

Belchertown Planning Board
Minutes – Tuesday – November 27, 2018



Members present: James Natle, Michael Hofler, Daniel Beaudette, Louis Faassen, Justin Rosiowski and Alice Knittel (alternate voting member)

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

Audience Present: James Hayward, Scott Nielsen, Art LaFlamme, Cela Sinay-Bernie, Managing Partner of Citrine Power, LLC., Kevin McCaffrey, Engineer with SWCA representing Citrine, Will Shattuck, Lee Paddy, Marian MacCurdy, Paul Boivin, Sherri Boivin, Judith Mann, Elizabeth Pols and Ken Elstein (The public hearings for the commercial solar photovoltaic installations 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 continued Public Hearings; one to discuss amending the zoning bylaw 145-28, Commercial Solar Photovoltaic Installations and the continued public hearing at 763 Federal Street, for a commercial photovoltaic Solar Installation.

7:00 pm – James Hayward – Allen Street, earth removal, gravel pit. J. Hayward updated the board regarding his request for an extension on his gravel pit on Allen Street.

He is looking for an extension for one more year. A tax payment schedule has been worked out with the tax collector, dated November 16, 2018. All conditions previously requested by this Board were completed in August of this year. He submitted a plan from Sherman & Frydryk showing final grading etc.. The Board asked if a two year extension would be better. J. Hayward indicated that it would if the Board agreed. The Board discussed the extension.

Motion: D. Beaudette to continue and extend the special permit for earth removal operation permit for Jim Hayward on Allen Street per 145-29 E(2) from November 30, 2018 to November 30, 2020.

SECOND: L. Faassen **VOTE:** 5-0-0

7:08 pm - Hickory Hills, LLC – Scott Nielsen addressed and updated the board on three specific items. Sidewalks have now been installed and trees are presently being planted. Street lights will also be done in early December. As-Builts for the first two phases have been ordered from the surveyor. They will include the revised sidewalk location. Most sidewalks on Magnolia Lane have now been installed. Hickory Hills LLC are asking for 4 lots to be released tonight; the sidewalks for those will be installed in the spring. The revised sidewalk plan requiring a minor modification of the subdivision plan will be discussed by the Board tonight.

The Board discussed these items.

MOTION: D. Beaudette to grant the minor modification for Hickory Hill and Dogwood Lane in accordance with subdivision regulations 270-34 (E); specifically to waive the sidewalk requirement for the Hickory Hill loop from the intersection of Dogwood Drive to the other intersection with Dogwood Drive; and also show along the south side of Dogwood Drive a 4' tree belt with a 4' ADA compliant sidewalk.

SECOND: M. Hofler **VOTE:**5-0-0

S. Nielsen discussed Form F for a partial release on Lots D, E, F and G on Magnolia Lane, Phase 1B along with a new Form G Performance Guarantee being submitted. This was discussed by the Board.

The Board discussed how remediation for property damage due to the installation of the sidewalks would be handled. A. LaFlamme indicated they will be taking care of that. The Board indicated that would be a part of final release of any total lots.

MOTION: M. Hofler recommends the release of covenants on Lots D, E, F and G in Phase 1B for Hickory Hills Realty, LLC. **SECOND:** J. Rosiensi No Discussion **VOTE:** 5-0-0

S. Nielsen asked the Board for clarification from the previous meeting that any future decisions that he may be associated with would be based on the merits of the project and would not be based on any personal opinions of him.

J. Natle – we will continue to base any and all projects based on the merits of the projects and not based on any personal opinions. S. Nielsen thanked the Board.

7:12 pm - J. Natle, Chairman, reopened the continued Public Hearing specific to amend, all or in part, the zoning bylaw, 145-28, Commercial Solar Photovoltaic Installations.

The Board reviewed the draft of the bylaw with the audience present. Items discussed included non-agricultural open land, As of Right with Site Plan Approval, Special Permit, under two acres of area and how that would be measured, Chapter 61 status, clarifying definitions of specific words, setbacks, size of land vs mW allowed.

Comments from the audience present included if these projects could be solely limited to Industrial zones. A bylaw from a neighboring community was read. Questions included definitions of forests, tree canopy, to note “per parcel” on 2 acres of area, “after the fact” of clear cutting and then coming in would not be allowed.

L. Paddy submitted a Harvard Study entitled “Changes to the Land” which contained information for the Board to review.

M. Hofler asked the audience if they could answer a specific question, as he is looking for an answer. What is wrong with cutting down trees? Answers included that forests are a great asset to the Town, not to tamper with existing forests and deforest them to simply down the road reforest them. The Climate report that was just released, trees and CO₂, trees holding water. All these items are benefits from trees/forests.

Many items continued to be discussed. The Board reminded the audience that this needs to be complete by March, 2019, in time for Annual Town Meeting deadlines. We need to have this wrapped up by our meeting of January 8, 2019. Please submit in writing your thoughts and suggestions to the Town Planner, Doug Albertson, as soon as possible.

