

Belchertown Planning Board  
Minutes – Tuesday – April 23, 2019



Members present: Michael Hofler, Daniel Beaudette, Justin Rosienski and Alice Knittel  
Absent: James Natle  
Staff: Doug Albertson, Town Planner and Lynn Sikes, Minutes

Audience Present: Chris Ross, GIS Specialist, representing CF Renewables, Peter Karalekas, Scott Nielsen and Art LaFlamme.

**7:00 pm –Due to J.Natle’s absence, D.Beaudette, Vice Chair,** opened the meeting, welcomed everyone and read the agenda into the record. There are two continued Public Hearings this evening. A continued public hearing regarding a commercial photovoltaic Solar Installation at 357 Daniel Shays Hwy., Map 226, Lot 45.01 and a continued Public Hearing regarding a commercial photovoltaic Solar Installation at 0 No. Washington Street, Map 256, Lot 27

**7:00 pm – Peter Karalekas,** a resident of Pepper Ridge Drive was in attendance to discuss the subdivision and issues that remain on the street. The owner of the subdivision is Landform, LLC of Westfield. Its president is Robert Goyette. Mr. Karalekas discussed with the board his main concern is the road and safety issues. He would like to know what the Planning board can do about this. He believes as a taxpayer in Town the Town should be doing more to resolve the issues. The sign is crooked at the street entrance and there are several cracks in the road.

The Board discussed with Mr. Karalekas that the developer is responsible for this. It is a private road at this time. D. Albertson indicated that several letters have been sent over the years and there is not much more than paperwork to be done for this to be complete. Our town attorney agrees that there isn’t anything the planning board can do. We are trying to motivate the developer.

Mr. Karalekas indicated he understands what the Board is saying and thanked them for their time.

**7:23 pm – D.Beaudette, Vice Chairman, reopened the continued Public Hearing** for a proposed commercial solar photovoltaic installation at 357 Daniel Shays Hwy., Map 226, Lot 45.01 submitted by CF Development MA, LLC, 10 Milk Street, Suite 1055, Boston, MA 02108, as it pertains to bylaw 145-28-Commercial solar photovoltaic installations, Site plan approval 145-27 and Special Permit 145-69. He read the public hearing notice into the record. The continued public hearing is now reopened. This is the second meeting for this proposal.

D.Beaudette reviewed how the meeting will proceed.

Christopher Ross, environmental specialist, represented CF Development. He handed out updated materials, including Map dated April 23, 2019 and reviewed these with the Board. All items from the previous meeting requested by the Planning Board have now been addressed and completed.

A fence waiver is being requested. They would like to install a seven-foot chain link perimeter fence, rather than a six-foot fence in reference to zoning bylaw 145-21C. This was submitted.

Items including a letter dated April 18, 2019 from SWCA Environmental Consultants regarding wildlife impact evaluation, letter dated April 16, 2019 from the US Dept. of the Interior Fish and Wildlife Service regarding the northern long-eared bat and a written narrative regarding special permit criteria 145-69 a, b, and c were discussed. An updated O&M document was submitted.

There is a minor detail to resolve with Tighe & Bond, the check dams to be put in to control runoff in the drainage along the access road. Mr. Ross said they are working with our engineer to conclude this design feature, and requested a conditional approval on this project.

The Board discussed the proposal. M. Hofler I would like to request that the fence design be "knuckle selvage" both at the top and on the bottom. The Board has no further questions. They asked the applicant if he had anything else to present. He does not.

**7:54 pm the meeting was opened to the public. No comments.**

**MOTION: M.Hofler** to close the public hearing on the proposed solar photovoltaic installation located 357 Daniel Shays Hwy., Map 226, Lot 45.01 submitted by CF Development MA, LLC, 10 Milk Street, Suite 1055, Boston, MA 02108. **SECOND: J.Rosienski No Discussion: VOTE: 4-0-0**

**MOTION: M.Hofler** to grant the fence waiver request for this solar project at 357 Daniel Shays Hwy., Map 226, Lot 45.01 submitted by CF Development MA, LLC to a 7 ' fence per 145-21G – Special permit granting authority under special permit for the safety and security, which in this case is both, and in accordance with 145-27B(2). **SECOND: A.Knittel No Discussion: VOTE: 4-0-0**

**MOTION: M.Hofler** to approve the site plan, dated April 23, 2019, for the solar photovoltaic installation located 357 Daniel Shays Hwy., Map 226, Lot 45.01 submitted by CF Development MA, LLC, 10 Milk Street, Suite 1055, Boston, MA 02108 as it pertains and complies with Site Plan Approval 145-27, 145-27(E), and 145-28 Commercial solar photovoltaic installations. **SECOND: A.Knittel Discussion: Approval is contingent upon design of check dams to be approved by town engineer Tighe and Bond within ten (10) days of this approval, the granting of a fence waiver to grant a height of seven (7) feet to meet the National Electrical Code requirements and in accord with 145-27B(2), and that the fence be a "knuckle selvage" design at the top and bottom of said fence to protect wildlife. VOTE: 4-0-0**

