



# *Town of Southwick*

## **Planning Board**

### MINUTES



**Tuesday, June 8, 2021**

**MEMBERS IN ATTENDANCE:** Michael Doherty, Chair  
Marcus Phelps, Vice Chair  
Richard Utzinger  
David Sutton  
David Spina  
Jessica Thornton, Associate  
Jon Goddard, Interim Town Planner  
Meghan Lightcap, Secretary

**ABSENT:**

A regularly scheduled 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 Joe Deedy, Doug Moglin, Randy Brown, Sue Stevens, Ed Shibley, Luke Showalter, Michael Orszulak, Rob Tirrell, Michael McMahon, Angelina Simone, Tracy Root, Jessica Allen, Jason Giguere, Diane Gale, Sarah Wood, Heidi and Eric Scammons, Jennifer and David Reale, Joanne Leblanc, Chris Mastroianni, Kimberly Wolfe, Wendy Cordeiro, Samuel Goodwin, Michael Parent, Richard Marshall, Christian Bach, Jason Desrosier, Judy Gregoire, Nancy and Jim Roberts, Dan and Corinne Dumais, Cherie Benoit, John Lacey, Stephen Wesolowski.

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

1. I received an inquiry from a concerned citizen that resides near the former VFW in regards to tree clearing on Two States Avenue. I let her know there was no apparent violation taking place under zoning.
2. I received a Request for Information from Sunnyside Ranch Estates to the Town for meeting minutes related to the development, the Written Decisions, and release of covenant in lieu of bonds for infrastructure improvements.
3. A request came in for Planning Board members to complete a 2021 Conflict of Interest Assessment Certification by July 30, 2021, there are copies in office and they will be distributed via email as well.

4. I received an Earth Excavation Special Permit renewal request at Hudson drive on behalf of Tilcon, Inc.

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

**APPOINTMENTS:**

7:10 p.m.	Parcel 2-1 Sodom Mountain Road	Special Permit
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Mr. Doherty read the Notice of Public and introduced Jessica Allen of R. Levesque Associates, Inc. Ms. Allen shared her screen and showed the plans for the project as she is representing the clients. The applicants would like to construct a single-family house in the Agricultural Conservation District which requires a Special Permit and there is an old structure on the property that they will demo. The house will be on a three-acre parcel of land and they want to install a gravel driveway next to the proposed house. The house is being built near a wetland so it will need to be approved through the Conservation Commission. Mr. Doherty read the comments from DPW and the Fire Department. Chief Anderson did ask if there was a weight limit on the proposed culvert and Ms. Allen said she did not have that information but would get it and let the Board know. Mr. Doherty let her know that the Police Department did not have any issue with the proposed plans. Mr. Utzinger asked Ms. Allen to pull up a map of the site to see where it is in relation to Loomis Street. There is a gate at the end of the road and Mr. Utzinger asked where it led and if the Town was in charge of it. Mr. Brown, DPW Director said the gate was maintained by the Town but the remainder of the road was legally discontinued. Mr. Phelps said that under Bylaw 185.11 B.(6)(b) for Single Family Residences, “the Board of Health shall certify that the proposed private sewerage and water systems have been designed to operate satisfactorily in relation to the particular characteristics of the soils and slopes in this district.” Therefore, the Board should see something from the Board of Health related to the septic system and water supply. Mr. Phelps said the information states they should provide a certificate to the Planning Board. Mr. Doherty said that can be added as a separate condition in the Written Decision. Mr. Doherty asked Ms. Allen about minimum lot area and height dimension requirements in the R-40 Zone and Ms. Allen said that all dimensional requirements had been met.

Mr. Doherty recommended that they continue this hearing over to the next meeting until a final plan comes in from the Conservation Commission.

Resident Jason Derosier of 53 South Loomis asked how this proposed project can affect the neighboring properties water levels as he is located further down the hill and doesn't want to see flooding occur in his yard. Mr. Doherty told him that there won't be a substantial change because all the necessary actions will be taken care of to control this, specifically through the Conservation Commission and Building Department. Mr. Derosier also asked if there would be blasting of any the rock ledge and Ms. Allen said there would be no blasting happening to her knowledge as the house was being built on a cleared meadow.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing for the Parcel 2-1 Sodom Mountain Road Special Permit to Tuesday, June 29, 2021 at 7:07 p.m.

