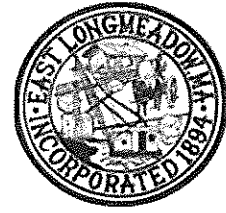


**EAST LONGMEADOW PLANNING BOARD
MEETING NOTICE**

Date: January 15, 2019

Time: 6:00 PM

Place: School Committee Conference Room
East Longmeadow High School, 180 Maple St., East Longmeadow, MA



MINUTES

CALL THE MEETING TO ORDER 6:00 p.m.

(Pursuant to Mass General Law as we are recording this meeting for the minutes and ELCAT is taping the meeting, if anyone else is recording this meeting please identify yourself and your organization)

CALL THE ROLL

PRESENT: **GEORGE KINGSTON**
 JONATHAN TORCIA
 LOUIS MORABITO
 RUSSELL DENVER
 TYDE RICHARDS

STAFF PRESENT: **Constance Brawders, Planning and Community Development Director**
 Katherine Boucher, Planning and Community Development
 Administrative Assistant – Interim

APPROVAL OF MINUTES

December 18, 2018

Motion to approve the amended minutes of December 18, 2018 by Board member R. Denver;
second by Board member J. Torcia approved five (5) – zero (0).

NEW PUBLIC HEARINGS:

- 1. Case MT SP 2019-01: Wondering Spirit – Request by applicant for a Special Permit for massage therapist facilities at 169 Shaker Road (Assessor's Parcel 18-11A-0), a 0.36+/- acre**

In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact Constance Brawders at 413-525-5400 x 1701 or (constance.brawders@eastlongmeadowma.gov) or MassRelay 711. Requests should be made as soon as possible but at least 48 hours prior to the scheduled meeting.

The matters listed are those reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed may, in fact, be discussed.

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site, in the Industrial zoning district. Applicant: Wesley Crouch, 169 Shaker Road, East Longmeadow, MA 01028

Applicant and business owner Wesley Crouch presented the proposal to perform massage therapy within the building located at 169 Shaker Road for the business known as A Wandering Spirit. The business has been granted a liquor license by the Town; however, the applicant clarified for the Planning Board that is not the intent by the business owner to serve alcohol prior to or after massage.

The applicant provided a current Commonwealth of Massachusetts Division of Professional Licensure Board of Massage Therapy massage therapist license for Kathleen M. O'Connor and Commonwealth of Massachusetts Division of Professional Licensure Board of Massage Therapy license for multiple massage establishment license for Wesley Crouch with the Planning Board packets.

The public hearing was open for comment. No one spoke in favor or in opposition of the item.

Hearing no further comment, the public hearing was closed with motion made by Board member R. Denver; second by Board member J. Torcia (5-0).

The application for Special Permit for Massage Therapist Facilities at a Wandering Spirit, as presented, located at 169 Shaker Road in the Industrial zoning district, was approved with motion made by Board member R. Denver; second by Board member J. Torcia, on a vote of five (5) – zero (0).

SITE PLAN WAIVER REQUESTS:

2. **SPRW 2019-01:** Request by Applicant for Site Plan Waiver for a commercial & residential real estate sales office and real estate school at 674 North Main Street (Assessor's Parcel 1A-23-63) on a 0.17 acre site located in the Business zoning district. Applicant: Steven E. Rovithis, 75 Brooks Road, Longmeadow, MA 01106.

Applicant Steven E. Rovithis was present for discussion.

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The application for Site Plan Waiver for commercial & residential real estate sales office and real estate school at 674 North Main Street in the Business zoning district was approved on a motion made by Board member R. Denver; second by Board member J. Torcia, by a vote of five (5) – zero (0).

- 3. SPRW 2019-02:** Request by Applicant for Site Plan Waiver for a Home Office at 123 Orchard Road (Assessor's Parcel 46-76-32) a 0.74 acre site located in the Res A (RA) zoning district. Applicant: Peter Levesque, 123 Orchard Road, East Longmeadow, MA 01028.

Applicant and home owner Peter Levesque was present on the evening of the meeting.

The application for Site Plan Waiver for a Home Office located at 123 Orchard Road in the Res A (RA) zoning district was approved on a motion made by Board member R. Denver; second by Board member J. Torcia, by a vote of five (5) – zero (0).

