Belchertown Planning Board
Minutes – Tuesday – October 23, 2018

Members present: James Natle, Michael Hofler, Daniel Beaudette, Louis Faassen, Justin Rosienski and Alice Knittel (alternate voting member)
Staff: Doug Albertson, Town Planner, Lynn Sikes, Minutes

Audience Present: Mark Spiro, Marian MacCurdy, Mark Leckie, Betsy Loughran, Karen Chrisman, Steve Garabedian, Anna Marqués, Scott Nielsen, Ken Elstein, Elizabeth Pols, Gary Iverson, Mark Burdzy, Nancy Brill, Changli He, Richard Brill, Brady Chianciola, Albert Grimaldi
(The public hearing for the commercial solar photovoltaic installation amendment bylaw and the agenda item regarding Hickory Hill brought a large attendance to this meeting. See sign in sheet attached;

7:00 pm – J. Natle, Chairman, opened the meeting, welcomed everyone and read the agenda into the record. There are two Public Hearings scheduled this evening. The subject matter of the hearings is:
1) An Accessory Apartment special permit application for 485 So. Washington Street, Map 279, Lot 5, Applicant Brady Chianciola and 2) a Public Hearing to discuss amending the Zoning Bylaw, 145-26 Commercial Solar Photovoltaic Installations.

7:00 pm - J. Natle, Chairman, read into the record the Public Hearing notice for 485 So. Washington Street, Map 279, Lot 5, Applicant Brady Chianciola. The Public Hearing is now open. The applicant, Brady Chianciola was present and addressed the Board. He reviewed the application with the Board.

This is for new construction of a single family home with an accessory apartment attached. The apartment would be for his in-laws. It is 580 square feet with the main house approximately 2250 square feet. The floor plan was reviewed. Access and parking along with the driveway was reviewed. Conditions of 145-69 and 145-29.1 were discussed with the Applicant. There will be one driveway only. It will not be handicap accessible. All appears to fit the intent of the Town’s bylaw and special permit criteria.

7:10 pm - J. Natle opened the hearing to the public present for comments. There were no comments.

MOTION: L. Faassen to close the public hearing for the accessory apartment for Brady Chianciola, 485 So. Washington Street, Map 279, Lot 5. SECOND: M. Hofler VOTE: 5-0-0

MOTION: M. Hofler to grant the special permit for an accessory apartment for Brady Chianciola, 485 So. Washington Street, Map 279, Lot 5, having found it meets conditions of bylaw 145-69 and specifically subsections 1a, 1b and 1c and also meets standards for accessory apartments, by law 145-29.1. SECOND: D. Beaudette Discussion: No Discussion. VOTE: 5-0-0

7:12 pm - J. Natle, Chairman, read into the record the Public Hearing notice. This public hearing is specific to amend, all or in part, the zoning bylaw, 145-28, Commercial Solar Photovoltaic Installations. The public hearing is now open.
J. Natle explained to the audience that the Board had previously begun amending this bylaw. The Board will review and discuss each item within the first draft of the bylaw and then open the discussion to the audience present.

Bylaw 145-28 - Items A – D and subsections within were reviewed and discussed with the audience for input.

Specific items of discussion were: Agricultural vs nonagricultural uses and the definitions of these; soil classification, property owners’ use of land “As of Right”, clear cutting of forests, and abutters’ rights. Having good definitions of all terms going forward is the goal. The decommissioning of any given site and protecting the Town was mentioned.

This is an ongoing discussion with continued public hearings to be scheduled until the drafted bylaw is agreed upon and will then go before Town Meeting in May, 2019. The Board reminded the audience that as a Board they always need to look “down the road” 20 years or so, not just present day.

J. Natle opened the hearing to the public present for comments on this section.

**Audience members thanked the Board** for their diligence on this topic and bylaw. They agreed the better the bylaw is the more it will support responsible land use. Concerns addressed were slopes, soil quality and runoff, proximity to other solar fields, water quality, aquifers, underground springs, viewsheds and how solar fields will change the character of the town. Placing solar fields on landfills and parking lots were mentioned. Having extra scrutiny on any large scale project which is to be placed on steep slopes was discussed to avoid any problems down the road. The zone on any particular site, preferably being placed in industrial only, was discussed.

