

Belchertown Planning Board Minutes
Tuesday, June 27, 2017



Members present: Michael Hofler, Donna Lusignan, Sierra Pelletier, and Dan Beaudette

Absent: James Natle, Doug Albertson, Town Planner

Staff: Lynn Sikes, Minutes

Present: Lee Halasz of the Kestrel Land Trust, Grace Adzima, Bill Terry, Will Shattuck and Judith Gillan (see attached sheet)

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

7:00 pm – M. Hofler re-opened the continued Public Hearing for Pride Limited Partnership. This is for a gas station and convenience store. M.Hofler read the letter of June 14, 2017 from Robert Bolduc, requesting a continuance to the July 11, 2017 Planning Board meeting.

MOTION: D. Lusignan to accept the letter requesting a continuance for Pride Limited Partnership and continue the Public Hearing to July 11, 2017 at 7:30 pm. **SECOND:** D. Beaudette **VOTE:** 4-0-0

7:03 pm – Lee Halasz, of the Kestrel Land Trust, addressed the Board to discuss the recently initiated Farmland Resources Assessment Project (FRAP). This program is to investigate and present information about farmland with hopes to increase the interest in agricultural land and see more farmland parcels conserved in the future. Belchertown was the first town chosen for this project. Mr. Halasz presented a power point presentation and summarized the Kestrel Land Trust and its beginnings. The purpose is to learn about Belchertown's farmland resources and identify unconserved farmland parcels with likely conservation potential. The benefits of conserving farmland were presented. Discussion ensued regarding some of Belchertown's farmland being conserved through existing Agricultural Preservation Restrictions (APRs) and Conservation Restrictions (CRs), but approximately 91% farmland is not currently protected. Mr. Halasz indicated there was a selection of 71 farmland parcels that he had included at the end of his presentation. They are not considered "the best 71 parcels" but rather a selection of parcels that have values more likely to represent a viable conservation project if the landowner was interested. He thanked Grace Adzima, in attendance representing the Agricultural Commission of Belchertown, for all her help and Doug Albertson also. He thanked the Planning Board for having him and asked if there were any questions they had for him.

The Board asked Mr. Halasz if he thought the landowners may feel pressured by the Kestrel Land Trust. He hoped they would not and indicated they offer guidance and legal support if needed. Site visits are done and if the landowner is interested they can help with the paperwork which can be daunting. D.Lusignan asked if they do outreach with the local Assessor's office. They do not at this time but the idea is a good one. At this time there are only 3 towns that do a development tracking program. D.Beaudette brought up the concern that this approach is not always the best protection of the land owner. Most of the farmers represented in the Agricultural Commission make money off their land. He would hope any landowner looking into this would hire a financial person to make sure they are being protected. The Kestrel Land Trust has a different approach in mind. Being APR land could mean the asset of land to the landowner is lost. Are we preserving land or preserving the farmer?

If you prioritize 61A land then the marketability could be lost. He would caution as we go down this road that this be researched extensively. We would want to make sure we gave the public all the information and tax consequences, etc. so they can do what they want with their land but are well informed. Anything short of this that could undermine the landowner must be discussed beforehand.

D.Lusignan asked about the insignia sign "The Forever Farmland" – how do you qualify for this? Mr. Halasz indicated it is any landowner who has chosen to permanently conserve their farmland would receive this sign.

M.Hofler asked if anyone in attendance had any questions. Judy Gillan asked if there were any examples of other communities or other interested entities who have kept this initiative moving forward. Mr. Halasz indicated this is very new, but the Kestrel Trust would be happy to investigate and look into this.

Will Shattuck indicated that some farmers put their farmland in APR to keep the farm in the family. He added that every month someone is coming to his door asking if he was interested in selling his land. D.Beaudette confirmed again that anyone who would then buy it must be someone actively farming. That is the only person who could buy it. Again, there are pros and cons regarding APRs.

The Board thanked Mr. Halasz for his presentation.

7:54 pm - M. Hofler re-opened the continued Public Hearing for Woodland Lane definitive subdivision. M. Hofler read the letter of June 23, 2017 from Ryan Nelson of R.Levesque Associates, Inc., requesting a continuance to the July 11, 2017 Planning Board meeting. The Board discussed the July 11 agenda and the July 25 agenda. Due to the heavy agenda on July 11 the hearing will be rescheduled to July 25, 2017 at 7:00 pm.

MOTION: D. Lusignan to accept the letter requesting a continuance for owner/applicant Bell Property Corp., 235 Woodland Way, Russell, MA 01071 and continue the public hearing to July 25, 2017 at 7:00 pm **SECOND:** S.Pelletier. Discussion: **VOTE:** 4-0-0

ANR – Gary R. Demers, Jackson Street, Map 243, Lot 101 and Lot 98. The Board reviewed and discussed the application.

MOTION: D. Lusignan to accept the ANR for Gary R. Demers, Jackson Street, Map 243, Lot 101 and Lot 98 to define the lot lines for 69 Jackson Street, Map 43, Lot 101 and create Lot A, a NON BUILDABLE lot. **SECOND:** D.Beaudette No Discussion **VOTE:** 4-0-0

ANR – LJ Development, LLC. c/o Neil Jackson, So. Washington Street, Map 279, Lot 12, submitted by Sherman & Frydryk, LLC on June 14, 2017 to create five lots, for lot identification plan purposes, Lot 1, 2, 3, 4, 5 and Remaining Land. The Board discussed and reviewed the application.