**MOTION: M. Hofler** to grant the special permit for the commercial solar photovoltaic installation located 357 Daniel Shays Hwy., Map 226, Lot 45.01 submitted by CF Development MA, LLC, 10 Milk Street, Suite 1055, Boston, MA 02108 having found that it meets 145-69 and 145-69 a, b, and c, as indicated in the narrative supplied by the applicant. **SECOND: A. Knittel No Discussion: VOTE: 4-0-0**

**The applicant thanked the board.**

**8:06 pm – D. Beaudette, Vice Chair, reopened the Public Hearing** for a proposed commercial solar photovoltaic installation at 0 No. Washington Street, Map 256, Lot 27, submitted by Lumens Holdings 3, LLC, 830 Morris Tpke., 2<sup>nd</sup> Floor, No. 204, Short Hills, NJ 07078, as it pertains to bylaw 145-28-Commercial solar photovoltaic installations, Site plan approval 145-27 and Special Permit 145-69. D. Beaudette read the public hearing notice into the record. The public hearing is now reopened.

D.Beaudette - We have received a letter from Lumens Holdings 3 LLC, dated April 22, 2019, requesting a continuation of this public hearing as they need more time to complete all updates and requests from this Board.

**MOTION: M.Hofler** to continue the public hearing on the proposed solar photovoltaic installation located at 0 No. Washington Street, Map 256, Lot 27, submitted by Lumens Holdings 3, LLC, 830

Morris Tpke., 2<sup>nd</sup> Floor, No. 204, Short Hills, NJ 07078 to May 14, 2019, at 8:00 pm. **SECOND:**  
J.Rosienski **No Discussion: VOTE: 4-0-0**

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**Other – Scott Nielsen of Hickory Hill Subdivision along with Art Laflamme** is in this evening to discuss and update the Board regarding the sidewalk issue and an As-Built Progress Report.

The As Builts for the project were reviewed with the Board. They now have the certification by the professional land surveyor as required by the Registry of Deeds on them. They would like these to take place of what had been previously presented. These will supersede those. This includes showing the sidewalk placement. They would like the Board to find these acceptable to be recorded as proof of the planning board decision of where sidewalks would go and that the sidewalks comply with that decision of November 27, 2018. S.Williams, DPW Director, still needs to review the as built. They are marked preliminary for that reason. When he has approved them we will again present them to this board. These will then be recorded sequentially.

S.Nielsen updated the board regarding the damaged sprinkler systems. There were 4 of them. He explained how they repaired those damaged and how they can now be used for the 4' tree belt as well. He wanted the Board to be aware that they are doing what they indicated they would do.

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S.Nielsen and Art Laflamme discussed with the Board revising the remaining unsold building lots in Hickory Hills thru the ANR process. No Right of Way property lines will be changed. The result will be a reduction in the overall number of dwelling units from 78 to 70. They are eliminating all 13 Duplex entitled lots which will result in an increase of 5 single family lots for a total of 70. This is partially to balance out eliminating the 13 duplex units.

Hickory Hills was approved under the original OSCD bylaw (Open Space Community Development). This requires 10,000sf of Open Space per lot. This ANR complies with the requirement as noted in April 19, 2019 letter from the Berkshire Design Group.

The Board reviewed all of the above information with the applicants and what they are now doing for lot revisions. Detention basins were discussed as well. The Board reviewed the Mylar and confirmed all items necessary were noted.

**ANR:** – Scott Nielsen, President, The Levi-Nielsen Co., Inc., on land owned by Hickory Hills Realty, LLC, Map 238, Lots 3.04, 3.05, 3.06, 3.07, 3.08, 3.68, 3.69 and 3.76 submitted by The Berkshire Design Group, Inc., dated April 18, 2019, to reconfigure those lots stated and reconfigure the open space and add four new lots, (Assessors will assign lot numbers later), accompanied by a Form A application dated April 18, 2019. The Board reviewed and discussed the application.

