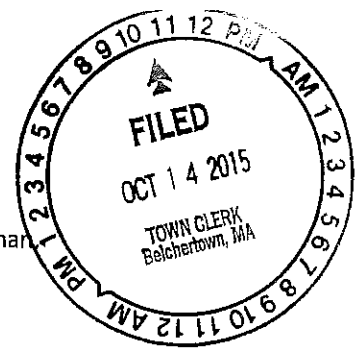


*Belchertown Planning Board Minutes*  
September 22, 2015



Planning Board members: Daniel Beaudette, Michael Hoffer, Christopher Laurenzo, Donna Lusignan, James Natle, Sierra Pelletier - Associate Member

Staff: Douglas Albertson Town Planner, Susan Gay

Present: Don Frydryk, Sean Simmer, Rob Levesque, A. Korchevskiy, Danielle Sliwa, Darlene Willey-Sliwa, Theodore LeBlanc, Peggy LeBlanc, John Krawiec, Jim Hodgen, Robert Van Zandt Sr., Robert Van Zandt Jr., Catherine Hayward, Dawn DeMerchant

Christopher Laurenzo, Chairman opened the meeting at 7:00 pm.

Continued Site Plan Review for applicant Universal Forest Products (UFP), Harris Way, Map 230, Lot 31. D. Frydryk spoke on behalf of Sean Simmer, Manager. The board noted that they just received the peer review comments from engineer firm Fuss & O'Neill and have not had time to review. Mr. Frydryk indicated that same.

This application is for two sheds on the property that will house newly treated wood. The plan is to prevent chemicals from leaching into the ground and to protect wetlands. The board had reviewed many items at the previous meeting for this on Sept. 8, 2015, at which time Mr. Simmer invited members to a site visit. A few members were able to go and see where the sheds will be built. D. Lusignan said the area the sheds will be located is behind the business' office building.

D. Frydryk provided color samples to show what is available for these sheds and their roofs. Mr. Simmer said the three sides of the sheds will be open to allow airflow. Having just received the response from Fuss & O'Neill, the board was hesitant to approve this contingent upon conditions. They did mention however the reason for the sheds is to prevent chemical run off into wetlands, and the sooner built the better for the environment and the town. In that the peer review was not fully approved, the applicant requested an extension to this review period timeline.

**Motion** M. Hoffer to extend the site plan review period at the request of applicant Universal Forest Products to October 20, 2015, Second D. Lusignan, Vote 5-0-0.

The members asked D. Frydryk to keep in touch with Fuss & O'Neill about peer review, and to note how they just received this review tonight. When peer review comments come in right before a meeting, no one has time to read it and understand it all, thus preventing the board from deciding on the site plan.

Rob Levesque and Associates, representing Bell Property Corporation came to the members with a preliminary subdivision plan for North Washington and Bardwell Streets. This preliminary plan shows 19 building lots and 13.5 acres of open space. Mr. Levesque said he'd be filing an Abbreviated Notice of Resource Area Delineation with the Conservation Commission. He then showed the layout of the property, and said they are staying away from wetlands. He showed the land grades, slopes and test pits.

Mr. Levesque pointed out that the number of lots shown on this plan is the maximum possible, as required in the subdivision regulations. The board asked what the final number of lots might be. Mr. Levesque said this would likely be about the same for the definitive plan, as he will propose the full potential of the parcel for financial return to his client. Went over the open space parcel on the property accessibility. The board discussed the open space and noted that open space doesn't have to have pedestrian use and can be left open for wildlife. The open space will likely be presented to the ownership of the Conservation Commission for protection.

Discussed snow plowing on a cul-de-sac and where snow from the street may be stored. It was noted that if there is some town property, it is likely a space for snow storage. The board is trying to introduce various issues into the preliminary discussion, and take items into account before the drawing of a definitive plan. A plan for the cistern has not been developed yet and Mr. Levesque said he will work with the Fire Department. The board noted that they are working to ensure that easements are recorded before any lots are conveyed to prevent ambiguity and having to go to property owners to secure easements after the houses are built. There will be a check list made for easements as well as other issues on newly proposed definitive subdivisions.

A traffic study will be provided and the board asked Mr. Levesque to meet with DPW Director S. Williams. There is a historic school house on the property, and the board noted the Belchertown Historic Association might want it. The board asked the owner if he'd thought about the name of the proposed roadway, and the owner mentioned the name Woodland Way.

2.

## Planning Board Minutes 09/22/15

The board noted that pavement requirements in the subdivision regulations may be less than adequate, and they asked Mr. Levesque to speak with S. Williams about the thickness of roadway as well.

