

Belchertown Planning Board
Minutes – Tuesday – June 12, 2018



Members present: Michael Hofler, James Natle, Daniel Beaudette, Sierra Pelletier and Lou Faassen

Staff: Doug Albertson, Town Planner, and Lynn Sikes, Minutes

Audience Present: Steve Williams, Dir. of DPW, Art LaFlamme and Scott Nielsen of Hickory Hills, LLC, Julie Busa and Diane Mas representing Fuss & O'Neill, Mitchell Abood, David Rhoades, Emily Rhoades, Jeffrey and Kris Rakers, Jim and Sue O'Connor, Chris Mattocks, Marois Gael, Melissa Vozzilla, Nancy Brill, Rickie Brill, Jeffrey Almeida and a few illegible names. (See attached sheet)

7:00 pm –M. Hofler, Chairman, opened the meeting, welcomed everyone and read the agenda into the record.

7:01 pm – M. Hofler read into the record the legal notice for a Public Hearing for an Accessory Apartment located at 172 Munsell Street, Map 214, Lot 4.2, AG-A zone, Applicants David and Emily Rhoades. The public hearing is now open. The applicants, David and Emily Rhoades were present and addressed the board. They explained what their intent is to do. The home already has an apartment above the garage. They would like to bring the apartment into compliance with the accessory apartment bylaw. The board reviewed the plans with the applicants and the layout of the apartment. It will be a one bedroom apartment with a storage area. The plan shows 2 bedrooms, but that is not accurate. It will only be one. It would not be ADA accessible as there are stairs in the back to access the apartment. It is approximately 612 sq. feet. Parking was reviewed and discussed. It is owner occupied. This was built in approximately 2007. D. Beaudette indicated this apartment pre-dates our accessory apartment bylaw. One of the intentions with the bylaw is to have cases such as the Rhoades' come forward to bring existing apartments into compliance. This will update our Assessors so the property is taxed accordingly. Also emergency services would be aware of the apartment. This would fall under bylaw 145-29.1-C(1).

At this time the public hearing was opened to the public. No comments.

MOTION: J. Natle to close the public hearing for the accessory apartment for David and Emily Rhoades, 172 Munsell Street, Map 214, Lot 4.2. **SECOND:** D. Beaudette **VOTE:** 5-0-0

The applicants confirmed that permits for electrical and plumbing have now been filed and are being inspected. The applicants were also told that they would need to comply with any Board of Health regulations.

MOTION: D. Beaudette to grant the accessory apartment for David and Emily Rhoades, 172 Munsell Street, Map 214, Lot 4.2, having found it meets the 3 criteria of conditions 145-69 and 145-69 subsection 1 and also meets standards for accessory apartments, by law 145-29.1 – also specifically 145-29.1-C(4) as it is existing and in the best interests of the community. **SECOND:** L. Faassen **No Discussion VOTE:** 5-0-0

7:23 pm – Hickory Hills LLC – discussion regarding Hickory Hill subdivision's sidewalks along the interior section of the subdivision. M. Hofler addressed the meeting indicating he would ask Arthur LaFlamme and Scott Nielsen, of Hickory Hills, LLC, to come up and explain the issue. After that the Board will open the meeting to the public for their comments. All comments should be addressed to the Board. This evening's discussion is specific to the sidewalks.

Art LaFlamme and Scott Nielsen addressed the Board and the Public. Mr. Nielsen noted that their engineer, of the Berkshire Design Group, was unable to attend tonight. They reviewed the original plans for the sidewalks and apologized for the problem. Discussion included the topography of the existing lots, namely the slopes and ADA compliance. Mr. Nielsen identified 3 possible options, and declared that none of them are good. Those options are painting on the road itself to designate a sidewalk, narrowing the road to put the sidewalks in, and putting the sidewalks in as planned. They discussed requesting a waiver of the sidewalks entirely. Traffic studies regarding these roads as being low traffic areas was discussed. There was a recent site visit with D. Albertson, M. Hofler, and Steve Williams, Dir. of DPW, and the Hickory Hills engineer, construction manager and the two owners.

M. Hofler opened the discussion to those present. Several members of the audience addressed the Board. The majority in attendance favored waiving the sidewalk requirement entirely.

Jeff Rakers of 37 Hickory Hill has concerns regarding his newly installed sprinkler system. He favors waiving the sidewalk requirement. He believes installing the sidewalks directly against the road would be very unappealing. Concerns regarding snow removal and the sidewalks being piled up with snow were mentioned.

M. Hofler responded that the Planning Board has been very firm that subdivisions were to have sidewalks installed for safety for children, etc. Since year 2002 sidewalks have been required in each subdivision. This will become a town public road and the board will remain firm with this requirement.

Susan O'Connor of 18 Hickory Hill said that as a disabled person she would prefer no sidewalks to ones that do not meet ADA standards. For any sidewalk to be non-conforming with ADA requirements would not be safe for her.

Jim O'Connor of 18 Hickory Hill said he had no idea of this requirement. Majority of people who walk in our area are from Dana Hills because it is a safe. The road is wide with plenty of room for people to pass. He requests the board waive the sidewalks in their entirety.

