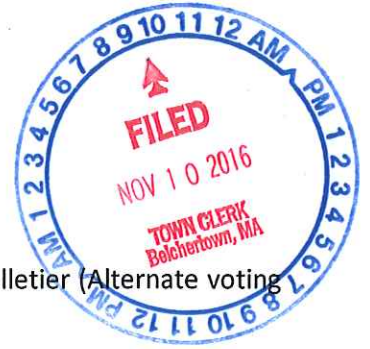


Belchertown Planning Board Minutes
October 25, 2016



Members present: Michael Hofler, Daniel Beaudette, Donna Lusignan, Sierra Pelletier (Alternate voting member). D. Albertson, Town Planner was also present

Members absent: James Natle, Christopher Laurenzo

Minutes taken by Donna Lusignan

7:00PM ~ Chairman Mike Hofler opened the meeting and read the agenda into record followed by the opening of the Public Hearing.

The Public Hearing is to amend the Belchertown Subdivision Regulations and adopt a new fee schedule. Chairman Hofler read the publicly advertised legal notification that appeared in The Sentinel Newspaper on October 6, 2016 and October 13, 2016, as required. This notification allows for open communication from the public; there was no audience attendance present. The purpose and intent of this hearing is for the consideration of amending the Belchertown Subdivision Regulations; specifically to delete subsection 270-67, Fee Schedule, and replace it with new subsection 270-67, Fee Schedule to read: "Refer to the Planning Board fee schedule on file in the planning board office and with town clerk".

Planning Board:

Motion: D. Beaudette to close the public hearing, **Second:** D. Lusignan. **Vote:** 3:0:0 Unanimous.

Motion: D. Beaudette to delete old subsection 270-67 Fee Schedule and replace with new subsection 270-67 as read, **Second:** D. Lusignan, **Vote:** 3:0:0 Unanimous. The subsection has now been changed.

7:05PM ~Adopt Fee Schedule: The Planning Board has reviewed the proposed changes over the past several months/meetings. The previous fee schedule dated September 20, 2016 will now become the final version and dated October 25, 2016. The new fee schedule is as a matter of record and in collaboration with the public hearing previously held at this meeting, as noted above. The fee schedule currently in place is approximately fifteen years old. In comparison to surrounding communities, the board determined that the attached schedule is fair and prepared to adopt this schedule.

Motion: D. Lusignan to approve and adopt the fee schedule dated September 20, 2016, and make it the final version to be dated October 25, 2016. **Second:** D. Beaudette, **Vote:** 3:0:0 Unanimous. D. Albertson to submit the new Fee Schedule dated October 25, 2016 to the Belchertown Town Clerk/Clerks Office and post to the Planning Board website.

- **Minutes: Motion:** D. Beaudette to approve the minutes of October 11, 2016, as written. **Second:** M. Hofler, **Vote:** 3:0:0 Unanimous.
- **Bills:** The Planning Board endorsed all bills.

Discussion Items:

Update on 139 Kennedy Road –Mallard Estates –Non-buildable lot(s) – At the previous Planning Board meeting of October 11, 2016, resident Elizabeth Cassidy was seeking the Boards approval and signatures to release her house lot via affidavit and confirming the designation of a non-buildable lot to a buildable lot in order to secure the sale of her home. Discussion was held and concerns were raised by the Board as to how this matter should be addressed; there were several issues that needed to be further researched. Subsequently, affidavits for all eleven (11) lots, including 139 Kennedy Road have been proven to be recorded at the Registry of Deeds. Copies were made and placed into the Mallard Estates Subdivision file for future reference. *Footnote: The owner of this lot was able to move forward and sell her home despite the missing documentation needed for the planning board to make a determination.*

Detached Accessory Dwelling Units: The Planning Board is conducting research for “Tiny-Houses” and whether to develop a new zoning by-law specific to their use in Belchertown. D. Albertson noted that while away on his vacation last week to California, he attended a “Tiny House” competition. D. Albertson discovered that these little houses on trailers are becoming a way of life for many people. Discussion ensued as to whether these separate dwelling units are zoned for residential occupancy or are actually categorized as an R.V, mobile home, accessory apartment, modular home or camper/trailer. It was noted that areas of concern would encompass peer board collaboration from the towns’ Building Inspector and Board of Health. D. Lusignan provided further details for consideration such as: utilities, licensing, parking, additions, potable water and sewer use, land use, owner occupancy, how many on one lot would be allowed, size of structure, trailer provisions (i.e. number of wheels, axles), emergency access, “gray water” from toilet use, its storage and where it will go, internal connections as to whether porch enclosures, walkways, decks and/or canopies would be allowed, taxation, permitting and ADA compliance issues. D. Lusignan noted that once the house is removed from “the trailer/wheels” it becomes a permanent structure. The Board will continue researching this matter and hold further discussion at their next meeting.

