

**Minutes of Regular Meeting**  
**April 13, 2005**  
**Town House 7:52**

Members in Attendance: John D. Flynn, Chair, Joseph "Charlie" Dolben, Robert Majkut, Joseph Kruzel, and Melissa Reeves, Anthony Bongiorno, Associate Member

Meeting Opened 8:40

**Minutes-** The minutes from March 23, 2005 the Public Hearings Case 2005-A Mary Lyon, Warrant Articles and the Regular Meeting Minutes were approved as written.

**PURD for Mountain Road** – James Walsh, Baystate Environmental Consultants asked the Board for a recommendation of approval at Town Meeting for the PURD on Mountain Road. The property consists of forty six (46) acres. Fourteen acres will be used; eleven are wetlands and thirty five (35) developable acres. There are thirty units in the proposed plan. The plan shows twelve buildings, some triples, doubles and singles. The style of this PURD will be similar to the Elms in East Longmeadow. The thirty acres of open space land abuts the Town Recreation Area. Walsh went on to explain the design will follow all the bylaws the Town has. Each unit will have its own septic system. Fifteen percs have been done and look good. Wetlands do cross where the proposed driveway is. There are also wetlands in the back of the property. A traffic study will be done but does not look like a problem. Nothing will be visible from Mountain Road. The price is expected to be in the \$200,000 range. Walsh felt this is a good site for a PURD.

Flynn explained first the Planning Board must vote to approve to give a favorable recommendation for the PURD at Town Meeting. Then the PURD needs a 2/3 vote at Town Meeting to continue the process. After Town Meeting the PURD must come back to the Planning Board for a Public Hearing and also go before the Conservation Commission. At the Public Hearing notices go out to all abutters. At the Town Meeting what is being voted on is only if this parcel of land is appropriate to use for a PURD. At this point the PURD is only conceptual. Flynn added we all have concerns and they may be brought up at a Public Hearing.

Nancy Robinson, 41 Mountain Road wanted to say this property needs good inspections. She also told Russ Morton, property owner, no building, she is against it.

Charles Dunklee, 86 North Road, wanted to know what criteria the Board has for the meeting on the PURD? Flynn responded by saying the Board has to ask itself the question if this parcel is appropriate for a PURD. Is the lot appropriate for further exploration for a PURD. Joseph Kruzel added the Board must look at developable land vs. undevelopable land. Dunklee asked if this land is feasible for a PURD and what about the traffic. The Boards answer was yes it is feasible and the traffic will be looked at.

Matthew Fisher, 11 Mountain Road, asked about the drainage onto Mountain Road. A lot of water will go into the road. Dunklee recalled this parcel was split into two parcels at one time. Flynn told him no, it was split into two estate lots but it was never recorded so after one year it is null and void.

Flynn explained this is, in essence, cluster zoning and it can be advantageous to the town. The people that would be living there would not use the school system and the road would not belong to the town. The state allows this because it is not spot zoning. It must always be fifty five (55) and older.

Fisher felt the traffic would be a problem when the project is being built. Flynn said a traffic study is part of the consideration.

Walsh told everyone present this project would not be visible from the road.

Flynn explained two (2) PURDS have passed at Town Meeting; only one was built. The other felt it was financially unsound. The wetlands cut down the number of units that could be built.

Sherri Himmelstein, Minnechaug Land Trust, felt there is a need for this type of housing in Hampden. There is a lot of positive to this project and she supports PURDs in Town. Himmelstein also felt there should be some kind of affordable housing for seniors the need is there. Walsh stated there would be a big spread in pricing for these units. The inside units may go for much less than the outside units. Himmelstein asked at what point can you follow through with affordable house and have it carried through to the end.

Melissa Reeves asked if this was the maximum number of unit. Walsh said yes, he did not want to come back to the Board with more than they started with. Flynn asked if the Board had any other questions.

The question about the road came up. Flynn explained the road will be built to the same standards a town road would be built the only difference being the town will not own it. Fisher asked if the Town would have to widen Mountain Road. Flynn answered no, the applicant for the PURD would have to do that.

**Monson Waiver** – The Town of Monson requested a written waiver from Hampden for a zoning change from 1989. The Board voted and approved unanimously (5-0) to send a written waiver.

**PURD Stony Hill Road** – Michael Cimmino, 111 Scantic Road, came before the Board with new changes to the PURD on Stony Hill Road. He would like to change the driveway from Stony Hill Road to Allen Street (the old entrance to Camp Sun and Fun). Flynn asked if this was the plan being brought to Town Meeting because it did not show enough acreage. Cimmino said no, he has another plan the only difference is it shows more acreage. Flynn said the plan also has to show how long the driveway is. Cimmino said it is about ½ mile long. The road length on this plan is shorter than the original plan.

Stony Hill Road could be used for emergencies also Greenleaf Drive. The property is flagged and about 75% of the percs are done and good. Cimmino thanked the Board for their time.

