

Belchertown Planning Board
Minutes – Tuesday – January 9, 2018



Members present: Michael Hofler, James Natle, Daniel Beaudette, Sierra Pelletier, Mark Spironi, and Eric Wojtowicz (alternate for special permits)

Staff: Doug Albertson, Town Planner, and Lynn Sikes, Minutes

Present: Board of Selectmen present - Nicholas O'Connor, Brenda Aldrich, Archie Archible, Ron Aponte. Christopher Provonost, Chief PD; Richard Barry and Marcel Nunes; Thomas Scott, Chris Peterson, and Christopher Eldridge of Arcpoint Brewing Co.; Scott Nielsen and Arthur LaFlamme for Hickory Hills, LLC.

7:00 pm – M. Hofler, Chairman, opened the meeting and read the agenda into the record.

Brenda Aldrich, chair of the Board of Selectmen, called the Board of Selectmen to order as they have a quorum and this meeting for them had been posted.

7:01 pm - Richard Barry addressed the Board regarding his ANR filed in 2015 partly along Munsell Street. He reviewed for the Board that this ANR had been submitted and denied by the planning board and that superior court ruled in his favor. The town has appealed this judgement. Mr. Barry said the board should endorse this plan or be in contempt of court. The Board indicated that they have been advised by town counsel and would not act on this plan tonight. Mr. Barry then said he would go to the court to file contempt charges against the planning board. Mr. Barry asked this to be noted and he left the meeting at 7:03 pm.

7:03 pm – The planning board, along with the Board of Selectmen and Chief of Police, discussed the town's approach to commercial marijuana production and sales. Several items were discussed including: public sentiment, zoning, mixed use sites, on-site consumption vs purchase for off-site use, tax revenue, procedural filings, safety issues, inspecting sites, federal vs. state regulations, retail vs. non retail aspects, revenue, time frame, storage, transportation, security, manufacturing vs agricultural, fencing, and indoor vs outdoor growing.

The consensus between all present is to manage marijuana similarly to the way the town already handles the licensing of bars, pubs, taverns or nightclubs. We would also follow the guidelines of our Board of Health regarding smoking. It was agreed the bylaw would not be more lenient than how the town already handles liquor licensing or tobacco.

There was discussion on how many establishments could be allowed and if we would limit how many. The state regulations include criteria for obtaining a license for marijuana sales that will limit the amount of entities able to enter the industry.

Timing of preparing a draft and getting public opinion with public hearings was discussed. The Annual Town Meeting is scheduled for May 14, 2018. Most area towns have moratoria to give them time to prepare bylaws. We would like to expedite this to have a bylaw for May town meeting. We will prepare a draft and circulate it to PD, schools, the Fire Dept., and the public for input.

D. Albertson thanked all who had come as the meeting has been very helpful. A member of the audience, Tom Scott, indicated he was very proud to live in a community where committees work together.

M. Hofler asked D. Albertson if he can draft a marijuana bylaw quickly enough to have available for comment and revision before town meeting. D. Albertson said yes, and added we might be able to get technical assistance from PVPC. If PVPC would take too long, we will do it ourselves.

44 Depot Street – Industrial Zone – Chris Peterson, Thomas Scott and Chris Eldridge of Arcpoint Brewing Company addressed the Board regarding their intent to open a brewery/bottling facility with a tap room at this location. They indicated they are licensed by the state that also allows them a pouring permit. They have spoken with the Building Inspector, Paul Adzima, about using this site. The Board indicated that currently the town does not have bylaw language regarding breweries. D. Albertson said we could prepare some simple changes for town meeting. The proponents will be meeting with the owner of the property soon, though they do not want to sign a lease if on-site consumption would not be allowed. Hours of operation were discussed regarding tap sales vs manufacturing/bottling hours. The Board indicated they would need to submit a formal plan. They will return for the January 23, 2018 meeting. The Board of Selectmen in attendance were very complimentary of the three business owners. They will submit more information to D. Albertson.

The Board of Selectmen made a motion to close their meeting at 8:23 pm. Meeting closed. The Board of Selectmen left at 8:24 pm.

8:28 pm Scott Nielsen and Arthur LaFlamme are requesting release of an additional four lots in Hickory Hills on Magnolia Drive. Mr. Nielsen explained the board would still hold 8 lots along with a lender's agreement for \$125,000. He presented a letter on the remaining work to be done which is approximately \$128,800.00. S. Williams, Dir. of DPW is in agreement and the Water District has indicated 3 items they still need. All these items were discussed with the Board. Mr. Nielsen will provide the Form G to provide current estimate of remaining work in Phase IB. They will have S. Williams review it and then get it to D. Albertson. The Board thanked them for keeping us informed and doing their work in a timely manner.

MOTION: J. Natle that we release covenants on Lots BJ, BK, BL and BM in exchange for the performance guaranty for Hickory Hills. **SECOND:** D. Beaudette No Discussion VOTE: 5-0-0

ANR plan – Joseph Maggi and Jocelyn A. Magner, Sabin Street, Map 248, Lots 3, 3.10 and 3.011. This is to combine Parcel B1, Parcel B2 and Parcel E to create new Lot B3 and to combine Parcel C with Parcel D creating one lot C1 (Assessors will assign lot numbers later). The Board discussed the application and accompanying map.

