



# *Town of Southwick*

# **Planning Board**

## MINUTES



**Tuesday, February 27, 2024**  
**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](http://www.southwickma.org))*

**MEMBERS IN ATTENDANCE:** Michael Doherty, Chair  
David Spina, Vice Chair  
Richard Utzinger  
David Sutton  
Jessica Thornton  
Diane Juzba, Associate Member

**ABSENT:** None

**TOWN STAFF:** Jon Goddard, Town Planner  
Meghan Lightcap, Secretary

Also attending the meeting were approximately 15 members of the public and a similar number of people via *Zoom*.

The “hybrid” meeting of the Planning Board was scheduled for participation in person and via *Zoom* 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 shared that a deadline of Friday March 31<sup>st</sup> was set for the submittal of any and all articles for the Annual Town Meeting.
2. Mr. Goddard shared that the Select Board issued correspondence to the Planning Board, which indicated that the Select Board decided not to allow the Planning Board to form the Master Plan Implementation Committee as a Planning Board subcommittee and instead voted to form the Committee under the Select Board. The composition of the

committee will be consistent with the Planning Board’s prior determination of one Select Board nominee, one Planning Board nominee, and three residents.

3. Mr. Goddard shared an update regarding the current lawsuit pertaining to incomplete infrastructure at The Ranch subdivision; the Town’s motions to dismiss counter claims by the Home Owner’s Association were allowed.

**PUBLIC COMMENTS: 7:05 p.m.**

No public comments were submitted.

**APPOINTMENTS:**

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7:10 p.m.	662 A College Highway (Map 65, Parcel 26 - Industrial Restricted Zone) – Proposed Self-Storage Facility: Special Permit, Site Plan Approval, and Stormwater Management Permit
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*Continued Public Hearing*

Mr. Goddard reported that a continuance request had been submitted via email by Mr. Boyle, the applicant.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to continue the public hearing for 662 A College Highway to March 12, 2024 at 7:10 pm.

The motion passed unanimously.

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7:15 p.m.	250 College Highway (Map 133, Parcel 14 – Residential 40 Zone) Proposed Renovation/Reconstruction of a Preexisting Nonconforming Multifamily Dwelling: Special Permit & Site Plan Approval Application
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*Continued Public Hearing*

Robert Levesque of R Levesque Associates, Inc. attended the meeting on behalf of the applicant. Mr. Levesque shared a conceptual revision to the site plans, depicting demolition of the existing structure and the construction of a two-family home, citing apparent vested rights under M.G.L. 40A, Section 6 and Section 185–28 B (1) and (2). Mr. Goddard responded that the matter awaited a response from Town Counsel. Mr. Sutton shared that he would hate to see the number of dwelling units drop down to 2 from 4 when more housing is needed.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to continue the public hearing for 250 College Highway to March 12, 2024 at 7:15 pm.

The motion passed unanimously.

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7:20 p.m. Planning Board Review & Discussion of the Southwick 2040 Master Plan Final Draft; Consideration of its Adoption

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*Continued Public Hearing*

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Mr. Goddard reported that Mr. Comia is continuing to work through the notes from the Planning Board and that the revisions should be complete by the March 12<sup>th</sup> Planning Board meeting.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to continue the public hearing for Planning Board Review & Discussion of the Southwick 2040 Master Plan Final Draft to March 12, 2024 at 7:20 pm.

The motion passed unanimously.

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7:30 p.m. 771 College Highway (Map 27, Parcel 4 - Business Restricted Zone) – Special Permit, Site Plan Approval, and Stormwater Management Permit Application for a Proposed Retail Development

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*Public Hearing*

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Mr. Doherty opened the hearing by reading the Notice of Public Hearing into the record. Robert Levesque from R Levesque Associates, Inc. was in attendance and presented on behalf of the applicant. The proposal is for a 10,640 square-foot building that will house a Dollar General retail store to be built on the 3.495 acre lot with 44 parking spaces, open space in the rear yard, and tree plantings and fencing along much of the side and rear property lines to screen impacts to abutters. Mr. Levesque read the comments he received from the Town Planner, Jon Goddard. Mr. Goddard had concerns about the elevation, façade, mechanical equipment (HVAC), parking location, and the loading areas as well as exterior lighting and any free-standing sign location. DPW Director Randy Brown asked about turning movements, water service, and he reminded him about trench permits and that MassDOT has jurisdiction. Fire Chief Richard Stefanowicz said he would meet with Mr. Levesque but has initial concerns about the parking lot fire truck maneuverability, limited access to all 4 sides of the building, and the turning radius is on the north side of the parking lot.

Mr. Spina asked to see the line and light plan. Mrs. Thornton asked if Mr. Levesque had a design alternative where the building and site would look more appropriate for the town and respond to the Board's design guidelines.

Pat Montagna of 27 Wynnfield Circle said this plan is surrounded by \$400,000 to \$500,000 condominiums and homes which will decrease in value if the project is constructed; she also noted that this site would be the third dollar store in Southwick, and they don't need another one. Jean Reopel of 178 Mort Vining Road asked if the store is owned by Dollar Tree or Family Dollar and Mr. Levesque said no, they are not. George Bottasso of 38 Wynnfield Circle said he is concerned about lighting, traffic congestion, and noise; he also noted that under Chapter 185, Section 17 (Business Restricted zone), a 30-foot vegetated buffer is required where a lot in this zoning district abuts land in residential use or in a residential zone. Trudy Chianciola of 17

Sawgrass Lane said a picture she saw online showed trees on the property but that was inaccurate as those trees have been removed. She said they need to have tree buffers and shielding. Dorothy Jarry of 17 Wynnfield Circle represents the Board for the Wynnfield Condominium Community and said that their units would be affected by the new store. She asked about truck delivery timing and Mr. Levesque said that deliveries would take place during normal business hours.

