



Town of Southwick

Planning Board

MINUTES



Tuesday, November 9, 2021

7:00 PM (recorded)

Town Hall Land Use Hearing Room

Written Minutes

(Not verbatim - comments can be heard on recordings available at www.southwick.org)

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

ABSENT: Michael Doherty, Chair

Also attending the meeting were 12 or so members of the public and several people were identified in chat on Zoom.

The “hybrid” meeting of the Planning Board was scheduled via Zoom and in-person to take place at the Town Hall Land Use Hearing Room and was called to order at 7:08 p.m. by Mr. Phelps. He stated that the meeting was being recorded, if anyone else was recording the meeting.

PLANNER’S REPORT: 7:00 p.m.

1. Mr. Goddard noted that a prior inquiry related to permitting a farm labor camp proposed on an separate, distinct parcel from the farm operation had received input from Town Counsel; it was ultimately determined that the use would not be allowed on a parcel separate from the farm activity.
2. Mr. Goddard followed up on an ongoing conversation related to 141 Congamond Road and an inquiry submitted by the owner on the topic of off-street parking impacts from boat slip leasing and any potential offset by the use of transient boat slips. Mr. Goddard

noted that he had spoken most recently with the Pittsfield City Planner and several multi-use commercial properties on lakes in that Community. The parking calculations and accommodations were site-specific per their ordinance and did not adequately compare to the conditions anticipated for this site. Mr. Phelps asked if the former Brunelle's Marina in South Hadley was comparable or if the Community had a bylaw that took into account the leased boat slip impact on off-street parking; Mr. Goddard indicated that it was not a good parallel to this site owing to its size, its location on a river, and the absence of a parking reference within the Town's bylaws.

3. Mr. Goddard reported that he had been approached by a businessperson looking to open an interior decorating and upholstery shop, looking at multiple commercial plazas.

REVIEW OF MINUTES: 7:03 p.m.

- July 20, 2021

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mr. Sutton to accept the minutes for July 20, 2021.

The motion passed unanimously.

- September 21, 2021

The Board requested additional time for review.

PUBLIC COMMENTS: 7:05 p.m.

Mr. Andy Reardon of 22 Woodside Circle asked the Board to review the decision given to him by a previous Planning Board back in 2003 for the Additional Attice self-storage facility at 1 Hudson Drive. He provided the Board members with copies of the 2003 decision and said he feels he was treated unfairly as compared to other businesses applying for permits at the time in town.

David MacWilliams of 4 Pinnacle Drive and Chair of the Conservation Commission gave an update on 42 Depot Street. He said that the Conservation Commission had re-advertised the permit because of previous Commission member changes and also met with representatives from R Levesque Associates, Inc. They continued their hearing to November 15, 2021 to accommodate a site visit. They asked the consultant to stake the building sites, conducted a site visit, and made attempts to negotiate a compromise but had received no formal response from them. Conservation has asked the applicant's representative to move a building 10 additional feet away from the wetlands.

APPOINTMENTS:

7:10 p.m.

The Greens of Southwick –West

Definitive Plan, Special Permit
& Site Plan Approval Modification
Continued Public Hearing

John Tomaszewski of R Levesque Associates, Inc. was in attendance to represent the application and shared the site plan online. He explained that they are looking to: combine two lots into one; split off a portion of a parcel to transfer that portion to an abutter; remove the 50' planted buffer strip on Lot 20; and substitute boulders and grass in place of the permitted 10-foot-wide stone path to the open space. Mr. Phelps read DPW's email providing plan review comments to the Planning Board. Resident Foster Kerrison of 16 Sawgrass Lane said the boulders are overwhelming at every 50 feet, counting 15 of them. He asked if the Board could have them located in an alternating pattern instead of a single row. He also asked who would be responsible for maintaining the grass growing around them and would there be abutter responsibility if someone was injured; Mr. Utzinger said that would be up to the Homeowners Association. There was discussion about water pooling up in areas between lots and icing the cul-de-sac in the winter months; Mr. Goddard responded that this point is a separate issue from this specific modification request. Resident Joe Fournier told the Board that many previous issues that had been brought up at the last meeting by residents have since been resolved, such as the installation of a stop sign and streetlights. Representatives from Crestview Construction said they have staked the proposed location of the boulders and now feel this modification is becoming too much for them at their own expense. Jason Fiore the applicant asked the Board to please close this hearing and just vote yes or no, sharing his thoughts that the hearing has gone on far too long.

A **MOTION** was made by Mr. Sutton and **SECONDED** by Mr. Spina to close the public hearing for the Greens of Southwick-West Special Permit and Site Plan Approval modification.

The motion passed unanimously.

7:25 p.m.

125 Sheep Pasture Rd.

Estate Lot Special Permit, Stormwater
Management Permit, & Site Plan Approval
Continued Public Hearing

Mr. Tomaszewski of R Levesque Associates, Inc. represented the applicant for this matter and public hearing, sharing the site plan online. He explained that the applicant wants to create an Estate Lot and construct a driveway between wetlands. He said they have addressed DEP and Conservation comments and they were waiting for Conservation to issue their decision. He had also received responses from the Fire Department and Department of Public Works. The Board decided to wait to hear back from Conservation before making a decision.

