

Belchertown Planning Board  
Minutes – Tuesday – March 13, 2018



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

Absent: Sierra Pelletier

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

Present: Chris Fabbo, Brian Giggey, Travis Watts, Don Frydryk

**7:00 pm –M.Hofler, Chairman**, opened the meeting, welcomed everyone and read the agenda into the record. There is a Public Hearing scheduled this evening regarding amending the Zoning Bylaw, a proposed new section 145—29.2 – Marijuana Establishments.

**7:00 pm – M.Hofler, Chairman, read into the record the Public Hearing Notice.** The Public Hearing is specific to amending the Town's Zoning Bylaw, proposed new section Chpt. 145-29.2 – Marijuana Establishments. The audience members were informed of the public hearing process. The proposed amendments for the bylaw were sent to town departments requesting comments. The Police Department and Board of Health comments were discussed. There are no town residents present. The board reviewed and discussed the proposed bylaw and Schedule of Uses. All items discussed will be incorporated into a new draft and will be sent to Town Counsel for review.

**MOTION:** J. Natle to continue the public hearing on the proposed amendments to the town's zoning by-laws to add a new section: 145-29.2 – Marijuana establishments to April 10, 2018 at 7:00. **SECOND:** M. Spiro. No discussion **VOTE:** 4-0-0

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**7:43 pm – The Belchertown Garden Center, Front Street** - updated site plan. Don Frydryk of Sherman & Frydryk along with the current owner of the Garden Center, Chris Fabbo, was in attendance. Don Frydryk updated the Board discussing DPW comments, Tighe & Bond's letter of March 13, 2018 and an updated site plan. The Board discussed whether a formal waiver of 145-37-A; Landscaping and Screening; needs to be in writing. It was decided to indicate a buffer strip with grass cover only would be noted in the Approval form as a condition. No further comments.

**MOTION:** M. Hofler to approve the original site plan, with modification; and approve and waive 145-37-A indicating a buffer strip with grass cover only, for 40 Front Street, The Belchertown Garden Center, Fabbo Properties, Inc., Map 243, Lots 178.03 and 178.04, as submitted. **SECOND:** D. Beaudette. **No Discussion. VOTE:** 4-0-0.

The proposed layout for Front Street has begun and was shown to C. Fabbo and the new owner of the Belchertown Garden Center. They reviewed this with the board.

They thanked the Board for their time and left the meeting at 7:58 pm.

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**8:00 pm – Travis Watts of Relentless Towing and Recovery**, 111 Sargent Street, addressed the board on his intent to put in a state police towing lot and updated the board from the last meeting. T. Watts addressed the board. He read his letter of intent and submitted the Notification of Hazardous Waste Activity he has filed with the EPA which the Board of Health had requested he do. He has a scheduled meeting with the Conservation Commission on March 19, 2018 and he submitted the Department of State Police Tow Service Agreement. The Board discussed these items along with placement of the dark sky compliant light, fencing and how drained or leaking fluid(s) would be handled. This is an existing

business in the General Business B-2 zone. The Board reviewed the site picture which Mr. Watts had submitted at the last meeting. Light placement and fencing were discussed. The Board discussed if approval could be given tonight pending approval of the Conservation Commission. When the applicant returns to the Planning Office with the Conservation Commission's approval, Planning Board approval will be signed off with single signatory. The Planning Board will approve this tonight.

**MOTION:** D. Beaudette to approve the site plan for Relentless Towing and Recovery, 111 Sargent Street, Map 237, Lot 6, for a state towing lot 30 x 60, subject to them appearing before and receiving approval of the Conservation Commission. We authorize D. Beaudette to sign the approval with single signatory with said approval of the Conservation Commission. **SECOND:** J. Natle. No Discussion  
**VOTE:** 4-0-0

He thanked the Board for their time and left the meeting at 8:24 pm.

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**Other – Federal OP, LLC., 122 Federal Street, Sunoco.** At the last meeting we did not have the letter from the applicant requesting an extension of his site plan. We have since received this prior to the expiration of the site plan. We formally recognize this being extended until May 22, 2018. We will send a letter to the applicant that at that time if no progress has been made we will close out the application as incomplete. Discussion ensued regarding the applicant's options moving forward; i.e., withdrawing the application, additional detail to the existing plan, or submitting a new application. D. Albertson will send a letter to the applicant.