Diane Gale of 5 Point Grove Road said that Dollar General Stores are notorious for putting goods onto the sidewalk in front of the store. She asked the Planning Board to consider this when writing the Special Permit decision. Marcus Phelps of 28 Depot Street asked if they were meeting the standard for parking and told the Planning Board they can reduce the number of spaces. He said the plans show a lawn proposed at the rear acreage but urged the board to consider something that doesn't require a lot of maintenance like a meadow. He said they should add fencing on the north and west side as well as light colored siding. Joe Hamelin of 765 College Highway asked about fencing and Mr. Levesque said they will be installing vinyl stockade fencing along the north and west sides of the property; Mr. Hamelin asked why the fencing wouldn't be extended along the south property line adjacent to his driveway. Maryssa Cook-Obregón of 126 South Loomis Street referenced the newly written Master Plan and one of its goals for balanced economic growth, while expressing concern about adherence to the design guidelines and what benefit a third dollar store would bring to the community.

Mr. Goddard read an email submitted by Leslie Bannish of 13 Wynnfield Circle who had concerns that this store could change the complexion of the town.

Mr. Doherty expressed a concern that the neighborhood on College Highway north of Sunnyside Road contains a mixture of residences and businesses that do not particularly align with what a chain store would bring to the area.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to continue the public hearing for 771 College Highway to March 26, 2024 at 7:30 pm.

The motion passed unanimously.

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7:40 p.m.	Proposed Amendment to Chapter 185, Section 28 <i>Nonconforming uses, structures, and lots</i>
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*Public Hearing*

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Mr. Doherty opened the hearing by reading the Notice of Public Hearing into record.

Planning Board members discussed the existence of nonconforming uses that have achieved a certain longevity in their function and the potential for offering some limited flexibility to the structural, timeframe for action, and use-related constraints under this section.

Mr. Moglin shared his opinion that there needs to be a bit of wiggle room. Mr. Phelps said they should consider a lakeside overlay district for the lake properties in town. Inga Hotaling of 45 Kline Road asked the members to attack this with a business to start with.

Ms. Thornton offered to draft a revision to 185-28 for the next meeting.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to continue the public hearing for Proposed Amendment to Chapter 185, Section 28 *Nonconforming uses, structures, and lots* to March 12, 2024 at 7:40 pm.

The motion passed unanimously.

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## Discussion

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- Potential Future Expansion of the Sodom Mountain Campground, 233 South Loomis Street & Legal Opinion Letter: The matter will appear on the next meeting's agenda for discussion.
- Housing Production Plan – Planning Board Review & Vote to Approve Plan: Mr. Goddard shared the revised document and pointed out the revised paragraph pertaining to the Town's current inventory of affordable housing units. Planning Board approval of the plan will advance the document to the Select Board for their approval prior to submittal to the State.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to approve the Town of Southwick Housing Production Plan.

The motion passed unanimously.

- 157 Feeding Hills Road (Crepes Tea House) – Planning Board Response to Discussion Points Regarding Potential Future Improvements: Mr. Goddard shared a draft of his notes pertaining to the contemplated parking expansion, mobile refrigeration unit, and outdoor cooking area with Board members for discussion at the next meeting.
- Noble Steed Crossing subdivision – Potential Enforcement Action/Notice of Performance Bond Claim regarding Incomplete Infrastructure & Noncompliance with the Terms of the Special Permit & Definitive Subdivision Decision: Jesse Saltmarsh, the subdivision developer, attended the meeting to discuss his progress with the development. He shared an outline of the remaining infrastructure work and compliance issues that was reviewed with Randy Brown and Jon Goddard, and the outline contains a schedule for completion of work in 2024. Mr. Saltmarsh will be regularly meeting with Mr. Brown and Mr. Goddard for progress updates and Mr. Goddard anticipates providing monthly reports to the Planning Board on work at the subdivision.

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Routine Business

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- Planning Board Member Comments – Mr. Goddard shared a plot plan with Board members for Lot 13 at The Greens of Southwick - East subdivision in accordance with the Planning Board decision for the project. Mr. Doherty observed that the review has historically been an administrative process with the Town Planner but suggested that remaining lot improvement plans be brought before the Board as they are submitted.
- Annual Report – The members reviewed the Annual Report as prepared by Mr. Goddard.

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to approve the 2023 Planning Board Annual Report.

The motion passed unanimously.

- Minutes Approval: February 6, 2024

A **MOTION** was made by Mr. Spina and **SECONDED** by Mr. Utzinger to approve the meeting minutes of February 6, 2024.

The motion passed unanimously.

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 9:23 p.m.

The motion passed unanimously.

*The Next Scheduled Meeting is March 12, 2024.*

*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>
David Spina, Vice Chair	<u>/s/ David Spina</u>
Richard Utzinger	<u>/s/ Richard Utzinger</u>
David Sutton	<u>/s/ David Sutton</u>
Jessica Thornton	<u>/s/ Jessica Thornton</u>
Diane Juzba, Associate	<u>/s/ Diane Juzba</u>