MOTION: D.Beaudette to approve the ANR for LJ Development, LLC, Map 279 Lot 12, submitted by Sherman & Frydryk, LLC dated June 14, 2017 to create five lots, for lot identification plan purposes, Lot 1, 2, 3, 4, 5 and Remaining Land. **SECOND:** D.Lusignan No Discussion. **VOTE:** 4-0-0

ANR – Stephen and MaryJane Czupryna, So. Liberty Street, Map 281, Lot 10, submitted by Harold L. Eaton and Associates, Inc. on April 20, 2017, to combine Parcel A with existing Lot 12, and Remaining Land. The Board discussed and reviewed the application. Irene Bachand is the Personal Representative for the Estate of Stanley J. Czupryna and has signed the Form A. Current ownership of the land is not noted on the submitted Map as is required. M.Hofler was in the Assessor’s office today to confirm who owns the land. He was informed by the Assessor’s Office that Stanley J. Czupryna owns the land. This is not identified on the map. The survey does not conform to Subdivision Regulations 270-12 #8. The name is to be on the plot plan so all information is included. This will be tabled and we will request the Surveyor fix the plan.

ANR – Atkins Farms, Inc., Sabin Street, Map 257, Lot 25.01 submitted by Harold L. Eaton & Associates, Inc., dated February 1, 2017, to create one lot, for lot identification plan purposes, Parcel A. The Board discussed and reviewed the application. The application does not indicate Remaining Land. This needs to be identified to comply with subdivision regulations. This will be tabled and we will request the Surveyor fix the plan.

ANR – Brian W. Kruse, Michael Sears Road, Map 272, Lot 42 and 43, submitted by Sherman & Frydryk, LLC dated June 21, 2017 to create lot lines to confirm existing Deed descriptions on Lot 42 and Lot 43. The Board discussed and reviewed the application.

MOTION: S.Pelletier to approve the ANR for Brian W. Kruse, Michael Sears Road, Map 272, Lot 42 and 43, submitted by Sherman & Frydryk, LLC dated June 21, 2017 to create lot lines to confirm existing Deed descriptions on Lot 42 and Lot 43. **SECOND:** D.Lusignan No Discussion. **VOTE** 4-0-0

Right of First Refusal: We are being asked to make a recommendation to the Board of Selectmen as to whether to take action on our Right of First Refusal for property located at 231 Michael Sears Road, Map 269, Lot 99 owned by Patricia A. D’Aguiar-Sibley, Personal Representative of the Estate of Joseph L. D’Aguiar . The Planning Board discussed the sale of this lot. Based on the information contained in the packet presented, we are not clear as to the location of the specific boundaries of the approximately 9+ acres submitted for consideration for the Town’s Right of First Refusal on Chapter 61B. However, in spite of this, the Planning Board reviewed all of the information available and our unanimous recommendation would be to NOT invoke our Right of First Refusal on property located at 231 Michael Sears Road, Map, 269, Lot 99.

MOTION: M.Hofler based on the packet in front of us it is not clear on the delineation of the approx. 9 + acres submitted for consideration on Right of First Refusal for property located at 231 Michael Sears Rod, Map 269, Lot 99. The Planning Board recommendation, in spite of this, would be to NOT invoke our Right of First Refusal on property located at 231 Michael Sears Road, Map 269, Lot 99. **SECOND:** D.Lusignan Discussion **VOTE:** 4-0-0

MOTION: D. Lusignan to accept the minutes of June 13, 2017 as written. **SECOND:** S.Pelletier **VOTE:** 4-0-0

MOTION: D.Lusignan to accept the minutes of June 20, 2017 for the physical site visit to the Hayward earth removal site, Allen Street, as written. **SECOND:** D.Beaudette **VOTE:** 4-0-0

Bills were endorsed.

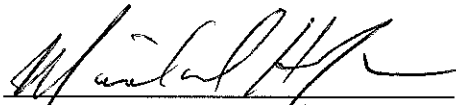
At the Board of Selectmen's regular meeting of Monday, June 26, 2017, they appointed Eric Wojtowicz as the Planning Board's Alternate Voting Member for Special Permits for a term to expire June 30, 2018. Congratulations to Eric and we look forward to working with him.

Members report:

- D.Beaudette – The Colvest Group has indicated they are looking to take down the front remaining wall at 155 No. Main Street. The Board discussed this renovation. Removing the “remaining” portion of this building could potentially result in them owing us a site plan. The Board discussed the November 22, 2016 meeting with Mr. Lapointe and the points made at that meeting with him. We will send a letter to Mr. LaPointe and ask what their renovation plans are at this point. We need a better understanding of their plans to determine if we would now require a site plan and also a traffic study.

MOTION: D.Lusignan to adjourn the meeting. **SECOND:** D. Beaudette **VOTE:** 4-0-0


Meeting adjourned 8:54 pm




Michael Hofler, Chairman



Donna Lusignan



Dan Beaudette



Sierra Pelletier