A **MOTION** was made by Mr. Sutton and **SECONDED** by Mr. Utzinger to continue the public hearing for 125 Sheep Pasture Rd. Estate Lot Special Permit, Stormwater Management Permit & Site Plan Approval to Tuesday November 23, 2021 at 7:10 p.m.

The motion passed unanimously.

7:30 p.m.	159 Berkshire Ave.	Stormwater Mgt. Permit Application <i>Continued Public Hearing</i>
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Mr. Goddard read an email to the Board from the applicant's representative, Derrick Hale, P.E., requesting a continuance as they had made additional discoveries impacting the final design.

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mr. Spina to continue the public hearing for 159 Berkshire Ave. Stormwater Management Permit to Tuesday November 23, 2021 at 7:20 p.m.

The motion passed unanimously.

7:45 p.m.	42 Depot Street	Special Permit, Site Plan Approval, Earth Excavation Special Permit, Wellhead Protection District Special Permit, and Stormwater Mgmt. Permit Application <i>Continued Public Hearing</i>
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Mr. Phelps recused himself as he is an abutter, with Mr. Sutton assuming the role of the acting chair. Mr. Goddard read an email from Sofia Bitzas at R Levesque Associates, Inc., requesting a continuance.

A **MOTION** was made by Mrs. Thornton and **SECONDED** by Mr. Spina to continue the public hearing for 42 Depot Street Special Permit, Site Plan Approval, Earth Excavation Special Permit and Stormwater Permit to Tuesday November 23, 2021 at 7:30 p.m.

The motion passed unanimously.

8:00 p.m.	Wireless Communications Services District	Bylaw Revision <i>Continued Public Hearing</i>
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Mr. Goddard reported that initial outreach from a Planning Board member had not resulted in any guidance but would reach out to independent wireless consultants to help analyze the existing bylaw and map, and provide technical guidance and recommendations. Attorney Gary Liquori of 266 South Longyard shared that he owns 36 acres of land adjacent to land of Andy Felix (5 acres), offering to combine and offer their land for use in an area of poor cellular service but also observing that they are not within the current overlay district. Mr. Phelps said that

changes are intended to be before the Town at the next Annual Town Meeting in May of 2022. Mr. Phelps suggested that they ask PVPC for a request for proposals (frequency analysis). There was discussion on suitable property in town for cell towers and taking small cell technology on telephones and buildings into consideration as well.

Resident Diane Gale said Verizon has maps would that help and Mrs. Thornton said she wasn't sure of the accuracy of those. Mr. Moglin said that during the Verizon hearing, it was noted that the subject parcel in that matter is no longer suitable for a cellular communications tower and that the Board should move to remove it with a suitable substitution.

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mr. Sutton to continue the public hearing for the Wireless Communications Services District-Bylaw Revision to Tuesday December 7, 2021 at 8:00 p.m.

The motion passed unanimously.

8:15 p.m. Noble Steed Crossing - Request to release Lot 16 from Covenant

Continued Discussion

Mr. Phelps read a letter from Randy Brown, DPW Director, who said he had a conversation with Jesse Saltmarsh regarding finishing the road loop which includes a culvert crossing a wetland resource area. Mr. Saltmarsh stated he did not want to complete the loop but rather install a cul-de-sac. Mr. Brown reached out at a later date to confirm with Mr. Saltmarsh what his final intentions were and he has not heard back from him. Accordingly, DPW does not recommend granting this request to release Lot 16 from the covenant until Mr. Saltmarsh provides clarification regarding his comments and commitments to the project. The Board decided to rely on Mr. Brown's comments until more information was given.

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mr. Spina to continue the discussion of the Noble Steed Crossing Request to release lot 16 to Tuesday November 23, 2021 at 8:00 p.m.

The motion passed unanimously.

8:25 p.m

281 & 283 S. Longyard Rd.

ANR

Mr. Goddard read a letter by Attorney Gary Liquori asking the Board to allow his clients to withdraw the application and plan to be considered.

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mr. Spina to accept the withdrawal of the ANR for 281 and 283 South Longyard Road.

The motion passed unanimously.

8:30 p.m Routine Business

- Mr. Spina updated the Board on the first Master Plan meeting and that they were waiting on two members to be endorsed by their Boards. The next meeting is November 18, 2021.
- The Short-Term Rental Subcommittee needs a Planning Board Member and Mr. Utzinger volunteered. Mrs. Lightcap said she would reach out to the people who had previously volunteered to be on it.
- Mr. Phelps felt they should not move forward on the Draft Citizen Petition for major development Moratorium until Mr. Doherty returned. Diane Gale said she thought this was a hearing and Mr. Phelps let her know it was just on our agenda as an informal discussion.

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 8:53 p.m. The motion passed unanimously.

The Next Scheduled Meeting is November 23rd, 2021.

Respectfully submitted,

Meghan Lightcap
Secretary Planning Board

Michael Doherty, Chair

Marcus Phelps, Vice Chair

Richard Utzinger

David Sutton

David Spina

Jessica Thornton, Associate