Update ~ Recommendation to ZBA: 546 Federal Street, Special Permit Application: The ZBA meeting was postponed allowing the Planning Board the opportunity to review and revise its recommendations based upon the applicants’ newly submitted revised plans. The applicants are proposing a new house on a pre-existing non-conforming lot to replace the existing seasonal house. The Planning Board made previous recommendations to ZBA seeking clarification as to the encroachment of the carport and its roof overhanging into the airspace of the right-of-way/roadway, which is not allowed. The Board was pleased to see percentage(%) of lot coverage has been revised from its previous 36.5% reduced to 26.8%. D. Beaudette noted that this non-conforming lot now becomes a “better” non-conforming lot; with a tiny footprint, if they were to move the house one way or another something was still going to be a zoning problem. It was noted the property owners did the best they could with what they have to work with. The Board recommends the following based upon the newly submitted revised plan(s) and information, dated October 11, 2016.

Motion: M. Hofler to recommend to the ZBA approves the requested Variance and Special Permit via a letter sent from the Town Planner, as follows:

1. The Board recognizes the need to have a marketable, livable, single-family dwelling

2. The Board appreciates the modifications and efforts made from the earlier plans submitted
3. The Board is seeking confirmation that the airspace and/or construction with regards to the carport, to include any overhanging roofline, gutters, etc .do not encroach into the existing right-of-way/roadway.

Second: D. Lusignan, **Vote:** 3:0:0 Unanimous.

Discussion on the matter: The Planning Board is aware that other lots may come forward in the future with similar circumstances and each case should be reviewed, individually.

- **Planning Board Meeting Schedule:** Due to this year's Presidential Election and voting process, the Planning Board will not be holding a meeting on Tuesday, November 8th, 2016. The Planning Board revised its meeting dates as follows:

- November 9, 2016 –Wednesday
- November 22, 2016 –Tuesday
- December 20, 2016 – Tuesday (only one meeting in December)
- January 10, 2016 –Tuesday

Town Planners' Report: Town Planner Doug Albertson had the following to report:

- Subdivision Update~ Woodland Lane (Bardwell & North Washington Streets). The Definitive Subdivision Plans have been submitted to the office identifying 20 building lots, 12 acres of upland Open Space in addition to their already approved ANR lots. Copies of the plans will be distributed for peer board review, Town Engineers Tighe & Bond review and aligned for public hearing slated for January 10, 2017. Doug noted this is the first major subdivision that has come through his office since year 2007.
- Stormwater NEW Regulations & Bylaws: Doug attended a meeting of the town's storm water committee to to meet impending changes to EPA standards. Federal and local regulations are being changed that must meet new requirements. The Planning Board will await those changes prior to adjusting and/or addressing any zoning issues. Discussion will ensue on this matter as more information becomes available.
- Pride Park, LLC. ~ Owner Robert Bolduc is negotiating the sale of the existing building to a credit union and he plans to continue his work on the proposed gas station at the location of intersection Rte 202 & Rte 21 over the winter season. The board should comprise a list of items as well as upcoming corridor related improvements that need to be addressed and forwarded to Mr. Bolduc so he is aware of what needs to be done prior to work; some of which are: Sidewalks, Easements, Sewer Pumping, Traffic signalization (MEPA)- State St/Rte 202)
- Christopher Heights Assisted Living ~ Doug met with Claire O'Neill from Mass Development today on site. Revised plans are forthcoming by the end of October, identifying parking and landscape revisions. The Infirmary Building is slated next in line for demolition. The Conway School will arrange a course to create a new design for the area between Christopher Heights and Foley Field, including a walking path that would be handicapped-accessible (ADA) and that would join Jessica's Boundless Playground. Details are to be determined with various town commissions and boards, as well as the EDIC and MassDevelopment.

Members Reports:

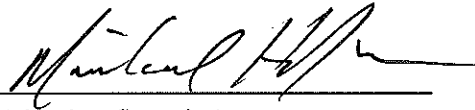
Sierra Pelletier ~

- Attended the SNEAPA Conference last week. Two areas of specific interest were the Mass. Chapter meeting where where land use legislation reform was discussed, and Public Participation where discussion was held on re-design and public outreach; that which could be utilized with Belchertown's new Courthouse to Common theme.

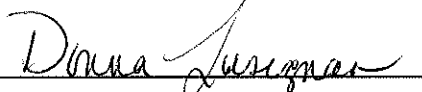
Donna Lusignan ~

- Dog Pound Sign- The Board received some new information on the proposed new sign for the Dog Pound. The sign is now a stand-alone sign, one-sided, no lights on the sign but possible lighting on the ground to provide upward illumination. The sign is to mimic Jessica's Boundless Playground, as point of reference.
- Car Wash – The new car wash located on George Hannum Road is officially open for business.
- Voting ~The Clerk's Office has done a tremendous job facilitating early voting for this year's presidential election. Donna did partake in the process and found it to be easy, very accommodating and a pleasant atmosphere as well.

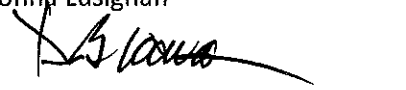
8:21 **Motion:** D. Beaudette to adjourn the meeting. **Second:** D. Lusignan , **Vote** 3-0-0, Unanimous.



Michael Hofler, Chairman



Donna Lusignan



Daniel Beaudette