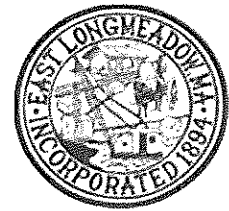


**EAST LONGMEADOW PLANNING BOARD
MEETING NOTICE**

Date: April 2, 2019

Time: 6:00 PM

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



MINUTES

Chairman Kingston opened the meeting at 6:00 p.m. and called the roll.

Present: George Kingston, Chair; Tyde Richards, Clerk; Russell Denver, Vice Chair; Louis Morabito

Staff Present: Constance Brawders, Planning and Community Development Director
Bethany Yeo, Planning and Community Development Administrative Assistant

Absent: Jon Torcia

APPROVAL OF MINUTES

Motion to approve March 19, 2019 minutes by R. Denver; second by Board member L. Morabito; approved four (4) - zero (0).

Motion to approve February 19, 2019 minutes by R. Denver; second by Board member L. Morabito; approved four (4) - zero (0).

SITE PLAN WAIVER REQUESTS:

1. **SPRW 2019-07: LT Design for Mapleshade Ave** – Request by applicant for Site Plan Waiver for an interior decorating home office at 55 Mapleshade Avenue (Assessor's Parcel ID 157-A) located in a Residential C zoning district. Applicant: Laura Tondera, 55 Mapleshade Avenue, East Longmeadow, MA 01028.

Clerk T. Richards read the application into the record for the Site Plan Waiver. Applicant Laura Tundera was present for discussion. The applicant explained that the home office does not involve the use of commercial vehicles or significant customer traffic.

Board member R. Denver made a motion to approve the Site Plan Waiver; second by Board member L. Morabito; granted four (4) - zero (0).

CONTINUED PUBLIC HEARINGS:

1. **Case SD-D 2019-01 Definitive Subdivision Plan for Jeffrey Lane South** – Request by applicant for approval of a two (2) lot subdivision on a 3.44+/- acre parcel at 216 Somers Road (Assessor's ID 40-25-31) located in the Residence A zoning district. Applicant: Val Shvets, Oak Ridge Custom Home Builders Inc., 80 River Road, South Hadley, MA 01075. (Cont. February 19, 2019)

Clerk T. Richards read the application into the record for the Definitive Subdivision Plan. Applicant Val Shvets was present for discussion. The applicant presented the changes that were made to the site plans to address the Department of Public Works comments.

The Chair stated that the Department of Public Works needs to respond to the changes before the application can continue.

Board member R. Denver made a motion to continue the public hearing for Definitive Subdivision Plan for Jeffrey Lane South to 04/16/2019; second by Board member L. Morabito; by a vote four (4) - zero (0).

ZONING AMENDMENTS:

1. **Case: ZN 2019-01 - Mixed Use District:** Petition by Applicant, M & A Longmeadow, LLC. , to amend the Zoning By-law by adding a new zoning district for Mixed Use and to change the Zoning District Map for the Town of East Longmeadow. Applicant's agent: Atty. Jane L. Mantolesky, Fitzgerald Attorneys at Law, PC, 46 Center Square, East Longmeadow, MA 01028. (Cont. March 19, 2019)

Discussion of draft outline for Mixed Use District bylaw:

Density: Board agreed on a minimum lot size of 20 acres.

Density of units:

The Chair proposed a limit of 400 residential units/10 per acre. R. Denver debated between 400 and 600 units, stating that 600 units seemed too high and 400 too low although it depended on the size of the units.

The Chair explained why he increased the side buffer to 25 FT that would be a vegetative buffer as the property abuts a residential area. Set back to remain 50 FT. The Chair proposed that the setbacks from the street should part of the design review and site plan review

Parking: 1 parking space per bedroom, 4.5 parking spaces per 1,000 SF of gross commercial area and 1 space per 4 seats for restaurants. Mr. Taikina expressed that 4.5 parking spaces per 1,000 SF was reasonable. C. Brawders suggested another approach would be to have a Special Permit for Parking Reduction

T. Richards inquired how Commercial space was being defined in the draft outline. The Chair stated that Commercial space includes both retail and office. T. Richards asked for a narrower definition of Commercial Space, reiterating his desire to ensure three uses are on the same property.

Ms. Mantolesky reported that Hopkinton, Massachusetts had incorporated into its bylaw a requirement for a Host Community Agreement to address concerns with school requirements and affordable housing issues.

