



# *Town of Southwick*

## **Planning Board**

### **MINUTES**



**Tuesday, December 21, 2021**

**7:00 PM (recorded)**

**Town Hall Land Use Hearing Room with online participation via Zoom**

#### **Written Minutes**

*(Not verbatim - comments can be heard on recordings available at [www.southwick.org](http://www.southwick.org))*

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

**ABSENT:** Meghan Lightcap, Secretary

Also attending the meeting were approximately ten members of the public and several people attended via *Zoom*.

The “hybrid” meeting of the Planning Board was scheduled for participation in-person and via *Zoom* to take place at the Town Hall Land Use Hearing Room 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 else was recording the meeting.

#### **PLANNER’S REPORT:** 7:00 p.m.

1. Mr. Goddard attended an online quarterly meeting of the Pioneer Valley Planning Commission as the Planning Board alternate member and reported that there was a lively discussion about reviving commuter rail connections to Western Massachusetts.
2. Mr. Goddard attended a training session of the Massachusetts Citizen Planner Training Collaborative as a means to learn what tools they may offer to Board Members.

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

Sue Stevens followed up on her letter regarding buffer plantings at the Greens-East subdivision and asked what the next step was. Mr. Doherty noted that he was not able to make the phone calls he needed to make just yet. Mr. Goddard explained his review of the decision for the subdivision and did not find any mechanism to compel the developer to install the plantings prior to pursuit of acceptance by the Town. Bob Stevens spoke up about his frustration with the situation and that there has not been anything done yet. Mr. Doherty said he has not had a chance to talk with Town Counsel about what sort of enforcement the Planning Board can take but he is willing to look into that as well as speaking to the developer.

**APPOINTMENTS:**

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7:10 p.m.	159 Berkshire Avenue	Stormwater Management Permit Application <i>Continued Public Hearing</i>
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Mr. Goddard said he received a request to continue this hearing to the next meeting owing to the need for the project engineer to acquire some additional data.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing for 159 Berkshire Avenue Stormwater Management Permit to Tuesday, January 18, 2021 at 7:10 p.m.

The motion passed unanimously.

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7:20 p.m.	Wireless Communications Services District-Bylaw Revisions	<i>Continued Public Hearing</i>
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Mr. Goddard shared that he spoke with the Town Administrator regarding the necessary funding to engage with Isotrope, LLC, the consultant identified for the bylaw review and wireless signal coverage analysis throughout the town. With the Board's consent, he noted that a request for the transfer of funds for this purpose would be submitted to the Select Board for their approval and also for approval by the Finance Committee. Mr. Doherty asked him to reach out to the consultant that he had found to get a sense of timeframe. Mr. Doherty said they needed to drive around town to figure out where there are coverage gaps. Diane Gale asked if grant funds would be available for this as infrastructure, and Mr. Doherty noted that they could pursue that route if needed.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing for Wireless Communications Bylaw Revisions to Tuesday, January 4, 2021 at 7:45 p.m.

The motion passed unanimously.

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7:30 p.m.	141 Congamond Road	Off-Street Parking, Use, and Capacities <i>Informal Discussion</i>
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Robert Levesque of R. Levesque Associates, Inc. and Kenneth Eggleston were in attendance and reviewed the discussion had at the previous meeting regarding parking, boat slips, etc. He said Mr. Eggleston does have docks available and they would like to agree on a number of slips to make the business viable. Mr. Levesque did speak with Mr. Goddard and they discussed adding a “look back” provision to the decision which gives them some “teeth” to review the permit after the first season of operation. He is hoping that the Planning Board can come to an agreement so they can start getting permits and things ready for business. Mr. Doherty asked Mr. Levesque what the changes would be reflected on a plan, if it was 30 slips versus 50 slips. He asked if it would be text and drawing of the slips and Mr. Levesque said there are a few steps as Mr. Eggleston is hoping to get close to 40 slips. There was further discussion about the amount of docks to be put in and Mr. Eggleston said he had purchased 36 and would like to start with that. Mr. Eggleston said the restaurant has 95 for occupancy with 10 for employees so that leaves 48 parking spots needed and the plan that Mr. Levesque drew up has 63. He said DEP requires parking for the boaters on the lake, so there needs to be transient boat slips included and there are 18 spots for that purpose. Mr. Eggleston also said he plans to use the 18 existing wooden docks that are currently there as transient dock until he can replace them with a better quality dock. Mrs. Thornton said she liked the idea of the “look back” condition. Mr. Doherty suggested that Mr. Eggleston submit an application with the 36 slips as discussed.

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#### Routine Business

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- Decision: 664 College Highway Special Permit and Site Plan Approval

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to approve the application for a Special Permit and Site Plan Approval for 664 College Highway, subject to the conditions and for the findings listed on the Written Decision.

The motion passed unanimously.

- Kline Road and Fred Jackson Road – Public Shade Tree Removal Decision

The vote on the decision was deferred until next meeting on January 4, 2022 so that the Tree Warden could be present.

- 42 Depot Street Residential Community - Decision

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mrs. Thornton to grant the Special Permit and Site Plan Approval for 42 Depot Street, subject to the findings and terms of conditions contained in the Written Decision.

The motion passed unanimously

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mrs. Thornton to grant a Wellhead Protection District Special Permit for 42 Depot Street, subject to the findings and terms of conditions contained in the Written Decision.

The motion passed unanimously

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mrs. Thornton to grant a Earth Excavation Permit for 42 Depot Street, subject to the findings and terms of conditions contained in the Written Decision.

The motion passed unanimously

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mrs. Thornton to grant a Stormwater Management Permit for 42 Depot Street, subject to the findings and terms of conditions contained in the Written Decision.

The motion passed unanimously

- Discussion: Draft Citizen Petition for Major Development Moratorium

Mr. Doherty stated that the Planning Board decided not to vote on a moratorium. The Board decided they would discuss changes to the bylaws. Diane Gale the author of the petition sat before the Board and there was discussion about making changes to the document.

- Noble Steed Crossing: Request to release lot 16 from covenant in lieu of bond

Mr. Goddard said he had a meeting with Mr. Saltmarsh, DPW Director Randy Brown, Dave MacWilliams and Dennis Clark of the Conservation Commission, and Building Inspector Kyle Scott. The Conservation enforcement order has been lifted and Mr. Saltmarsh said they paved another 400 feet. Mr. Saltmarsh noted that Mr. Brown told him they would meet and they would agree a monetary figure to show the remaining value of work left. Mr. Saltmarsh summarized a number of punchlist items that had been satisfied. It was decided that Mr. Doherty would speak with Town Counsel and Mr. Brown to get a few questions he had answered and the Board would vote to release the lot at the next meeting.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to approve a partial release from the Covenant in lieu of bond related to Lot 16 subject to the confirmation by the DPW Director of the work completed in Section B.

The motion passed unanimously.

- Master Plan Advisory Committee Update

Mr. Phelps said they had communicated with the Pioneer Valley Planning Commission and there will be an insert on a Master Plan and Housing Plan Contract preparation in the Town census about the Master Plan.

- Short-term Rental Subcommittee Update

Mr. Goddard said everyone had been contacted as to when they would be meeting and Mr. Utzinger said he would be away for three months.

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 10:51 p.m.

The motion passed unanimously.

*The Next Scheduled Meeting is January 4th, 2021.*

Respectfully submitted,

Meghan Lightcap  
Secretary Planning Board

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Michael Doherty, Chair

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Marcus Phelps, Vice Chair

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Richard Utzinger

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David Sutton

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David Spina

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Jessica Thornton, Associate