



**Town Council Planning Subcommittee Meeting  
Town Manager's Conference Room  
Friday, March 2, 2018  
9am**

Present:

Chairman Donald Anderson, Town Council  
Michael Kane, Town Council  
Thomas O'Connor, Town Council  
Ralph Page  
Marilyn Richards

Also Present:

Denise Menard, Town Manager (came in half way through)  
Attorney Jane Mantolesky  
John Taikina, Developer  
Joseph Connelly, Property Owner

Chairman Anderson opened the Meeting of the Town Council Planning Matters Subcommittee at 9:06am.

**Organization**

Chairman Anderson opened up nominations for subcommittee Chair.

**Mr. Page nominated Chairman Anderson as Chair for the Subcommittee. Seconded by Ms. Richards. Motion to appoint Donald Anderson as Chair passed unanimously.**

Chairman Anderson noted that Town Planning Director Larry Smith's expertise would be needed before any decisions could be made. He reminded guests in attendance that as this is a public meeting and not a hearing, the sub-committee was not required to allow input from the guests.

**Item #1: Special Permit vs. Site Plan Review**

Mr. O'Connor indicated that his biggest concern is not knowing pros and cons of each. Chairman Anderson pointed out that some concerns from the developer's point of view is that it is more difficult to find a lender willing to finance them based on the size of project, under Special Permit. Concern is that with Special Permit, there is a tighter standard with more controls. Mr. Kane stated his concerns about additional projects. The Town wants the developer to be successful, but wouldn't want another developer to come in and compete, pointing out the uniqueness of this particular project. Chairman Anderson stated that the Town would need to keep in mind extra protection for growing numbers in traffic and other infrastructure concerns. Ms. Richards stated that while the municipal agreement may be suited for this project, the Town needs to get back to the bylaw for the entire Town. Special Permit is a contract. She stated she understands the financing issues for the developer, but this is a bylaw for the Town, not the individual developer. There was general discussion regarding the bylaws' future impact on rental properties for the Town, as well.

**Item #2: Parking Spaces - 1.5 per Unit vs 1 per Bedroom**

There was discussion about requiring 1 parking space per bedroom, but if the Town makes the requirement lower, the property can still grow as needed. Green space for passive recreation would exist while spaces are not utilized.

### **Item #3: Number of Apartments vs Condos and Townhouses**

There was discussion regarding what percentage of the residential dwellings should be required to remain owner-occupied, and not eligible for rental. There is a concern that without the requirement, the residential complex could turn into primarily rental units.

### **Item #4: Height of Apartment Buildings**

4 stories seems to be what this developer is looking for. Not sure if 50 or 60 feet in height, so that will need to be determined.

Ms. Richards contributed that current residential bylaw permits 35 feet in height, with up to 45 feet by Special Permit. Language can be crafted to give a specific developer some latitude. Planning Board would be able to take site amenities into consideration when granting Special Permits. Many factors can affect how height changes the aesthetics of a development.

### **Item #5: Minimum Lot Size - 20 or 40 Acres**

Chairman Anderson said that in a conversation with the Town's attorney, the Subcommittee must be mindful of the bylaw requiring a 40 acre zone, while still allowing smaller projects to be built within the zone. The development may be required to be 40 acres, but that does not limit individual projects, or subdivisions. Tighter language will be required on this issue.

Mr. Page read from the proposed bylaw "Uses in the mixed use district shall meet the following requirement...", but wants to replace the verbiage of "uses" to "development", that way it gives a minimum lot area, etc.

### **Item #6: Chapter 40B Vulnerability**

The Town currently provides 7% affordable housing. From a Planning point of view, how this project impacts that vulnerability will need to be taken into consideration, as it will not help in reaching the Town's goal of 10%.

Discussion about the ability to subdivide, and whether or not there is a loophole being left open. Subdividing ability could impact the town. Question whether the Town would want to allow for that in the bylaw, even though they have to go through the Planning Board.

### **Item #7: Infrastructure Money**

These issues would come up later once particulars of the development have been decided and would go through Site Plan Review or Special Permit, if necessary.

Chairman Anderson then opened up discussion from the attending guests at the meeting.

**Jane Mantolesky from Fitzgerald Attorneys at Law** explained that even with Site Plan Review, the Town would still have ultimate authority to protect the public interest with respect to development, and that the Town is in the unique position of being able to craft these new bylaws, with reasonable conditions, to do so. She pointed out that Special Permit would severely restrict the developers' ability to move forward on a project in a timely manner, having an adverse effect on their financing options.

The subcommittee expressed concerns that encouraging a "checklist" Planning Board process would remove the proactive planning and approval process that best serves the Town. The choice between Site Plan Review and Special Permit is a pivotal decision for the residents of East Longmeadow, based on how these bylaws are written.

## **Developers**

Joseph Connelly, Property Owner

Mr. Connelly expressed his understanding of the Subcommittee's need to take their time in reaching a comfort level with the bylaw language development and said he is not in a rush. He said Special Permit would not work for this project, as it can always be revoked 6 months down the road, but looks forward to working with the Town while considering all aspects of the proposed development.

John Taikina, M & M Realty Partners

Mr. Taikina added that he is also patient, and will be willing to wait and do what needs to be done until the Town's overall comfort level has been achieved. He indicated that the Planning Board had confidence in this development, which was why they crafted the proposed checklist. He pointed out that this development is going to create appealing ambiance for the Town and is interested in achieving the minimum standards of the bylaws, but then exceeding them.

The Subcommittee discussed the past history of having a Design Review Board. Chairman Anderson summarized that while there are seemingly competing interests at hand, both sides want this to work. He expressed his concern of spot zoning, as well. Mr. O'Connor welcomed any assistance from the developer's representative, moving forward.

The next meeting was scheduled for Wednesday, March 7th at 9am in the Town Manager's Conference Room.

**Mr. Kane moved to close the meeting at 10:30am. Seconded by Mr. Page. Motion to adjourn passed unanimously.**

Respectfully submitted,

Tracy Berns  
Planning Administrative Assistant