



Town of Southwick

Planning Board

MINUTES



Tuesday, April 12, 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
Richard Utzinger
David Sutton
David Spina
Jessica Thornton, Associate
Jon Goddard, Town Planner

ABSENT: Marcus Phelps, Vice Chair
Meghan Lightcap, Secretary

Also attending the meeting were approximately 5 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.

TOWN PLANNER’S REPORT: 7:00 p.m.

1. Mr. Goddard spoke with Jim Boyle regarding self-storage facilities, opportunities, and zoning constraints within Southwick.
2. Mr. Goddard met with representatives from North Star Energy regarding potential expansion of the southerly existing solar facility at Congamond Road.
3. Mr. Goddard met with Laurie Scott Smith of 21 Matthews Road regarding the resumption of a home occupation that was put on hold during the COVID-19 pandemic.
4. Mr. Goddard noted that the April 26, 2022 meeting will hear an application for a Flexible Residential District subdivision with five residential lots, one open space lot, and

- remaining acreage, and that an ANR plan will be reviewed for land at White Street that has been the subject of discussions between Town Counsel and a landowner's attorney.
5. Mr. Goddard provided an update for 101 Point Grove Road, where enforcement actions related to a zoning violation related to the unpermitted rental/leasing of marina slips were recently brought before a clerk magistrate but dismissed due to a lack of information.

PUBLIC COMMENTS: 7:05 p.m.

No comments from the public were made.

APPOINTMENTS:

7:10 p.m. 159 Berkshire Ave. (R-20 Zone) *Stormwater Management Permit Application
Cont. Public Hearing*

Mr. Goddard received updated information from Mr. Derrick Hale P.E., the engineer representing the applicant. Mr. Goddard and Mr. Brown will need to sit down to review the information. Mr. Hale attended the meeting and summarized the changes he has made. He prepared a hydrology report for the stormwater system and roofing control plan. He said once the plans have been finalized, he will present them to the Board. Mr. Doherty said they would continue hearing until more information was presented.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Sutton to continue the public hearing for 159 Berkshire Ave. to May 24, 2022 at 7:10 p.m.

The motion passed unanimously.

7:15 p.m. Informal Discussion: 686 College Hwy. (Industrial Restricted Zone)
*Contemplated Ferrellgas/Blue Rhino Reconditioning & Refill Facility for
Propane Cylinders*

Kristi Grego the Manager of Real Estate for Ferrell Gas/Blue Rhino gave a brief intro of her team. Megan Sharp shared her screen that gave the names of all people in attendance and their titles. She shared a picture of a map of Southwick and all of the current Blue Rhino customers and gave a brief description of the company, how it started and their locations across the United States. They own 1,000 properties across the country and lease 600.

Josh McLeod gave an overview of their employee safety structure and requirements. He also detailed their facility safety policies and practices as well as OSHA compliance. He explained the protocols they implemented after they had a fire at a Florida facility. Jill Rhodes said they don't have a northeast presence so Southwick would be the largest facility out here and they would run two ten-hour shifts Monday through Thursday. They would need 50 full-time

employees and 25 seasonal employees on the production side with 25 on the distribution side. They need about 25 acres with a 25,000 square foot building with another 10,000 square foot covered dock and there would be 120,000 cylinders at all time on site. As to traffic, they would see 10 deliveries a day with 25 long-haul trucks going out and 17 smaller route trucks going out.

Dejan Andrejc explained traffic details, using 10 bulk transport trucks, 25 long haul trucks and 17 route trucks with no trucks being any bigger than the type of trucks that deliver soda with roll up doors. He said none of the trucks use a Jake brake either and are always less than three years old.

Mr. Doherty asked if they knew the shift hours; Brandon Stewart said most start at 5:00 A.M. for a ten-hour shift with a gap between shifts and the second shift starting at 5:00 P.M. Mr. Stewart showed a picture of what the site would look like from an aerial and side views and discussed the security measures. He said the propane cylinders are stowed in boxes so they can track them and he spoke about the storage methods they use and shared pictures of the refilling carousel. He spoke about the fire they had a few years back in Florida and the safety measures they have implemented since. Mr. Spina asked about the amount of impervious surface and Jill Rhodes said they estimate about 25 acres in total, including buildings. Mr. Utzinger asked how much water they anticipated using and Mr. Stewart said the washing device is about 500 gallons of water re-used every week then properly disposed of at the end of the week. Mr. Stewart noted that different locations handle the disposal of the wash water differently, depending on local requirements. Mr. Utzinger also asked if they would have a paint area and Mr. Stewart said yes, they do with a self-contained paint booth and water-based paint. Mr. Doherty asked if they are working seven days a week and Ms. Rhodes said it's four days a week except for peak months then they may go to seven days a week and the group went into further details as far as trucks, routes and schedules.