**Shadow Wood** – Gary Weiner, Ecotec Environmental, reported Shadow Wood has been filed with the Conservation Commission. Tony de Cruz, Tighe and Bond, is going through what has been submitted and moving the process forward. The Conservation Commission is looking at a firm in CT.

Flynn asked what has changed in the plan. Weiner explained the project is down one (1) lot. Flynn stated the Board will be setting up an escrow account for this project. Reeves will check with the State to make sure the Board follows the correct process to re-open the Hearing.

**235 Ames Road** – Weiner explained Yorke and Betty Phillips sold their property to their children and they would like to move the property lines with an ANR. The new lot would be about thirty six (36) acres leaving the other lot with 1.4373 acres. The Board looked over the drawings and voted to approve unanimously (5-0) to sign the ANR.

**Scantic Meadows** – Reeves explained the Board received a letter from Mr. Fratar, Fratar, Kern & Kelly LLP, 1441 Main Street, Springfield, MA, stating how to handle the approved drawings. After reading the letter, Reeves agreed with the changes but disagreed with the amendments. Scantic Meadows has two (2) sets of plans, one (1) for the Conservation Commission and one (1) for the Planning Board; Reeves explained the plans should all match both Planning Board and Conservation Commission.

The Board should vote to re-open the Public Hearing and look only at the changes. After talking to the State the feeling is the meeting should be open only for the changes. Re-opening the meeting does not take away the approval. Joseph Dolben asked if Tighe and Bond considered the changes substantial and how did they feel about re-opening a meeting. Reeves explained Tighe and Bond are not able to tell the Planning Board how to do things procedural. Frater told the Board that the Conservation Commission approved the drain changes.

Flynn asked what is happening with the D.E.P. The Planning Board needs to see some sort of a report from them. Flynn said some sort of letter or paperwork of some kind explaining the outcome. Robert Cafarelli, C.E. said the D.E.P. is trying to figure to how to dismiss this case, it is outside their jurisdiction.

Cafarelli explained seven (7) drain structures have changed. They are still outside the easement area. Why does it have to be re-opened for that small change? No street changes have been made or anything else just the drains. He would like to get Tony de Cruz's input on this matter. If the Board re-opens eth case it would cause Mr. Speight financial hardship.

Reeves explained when the conditions were made on the approval it was stated if the Conservation Commission changed any work on the plans it would have to be looked at. The Board may have voted a different way if the plan were then as they are now. The must be looked at again. The Planning Board must approve the plans as they are now. Don Schmidt at the State felt the Planning Board should have a public hearing on the changes only also. The Planning Board is just going by the book.

Robert Majkut sympathizes with the delay but feels the Board must follow the book and not have any litigation brought up later against this project that could affect not only Mr. Speight but the Planning Board.

Cafarelli asked what makes a substantial change. Flynn answered the Conservation Commission made changes and the Planning Board must review them. Don Schmidt from the State felt comfortable with re-opening the Public Hearing. Cafarelli felt there were no changes to anything just physical movements of a drain. Flynn added we have a jurisdictional change or oversight so we must re-open.

Flynn felt since the D.E.P. is not doing anything the Planning board should go ahead and schedule a date and move forward. Reeves added this hearing will be to discuss the changes only nothing else provided de Cruz goes along with the changes. Flynn said to trust the Board strictly staying with the changes. The Board will keep the focus of the meeting narrow.

The Planning Board feels there are substantial changes to the drains which change the plans.

The Planning Board will schedule a Public Hearing on May 11 at 7:00  
This meeting is strictly to review changes to the submitted plan.

**Lantern Lane** – no update

**Carmine Angeloni**- Carmine Angeloni, State Forester, sent a letter explaining that Russ Morton has been found in violation leading from an anonymous call to the Planning Board.

**Charles Thompson**- Charles Thompson, 56 Baldwin Drive sent an e-mail to the Board asking if houses can be built over 800'. Flynn said yes they can. The H&R bylaw does not stop building above 800'. It adds a review process for all building above 600'. However it is up to the Building Inspector to inform the applicant that their property falls under this review and direct them to file an application with the H&R Committee.

**The Board voted on the Warrant Articles for the Town Meeting**- It was a unanimous vote (5-0) to recommend favorable action on the Ted King Article to change from Business Zone to R-6 on North Monson Road.

PURD on Stony Hill Road Michael Cimmino – It was a unanimous vote (5-0) to recommend favorable action for the PURD on Stony Hill Road.

PURD on Mountain Road Russ Morton- It was a unanimous vote (5-0) to recommend favorable action for the PURD on Mountain Road.

Large “Estate” Lot Change - It was a unanimous vote (5-0) to recommend favorable action for the Large “Estate” Lot Bylaw change.

Ladder Sign - It was a unanimous vote (5-0) to recommend no action on the Ladder Sign Bylaw change.

Meeting adjourned at 9:54

Submitted by Jane M. Budynkiewicz, Clerk