



Town of Southwick **Planning Board** MINUTES



Tuesday, January 4, 2022

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.southwickma.org)

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

ABSENT: David Spina

Also attending the meeting were approximately seven members of the public and several people 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 met with Pat O’Diorne, a resident member of the Short-Term Rental Subcommittee regarding the history and development of matters relating to discussions with Town Boards/Committees and the group’s formation.
2. Mr. Goddard met with Bill Fontaine and Chris Lalli of Calyx & Pistils regarding a proposed marijuana cultivation facility at 74 College Highway. The project is currently before the Board of Appeals for requested variances and has some minor changes to present to the Planning Board.

3. Mr. Goddard provided an update regarding the Stormwater Management permit application and enforcement matter at 159 Berkshire Avenue. Mr. Goddard will conduct an on-site meeting with the project engineer and DPW Director on January 14, 2022.
4. Mr. Goddard reported that the Select Board moved at last night's meeting to accept funds from the "Save Southwick" group and direct them toward the Master Plan effort.

PUBLIC COMMENTS: 7:05 p.m.

Mr. Goddard said as per the amended agenda there is an opportunity to record a certificate of a vote, to memorialize the Board's decision to authorize the use of electronic signatures for decisions and other documents to be recorded at the Hampden County Registry of Deeds.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mrs. Thornton to accept the provisions of Massachusetts General Laws Chapter 110G regarding electronic signatures.

The motion passed unanimously.

APPOINTMENTS:

7:10 p.m.	113 Mort Vining Road	<i>Estate Lot Special Permit Public Hearing</i>
-----------	----------------------	---

Mr. Goddard read the Notice of Public Hearing into the record and Filipe Cravo of R. Levesque Associates, Inc. shared the plans for the Board as the applicant's representative. The applicant wishes to construct a single-family residence off of Mort Vining Road and needs to obtain a Special Permit for an Estate Lot in order to do so at this existing parcel. The proposed driveway is long and sloping and they have filed for a waiver from the requirements of a stormwater permit as the portion of the site subject to development activity is comprised of an existing field and the proposed driveway follows the lay of the land. This project has been approved by DPW, Fire, Police and Building Inspector and Mr. Doherty read their comments into record. John Lane, an abutter to the property, asked if there is a buffer zone to neighboring properties as he can see the proposed area to be built on through the trees on his land and Mr. Cravo responded no, there is not. He then asked if the area could be subdivided and Mr. Phelps told him no, it could not. Mr. Lane asked about water runoff to his property from the driveway and Mr. Cravo told him it was going to be gravel which would infiltrate the water. Mr. Doherty designated Mrs. Thornton as an eligible voting member for this Public Hearing.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to close the public hearing for 113 Mort Vining Road Estate Lot Special Permit and vote on the decision at the next meeting.

The motion passed unanimously.

7:25 p.m.	Hudson Drive Large Scale Ground-Mounted Solar PV System	<i>Public Hearing</i>
-----------	--	-----------------------

Mr. Goddard noted that the hearing is being re-advertised due to a clerical error; the Board will open the hearing at the next Planning Board meeting on January 18th per the revised advertisement.

7:30 p.m.	Wireless Communications Bylaw Revisions <i>Continued Public Hearing</i>
-----------	--

Mr. Goddard spoke with the Select Board on Monday evening, where the request for funds to support the hiring of a consultant, Isotrope, LLC to analyze cellular signal strengths in town and review the Wireless Communications Services District bylaw/map was approved in the amount of \$9, 000. With that being said, Mr. Doherty noted that the Board would continue this hearing to the next meeting and designated Mrs. Thornton as an eligible voting member for this Public Hearing.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to retain David Maxon of Isotrope, LLC to review the existing bylaw and district map and make technology-based recommendations and provide analysis of coverage based on current conditions and construction in Town.

The motion passed unanimously

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing to January 18, 2022 at 7:50 p.m.

The motion passed unanimously

Routine Business

- Kline and Fred Jackson Road Tree Removal Decision: The Southwick Tree Warden, Mr. Randy Brown, attended the meeting and read and approved the Decision.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to grant the application by the Southwick Tree Warden for the removal of 6 total trees on Kline Road and Fred Jackson Road as indicated in this written decision.

The motion passed unanimously with the votes of the Tree Warden and Planning Board.

- Draft “Major Development Review” Bylaw – Informal Discussion (Citizen Submission to Planning Board for Preliminary Consideration): Mr. Phelps said that he found two items worthy of looking at in more detail – one being traffic concerns, and the other being abandoned buildings. Mr. Phelps thinks the Planning Board should develop a handbook to use regarding traffic and he found an objective analysis, from another town, that shows the potential impact of a road for a proposed site. He also thinks they should support an abandoned building and site bond which is something they do for solar projects in the form of a decommissioning bond. Mr. Sutton said he didn’t feel this was appropriate as there are not many abandoned buildings in Southwick and it would be a significant expense to a potential business, potentially forcing them to go to another town for business. There was further discussion about making a case-by-case basis for review of these types of projects and the Board decided to continue the discussion at the next meeting.
- Master Plan Advisory Committee update: Mr. Phelps said he had a call set up with the Pioneer Valley Planning Commission for January 12, 2022 to review the project budget and scope. At their last meeting, the Select Board established a gift account in the amount of \$6,500 designated to be used by the Master Plan Committee from the “Save Southwick” group.
- Short-Term Rental Subcommittee update: Mr. Goddard said the initial meeting has been scheduled on January 25, 2022 at 7:00 p.m.
- Noble Steed Lot 16 Release Request update: Mr. Brown shared that he went out to the property and revised his valuation of the work remaining, as there is a delta of about \$7,000. Mr. Doherty asked him if Mr. Saltmarsh complied with the plan of action that had been presented and he said that Mr. Saltmarsh had paved and added drain structures but that winter conditions may stall further progress. Mr. Brown said that the enforcement order from the Conservation Commission had been resolved and that Mr. Saltmarsh was providing inspection reports after every rain and snow event.

*A **MOTION** was made* by Mr. Sutton and **SECONDED** by Mr. Utzinger to approve the release of Lot #16 from the Covenant in lieu of Bond at Noble Steed.

The motion passed unanimously

*A **MOTION** was made* by Mr. Sutton and **SECONDED** by Mr. Utzinger to authorize Mr. Doherty to sign the release of Lot #16 from the Covenant in lieu of Bond at Noble Steed.

The motion passed unanimously

A MOTION was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to approve the Meeting Minutes of August 10, 2021.

The motion passed by majority vote.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to approve the Meeting Minutes of October 5, 2021.

The motion passed by majority vote.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to approve the Meeting Minutes of November 23, 2021.

The motion passed by majority vote.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to approve the MPAC Meeting Minutes of November 4, 2021.

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 Mrs. Thornton to close the meeting at 8:49 p.m.

The motion passed unanimously.

The Next Scheduled Meeting is January 18th, 2022.

Respectfully submitted,

Meghan Lightcap
Planning Board Administrative Assistant

Electronic signatures have been affixed in accordance with M.G.L. c.110G and pursuant to the Board's electronic signature authorization vote of January 4, 2022 as recorded at the Hampden County Registry of Deeds in Book 24401, Page 596.

Michael Doherty, Chair	<u>/s/ Michael Doherty</u>
Marcus Phelps, Vice Chair	<u>/s/ Marcus Phelps</u>
Richard Utzinger	<u>/s/ Richard Utzinger</u>
David Sutton	<u>/s/ David Sutton</u>
David Spina	<u>/s/ David Spina</u>
Jessica Thornton, Associate	<u>/s/ Jessica Thornton</u>