**Roll call vote:**

Mr. Doherty, yes      Mr. Phelps, yes      Mr. Utzinger, yes      Mr. Sutton, yes  
Mr. Spina, yes

The motion passed by majority vote.

7:20 p.m.                                      115 Fred Jackson Road                                      Special Permit continued  
Jessica Allen of R. Levesque Associates, Inc. attended as a representative for the client and requested a continuance to the next meeting as they are awaiting minor revisions to the plan from Massachusetts DEP.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Sutton to continue the public hearing for the Special Permit for Fred Jackson Road to Tuesday, July 13, 2021 at 7:10 p.m.

**Roll call vote:**

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

The motion passed by majority vote.

7:25 p.m.                                      220 Sheep Pasture Road                                      ANR  
Ed Shibley was the representative for the Our Lady of the Lakes Church and the Springfield Diocese and asked Mr. Goddard to share his screen with the plans. Mr. Shibley explained that the Parish would like to create a bit more of a buffer for the rectory building at 228 Sheep Pasture Road. They would like to take a strip of land from 220 Sheep Pasture Road, 20 feet by 187 feet, and add that to 228 Sheep Pasture Road property next door in the R-20 Zone. This plan meets the frontage requirement but the setback of the house is 45 feet, although the setback requires 75 feet but it is a pre-existing, non-conforming structure. Mr. Doherty asked Mr. Goddard his opinion and Mr. Goddard said that in light of the deficiency in area shown on the plans they do not comply with zoning bylaws but the Massachusetts ANR Handbook indicates that conformance to Zoning is not the subject of action for ANR plans. Mr. Phelps said the property has to have frontage and access for the Planning Board to approve and Mr. Goddard agreed. Paul Gregoire, a member of the Southwick Board of Appeals said he discussed this with Town Attorney Mark Beglane months ago who said this land adjustment would be fine.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to endorse the ANR for 220 Sheep Pasture Road.

**Roll call vote:**

Mr. Doherty, yes  
Mr. Spina, yes

Mr. Phelps, yes

Mr. Utzinger, yes

Mr. Sutton, yes

The motion passed by majority vote.

7:30 p.m.                      Lot AA Two States Avenue                      ANR

Mr. Goddard shared his screen and explained the submission as there was no representative attending the meeting. This is the site of the former VFW showing Two States Avenue and Two states Road and the proposed land to be subdivided is in the rear. There is adequate frontage and area at the subject parcel to be divided and for the remaining land. Mr. Doherty asked if the previous issues with Two States Road had been addressed and Mr. Brown said it's considered a private road opened by VFW and that resident Norm Story owned the lot that was adjacent to this parcel and he pieced several parcels together to create that lot. Mr. Doherty asked if he had to create something to connect to and Mr. Brown said yes. Mr. Goddard wondered if the road was sufficient enough to provide access for residential use. Mr. Utzinger asked if it was sufficient enough width for the Fire Department to use and Mr. Goddard said the width shown on the plan is 33 feet. Mr. Brown said the road is narrow but at the end there is a decent area for a vehicle to turn around but we should defer to the Fire Department for their approval. Mr. Goddard pulled up Google Earth to show the aerial view of the property. Mr. Doherty said they should move the decision to the next meeting to make sure there is no issue to figure out if this is a legal issue with the access road. Mr. Doherty noticed the time stamp on the application was May 14, 2021 and the 21-day review period had lapsed so the ANR had been constructively approved. Mr. Doherty stated that in order for the owner to sell this property there would be have to be something written into the deed granting use of this access way, so that would be dealt with, therefore we should just move on.

7:40 p.m.                      Sage Engineering 217 College Highway                      Site Plan Approval continued

Mr. Doherty stated that notice had been informally given to the right-of-way properties. Luke Showalter of Sage Engineering shared the screen and showed the plans for the Daycare Facility. Mr. Doherty had contacted Town Counsel for their opinion on whether the right-of-way driveway paving would impact the property owners and they said no but they noticed two things: one is that just paving would not impact the road only improve it and the existing gravel road that goes to the North of the property goes outside of the right-of-way. The Town Counsel said that this land is state registered land so there is an added layer of what can and cannot be done with these types of property interests. So, the issue is left to the abutters and landowners to figure out. However, we need to add a condition that this approval is in no way endorsing the current set-up of that access. Mr. Sutton asked Mr. Showalter what the occupancy expectance was and he said up to 76 children. Mr. Sutton said that meant up to 100 cars twice a day would be going through there and there was already a lot of traffic congestion because of other nearby businesses. Mr. Sutton asked if they would be clearing off the front of the property near the road for better visibility and Mr. Showalter said yes, they were but they were limited because of

wetlands. Mr. Sutton also asked how far it was from the back of the building to the property line and Mr. Showalter said it looks to be about forty feet. Mr. Sutton asked if there was room to add anything to buffer the sound and Mr. Showalter said they are proposing to add a six-foot vinyl fence around the playground. Mr. Phelps said he would like to see more of a significant buffer between the private property and the playground.

