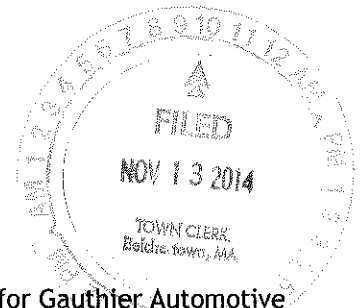


**Belchertown Planning Board Minutes
September 23, 2014**



Members: Daniel Beaudette, Christopher Laurenzo, James Natle, George Synan, Michael Hofler, Alternate Voting Member Special Permits

Staff: Douglas Albertson Town Planner, Susan Gay

Visitors: Richard and Barbara Greene for Old Sawmill Road; Christopher and Janis Gush for Gauthier Automotive Co. West; Richard Barry and Marcel Nunes for Oasis Drive; Catherine Hayward for Willow Lane / Jason's Way; Ted Bock Fire Chief; Anthony (Tony) Woneski, Jr. P.E. SVE Associates; and James Hodgen, Don Hess, Joyce Burke, Carolyn Lambert, Paul Lambert, Bill McClure and James Burke, one illegible name

Christopher Laurenzo, Chairman, opened the meeting at 7:34 pm and began by thanking all the people involved who had a hand in making the Belchertown Fair a wonderful part of this community.

Minutes: Motion J. Natle to accept the minutes of August 26, 2014, Second D. Beaudette, Vote 4-0-0.

ANR - Motion G. Synan to endorse the ANR plan for Larry and Joy Unwin, Ledgewood Circle, Map 255, Lots 78 & 79, proposed Lot 39 (rev2) and Lot 40 (rev2), Second D. Beaudette, Vote 4-0-0.

Motion D. Beaudette to endorse an ANR plan for S. Marchessault & Laurie Robinson, Michael Sears Road, Map 270, Lot 11, proposed Lot 11 (revised), Second J. Natle, Vote 4-0-0.

Chris opened the public hearing for Old Sawmill Road extension phase 3 by reading the notice as posted in *The Sentinel*.

The board asked Richard Greene to speak for his proposal. Richard asked his engineer Tony from SVE to speak on his behalf. The engineer presented the plan for phase 3, an extension to Old Sawmill Road. He said it would be a ten-lot subdivision. He went over various items for the plan, the topography, drainage, brook, and a proposed emergency access roadway. Size and makeup of the access way was also discussed and it was noted the applicant intends for the access way to be maintained by the town ultimately. The board did not have any word from the Dept. of Public Works on whether they can accept the access way.

Discussed water runoff. Tony said there is a stream that flows to Jabish Brook, however, none of the changes to the area will create runoff to Jabish Brook. Tony said he will be submitting a request to waive sidewalk in phase 3 as there are no other sidewalks in the neighborhood.

The chronology of the Old Sawmill Road subdivision (Hunter's Ridge) was discussed. The preliminary plan was submitted and approved in 1991 as a through-street to Ware Road. Phase 3 was to be the link that connects Phase 2 to Ware Road. This submittal is for a dead-end with an emergency access path as the link. The board asked about this change to phase 3. Richard said that upon submission of his solar project, the Natural Heritage program of the Mass. Dept of Fish and Game determined the site to be endangered wood turtle habitat. Through negotiations with Natural Heritage that covered the existing sand and gravel pit, the solar project, the potential condominium expansion and this phase 3, the area available for the subdivision was greatly reduced and resulted in this proposed plan.

The board asked Richard why he has not finished phases 1 and 2 of this subdivision. The board also made note that the Town of Belchertown has not received to any Chapter 90 money from the state for this road despite having plowed it for years. The board mentioned that these past 18 years have placed wear and tear on both phases 1 and 2. The wear and tear will increase and continue with another extension. In regard to sidewalks, the board said they do not waive sidewalks. This would be no exception. The board decided to continue the public hearing and to hold a site visit at the end of Old Sawmill Road Sept. 27th at 9 am. An agenda will be posted and sent to all departments and commissions.

Motion J. Natle to continue the public hearing for Old Sawmill Road to October 14, 2014 at 8:45 pm, Second G. Synan, Vote 4-0-0.

Christopher and Janis Gush asked to come to the meeting to ask if they would need a site plan for a proposed storage of vehicles in the former Atkins apple packing building located at 401 Mill Valley Road. Noted that this building is across the street from Mill Valley Golf Course and that it has a large area in the building behind a business called the Vintage Barn, which sells vintage furniture.

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Christopher Gush, President of Gauthier Automotive Co. West, said he had a business in Hadley and found he was doing most of his business via computer, so all he needs is a computer and storage. He sold the building in Hadley, and he is asking for to store some vintage vehicles. The board asked questions regarding lighting, the number of vintage vehicles and the exact area of the storage in the building.

Christopher Gush said there is plenty of area in the rear of the building for trucks to load, there will be no mechanical work and no hazardous waste. He said the most lighting he will need is a "motion" detector for safety at night. He said the business owner of the Vintage Barn asked if he could put one or two vintage vehicles out when she is open to attract customers. He asked if that would be acceptable.

The board read over the particular section of the zoning bylaw, Chapter 145-27 Site plan approval. The three determinates were that the proposed project meets the criteria of Subsection F, site plan approval criteria guidelines. In that this request is for storage of vehicles only and nothing will be changed in the building or on the site, the board felt it did not warrant site plan approval. The board asked Christopher Gush to return should he decide to fence in the area, or changes are made to the area or building. He agreed and noted he will return for changes.