C. Laurenzo asked if audience members had comment or questions. D. Willey-Sliwa noted the little school house is historic and there should be a plan in place to keep it.

**Motion** J. Natle to approve a preliminary plan for Bell Property Corp. c/o A. Korchevskiy, Russell MA, Second D. Lusignan, Vote 5-0-0.

The board signed a form approving the preliminary plan and asked what a preliminary plan approval does for a developer. D. Albertson said it "locks in" the present zoning for seven months.

C. Laurenzo read aloud a public hearing notice for applicant Mr. Van Zandt. He requests a Special Permit for a Common Drive off South Liberty Street, Map 278, Lot 3. The applicants were present and D. Frydryk was here as their representative. M. Hofler stated that he filed a conflict of interest form as he worked with Mr. Van Zandt on the Fire Department.

D. Frydryk presented the plan for a common driveway and noted it would be a gravel roadway. He showed how the water sheet flow will be sent toward wetlands and noted some previous erosion, and four wetland crossings. This is all under review by the Conservation Commission. The lots will be served by frontage on South Liberty Street, with a minimum of 20 feet on a common drive, as required. This common driveway will reduce curb cuts, and will have a 40 foot wide easement. The applicant will ask for a waiver to shift the drive southerly, and further away from wetlands. The driveway would be 18 feet wide, a 2% slope and have two foot shoulders, adequate for emergency vehicles.

D. Frydryk went over each item for common drive allowance and stated he has covered all of them. He said the monuments are shown and will be marked on the way upon approval. Tighe & Bond comments were received last week. The board discussed in detail the shoulders of the drive, the way they'd be built, and no lighting on wetlands. A board member said Tighe & Bond seemed confused with the bottom of the driveway and that it wasn't crowned, but pitched toward the wetland. D. Frydryk noted it would be only on the right side. They discussed how owners on the common driveway would keep the road together and noted keeping Tighe & Bond's comments for road erosion control. He said they will have deed restrictions.

The board asked D. Frydryk what the Conservation Commission said about the common drive and he said they are waiting to first hear from the Planning Board. He said he'd know more about Conservation Commission suggestions after the next meeting with them but was not sure of the Con Com meeting date.

One board member noted he'd like to see the road moved further from the property line, more than Tighe & Bond recommended. Another member reminded everyone that the common drive was a concept to minimize and have the least amount of disturbance to any surrounding wetlands. Another member said moving the common drive should depend upon what the Con Com has to say. S. Pelletier had to leave the meeting at this time. D. Frydryk noted shifting this roadway will make the wetland replication larger.

D. Beaudette read the Homeowner Association Agreement and stated it was a standard agreement. It was noted that the board would want a better description of the roadway. D. Frydryk said the ANR plan for this area has the metes and bounds. The board noted that restrictions are carried forward with any lot changing hands and could reference the ANR plan. D. Albertson noted the ANR and the maintenance agreement get recorded.

An abutter to this property (north of) asked about wetland and how it would affect the wetland they presently have on their property. D. Frydryk explained where he thought likely a building would go and said there would be no effect on wetland. Another abutter was concerned with area being higher than where he was located and wetland. D. Frydryk explained that all lots have to undergo the storm water bylaw and adhere to the restrictions. It would not allow water to encroach onto another property. The board explained frontage lots and that by allowing a common driveway; it would be one curb cut instead of what would be allowed by right, which would be several curb cuts. They noted the owners would have a right to put in four building lots.

3. Planning Board Minutes 09/22/15

D. Beaudette read from the Zoning Bylaw the intent of the common drive regulation to the abutter. D. Frydryk noted that it is allowed and the bylaw does not specify what the driveway should be built as. An abutter asked about plowing snow and had a concern that piling at the end of South Street may inhibit vehicle safety. D. Frydryk noted that a condition could be stated which would not allow any home owner to plow their personal driveway into a town way.

The board noted this hearing would need to be continued and asked when the owners would be able to come in.

**Motion** D. Beaudette to continue a public hearing for a special permit for a common drive on South Liberty Street, Map 278, Lot 3, applicants Robert and Elizabeth Van Zandt, to October 13, 2015 at 7:10 pm, Second J. Natle, Vote 5-0-0.