Mr. Doherty asked what types of chemicals are used and Mr. Stewart said they use silica dust and a water degreaser for the cylinders. Mr. Goddard asked them if they had any plans for the remaining acreage on the property if they are only using 25 of the 90 available acreage; Ms. Rhodes said they do not have plans and that they won't know until they work with an architectural firm. Mr. Doherty shared that a portion of the property is wetlands so they won't be able to use that area.

Resident Inga Hotaling said she wanted to know what kind of fire suppression they have at the locations and Mr. McLeod said it varies by location but it's typically a sprinkler system. She asked if they know what Massachusetts requires and Mr. Sutton told her anything over 7,000 square feet is a requirement. Ms. Hotaling asked if there was a full-time EHS Professional and Mr. McLeod said they don't have them employed in the company but he works closely with each facility for safety. She asked why they chose Southwick, a rural farming community as their location; Ms. Sharp responded that overall, the company seeks locations within rural communities for these facilities as their preferred locations to be vested with the community. She said that they are already in the community within the business footprint, and that at many of their sites, their preference is to retain natural buffers to keep with the appeal of the town as they are environmentally conscious. Ms. Hotaling asked if the company shared their safety practices

that were implemented after the fire in 2013 with other companies within the industry, as there have been 4 explosions in the Northeast in the last several years. Mr. Youngblood, Director of Safety, said all of the Managers are trained in EHS safety and he is not familiar with the fires she is speaking about but the safety policies are second to none. Ms. Hotaling asked if the communities they reside in have full time or part time fire departments; Mr. Stewart said some have full time and some have volunteer but they do have constant contact with them and they bring them in regularly so they are familiar with what they need to do should a fire break out.

David Reale of 84 South Longyard asked what local services had as resources during the Tavares fire and Mr. Stewart said they have normal fire trucks and water mains, fire hydrants and sprinkler systems. He said the Tavares fire was in the storage area and did not come into the building and they changed the spacing between the rows so it won't spread. Mr. Stewart said they did not yet ask Southwick Fire if they could handle them as it was still so early in the site consideration/coordination phase.

Andrew Gale of Point Grove Rd. asked what facility they were using to service the northeast now and Ms. Rhodes said one of them is in Delaware and Pennsylvania and it's likely it came from those facilities. Mr. Andrejc said they are shipped from the Springfield, MA depot on Page Blvd. and some from a contracted competitor in Northfield, Massachusetts. Ms. Hotaling asked why they couldn't put this facility in Springfield and Mr. Andrejc said there is not enough acreage, as they've looked into this area in the past, in light of the open space and natural buffers they need.

Inga Hotaling asked if they had to close a facility and what kind of remediation have they done; the Ferrellgas/Blue Rhino team responded that propane naturally dissipates and is non-toxic. Mr. Gale asked why they did not build out in Greenfield, CT and the Ferrellgas/Blue Rhino team indicated that wetland constraints did not make that site feasible. Cynthia Marshall of 25 Coes Hill Rd. asked how many gallons of propane would be on this site and Ms. Rhodes estimated about 180,000 gallons. Mr. Youngblood said the storage containers were built with many safety valves.

Mr. Doherty informed the group of the changes occurring in the town that came up because of Carvana trying to purchase the property last year that was withdrawn. He said they have dealt with some process issues through the development of a Major Development Review bylaw, and that the bylaw would apply to this project if it passes at the Annual Town Meeting. Ms. Sharp thanked everyone for attending and said they care about the communities they are in.