MOTION: D. Beaudette to endorse the ANR for Joseph Maggi and Jocelyn A. Magner, Sabin Street, Map 248, Lots 3, 3.10 and 3.011. This is to combine Parcel B1, Parcel B2 and Parcel E

to create new Lot B3 and to combine Parcel C with Parcel D creating one lot C1. **SECOND:** J. Natle No Discussion **VOTE:** 5-0-0

8:47 pm - J. Natle left the meeting.

Right of First Refusal, Chapter 61B –M. Hofler read a letter from Robert Morra, owner of property located on Franklin Street, Map 272, Lot 81 Revised. He is seeking to remove his property from chapter 61B status. We are being asked to make a recommendation to the Board of Selectmen as to whether to take action on our Right of First Refusal. The Board discussed this request along with the previous common drive approval now under appeal. The request does not indicate a sale of the property. If the appeal is decided in Mr. Morra's favor and he still owns Lot 81 Revised, he could still go forward with the common drive.

MOTION: M. Spiro to recommend to the Board of Selectmen to NOT exercise the town's Right of First Refusal for the property located on Franklin Street, owned by Robert Morra, Map 272, Lot 81 Revised. There is no resource for the town to be interested in. **SECOND:** S. Pelletier No Discussion **VOTE:** 4-0-0

Right of First Refusal, Chapter 61A –M. Hofler read a letter from Brandon and Lisa Salem, owners of 7.15 acres of vacant land on West Street, Map 275, Lot 17, indicating their intent to remove 2.153 acres from Chapter 61A in order to build their primary residence. They would then convert the remainder to Chapter 61B. We are being asked to make a recommendation to the Board of Selectmen as to whether to take action on our Right of First Refusal on the 2.153 acres. The Board discussed their request and the information they gave.

MOTION: D. Beaudette to recommend to the Board of Selectmen to NOT exercise the town's Right of First Refusal for the property located on West Street, owned by Brandon and Lisa Salem, Map 275, Lot 17. There is no resource for the town to be interested in. **SECOND:** S. Pelletier No Discussion **VOTE:** 4-0-0

Bills were endorsed.

Minutes of December 12, 2017. MOTION: M. Spiro to accept the minutes of December 12, 2017 as written. **SECOND:** D. Beaudette No Discussion **VOTE:** 3-0-1 (S. Pelletier was absent for the meeting)

Town Planner Report:

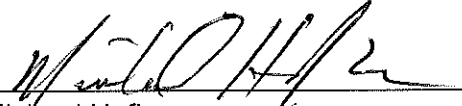
- At our next meeting we will continue our discussion regarding the Accessory Apartment bylaw.
 - Jason's Way/Willow Lane subdivision is very close to being finalized.
 - Sunoco Gas Station/Federal OP, LLC is working with a new engineer. I will request he submit via email an extension request. We had given him to the end of February, 2018.
 - The Trail project has another grant to apply for through Mass Development. This is a matching grant.
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M. Hofler indicated that tomorrow night at 7:00 pm there will be a public presentation on the design for the rebuilding of the Maple Street and State Street corridor. They will discuss the road construction process. It will be held in this room.

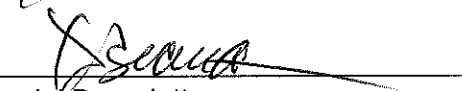
S. Pelletier – indicated she has now completed her classes for planning in the UMass Master's in Regional Planning program. The board congratulated her.

MOTION: D. Beaudette to adjourn the meeting at 9:16 pm. **SECOND:** S. Pelletier **VOTE:** 4-0-0

Meeting adjourned at 9:16 pm



Michael Hofler

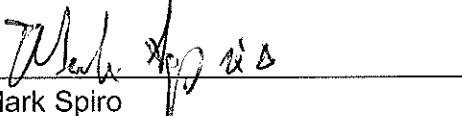


Daniel Beaudette

James Natle



Sierra Pelletier



Mark Spiro



TOWN OF BELCHERTOWN

Planning Board Office

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413-323-0407

SIGN IN SHEET --- MEETING OF:

Tuesday January 9, 2018

PLEASE ENTER YOUR NAME, TITLE AND ADDRESS -----

NICK O'CONNOR 13 MAPLECREST DR
Thomas Scott 12 Ledgewood Drive
Chris Adams 202 Warner St
BRENDA ADICO Groewood St
Marcel Nunes Oasis Development
RICHARD BARRA 445 N Sears Rd Bel
Christopher Eldridge 108 Fishers Rd Ware, MA 01082
Ronald White 281 CHAUNCEY WALKER ST
Christophina P...-v...st 11 Biddeford - Chert & Police
Hectorie Hretible Bos
SCOTT NIELSEN 171 GRAY ST AMHERST, MA 01002