



Town of Southwick **Planning Board** MINUTES



Tuesday, December 13, 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)

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 7:00 p.m. by Mr. Doherty. He stated that the meeting was being recorded and asked if anyone else was recording the meeting.

TOWN PLANNER’S REPORT: 7:00 p.m.

1. Mr. Goddard reported that a new court date for the 101 Point Grove Road zoning violation had been set for January 10, 2023.
2. Mr. Goddard received a brief email from Mr. Val Shvetz regarding 72 Mort Vining Road and his intent to end the property’s enrollment in the Chapter 61 program and change the use of the land.

3. Mr. Goddard met with William Smith and Susan Nelson regarding 79 Mort Vining Road, a vacant parcel that lies upon an existing driveway. As one of three parcels that lie upon the common driveway, Mr. Smith seeks a way around the current zoning constraint of a maximum of two (2) lots serviced by a common driveway. Mr. Goddard was provided with an opinion letter by the attorney retained by Mr. Smith and was informed that electrical and telecommunication services were brought to the property at the time of the original construction. Mr. Goddard noted that this matter has been brought up in the past and that common drives were not legal prior to the 2015 bylaw, as noted in legal opinions by Town Counsel, presenting an obstacle to allowing the use as pre-existing non-conforming.
4. Mr. Goddard spoke with a woman named Tanisha regarding her intent to open a prepared-food business at 535 College Highway. Mr. Goddard noted that this would be a retail sales use and would not have restaurant seating. It is expected that this change of use would come before the Board as Site Plan Review.
5. Mr. Goddard spoke with Mr. Frank Grillo, who resides in town and owns the former VFW site and adjacent land at Two State Avenue. Mr. Grillo seeks to construct a boat storage building at the parcel west of the former VFW, which (westerly parcel) lies within the R-20 zone. Mr. Goddard will be investigating what steps, including a potential zone change, may be required for Mr. Grillo to pursue this path.
6. Mr. Goddard spoke with Tom McLaughlin, a farmer who wishes to construct a farm labor camp at a parcel in agricultural use on North Longyard Road. Although the use is exempt from a number of zoning constraints under Massachusetts law, Mr. Goddard will be reviewing the submittal process and advise Mr. McLaughlin on the critical path.

PUBLIC COMMENTS: 7:05 p.m.

No public comments were presented at this meeting.

APPOINTMENTS:

7:10 p.m.	1 Hudson Drive (Industrial Restricted Zone) –Special Permit, Site Plan Approval, Wellhead Protection District Special Permit, Earth Excavation Special Permit &Stormwater Management Permit
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Continued Public Hearing

John Tomaszewski of R. Levesque Associates, Inc. reported that an NOI (Notice of Intent) was filed with the Conservation Commission and they are drawing up the Order of Conditions after the last meeting. Chairman Doherty stated that the Board would wait until those conditions were finalized before moving forward. Town Planner, Jon Goddard said he spoke with the Conservation Coordinator, Sabrina Pooler and she said that DPW comments on the project have been satisfied. Planning Board Member David Sutton recused himself from this hearing.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to close the public hearing for 1 Hudson Drive.

The motion passed unanimously.

Routine Business

- Hillside Road/Meadow Lane Estate Lot Special Permit –Written Decision:

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to grant the Estate Lot Special Permit and Site Plan Approval subject to the terms and conditions contained in the written decision, including a constraint on where poultry or farm animals may be kept or housed.

The motion passed unanimously.

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mr. Phelps to accept the written decision as written.

The motion passed unanimously.

- Off Hudson Drive/Shaker Road- Earth Excavation Special Permit Renewal-
Written Decision:

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to renew the Earth Excavation Special Permit subject for Hudson Drive/Shaker Road.

The motion passed unanimously.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger accept this written decision as written for Hudson Drive/Shaker Road.

The motion passed unanimously.

- Southwick DPW - Parking Lot Design Guidelines and LID Barriers (NPDES MS4 Permit Component): Mr. Goddard and Mr. Brown will be meeting to discuss this in the upcoming week.

- Master Plan Advisory Committee Update: Mr. Phelps said they will be meeting on December 15th. Ken Comia of the Pioneer Valley Planning Commission is going to start meeting with various focus groups comprised of Town staff and other experts in areas that they want to concentrate on. They have some attendance

issues with a few members so they are looking into replacing them with Planning Board approval.

- Short-Term Rental Subcommittee Update: Mr. Doherty indicated that this will be a discussion item for the second meeting in January.
- Minutes Approval: October 25 & November 29, 2022

A MOTION was made by Mr. Phelps and SECONDED by Mr. Utzinger to approve the Meeting Minutes of October 25, 2022.

The motion passed unanimously.

A MOTION was made by Mr. Phelps and SECONDED by Mr. Utzinger to approve the Meeting Minutes of November 29, 2022 with the added change.

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 8:56 p.m.

The motion passed unanimously.

The Next Scheduled Meeting is January 3rd, 2023.

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