

PLANNING BOARD
TOWN OF WILBRAHAM
240 Springfield Street
Wilbraham, Massachusetts 01095

Jeffrey Smith, Chairman
John McCloskey
James Moore
Tracey Plantier
David Sanders
Gordon Allen, Associate



John Pearsall, Planning Director
Heather Kmelius, Adm. Asst.

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MINUTES OF THE WILBRAHAM PLANNING BOARD
WEDNESDAY, FEBRUARY 22, 2017

In attendance: Jeffrey Smith, Chairman
John McCloskey
James Moore
Tracey Plantier
David Sanders
Gordon Allen, Associate (Arrived at 6:04 PM)

Staff: John Pearsall, Planning Director
Lance Trevallion, Building Inspector
Heather Kmelius, Administrative Assistant

Chairman Smith called the meeting to order at 6:00 PM and asked those assembled in the room to proudly join the Planning Board in the recitation of the Pledge of Allegiance.

1. **Approval of Minutes**

Chairman Smith called for a motion to approve the minutes of February 1, 2017 and asked if there were any comments or revisions. An omitted word was added to page two, item six.

MOTION (PLANTIER , MCCLOSKEY): I move that the Board approve the minutes of the February 1, 2017 Planning Board meeting as amended. Approved (5-0).

2. **Citizens Open Forum**

No citizens took advantage of the open forum opportunity.

3. **Building Commissioner's Report**

Building Commissioner Lance Trevallion provided updates on various building development and zoning enforcement issues in town. Mr. Trevallion reported that building and solar permit application intake is very slow. Mr. Trevallion reported that a court date is scheduled on February 28, 2017 regarding 599 Main Street in order to get the house prepared for receivership. Mr. Trevallion reported progress on other unoccupied homes in town. The Town will start the bidding process soon for the demolition of 2451 Boston Road with work to commence in the spring of 2017. Mr. Trevallion reported that the ZBA stated at its last meeting on February 16, 2017 that it would allow the prospective buyer of the property a new use of the nonconforming property by special permit and would not require variances. Movement Terrain, LLC is making efforts to open for business at 176 Cottage Avenue but the landlords have been slow to execute required building updates and repairs. The formulating proposed Chicken By-law discussions have continued in anticipation of the Annual Town Meeting in May.

4. **Miscellaneous Information**

- A. CPTC Annual Conference – March 18, 2017
- B. ZBA Decision – Variance for Frisk Residence, 1329 Tinkham Road
- C. ZBA Decision – Appeal Regarding the Charkoudian Property, 19 Peak Road

The Board reviewed the information without any issues.

5. **Samble Estates Subdivision**

Partial Covenant Release for Lot 7 (863 Glendale Road) and Lot A (522V Monson Road)

Board member David Sanders recused himself because of potential conflict of interest concerns as an abutter. The developer, Anthony Carnevale, appeared to request a partial covenant release for Lot 7 and Lot A as a legal formality. Lot 7 and Lot A are not associated with the covenant in place for the developing homes in the Samble Estates Subdivision; however, both Lot 7 and Lot A appeared on the Samble Estate Subdivision plans. The attorney representing of the purchasers of Lot 7 and Lot A is requiring a covenant release to prevent any possible future confusion.

MOTION (PLANTIER, MCCLOSKEY): I move that the Board approve the partial covenant release for Lot 7 (863 Glendale Road) and Lot A (522V Monson Road) in accordance with the provisions of the Covenant dated January 26, 2017, and recorded in the Hampden County Registry of Deeds. Approved (4-0).

6. **Sherwin Road Subdivision – Grading Plans & Legal Documents for Endorsement**

Board member David Sanders recused himself because of potential conflict of interest concerns.

The developer, Anthony Carnevale, updated the Board regarding his plans regarding construction of the two previously approved “spec houses”, Lot 19 (4 Sherwin Road) and Lot 13 (3 Sherwin Road). Mr. Carnevale has an interested buyer who would like a custom home in this subdivision. As a result of this buyer’s interest, Mr. Carnevale is requesting permission from the Board to allow construction of a “spec home” at Lot 18 (6 Sherwin Road), in lieu of the previously approved Lot 13 (3 Sherwin Road). The Board did not have any issues with the change in plans.

Chairman Jeffrey Smith addressed the accidental tree removal and stone wall restoration in the review area of this subdivision. Chairman Smith proposed a site walk to fully assess the situation. Chairman Smith, Tracey Plantier and Gordon Allen agreed to walk the property at 12:00 PM on February 23, 2017 and Planning Director John Pearsall, John McCloskey and James Moore agreed to walk the property at 12:30 PM on February 24, 2017.