Utilizing a “look back” period on homeowners clear cutting their land and then coming in with a solar field application was mentioned.

The “land clearing of four (4) acres of land or more” was discussed with the audience. In particular, the Board asked where the number of 4 was arrived from. The audience thought this had to do with the SMART program or possibly the definition of a farm under state law.

Carbon footprint and how this would change was another topic mentioned. How adjacent communities have handled this topic will be looked into.

Discussion ensued regarding yearly inspections. If there were a sale or transfer of owners how the town will ensure they take over the same responsibilities of the original owners was discussed.

**Item 8/9 – Monitoring and Maintenance** was discussed and who would enforce any violations. It would be the Zoning Enforcement Officer (ZEO) who would revoke any permits or issue cease and desist orders if the need arose.

Any owner of the solar project and the requirement of their insurance to show coverage were touched upon. The Board indicated we don’t have the authority for this issue.
The Board thanked the audience members and asked for any additional input to be submitted in writing to the Board. There will be a continued meeting on this subject November 27, 2018 at 7:10 pm.

**MOTION:** M. Hofler to continue the Public Hearing to amend, all or in part, the zoning bylaw, 145-28, Commercial Solar Photovoltaic Installations to November 27, 2018 at 7:10 pm. **SECOND:** D. Beaudette **No Discussion** **VOTE:** 5-0-0

9:11 pm – Hickory Hills LLC – regarding the subdivision’s sidewalks and the placement of them. Scott Nielsen, Developer of Hickory Hills, LLC, was present and addressed the Board and audience. He requested the Board begin by hearing the residents’ thoughts on this issue.

Mark Leckie, 46 Hickory Hill, representing the residents, discussed the proposal regarding sidewalk placement/location within the subdivision. The new proposal shows sidewalks on the outside loop of Hickory Hills. Most owners do not want sidewalks at all. There was a petition to waive this subdivision requirement in this Phase only for Hickory Hill. The money set aside for sidewalks for this project they would like to go towards any costs for safety painting, etc. on George Hannum Street.

Other residents who spoke before the Board indicated their concerns regarding the placement of the sidewalks which included: they would be an eyesore, they would bring the sidewalk too close to their home, landscaping removal and tree removal to install the sidewalks, sprinkler systems that have been installed needing to be moved and the associated costs with that.

Scott Nielsen indicated this error is his fault, and though he agrees with the residents to waive the sidewalk requirement, he needs to show the Planning Board a solution. He said there are two (2) residents who could not be here this evening who are in SUPPORT of the sidewalks.

Hickory Hill designers measured driveways and compiled a survey comparing the sidewalks being placed on the inside or outside loop. Based on those measurements they determined that the inside loop was not suitable. This survey took into account ADA and MAAB guidelines. They discussed driveway aprons and cross slope percentages. Scott reviewed the map and average driveway slope with the board.

They are requesting the Planning Board allow Hickory Hills to relocate and install the sidewalks on the outside of the Hickory Hill and Dogwood Drive loop as shown on their plan submitted labeled SO.

The Board discussed the information presented. Discussion revolved around making Hickory Hill a one way street, installing speed tables, traffic, the placement of the sidewalks on the outside loop, waiving the requirement entirely with the majority vote of the residents, the width of the “tree belt” is 4 feet and the width of the sidewalk would be 4 feet as well. The sidewalk would be made of concrete. If a waiver is approved for this subdivision requirement on this project, the board discussed ensuring that future subdivisions be held firmly to show layouts of the sidewalks with initial applications.