D. Albertson will put the Draft on the Planning Board’s website for review.

MOTION: M. Hofler to continue the public hearing on amending, all or in part, the zoning bylaw, 145-28, Commercial Solar Photovoltaic Installations to January 8, 2019 at 8:00 pm. **SECOND:** J.Rosiensi **VOTE:** 5-0-0

9:21 pm – J. Natle reopened the public Hearing for a proposed commercial solar photovoltaic installation at 763 Federal Street Map 218, Lot 2, owned by the Town of Belchertown, submitted by Citrine Power, LLC., 55 Greens Farms Road, Suite 200-78, Westport, CT 06880, as it pertains to bylaw 145-28 Commercial solar photovoltaic installations and Site plan approval 145-27.

Cela Sinay-Bernie, Managing Partner with Citrine Power and Kevin McCaffery, with SWCA Environmental Consultants, were present and updated the Board from the previous meeting. The Conservation Commission issued an Order of Conditions at their meeting last night. The planning board's review engineer, Tighe & Bond, has requested the O&M plan be updated to reference the small water quality swale. They reviewed the plan with the Board. Signs have now been added and 2 trees had to be removed. Maintenance of the swale in the O&M has been added.

Views, cross-section elevations and tree plantings were discussed. The Board reviewed these items. The Board requested the abutters to approach the desk and review the maps as well.

P. Boivin of 769 Federal Street, a direct abutter, was present and went over a number of his concerns with the Board. Property values, traffic of construction vehicles and people being in and out at the site are concerns. C. Sinay-Bernie tried to assure the abutters that NO one can go on the property without the permission of the Town Water Department or Police or Fire Department.

The time line for installation was discussed. Actual construction time would be 30-40 working days which would probably run over a 60 – 80 day time frame. They would then need to wait for National Grid to hook up the array.

Mr. Boivin reviewed the plan with the Board showing his concerns regarding water on the site. A culvert used to be on the site but is no longer there. Water drainage, culvert, swale and potential for it becoming worse was all discussed. C. Sinay-Bernie indicated water calculations were done by engineers which indicated water issues would not be worse.

K. Shea of 777 Federal Street was present and is concerned with the view from her house. As she has a walk out basement her kitchen sits higher than most other homes. This gives her a direct view of the site. There are no trees or structures for screening.

M. Hofler indicated he did do a site visit. K. MacCaffery reviewed the map again and discussed tree screening. The Board continued discussing all these items.

No further questions from board or public.

MOTION: D. Beaudette to close the public hearing for a proposed commercial solar photovoltaic installation at 763 Federal Street Map 218, Lot 2, owned by the Town of Belchertown, submitted by Citrine Power, LLC., 55 Greens Farms Road, Suite 200-78, Westport, CT 06880, as it pertains to bylaw 145-28 Commercial solar photovoltaic installations and Site plan approval 145-27. **SECOND:** L. Faassen
No Discussion VOTE: 5-0-0

D. Beaudette – I would like the Board to take no further action on this project. 90 days from now it would be constructively approved. With all the circumstances presented and emotions I do not believe we should vote on this.

M. Hofler – I know this project with its issues make it a difficult decision. The project is in accordance with the Town's bylaws and State law. The way the project has been presented it meets the criteria necessary for approval. I have to support this.

L. Faassen – I also understand the concerns. This is a classic example of what we might not like, but unfortunately by the law there is nothing to back up a no vote. There is nothing in the Town's bylaw that we can stand on to vote no. J. Rosiensi and A. Knittel agreed with this.

J. Natle – I like some points and not some others on this project. I am grappling with both directions. With that being said we have 90 days to make a decision. I'm not ready to do so tonight. It does comply with regulations but some areas the applicants have fallen short. We will table this decision and revisit this at our January 8, 2019, meeting.

Discussion Item: Cela Sinay-Bernie, Managing Partner with Citrine Power was present and updated the Board from the previous meeting regarding the proposed commercial solar photovoltaic installation at 206 Jabish Street Map 244, Lot 60, owned by the Belchertown Water District, submitted by Citrine Power, LLC., 55 Greens Farms Road, Suite 200-78, Westport, CT 06880, as it pertains to bylaw 145-28 Commercial solar photovoltaic installations and Site plan approval 145-27.

J. Natle read the Conservation Commission's letter received and discussed the project.

MOTION: M. Hofler having met all conditions requested that we approve the site plan dated November 27, 2018, for the construction of a commercial solar photovoltaic installation at 206 Jabish Street Map 244, Lot 60, owned by the Belchertown Water District, submitted by Citrine Power, LLC., 55 Greens Farms Road, Suite 200-78, Westport, CT 06880, as it pertains to bylaw 145-28 Commercial solar photovoltaic installations and Site plan approval 145-27. **SECOND:** D. Beaudette **No Discussion**
VOTE: 5-0-0

ANR – M&G Land Development, LLC, Michael Sears Road, Map 272, Lot 87.10, submitted by Sherman & Frydryk, LLC., dated October 30, 2018, to create five lots and Parcel A, for lot identification plan purposes, Lots 1, 2, 3, 4, 5 and Parcel A, (Assessors will assign lot numbers later) accompanied by a Form A application dated November 1, 2018. The Board reviewed and discussed the application. All is in order.

