

Belchertown Planning Board  
Minutes – Tuesday – April 9, 2019



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

Audience Present: Derek Stebbins, Jillian Brunell, Will Shattuck, Zach Sawicki representing CF Renewables, Scott Henderson civil engineer representing Lumens Holdings 3, LLC, Jeremy Karpf, Project Manager for Lumens Holdings 3, LLC, Susan Wanczyk, and Elizabeth Pols.

**7:00 pm –J. Natle, Chairman**, opened the meeting, welcomed everyone and read the agenda into the record. There are three Public Hearings this evening. A continued public hearing regarding an accessory apartment located at 41 Maplecrest Drive a 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

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**J. Natle** appointed Justin Rosiensi to act as Clerk for this meeting due to Louis Faassen's resignation.

**A. Knittel** has now been appointed as a full Board Member and has been sworn in to serve to May 13, 2019, the next town election.

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**7:00: pm - J. Natle, Chairman**, read into the record the legal notice for a continued Public Hearing for an Accessory Apartment located at 41 Maplecrest Drive, Map 263, Lot 107.02, Applicants Derek Stebbins and Jillian Brunell. The continued public hearing is now reopened.

The applicants, Derek Stebbins and Jillian Brunell were present and updated the Board from the previous meeting. The Board had questions about the dimensions on the drawings that had been submitted. The exact measurements were not indicated and they had been asked to return with pictures. Jillian Brunell submitted these and reviewed all with the Board.

The meeting was opened to the Public. No comments.

**MOTION:** D. Beaudette to close the public hearing for an Accessory Apartment located at 41 Maplecrest Drive, Map 263, Lot 107.02, Applicants Derek Stebbins and Jillian Brunell **SECOND:** J. Rosiensi **No Discussion VOTE:** 5-0-0

**MOTION:** M. Hofler to approve the accessory apartment for Derek Stebbins and Jillian Brunell, 41 Maplecrest Drive, Map 263, Lot 107.02, having found it meets the 3 criteria of conditions 145-69 a, b and c and also meets standards for accessory apartments, by law 145-29.1, with no conditions.

**SECOND:** D. Beaudette **No Discussion VOTE:** 5-0-0

The applicants thanked the Board and left the meeting.

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**J. Natle** indicated in approximately 45 minutes he will turn the meeting over to D. Beaudette as he has a personal commitment and will need to leave.  
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**7:12 pm - J. Natle, Chairman, opened the 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. J. Natle read the public hearing notice into the record. The public hearing is now opened.

M. Hofler indicated that for full disclosure the property owner, W. Shattuck, Devon Lane Farm, LLC, sold farm items for him in the past, it was less than \$50, that being said he is unbiased and can sit on this application.

Zach Sawicki representing CF Development along with land owner Will Shattuck, were present. Z. Sawicki handed out materials and reviewed the project with the Board.

Items discussed: setbacks, batteries, solar panels size and layout, conservation commission's approval, stormwater and seed mix being used.

Tighe and Bond's letter of April 4, 2019 with their comments were reviewed and discussed. Items discussed were the battery boxes, the pad for those batteries, emergency signage, lockbox on site, how the panels will be mounted to the piles, berms and inspections of those berms, mowing possibly once per year, runoff and drainage and access with DOT off Daniel Shays Hwy.

They provided Proof of Application for Interconnection with National Grid along with the company now being a registered company with the State of MA.

At this time, final comments by Tighe & Bond, including decommission costs, has not yet been received.

The Board discussed the application and addressed questions regarding fencing, if a fence waiver would be required, the design of the fence, i.e., twisted selvage, vinyl, the longevity of vinyl being used, inspections to be noted within the O&M along with herbicides and pesticides not being allowed, the acreage of the project, a habitat report, dual use of the land; this would need to be confirmed prior to approval or they would need to return for an amendment to the plan.