ANR:

- 4. ANR 2019-01 Capri Drive and Amalfi Place:** Request by applicant for endorsement of a plan believed not to require subdivision approval under Subdivision Control Law to merge Lot 3 Capri Drive (Assessor's Parcel ID 44-10-30) and Lot 4 Amalfi Place (Assessor's Parcel ID 44-10-4) for a combined lot totaling 2.66+/- acres located in the Residence AA zoning district. Applicants: John F. And Sarah Mahan, 33 Glen Heather Drive East Longmeadow, MA 01028.

No one was present to discuss the request to discuss the lot line abandonment to merge the lots.

Endorsement of the Plan Believed not to Require Subdivision Approval under Subdivision Control Law (ANR) to merge Lot 3 Capri Drive and Lot 4 Amalfi Place located in the Residence AA zoning district was moved on a motion by Board member R. Denver; second by Board member J. Torcia, with vote of five (5) – zero (0).

- 5. ANR 2019-02 Somers Road:** Request by applicant for endorsement of a plan believed not to require subdivision approval under Subdivision Control Law to create four (4) new lots along Somers Road (Assessor's Parcel ID 79-30-J), consisting of 6.5+/- acres from a 35.40 acre parcel, located in the Res A and Res AA zoning districts. Applicant: James Haberern, 346 Pinehurst Drive, East Longmeadow, MA 01028.

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Applicant and land owner James Haberern was in attendance to discuss the ANR application.

Chairman Kingston stated that this proposal for Approval Not Required (ANR) endorsement was complicated. Access from Somers Road is illusory because of the wetlands crossing. Chairman Kingston explained two (2) requirements in considering the endorsement of a plan believed not to require subdivision approval under Subdivision Control Law (ANR): 1. Endorsement for approval of a plan believed not to require subdivision approval must be based existing conditions and not on the basis of what is going to be approved or may happen in the future, and; 2. There must be access to the site.

Chairman Kingston further noted that the Planning Board was advised by the Department of Public Works that the Town would not be responsible for maintaining the sanitary sewer, serving four of the five lots, which are shown on the plans as provided. A sewer connection and any appurtenant easement must be maintained by the land owners. Therefore, given these matters of concern in dividing the land, the Planning Board recommended the applicant submit a plan that meets the standards under the rules and regulations for the submission of a plan that conforms to all applicable state and local laws, ordinances, and rules and regulations of Boards and departments having jurisdiction. The comments from DPW were read into the record.

The Chair, furthermore, referred to the ANR Handbook published by the Commonwealth of Massachusetts as the source for two cases that offered evidence in support of the Planning Board's decision not to endorse the plan presented by the applicant [i.e., *Hobbs Brook Farm Property Company Limited Partnership v. Planning Board of Lincoln*, 48 Mass. App. Ct. 403 (2000) and *Gates v. Planning Board of Dighton*, 48 Mass. App. Ct. 394 (2000)].

Chairman Kingston concluded his comments for the applicant by expressing concerns about safe access by Emergency vehicles over the wetlands crossing. Town's Attorney Kevin Maynard, who was also present at the evening's meeting, had nothing further to add to the discussion.

The motion not to endorse the ANR Plan at Somers Road was moved by Board member R. Denver; with second by Board member J. Torcia, and Not Approved five (5) – zero (0).

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SIGN PERMITS:

- 6. 2019-01-SIGN 227 Shaker Road:** Request by applicant, PMG SLB I, LLC (a/k/a Shell), for approval of two (2) wall signs, having the combined area of 66 SF, to be installed at 227 Shaker Road (Assessor's Parcel ID 18-3-0) in the Industrial zoning district. Applicant's agent: JEM Sign Corp (d/b/a Tee Pee Signs), 470 South Franklin Street, Hempstead, NY 11550.

The application for Sign Permit for PMG SLB I, LLC (a/k/a Shell), for two (2) wall signs, having the combined area of 66 SF, to be installed at 227 Shaker Road in the Industrial zoning district, was approved on a motion made by Board member R. Denver; second by Board member J. Torcia, and vote of five (5) – zero (0).

- 7. 2019-02-Sign 62 Center Square:** Request by applicant, United Bank, for wall sign replacement with new sign area consisting of 27.5 SF, to be installed at 62 Center Square (Assessor's Parcel ID 27-35-A) in the Business zoning district. Applicant's agent: Heather Dudko, National Sing Corp., 2 Phoebe Way, Worcester, MA 01605.

The application for Sign Permit for United Bank for wall sign replacement with new sign area consisting of 27.5 SF, to be installed at 62 Center Square in the Business zoning district, was approved on a motion made by Board member R. Denver; second by Board member J. Torcia, and approved five (5) – zero (0).