The board asked Doug to send a letter of support for Christopher Gush to the Board of Selectmen indicating no improvements are planned for the area or building, so there is no need for site plan approval. Christopher Gush said he will speak to the Building Inspector about a motion detector light on the building.

Richard Barry and Marcel Nunes requested a meeting for Oasis Drive, off Munsell Street. Richard said the subdivision is complete. He is here to request release of \$15,000.00 held in escrow for under an agreement with the previous developer of the site, and to release covenants on five lots. The planning board would continue to hold covenants on four lots.

Doug said the as-built plan was submitted for Oasis Drive. Doug said tree placement and sidewalks are finished. Doug went over the performance guarantee list from Steve Williams which shows a figure necessary to complete this project for the performance guarantee is \$12,470.00.

The board said one item to be noted is to complete the cistern, and audience member Ted Bock Fire Chief said the cistern needs four feet of cover to prevent it from freezing. Richard said he would provide the soil for the cistern. It should cost a few hundred dollars to finish the cistern. Ted said Richard has to raise the riser about 3' and buy corrugated pipe for the center of the tank. He said the other cistern is fine. Ted and Richard will meet on Thursday morning.

The board asked about the bounds being located. Richard brought a letter from Smith Associates engineer firm and Richard said he'll have a surveyor talk with Steve Williams about the bounds. He said they are in place. Doug said the letter states they'll mark the bounds.

Richard said the trees are opposite side of sidewalk placement, and that he put one on each lot. Doug said Richard needs to get the legal description of the subdivision. Richard will see his attorney tomorrow. Doug said Richard needs to get a letter to the Conservation Commission from the DEP that the subdivision is in compliance.

Motion J. Natle to release to Richard Barry and Marcel Nunes covenants held on Oasis Drive, Lots A, C, K, M and N, (remaining covenants Lots B, D, O and P), as requested on a Form F, application for partial release and/or exchange of performance guarantee or covenants, Second G. Synan, Vote 4-0-0;

Motion D. Beaudette to release \$15,000.00 held by the Town of Belchertown Treasurer/Collector in escrow for Oasis Drive subdivision, Second J. Natle, Vote 4-0-0.

James Hayward submitted a request to release a covenant on Willow Lane, Lot #11. Catherine Hayward asked the DPW Director Steve Williams to provide a revised construction estimate. Steve Williams sent his update on Willow Lane Form G performance guarantee list, showing a revised total (w/street lights) of \$102,110.00. The form is dated 8-29-14. Doug said they should discount the amount for street lights noted by an engineer firm as they were not required.

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There was a letter of request from James Hayward for an extension to Willow Lane construction deadline date. The board agreed to a one-year extension. Catherine Hayward said they're working on completing Willow Lane and Jason's Way. She provided a quotation from Allstates Asphalt on cost of final black top. The board agreed to allow release of the covenant on Willow Lane Lot #11 in exchange for a cash escrow containing \$51,000.00 as a performance guarantee. Upon the sale of the lot, the amount will be submitted directly to the town treasurer. Once the paving is complete, the board agrees to release the money so Mr. Hayward can pay Allstates Asphalt.

Willow Lane and Jason's Way had the following to be done: *fence around detention basin; curb; loam, seed, final grading, as-built plans, bounds, and easements.* Ted Bock, Fire Chief noted the need for James Hayward to repair one part of the installed fire cistern on Aldrich Street. Catherine Hayward was present and noted the request by the Fire Chief.

Motion J. Natle to release the covenant on Lot #11 Willow Lane to James Hayward in exchange for retaining \$51,000.00 to be held by the Town of Belchertown for a performance guarantee for the placement of pavement, Second G. Synan, Vote 4-0-0.

Motion J. Natle to extend the construction deadline date for Willow Lane, Jason's Way (aka Wood's Edge) to September 30, 2015, Second D. Beaudette, Vote 4-0-0.

Zoning Board of Appeals Special Permit application by applicant and owner Diana Zahradnik, 12 Daniel Square Extension. The applicant requests a barn built 42' x 60' to board horses. She notes it to be a 6 stall barn to house her own horses and have boarders. The board looked over the application and read the narrative by Diana Zahradnik dated 8/29/14. A map shows the 2.2 +- acre lot, but shows no indication of where anything is to be located. The board discussed the fact that the application lacked information for them to be able to make a recommendation.

Motion G. Synan to recommend the Zoning Board of Appeals not approve a Special Permit for a commercial boarding of horses at 12 Daniel Square Ext., Map 240, Lot 16, as the board found the information provided insufficient. The applicant should address the elevation of the property, the direction of storm water runoff, where the manure will be stored, and how a truck to remove manure will enter and exit the property. Also, the application should indicate fencing and pasture locations, all in accordance to the Zoning Bylaw Chapter 145-24. Second D. Beaudette, Vote 4-0-0.

Note: The applicant should consider the criteria for a special permit as noted in §145-69A(1). She should either describe how these criteria are met in writing before the hearing or at least make this known during her presentation to the Zoning Board. She should provide much more information to the Zoning Board.

The board briefly discussed the process for discontinuing town ways. It was noted that this process is not easy. There needs to be definition of what the road consists of, and so the Town of Belchertown would need to have an amount aside in their budget before they move forward with this. There are some ways in town that are dirt and they do not serve the public. These ways should be on a list for discontinuance. Also discussed abandonment of ways, or having a developer improve a way if they own property aside it, and if they wish to proceed.

Motion to adjourn D. Beaudette, Second J. Natle 10:50 pm, Vote 4-0-0.

