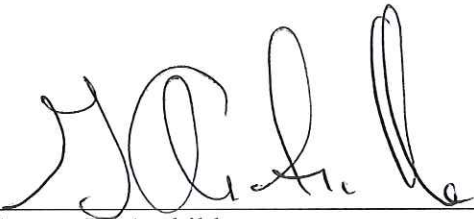
Board approved/endorsed: Oct. 10, 2017

Board of Selectmen - Town of Belchertown

Endorsed by a majority:



Brenda Q. Aldrich, Chairman



George D. Archible



Ronald E. Aponte

William R. Barnett



Nicholas O'Connor