The Board indicated to the applicant to firm up their narrative analysis regarding 145-69 1(a). Also that the town requires surety in the form of cash, not a bond and to confirm that the application notes that this lease is between Devon Lane LLC, and CF Development MA, LLC.

Confirmation from the Fire Department that they have reviewed the driveway and is in approval is needed.

7:58 pm the meeting was opened to the public.

Susan Wanczyk asked why they would be using a seed mix within the solar field. Z. Sawicki indicated it stabilizes the soil and helps control stormwater. It is also a strong pollinator attraction.

No further questions from the Board at this time.

**MOTION: D. Beaudette** to continue 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 to April 23, 2019, at 7:05 pm. **SECOND: M. Hofler** **No Discussion: VOTE: 5-0-0**

8:05 pm – J. Natle left the meeting and turned it over to D. Beaudette as Vice Chair.

D. Beaudette welcomed Alice as a full Board member. She has been sworn in and is a full member of the Board.

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**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 reviewed for the audience how the public hearing would proceed. The applicant will address the board and then the meeting will be opened to the public. This is the second presentation on this matter.

Scott Henderson civil engineer representing Lumens Holdings 3, LLC, addressed the Board. He thanked the Board and updated the Board from the previous presentation.

Items reviewed on the plan included: the footprint of the array has been reduced; the clearing in the east area of the array has been reduced. Additional items discussed were: signage, gate location, a waiver for fence height will not be needed as the fence will now be 6' rather than 7'. Soil testing shows better soil than originally thought, the planting plan, existing evergreens will provide a screening, supplemental plantings on the frontage will be planted, on the southern side all vegetation will remain, the O&M will indicate that the responsibility of plantings will be Lumens, stormwater report and drainage was discussed. Tighe & Bond's final review has not yet been received.

Jeremy Karpf, Project Manager for this project addressed the board. The drainage areas and control for basins were reviewed. Discussion regarding inspections when significant rainfall occurred confirmed that an inspection will happen for any rainfall of 4" or greater.

The Board discussed if they would require a wildlife study. If a biologist submitted a letter indicating that in their opinion there is no disruption to wildlife that would be sufficient, if not, they would need to do a study. Criteria of 145-69 a, b, and c was looked at and the Board asked the applicant to come in with a stronger narrative regarding 145-69 (a). The Board asked the applicant to add a lock box for the gate. The size of the total project area was discussed. Water, basins and runoff was discussed.

The final/updated Tighe & Bond's letter has not come in yet. We will wait for that before final approval can be given.

The Board questioned the applicant as to why a 7' fence, per National Electric Code requirements, was not required. The applicant responded that since this is not a high voltage installation it was not required.

**8:46 pm – the meeting was opened to the public.**

Mike Cowles, 221 No. Washington, is a direct abutter. He questioned the buffer area where there are approximately 8' trees along the north border now. He would like to see something in a tree to buffer that area a bit more. Scott indicated what they would be using and they could supplement more to aid as a buffer. He also has concerns for property values. D.Beaudette indicated the Board is waiting for a stronger narrative from the applicant to address this. Also with all the recent solar projects coming in, we have no valid information regarding property values. This is probably due to

the fact that this is a new phenomenon. As an abutter, you can submit a letter indicating your concerns to your property value. Mr. Cowles indicated with the additional screening he is comfortable with the reduced impact.

A.Knittel indicated she would like a view shed analysis be done. This was reviewed with the applicant.

**E.Pols** – North Street – had questions on the actual acreage. The applicant indicated the racks and panels within the fenced area is 5 acres, the panel array itself is 3 ½ acres.

No further comments from the public.

**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 April 23, 2019, at 7:30 pm. **SECOND:** J.Rosienski **No Discussion: VOTE: 4-0-0**

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**MOTION:** M. Hofler to accept the minutes of March 26, 2019 as written. **SECOND:** J. Rosienski **No Discussion VOTE: 3-0-0**

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**Bills were endorsed.**

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The ZBA has requested our recommendation regarding Lot 1, Crestview Drive. This is for a side setback variance. This lot is in the Ag-A zone located on the circle of a dead-end street. The contractor wants to build a large house and seeks a variance for the side setback to avoid wetlands on the opposite side of the lot.

