



Town of Southwick

Planning Board

MINUTES



Tuesday, February 23, 2021

MEMBERS IN ATTENDANCE: Michael Doherty, Chair
Marcus Phelps, Vice Chair
David Sutton
David Spina
Jessica Thornton, Associate
Alan Slessler, Town Planner
Meghan Lightcap, Secretary

ABSENT: Richard Utzinger

A special meeting of the Planning Board was scheduled via Zoom 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 in the audience was recording the meeting. Attending the meeting were Doug Moglin, Joe Deedy, Andy Reardon, David Reale, Rob Tirrell, Kathy Cohoon and Dennis Hackett.

PLANNER'S REPORT: 7:00 p.m.

1. I spoke with a vendor would like to purchase College Highway property for a marijuana site.
2. Talked with representatives for a proposed estate lot on Fred Jackson for the Solek family.
3. The state of Massachusetts is mandating that the town file the rules and regulations for the MS4 permit; it's a storm water management permit. They are recommending that it should not be in a planning and zoning section but that it should be governed by public works. I was supposed to meet with DPW Director Randy Brown however the Zoom meeting was postponed. This will bring changes to Planning bylaws.
4. Spoke with a gentleman interested in 771 College Highway who is currently on the Zoom meeting to ask the Planning Board questions.
5. Meghan and I submitted material for Verizon's information request which included our emails with homeowners and time taken to submit.

PUBLIC COMMENTS: 7:05 p.m.

None

APPOINTMENTS:

7:10 p.m.

771 College Highway

Discussion

The interested applicant Rob Tirrell attended the Zoom meeting to discuss the development of 771 and 776 College Highway which is a vacant lot right now, zoned BR and it's a commercial property owned by Ralph DePalma. He wants to build a self-storage facility and shared a preliminary sketch on the screen for the Board to see. Mr. Slessler asked if he made arrangements for a 25 foot berm or fence around the border of the property because it has Winnfield Estates on one side and another residential property on the other side. Mr. Tirrell said yes he did because he wanted to keep it natural and will take that into account when preparing the plans. Mr. Doherty asked how big the lot size was and he said 3 and a half acres, that it is a combination of two lots. Mr. Phelps asked if the surface around the units would be paved and Mr. Tirrell said it would be paved or concrete. Mr. Phelps said they would have to think about drainage and Mr. Tirrell said yes they were taking that into account and thinking of continuing the drainage pond that Winnfield Estates has.

Mr. Doherty told Mr. Tirrell to bear in mind that Dr. Walz would be building a development across the street and it's possible that the build may coincide with his at the same time, which could cause traffic issues on College Highway. Mr. Tirrell said yes they would keep that in mind. Mr. Slessler told him that because College Highway is a state highway they would have to get a driveway permit from the Commonwealth of Massachusetts.

Mr. Andy Reardon of 23 Woodside Circle and owner of A&R Auto Glass asked to speak before the Board. He wanted to remind the Board and Applicant that he still has an outstanding permit for an additional 50, 000 square feet at his property, which is cleared and surveyed. He would like the Board to review the permit and restrictions his property was held to when they review this current facility as well. Mr. Doherty said they would do that but thought it may be a slightly different because Mr. Reardon's property is over the aquifer and near wetlands. Mr. Reardon said yes he did but some of the restrictions specifically were related to the berm and what adjacent properties would think, "What would the neighbors think". He felt that because Westfield had some colorful storage facilities at the time that he applied for his permit it was imposed on him that his property may look the same way and he couldn't have boats, RV's and anything stored outside because it would look unsightly. Mr. Doherty agreed that the Planning Board should look at his permit to refer to the restrictions and see what is applicable but also to let Levesque and Associates know to refer to this permit. Mr. Reardon said he would like to remove the restriction for storage and Mr. Doherty said he would take a look at that.

7:15 p.m.

