

Belchertown Planning Board  
Minutes – Tuesday – June 25, 2019



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

Audience Present: James Hayward, Noreen Terry, Carol LeBelane, Beth Ferenz, Jen Turner, Keith Ferenz, Bob Ferenz, Wyatt Aloisio, Harold Reader, Angela Gaspar, Elizabeth Pols, Bernd Schliemann, Lucinda Fuller.

**7:00 pm – J. Natle, Chairman,** opened the meeting, welcomed everyone and read the agenda into the record. There is an informal presentation on Grow Space New England and two discussion items.

**7:02 pm – Allen Street - gravel pit.** At the Planning Board meeting of November 27, 2018, an extension was granted for this special permit to November 30, 2020. The Board did a site visit on Thursday, June 20, 2019 to the gravel pit to review the progress. Owner James Hayward was not at this site visit due to a miscommunication. Mr. Hayward is present this evening and J. Natle asked him to update the Board regarding the site.

Concerns of the Planning Board include the existing steep slopes, large boulders, and an unsecured foundation on the site, lack of signage and lack of a gate for the site. Mr. Hayward indicated that due to the extensive rainy weather moving material out has been very slow. He indicated that there will be major improvement over the next 2 weeks, and the slopes should be reduced by approximately 25 feet. He indicated that the work for this site is nearing its end. Four out of the five lots are now complete. He agreed to put signs up and to continue to reduce the grade. He indicated that by the end of 2019 it will be loamed and seeded and one large boulder will be buried.

A site visit will be scheduled for August 29<sup>th</sup> at 4:00 pm to confirm what has been discussed this evening has been accomplished, but in the meantime he is to secure and make the site safe.

**Mr. Hayward submitted to the Board an update on his subdivision at Woods Edge.** Final As-Builts should be submitted very soon. Wetland Markers should be inspected shortly by the Conservation Commission. They are researching drought-resistant ground cover to plant in the cul-de-sac area as so far what they have tried has failed because of relatively dry conditions. Legal descriptions are being worked on by Atty. Albano. To summarize, as soon as the final as-builts are submitted, the Conservation Commission can do their final inspections and this subdivision should be complete.

The Board thanked Mr. Hayward for the update. He thanked the Board and left the meeting.

**7:21 pm – Aquaysha Parks, Esq.** of Grow Space New England was to be in to address the board regarding a new concept – Grow Space New England. At this time, there is no representative here. The Board moved on with the agenda and if a representative comes in during the meeting they will hear from them at that time.

**Discussion Item - From the Planning Board meeting of May 14, 2019,** the public hearing for a commercial photovoltaic Solar Installation submitted by ZPT Energy Solutions II, LLC, 6 Park Avenue,

Suite 100, Worcester, MA 01605, located at 260 Ware Road, had been closed. The Board took no further testimony or evidence on the project.

The Board discussed the project and where they had left off from their previous review. Site plan and special permit criteria were discussed.

Landscaping, view impact on abutters, and real estate values had not been fully resolved from our last discussion. The applicant's appraiser's analysis was inconsistent with the applicant's engineer's presentation of potential views. The appraiser had stated the panels would not be visible from any house, while the engineer's sketch indicated they would be visible. There is no true landscape plan, but just a fence and buffer area of existing vegetation. That is not adequate. The Board continued discussing what had been submitted and if they could make their determination or if approval could be made with conditions indicated.

An audience member asked if he could make a comment. J. Natle indicated he could not as the public hearing has been closed.

M. Hofler read the request from the applicant regarding the fence waiver.

**MOTION:** M. Hofler to grant the fence waiver request per 145-21(C) – of a maximum height of a fence shall be six feet, for this solar project at 260 Ware Road, Map 245, Lot 62, submitted by ZPT Energy Solutions II, LLC, to a height of seven (7) feet per 145-21(G) – Special permit granting authority may allow a higher fence for safety or security, which in this case is both, and in accordance with 145-27B(2).  
**SECOND:** J. Rosiensi **No Discussion:** **VOTE:** 5-0-0

Revised Plan date of May 3, 2019 will be put in.

**MOTION:** M. Hofler to approve the site plan submitted by, by ZPT Energy Solutions II, LLC, 6 Park Avenue, Suite 100, Worcester, MA 01605, as it pertains to bylaw 145-28 Commercial solar photovoltaic installations and Site plan approval 145-27 per drawing dated May 3, 2019 for a commercial solar photovoltaic installation at 260 Ware Road, Map 245, Lot 62, with the waiver previously stipulated and listed above. **SECOND:** D. Beaudette **Discussion:** M. Hofler to put a condition on the motion that we revise their landscape plan as per 145-27F(2) and request they modify the proposed design specifically 145-27F 1B(2) to minimize obstruction of scenic views from publicly accessible locations and F(1)b(6) "to screen objectionable features, such as lighting, utility structures, outdoor storage or other such features, from neighboring properties and roadways. The Board discussed this condition in length and any implications and precedent this might set. After discussion, M. Hofler withdrew the condition.  
**VOTE:** 3-2-0 the two votes opposed are due to the landscape plan 145-27 F1B6 has not been met and 145-27 F2, the criteria have not been met. The motion passes.

