

Belchertown Planning Board Minutes  
Thursday, March 16, 2017



Members present: Michael Hofler, Donna Lusignan, Daniel Beaudette, James Natle  
Members absent: Chris Laurenzo and Sierra Pelletier (Alternate Voting Member)  
Staff: Douglas Albertson, Town Planner; Lynn Sikes, Minutes  
Present: Karol Ruszczyk, Owner BTown Motors, Keith Terry for Sherman & Frydryk, (see attached sign in sheet)

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**7:00PM** ~ Chairman Mike Hofler opened the meeting which had been rescheduled from March 14, 2017 due to a snow storm, welcomed everyone and read the agenda into the record. There will be a Public Hearing at 7:00 pm.

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7:00 pm – M. Hofler read into the record the Public Hearing Notice. This Public Hearing is specific to amending language in the Town’s Zoning By-law, Chapter 145-27(B)1; 145-27 F(1)(d); 145-36(F); 145-45C(1) footnote 3; 145-16; 145-28B(1); and Article XII. The Public Hearing scheduled for March 14 was postponed to tonight due to inclement weather. All items listed were in the public notification and posted, and were reposted on Monday. The Public Hearing is now open. Each item will be read and discussed by the board, then the public will be asked for any comments or discussion.

- 145-27(B)1 – site plan approval – this item was read and new proposed language discussed. No discussion. All approve the proposed language.
- 145-27 F(1)(d) – safety of vehicular and pedestrian movement – the item was read and new proposed language discussed. No discussion. All approve the proposed language.
- 145-36(f) – Access – this item was read and proposed language discussed. No Discussion. All approve the proposed language.
- 145-45C(1) footnote 3 – this was strictly a typographical change. Typo to be fixed. No discussion. All approve the correction.
- 145-16 – Current Dimensional Requirements for B1 Zone – Front setbacks being changed from 10/20 in both areas with public sewer and without public sewer to 25 feet setback, and new **Within Historic District** setbacks added. Discussion on the setbacks. All approve as presented.
- 145-28B(1) – Commercial solar photovoltaic installations – Discussion ensued regarding “as-of-right”; installations on canopies; agricultural soils; board approved of this as written.
- 145 Article XII – Wireless Communications Facilities – Removing current language and inserting new Article as presented. All approve as presented.

M. Hofler asked if the Public had any comments. K. Terry sought a clarification on the solar proposal.

**MOTION** J. Natle to close the Public Hearing. **SECOND:** D. Beaudette No Discussion **VOTE:** 4-0-0

**MOTION:** J. Natle to recommend that Town Meeting approve the Zoning Bylaw amendments as presented at the March 16, 2017 Public Hearing and noted above. **SECOND:** D. Beaudette. No Discussion  
**VOTE:** 4-0-0

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**BTown Motors, LLC, 141 State Street**, Keith Terry, Professional Engineer from Sherman & Frydryk and Karol Ruszczyk, applicant and owner of B Town Motors, addressed the Board. Since the last meeting of February 28, 2017, they have prepared a letter to address Tighe & Bond's review of the site plan and comments of the planning board.

- Sign – The applicant proposed to leave the existing sign as it is. D. Beaudette does not agree. He feels this nonconforming sign should be brought into conformity. Discussion ensued regarding a waiver for the sign. M. Hofler would rather have this a separate isolated decision. In the future if Mr. Ruszczyk were to change the sign, then he would have to come before the planning board, but right now, it is grandfathered. K. Terry indicated the sign is not part of the project we are doing.

**MOTION:** J. Natle that we except the sign from the site plan. **SECOND:** D. Lusignan. No discussion.  
Vote: 3-1-0, with Beaudette opposed.

Review of the site plan continued.

