

# *East Longmeadow Planning Board*

*60 Center Square*

*East Longmeadow, Massachusetts 01028*

*since 1894*

*Telephone: (413) 525-5400- extension 1700 - Facsimile (413) 525-1656*

*Ralph Page, chair*

*George Kingston, vice chair*

*Tyde Richards, clerk*

*Michael Carabetta*

*Deborah Bushnell*

*robyn d. macdonald, director*

*rmacdonald@eastlongmeadowma.gov*

## Minutes of January 3, 2017

Present were: Chair, Ralph Page; Vice Chair, George Kingston; Clerk, Tyde Richards, Michael Carabetta and Deborah Bushnell.

Chair, Ralph Page opened the meeting and said that it was being taped by ELCAT as well as the Board. He asked if anyone else was taping it. Chris Goudreau of the Reminder was also taping it.

### Public Hearing – Zoning By-law changes

Chair, Ralph Page opened the public hearing and Clerk Tyde Richards read the legal notice into the record.

Mr. Page asked Mr. Kingston if he would like to speak.

Mr. Kingston said the Planning Board has taken the existing Zoning By-laws and changed references from the Board of Selectmen to the Town Manager. He said with the additional changes under Section 5.10 – Plan of Development from the Board of Selectmen will now be approved by the Planning Board. Section 5.11 - Plan of Development needs to be submitted to the Planning Board not the Board of Selectmen and the Board of Selectmen does not need to review the plan because they don't exist anymore. Section 5.7 – Car Service Activities – simply remove the Board of Selectmen and shall require the approval signatures of the Board of Public Works and the Planning Board. He said basically the rest of it is substituting Town Manager for Board of Selectmen.

Mr. Page said that he noticed under Section 5.1 – Elderly Residential District it's the only district that a Site Plan didn't go directly to the Planning Board and was curious if Ms. Macdonald knows why it was put in originally. Ms. Macdonald said that the original 1963 by-law was because the housing authority was involved at the time so it was statutory issue, however the housing authority is no longer involved. She said that they are involved only with the housing on Benton Drive and everything else is privately owned. Mr. Page asked where the elderly district is in town. Ms. Macdonald said Somers Road which is Brownstone. Mr. Page said that he is in total agreement that it makes sense and the reasons for his questions is he will probably be explaining it to the

Council and back ground knowledge is good. He addressed the Board for any questions or concerns.

Ms. Bushnell said that she didn't see anything she was concerned with.

Mr. Page said one of things he noticed right off is Section 5 – Elderly Residential District it's actually under the by-laws Section 5.1 and it shouldn't be underlined because none of the other headings under 5.1 & 5.2 are underlined. He said under 5.11 at the very end it references the Selectmen once again. Mr. Page said the very last line under 5.11 "the Selectmen may require any additional information needed to permit a thorough review" should be removed. Mr. Page said under 7.01 on the third line Board of Selectmen should be changed to Town Manager.

Mr. Page said his thought was that Board will continue the public hearing and they will go through their changes and at the next meeting do a quick review and say yes they want to send them. Mr. Page addressed the audience for any questions.

Upon motion duly made by George Kingston and seconded by Michael Carabetta, the Board voted unanimously (5-0) to continue the public hearing to January 17, 2017 at 6:00 p.m.

Meeting regarding Feng Health Center of Massage, 611 north Main Street possible revocation of Special Permit

Mr. Kingston asked Ms. Macdonald if they have received any response back from the holder of the Special Permit. Ms. Macdonald said they have not. Mr. Kingston said for the record they have not received response from them.

Ms. Macdonald said that the owner of the property Daniel Burack came into the office that day and asked her if he needed to be present and she told him no because it had nothing to do with him. She said that it was a Special Permit that was strictly granted to the owner of the business.

Mr. Page said under the Special Permit photo identification or driver's license, current residential address, any therapist, any employees, that all has to be updated annually in December. He said if he remembers correctly talking with Ms. Macdonald that wasn't updated this year, we had no contact whatsoever with them. Ms. Macdonald said that it wasn't last either. Mr. Page said for two years they haven't updated any of the information hence the reason they can't get in touch with them to discuss this. He said that alone to him would be reason for revocation but he would like to hear the Board's thought on it.

The Board felt that they were in direct violation of the Special Permit.

Upon motion duly made by Michael Carabetta and seconded by Deborah Bushnell, the Board voted unanimously (5-0) to revoke the Special Permit for Feng Health Center of Massage, 611 north Main Street.

Waivers of Site Plan Review Approved

Milecast Media, 273 Westwood Avenue

Sunny's Mart, 43 Maple Street

Pilgrim Colonial, LLC, 12 Pilgrim Road

Revised parking plan – 45 Baldwin Street & contact name responsible for stormwater maintenance

Michael Carabetta recused himself due to conflict of interest.

Mr. Page said at their last meeting they asked that changes be made to the stormwater management plan and to the plans for 45 Baldwin Street.

Mr. Richards read into the record that Gary S. McMahon will be the person responsible for the stormwater system maintenance cleaning, inspection and any maintenance to the storm drain located at proposed parking lot for 45 Baldwin Street.

Mr. Page said that on the plans they had asked to show the inlets where the stormwater system was and on the revised plans they have showed that. He said that he had a chance to speak with Bob Peirent, Superintendent of Public works that afternoon and he was happy with the resubmitted plans and had no problems with them. Mr. Page said that he thinks they should be all set with the revised plan and letter for 45 Baldwin which they approved already contingent upon the new plans.

Miscellaneous

Mr. Page said that he had one more matter in regard to the Section 6 finding on 35 Pleasant Street that the Board approved at their last meeting. He said there was some confusion whether it was residential A or residential C, after looking at its residential C. Ms. Macdonald said the problem was if you look at the GIS it's obvious and that she called Smith Associates and had them relook at it and they did say that they found pins and that was one of the issues. She said that the GIS said one thing and she & the Building Inspector went by the GIS and she went by the Building Inspector and it was a comedy of errors. The Board stated a section 6 finding was not required and agreed they should refund the fee back to the applicant.

With no further business and upon motion duly made by George Kingston and seconded by Michael Carabetta, the Board voted 5-0 to adjourn at 7:15 p.m.

For the Board,

Tyde Richards, Clerk