



Town of Southwick **Planning Board** MINUTES



Tuesday, March 29, 2022
7:00 PM (recorded)
Town Hall Land Use Hearing Room

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
Richard Utzinger
David Sutton
David Spina
Jessica Thornton, Associate
Jon Goddard, Town Planner

ABSENT: Meghan Lightcap, Secretary

Also attending the meeting were approximately 7 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 had a discussion with an interested party regarding the potential purchase of 22 Nicholson Hill Road, an existing permitted estate lot. Mr. Goddard noted that the site regularly generates interest, owing to its acreage and the use opportunities and restrictions in the Residence-40 zone.

2. Mr. Goddard reported that his research and coordination with Town Counsel has concluded regarding the land at the end of Coyote Glen that Sergey Suprunchuk owns. Although Mr. Suprunchuk's position is that restrictions on that property were no longer applicable, Mr. Goddard was not aware of any opportunity for development that might be available at this time. Mr. Goddard advised Mr. Suprunchuk to have his attorney present the Town with the argument why existing restrictions no longer apply to this property.

PUBLIC COMMENTS: 7:05 p.m.

Cynthia Marshall of 45 Coes Hill Rd. gave the Board copies of some paperwork she researched and printed regarding an accident in Florida at a Blue Rhino propane refilling facility. She also said that 42 Depot Street is still for sale and that she assumed the applicant was the owner of the upcoming project. Mr. Doherty told her that the Special Permit runs with the land specifically.

Inga Hotalin of 45 Kline Road said she loves the hybrid meeting format but she has a problem with hearing people sometimes and she would like it if they could speak up or use a microphone.

APPOINTMENTS:

7:10 p.m.	159 Berkshire Ave. (Res. 20 Zone)	<i>Stormwater Management Permit Application Continued Public Hearing</i>
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Mr. Goddard received a request for a continuance from the applicant. He noted that the Lake Management Committee would like to be kept in the loop on ongoing information on this.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing for 159 Berkshire Ave. to April 12, 2022 at 7:10 p.m.

The motion passed unanimously.

7:15 p.m.	Proposed Major Development Review Bylaw	<i>Continued Public Hearing</i>
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Mr. Doherty said he spoke with Town Counsel and has made some adjustments to the draft bylaw. He shared his screen and pulled up the bylaw so the Board could go over the new changes, line by line. A question was raised regarding how these bylaws would apply to Town properties; Mr. Sutton, noting his role as the head of the Southwick Building and Grounds Department, recused himself from the hearing. Mr. Doherty discussed the addition of the Special Permit requirement which says that an application must be submitted to the Planning Board office a certain number of days prior to filing with the Town Clerks office. Mr. Phelps said that he is concerned with Section G and thinks the Planning Board is giving up a lot of their decision space by having these constraints. He said they are working on this development review to have more transparency with the public but he can see some unintended consequences coming

out of these standards unless they change it to specify some type of facility, specifically in reference to solar. Mrs. Thornton agreed and shared her concern that the Section G. standards would prevent the Board from hearing an otherwise perfect project application, which upon review, could be adjusted or have conditions imposed upon it, to better meet the standard's intent. Mr. Spina said that there could also be a conflict where they have to tell an applicant that they have too much impervious surface but also, they don't meet the required parking spaces.

Mr. Doherty suggested having a straw vote on whether or not the major development caps were to be included in the draft bylaw with Mr. Doherty, Mr. Utzinger and Mr. Spina voting yes and Mr. Phelps voting no.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to close the public hearing for the Major Development Review-Proposed Bylaw.

The motion passed unanimously.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to make a recommendation that the bylaw as drafted and reviewed should be submitted to the town on the warrants.

The motion passed unanimously.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to issue a report with recommendations that the proposed major development bylaw be submitted to the annual town meeting.

The motion passed unanimously.

8:00 p.m. Wireless Communications Services District –Bylaw Revision *Cont. Public Hearing*

Mr. Doherty shared his screen to show the proposed replacement bylaw and the Board discussed the new changes. Mr. Sutton asked if they could add something to the bylaw about test balloon height and reflection and Mr. Doherty said it depends on what the location is because of environmental restrictions. The Board members discussed adding language to protect the Town if a tower is constructed on Town land. Mr. Sutton asked to add a clause that the attachment of a municipal antenna would not be included in the height calculation of the tower. There were additional changes made by the Board to make sure the bylaw would work well for the town.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to close the public hearing for Wireless Communications Services District-Proposed Bylaw Revision.

The motion passed unanimously.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to recommend that a warrant article be placed on the agenda for the Town meeting that would remove the current version of 185-23.1 and replace it with the replacement that we just went through.

The motion passed unanimously.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to recommend that a warrant article be placed on the agenda for Town meeting that the wireless communication service district overlay map filed with the Town Clerk dated April 10, 2001 be removed from the town bylaw.

The motion passed unanimously.

Routine Business

- Master Plan Advisory Committee update: Mr. Phelps said Mr. Goddard, Maryssa Cook-Obregon and Ken Comia are meeting March 30 to go over outreach material and the committee is meeting Thursday April 7.
- Short-Term Rental Subcommittee update: Mr. Utzinger said they are meeting April 12 at 6:00 p.m.

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 10:32 p.m.

The motion passed unanimously.

The Next Scheduled Meeting is April 12th, 2022.

Respectfully submitted,

Meghan Lightcap
Secretary Planning Board

Michael Doherty, Chair

Marcus Phelps, Vice Chair

Richard Utzinger

David Sutton

David Spina

Jessica Thornton, Associate