



# Town of Southwick Planning Board MINUTES



**September 26, 2017**

**MEMBERS IN ATTENDANCE:**

Michael Doherty, Chair  
Marcus Phelps, Vice Chair  
David Sutton  
Michelle Ackerman  
Alan Slessler, Town Planner

**ABSENT:**

Richard Utzinger

The regularly scheduled meeting of the Planning Board was called to order at 7:00 p.m. by Mr. Doherty. He stated that the meeting was being recorded and asked if anyone in the audience was recording the meeting.

**PLANNER'S REPORT: 7:00 P.M.**

1. Met with Mr. Arata, representing Carbon Finance, INC in regards to a large Ground Mounted Solar Array to be erected on eleven acres of land off Congamond Road located in the Industrial Restricted (IR) zone.
2. Met with GroSolar to review the solar site located on Feeding Hills Road proposed by EverSource. There was a slight readjustment to the driveway due to a new traffic signal pole.
3. Attended a Marijuana Sub Committee meeting. The main focus is where to locate the facilities.
4. Met with owners of 275 Granville Road for possible farming and homes on a 56 acre lot.

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

There were no public comments.

7:20 P. M.      Marijuana Sub Committee

Report

Mr. Phelps said the Committee is working on the development of a medical and recreational bylaw. The text has decreased from six pages to three pages. He said the State Cannabis Commission is just getting started. He said there will be no regulations until next March. He said the plan is to have the bylaw finished for the annual Town Meeting in May. He said they will meet in October and then will be on hold. He said production will be in the Industrial Zone and dispensing could be in the Industrial zone and the Business Zone.

**APPOINTMENTS:**

7:15 p.m.      Depot Square Condominium

Modification to Special Permit

Mr. John Goddard represented the application of the Depot Square Condominium Association requesting that sidewalks not be constructed and the gate at the top of Southwick Hill not be removed. He said these two items are in the Special Permit and the Condominium Association would like them changed. He said with the construction of the sidewalks topography becomes an ever increasing factor along the roadway and the driveways as well. He said originally there was to be a single sided sidewalk extended to Southwick Hill. He showed on the map where they were requesting to terminate further construction of the sidewalk. He said the other issue is the gate between Southwick Hill and the Condominium. It was originally planned to be removed as soon as the development is complete. He said both the Southwick Hill and condo residents want the gate to remain. He said one of the concerns with the gate is that snow accumulates on both sides of the gate. The Association has agreed to make sure the snow will be

removed. The other concern is the possibility of drivers cutting through to avoid the traffic light. A petition signed by 31 residents was presented to the Planning Board. Mr. Donald Lindsay of 28 Southwick Hill Road is the temporary chair of the Association. He said they would be willing to make sure there is no snow accumulation on the gate area. He said everyday there are cars coming up the road and then backing down because they thought it was a through road. He said people are looking for a way to cut through. He said the residents of Southwick Hill have had a dead end street all these years and would like it to stay that way. He said they are concerned about security, and about the road being not up to standard and walkers wanting to walk through. He said they are more than willing to work with the Town Emergency Services. Mr. Phelps asked if there were any signs noting the road has no outlet. Presently there are no such signs and no signs that say private way. Sergeant Sanders said Police Chief Mr. Ricardi was present. Sergeant Sanders said the gate was not about privacy. He said the gate is a hindrance for emergency vehicles. The agreement was that the gate would be removed when all construction was completed. He said because it is a condo the roads are not the same standard as a Town road. He said if they do not put sidewalks all the way up and someone gets hurt because there are no sidewalks the Town should not be held accountable. A resident asked why the gate must be removed. He said because it will be a hindrance when lives are at stake to get to the correct side of the gate. A resident asked what is the difference in response time. He said if they were on the wrong side of the gate and would have to turn around it might add 3 plus minutes to arriving at the emergency. Sergeant Sanders said there is no point to cutting through there because it is too much of a maze to drive through. He also said that it is faster to go through the lights. Mr. Pettit said there are children who meet the bus at Depot Street. He asked if there is another community in Town where the residents are responsible for the upkeep of the roads and lights. Sergeant Ricardi said that Sterritt Drive is a private way and the residents want to keep it that way and they are responsible for the road. He said there are different standards for condos and housing developments. Mr. Slessler said a Town Road must be at least 26 feet with sidewalks on one side. He said it was not established as a gated community. A resident felt that people will cut through from and to Southwick Hill Road. Mr. Doherty read the comments from other Board.