Discussions:

- Noble Steed Crossing Subdivision: Request to Release Remaining Lots from Covenant in lieu of Bond; posting of Performance Bond for Remaining Work. Mr. Goddard said Saltmarsh Brothers inc. has submitted a bond in the amount of \$600,000 that will allow the developer to release the remaining lots. He said Town

Counsel has requested some changes to the form in relation to the owner and contractor. Mr. Saltmarsh is aware and working with his attorney to make the changes. Mr. Doherty asked Mr. Brown, the DPW Director, who was present at meeting where it stands as far as quality on the project. Mr. Brown said some things will need to be corrected but he is confident they will be fixed. Mr. Doherty said we will put it on for the next meeting and hopefully have an answer.

- New England Disc Golf Center, 41/51 John Mason Road: Requested Minor Site Plan Modification. Randy Brown of 45 John Mason Road was there on behalf of his mother Freda Brown of 39 John Mason Rd. He is looking to make a minor modification to the current site plan of his Disc Golf Course. He wants to take a shed and move it to another location of the property and bring in a larger 10x30 shed to use to sell retail supplies out of it and showed the Board pictures of it. Mr. Doherty said the Building Inspector has no issues with it and he has a letter from Diana Day, the attorney representing the abutters to the property and they have no problem with this modification and Mr. Doherty read the letter.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Sutton to approve this modification to the Site Plan dated April 6, 2022 for 41-51 John Mason Road.

The motion passed unanimously.

- Town Beach - Overflow Parking Area. Mr. Sutton said Southwick Town Beach has very limited parking access, people are parking along the roads and it's causing issues. He showed the original plans that show some space that had been laid out for parking across the street. However, it was never constructed and the cost would be substantial to turn it into a parking lot. He said there is an empty field in front of the beach house that used to be the site for the old leach field for the septic and now they are on city sewer so it's not used. He talked to other departments of the town, like DPW, and they decided it would be acceptable to open the grass for parking. It will be secured at night with a gate and grass left. He wanted to make sure they were not over stepping on the original permit. Mr. Doherty said this does not impact the Special Permit. Mrs. Thornton asked about the distance to the water line and Mr. Sutton said 159 feet. Inga Hotaling asked if people would be paying for parking and Mr. Sutton said no, they pay to get to the beach only and access is for anyone, not just Southwick residents.

A **MOTION** was made by Mr. Utzinger and **SECONDED** by Mr. Spina to accept the minor modification to the Site Plan for 14 Beach Road to indicate on the plan that there will be parking on the current grass area where it used to be a septic system.

The motion passed unanimously.

Routine Business

- **Bond Discussion - The Ranch Estates:** Mr. Doherty said there is a statute that allows the Board to impose an increased bond on the developers, in this case its Pinnacle Estates and Peter Pappas. Mr. Doherty wants to find more information on this and suggested it would be appropriate to vote to request to have DPW come up with a number to assess for a bond amount and we will offer it to the Developers and Homeowners Association. The Town is already in litigation because of this issue. The issue was that the covenant was released and the work is unfinished. The information can be found in Mass General Law Chapter 41, Section 81W, which allows the Planning Board, on its own motion, to modify, amend or rescind its approval of a plan of a subdivision. Mr. Doherty said the intent is make a request from the interested parties as well as DPW to suggest bond amounts for the road work that needs to be completed in that subdivision with the intent to make a motion at the next meeting to discuss the bond amount and to impose the bond amount on the prior developers.

A **MOTION** was made by Mr. Sutton and **SECONDED** by Mr. Spina to make the request for the bond amount.

The motion passed unanimously.

- **Master Plan Advisory Committee update.** Mr. Spina said they met April 7, 2021 and the focus is community outreach. They are creating a survey for residents and trying to finalize it. They are also putting together information material such as pamphlets that explain what they are doing and they will be attending the Art show to help spread the word. The next meeting is April 21, 2022
- **Short-Term Rental Subcommittee.** Mr. Utzinger said the meeting was rescheduled for May 3, 2022. They have a new member, Jacqueline Senez, a resident.

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 8:52 p.m.

The motion passed unanimously.

The Next Scheduled Meeting is April 26th, 2022.

Respectfully submitted,

Meghan Lightcap
Secretary Planning Board

Michael Doherty, Chair

Marcus Phelps, Vice Chair

Richard Utzinger

David Sutton

David Spina

Jessica Thornton, Associate