Solar Bylaw

Discussion

Mr. Doherty said he looked at towns outside of Boston like Concord and noticed that they don't have much of a restriction; it was 5 acres with 50 foot setbacks and that included residential. He feels that is very small but they go by kilowatt not area size with special permit requirement. Mr. Spina agreed that 5 acres and 50 foot setbacks is too small and he cares about the size of the arrays and their visibility. Mr. Phelps said that he thought Mr. Slessler had a great idea at last

meeting which is to look at Table 1 and create a new column for R-40 and then possibly footnote the large scale ground mounted in the R-40 zone and say it requires a minimum of 20 acres. He feels Concord is probably limited for open land so that's why they are looking at small acreage. Mr. Sutton asked Mr. Phelps if he knew how many lots there were total that this bylaw change would affect and he deferred to Mr. Slessler. Mrs. Thornton said there were approximately 160 parcels that were 20 plus acres, if you go to 30 plus they were down to 111 parcels, 40 plus acres were down to 107 and 50 plus acres its 38 parcels in the R-40. Mr. Slessler agreed with what Mrs. Thornton said but he hadn't broken that down into 5 acre sized parcels. Mr. Phelps said that in the town of Blandford's bylaws they required a minimum of 12 acres with 100 foot setback. Mr. Slessler said to keep in mind that when he was on the original solar bylaw committee the people living in the R-40 zone were very vocal about not having it. Mr. Phelps said that in Williamsburg, MA they had a minimum of 20 acres so we could look at a middle ground and say 15 which would give us about 200 parcels in the R-20 and R-40. Mr. Sutton asked if this was for personal use and Mr. Doherty said yes it was. The decision was made to make changes to the bylaw at the next meeting in March. Resident Kathy Cohoon said that if power is not for personal use and is sold back to the power company how does that not make the property commercial and who would maintain that property and the solar arrays. Mr. Doherty told her that was something they would be taking into account and discussing at the next meeting.

7:30 p.m.	Hiring Consultant	Modification to the Bylaw
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Mr. Doherty said that there is a statute about hiring a consultant in the town of Lexington, MA and he shared the screen to show the bylaw. It states that it allows the town to retain any outside consultants at the expense of the applicants and you have to establish a special account per the statute. Mr. Slessler said that we have one in existence under chapter 315.10.1 and Mr. Doherty said he knew but thought it was just a general one and not very specific. Mr. Moglin said that it was only for subdivisions and you could not use for other applications. Mr. Phelps said that they were planning to put this under Chapter 185.9 Special Permits and it would be good to just insert a new section C because there is now a section A and B. Mr. Doherty asked him if he felt that would impact applicants coming in for storm water modifications and Mr. Phelps said yes unless they write it in the storm water bylaw. There was further discussion on how to word this for the public hearing.

7:45 p.m.	Remove term "Grandfather"	Modification to the Bylaw
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Mr. Doherty said there is an appeals court case to not use the term anymore and if a court is not going to use the term anymore it should probably not be in our bylaws. It is only used in 36.1C in the definition section and needs to be taken out.

Mr. Slessler said there was talk of changing the electronic message sign to 15 second increments and he thought that was a big change. Mr. Phelps said that is a calculation for a 35 M.P.H. zone and you are seeing the sign at 500 feet away and he said if they are allowed in agricultural areas there are about a dozen places that this could come up. Mr. Spina said we should consider the times of day that these signs could be on and Mr. Doherty agreed.

A MOTION was made by Mr. Phelps and **SECONDED** by Mr. Sutton to accept the Meeting Minutes of February 9, 2021.

Roll call vote:

Mr. Doherty, yes	Mr. Phelps, yes	Mr. Sutton, yes	Mr. Spina, yes
Mrs. Thornton, yes			

The motion was 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 adjourn at 8:42 p.m.

Roll call vote:

Mr. Doherty, yes	Mr. Phelps, yes	Mr. Sutton, yes	Mr. Spina, yes
Mrs. Thornton, yes			

The motion was passed unanimously.

Due to future meetings being held via Zoom, the meeting minutes were approved via electronic signature on 2/23/21.

Respectfully submitted,
Meghan Lightcap

The Next Meeting is March 16, 2021