



SELECTBOARD
TOWN OF WESTHAMPTON
TOWN HALL
1 SOUTH ROAD
WESTHAMPTON, MASSACHUSETTS 01027

Selectboard minutes of July 24, 2017

The meeting convened at 7:00 p.m.

Present were Jim Huston, Phil Dowling and Art Pichette. Also present were David Blakesley, Steve Holt, Ginny Curtis, Mary Powers and Wayne Parks. Minutes were taken by Cheryl Provost.

Warrants were signed for: Payroll: \$57,862.80
 Vendor: \$68,174.43

Minutes of June 26, July 10, July 17 were approved.

- Highway Superintendent, David Blakesley, reported:
 - submitted a Chapter 90 payment request.
 - On a motion, the board voted 3-0 to approve a Chapter 90 Payment Request in the amount of \$5,696.70 for materials for various roads.
 - roads are ready for oil & stone; on schedule for first week of August
 - ditch on North Road was cleaned out and stoned; ditch on Perry Hill Road will be done next
 - prior to summer recess Deanne Bates, Elementary Principle, had requested improvements to three exit doors on the West wing of the school for accommodation access; completed the improvements. Bates requested the same process be completed at the gym exit. The work is being reviewed with the Building Inspector.
- FY18 appointments:
 - Officials were appointed by a vote of 3-0 for:
 - Cemetery Commission-Karl Norris for three years, Richard I Tracy for two years, Thomas Warren for one year
 - Cultural Council-Sheila Marks and Jaqueline Brodeur for three years, Wade Clement for one year
 - Alternate Building Inspector for one year-Joseph Fydenkevez, Jr.
- Alternate Building Inspector fee was set at \$50.00 per inspection on a motion and vote of 3-0.
- Cherry Sheet figures:
 - Local disbursements
 - Education \$616,114.00
 - General Government \$161,742.00
 - Local Charges-\$157,402.00

The budget spreadsheet will be reviewed with the Accountant Tuesday and the final version will be emailed to the Selectboard and Finance Committee.

- The response to inquiries dated April 25 from Peter Montague was approved and will be sent to him Tuesday.
- South Road speed zone:
The complaint from Ashleigh Norris had been reviewed by David Blakesley. David reported that when South Road was reconstructed in 2008 a traffic study was completed. The speed limit was increased to match the design speed of the new road. A portion of the road; northerly Cemetery Road intersection to North Road remained 30 mph. David does not see a need for a new study. Chief White was not present but could not offer conclusive grounds for decreasing the speed limit as speed patrols did not record highly excessive speeds. A speed board would be useful for recording speeds at road sections where complaints are reported.
- Outlook Farm pouring permit:
The required documents for submittal to the ABCC were received. They will be reviewed and submitted when complete.
- Campground updates:
No update available.
- 0 Main Road junkyard:
A notice to Mr. Sacharczyk regarding the violation of zoning bylaws was reviewed. The notice included reports and orders from the Board of Health and Fire Chief and ordered compliance by August 20. Not mentioned in the notice was violation of the unregistered vehicle bylaw. Art suggested the notice should include a statement that fines of \$5.00 per offense per day could be charged. Cheryl reported that is a separate issue from the other violations and should be addressed in a separate notice as it will be a new notification. Voted to authorize Jim to approve and sign the final notices.
- Unregistered vehicle violations:
-John Zimmerman was present to discuss the notice of violation and fines he received for his unregistered vehicles. He is disappointed that the board pursued fines rather than working with him. He believes he's been cooperating and working towards removing the vehicles, stating that he has one sold and one in a sale agreement. He feels more time is needed so he can gain a financial return on them. Reports from the police department indicate no changes. Jim noted that he's had 8 months to comply. Phil stated that when a report is received it's the duty of the board to look at and enforce the bylaws. Mr. Zimmerman suggested provisions for hobbyist be included in the bylaws. In a later conversation Mr. Zimmerman spoke of revisions to zoning and general bylaws to include sections for hobbyist, cell, wind, and solar. He was notified of the zoning bylaw review committee and how to contact them. Mr. Zimmerman spoke on another matter regarding E911 house numbering signs. He and Steve McGraff have been replacing some of the signs and have noticed some residents are pulling them up. He questioned who enforces the placement of the signs. It was thought that it's in the bylaws; it will be researched.
- Eversource pole hearing:
The hearing opened at 7:35. Present from Eversource was Tyler Nelson-Yarrows. David