MOTION (MOORE, PLANTIER): I move to approve the request of Anthony Carnevale to allow the construction of a home in the Sherwin Road Subdivision on Lot 18 (6 Sherwin Road) in lieu of Lot 13 (3 Sherwin Road) [as previously approved by unanimous vote on January, 11, 2017] as shown on the submitted site grading plans subject to the following conditions: (1) the building permit must be issued in the subdivider’s name only. (2) all work shall be undertaken at the sole risk of Mr. Carnevale who shall accept complete liability for any financial consequences of strict noncompliance with existing town requirements; and (3) the property may not be sold and the home may not be occupied until the minimum subdivision infrastructure requirements have been satisfactorily completed and the subdivision covenant has been released by the Planning Board. Approved (4-0).

7. **Old Business**

A. Status Report – GE Renewable Energy Solar Facility, 651 Main Street

The Board reviewed the ongoing outstanding issues with GE's special permit in this matter. GE provided via email to Planning Director John Pearsall clarification of its letter received January 20, 2017 from Christopher Stroud, Direction of Operations for GE Solar. GE stated that where the letter read "we guaranty survival of the plants for one full growing season" the intended meaning was that GE promises to do the landscaping work in a year, but that it does not guarantee the life of the trees. The Board understands that if the trees and landscaping do not survive, it will have to enforce the Special Permit requirements where it states that GE is responsible for maintaining the required landscaping.

The Board discussed its frustration with GE's slow and unmotivated implementation of the requirements of the special permit issued by the Board. To date, GE has failed to comply with the requirements of a decommissioning bond, a knox box installation, and posting proper signage. Planning Director Pearsall is going to send a letter to GE setting a deadline for the special permit requirements to be fulfilled. If GE is not responsive, the Board will require GE to be in attendance at its next meeting.

B. Update Cedar Ridge PURD – 404 Stony Hill Road

Planning Director John Pearsall updated the Board on the plans to grant the town trail easements in lieu of the Conservation Restriction requirement in this matter. Planning Director Pearsall notified Lawrence Lloyd that the Open Space & Recreation Plan Committee approved of the proposed trail easements. Mr. Kent Pecoy's surveyor needs to prepare the final plans and the legal documents need to be drafted. Chairman Smith will speak with Lawrence Lloyd and Developer Kent Pecoy to inquire as to how this process can be finalized soon.

8. **Proposed Zoning By-Law Amendments for 2017 Annual Town Meeting**

Planning Director John Pearsall stated that the Board needs to finalize the By-Law Amendments that it intends to present at Town Meeting in May 2017. The Town Administrator needs a rough draft of the Board's By-Law Amendments by the end of February. Planning Director Pearsall reviewed and discussed the following proposed issues:

- Recreational marijuana regulation or moratorium
- Rezoning of the old Post Office at 2 Crane Park adding Mixed Use
- By-Law rewording regarding processing construction trash material to not be in conflict with Massachusetts State law
- Revise the wording of Section 3.3.3 to improve clarity and differentiation from Section 3.3.4
- Addition of gas stations to the existing Table of Uses to be allowed by Special Permit
- Addition of brew pub regulations
- Addition of bus garage regulations
- Agricultural exemption by-law wording changes and chicken by-law regulations

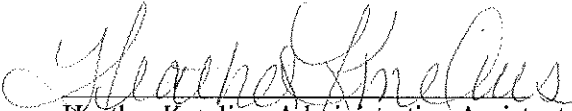
The Board agreed to address the rewording of Section 3.3.3 to improve its clarity so that it does not prevail over other pertinent sections of the By-Law and to increase the home rebuilding time frame from one year to two years. The Board agreed to add gas stations to its Table of Uses so that new gas stations in Town could be considered in the future. The Board agreed to pursue adding brew pub regulations. The Board also agreed to review the agricultural exemption wording and a chicken by-law amendment proposal. The remainder of the issues were tabled.

Planning Director Pearsall will prepare a draft of the agreed By-Law Amendments for the Board's review at the next meeting.

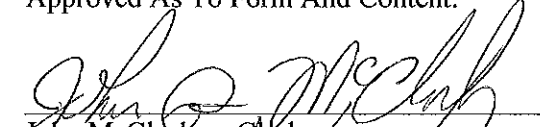
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9. **New Application received, Public Hearing to be scheduled**
Special Permit (SP17-01) – Accessory Apartment – Considine Residence, 6 Scenic Drive
The Board reviewed the site plans and building plans for the upcoming hearing.
10. **Planning Board Reports**
Chairman Jeffrey Smith provided the Board with a meticulous update regarding all of the projects that submitted applications for 2017 CPA funding that are being considered for approval at the Community Preservation Committee's next meeting.
11. **March, April & May Meeting Schedule**
The Board decided to cancel the March 15, 2017 meeting and agreed to meet March 8, 2017, March 22, 2017 and April 5, 2017.
12. **Other Business**
Reserved for Matters the Chair Did Not Reasonably Anticipate at the Time of Posting
No matters were presented for discussion.

Having no further business, the meeting was adjourned by unanimous consent at 9:37 PM. The Board will reconvene at its next meeting on **Wednesday, March 8, 2017 at 6:00 PM.**

Submitted:


Heather Kmelius, Administrative Assistant
Date: March 3, 2017

Approved As To Form And Content:


John McCloskey, Clerk
Date: 3/8/17