Stephen Wesolowski of 229 College Highway, a direct abutter, said his main concern is the size of the building and the view obstruction. He is also concerned with the traffic aspect of dealing with 90 plus cars getting in and out, as well as emergency services getting in. Mr. Wesolowski reminded everyone that these are people's driveways not a common street as there is no other access to the homes. He also feels that a vinyl fence will not help to buffer the sound of 76 kids. Dave Reale of 84 South Longyard said they use a similar daycare in North Granby, CT for their children and have never had an issue with pickup and drop off traffic and this site seems an acceptable location for a daycare. Nancy Roberts of 4 Vining Hill Road who directly abuts this site said she has safety concerns regarding the right-of-way road and traffic and the daycare is going to be almost directly on her property and needs arborvitaes or something bigger for a buffer. Jim Roberts, Nancy's husband spoke up about privacy issues and potentially declining home values. Dennis Beltis of 73 Summer Drive asked if they could put in a raised road coming over the wetlands off College Highway as an alternative to using this right-of-way and Mr. Showalter said they are not able to because of wetlands. Mr. Sutton said he did not like that the right-of-way is sitting so close to the property line and how this will affect homeowner privacy. Mr. Utzinger agreed with what Mr. Sutton said and also said he was concerned about the traffic. Mr. Phelps said he thinks the access is not adequate but it could possibly be reconfigured to better address the concerns. Mr. Showalter explained that they chose that access road because it's the only feasible way in to the property. Mr. Doherty said that they should re-visit this once the applicants' adjustments are made and they have worked it out with the abutters and then come back to the Board.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Spina to continue the matter for Sage Engineering 217 College Highway Site Plan Approval to Tuesday, July 13, 2021 at 7:20 p.m.

**Roll call vote:**

Mr. Doherty, yes	Mr. Phelps, yes	Mr. Utzinger, yes	Mr. Sutton, yes
Mr. Spina, yes			

The motion passed by majority vote.

7:45 p.m. 686 College Hwy./0 & 34 Feeding Hills Rd. (Baily Project) Special Permit cont'd.  
Jessica Allen of R. Levesque Associates, Inc. was the representative for the client and she requested a continuance because they were in the process of revising plans due to DPW input. Mr. Moglin recommended the Board add the Carvana information to the Planning Board website for people to access the information. Resident Sue Stevens of 33 Tannery Road asked about the traffic patterns, signalization and how many cars would be coming in and out. Ms. Allen said the

