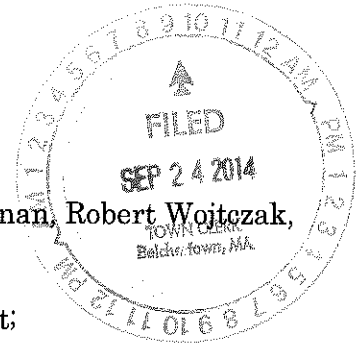


Belchertown Planning Board Minutes
August 26, 2014



Members: Daniel Beaudette, Christopher Laurenzo, James Natle, George Synan, Robert Wojtczak,
Michael Hofler, Alternate Voting Member Special Permits
Staff: Douglas Albertson Town Planner, Susan Gay
Visitors: Richard Barry and Marcel Nunes for Oasis Drive and Munsell Street;
Kevin Gillis for High Bluff Road and Sunny Crest Lane

Christopher Laurenzo, Chairman, opened the meeting at 7:35 pm.
Minutes: Motion J. Natle to accept minutes of August 12, 2014, Second D. Beaudette,
Vote 4-0-1 (G. Synan abstains).

ANR plan for James and Patricia Barry – a revision of a recent plan that had an error, which was stated on the plan. Dan recused himself as he is counsel to an abutter, the Belchertown Land Trust.

Motion J. Natle to endorse the ANR plan for James and Patricia Barry, Shea Avenue, Map 271, Lot 20.1, proposed Lot 1 and 20.1 revised, Second R. Wojtczak, Vote 4-0-1 (D. Beaudette abstains).

Kevin Gillis, Manager Northborough Realty Holdings, LLC, for High Bluff Road definitive subdivision off Franklin Street. He is here to request an extension of approval and to update the board.

Mr. Gillis noted that the Conservation Commission had allowed an extension. He said without a definitive plan permit he'd not be able to sell the property. He read a letter from a fellow broker in support of his request for an extension. He stated Northborough had hoped the crushed stone from the site could have been used for the proposed Palmer casino and other development, but the market does not exist for it. As the plan is for a 24 home OSCD (open space community development) he felt confident the lots would sell. The board said the plan has been on the books for the past ten years.

The board asked Mr. Gillis if he felt the plan would be fulfilled as originally submitted a decade ago. Since then the parcel has presented a huge amount of rock and appears unsustainable. This would entail blasting of the area with all related costs. The board noted the sewer line was never brought into the subdivision shown on the plan from Franklin Street, and the town had to repair some of Franklin Street when a previous developer's contractor quit with the road still open.

Dan said he looked up Northborough Realty Holdings, LLC, and it is known as a company that liquidates distressed developments. It brings up doubt to allow an extension as this subdivision has not shown any progress other than uncovering a large amount of ledge. The board noted that they do allow extensions to developers who are in a construction phase of a development and selling lots, but in this circumstance the board would be allowing an extension on a subdivision not being actively developed.

The question came up whether a new developer or buyer could sustain the plan from 2004 or would it need to be resubmitted as a new plan. The board felt this plan was not economically feasible. There has been no progress on any portion of the plan for years. This board could be dealing with yet another subdivision in default.

George noted the board does not want to hold a plan that cannot be finished. It was explained that the board has had to complete other subdivisions that developers have abandoned. It was reiterated that this plan is dormant and that Mr. Gillis stated in his letter his plan is to sell the property.

It was noted that this project is much more involved than originally engineered in November 2004. It was noted a covenant held on a lot is only as good as the market, and the Town of Belchertown and

planning board are not in a real estate business. Mr. Gillis said he will return with updated engineer figures. The board can review the updated form and see whether the performance guarantee is sufficient. Steve Williams, Director of Public Works, will need to review and sign off on it as well.

Richard Barry and Marcel Nunes are present to discuss Oasis Drive, off Munsell Street. Mr. Barry went over various issues involving his roadway repairs for Munsell Street and finalizing items on Oasis Drive. He said he's trying to work to upgrade Munsell and also trying to use a company that does usual road repair in town. Mr. Barry said he'd like to get the work done and have Oasis Drive go to town meeting in the Fall for acceptance.

Mr. Barry said that he has lots that exist on Munsell Street. He told the board he'd submit an ANR plan for lots using what he claims is frontage (and he showed on a plan in front of the members), and he said he's giving the board a heads up on this ANR. His attorney is working on the legal details. Mr. Barry went over how he'll propose building on these lots and the board said they'd take some time to revisit and absorb this information Mr. Barry is setting out tonight.

The board noted that a similar issue with Grela Terrace was finally decided upon and the court agreed with the planning board. The applicants proposed ANR building lots were not viable. The board will also review Attorney Maynard's information ---- validity of lots 1 & 2 North and South; establish actual deed results based on whether that is a road from the right of way; and if valid, what access mechanism is to be used for a proposed lot. Mr. Barry said he only cares about the frontage and he'll have plans when he returns to the board.

A letter was received from Scott Nielsen requesting an extension for construction on Hickory Hill off George Hannum. It was noted that he has a letter of credit for the remainder of construction work. Jim did a site visit and said it looks great. The board agreed to extend endorsement of Hickory Hill. Dan said he viewed the area, and municipal improvements have been put in place as promised.

Motion J. Natle to allow an extension for Hickory Hill requested by Scott Nielsen for a construction deadline date, with an extension date of August 31, 2016, Second D. Beaudette, Vote 5-0-0.

The board noted that they will not meet on September 9 as it is primary election day and the Town Clerk recommended there be no meetings on an election day.

Motion to adjourn J. Natle 8:50 pm, Second D. Beaudette, Vote 5-0-0.

