



# *Town of Southwick*

## **Planning Board**

### **MINUTES**



**Tuesday, January 17, 2023**  
**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 Spina  
Jessica Thornton, Associate

**ABSENT:** David Sutton

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

Also attending the meeting were approximately 3 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 the scheduled hearing for zoning violations at 101 Point Grove Road had been once again postponed.
2. Mr. Goddard reported that his office was in receipt of several Requests for Information submitted by Jim Sullivan of the Sunnyside Ranch Estates Property Owners Association. Mr. Goddard was working through the requests and noted that they largely pertain to the known problems with the street and infrastructure at Overlook Lane and statements made by the developer prior to the release of lots from the covenant in lieu of bond.
3. Mr. Goddard received a phone call from Cliff Laraway regarding the potential for conversion of the existing Subway restaurant on College Highway to a facility with a

drive-through window. Mr. Goddard will be providing permitting requirements for Mr. Laraway's consideration.

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

No public comments were presented at this meeting.

**APPOINTMENTS:**

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7:10 p.m.      159 Berkshire Avenue (Residential 20 Zone) – Stormwater Management Permit  
*Continued Public Hearing*

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The applicant representative, Derek Hale, requested a continuance for the hearing to the next meeting date to allow time to gather more information.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing for 159 Berkshire Avenue to February 7, 2023 at 7:10 p.m.

The motion passed unanimously.

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7:20 p.m.      Mort Vining Road (Assessors Map 165, Parcel 1.1) – Preliminary Subdivision  
Application (Residential 40 Zone)      *Continued Public Hearing*

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Steve Salvini, the applicant's representative and Attorney Brad Moir shared a letter with the Planning Board, noting that the Board had asked them to create comparison plans for a Flexible Residential Subdivision and Conventional Subdivision and present both so that the Board could make a decision as to which one they prefer. Attorney Moir said that he disagrees with the Board's interpretation and application of the Town's bylaws, because the request is written as part of the Flexible Residential Development District requirements but not seen in the Subdivision Regulations. Mr. Moir said that they are not supplying the alternative plan to the Board because they don't believe that they are required to do so.

Chairman Doherty read the relevant section under Chapter 185, Section 23(c)(2), observing the requirement for all subdivisions greater than five (5) lots to be a Flexible Residential Subdivision design. Chairman Doherty noted that he would reach out to the Town attorney, Mark Beglane. Mr. Goddard asked that the applicant's representatives submit a written extension request to the required timeframe for a decision to be rendered, and the representatives agreed to do so.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing for Mort Vining Road to February 7, 2023 at 7:20 p.m.

The motion passed unanimously.

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## Discussion

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- Short-Term Rental Subcommittee Report & Recommendation: The Board agreed that they should hold a public hearing to discuss this contemplated bylaw but not until the end of February.
- Depot Square: Stormwater Bond Reduction Request: Town Planner, Mr. Goddard said that the matter remains on the Board's agenda but certain statements, clarification, and submittals remain outstanding and need to be resolved before moving forward.
- Southwick DPW - Parking Lot Design Guidelines and Low Impact Development Barriers (NPDES MS4 Permit Component): Mr. Goddard and Department of Public Works Director, Randy Brown discussed their findings with the Board. Mr. Goddard explained that this document has information that looks at where the Town complies with industry standards and where they have active barriers, as it relates to Green Infrastructure Practices. Mr. Goddard said that he and Mr. Brown went through these guidelines and added a column on the left with DPW's recommendations. Mr. Doherty suggested separating some of the changes to subdivision regulations and the Flexible Residential Development District so that those LID-related items could be managed in concert with a broader re-write of those regulations and the bylaw later in the year.
- Potential Bylaw & Subdivision Regulation Modifications: Mr. Goddard noted that the question of when to take a closer look at the subdivision regulations had largely been answered but wanted to clarify which bylaws should be posted for public hearings. Mr. Doherty observed that the Board could proceed with holding hearings for the contemplated Short-Term Rental bylaw, amending the mathematical conflict written into the Common Driveway bylaw, and minor LID-related zoning amendments specific to private development and residences.

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## Routine Business

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- 8 Concord Road 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 for 8 Concord Road subject to the terms and conditions contained in the written decision .

The motion passed unanimously.

A MOTION was made by Mr. Phelps and SECONDED by Mr. Utzinger to approve this written decision for 8 Concord Road as written.

The motion passed unanimously.

- Master Plan Advisory Committee Update: Mr. Phelps said they will be meeting this upcoming Thursday, January 19<sup>th</sup>. He said the Senior Listening Session was postponed and the Farmer Forum will be held soon by the Agricultural Commission. Mr. Phelps reported that the infrastructure and public services focus group had taken place and the historic/cultural focus group was to be scheduled shortly.

Being no further business to be brought before the board, a **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Phelps to close the meeting at 9:41 p.m.

The motion passed unanimously.

*The Next Scheduled Meeting is February 7th, 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	<del>/s/ Michael Doherty</del>
Marcus Phelps, Vice Chair	<del>/s/ Marcus Phelps</del>
Richard Utzinger	<del>/s/ Richard Utzinger</del>
David Sutton	<del>/s/ David Sutton</del>
David Spina	<del>/s/ David Spina</del>
Jessica Thornton, Associate	<del>/s/ Jessica Thornton</del>