R. Denver suggested the Host Community Agreement address issues which impact the town at large and the abutting neighborhoods including such features as: town services, utilities, etc.

R. Denver emphasized that his vision of the Host Community Agreement is that it will be an opportunity for the entire community to weigh in and could be made up of elected officials, department heads, and community groups at large. R. Denver suggested that the Planning Board be available to give recommendations but that the development and action of the Host Community Agreement not fall under their purview.

R. Denver mentioned a provision he read in another municipal for X number of units to be designated for affordable housing adding that while he is not in favor of adding this requirement into a Mixed Use District bylaw he does think it could be negotiated in a Host Community Agreement as it falls under a "community need". The Chair agreed, stating that the decision should be negotiated by the town manager and town council rather than the Planning Board.

T. Richards agreed that the Host Community Agreement should not be part of the bylaw and inquired who would be in charge of issuing the agreement.

R. Denver cited Longmeadow during the Casino Impact which required surrounding communities to have a Host Community Agreement. R. Denver theorized that Mr. Crane, the Longmeadow Town Manager negotiated the contract however had input and authorization from the Longmeadow Board of Selectmen. R. Denver stated he envisioned a similar process occurring in East Longmeadow. Jane M. confirmed that town managers usually negotiate the contract with the ultimate approval resting in the legislative body (Board of Selectmen).

The Chair and R. Denver canvassed whether a Host Community Agreement *must* or *may* be a requirement in the Mixed Use District bylaw. The Chair offered his perspective if there is no negative impact on the town then the Host Community Agreement can state that no compensation is needed. However, if a Host Community Agreement is not required in the bylaw in the first place, it makes the town vulnerable to willful developers.

R. Denver agreed to this perspective and to the idea that the Host Community *must* be a requirement in the Mixed Use District bylaw, stating that such a requirement may also address some of the concerns from East Longmeadow Schools regarding funding for the potential influx of school-aged children from the residential units proposed in the Mixed-use development.

The Chair opened the hearing to public comment.

Marilyn Richards, 342 Pinehurst posed two questions to the board:

1. Regarding discussion of the original proposal—should there be a definition or apartment vs. town house vs. condominium?
2. Is there a desire for a certain percentage of residential units to be apartments and certain percentage town houses/condominiums or could the entire project consist of apartments or vice versa?

R. Denver replied that he does not want the development to be an apartment complex and is interested in the ownership townhouses and condominiums introduced based on the correlation between home ownership and better maintenance of properties.

T. Richards offered a contrasting perspective that apartment management companies have incentive for their properties to look attractive in order to re-rent. R. Denver acknowledged T. Richards' point however stated that the Planning board would not be privy to the agreements between apartment management companies and the developer therefore, could not ensure that the property would be well maintained.

C. Brawders offered her professional experience in real estate stating that condominium developments were prohibited under financing agreements to lease more than X percentage of units. Therefore, depending on the development of the project, the bank may stipulate to how many condominiums may be rented. C. Brawders also suggested that there may be a population of peoples (*quality tenants*) who desire property and are willing to pay more to live in properties that are well maintained and occupied by other responsible-minded tenants.

The Chair suggested that decisions on apartments vs. townhouses/condos would most likely be largely driven by the market.

The Chair offered a solution based on the format provided by the Community Preservation Act. The Community Preservation Act allocates money received from the state and from citizens' taxes in the following manner: 10% to Affordable Housing, 10% to Open Space and Recreation, 10 % to Historical Preservation. The remaining 70% can go to either of the aforementioned or, a mix of all three depending on what the town needs.

Using this format as a guide, the Chair posed the idea of 10% of units designated for apartments/condos, 10% for townhouses and 10% for mixed-use building with the remaining 70% distributed appropriately depending on the market.

Mr. Taikina elaborated on this concept suggesting the three categories could be based on unit type such as: townhouses, apartments/condos, and mixed-use building to achieve a mixed-use environment. R.D. commented that it could also be 20%, 20%, 20% with the remained 40% open to be distributed as needed.

Ralph Page, 306 Prospect St.:

Inquired how the commercial spaces in the Mixed-use development would benefit the town.

The Chair replied by sharing his concept for the Mixed Use development is that it simulates a modern village within the town where people may reside, work, and shop within the same development.

Mr. Taikina shared with the board his leasing teams report that the proposed Mixed Use development at 330 Chestnut St. does not experience the heavy traffic flow necessary to support a large amount commercial space. As a result, Mr. Taikina cautioned against

designating 5% for commercial use as it may be too high and advised the focus be turned toward a mix of office, medical, and personal services.