MOTION: D. Beaudette to endorse the ANR for M&G Land Development, LLC, Michael Sears Road, Map 272, Lot 87.10, to create five lots and Parcel A, for lot identification plan purposes, Lots 1, 2, 3, 4, 5 and Parcel A. **SECOND:** L. Faassen **No Discussion.** **VOTE:** 5-0-0

ANR – Robert Morra, Franklin Street, Map 272, Lots 81, 81.01 and 81.03, submitted by Sherman & Frydryk, LLC., dated November 14, 2018, to reconfigure lots 81, 81.01 and divide lot 81.03, for lot identification plan purposes, Lots 13A, 14A, 17A and 18, (Assessors will assign lot numbers later) accompanied by a Form A application dated November 15, 2018. The Board reviewed and discussed the application. All is in order.

MOTION: D. Beaudette to endorse the ANR for Robert Morra, Franklin Street, Map 272, Lots 81, 81.01 and 81.03, submitted by Sherman & Frydryk, LLC., dated November 14, 2018, to reconfigure lots 81, 81.01 and divide lot 81.03, for lot identification plan purposes, Lots 13A, 14A, 17A and 18. **SECOND:** M. Hofler **No Discussion.** **VOTE:** 5-0-0

Minutes of November 13, 2018. MOTION: M. Hofler to accept the minutes of November 13, 2018 as written. **Second:** D. Beaudette No Discussion **VOTE:** 4-0-1 (L. Faassen had left the meeting early)

Bills were endorsed.

Town Planner Report:

- For the Trail Project - Andrew and Tim are working on grant applications and refining trail specifications.
 - We have a new solar project submission located at Daniel Shays Hwy., owner William Shattuck.
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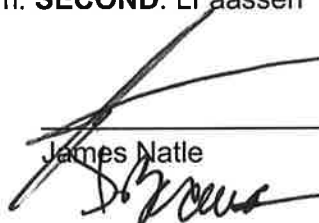
Members Reports:

- D. Beaudette – the design plans for Claymates has been submitted. They are all set.
- J. Natle – I am resigning from the Community Preservation Committee as the Planning Board representative. Michael Hofler has sat in on many meetings and as an interested citizen has requested we appoint him as our representative.


MOTION: J. Natle to appoint Michael Hofler as our new Community Preservation Committee representative. **SECOND:** L. Faassen No Discussion **VOTE:** 5-0-0

MOTION: J. Natle to adjourn at 11:05 pm. **SECOND:** LFaassen **VOTE:** 5-0-0


Meeting adjourned at 11:05 pm




James Natle




Daniel Beaudette



Michael Hofler



Louis Faassen



Justin Rosiensi



OFFICE OF
PLANNING BOARD

Town Of Belchertown

P.O. Box 964

Belchertown, Massachusetts 01007

SIGN IN SHEET - MEETING OF

Tuesday November 27, 2014

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

Art Pflamme	Hickory Hills
Scott Nielson	Hickory Hills GRAN ST. AMHERST.
Jim Hayward	87 Sargent St Belchertown
JOE BIEW	40 WILLOW LN
Bobby Longman	263 Gulf Rd
Marian MacCurdy	53 Two Fords Rd.
Benjamin Haynes	230 Ware Road
Paul & Shari Bain	769 Federal
Jedir Mann	104 North
Lisa Calcutt	454 GULF Rd.
Karl Barry	363 S GULF RD
ELISE BARRY	363 S GULF RD
Ironne Ramirez	442 S Gulf Rd.
Cela Bernie	CITRINE POWER CT
Kevin McCaffrey	SWCA (CITRINE), AMHERST
DENISE POLS	65 EPOCH SANFORD RD BELCHERTOWN



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SIGN IN SHEET - MEETING OF

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

Lindsey Peterson	445 S. Gulf Rd
Steph Kent	445 S Gulf Rd
Justin DeBlois	442 S Gulf Rd
KEVIN MCCAIGNEY	SWCA CIVIL ENG, 68 NORTH HAULEY RD PELHAM, MA
Louise Foy	85 North St
PAUL KAPLAN	85 NORTH ST.
Heidi Dilled	401 S. Gulf Rd



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Tuesday November 27, 2018

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

Edwina J. Cruise	615 N. Gully RD
Edwina J. Cruise	445 S. Gully
Elizabeth Pals	441 North St
Jail Gramercia	39 North Main Street
Kenneth Elstun	76 North Street
Karen Christman	" " "
Ann Coleman	419 S. Gully
Kathy Shea	777 Federal St