



# *Town of Southwick*

## **Planning Board**

### MINUTES



**Tuesday, July 12, 2022**  
**7:00 PM (recorded)**  
**Town Hall Land Use Hearing Room**

#### **Written Minutes**

*(Not verbatim - comments can be heard on recordings available at [www.southwickma.org](http://www.southwickma.org))*

**MEMBERS IN ATTENDANCE:** Michael Doherty, Chair  
Marcus Phelps, Vice Chair  
Richard Utzinger  
David Sutton  
David Spina  
Jessica Thornton, Associate

**ABSENT:** None

**TOWN STAFF:** Jon Goddard, Town Planner  
Meghan Lightcap, Secretary

Also attending the meeting were approximately 4 members of the public and several people via Zoom.

The “hybrid” meeting of the Planning Board was scheduled for participation in-person and via Zoom to take place at the Town Hall Land Use Hearing Room and was called to order at 7:04 p.m. by Mr. Doherty. He stated that the meeting was being recorded and asked if anyone else was recording the meeting.

#### **PLANNER’S REPORT:** 7:00 p.m.

1. This Friday marks the end of the COVID-19-related allowances to accommodate remote participation by Board members via Zoom. So, from that point forward we will see what develops with the State. Mr. Goddard will keep an eye on developments so we can establish whether or not members will be allowed to attend remotely and members of the public are still able to attend remotely.

2. Mr. Goddard received two Requests for Information from Attorney Brad Moir; one for subdivision regulations and one for records on property at Granville Road, part of a series of pre-existing nonconforming lots accessed by an easement.
3. The Chair received questions from Jim Sullivan at the Ranch. At this time, the Planning Board elects not to respond. It is in regards to the Craig Moore matter, who submitted an ANR plan in 2019 for two adjacent lots and believes that the POA fee should not be based on 2 lots.

#### **PUBLIC COMMENTS: 7:05 p.m.**

No comments were submitted or presented to the Board.

#### **APPOINTMENTS:**

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7:10 p.m. Public Hearing: “Comprehensive Impact Statement” Handbook (a.k.a. “Comprehensive Impact Study” Handbook) under 185-9.7 *Major Development Review* bylaw

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- Mr. Doherty read the Notice of Public hearing and showed the working document on his screen. He immediately made note to replace the word “study” with “statement” in any place that referenced the document title. Mr. Doherty let all town officials and the public know that they could comment on this as we went along as opposed to waiting for his prompt at the end of the hearing. He read each paragraph and after discussion made appropriate changes. Mr. Phelps raised the question on average and peak speeds in the traffic impact portion as to whether it should say peak or maximum. Mr. Goddard said you would want to look at two different averages; one may be overall and another one may be that upper level top ten percent. Mr. Phelps asked what does that inform us of, we are interested in posted speeds for an area and Mr. Doherty said some roads will have significantly higher speeds because people drive fast on them regardless of enforcement. He feels it is important to include a traffic study. Mrs. Thornton suggested that they read an actual traffic impact study, that has been previously presented to a Board, so they can see what is included and they are not excusing every applicant from including; for example item (2) b, in the handbook, because they don’t do that on average traffic impact studies. Ms. Gale said that may not be all inclusive and Mrs. Thornton said they need to know what is the general information that you’re going to get so that they don’t ask developers for something that isn’t typically included in an average traffic study. Mr. Phelps suggested they discuss this further. Mr. Doherty referenced (2) d. Failing Intersections and how you would rate that. Mr. Phelps said they should probably think more about including that and Mr. Doherty agreed to look further into this. Sage Fury of 91 Granville Road asked if we could include something for seasons into this study because we have winter and the roads do ice over easily. Mr. Doherty said that doesn’t seem workable because if someone submits an application in April they shouldn’t have to wait that long and then have issues with timeframes of handling something, but there is a good point to be made as certain things may need to be factored in like summer versus

the school year because that would definitely impact traffic. He said it's probably also project dependent as well.

In section (B) 1. *Water Supply*, Mr. Utzinger asked if this applies to town water only and Mr. Doherty said it does impact the aquifer; public or well. The Board discussed state permitting and decided to write that it impacts the Towns utilities, services and resources. In the sewage section Mr. Doherty added "If applicable" and they discussed various changes. In 3. *Stormwater*, Mr. Moglin said items b & c are required in a Special Permit application but item a. isn't necessarily required, so if you do require it, is it because parcel size requires a Stormwater Protection Permit. He asked if it was smaller, are you requiring it here. Resident Diane Gale shared her thought that if it's determined not necessary by the Town Planner, then it's not necessary. Mr. Doherty said let's get into more detail on this later. In 4. *Solid Waste*, Mr. Moglin asked how this impacts the A. section, as it could impact A *Traffic* in general. In C. *Environmental Impacts*, Ms. Gale had some suggested language to add to this section, and she passed them out to the Board for consideration. Maryssa Cook-Obregon of 126 South Loomis Street suggested adding light pollution to potential impacts in section 2. Mrs. Thornton asked who the Emergency Director is and Mr. Moglin said it is Charlie Dunlap. She asked if we should add him to section 5.A as well. Mr. Doherty said we can make a note of it. Ms. Cook-Obregon said we should add life cycle assessment for materials and operation components as needed, it may not be needed in all instances but what comes to mind are the solar field and the question of battery life cycle and leaking and de-commissioning provisions. Mr. Doherty said he felt it fell under number 2 already but Ms. Cook-Obregon thought it may stand alone separate. Mr. Phelps said they do provide for decommissioning but it is a good item to add. In section D *Community Impacts*, Mr. Phelps said to add to D1 a description to the beginning of the sentence. Ms Gale added describe and provide to aerial images to the beginning of section 1. Mr. Spina said that 4 and 5 were the same but worded differently and Ms. Gale said she has seen that in a number of studies. Mr. Doherty said he felt it was useful to have that in there. Mr. Moglin said these impacts could be positive as well, they could be economically beneficial. He suggested reaching out to the Finance Committee because they budget and review articles and they might want to be included in this. Ms. Gale gave the Board two more sections to add to this; financial ability and sustaining operations over time. She said she has talked to other towns and this is customary. Mr. Doherty said we can come back to this and discuss later. Mr. Goddard said he would reach out to departments included in this, including Emergency Management and some not included, and make sure they wanted to be consulted on this.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing for the Comprehensive Impact Statement Handbook to August 16, 2022 at 7:10 p.m.