M. Hofler asked if there was any other input other than waiving the sidewalks.

Melissa Vozzella of 53 Hickory Hill asked if the sidewalks could be installed in the outer circle as opposed to the interior circle. Placing them within the interior section with the slope will cause cars to bottom out. Could you paint a line, as they do for bike paths, as an option? She noted that when excavation had been completed, and the exterior section showed sidewalks could be placed there, why didn't they approach the Planning Board with a modified site plan? In addition, this is a beautiful neighborhood, using asphalt will look awful.

M. Hofler asked if painting a line as in a bike lane would be possible. S. Nielsen indicated they could do wide enough to encompass storm drains. We would need to make sure we were in compliance.

Mr. LaFlamme said they are not trying to get out of paying for the sidewalks. Right now they're just stuck and don't know a way through this. He added that, if this sidewalk is not built, the amount of money they would use for sidewalks would be instead applied to better sidewalks in the rest of the subdivision.

N. Brill of 26 Hickory Hill asked who would be responsible for removing and replacing if a sprinkler system had been installed up to the road due to not being aware of the sidewalks? J. Nattle indicated the Board would ask the developer to move and relocate them. No guaranty the developer would agree to this.

S. Nielsen indicated they would be looking at signage which would denote to say this is a walking community. Please take care and watch for pedestrians. He again reiterated that this is their error and requested the Board consider what the public is saying.

S. Williams, Dir. of DPW reminded everyone that this is not yet a town road. It is owned by Mr. LaFlamme and Mr. Nielsen. We need to be ADA compliant. There are adverse problems with solving this. The signage is a good idea. The painting is not. We will NOT build sidewalks that are not ADA compliant.

J. Nattle we should have engineered plans with a legitimate solution. I am not waiving sidewalks at this time. The town will own this road for the long term therefore we need the long term solution.

D. Beaudette – please decide how you are going to deal with this and come in with a modified application from your engineer. I would like to see something from them.

L. Faassen – we need to follow the regulations regarding this. Just because it's a sidewalk it is not any less important than any other part of the subdivision's infrastructure.

M. Hofler please submit a modification of the site plan and let us know when you would like to come back in. He thanked everyone for attending.

8:32 pm – M. Hofler read into the record the legal notice for a Public Hearing for an Accessory apartment located at 190 No. Liberty Street, Map 268, Lot 52, Applicant Jeffrey and Kelly Almeida. The public hearing is now open. The applicant, Jeffrey Almeida, was present and addressed the board. This application was previously presented to the Board but prior to detached structures being addressed in the bylaw. He withdrew that application prior to it being voted upon. At Town Meeting, held May 14, 2018, a new version of the bylaw was voted on addressing detached structures. Therefore he is returning to the Board with a new application. He explained that originally the site was to be a workshop and office, but now with elderly parents they are requesting to construct the accessory apartment. This is an existing slab detached from the existing house. The board reviewed the plans.

He updated the board from the last meeting. There are slight changes from the original plan. The square footage is approximately 660 sq. feet. It is ADA compliant. He reviewed the layout with the Board. Exterior siding, parking and Board of Health compliance was discussed. 75 foot line of sight from corner of existing home to corner of the accessory apartment was also discussed as this is a part of the new revised bylaw.

M. Hofler opened the hearing to the public for comments. No comments.

MOTION: J. Natle to close the public hearing for the accessory apartment for Jeffrey and Kelly Almeida, 190 No. Liberty Street, Map 268, Lot 52. **SECOND:** D. Beaudette No Discussion **VOTE:** 5-0-0

MOTION: J. Natle to grant the accessory apartment for Jeffrey and Kelly Almeida, 190 No. Liberty Street, Map 268, Lot 52, having found it meets conditions 145-69 and 145-69 subsection 1 and also meets standards for accessory apartments, by law 145-29.1. **SECOND:** S.Pelletier **No Discussion:** **VOTE:** 5-0-0

8:55 pm - Discussion: - Public Listening Session for the final Municipal Vulnerability Preparedness plan.

D. Albertson opened the discussion regarding this plan. Belchertown has a hazard mitigation plan now in place but this is a plan regarding climate change/weather problems; namely, extreme weather and natural and climate-related hazards. We received \$15,000.00 from the State to complete the plan and achieve MVP climate community designation. The Town partnered with Fuss & O'Neil to complete the plan. They have now completed their final report. This evening we will hear about it.

Julie Busa from Fuss & O'Neil presented an overview of the plan; how they proceeded along with the input of people who attended meetings which has resulted in the plan we are reviewing this evening. She reviewed the plan with the Board. The plan can also be found on the Town's website

Being a part of the MVP community opens the town up to more funding, for example, DPW was recently awarded a substantial grant to replace inadequate culverts.

The Board thanked Julie and Diane for coming this evening and presenting the plan.

They left the meeting at 9:45 pm.

