



Town of Southwick

Planning Board

MINUTES



Tuesday, October 24, 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)

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

ABSENT: None

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

Also attending the meeting were approximately 7 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* 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 he met with Cam McCorison of 10 Birchwood Road regarding the proposed construction of a detached carport. Mr. Goddard noted that the property lies in a tightly developed residential neighborhood but lies in the R-20-A zoning district, which imparts substantial setback requirements. Mr. McCorison was advised to file a variance petition with the Board of Appeals and was provided with some initial review and guidance by Mr. Goddard.

PUBLIC COMMENTS: 7:05 p.m.

No comments were submitted.

APPOINTMENTS:

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

Mr. Goddard said he will be meeting with Mr. Brown on Monday to go over the information submitted by the applicant's representative Mr. Hale.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to continue the public hearing for 159 Berkshire Avenue to November 7, 2023 at 7:10 pm.

The motion passed unanimously.

7:15 p.m. 520 College Highway (Business Restricted Zone): Special Permit/Site Plan
Approval Application for Mixed Residential & Commercial uses - *Continued Public
Hearing*

Ryan Nelson of R Levesque Associates, Inc. attended the meeting on behalf of the applicants. He said at the last meeting there was a question brought up of how tenants will be using the building and Mrs. Gendron clarified that the garage at the rear of the building will be part of the residence so they will be using that access driveway around the rear and using the garage. There was another comment about proposed landscaping or screening between the existing business building and the residence and he said he would address that through a potential condition in the written decision.

Mr. Goddard shared feedback from Town Counsel; he said their position is that since the use of the common driveway didn't lapse and the bylaw allows for mixed-use development in the subject zoning district, the proposed resumption of residential use at the site would be allowable. Mr. Doherty said he feels fine with accepting the idea for this particular property, especially given the unique setup of this house and business. Town Counsel also said there should be a means of access to the sidewalk and College Highway from the residential area that is not just walking through the driveway for the business. Mrs. Gendron said she was willing to add that. Mr. Doherty also asked her if they could add a sign stating that there was a private drive because the residence driveway would egress into an adjacent parking lot. He also asked them to consider lighting on the property for visibility.

Diane Gale of 5 Point Grove Road said she is happy to see progress on mixed-use properties in town.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to close the public hearing for 520 College Highway.

The motion passed unanimously.

7:30 p.m.	Proposed Bylaw Revision to Chapter 185, Section 35.2 Medical and Recreational Marijuana	<i>Continued Public Hearing</i>
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Mrs. Thornton shared her mark-up of the bylaw that consisted of replacing the old language and definitions that are no longer applicable with new the ones. She removed language related to the overlay map and separated out the different types of establishments and put them into more appropriate districts and zones. She expanded on some of the prior limitations and added some new ones. The Board members read through each line item of the bylaw and discussed any changes they wanted to make.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to continue the public hearing for the Proposed Bylaw Revision to Chapter 185, Section 35.2 Medical and Recreational Marijuana to November 7, 2023 at 7:30 pm.

The motion passed unanimously.

7:45 p.m.	662 A College Highway (Industrial Restricted Zone) – Proposed Self-Storage Facility: Special Permit, Site Plan Approval and Stormwater Management Permit	<i>Continued Public Hearing</i>
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Mr. Goddard stated that he received a continuance request from the applicant.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to continue the public hearing for 662 A College Highway to November 28, 2023, at 7:10 p.m.

The motion passed unanimously.

Discussion

- 20 Depot Street – Stormwater Bond Reduction Request: Mr. Goddard noted that this was held on the agenda as he needed to distribute a letter summarizing the Board’s request for additional information and tabling the matter until more detail can be provided. No new information was submitted for this meeting.

Routine Business

- Written Decision: 42 Depot Street (Map 89, Parcel 30) – Extension to original term of Planning Board decision.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to accept the written decision for the extension for 42 Depot Street.

The motion passed unanimously.

- Planning Board Recommendation: Zone Change Petition for 157 Feeding Hills Road – Mr. Doherty said he spoke with Town Counsel about their position on spot zoning. The concern lies in using spot zoning for the sole benefit of the landowner and not the Town as whole. Mr. Doherty said he does not feel that is applicable to this property as they are correcting the zoning to a zone that is proper for the historic and continued use of that property. Mrs. Thornton agreed with Mr. Doherty that this was an appropriate change for this property as did the other members.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mrs. Thornton to recommend this zone change for 157 Feeding Hills Road to Town Meeting for the reasons stated in our written decision.

The motion passed with one opposition and the rest in favor.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Thornton to accept the written recommendation zone change for 157 Feeding Hills Road.

The motion passed with one opposition and the rest in favor.

- Site Plan Review Endorsement: 6 Hummel Lane- The Board had to sign the Site Plan.
- Upcoming Work with PVPC: Revisions to 185-23 Flexible Residential Development District and Subdivision Regulations – Mr. Goddard said there are remaining funds from the Planning Assistance Grant following the completion of the Town's Master Plan and PVPC will be utilizing the funds to look at the Town's Open Space Residential Development (Flexible Residential Development District) bylaw and Subdivision Regulations with an eye toward implementing some of the Master Plan's goals and actions.
- Master Plan Advisory Committee Update – Mr. Spina said that at the last meeting Mr. Comia showed them an overview of the Housing Production Plan. Mr. Goddard shared an overview of the finances and the committee voted to request to be dissolved. The

Board asked that the procedure to dissolve a subcommittee be reviewed and will take action at the next meeting on the request.

- Planning Board Member Comments – None.
- Minutes Approval: September 5 & 19 & October 10, 2023

A **MOTION** was made by Mrs. Thornton and **SECONDED** by Mr. Spina to approve the meeting minutes of September 5, 2023.

The motion passed unanimously.

A **MOTION** was made by Mrs. Thornton and **SECONDED** by Mr. Spina to approve the meeting minutes of September 19, 2023.

The motion passed unanimously.

A **MOTION** was made by Mrs. Thornton and **SECONDED** by Mr. Spina to approve the meeting minutes of October 10, 2023.

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 9:15 p.m.

The motion passed unanimously.

The Next Scheduled Meeting is November 7, 2023.

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
David Spina, Vice Chair	/s/ David Spina
Richard Utzinger	/s/ Richard Utzinger
David Sutton	/s/ David Sutton
Jessica Thornton	/s/ Jessica Thornton