



# *Town of Southwick*

## **Planning Board**

### MINUTES



**October 3, 2017**

**MEMBERS IN ATTENDANCE:**

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

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. The owner of the Cinderella Gas station on 801 College Highway is considering creating an apartment on the second floor of the gas station. The building is located in the Business Restricted (BR) zone and mixed use is permitted.
2. A proposed ground mounted solar array at 50 Foster Road was reviewed for next meeting. Site plan approval is required for less than 1000 square feet.
3. Had a conversation with Mr. King the owner of 662 College Highway regarding the proposed O'Rielly Auto Parts Store. Variances are required due to the wetlands location.
4. Received plans for Goose Pond Solar Ground Mounted Array. The project is scheduled for the October 17, 2017 Planning Board meeting.
5. Talked with two contractors who are interested in the 33 acres for sale that front on College Highway and Sunnyside Road.

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

There were no public comments.

**APPOINTMENTS:**

7:15 p.m.      22 Tannery Road      Public Hearing

Silipe Cravo, of Lévesque Associates represented the Charles Real Estate Holding Company proposes to renovate buildings and to expand the area of existing gravel by 10,740 square feet. He said they were requesting a modification to the Special Permit for 22 Tannery Road. Mr. Scott Lamon, owner of the property, was present. Currently there are four existing buildings. Building one is being used for a landscape company and two tenants. The purpose of the application is to put a gravel drive way around the site. and to prepare the other buildings for general storage space.

He said there were comments from the DPW (**SEE ATTACHMENT A**) He said they addressed all these concerns. Mr. Lamon said the current list of tenants is fencing company, a cabinet company, another landscaping company, a paving company and some personal storage. They reviewed the construction of building one. He said the long term goal, which is not part of this application, is to finish all the buildings similar to building one. He is proposing to remodel the

three remaining buildings (2 through 4) at this time. The Board reviewed lighting and handicapped parking and exterior lights.

**A MOTION** was made by Mr. Phelps and seconded by Mr. Sutton to close the Public Hearing. The motion passed unanimously

**A MOTION** was made by Mr. Phelps and seconded by Mr. Utzinger to approve the Modification to the Special Permit for 22 Tannery Road. The Motion passed unanimously.

7:35 p.m. Depot Square Condominium Continued Public Hearing

Tim Lucier, the contractor for Depot Square appeared for the continuation of the Public Hearing and Silipe Cravo, of Lévesque Associates represented the Depot Square Condo Association. They are proposing to keep the gate between the condo units and Southwick Hill and they are requesting to install fewer sidewalks than originally proposed. The gate is supposed to be removed when the construction on Depot Square is substantially complete. The residents of Depot Square and Southwick Hill want it to remain for privacy.

Mr. Doherty read a letter from Sergeant Sanders. **(SEE ATTACHMENT B)**

Mr. Lucier discussed with Sergeant Sanders the contents and recommendations of the letter. He said if the residents want to install an automated gate they can. They also discussed signs for the entrance. Mr. Doherty said there is time because the development is not complete. Mr. Lucier said Sergeant Sanders agreed that a sign at the kiosk the said "Private Way" would be amenable. Mr. Lucier said the road is too steep for someone to walk on the sidewalks. Mr. Doherty asked what is the difference between walking on a snowy road and walking on a snowy sidewalk. Mr. Lucier replied the roads are salted and the sidewalks are not. Mr. Mike Parent, of 2 Junction Station Road, said he never thought there would be sidewalks. Mr. Guy Beriberi, of 17 Southwick Hill Road, said he found out the roads in the development would never be considered a public way It says in the plan that sidewalks will be installed on one side or the other to the top of the road and it says the gate must be removed at the completion of the construction. He said in the beginning of the permit that states it is the responsibility of the Planning Board of Southwick to assure the residents of the Town have a safe and healthy environment. He said if the Town allowed the road to be built narrow, winding and on a hill then the Town has allowed an unsafe situation that would not absolve them of legal liability which becomes the responsibility of the Association. He said that is why a gate is necessary. Mr. Doherty said if the residents want to put up a gate so they can start the research on what is needed so when the gate comes down the new gate will be ready to install and that is not the responsibility of the Planning Board. He said if a gate is installed, the name of the road should be changed. The name change procedure is to go before the SelectBoard. Mr. Phelps brought a copy of the Planning Board meeting minutes of March of 2009. He said the idea of the gate was that it protected the residents on Southwick Hill from construction vehicles . The gate would be removed after the construction was complete. There was further discussion about what type of gate would work. A Condo Association representative said the residents are in support of an electrical gate and would hire a contractor with the agreement that snow would be removed from the gate area. He said then the residents would have a sense of privacy and security. They continued to discuss the width of the road and the fact that it is steep and winding. Mr. Doherty said when people buy into a property they should do the research so they know what are the restrictions. He said the plans were on file and could be viewed if requested. He said the idea that anything has changed is not accurate. Every person bought into that special permit whether they knew about it or not. When a condo is constructed it does not have to meet the requirement of a Town Road. It is considered a benefit that is built into the law to have a narrower Road. After a discussion about the gate Mr. Doherty

said that installing an electronic gate seems to be amenable to the residents, the Planning Board, the Police Department and the Fire Department. He said therefore the discussion should be around the sidewalks. Mr. Doherty said that the Association needs to deal with the change in name of the road, decide on the gate and meet with the Police Department and the Fire Department to see if it meets with their approval. He said Mr. Lucier will grant permission for the Association to make the request for a gate. Mr. Doherty said that if there is no gate all these problems would go away. Mr. Doherty asked for the discussion on floor to be focused on the sidewalks at this time. Mr. Phelps offered a suggestion that the sidewalks not be on just one side of the road. He said there were some sections where they could easily be put in on the other side of the road. A resident said that not all present are against having sidewalk. A Board of Trustee member said Southwick Hill has no sidewalks and the sidewalks on Depot Street is in bad shape and needs replacing. He listed other sections of Town that have no sidewalks. He asked if they were being held to a higher standard than the rest of the Town. He said the residents felt that it is not going to enhance the property. A resident said she has changed her mind and wants the sidewalks because they provide safety for children and the elderly. Mr. Doherty asked if folks had changed their mind about sidewalks. Some residents said they had changed their minds. A resident asked who would keep the sidewalks clear in the winter. Mr. Phelps said the sidewalks should be relocated. Mr. Lucier disagreed with the suggested plan. He felt it would cause major drainage problems. Mr. Slessler suggested Mr. Lucier's engineer do a feasibility study to see if the sidewalks can be put in and to see if putting diversions are needed and find out if sidewalks can go in there now. Mr. Doherty said that having a plan from an engineer that shows the feasibility of sidewalks offers bit more weight to the argument. The engineer may say it is not reasonable to put sidewalks on a portion of the property. Mr. Phelps said that the Planning Board then has reliable evidence to make a decision about the sidewalks.

**A MOTION** was made Mr. Sutton and seconded by Mr. Phelps to continue the hearing for Depot Square to November 7, 2017 at 730 p.m. The motion passed unanimously.

**ROUTINE BUSINESS:**

8:49 p.m.

Minutes

There were no minutes presented.

Being no further business to be brought before the Board, **A MOTION** was made by Mr. Sutton, **SECONDED** by Mr. Phelps to adjourn at 8:02 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