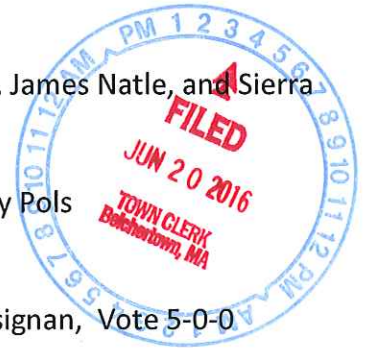


Belchertown Planning Board Minutes

May 10, 2016

Planning Board members: Daniel Beaudette, Christopher Laurenzo, Donna Lusignan, James Natle, and Sierra Pelletier (alternate for special permits) Absent: Michael Hofler  
Staff: Douglas Albertson, Town Planner; Mary Grenier, minutes  
Present: Lee Paddy, Lynn E. Lloyd, Christopher Lloyd, Art Coffin, Gail Kenney, and Cory Pols



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C. Laurenzo, Chairman, opened the meeting at 7:02 PM.

**Motion** J. Natle moved to accept minutes of April 26, 2016 as written. Second D. Lusignan, Vote 5-0-0.  
Time slips and bills were endorsed.

Donna asked D. Albertson if he would write a letter to the owners of Turkey Hill Road, Map 262 Parcel 39, corner of Rtes. 21 and 202, and let them know the 100 year storm detention is full of trash. D. Albertson will research Owner(s) and send notice. C. Laurenzo asked that he mention the property needs to be mowed.

C. Laurenzo asked D. Albertson to update the subdivision list.

**Public Hearing Accessory Apartment 445 South Gulf Road:** C. Laurenzo opened the public hearing at 7:08 PM. C. Laurenzo read into record the legal notice. J. Natle recused himself from this hearing as he is a neighbor of the applicant. J. Natle left the meeting room. C. Laurenzo explained to the applicant that the vote will require a super majority. Because a board member recused himself and one member is absent, the chair may appoint the alternate member to vote and all four board members must vote favorably for the special permit to be granted. S. Pelletier was appointed a voting member.

Applicant Lee Paddy addressed the Board and explained to them that she had received a building permit for a garage in 2013. A friend wanted to move back to Massachusetts and Ms. Paddy was asked if she could put her up for a while. Ms. Paddy thought the space above the garage would make a nice living area. Ms. Paddy said she asked her Partner to begin turning the space into an apartment. Ms. Paddy said she did not realize she needed additional permits since the building permit for the garage was already signed off on. She specifically designed the garage to look like a barn so it would blend in with the area. She said she has no intention of using it as a rental property.

D. Lusignan asked why she was now coming in front of the Planning Board when the apartment was finished and someone was living in there. Ms. Paddy said she received a letter from Paul Adzima, Zoning Enforcement Officer, after he received a complaint by a neighbor. D. Lusignan said that she had done a site visit and asked if there was enough parking, and would the vehicles need to back out onto the road. Ms. Paddy had pictures that she showed the Board.

D. Beaudette asked if it is a one bedroom. Ms. Paddy replied yes. D. Beaudette explained that as a homeowner you are entitled to do work on your property within the zoning by-laws and the permitting process. D. Beaudette explained that there were specific reasons why the Planning Board wrote accessory apartment by-laws and reasons the size is limited to 600 sq. ft. He said how important it was for the electrical and plumbing to have been inspected especially since she has someone living in the space. Although he said he was sympathetic to Ms. Paddy he would not be able to vote favorably on this application.

D. Lusignan asked about her mention of the Health Department in her application letter. Ms. Paddy said on advice from a contractor she was told to install a holding tank. D. Beaudette asked if any permits for septic work were ever pulled from the Board of Health. Ms. Paddy again said she was unaware that a permit was needed. D. Beaudette told her that Title V regulations are very strict in Massachusetts, and no work on a septic system can be done without a permit and inspections by the Health Department.

C. Laurenzo asked if anyone in the audience would like to comment. Christopher and Lynn Lloyd abutters at 425 South Gulf Road stated they were not in favor of this project. Mrs. Lloyd did research and found that no permits for any of the work were taken out. Art Coffin an abutter on 19 South Gulf Road asked the Board if Ms. Paddy was granted a special permit for an accessory apartment could it become a rental property. D. Beaudette said yes, that is possible.

C. Laurenzo read into record a letter dated May 4, 2014 from abutter Peter Brown of 439 South Gulf Road stating he had "no issues or complaints regarding the barn structure". Another letter from abutter dated May 10, 2016 from Peggy Gruen of 381 South Gulf Road stated she is not in favor of granting Ms. Paddy a special permit for an accessory apartment.

D. Beaudette moved to close the public portion of the hearing at 8:06 PM D. Lusignan seconded. All in Favor.

D. Beaudette said a lot of homeowners do their own work, but electrical, plumbing and septic excavating are important and need to be permitted and inspected by the town. D. Lusignan said that she does not feel this project fits into the character of the neighborhood. S. Pelletier mentioned the size of the apartment and that it is 200+ sq. ft. more than the by-law allows.


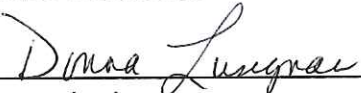
D. Lusignan moved to grant Lee Paddy a special permit for an accessory apartment at 445 South Gulf Road Map 206 Parcel 29.1 zone AG-A. S. Pelletier seconded. All in Favor – Nay All Opposed –Yes. Motion does not pass. Special Permit denied. Vote 0-4.

C. Laurenzo explained the reasons for denial:

1. The proposed accessory apartment does not conform to §145-29 1B (3), which states that an accessory apartment is not to exceed 600 square feet maximum gross floor area.
2. The proposed accessory apartment does not conform to §145-29 1B (5), which requires that an accessory apartment be enclosed within the exterior of a dwelling.
3. Because of 1 and 2, the proposed apartment is found not to be in harmony with the general intent and purpose of this chapter as required in §145-69 A (1) (c).

Jim Natle returned to the meeting. C. Laurenzo asked about the schedule for the next month. D. Albertson will be on vacation May 18<sup>th</sup> through June 1<sup>st</sup>. C. Laurenzo asked recording secretary if she would be able to handle items that come into the office. As of today there is nothing on the agenda for the May 24, 2016 meeting. D. Lusignan said that this would be a good time to discuss sidewalks, cell towers, common drives etc. C. Laurenzo is cancelling May 24, 2016 planning board meeting, but this may change if the office receives any submittals. D. Beaudette moved to close the meeting at 8:50 PM D. Lusignan seconded. All in Favor.

Respectfully Submitted

  
Christopher Laurenzo, Chairman  
James Natle, Vice Chair  
Daniel Beaudette  
Donna Lusignan