Blakesley stated he reviewed the stakes at the location and the set-backs for the pole locations are too close to the road. Also, the reference to the map improperly states the poles will be set southerly of existing poles; however, the new pole location is northerly of existing poles as indicated on the map submitted by Eversource. Reviewed the map. David further explained the location and recommended moving the poles an additional four feet from the road. Mr. Nelson-Yarrows replied that was no problem. No other objections were noted. On a motion, voted 3-0 to approve 2 solely owned poles (32/43 & 32/44) on westerly and easterly sides of Southampton Road approximately 200 feet northerly of the existing pole 32/45, as revised for additional set-back of four feet from the road.

- 109 Northwest Road update:

Wayne Parks provided an update to the actions of the Zoning Board of Appeals regarding the building permit issued for 109 Northwest Road. A hearing was held on July 19 to determine if the permit was properly issued, following a complaint that it was a non-conforming lot/use. Former Building Inspector, Chuck Miller, issued the permit and had provided grounds to the ZBA. In response, the ZBA Chair submitted two questions to be clarified by counsel. Counsel's response was provided to the ZBA at their meeting July 11. Disclosure of the information at the hearing created additional questions from the ZBA which were brought to counsel. No determination was made July 19 and the hearing will be continued on August 2.

- Janet Laprade visited to discuss the shed at 263 Main Road. An extension to the order to move was granted until August 18. Ms. Laprade had concerns that this went beyond the extension she agreed on; another two weeks, being the end of July. The extension was granted at the request of Cathryn Hondorp who had reported she would be out of the country and therefor unable to comply. Ms. Laprade believes officials have been taken for granted as she has witnessed activity at the property indicating the residents, or someone, has been there on several occasions. Ms. Laprade spoke of several conflicts between herself and the residents and that it's been an unpleasant, sometimes hostile environment. She questioned the legality of the home businesses; one a Temple of prayer, another chiropractic practice. She inquired of signage bylaws for business and general purposes as a banner is placed along the front of the property. Ms. Laprade believes it's reasonable to expect residents to comply with bylaws and was seeking clarification and enforcement of a home business. She requested no more extensions be granted to the shed violation. The board replied that no further extensions will be granted then recommended she speak to the Zoning Enforcement Officer regarding her concerns of the zoning bylaws. Wayne Parks noted that the zoning bylaws define home business under sections 5.2 and 5.3.

- Correspondence:

- Mass. Municipal Association updates and renewal information
- KPLaw filed a Notice of Appearance in the Superior Court C.A. No. 1780CV00105 case; Timothy R. Fondakowski v. Planning Board of the Town of Westhampton, Cotton Tree Service, and Hampshire Superior Court (in response to an appeal to the courts for the sawmill special permit issued to Cotton Tree Services).

- Administrative Assistant updates:

- will email report for July 11 through July 24 and the schedule for July 25 through August 7.
- attended the Pioneer Valley Planning Commission Regional Roundtable Luncheon on Thursday, July 13 in Springfield; topic Municipal IT. Provided were updates on grants, MassIT services, PVPC services.

- The next Selectboard meetings will be 7:00 p.m. August 7 and 7:00 p.m. August 21.
- Documents submitted:
 - Eversource petition for Pole and Wire Location and Order For Pole Locations
 - request for appointment of Sheila Marks and Jaqueline Brodeur for three years, Wade Clement for one year to Cultural Council
 - request for appointment of Joseph Fydenkevez, Jr. as Alternate Building Inspector for one year
 - request for inspection fee for Alternate Building Inspector
 - Dept. of Revenue FY2018 Cherry Sheet
- Documents signed:
 - Chapter 90 Payment Request in the amount of \$5,696.70 for materials for various roads
 - Eversource Order For Pole Locations for 2 solely owned poles (32/43 & 32/44) on westerly and easterly sides of Southampton Road approximately 200 feet northerly of the existing pole 32/45, as revised for additional set-back of four feet from the road.
 - response to Peter Montague
 - thank you letters to Chuck Miller and Louis Hasbrouk
 - notice to Sacharczyk's

Adjourned meeting at 8:45 p.m.

Approve:


James Huston, Chair


Philip Dowling


Arthur Pichette