



COMMONWEALTH OF MASSACHUSETTS

Town of Southwick

Board of Appeals

454 COLLEGE HIGHWAY, SOUTHWICK, MA 01077
Telephone (413) 569-5995 Fax (413) 569-5001
Town Website: www.southwickma.org

Board of Appeals

Meeting Minutes November 14, 2022

Attendees: Christopher Mastroianni, Chairman, Michael Parent, Paul Grégoire and Wendy Cordeiro

Absent: William Lis and Thomas Stapleton

7:00 PM Mr. Mastroianni opened the meeting and the Board reviewed the mail and signed the newspaper bills. Mr. Parent made a motion to accept the meeting minutes of October 24th, Mr. Grégoire second and all were in favor.

The Board members again discussed the possibility of changing the time of the meeting but it was determined the 7:00 pm start time works better for most members.

7:15 PM 662 College Highway

The Chairman read the hearing notice for 662 College Highway. Jim and Ellen Boyle presented their plan to build a storage facility located at 662 College Highway. August 22nd they came before the Board for an informal meeting. The facility will be located between the Log Cabin church and O'Reilly Auto Parts. The Board, at the informal meeting, determined it was in the applicants best interest not to request a rear setback variance and just proceed with side variances. The Boyle's were going to adjust their plan to reduce the variances needed. Mr. Boyle stated it is an IR zone and they need a 50 foot setback on each side. The hardships they are encountering is the topography. The property rises 20 feet so a driveway would need to possibly zig zag up to the facility. The buffer zone presents challenges and the facility can be best built back from the road.

Mr. Mastroianni asked where the office is located and was advised it was just past the 75 foot line. Mr. Grégoire asked about a gate and was advised that the gate would be

located near the bottom of the driveway in order to avoid anyone backing all the way down the driveway if the gate malfunctioned. Mr. Grégoire asked if there will be a fence and Mr. Boyle showed the location of fencing. Mr. Parent believes that behind the property the town is planning to combine two roads and an industrial park could be built behind the facility. Mr. Boyle will speak with Planning Board about a possible fence in the back and seek approval even though it may not be built initially.

Mr. Mastroianni asked where parking will be located and Mr Boyle advised there will be a staffed office and 4 – 5 parking spaces located at the office. Mr. Grégoire asked how much space is between buildings and Mr. Boyle advised 25 feet and possibly 30 feet depending on the Fire Department needs. Parking outside the units will still allow cars to pass but there will not be designated parking spaces. Mr. Boyle states that at his other facility usually there were no more than 2 people in the facility at any time so parking should not be an issue.

Mr. Parent did ask about plantings and aesthetics of the facility and Mr. Boyle will be putting in many plantings in order to make it an attractive area. Mr. Mastroianni asked about the facility colors and he advised a tan color and burnt orange color will be used.

Mr. Andy Reardon did ask about conservation and how all three filings should be done at once. Mr. Boyle advised that the Planning Board did have the plan already in hand. Mr. Mastroianni advised Mr. Reardon that the other boards usually send the applicant to Appeals first in order to get the approval of the location before they move forward.

Mr. Mastroianni asked about signage and was advised Mr. Boyle would like to have a 4 X 8 foot digital sign. Mr. Mastroianni advised him to be aware of the regulations regarding signs.

Mr. Parent suggests a setback variance of 30 feet in order to allow emergency vehicles access. The Board suggested a setback of 35 feet on both sides and Mr. Boyle agreed to those dimensions.

Mr. Mastroianni made a motion to grant the self storage facility a 15 foot right side variance and a 15 foot left hand side variance. Mr. Parent second and all were in favor.

7:45 PM 9A & 9B Sawgrass Lane

The Chairman read the hearing notice. Mr. Filipe Cravo of R. Levesque Associates presented the plan to construct a common driveway for the properties located on Sawgrass Lane. Mr. Gregory Hamelin was also in attendance. Mr. Cravo advised that they currently have 27.1 feet width and 30 feet is required. Mr. Mastroianni asked about the original plan and clarified the dimensions. Zoning states should be 10 feet and they have 7.6 feet from the property lines. Mr. Parent asked which lots and he was advised both lots abutting the driveway. Planning board approved the plan contingent on the Appeals Board decision. Mr. Grégoire stated some concerns regarding common driveways and disputes that may occur.

Mr. Mastroianni read the planning board's findings regarding the easement. Mr. Mastroianni did speak with Jon Goddard (Planning Board) and gained some clarification on the request. Mr. Mastroianni also obtained a copy of the fire departments comments on the width of the driveway. The fire and police departments seem to be okay with the width of the compacted area. Mr. Grégoire feels it needs to be an issue of the planning board not the appeals board. Mr. Chavo states since it is dimensional the Appeals Board does need to rule on it. Mr. Chavo states it is not something that was sprung on the plan and all properties are aware of this common driveway. The driveway was fine dimensionally until it was angled then it narrowed and dimensional variances were needed.

Mr. Parent asked about the driveway on lot 14 and are the dimensions correct? Mr. Hamelin advised that house is not built yet. The only reason this is needed is because it is accessing two properties. If it was only one property this variance would not be needed. Mr. Grégoire and Mr. Mastroianni feels further discussion is needed with the planning board and suggests a continuation. Mr. Chavo asked for a continuation. Mr. Mastroianni made a motion to accept the continuation, Mr. Parent second and all were in favor. Mr. Hamelin asked the continuation to clarify the authority to approve common driveway dimensions and setbacks. Mr. Hamelin signed and dated the continuation.

Doug Moglin, Select Board, did offer his agreement that each board has its own guidelines they follow. The decision making process goes board to board in order to get plans approved. The common drive seems the modification should have been a subdivision approval. Planning board cannot issue a permit if a dimensional variance is needed and that is why they come before the Appeals board. The Subdivision plan may need to get modified. Mr. Mastroianni brought up that about a year ago a foundation was put in the wrong place and variances were needed on this subdivision. The Board feels that these mistakes in the construction are unacceptable and variances should not be needed.

Mr. Mastroianni asked about an amendment to the initial plan, is that an official process and was advised yes if it is a modification to the original plan and probably the best way to fix this situation.

Marcus Phelps, Vice Chairman of the planning board, was live via zoom and states the planning board did discuss this situation at length. Mr. Phelps stated that Mr. Dougherty agrees that the width of the driveway could be waived, but the dimensional variances would still be needed. Any modification to the process may take another few months and he suggests speaking with Mr. Dougherty. Mr. Mastroianni asked when is next meeting and advised November 29th.

8:21 PM Mr. Parent made a motion to adjourn, Mr. Grégoire second and all were in favor.

Respectfully Submitted,

Christopher Mastroianni
Chairman