- 8. 2019-03-Sign 62 Center Square:** Request by applicant, United Bank, for wall sign replacement with new sign area consisting of 23 SF, to be installed at 62 Center Square (Assessor's Parcel ID 27-35-A) in the Business zoning district. Applicant's agent: Heather Dudko, National Sing Corp., 2 Phoebe Way, Worcester, MA 01605.

The application for Sign Permit for United Bank for wall sign replacement with new sign area consisting of 23 SF, to be installed at 62 Center Square in the Business zoning district was moved on a motion by Board member R. Denver; second by Board member J. Torcia, and approved five (5) – zero (0).

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- 9. 2019-04-Sign 572 N. Main St.:** Request by applicant, Valerie Robustelli, for ground sign replacement with new sign area consisting of 64 SF, to be installed at 572 North Main St. (Assessor's Parcel ID 2B-94-568) in the Business zoning district. Applicant: Valerie L. Robustelli, 18 Brayton Dr. Southwick, MA 01077.

The application for Sign Permit for Valerie Robustelli, for ground sign replacement with new sign area consisting of 64 SF, to be installed at 572 North Main Street in the Business zoning district, was approved on a motion made by Board member R. Denver; second by Board member J. Torcia, and vote of five (5) – zero (0).

- 10. 2019-05-Sign 572 N. Main St.:** Request by applicant, Valerie Robustelli, for wall sign replacement with new sign area consisting of 4 SF, to be installed at 572 North Main St. (Assessor's Parcel ID 2B-94-568) in the Business zoning district. Applicant: Valerie L. Robustelli, 18 Brayton Dr. Southwick, MA 01077.

The application for Sign Permit for wall sign replacement with new sign area consisting of 4 SF, to be installed at 572 North Main Street in the Business zoning district, was approved on a motion made by Board member R. Denver; second by Board member J. Torcia, and vote of five (5) – zero (0).

- 11. 2019-06 Sign 51 Prospect Street:** Request by applicant, Jose Cide of Right at Home, for the installation of a wall sign having an area of 5.5 SF to be installed at 51 Prospect Street (Assessor's Parcel ID 27-154A-A) in the Res C zoning District. Applicant's Agent: Amanda Anderson, Sign Techniques, and P. O. Box 237 Chicopee, MA 01021.

The application for Sign Permit for Jose Cide of Right at Home, for the installation of a wall sign having an area of 5.5 SF, to be installed at 51 Prospect Street in the Res C zoning District, was approved on a motion made by Board member R. Denver; second by Board member J. Torcia, and vote of five (5) – zero (0).

- 12. 2019-07 Sign 51 Prospect Street:** Request by applicant, Jose Cide of Right at Home, for the installation of a ground sign panel having an area of 8 SF to be installed at 51 Prospect Street

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(Assessor's Parcel ID 27-154A-A) in the Res C zoning District. Applicant's Agent: Amanda Anderson, Sign Techniques, P. O. Box 237 Chicopee, MA 01021.

The application for Sign Permit for Jose Cide of Right at Home, for the installation of a wall sign having an area of 8 SF, to be installed at 51 Prospect Street in the Res C zoning District, was approved on a motion made by Board member R. Denver; second by Board member J. Torcia, and vote of five (5) – zero (0).

13. 2019-08 Sign 38 Center Square: Request by applicant, Golden Years Home Care, for a temporary banner having an area of 28 SF to be installed at 38 Center Square (Assessor's Parcel ID 27-158-0) in the Business zoning district. Applicant's Agent: Tracy Janik, Sign Techniques, 361 Chicopee St. P. O. Box 237 Chicopee, MA 01013.

The application for Sign Permit for Golden Years Home Care, for a temporary banner having an area of 28 SF, to be installed at 38 Center Square in the Business zoning district, was made on a motion made by Board member R. Denver; second by Board member J. Torcia, and vote of five (5) – zero (0).

OTHER BUSINESS:

ADMINISTRATIVE MATTERS:

Comments from Conservation Commission for plan submittals: No Comments
Forms
Annual Town Report – Due February 11, 2019
Update to Master Plan

EXECUTIVE SESSION

Pursuant to MGL Ch. 30A, §21 (a) (3) regarding potential resolutions of certain litigation pending against the Town.

ADJOURN:

The motion to adjourn at 7:17 p.m. was made by Board member R. Denver; second by Board member J. Torcia passed unanimously five (5) – zero (0).

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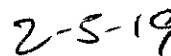
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DATE OF NEXT MEETING:

The next scheduled meeting of the Planning Board is February 5, 2019.



TYDE RICHARDS, Clerk



Date

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