- Landscape – After discussion, the board agreed to the 4 and 5 foot landscaped buffers as presented. The applicant needs to submit a written waiver request. The landscaped strip will have low plantings and the town's right-of-way will be grass with no trees.
- Entrance and exit areas discussed. There were no comments from the board.
- The stockade fence will extend 110 feet. D. Lusignan indicated she did a site visit and going from 50' to 80' was nice but now going from 80' to 110' now extends to cover the backside of Jessica's Boundless Playground so it serves as extra protection for the children. No gate will be installed.
- They will relocate the proposed ground lights and stones onto property and out of right of way.
- The proposed grades have been revised to provide additional cover over the 6-inch diameter outlet pipe to better protect it from damage.
- Snow storage will be addressed in the maintenance plan. It will not be in the infiltration basin.
- Perimeter erosion and sediment controls were discussed. They are proposing to use straw wattles rather than a combination of straw bale/silt fence. It is an easier install, removal and to work with. The Conservation Commission will indicate if this is sufficient protection for the proposed construction activities.
- Storm water has been addressed and we meet those requirements.
- All ten standards of the Massachusetts Storm water Management Standards have been addressed.
- The buffer strip will be planted with low growth plantings to a maximum of 18 inches in a wood mulch bed.
- The applicant discussed the colors of the building. They will be an ocean side grey, 4 ½" clapboard style vinyl siding with a 2.5 foot high base border of natural brown stone.
- The site lighting will consist of recessed soffit lights along the front elevation of the building, a dark sky compliant wall pack mounted on the southernmost rear corner of the garage addition, and small landscape lighting within the landscaped buffer strip. The existing flood light on NE corner will be removed.
- The water district will be given notification prior to demo of the existing building to create new ties into the water main.
- Project Narrative dated March 2017 was submitted.
- Estimated Trip Generation within the project narrative was discussed.

The applicant restated that he has no intention to advertise auto repairs or be open to the public. The repair garage would just for servicing cars sold from the facility, but if this is to change, the applicant would have to come back before the board to discuss changes to how the traffic would change. D. Albertson indicated to the Board to write that as a condition.

D. Lusignan asked if the stockade fence around dumpster would be the same fencing used along the backside of the property; K. Rusczyzk indicated it will. The fencing around the dumpster will also have a lock and gate on front. J. Natle said a chain link fence around dumpster is better than stockade around a dumpster, just a recommendation. Chain link holds up better. D. Lusignan suggested although esthetically nice the vinyl fencing will not wear as well. The applicant stated he would look into the cost of installing chain-link vs. vinyl.

D. Beaudette indicated he believes they are at the size limit on this piece of property - the size expansion on this site is really squeezing everything out of this site, but as long as it is not unsightly, it's good. This is a very visible site for people coming into Belchertown. M. Hofler said he appreciates Mr. Rusczyzk's investment into the town. D. Lusignan asked the applicant to be mindful of the timing of construction crew(s) accessing the site due to heavy traffic congestion during morning peak hours of 6am to 8am, in his corridor.

K. Terry handed in a request for a waiver regarding 145.23 D(4) - Landscape strip and 145-37(a) buffer strip being landscaped with medium height shrubs and shade trees. M. Hofler read the request.

**MOTION:** J. Natle to grant the strict compliance waiver 145.23 D(4) and 145-37(a) landscaping and buffer zones where applicant will provide a 4 foot wide strip in front of the car display area and a 5 foot wide strip in front of the garage. Additionally, to waive the requirement of trees within the landscape buffer. **SECOND:** D. Lusignan No Discussion **VOTE** 4-0-0

**MOTION:** J. Natle to approve the site plan with the following modifications or conditions: Project narrative limits work/repair to existing customers; expansion of scope of work to the general public will require applicant to return to the Planning Board for approval. Requested Waiver – approved – and attached, for BTown Motors, LLC., 141 State Street, Belchertown. **SECOND:** D. Lusignan No Discussion **VOTE** 4-0-0

M. Hofler again thanked the applicant for what he is doing.

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**Discussion Item** – ZBA Recommendation for Susan Gamelli, 76 Shoreline Drive, Ware, for Shea Avenue, Map 271 , Lot 34.01, Zone Ag-B and purchased in February 2005. Ms. Gemelli applied for a variance from the 140 foot road frontage to make this a building lot since it has only 133 feet of frontage. D. Beaudette recused himself from this recommendation. He represents the Belchertown Land Trust, an abutter. D. Beaudette left the room.