**MOTION: J.Rosienski** to endorse the ANR for Scott Nielsen, President, The Levi-Nielsen Co., Inc., on land owned by Hickory Hills Realty, LLC, Map 238, Lots 3.04, 3.05, 3.06, 3.07, 3.08, 3.68, 3.69 and 3.76 submitted by The Berkshire Design Group, Inc., dated April 18, 2019, to reconfigure those lots stated and reconfigure the open space and add four new lots. **SECOND: A.Knittel No Discussion. VOTE: 4-0-0**

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**ANR:** – Dana Woods Homeowners Association, George Hannum Street, Map 238, Lot 190, submitted by Harold L. Eaton and Associates, Inc., dated March 5, 2019, to reconfigure Map 238, Lot 190 and combine a portion of it, shown as Parcel A, a nonbuildable lot, to property owned by David M. and Amy Clegg, Jackson Street, Map 243, Lot 4 (Assessors will assign lot numbers later), accompanied by a Form A application dated March 25, 2019. D.Albertson reviewed with the Board what happened in this instance. The Board reviewed and discussed the application.

**MOTION:** A.Knittel to endorse the ANR for Dana Woods Homeowners Association, George Hannum Street, Map 238, Lot 190, submitted by Harold L. Eaton and Associates, Inc., dated March 5, 2019, to reconfigure Map 238, Lot 190 and combine a portion of it, shown as Parcel A, a non-buildable lot, to property owned by David M. and Amy Clegg, Jackson Street, Map 243, Lot 4.

**SECOND:** J.Rosienski **Discussion:** M.Hofler it should be noted the Owner and Applicant names on the written application Form “A” were identified in the reverse position on the mylar survey plan. These should agree. The surveyor should have them identified on the map. We need the Cleggs listed as the Applicant. **MOTION:** M.Hofler to amend the motion subject to revision of Form A to reflect ownership and application per drawing and resubmit for single signature. **SECOND on amendment:** J.Rosienski **No Discussion:** **VOTE: 4-0-0**

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**MOTION:** D.Beaudette to accept the minutes of April 9, 2019 as written. **SECOND:** J. Rosiensi **No Discussion** **VOTE: 4-0-0**

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**Bills were endorsed.**

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Town Planner Report:

- We have received a Preliminary subdivision application for 260 Ware Road. With the impending solar bylaw change they want to protect their zoning. We will look at this May 14th.
  - BWC Scarboro Brook, LLC, Gulf Road will be discussed at our special meeting next week, April 30, 2019.
  - We need to do a site visit with J.Hayward on Allen Street to do an update on his gravel bank.
  - The Knodlers of 50 Alden Avenue will be at our next regular meeting regarding an accessory apartment application.
  - We have placed a press release in the Sentinel advertising for an Associate member.
  - Marijuana – INSA is still working on their application at the Family Dollar site. D.Beaudette, yes, they entered into a host agreement with the Selectmen at their meeting last night.
  - Evergreen Strategies held their community outreach meeting. This would be located at 29 Federal Street.
  - The Solarize program – there is a group of very interested residents who are volunteering to run this program. I am the town government liaison.
  - PVPC is wrapping up the interview process for the executive director search; I’m on the search committee. We are down to 3 finalists
  - The Annual PVPC dinner will be June 13<sup>th</sup> in Northampton. The Keynote speaker will be Ken Kimmell, President of the Union of Concerned Scientists.
  - You each received a copy of the 4/1/19 draft of the Stormwater utility bylaw in this evening’s packet.
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Members Reports:


D. Beaudette - The Town meeting is May 13<sup>th</sup> – there are 45 items on the warrant. It should be a well-attended annual meeting. One item is how to use the Patrick Center space. They are trying to integrate it into the recreational scheme for the town.


- Solar bylaw – should have many residents with opinions on this. Could be a 2 night meeting. We need to think of our own meeting of May 14<sup>th</sup>. We can discuss this next week at our special meeting.
- We also need to think about our own reorganization of our board after the town meeting, hopefully we will have another alternate voting member at that time


D. Albertson – we will have two reports to present at town meeting. Harris Way will be on the warrant. We need to decide who will present the planning board reports on these articles. The Solar bylaw may be more involved with speaking; again we need to decide who will do this.

M. Hofler – I attended the Community Outreach meeting presented by Evergreen Strategies held at 29 Federal Street.

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**MOTION:** M. Hofler to adjourn at 9:20 pm. **SECOND:** J. Rosiensi **VOTE:** 4-0-0  
Meeting adjourned at 9:30 pm

  
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Daniel Beaudette

  
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Michael Hofler

  
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Justin Rosiensi

  
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Alice Krittel



OFFICE OF  
**PLANNING BOARD**

Town Of Belchertown

P.O. Box 964

Belchertown, Massachusetts 01007

SIGN IN SHEET - MEETING OF

Tuesday April 23, 2019

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

Christopher Ross, GIS Specialist, 180 Johnson St, Middletown CT (Clean Focus)

Peter Kackas 48 Jepson R. Dr

SCOTT NIELSEN 171 GRAY ST. ANDOVER MA 01002

ART LAFLAMME 258 MADLEY ST, S.H. 01025