

## Minutes of April 11, 2017

Belchertown Planning Board  
Minutes Tuesday, April 11, 2017



Members present: Michael Hofler, Donna Lusignan, Daniel Beaudette, James Natle, Chris Lorenzo, Sierra Pelletier (Alternate Voting Member)

Staff: Douglas Albertson, Town Planner; Lynn Sikes, Minutes

Present: Andrey Korchevskiy, Dmitriy Mayboroda, Fuss & O'Neill, Jon Dietrich, P.E., Fuss & O'Neill, Marty & Sue Denette, 150 Bardwell Street; Bob Dufresne, 166 Bardwell Street, Filipe Cravo, R. Levesque Associates; Rob Levesque, R. Levesque Associates (see attached sheet)

-----  
**7:00PM** ~ Chairman Mike Hofler opened the meeting, welcomed everyone and read the agenda into the record. There will be a continued Public Hearing at 7:00 pm.

7:00 pm - M. Hofler read into the record the Public Hearing Notice. This Public Hearing is for a Definitive Subdivision plan by owner/applicant Bell Property Corp., 235 Woodland Way, Russell, MA 01071. The plan is entitled "Woodland Estates/Woodland Lane, Proposed Residential Subdivision"; Belchertown, MA dated September 27, 2016: the surveyors/engineers are R. Levesque Associates, Inc., 40 School Street, Westfield, MA 01085. The location and description is, Bardwell Street, Map 168, Lots 24.06, 25 and 22.

The Public Hearing is now open. R. Levesque of R. Levesque Associates, Inc., Filipe Cravo of R. Levesque Associates, Jon Dietrich, Dmitriy Mayboroda of Fuss & O'Neill and Andrey Korchevskiy, President of Bell Property Corp. were in attendance. Rob Levesque addressed the Board and brought them up to date from their last appearance before the Board. The traffic study is now complete and indicates there will not be a large impact on the area. Storm water, basins, and water runoff were discussed. Discussion ensued regarding predevelopment to post development water runoff. Filipe Cravo addressed the Board and discussed in more detail water runoff and how the basins handle the water flow. Discussion regarding how the water in the infiltration basin #1 is metered out.

S. Williams, Director of DPW in a letter to the Board raised concern regarding infiltration basin #1 located in the rear of Lot W which includes an outfall pipe which discharges to an existing 12" pipe under Bardwell Street. He would like to see the developer provide the town an easement on the other side of Bardwell Street to protect the free passage of storm water once it flows across the right-of-way back into private property. Discussion ensued regarding the easement. D. Beaudette would like to hear from Conservation Commission since they are the domain regarding wetland/swamp areas. D. Lusignan would also like to hear from the neighbors. Discussion ensued regarding the water runoff flow rate and drainage. Rob Levesque indicated he had spoken with Attorney Mark Beglane, of Bacon & Wilson. He also spoke again with S. Williams who asked for their legal opinion in writing. M. Hofler requested they do this and also definitive comments from Conservation Commission. D. Lusignan read a letter from DPW Director, S. Williams dated Nov. 15, 2016 stating his concerns regarding this matter at the subdivisions preliminary stage.

The Tighe & Bond April 10, 2017 letter was reviewed and discussed.

M. Hofler opened the Public Hearing on the subject of storm water only. Members of the audience addressed the Board. Their comments and concerns were:

- How they will maintain predevelopment vs post-development water drainage?

M. Hofler asked Filipe Cravo to address the audience to explain how this works.

- Explain the difference between detention basin and infiltration basin.

## Minutes of April 11, 2017

Filipe addressed the audience and explained the difference. He also indicated to the audience that they should be very confident that the subdivision standards are the most innovative standards and they comply with all of them.

There being no further comments from the audience, M. Hofler turned the topic over to the traffic study.

Dimitriy Mayboroda of Fuss & O'Neill who did the traffic impact study addressed the Board. He presented an overview of the data and how it was collected. He then discussed the results and conclusions. The Board discussed the findings. Discussion ensued regarding Line of Sight – Speed – trip generation results – intersections in the area and level of service.

M. Hofler opened the hearing to the public to hear their comments or concerns regarding the traffic study. Members of the audience addressed the Board. Their comments and concerns were:

- Did the study consider construction vehicles during the build-out?

D. Mayboroda addressed the question indicating the projections would have accounted for this. Also that all numbers were increased by 20% from their results of February realizing February may have less traffic due to the winter season.

- It was questioned if the time period for the counter was during a peak traffic time.

J. Dietrich of Fuss & O'Neill addressed the question that typically there is not a specific time, but they use Tuesday – Thursday for a 48 hour time frame which is considered a reasonable time to do a study like this. No other questions from public.

M. Hofler thanked D. Mayboroda and J. Dietrich for their presentation.

Tighe & Bond letter of April 10, 2017 - #2 – Section 270-49-A - regarding street trees was discussed. D. Lusignan inquired as to whether this project would be overseen by a Homeowners Association, to which the applicant stated they haven't made up their minds yet. D. Lusignan suggested one street tree per lot be allowed; the Board found this acceptable. Placement of the trees will be determined by Town Planner and S. Williams of DPW.

Under Miscellaneous #3 – The cistern must be designed with the Fire Department's formal approval.

#5 - The definitive subdivision application shall include a cost estimate for the performance guarantee. R. Levesque indicated they will provide that. All additional items in the Tighe & Bond letter have been addressed.

M. Hofler asked if there were any other questions or concern from the audience.

- It was asked if Lot W was a buildable lot and can its septic field leach into the basin behind it.