Comments from the Department of Public Works (**SEE ATTACHMENT A**)

Comments from the Fire Department (**SEE ATTACHMENT B**)

Comments from the SelectBoard (**SEE ATTACHMENT C**)

Donald Lindsay of 28 Southwick Hill Road said he understands that if they change the name of the road and have a breakaway gate these changes would work. He said the residents feel strongly about their security. He also said he did not understand why the DPW has any concerns about Southwick Hill. Mr. Doherty said he was not sure if that would address the issues stated by the Departments. Mr. Doherty said they have to deal with snowplowing on Southwick Hill and not have the opening filled with snow. Ms. Dorothy Bujevicie of 20 Rails End said the DPW does not plow our road. We plow it ourselves. Why is the DPW concerned about our gate? Mr. Doherty said if the gate is there it has to be accessible for public safety. He said someone has to deal with the snow that will accumulate under the gate in some way. Mr. Slessler said at the Ranch they have a gate that can be opened with a card or a code. Mr. Doherty said the gate has to be dealt with in some way. A resident said a UPS driver goes up Southwick Hill to deliver packages and cannot get through. So he leaves the packages at the gate and they get to deliver them. She said she would like to see it being a dead end road. Another resident said he is concerned with liability when the gate is removed since the Association is responsible for the upkeep of the road. Mr. Sutton asked what they intend to put in place to keep the gate area cleared of snow. Mr. Lucier said when he turns over the reins to the association they will be responsible for the gate and the road. Mr. Lindsey said that will be part of the responsibility of the subcontractor for snow removal that is hired. Mr. Doherty said any project of this magnitude has had a Public Hearing and much discussion to approve the Special Permit. This is the result of that process. He said he is uncomfortable coming back several years later to make changes. He discussed the argument for the sidewalks. He said it seems to make sense to change the name of the Road. He said he appreciated the privacy that those on both sides of the gate have enjoyed but the intent was to remove the gate. Chief Ricardi said that he has experienced some problems for emergencies where the address was confused. He said there is a big sign on Depot

Street saying Condos for sale so of course you are going to get cars up there. A resident said that she anticipated that the gate would remain. A resident said that she did not understand why the street numbers would continue from Southwick Hill to the condominium. It does not make sense. Mr. Doherty agreed that it did not work if the gate was present. A resident said that when something was done ten years ago he wondered why the tax payers living in the Condo could not request a change.

**A MOTION** was made by Mr. Sutton and seconded by Mr. Phelps to continue the hearing on October 3, 2017 at 7:30 p.m. The motion passed unanimously.

8:25 p.m. 22 Nicholson Hill Road Continued Public Hearing

No one showed up for the hearing and no information was sent. A suggestion was made to allow one last chance to see if the applicant intends to pursue the application.

**A MOTION** was made by Mr. Phelps and seconded by Mr. Sutton to continue the Public Hearing for 22 Nicholson Hill Road to November 7, 2017 at 7:15 p.m. The motion passed unanimously.

8:28 p.m. 18 Curtis Road Growing Hemp Discussion

Mr. and Mrs. Hall said they are farmers at 18 Curtis Road on 89 acres of property. They are presently growing a small amount of hemp indoors. Mrs. Hall said they have been working with the Cannabis Commission and the US Department of Agriculture for over seven years. They have been growing hemp. She said once they get their licensing from the State they would like to go ahead and grow industrial hemp. Mr. Phelps said this is a new use the Committee has not considered before. She said there will be extensive grants from the government after January for farmers to grow industrial hemp. It can be used for paper products, for control of water runoff, clothing, oil, medications and many other uses. She said three percent and below of THC is considered hemp and is not considered marijuana. Mr. Phelps suggested they come before the Planning Board to discuss this since there is no bylaw regarding the growing of Hemp.

8:35p.m. 371 North Loomis Street Site Plan

Doretta Jordan and Aliyah Chidubem of 2121 Bond Street Spencer MA represented the Solar Rayah Company that proposed to install a ground mounted solar array at 371 North Loomis Street located in a Residential area. Ms. Jordan said it is less than 1000 square feet. It will be located behind the house.

**A MOTION** was made by Mr. Sutton and seconded by Mr. Phelps to approve the site plan for 371 North Loomis Street for a ground mounted solar array. The motion passed unanimously.

### **ROUTINE BUSINESS:**

8:49 Minutes

**A MOTION** was made by Mr. Phelps and seconded by Ms. Ackerman to accept the minutes of September 12, 2017 as presented. The motion passed unanimously.

Being no further business to be brought before the Board, **A MOTION** was made by Mr. Sutton, **SECONDED** by Mr. Phelps to adjourn at 8:50 p.m. Vote was unanimous.

Michael Doherty \_\_\_\_\_  
Chair

Marcus Phelps \_\_\_\_\_  
Vice Chair

Richard Utzinger \_\_\_\_\_

David Sutton \_\_\_\_\_

Michelle Ackerman \_\_\_\_\_

Respectfully submitted,  
Ruth Preston, Planning Board Administrative Assistant