The application was reviewed and the Applicant's narrative discussed. A variance for this exact purpose had been granted in 2004. D. Lusignan questioned why the planning board recommended against the variance at that time. J. Natle was on the Planning Board when the original variance was requested. He had

recommended against granting it at that time; after the variance was granted, the respective owners did not act on the variance within the one year requirement; he still recommends the ZBA not grant this variance.

**MOTION:** J. Natle to recommend to the ZBA to grant the variance to S. Gamelli for property at Shea Avenue, Map 271 Lot 34.01. **SECOND:** D. Lusignan No Discussion **VOTE** 0-3-1 The motion does not carry.

Summary – the Planning Board does not feel the variance meets the criteria. 145-68-B(1)(a): Granting this exception to established frontage requirements WOULD generally affect the zoning in which it is located and could create a precedent potentially leading to future compliance difficulties, and 145-68-B-(1)(b): The applicant has not demonstrated substantial hardship, financial or otherwise. Note that the applicant had the opportunity to take advantage of a previously approved variance during the time period from the purchase of the property in February 2005 until the one-year expiration on November 18, 2005.

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**ANR:** Derek Vigneault, applicant, 265 Boardman Street, Belchertown, and owner Dana R Vigneault, 407 Holyoke Street, Ludlow, Map 252, Lot 73, to create three new lots, Lot 1, 2 and Lot 3,

**MOTION:** J. Natle to approve the ANR for Dana R. Vigneault and Derek Vigneault, Map 252, Lot 73, submitted by Harold L. Eaton and Associates, Inc. on January 30, 2017 to create three new lots, Lot 1, 2 and Lot 3. **SECOND:** D. Lusignan **VOTE** 4-0-0

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**ANR:** Daniel F. and Susan C. Rudy, Map 276, Lot 13 and Map 275, Lot 20, to create two total lots, for lot identification plan purposes, Lot 13 and Lot D.

**MOTION:** D. Lusignan to endorse the ANR for Daniel F. and Susan C. Rudy, 550 No Liberty Street, Map 276, Lot 13 and Map 275, Lot 20, submitted by Paul S. Smith Land Survey on February 21, 2013 to create two total lots, for lot identification plan purposes, Map 276, Lot 13 and Lot D. **SECOND:** J. Natle **VOTE** 4-0-0

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**MOTION:** D. Beaudette to approve minutes of February 28, 2017 as written. **SECOND:** J. Natle **VOTE** 4-0-0

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**Bills were endorsed.**

**Mail:** Letter received from Paul Adzima, Zoning Enforcement Officer regarding NESFI. They have withdrawn their application for a proposed slaughter facility. The Town withdrew their order for Cease and Desist.

D. Albertson reminded the Board there will be a Public Hearing at the next meeting for a Zone change On Old Amherst Road.

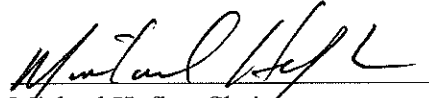
**Town Planner Report –**

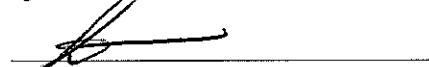
- Met with the finance committee and selectmen last week and presented that the planning board seeks no change to the budget, and to discuss some of what the board and department do.
- We continue to work on the revision to the storm water bylaw.
- Regional Housing Committee – we are reactivating the group to review
- May Farm Solar/Verizon has been built to approved plans.
- Trail is moving forward
- I'm assisting with the Clerk's Office on census
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**Member's Report** – D. Lusignan does not believe she will be able to attend the annual town meeting.

**MOTION TO ADJOURN** J. Natle moved to adjourn the meeting at 9:23 pm. **Second:** D. Beaudette

**VOTE:** 4-0-0

  
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Michael Hofer, Chairman

  
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James Natle

  
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Donna Lusignan

  
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Daniel Beaudette



OFFICE OF  
**PLANNING BOARD**

Town Of Belchertown

P.O. Box 964  
Belchertown, Massachusetts 01007

SIGN IN SHEET - MEETING OF

*March 2017 (rescheduled from  
Tues March 14<sup>th</sup>  
due to snow  
Mars  
Tues*

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

*Karal Dussault*

*KEITH Terry SRF*