D. Albertson updated the board as to the reason for the request. The Board reviewed the application.

**MOTION:** M. Hofler our recommendation to the Zoning Board of Appeals is that they withhold their decision until the applicant demonstrates why 145-69 Variance Criteria, b, is in fact an argument as to why they have met this requirement; i.e., "literal enforcement will result in substantial hardship" or otherwise and document why this is the only place they can construct this home. **SECOND:** J. Rosienski **No Discussion VOTE: 4-0-0**

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The ZBA has requested our recommendation regarding 536 Federal Street, Map 102, Lot 60, for a special permit for demolishing an older non-conforming home and a variance for setbacks and lot size. This lot is in the Lake Residential zone. It is an existing older house on a tiny parcel between the street and the lake. It has public water and sewer at the site. Conservation has signed off on this request. The builder intends to use the same footprint for the new home. The board discussed this request.

The square footage in several areas is inconsistent and the board reviewed the application.

**MOTION:** M. Hofler being consistent with our prior recommendations to create a more marketable piece of property in the Lake Residential zone, we have given favorable recommendations provided there is not a significant change to the existing footprint. This application has the same footprint. Therefore we recommend to the Zoning Board of Appeals to grant the special permit/variance for J. Goss Construction, 536 Federal Street, Map 102, Lot 60. **SECOND:** A. Knittel **No Discussion**  
**VOTE:** 4-0-0

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Town Planner Report:

- On Wednesday, April 10, at 7 pm we will hear from Jim Barry from the Mass. Green Communities program regarding the solarize program. This is an informational meeting where he will explain the program. This project would give a discount on residential solar, roof or ground mounts, if there are enough people interested.
- Marijuana – INSA is looking to go into the Family Dollar building where there is a vacancy. They are currently working on a traffic study, though no application has been submitted yet.
- There has been no application submitted regarding another marijuana company to go into the Federal Street, Superior Rug Floor space.
- Reminder that Town elections are coming up. Our Board has 3 openings and 3 applicants.
- There will be an accessory apartment application at our May 14<sup>th</sup> meeting. This is for the Knodlers at 50 Alden Avenue – they came before us previously when a detached structure was not allowed. They connected the main home to the garage and now will be in to get that formalized.
- Our Board still needs an alternate voting member. We will send a Press Release in to the Sentinel.


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Members Reports:

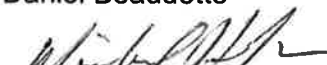
**J. Rosiensi** – There will be a PVPC meeting Thursday, April 11, which I will attend. Discussion will be on solar and the Governor's thoughts on housing.

**M. Hofler** – at our last meeting I wanted to clarify if we are to submit in writing our thoughts on 0 Gulf Road, Blue Wave's application, or simply come to the April 30, 2019 meeting with our thoughts in order? D. Albertson will clarify with J. Natle.

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**MOTION:** M. Hofler to adjourn at 9:30 pm. **SECOND:** A.Knittel **VOTE:** 4-0-0  
Meeting adjourned at 9:30 pm

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James Natle

  
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Daniel Beaudette

  
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Michael Hofler

  
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Justin Rosiensi

  
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Alice Knittel



OFFICE OF  
**PLANNING BOARD**

Town Of Belchertown

P.O. Box 964

Belchertown, Massachusetts 01007

SIGN IN SHEET - MEETING OF

Tuesday April 9, 2019

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

Derek Stebbins 41 Maplecrest

Diana Brunell 41 Maplecrest Dr.

Susan Fonseca 73 Race St Waverhill MA

Elizabeth Pops 44 North St.

Jeremy

Mike

Will Stathuk