The motion passed unanimously.

Mr. Goddard said Mr. Hale, the engineer for the project, provided Randy Brown and himself with some materials and they need to meet with him as they have some questions.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing for 159 Berkshire Avenue to August 16, 2022 at 7:45 p.m.

The motion passed unanimously.

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Discussion Items:

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**Earth Excavation Special Permit, Hudson Drive (Industrial Restricted Zone)** Contemplated Tilcon, Inc. Permit Amendment per recent Solar Facility Approval. Mr. Goddard said Tom Saunders, representative to the applicant, submitted a letter suggesting several condition amendments that relate to the Tilcon renewal last summer based on input from Town Counsel. Mr. Saunders said before we submitted a solar application we had an informal discussion with Mr. Goddard and Town Counsel that spelled out Tilcons conditions that need to be amended. He thinks they will need to have a hearing on this but wanted to run it through the Board. Mr. Goddard read Town Counsel comments that included electrical infrastructure and a portion of access road for these conditions. He said for the Boards consideration as we go through the amended decision we need to make sure any excavation excludes the 24 acres that are occupied by the solar array. Mr. Saunders is updating the re-use plan and some materials are available and he will share soon.

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Routine Business

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- The written decision for 138R Hillside Road is being deferred to the August meeting.
- Southwick DPW: Parking Lot Design Guidelines and Lower Impact Development Barriers - NPDES MS4 Permit Component. Mr. Goddard discussed this at the last meeting and wants to reiterate that action will need to be taken on these recommendations. He said a good summer task would be to look more closely at where bylaws, regulations, and standard drawings need to be modified to allow for low impact development (LID) stormwater management features. He is coordinating with Police and Fire as well.
- Greens-West Subdivision: Posting of Security & Lot Release from Covenant. Mr. Goddard said they are waiting on security posting.
- Crepes Tea House- Parking & Site Plan Discussion Update. Mr. Goddard met with Mr. Ribinskas before this meeting and in the 2019 permit there is language that he should submit a Site Plan. In the meantime he has constructed out buildings but

there are only so many parking spaces. He counted less than 50 and the restaurant capacity is 93 patrons. With those out buildings it increases to 158 patrons, with 11 employees, there should be 74 parking spaces so they are not meeting parking requirements. Mr. Doherty said if he wants to have events in those buildings he will have to do less inside the restaurant.

- Gregoire Parcel- Access Discussion Update. Mr. Goddard said they can take this off of routine business.
- Depot Square Bond Reduction Request. Mr. Goddard spoke to Mr. Levesque and DPW has a punch list of items for him. The biggest concern is making sure the stormwater basins didn't change shape.
- Master Plan Advisory Committee Update. Mr. Phelps said they have good news; the survey is out to the public and closes August 31<sup>st</sup>. They are getting input from Ken Comia at Pioneer Valley Planning Commission that 91 have already come back filled out. They are getting paper copies made and they will be available at the Town Hall, Library and Senior Center. Postcards will be mailed to each house. There is an article on the Master Plan in Southwoods magazine. They will meet July 21<sup>st</sup> and discuss budget.
- Short-Term Rental Subcommittee Update. Mr. Utzinger said they are meeting July 19 and have received a lot of surveys back. There was good mix of positive and negative feedback and it will take some time for them to work through that.
- Minutes Approval

A MOTION was made by Mr. Utzinger and **SECONDED** by Mr. Spina to approve the Meeting Minutes of April 12, 2022.

The motion passed unanimously.

A MOTION was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to approve the Meeting Minutes of April 26, 2022 with Mr. Phelps edits.

The motion passed unanimously.

Being no further business to be brought before the board, a **MOTION** was made by Mr. Sutton and **SECONDED** by Mr. Spina to close the meeting at 9:04 p.m.

The motion passed unanimously.

*The Next Scheduled Meeting is August 16th, 2022.*

Respectfully submitted,

Meghan Lightcap  
Secretary Planning Board

*Electronic signatures have been affixed in accordance with M.G.L. c.110G and pursuant to the Board's electronic signature authorization vote of January 4, 2022 as recorded at the Hampden County Registry of Deeds in Book 24401, Page 596.*

Michael Doherty, Chair	<u>/s/ Michael Doherty</u>
Marcus Phelps, Vice Chair	<u>/s/ Marcus Phelps</u>
Richard Utzinger	<u>/s/ Richard Utzinger</u>
David Sutton	<u>/s/ David Sutton</u>
David Spina	<u>/s/ David Spina</u>
Jessica Thornton, Associate	<u>/s/ Jessica Thornton</u>