site access would utilize College Highway to Tannery Road, there will be two shifts for employees and the trucks will be coming in and out of the facility, carrying between 8-10 cars. Mr. Doherty told Ms. Stevens that a traffic light would be constructed and the money was largely coming from the mitigation fund from Carvana. Ms. Allen said traffic coming in and out of Tannery Road should be controlled by the traffic light and the trucks would be coming through College Highway while employees could access any of the roads. Ms. Allen also told her the building would be single level and hidden from the road. Mr. Phelps added that this facility is not a sales lot and is only for vehicle processing and distribution. Resident Christian Bach of 10 Pine Knoll asked if this site will be washing cars at the facility and how much water was being used as there is a water moratorium in town and he can only water his lawn one day a week, he also asked if there is a way to get the town to figure out what type of businesses they want in town instead of playing defense to ones they don't want. Mr. Doherty addressed the issue of the water ban saying that what triggers the outside usage water ban in town are the actual water flow in the Westfield River and that level of flow is the criteria for a Town water usage ban. There are also usage caps as to what can be drawn out of the ground per year as well as having some limited access to Springfield water, but the outside water ban doesn't connect to this usage. They are two different analyses. Mr. Brown said Mr. Doherty explained that very well and agreed with what he said. Ms. Allen said it's a couple thousand gallons per day and they are aware of the moratorium in Town. They know there are plans in place to upgrade the water infrastructure and they understand that there will be water readily available once that infrastructure goes into place. Mr. Bach said that he was lost as they were saying the water usage was different for homeowners then for the facility, that they stated there was a moratorium for water usage because of mother nature but that would be different for Carvana, and the amount of water they would be drawing would not come from the town source but from wells. He said he found this confusing and wondered why this was already being talked about with the Town when this was supposed to be the initial meeting for Carvana. Mr. Doherty reiterated what he said earlier for Mr. Bach that there is a water ban that limits outside usage applying to residential and commercial properties, which is different than the water moratorium enacted last summer that limited water connections for any new development. The moratorium has been adjusted recently to allow for anything up to 150,000 gallons per year. He explained that it is a moratorium on water connections that should expire in July. The upgrade to the Town pump was voted on and approved prior to the Carvana project and will increase the water available through the town's interconnection with the Springfield Water & Sewer Commission's network. Mr. Bach said that by his estimation Carvana would be using roughly 750,000 gallons of water per year. He questioned whether this is the best idea for the town, and his second question was why is the Town is playing hockey goalie instead of going out and seeking the developments that would fit appropriately? He also asked where the water was going after the cars were washed and Ms. Allen said there is an infiltration reclamation system that will be constructed to recycle the water; she also received confirmation from the Brinkman Constructors that they would be using 9,000 gallons per day. She also stated there are strict guidelines from the state about water being contaminated and dumped into the ground water that need to be met and they have met with the Conservation Commission as well. Mr. Phelps asked about the sewer connection and where the carwash water being used would go and Ms. Allen said the carwash water is going through an oil/water separators into the sanitary system and so the project is proposed to connect to the existing sewer line that runs underneath the bike trail and provides for future connections off College Highway.

Mr. Bach said he does not feel that this project is good for the Town. Resident Cynthia Marshall of 45 Coes Hill asked about the amount of parking spaces on the project and Ms. Allen said there are 428 total employee spaces and the rest is paved but not designated as parking spots. Ms. Marshall asked if they will be obtaining a used car license and Ms. Allen told her no, they are getting just a Class 2 license from the state. Ms. Marshall asked Mr. Phelps how many vehicle trips would be passing through daily and he said there would be 2,664 vehicle trips per day. Ms. Marshall also stated that she feels the Town wants all of the property north of Route 57 west developed and putting this development in is not good for the community. Mr. Brown said that two years ago the Town appropriated funds to install a new pump station off Jarry Drive to upgrade the pipeline from that new pump station into our connection with Springfield Water and Sewer in Westfield; when we opened bids, we realized we were a little short of funds so we pulled the pipeline improvements out of the project and moved forward with the pump station project only, and that work finished about a year and a half ago. Last year, when Covid hit, there was uncertainty with budgets and revenue from water and sewer users so there was a proposal to appropriate money to complete that project and upgrade that pipeline, and once the year passed it was added back to the Town meeting but had nothing specific to Carvana. He also stated Town water usage went up 20 percent over the last year during Covid and they could barely keep up with the demand so the water moratorium was voted in and the water supply would double once that pipeline was complete with the current draw being 600 gallons per minute. Mr. Moglin spoke up to clarify that the money from the Warrant Article at Town meeting comes from water retained earnings not direct property taxes so those improvements are funded and paid by the water user, and Carvana would be a significant water user. Resident Christopher Gamble of 35 Terry Road asked if the traffic was going to head off of Tannery Road to College Highway and who would enforce that. Ms. Allen said yes it would and the most efficient route would be to College Highway a roadway that's wider and safer and employees could come from any direction in two shifts, roughly 2,600 trips per day.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Sutton to continue the public hearing for the Baily Project Special Permit to Tuesday, June 29, 2021 at 8:00 p.m.

**Roll call vote:**

Mr. Doherty, yes	Mr. Phelps, yes	Mr. Sutton, yes	Mr. Spina, yes
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The motion passed by majority vote.

**ROUTINE BUSINESS:**

8:00 p.m.

Discussion

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to approve the Meeting Minutes of May 25, 2021.

**Roll call vote:**

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

The motion passed by majority vote.

Being no further business to be brought before the Board, **A MOTION** was made by Mr. Sutton and **SECONDED** by Mr. Spina to adjourn the meeting at 10:08 p.m.

**Roll call vote:**

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

The motion was passed unanimously.

Respectfully submitted,  
Meghan Lightcap

**The Next Meeting is June 29, 2021**