



## EAST LONGMEADOW PLANNING BOARD

Tuesday, January 5, 2021

6:00 PM Eastern Time (US and Canada)

Zoom Webinar

### MINUTES

Chair Russell Denver opens the meeting at 6:00 pm and called the roll.

Present: Russell Denver, Chair  
George Kingston, Vice Chair  
Tyde Richards, Clerk  
Jonathan Torcia  
Pete Punderson

Staff Present: Bethany Yeo, Planning & Community Development Director  
Rebecca Jones, Planning & Community Development Administrative Assistant

### APPROVAL OF MINUTES

December 8, 2020

**Motion to approve made by George Kingston; second by Pete Punderson and approved by roll call vote five (5)-zero (0).**

### SITE PLAN WAIVER REQUESTS

1. **SPRW 2021-01: Daycare** –Request for Site Plan Review Waiver for daycare for Roots Learning Center at 126 Industrial Drive (Assessor's Parcel ID 9-3-18) on a 4.96 +/- acres site in the Industrial Garden zoning district. Applicant: Roots Learning Center, Inc., 126 Industrial Drive, East Longmeadow, MA 01028.

Applicant representative Luke Showalter was present for discussion. Mr. Showalter stated that nothing about this site will change as it was previously used as a daycare. No further comment from the Board.

**Motion to approve made by Vice Chair George Kingston; second by Board member Peter Punderson and approved by roll call vote five (5)-zero (0).**

### ANR

1. **ANR 2021-01: 392 Porter Road** – Request by applicant for endorsement of a plan believed not to require subdivision approval under Subdivision Control Law to combine 392 Porter Road (Assessor's Parcel ID 70-2-0) and Porter Road (Assessor's Parcel ID 70-3-0) into a combined parcel totaling 1.53 +/- acres located in Residence A zoning district. Applicant: Raymond Guilbert, 392 Porter Road, East Longmeadow, MA 01028.

Applicant was not present for discussion. The Board gave time for the applicant to join should they have had technical difficulties. *Item continued to January 19, 2021.*

**OTHER BUSINESS**

Hometown Lawn & Property Services, LLC- Discussion of existing Site Plan Waiver for home office at 158 Maple Street (Assessor's Parcel ID 17-28-5) in the Residence B zoning district. Applicant: Daniel Beauregard, 158 Maple Street, East Longmeadow, MA 01028.

Applicant Daniel Beauregard was present for discussion. Planning Director Bethany Yeo stated that the applicant currently holds a site plan waiver for a home office and t received one warning and one violation from Kevin Duquette, Zoning Enforcement Officer, and is unable to renew his business license until these violations are addressed with the Planning Board. Mr. Beauregard stated that the violations were for parking commercial trucks in his residential driveway. Mr. Duquette suggested a carport to remedy the issue but Mr. Beauregard stated it was destroyed by storm damage. Chair Russell Denver noted that Mr. Beauregard and his employees caused significant traffic backups along Maple Street during the summer months due to the loading and unloading of equipment. Mr. Beauregard stated that he did not realize that said activities were causing such an adverse effect on the neighborhood and that the storage of work materials was not allowed. Mr. Denver reiterated that these activities are not within the terms of the current special permit held and noted that commercial businesses are prohibited in residential zones per the Town bylaws. He noted that the violations are not related to the complaints of the Planning Board but will comply going forward.

Mr. Denver also asked Mr. Beauregard about his employees using the East Longmeadow High School parking lot to park their cars during work hours. Mr. Beauregard stated that this was approved by the High School police officer. Vice Chair George Kingston stated that the special permit waiver for home office is to be used for billing and administrative tasks and does not cover actual operations of the business. He further opined that unless the business is realigned to operate at another location, a waiver for a home office is not appropriate. Mr. Beauregard alerted the members that he secured a commercial storage facility in Springfield and is transferring all work equipment to this location and would like to maintain the special permit waiver for legitimate administrative tasks. Board Member Pete Punderson requested a review by the Zoning Enforcement Officer this coming summer to ensure Mr. Beauregard is in compliance.

**Motion to extend special permit waiver subject to review in July, 2021 with the caveat that the PB can revoke it if the assertions made by the applicant are not fulfilled made by Vice Chair George Kingston; second by Board member Pete Punderson and approved by roll call vote five (5)-zero (0).**

**OTHER BUSINESS**

Directors Report

Planning Director Bethany Yeo discussed the overview of the Master Plan Steering Committee's next meeting. The Committee will be meeting with the engagement consultant provided by the Pioneer Valley Planning Commission, who will help create platforms for virtual outreach.

Chair Russell Denver requested a brief overview of the upcoming agenda items for the January 19, 2021 meeting, specifically the review of recent Zoning violations issued to Pampered Pets Doggie Daycare and Spa. Ms. Yeo shared that a dog was recently injured while at the location and later succumbed to its injuries. The special permit holder, Denise Degon, was notified of the upcoming public meeting via certified mail and will be in attendance. Several dog owners who utilized the facility plan to attend and Ms. Yeo asked if public comment would be allowed. VC George Kingston advised the Board members to

review the Town bylaws and definitions as they pertain to kennels and pet daycares, including the definitions written into the zoning bylaws. He further requested that Ms. Yeo forward to the Board members any state laws and regulations relating to kennels because he feels there is confusion as to what a kennel license actually means and what state laws exist regarding kennels. Mr. Denver clarified that the meeting is to discuss the possible revocation of the special permit due to certain conditions within the special permit not being met. He requested that Kevin Duquette, Zoning Enforcement Officer and Melissa Defino-Legacy, Animal Control Officer be present for their comment. Ms. Yeo clarified for Mr. Denver and other members of the Board that this necessitates a public meeting per the Town bylaws. Mr. Denver noted that because this a public meeting, it is not necessary by law to hear from other individuals from the public. He further requested that should the Board entertain public comment, that they moderate the number of people who speak and assign specific time limits for comment. Board Member Pete Punderson spoke with Amy Baxter, owner of the affected dog, and encouraged her to attend the meeting.

**ADJOURN Motion to adjourn made by Vice Chair George Kingston; second by Board member Pete Punderson and approved by roll call vote five (5)-zero (0) at 6:26 pm.**

Respectfully submitted.

Rebecca A. Jones,  
Planning & Community Development Administrative Assistant