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**Other – Alteration and Layout as a Town Public Way - Front Street.** The Board is being asked for a recommendation on this. The Board reviewed the map and discussed why there remains a small jog in the layout in front of the Fabbo property instead of flowing with the rest of the boundary. Detention basins were discussed. Drainage is being looked at separately. The Board would like clarification from the EDIC on two items. They should submit a modification to the original definitive subdivision plan and the jog in front of the Fabbo property proper should be consistent with the rest, unless there is some other explanation.

**MOTION:** M. Hofler to ask the EDIC to #1 - submit a modification to the definitive subdivision plan to reflect the change from what the original plan had been. This needs to be reconciled and #2 – the jog in front of the Fabbo property to show clean and consistent property boundaries. This would be our recommendation. **SECOND:** J. Natle No Discussion **VOTE:** 4-0-0

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**ANR – Orin L. Bracey, Jr. and MaryEllen O'Reilly-Bracey, Munsell Street, Map 214, Lot 10,** to create one lot, submitted by Harold L. Eaton and Associates, Inc., dated March 5, 2018, for lot identification plan purposes, Lot A and Remaining Land, accompanied by a Form A application dated March 8, 2018. The Board reviewed and discussed the application. All is in order.

**MOTION:** J. Natle to endorse the ANR for Orin L. Bracey, Jr. and MaryEllen O'Reilly-Bracey, Munsell Street, Map 214, Lot 10, to create one lot, submitted by Harold L. Eaton and Associates, Inc., dated March 5, 2018, for lot identification plan purposes, Lot A and Remaining Land. **SECOND:** D.Beaudette  
**No Discussion. VOTE:** 4-0-0

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**Bills were endorsed**  
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**Minutes of February 27, 2018. MOTION:** M. Spiro to accept the minutes of February 27, 2018 as written. **SECOND:** J. Natle No Discussion **VOTE:** 4-0-0

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**Town Planners report:**

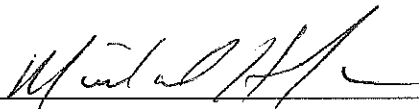
- Trail project coming along. Our application for a Commonwealth Places grant is being finished. Possible CPC money as well.
- Harris Way is almost complete. The only remaining item is an easement which needs to change. The as-builts are ready. We still hold the last lot. Universal wants to buy it and use it to expand their lumber area for storage.
- We had two different solar projects come in last week for preliminary discussions. One is off Gulf Rd. and the other off Summit Street.
- Jim Hayward's gravel pit has some problems. The extension given to him last year has expired. We need to follow up on this. There are some compliance issues. I will ask him to come to our next meeting.

**Members report:**

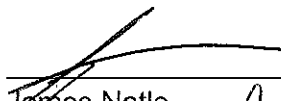
- D. Beaudette – we should also schedule a site visit to Hayward's gravel pit to see if all things have been corrected and what issues he is having. Discuss with him what his plans are to wrap this up. This has taken longer than planned. Our concern is the time element and lack of completion. There is a risk of it not being completed.
- M. Hofler – I would like to remind the public that there is an opening on the Planning Board. Please consider running for this. Papers need to be submitted by March 29, 2018.


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**MOTION:** J. Natle to adjourn the meeting at 8:57 pm. **SECOND:** D. Beaudette **VOTE:** 4-0-0

Meeting adjourned at 8:57 pm

  
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Michael Hofler

  
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Daniel Beaudette

  
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James Natle

  
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Mark Spiro



OFFICE OF  
**PLANNING BOARD**

Town Of Belchertown

P.O. Box 964  
Belchertown, Massachusetts 01007

SIGN IN SHEET - MEETING OF March 13, 2018

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

Chris Fabro FABRO PROPERTIES 40 FRONT ST

Brian Grogan Scubescape Merchandise 102 W Pelham Rd Shutesbury

Alexander M... RELENTLESS 111 Sargeant St.

- Don Frydnyk