



Town of Southwick

Planning Board

MINUTES



Tuesday, April 26, 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
Meghan Lightcap, Secretary

ABSENT:

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.

PLANNER’S REPORT: 7:00 p.m.

1. Mr. Goddard met with Farzaan Mufeed regarding a contemplated expansion of an existing used automobile sales facility at 787 College Highway. Mr. Goddard noted that the number of automobiles at the facility appeared to exceed what was shown on the site plan; his request is to have twenty (20) vehicles on-site for sale, while Mr. Mufeed

indicates his sales license allows ten (10). Mr. Goddard will be reviewing the Planning Board decision for greater detail and follow up with Mr. Mufeed.

2. Mr. Goddard spoke with representatives at Bell Pointe Land, an investment group investigating opportunities at 95 Sheep Pasture Road, where a number of frontage lots had been carved out in the past but subsequently rejoined.
3. Mr. Goddard spoke with Mr. Bob Beckwith, a landowner at Sodom Mountain to discuss the feasibility of a solar array at this site, which is not permitted in the subject (Agriculture/Conservation) zone.
4. Mr. Goddard reports that the Planning Board is in receipt of correspondence from Jason Fiore requesting to advance the Greens-West subdivision road acceptance process. Randy Brown is reviewing the previously prepared punchlist to determine if infrastructure work has been completed.
5. Mr. Goddard reported that an application for a Wellhead Protection District Special Permit with minor modifications to the site plan/decision had been received for 141 Congamond Road and is projected to be opened on May 24, 2022.

PUBLIC COMMENTS: 7:05 p.m.

No comments were made by the public.

APPOINTMENTS:

7:15 p.m 138R Hillside Road (Residential 40 Zone)

Definitive Subdivision, Special Permit, Site Plan Approval & Stormwater Management Permit Application

Public Hearing

Mr. Doherty read the Notice of Public Hearing into the record for a 7-lot Flexible Residential Subdivision and designated Mrs. Thornton as an eligible voting member. Christopher Karney of R Levesque Associates, Inc. was the representative of the applicant, Nicholas Katsounakis. Mr. Karney shared the plans on his screen, including wetlands and open space, via Zoom. The plans include the construction of a road that will come off of Hillside Rd. leading to the proposed house lots. This road will be constructed between two existing homes on Hillside Rd. Mr. Karney described in detail what the property will look like. The property slopes downward from Hillside Road and they will put in a planted 50-foot buffer strip to all areas next to existing homes to limit visual impacts. There will be a drainage open space easement that includes an infiltration basin and the plans also include a stormwater drainage report. Mr. Karney said he did receive comments back from Planning, Board of Health, DPW and the Fire Department however they are not yet addressed on these plans. Mr. Phelps asked what the maximum length of the dead-end road was and Mr. Karney said 800 feet. He asked if they had plans to extend the cul-de-sac and Mr. Karney said no. Mr. Spina said the buffer of White Pine trees was not preferred, species-wise, and Mr. Phelps said that spruce is far more superior to pine. Mr. Karney said they

could change the tree type. Mr. Doherty read the comments by DPW, Fire, Board of Health, and Planning into record. Mr. Karney addressed the Board of Health question and said there is plenty of room on the lots for septic and water wells. He said the Fire department question about using a cistern was the most approachable take. He said the constructed hydrant would be located on the new road. Mr. Karney said he did not feel adding sprinklers made sense. Mr. Phelps asked what the cistern capacity was and he said 38,000 useable gallons is the requirement. Mr. Karney said they would conform to all of the DPW requirements and Mr. Doherty asked him if they perceived having a driveway issue and having to adjust the sidewalk because of grade, as they had a major issue with this on Depot Square. Mr. Phelps asked him they had fencing planned for the infiltration basin and Mr. Karney said it was 3 feet to the berm with no fence because it was a no travel area. Mr. Utzinger asked him why the sidewalk ends and he said because of the grade. Mr. Goddard asked what the timeline was for Conservation Commission approval of the buffer zone work; Mr. Karney said they had submitted a Notice Of Intent with conservation and was waiting to hear back from them. He said that lots 2 & 3 will have walk-out basements and the infiltration basin will be downgrade from an area that will be disturbed for a period of time with a gradient silt fence installed at the time of construction.