R. Levesque addressed the question indicating that it could not. It was asked who handles storm water issues.

M. Hofler indicated it is the Conservation Commission who handles it.

M. Hofler summarized the discussion:

1. 12" pipe
  - a. Provide comment from Conservation Commission regarding retaining flow into the wetland across Bardwell Street.
  - b. Provide a letter from your legal counsel regarding an easement as requested by DPW.
2. Provide an easement for Line of Sight (LOS) on lot C and lot W so merging distances are not impaired.
3. Trees will be required. One per lot. Location to be determined with our Town Planner and DPW.
4. Our Fire department's formal approval of the cistern.
5. Cost estimate for performance guarantee.

## Minutes of April 11, 2017

6. The individual lots will have to have storm water run-off plans showing ZERO change on ANY lot line from each parcel prior to approval of a building permit.
7. Outside of this proposal, the common drive application will have to request a waiver to 145-44 a(4) access from a public way not containing frontage for building.
8. Sidewalks to have "ADA compliant, minimum width 5 feet" specification added to DwgD-4 and become part of the plan.

R. Levesque Associates requested to come back for the April 25<sup>th</sup> meeting.

**MOTION:** to continue the Public Hearing for the definitive subdivision of Woodland Estates to April 25, 2017 at 7:45 pm. **SECOND:** D.Lusignan No Discussion **VOTE:** 5-0-0

Audience members and R.Levesque group left at 8:54 pm.

---

**ANR:** Carol A. Spellman and Melanie E. Spellman, Applicant and Owner, Bardwell Street, Map 272, Parcel 28, to create two total lots, Lot F and Remaining Land.

**MOTION:** D. Lusignan to endorse the ANR for Carol A. Spellman and Melanie E. Spellman, Map 272, Parcel 28, Bardwell Street, submitted by Sherman & Frydryk, LLC on April 3, 2017 to create two total lots, Lot F and Remaining Land. **SECOND:** D. Beaudette No Discussion. **VOTE** 5-0-0

---

**Right of First Refusal** – M. Hofler read a letter from Atty. Joseph Topor, Jr. regarding the sale of Lot F, Map 272, owned by Carol A. Spellman and Melanie E. Spellman. It was accompanied by the Land Purchase and Sales Agreement for a sale price of \$65,000.00. We are being asked to make a recommendation to the Board of Selectmen as to whether to take action on our Right of First Refusal. The Planning Board discussed the sale of this lot. There is no value to the town or Conservation Commission for this lot. It cannot be used for recreation or usable for the residents of Town.

**MOTION:** D. Beaudette to recommend to the Board of Selectmen to NOT exercise the town's Right of First Refusal for the property owned by Carol A. Spellman and Melanie E. Spellman, Map 272, Lot F.

**SECOND:** D. Lusignan. No Discussion **Vote:** 5-0-0

---

**MOTION:** J.Natle to approve minutes of March 28, 2017, as written. **SECOND:** D.Beaudette. No Discussion **VOTE** 5-0-0

---

### Town Planner Report

- Next meeting, April 25, we will have a public hearing for a zone change request.
  - We have a public hearing May 9, 2017 for an accessory apartment.
- M. Hofler – but the by law is for ATTACHED accessory apartments so we will have to check into this.
- L. Paddy will be in on April 25, 2017 for 445 So. Gulf Road. We had previously denied her request for an accessory apartment.
  - Last week Business West came in to discuss projects in our town. Nick O'Connor, Selectman, was there. We updated the reporter on development, etc. going on in town.
  - Marijuana – not much going on right now at the State level. In the meantime, people are showing interest throughout the State, so we will need to think about zoning or even non-zoning management. Discussion ensued on this topic.
  - Board membership – we are losing Chris Laurenzo as a member and gaining Sierra Pelletier who is

**Minutes of April 11, 2017**

the only candidate for election. Our volunteer Eric has put in for associate member. He would be appointed from July 1, 2017 to June 30, 2018.

- Pride – we received the site plan today, April 11, 2017, so we will start to go through that.
- 
- Westover Auto Salvage – end Harris Way – he wants to erect a metal shed between two of his buildings to store parts out of weather. He will be in May 9 for site plan review.

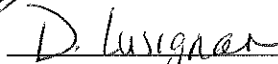
D. Beaudette – L. Paddy – curious what has happened to that apartment? Please ask Building Inspector regarding that. M. Hofler will not be here at the next meeting. J. Natle will chair that meeting. Regarding the basin on the Pride site, he has tracked rain fall dates and has daily visited the site to document the basin's performance prior to their coming in May 23, 2017. He will continue tracking it. D. Lusignan reminded everyone Annual Town Meeting is Monday, May 8, 2017.

**MOTION TO ADJOURN**  
**VOTE: 5-0-0**


J. Natle moved to adjourn the meeting at 9:28 pm. **Second:** D. Lusignan

\_\_\_\_\_  
Michael Hofler, Chairman

  
\_\_\_\_\_  
James Natle

  
\_\_\_\_\_  
Donna Lusignan

  
\_\_\_\_\_  
Daniel Beaudette

  
\_\_\_\_\_  
Chris Laurenzo



OFFICE OF  
**PLANNING BOARD**

Town Of Belchertown

P.O. Box 964  
Belchertown, Massachusetts 01007

SIGN IN SHEET - MEETING OF

Tuesday, April 11, 2017

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

- Ann M. Moly
- Dmitry Mayboroda Transp Engineer F&O ✓
- Jon Dietrich, Associate Fuss & O'Neill ✓
- Marty & SUE Denette 150 BARDWELL ST. ✓
- Bob Dufresne 100 BARDWELL ST ✓
- Filipe Cravo Blevessque Assoc. 40 School St Westfield
- ROB LEVISON PLEASANT ASSOC. 40 SCHOOL, WESTFIELD
- \_\_\_\_\_
- \_\_\_\_\_