**MOTION:** M. Hofler to request that the developer submit an application for a minor modification on the Hickory Hill subdivision application to delete the sidewalk requirement for the Hickory Hill loop from: the intersection of Dogwood to the other intersection with Dogwood and also show along Dogwood a 4’ tree belt with a 4’ ADA compliant sidewalk. **SECOND:** D. Beaudette **Discussion:** **VOTE:** 5-0-0

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**Minutes of October 9, 2018. Motion:** M. Hofler to accept the minutes of October 9, 2018 as written. **Second:** L. Faassen **No Discussion** **VOTE:** 5-0-0

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Bills were endorsed.

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Town Planner Report:
  - Due to the time, the town planner's report will be postponed to the next meeting.

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Members Reports:
  - Due to the time, any Members' report will be heard at the next meeting.

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MOTION: J. Rosienski to adjourn the meeting at 10:32pm. SECOND: D. Beaudette  VOTE: 5-0-0
Meeting adjourned at 10:32pm

James Natie

Daniel Beaudette

Michael Hofler

Louis Faassen

Justin Rosienski
Tuesday Oct 23, 2018

Please enter your name, title and address ----
Thank you!

Mariah Mercurely 53 Two Ponds Rd. Belchertown

Mark Jano

Mark Leckie 46 Hickory Hill Trown

Kathy Loughran 263 Gulf Rd

Rayo Bhupjara 396 Washington St. Wellesley MA

Curtis McCann 240 Rex St. NY NY

Korean Chwuan 76 North

Ken Ellis 76 North St.

Steve Carahedian 803 Federal St.

Eishen Pols 44 North St

Anna Margues 33 West St. Belchertown

Linda Chalfant 454 Gulf Rd.

Lee Petta 445 S. Gulf Rd.

Jim Tibbitt 413 S. Gulf Rd.
SIGN IN SHEET - MEETING OF

PLEASE ENTER YOUR NAME, TITLE AND ADDRESS ----
THANK YOU!

Jane Bryden   475 Gulf Rd.
Christopher Konig   475 Gulf Rd.
Marion McEwan   479 N. Gulf Rd.
Scott Nadeau   171 Gray St, Amherst, MA 01002
Melanie Vojisic   53 Hichon Hill, MA
PLEASE ENTER YOUR NAME, TITLE AND ADDRESS ------
THANK YOU!

Max K Burdzy, Sr.  13 Dogwood Drive
Gary Iverson  18 Dogwood Dr.
Nancy Brall  26 Hickory Hill
Charles Hee  28 Hickory Hill
Richard Hall  26 Hickory Hill
Brad Chianciale  485 S 7th Washington
Albert Grimaldi  17 Dogwood Dr.
Sheryl Mathews  22 Hickory Hill
T.C. Mathews  22 Hickory Hill
Karen Howard  440 S Gulf
Ivonne Ramirez  442 S Gulf Rd.
Justin DeLio's  442 S Gulf Rd
Neil Brigham  480 S Gulf Rd
James P O'Connor  18 Hickory Hill
Susan O'Kane  18 Hickory Hill
Mike Golden  19 Tucke
del. George  25 Dogwood Dr
Art Caffin  415 S Gulf Rd
PLEASE ENTER YOUR NAME, TITLE AND ADDRESS ----
THANK YOU!

MRS Lynn Bengtson 37 Nath St
JUDITH MANN 404 NORTH ST
JERALD BARRY 363 SOUTH GULF
ELISE BARRY 363 SOUTH GULF
JACK IACOSS 56 NORTH ST
JEANNE BISHOP 50 NORTH ST
JIMMY MCLOUGHLIN 10 HICKORY HILL
DOREEN RIOS 10 HICKORY HILL
MAURICE GAGEL 14 HICKORY HILL
CLAIRE BARTLETT 76A FEDERAL ST.
KATHERINE DILLON 401 S. GULF RD
STEPH KENT
LINDSEY VESEY 445B S. GULF RD
JEFF RAFFERT
KRIS RAFFERT
JANE WILLIAMS 37 HICKORY HILL
KORMUS FAY 37 HICKORY HILL
PAUL KAPLAN
85 NORTH ST