Melissa Wojciak of 138 Hillside Rd. asked if the road would be developed with a sidewalk and trees and Mr. Karney said yes it would and it was 5 homes on 7 lots.

Doug Moglin of 5 Hidden Place agreed that it was a good call to be cautious around potential grading issues as they were an issue at Depot Square and the Greens West. He would like to caution the developer and R. Levesque Associates of those concerns; they should show those grades on the lots to whoever does the work. Mr. Karney said the DPW Director had the same concerns and recommended hiring a third party inspector and he agreed with that. He said they have written the stormwater report that details all of the technical needs.

Joe Deedy of 288 Feeding Hills Road said his concern is that no sidewalks would be provided through the open space because plowing those sidewalks would become a Town issue.

Mr. Doherty said they will wait for the Conservation Commission to approve this before moving forward and continue this hearing to the next one on May 24, 2022.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to continue the public hearing for 138R Hillside Rd. to May 24, 2022 at 7:15 p.m.

The motion passed unanimously.

Review of Plans Not Subject to Approval under Subdivision Control Law

- White Street (Portion of Map 148, Parcel 52; land south of #21 White Street).
 - Mr. Goddard explained that this ANR is to establish land that will be transferred but not buildable. Because of this, it does not have to meet frontage requirements.

Mr. Phelps asked where the owner lived and Mr. Goddard told him he was across the street.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to endorse the plan as not requiring approval.

The motion passed unanimously.

- 377 North Loomis Street (On the northerly side of N. Loomis Street)
 - Mr. Goddard explained that this land of Constance Kellogg is to be transferred to abutting owners. Mr. Phelps asked if all of the lots add up to the required frontage and Mr. Goddard said yes because they are all going to existing lots, with the remaining acreage being adequate for the required frontage and area in the subject zone.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to endorse the plan as not requiring approval.

The motion passed unanimously.

Informal Discussion

- 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 Industries Inc. provided a revised bond that required some changes. Mr. Doherty recommended holding off voting until the next meeting until it's finalized.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to accept, as security, the performance bond in the amount of \$600,000 from ENC Insurance Companies which may be modified in small ways to the satisfaction of Town Counsel.

The motion passed unanimously.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to allow for the release of the covenant in lieu of bond on the property once the performance bond is fully complete, legally active, and filed with the Town.

The motion passed unanimously.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger that once the performance bond is fully complete, legally active, and executed filed

with the Town, the Planning Board allow the release of the presently-filed covenant in lieu of bond that is on the property.

The motion passed unanimously.

A **MOTION** was made by Mr. Phelps and **SECONDED** by Mr. Utzinger to authorize Michael Doherty to sign the release of covenant in lieu of bond that would be in the same format as the previous release of covenant in lieu of bond.

The motion passed unanimously.

Routine Business

- Master Plan Advisory Committee update: Mr. Phelps said they are getting ready to have the community survey done by the middle of May and out to the public and closed by June 30th. It will be available primarily online and coordinated by the Pioneer Valley Planning Commission. The next meeting is May 5, 2022. Mr. Phelps said that they had a table at the Art show and handed out brochures.
- Short-Term Rental Subcommittee update: Mr. Utzinger said they have a meeting May 3, 2022.
- Town Beach parking plan: Mr. Sutton reports that the site plan has been provided to Mr. Goddard and they are good to go.
- Bond Discussion - The Ranch Estates: Mr. Doherty said that the Board will hold a hearing on May 24th to discuss potentially requiring new security from the subdivision developers. The matter will include coordination with DPW, Town Counsel, and the developers' counsel.

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 8:25 p.m.

The motion passed unanimously.

The Next Scheduled Meeting is May 24th, 2022.

Respectfully submitted,

Meghan Lightcap
Secretary Planning Board

Michael Doherty, Chair

Marcus Phelps, Vice Chair

Richard Utzinger

David Sutton

David Spina

Jessica Thornton, Associate