9:45 pm – Allen Street, J. Hayward – gravel pit. M. Hofler updated the Board from the last meeting. The special permit has expired. When the board last met with Mr. Hayward, he had to take care of some things before his special permit could be renewed: taxes, and an enforcement order from the conservation commission. Today we received a memo from the conservation administrator that he is developing a plan for compliance and they are currently satisfied that he is making progress. We previously had a memo from the tax collector indicating Mr. Hayward and she have a plan for payment. We need to ask Mr. Hayward to come in to apply for a continuation of his special permit. We would like a timeline for closing the operation.

D. Beaudette – Mr. Hayward should come in and go over all this with us. D. Albertson will ask Mr. Hayward to come to our next meeting, June 26 at 8:30 pm. If there are any concerns we can issue a cease and desist for the gravel operation. We would like a specific date for his closure plan and would like a letter from Sherman & Frydryk as well.

Board Reorganization:

D. Beaudette- Moved to nominate Jim Natle as Chairman. J. Natle accepted. Seconded. All in favor.

J. Natle - moved to nominate D. Beaudette as Vice Chair. D. Beaudette accepted. Seconded. All in favor

D. Beaudette - moved to nominate Lou Faassen as Clerk. L. Faassen accepted. Seconded. All in Favor.

J. Natle - moved to nominate S. Pelletier as PVPC commissioner. S. Pelletier accepted. Seconded. All in Favor

J. Natle - moved to nominate M. Hofler as Single Signature. M. Hofler accepted. Seconded. All in Favor.

Minutes of May 22, 2018. Motion: J. Natle to accept the minutes of May 22, 2018 as written. **Second:** L. Faassen No Discussion **Vote:** 4-0-1 Hofler abstained as he had been absent.

Bills were endorsed.

Members Reports:

- D. Beaudette – 112 Federal Street - Sunoco – they had until the end of May for their special permit. If no further movement we would issue a negative motion. D. Albertson, at this time they know they would need to start over. It is now off the books. No action is required.
- L. Faassen – requested an updated list of subdivisions. D. Albertson will send this over to him.

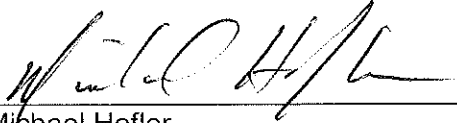
Town Planner Report:

- The Verizon tower on Aldrich Street – the court order required they submit an annual radio frequency test report. This has not been received. A resident reminded me of this, then I reminded Verizon's lawyer, she reminded Verizon, and they are now working on getting that to us. M. Hofler – please thank that resident for us.
- Harris Way – This is basically done. We need final submittals of as-builts, legal descriptions, letter stating all is done, and applications to release the town's interest. We have not heard back from the owner.


- The Lake Wallace Trail project has now been extended to the end of the month for the grant match. We have raised almost half the money. We received a very substantial check today, which we are looking into doing a "match" within a "match. This is a fully accessible trail being built. To the public, please consider sending in a donation and note on your donation "Lake Wallace Trail". Donations are accepted online as well. This is a very exciting project.
- Christopher Heights – I am doing a site inspection tomorrow. This is basically complete and they are hoping to open June 21, 2018.
- Summerhill condos - Alteration to their site plan is coming up. They are changing from constructing 4 unit buildings to 2 unit buildings.
- Orchard villa – This is a 55+ complex which is almost complete. They want to make their community building bigger, so will submit a site plan.
- Board of Health has asked us to look at the Animal bylaw and possibly address certain aspects within it a little better.
- We are still in need of an alternate voting member.

MOTION: L. Faassen to adjourn at 10:10 pm. **SECOND:** J. Natle **VOTE:** 5-0-0


Meeting adjourned at 10:10 pm



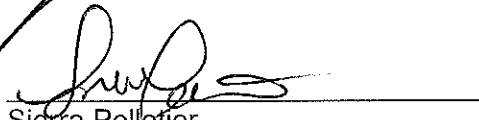
Michael Hofler



Daniel Beaudette



James Natle



Sierra Pelletier

Louis Faassen



OFFICE OF
PLANNING BOARD

Town Of Belchertown

P.O. Box 964
Belchertown, Massachusetts 01007

SIGN IN SHEET - MEETING OF

Tuesday June 12, 2018

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

Julie Busa jbusa@fando.com, Fuss & O'Neill

Mitchell Abood 190 Munsell St

Davis A Rhoades 172 Munsell St.

Emily M Rhoades 172 Munsell St

Jeffrey Rakars 37 Hickory Hill

Kris Rakars 37 Hickory Hill

Jim O'Connor 18 Hickory Hill

Sue O'Connor 18 Hickory Hill

Chris Mattocks 22 Hickory Hill



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SIGN IN SHEET - MEETING OF

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

MARLOS GARD 14 HICKORY HILL

SCOTT NEASON 171 GRAY ST. AMHURST.

MELISSA VOYELLE 53 HICKORY HILL

FRANK CANINO 53 HICKORY HILL

FRANK KENNEDY 53 HICKORY HILL

STEVE WILLIAMS DPW

NANCY BRILL 26 HICKORY HILL

RICKIE BRILL 26 HICKORY HILL

AL PFLANKE HICKORY HILL