

Belchertown Planning Board
Minutes – Tuesday – September 12, 2017



Members present: Michael Hofler, James Natle, Daniel Beaudette, Sierra Pelletier and Eric Wojtowicz (alternate for special permits)
Staff: Doug Albertson, Town Planner, and Lynn Sikes, Minutes
Present: Arthur LaFlamme, Hickory Hills, Vitality Anisimov, Tony Wonseski, Jr. P.E. SVE Associates, Andrey Bezuculov

7:00 pm – Mike Hofler, Chairman, opened the meeting welcomed everyone and read the agenda into the record. The Board will go into Executive Session per M.G.L., c. 30A, Section 21, Subsection 3 and not reconvene to a regular session following that meeting.

M. Hofler indicated the Board has received the resignation of Board member Donna Lusignan. He expressed thanks for her dedication and contributions.

7:02 pm Arthur Laflamme representing Hickory Hills updated the Board on all Phases of 1A, 2, and 1B. Guard rails, bridge, sidewalks, blasting for detention basin, water and sewer lines, paving, street lights and landscaping were discussed. The immediate response to the town's safety concerns by Allen Rosner of Commonwealth Guardrail was appreciated. The top coat paving should be done by year's end. There were no other questions from the Board and they thanked Mr. LaFlamme for coming in. Mr. Laflamme left the meeting at 7:09 pm.

Superior Floors site plan, Vitality Anisimov, 80 Ware Road – B2 zone, aquifer protection and flood plan overlay zones – Mr. Wonseski, PE of SVE Associates addressed the Board. He presented the site plan and presented a general overview of the site.

This will be a new 2600 sq. foot retail showroom store and warehouse building located on the existing paved parking space. He discussed the site and that they will be working with the Board of Health regarding the well that is there. The septic is acceptable based on the size of the existing system. The layout of the new building was shown and discussed. Re-grading the site was presented. There will be 14 parking spaces. The existing clubhouse will now be the new office space. Drainage was discussed. Storm water standards will be met. The existing sign will be refurbished. The lighting on the building will be downcast. The existing mini golf course will remain for personal use only. Erosion control was also discussed. An example of what the building will look like was presented. They are trying to match the existing building with a similar coloring. They are asking to waive the peer review.

The Board asked if the existing building would remain. Mr. Wonseski said this will become office space. They do not plan on renting out any space in the future. The Board discussed storm runoff and rain. Re-grading will occur and tearing up the existing pavement will occur. Erosion control plan was shown and discussed. The Board asked that the applicant ask for a letter from Mr. Richard Greene, abutter of the property, for a letter indicating the drainage at the south end of the property down to his abutting pond is acceptable with him. The Board requested the parking spaces increase to 18 spaces which they agreed to. If the existing mini golf course, which is remaining for the applicant's private use only, were to change to public use, the parking spaces would need to be changed. The board would some signage like "not for public use" of the mini golf course indicated on the site plan.

Landscaping, lighting and signage were discussed. Colors were to match the existing building. The board requested the applicant submit details on any landscaping and signage.

The Board discussed Zoning Bylaw 145-27 Site plan approval, Section D3. The Board is satisfied of handling this site plan without a public hearing. Any concern of other departments was discussed. The Board of Health concerns regarding the well and septic are all being addressed by the applicant and will need to be satisfied before construction begins.

The waiver of peer review was discussed. The water drainage is a concern. There will be an infiltration basin. The storm water numbers should be looked at by a third party. The applicant can also get a letter from Mr. Greene that runoff onto his property is fine with him. This was discussed by the Board. Mr. Woneski is concerned with the money his applicant would have to pay for a full blown peer review. D. Albertson will send an email to Tighe and Bond requesting a review of the storm water only. This may result in less money.

D. Albertson indicated a deadline is Sept 20 with no public hearing, so the applicant needs to request an extension on this. The Applicant handed in a request for extension to October 24, 2017. They will come back to the Board's meeting on Sept. 26, 2017, as long as Tighe & Bond has responded. They will update the Board at that time regarding all items discussed tonight.

Mr. Woneski, Mr. Anisimov and Mr. Bezculov left the meeting

S. Pelletier left the meeting at 8:31 pm

ANR – Shirley Pogodinski, 112 North Street, map 205, Lots 67 & 68 submitted by H.L. Eaton & Associates, Inc. dated September 6, 2017 to combine lot 67 with lot 68 for lot identification plan purposes, Lot A accompanied by a Form A application dated September 6, 2017. The Board reviewed and discussed the application.

MOTION: M. Hofer to endorse the ANR for Shirley Pogodinski, North Street, Map 205, Lots 67 & 68 to combine lot 67 with lot 68 to make one lot. For lot identification plan purposes Lot A. **SECOND:** J. Natle **No Discussion. VOTE:** 3-0-0

ANR – Dahlia Development, LTD., Michael Sears Road, Map 269, Lot 99, submitted by Sherman & Frydryk, LLC., dated September 6, 2017, to create two lots from one, for lot identification plan purposes, Lot 1 and Lot 2, accompanied by a Form A application dated September 8, 2017. The Board reviewed and discussed the application.

MOTION: J. Natle to endorse the ANR for Dahlia Development, LTD., Michael Sears Road, Map 269, Lot 99, to create two lots from one, for lot identification plan purposes, Lot 1 and Lot 2. **SECOND:** M. Hofer **No Discussion. VOTE:** 3-0-0

ZBA recommendation for a Special Permit for a Class II Dealer License submitted by Nathan Santerre at his home located at 99 Federal Street, Map 238, Lot 42, AG-B zone. The Board discussed and reviewed the application which pertains to Zoning Bylaw 145-25 - Home Occupations Section C.3.