**MOTION:** D. Beaudette to grant the special permit for the commercial solar photovoltaic installation located at 260 Ware Road, Map 245, Lot 62, submitted by ZPT Energy Solutions II, LLC, 6 Park Avenue, Suite 100, Worcester, MA 01605, having found that it meets 145-69 and 145-69 a, b, and c, as per plan dated May 3, 2019. **SECOND:** A. Knittel **Discussion:** May 3, 2019 plan date to be noted. The Board discussed the Special Permit criteria in §145-69A(1) a, b and c. **Roll Call VOTE:** 1-4-0 **A. Knittel:** NO  
**M. Hofler:** YES **J. Natle:** NO **D. Beaudette:** NO **J. Rosiensi:** NO **D. Beaudette indicated that 145-69 1(a) has not been proven to be met. There is more than an absence of information. There is a**

defect. M. Hofler indicated there is an inconsistency between the engineered report and the appraiser report, and a lack of a landscaping plan. The MOTION does not pass.

D. Albertson requested each board member submit to him their reasoning for the written decision.

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**Bills were endorsed.**

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**Minutes of June 11, 2019. MOTION:** M.Hofler to approve the minutes of June 11, 2019 as written. **Second:** J. Rosienski **No Discussion VOTE:** 5-0-0

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**Minutes of June 20, 2019, site visit** to Allen Street, sand pit. **MOTION:** A. Knittel to approve the minutes of June 20, 2019 as written. **SECOND: J. Rosienski No Discussion. VOTE:** 4-0-1 (M. Hofler abstained).

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Town Planner Report:

- The BoS liaison, Jennifer Turner, is in attendance tonight. She previously came before the planning board as a member of the cultural counsel to discuss public art space and is very involved with the "Food Truck Friday" which was very well received recently. Ms. Turner greeted the board and said she wants to learn what they do. The board welcomed her.
- The presentation on the stream crossing and beaver studies under the Municipal Vulnerability Preparedness grant was last Thursday. The consultants from Fuss and O'Neill presented the results of their analysis which will help prioritize work to prepare the town for extreme weather.
- The Solarize team was out at Food Truck Friday. They received \$5000 from the state to do marketing.
- The Trail project/ Lake Wallace sensory trail has recently received \$65,000 in grants. The Lt. Governor will announce the grant awards tomorrow in Lowell for the MassTrails program, the largest of our awards. We have another from the National Association of Realtors and one more from a grantor who has not publicized the grant yet. The project now has almost 70% of what is needed to build it.
- We will hear the marijuana special permit submitted by Kalyx at our public hearing July 23 – this was forwarded to you.
- Evergreen Strategies has changed where they would be located to 20 George Hannum Street. Their Community Outreach meeting is scheduled for July 2. They are still working on their application.
- The model subdivision regulations that PVPC is working on is wrapping up.

Ms. Turner added that the next Food truck will be held at Chestnut Hill Community School due to the large amount of people recently in attendance on the Town Common. The next two dates are July 19 and August 16<sup>th</sup>.

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Members Reports:

J. Rosienski – the PVPC Executive Director search has been narrowed down to 2 people.

D. Beaudette – I am sending out a correction to the local Sentinel regarding the commercial solar photo bylaw from the Town Meeting that they reported incorrectly.

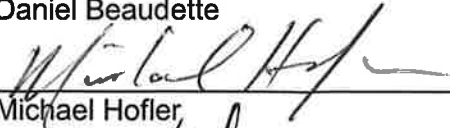
J. Natle – just a reminder to our viewing audience, we are still looking for an alternate voting member. If you have any thoughts on getting involved please consider this. Thank you.


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**MOTION:** M.Hofler to adjourn at 8:45 pm. **SECOND:** D. Beaudette **VOTE:** 5-0-0

Meeting adjourned at 8:45 pm.

  
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Daniel Beaudette

  
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OFFICE OF  
**PLANNING BOARD**

Town Of Belchertown

P.O. Box 964

Belchertown, Massachusetts 01007

SIGN IN SHEET - MEETING OF

Tuesday, June 25, 2019

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

JAMES Hayward owner 89 SAIGET ST. Belchertown

Walter Ferry 260 Ware Rd. Belchertown.

Carol LePétre 59 Kulesa Cross Rd Sunderland MA 01375

Beth Ferenc 260 Ware Rd Belchertown

Jr DWK Selectboard 364 Rockman Pt.

Keith Ferenc 260 Ware Rd

Bob Ferenc 260 WARE ROAD

Wyatt Aldred Bd. Select

Harold Reader ZPT energy Solutions

Angela Gaspar 47 Segur Lane

Lizbeth Psh 44 North

Bernad Schliemann 32 Segur Lane

Quinn Fuller 53 Segur Lane