Ms. Mantolesky inquired what the boards' thoughts were on an overlay district.

The Chair replied that in some ways it is more difficult to change a parcel from one zone to another than it is to put an overlay district on it. The Mixed Use District bylaw would give the Planning board more control because to replicate it elsewhere would require a zone change. An overlay district still allows for the underlying use.

Tentative Timeline:

C. Brawdgers proposed a tentative timeline for the continued development of the Mixed Use District bylaw. The board decided to speed up the process and adjusted the timeline to the following:

- | | |
|--|---------------------------|
| 1. Draft bylaw combine site Plan Approval with Special Permit | April 16, 2019 |
| 2. Schedule combined meeting with Town Council/
Sub-committee | May 7, 2019 |
| 3. First Public Hearing with Planning Board | May 21, 2019 |
| 4. Second Public Hearing and Planning Board | June 18, 2019 |
| 5. Send to Town Council for Hearing | July 2, 2019 |
| 6. Second Reading with Town Council | On or about July 9, 2019 |
| 7. Refer back to Planning Board for Adoption | On or about July 23, 2019 |

Board member R. Denver made a motion to continue the public hearing for Mixed Use Zoning Amendment to 04/16/2019; second by Board member L. Morabito; by a vote four (4) - zero (0).

2. **Case: ZN 2019-02 - 330 Chestnut Street:** Petition by Applicant, M & A Longmeadow, LLC, consider a zoning change at 330 Chestnut Street (Assessor's Parcel 18-38-0), a 40.35+/- acre site, from the Industrial Garden Park zoning district to a Mixed Use zoning district. Applicant's agent: Atty. Jane L. Mantolesky, Fitzgerald Attorneys at Law, PC, 46 Center Square, East Longmeadow, MA 01028. (Cont. March 19, 2019)

Board member R. Denver made a motion to continue the public hearing for zoning change at 330 Chestnut Street to 04/16/2019; second by Board member L. Morabito; by a vote four (4) - zero (0).

ITEMS FOR DISCUSSION:

1. Meeting with Lawrence Rich to discuss Zoning amendment petition proposal
Mr. Rich proposed his Zoning amendment petition to increase the acreage requirement for the operation of a pig farm so a pig farm may not operate in residential zones of five or less acres.
The Chair explained that agriculture requirements that Mr. Rich was petitioning against are regulated by State agriculture law. He further explained that the acreage requirements have

to do with whether or not a resident may operate a farm stand on their property. A farm with five acres or more may operate a farm stand while a farm with less than five acres may only have a farm stand if 90% of products sold have been raised and produced on the premise. Discussion ensued. R. Denver stated that the Planning Board will review Mr. Rich's petition and the proper interpretation of the State Law.

2. Citizens Petition for Accessory Dwelling Units

Ms. Brawders clarified that the petition was filed by citizens pursuing a petition for Accessory Dwelling Units. The Chair shared his opinion that the petition should ordinate from the Planning Board so they may conduct research on best practices and implications.

3. Comments from Conservation Commission for plan submittals

4. Update to Master Plan

Ms. Brawders reported that the Master Plan Request for Proposal should not be submitted until there is a firm figure. Capital Planning Budget has already been submitted for review. Therefore, the Request for Proposal must be postponed. The Chair stated that his recommendation is to form a sub-committee including a member of DPW, Town Council, Planning Board, and Citizen/Business Owner to get the ball rolling and focus on the needs of the town and the goals moving forward (the plan). R. Denver suggested the Town Manager appoint the sub-committee members and appoint Ms. Brawders to oversee the sub-committee.

Motion to create sub-committee for the Master Plan by R. Denver; second by L. Morabito; by a vote four (4) -zero (0).

5. Compete Streets Training

Other Items Not Listed May be brought up for discussion to the extent permitted by law:

R. Denver notified the public that the individuals serving as Planning Board members had a court complaint filed against them by Pride Fuels over a decision that was made at a Public Hearing two months ago relating to Pride's request to expand hours of operation at 13 North Main Street.

ADJOURN:

Motion to adjourn made by Board member R. Denver; second by L. Morabito at 7:53 PM; by a vote four (4) - zero (0).

DATE OF NEXT MEETING:

The next scheduled meeting of the Planning Board is April 16, 2019.

Tyde Richards

Tyde Richards, Clerk

5-7-19

Date