MOTION: J. Natle to recommend that the Zoning Board of Appeals Approve the Special Permit request of Nathan Santerre, 99 Federal Street, Belchertown, Map 238, Lot 42, that he be allowed to conduct a

home occupied special permit for internet auto sales on the premises with the condition of no outside signage or signs on the automobiles pertaining to the sale. **SECOND:** M. Hofler **Discussion:** One Board member quotes Bylaw 145-25 D#2 and 145-25 D #3. On its face this permit request does not meet these conditions. The occupation is to be conducted in an enclosed area and the storing of materials, goods, supplies or equipment related to the occupation shall not be visible. This would be detrimental to the neighbors. **VOTE:** 2-1-0

The dissenting vote indicated that on its face, the application does not meet the condition of Zoning Bylaws 145-25 A. and 145-25 D2 and D3 as noted above.

ZBA recommendation for a Special Permit for Kurt Jindela, 65 Munsell Street, Map 214, Lot 26, Ag-A zone. This is to create one lot which would result in it having two residential structures on it. This pertains to Zoning Bylaw 145-17 – Nonconforming uses Section- C.2. The Board discussed the application.

MOTION: J. Nattle to recommend the Zoning Board of Appeals grant the special permit to Kurt Jindela. **SECOND:** D. Beaudette **Discussion:** The Board discussed the non-conformity to more non-conformity. **VOTE:** 0-3-0 The Planning Board does not recommend granting this special permit. The negative recommendation is because the planning board members think that the existing frontage allows for the future creation of conforming lots and that this change would preclude that and prevent any future correction of the non-conformity. Therefore, it does not conform to 145-69 Section A, subsection 1B as it creates more non-conformity.

ZBA recommendation for a Special Permit for Jeff Marion, c/o JCP Capital Group, Map 232, Lot 73.1, AG-A zone. This is to build a Duplex on the lot. This pertains to Zoning Bylaw 145-11 – Schedule of Use Regulations; Attachment 1, #2. The Board reviewed the application. M. Hofler did a site visit for the site.

MOTION: J. Nattle to recommend the Zoning Board of Appeal grant the special permit for Jeff Marion c/o JCP Capital Group, Map 232 lot 73.1 special permit for a Duplex. **SECOND:** D. Beaudette. **Discussion:** This application does not meet the criteria for Bylaw 145-69 Section 1A, B and C. It is not an area of other duplexes, it would nullify from the intent or purpose of the zoning district, and it would create a different zoning characteristic in that area so would not be in harmony with the general intent of this bylaw. **VOTE:** 0-3-0 The planning board does not recommend this special permit with reasons being what was stipulated in discussion.

Right of First Refusal – Boshko Belchertown Realty Trust, Chapter 61B – The Board of Selectmen has received notification from the owner for the sale of Lot 6, Pine Street, Map 276, Lot 107, presently enrolled under Chapter 61B and whether to take action on its Right of First Refusal. The Planning Board discussed the sale. There is no reason for the Town to purchase a one acre parcel. No value to the residents of Belchertown.

MOTION: D. Beaudette to recommend to the Board of Selectmen that they do not enact the town's right of first refusal on the Boshko Belchertown Realty Trust, Lot 6, Pine Street, Map 276, Lot 107. **SECOND:** J. Nattle **Discussion:** **VOTE:** 3-0-0

M. Hofler read the Resignation letter from Planning Board member Donna Lusignan resigning from the Planning Board.

MOTION: D. Beaudette to accept the resignation of D. Lusignan. **SECOND:** J. Natle. **Discussion:** J. Natle indicated D. Lusignan has done a fine job and is a great person. It is with regret that she has to do this. M. Hofler agreed with that. **VOTE:** 3-0-0
M. Hofler thanked D. Lusignan for her service.

Bills were endorsed.

Minutes of August 22, 2017. With only two members present that were in attendance for that meeting we will table these minutes until the next meeting.

Town Planner Report:

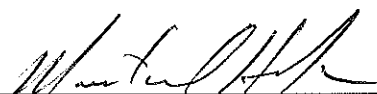
- The Municipal Vulnerability Preparedness Grant announced in May is moving slowly along. Fuss and O'Neill is doing the work on our behalf.
- The trail project – the team is moving ahead with their part of the design project. This is funded from a grant administered through Northampton.
- Conservation Commission is updating the Open Space recreational maps. The printing costs are high. They have a limited budget so may ask us if we could contribute towards this. They have not formally requested this yet. Something to consider.

Members report:


D. Beaudette – When is the end date for appointing a new planning board member? September 29, 2017, is the deadline we had advertised.

MOTION: D. Beaudette to go into Executive Session per MGL chpt. 30A, Section 21; Subsection #3 and not reconvene to open session at the end of that meeting. **Second:** J. Natle **Roll Call Vote:** D. Beaudette: yes J. Natle: yes M. Hofler: yes


MOTION: J. Natle to adjourn the meeting at 9:23 pm. **SECOND:** J. Natle **VOTE:** 3-0-0
Meeting adjourned at 9:23 pm



Michael Hofler, Chair



Daniel Beaudette



James Natle



Sierra Pelletier



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SIGN IN SHEET --- MEETING OF:

Tues, September 12, 2017

PLEASE ENTER YOUR NAME, TITLE AND ADDRESS -----

Act Planner Hickory Hills

Vitaliy Anisimov

Tony Wonseski - SUE Associates, Braintree, VT

Andrey Bezukla