-----  
Catherine Hayward came to the meeting for James Hayward regarding Willow Lane and Jason's Way off Aldrich Street. The plan was recorded at the Hampshire Registry of Deeds Sept. 13, 2005, book 208, page 97. Mrs. Hayward is requesting an extension for completion of the subdivision ways and is requesting an extension to next year. C. Laurenzo said he does business with James Hayward in his position as Highway Supervisor with the DPW and so he recused himself from this part of the meeting and left the room at 9:20 pm. J. Natle, Vice Chairman, sat in as Chairman for this part of the meeting.

Mrs. Hayward said this is the "end stage" on completion of these subdivision roads. She also presented a form requesting the Town release a cash escrow in the amount of \$51,039.20. The board reviewed the form requesting release of this performance guarantee. D. Frydryk noted a second request as well, an "Application for Partial Release and/or Exchange of performance Guarantee or Covenants" that asks release on Willow Lane, Lots #1 and #11.

The board reviewed the cost estimate received today from S. Williams, DPW Director that shows estimated cost for completion of Willow Lane and Jason's Way. The items he put a cost estimate on are: wetland permanent markers; bounds; loam & seed on the cul-de-sac; street trees; legal descriptions of the subdivision, and he put a contingency cost. All the items came to \$29,850.00. The board reviewed the forms and discussed the application for release of two covenants, the request to release a cash escrow, and what performance guarantee they'd have left, should they have to complete these subdivision ways. They noted an amount of cash which will be given to the Town of Belchertown in the preferred form of "cash" for the amount of \$20,000.00 is also part of this performance guarantee exchange.

The board said \$20,000.00 cash and one lot on the end of Willow Lane (Lot 6) to continue to be held under covenant, reviewed will cover the cost estimate submitted by S. Williams, DPW Director.

The board discussed trees that are part of the definitive subdivisions and not in place. Mrs. Hayward said some homeowners planted their own trees and so the tree estimate cost may be appear higher than necessary. D. Albertson said trees need to be put in place on one side of Willow Lane and one side of Jason's Way.

**Motion** D. Beaudette to release a cash escrow from the Town of Belchertown to developer James Hayward, for his definitive subdivision plans Jason's Way and Willow Lane in the amount of \$51, 039.20, Second D. Lusignan, Vote 4-0-1 (C. Laurenzo abstains);

**Motion** D. Beaudette to release covenants on Lots 1 & 11 Willow Lane to developer James Hayward in exchange for \$20,000.00 cash (Mrs. Hayward said will be deposited to the Town of Belchertown from sale of either lot on Willow Lane), and a covenant held on Lot 6 Willow Lane, Second D. Lusignan, Vote 4-0-1 (C. Laurenzo abstains);

**Motion** D. Beaudette to vote favorable as requested by the developer James Hayward, an extension to complete definitive subdivision ways Willow Lane and Jason's Way from September 30, 2015 to June 30, 2016, Second D. Lusignan, Vote 4-0-1 (C. Laurenzo abstains). C. Laurenzo returned.

-----  
**ANR plans:** **Motion** D. Beaudette to approve a plan for Robert and Elizabeth Van Zandt for South Liberty Street, Map 278, Lot 3, proposed Lots 1 through 5, Second D. Lusignan, Vote 5-0-0;

**Motion** D. Beaudette to approve a plan for FMJ Realty LLC for Bay Road, Maps 105 & 106, Lot 42-44 & 1-5, proposed Lots 1, 2 and 3, Second D. Lusignan, Vote 5-0-0.

\*\*\*\*\*

Minutes for meetings from Aug. 25 and Sept. 8 are still under review by members. The board noted that the local channel that has the video version of the Aug. 25, 2015 meeting was not working, and so was not available for members to view to compare with the minutes. A final copy of these minutes will be readied for the next meeting. Time slips and bills were signed.

**Other:** A zoning bylaw zone change was mentioned. It is a request to change an item on the Schedule of Use section of the bylaw (Chapter 145). The public hearing date for this bylaw amendment will be October 27, 2015. This allows time for the two consecutive public hearing notices to be posted in *The Sentinel* for two weeks in a row, at least 14 days prior to the public hearing.

\*\*\*\*\*

The board discussed amending the "wireless communication" bylaw to include or be more specific, having an expert witness for peer review for wireless towers.

\*\*\*\*\*

C. Lorenzo wanted to thank the Fair Committee and town volunteers for another incredible Fair Weekend.

\*\*\*\*\*

**Motion** to adjourn D. Beaudette, Second M. Hofler @ 10:00 pm, Vote 5-0-0.

\_\_\_\_\_

*Beaudette*

\_\_\_\_\_

*M. Hofler*

\_\_\_\_\_

*D. Lorenzo*

\_\_\_\_\_