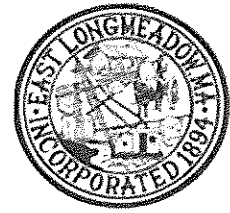


**EAST LONGMEADOW PLANNING BOARD
MEETING NOTICE**

Date: April 16, 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.

CALL THE ROLL

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

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

APPROVAL OF MINUTES

Motion to continue April 02, 2019 minutes to the May 7, 2019 meeting by a vote of five (5)-zero (0).

SITE PLAN WAIVER REQUESTS:

- 1. SPRW 2019-10: CMart– Request by applicant for Site Plan Waiver for installation of new door at 668 North Main Street - a.k.a. 664 North Main Street (Assessor's Parcel ID 1A-22-60) located in a Business zoning district. Applicant: Syed Mobeen, 668 North Main Street, East Longmeadow, MA 01028**

Clerk T. Richards read the application into the record for the Site Plan Waiver Request. Applicant was present for discussion. The applicant explained the request for Site Plan Waiver is so he may replace the windows in his store front with a door. No comment from the Board.

Motion to approve the site plan waiver request made by Jon Torcia; second by Russell Denver by a vote of five (5) - zero (0).

- 2. SPRW 2019-11: Glossy Design for Shaker Road – Request by applicant for Site Plan Waiver for a boutique at 60 Shaker Road (Assessor's Parcel ID 27-170-0) located in a Business zoning district. Applicant: Latina Duncanson, 69 Lucerne Road, Springfield, MA 01119.**

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Clerk T. Richards read the application into the record for the Site Plan Waiver Request. Applicant was present for discussion. Russell Denver inquired of the prior use of the location. Latina Duncanson explained that it was formerly a hair salon.

Motion to approve the site plan waiver request made by Jon Torcia; second by Russell Denver by a vote of five (5) - zero (0).

3. SPRW 2019-12: Sub-Surface, LLC. For Shaker Road –Request by applicant for Site Plan Waiver for business offering underground site surveying services at 143C Shaker Road, Suite 206 (Assessor’s Parcel ID 58-63-0) located in an Industrial zoning district. Applicant: Beth Provencher, 1550 Mapleton Ave., Suffield, CT 06078.

Clerk T. Richards read the application into the record for the Site Plan Waiver Request. Representing the applicant was Don MacDonald of Coleman & MacDonald Law Office. MacDonald summarized the request for site plan waiver is for a business with no employees in a former office building. No comment from the Board.

Motion to approve the site plan waiver request made by Jon Torcia; second by Russell Denver by a vote of five (5) - zero (0).

CONTINUED PUBLIC HEARINGS:

4. 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 Shvetz, Oak Ridge Custom Home Builders Inc., 80 River Road, South Hadley, MA 01075 (Cont. Feb. 19, Mar. 19 & Apr. 2).

Applicant’s agent, Ronald R. Huot, PLS, of Anderson Associated (375 Walnut Street Extension, Agawam, MA 01001) presented revised plans into the record dated April 8, 2019 and addressed review comments from the Department of Public Works regarding drainage and roadway details for the Planning Board’s consideration.

With no further comments from the public or by the Planning Board for the case hearing had been opened on February 19, 2019, the hearing was closed on a motion by Board member Jon Torcia and second by Vice chair Russell Denver, by a vote of five (5) to zero (0).

Waiver petition for the definitive subdivision development for a two lot subdivision was granted for sidewalk construction. [Waivers are to be noted on recorded plans.]

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Motion for waiver petition was made by Board member J. Torcia with second by Vice chair R. Denver and granted unanimously by a vote of five (5) –zero (0).

The Chair asked for a motion for approval, with waiver for sidewalk construction, for Case SD-D 2019-01: Definitive Subdivision Plan for Jeffrey Lane South, with plans and submittals presented, for 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 by Applicant Val Shvets of Oak Ridge Custom Home Builders Inc., 80 River Road, South Hadley, MA 01075.

The request was approved by a vote of five (5) – zero (0) on a motion by Board member Jon Torcia; second by Vice chair Russel Denver.

NEW PUBLIC HEARINGS:

- 5. SP 2019-03: Fairview Extended Care Services for Maple St– Request by applicant for Amendment to Special Permit 2017-03 for signage, at 305 Maple St. (Assessor's Parcel ID 6-9-0) a combined 19.41 acre site in the Residential B zoning district. Applicant/Owner: Fairview Extended Care Services, Inc., 75 North Street, Suite 210, Pittsfield, MA 01201.**

Clerk Tyde Richards read the Notice into the record opening the Public Hearing. Representing the applicant for this request to amend the Special Permit was Atty. Vicki S. Donahue (Cain Hibbard & Myers, PC, 66 West Street, Pittsfield, MA 01201) and Harry Auerbach of Agnoli Sign Company, Inc., (722 Worthington Street, Springfield, MA 01105).

Atty. Donohue described the scope of the project to introduce way-finding, parking, and circulation signs at the East Longmeadow/Longmeadow campus of the skilled nursing and facility and medical office branded as Meadows Crossing. In describing the signage to the Planning Board, Mr. Auerbach clarified there will be one (1) internally illuminated sign (Sign A as shown on plans and specifications presented) which will be installed at the Maple Street ingress/egress [set back 16 feet from the property line so as not to obstruct the site line corridor]. Signs noted as B and B-1 (Identifying the Skilled Nursing facility), C (Assisted Living facility) and D (Meadows Podiatry) are to be Ground Lit signage constructed of carved sign foam panels and externally illuminated. Signs E and E-1 are double-sided metal wayfinding signs with directional arrows.

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Hearing no comment from the public and with no further discussion by the Board, Board member J. Torcia motioned to close the public hearing with second from Vice chair R. Denver; vote five (5)-zero (0).

The request to amend SP 2017-03 for Fairview Extended Care Services at 305 Maple St. (Assessor's Parcel ID 6-9-0), a combined 19.41 acre site in the Residential B zoning district, for the installation of signage as presented on plans and specifications by Applicant/Owner Fairview Extended Care Services, Inc., (75 North Street, Suite 210, Pittsfield, MA 01201) was approved five (5) – zero (0) on a motion by Board member J. Torcia, with second by Vice chair R. Denver.

6. SP 2019-04 Take-out Restaurant for North Main St– Request by applicant for a Special Permit for a take-out restaurant at 192 North Main St. (Assessor's Parcel ID 25-3-4) located on a 4,832 +/- SF site in the Business zoning district. Applicant/Owner: Vincenzo Amore, 20 Rollins Drive, East Longmeadow, MA 01028.

Clerk Tyde Richards read the Notice into the record opening the Public Hearing. Representing the applicant for this request for Special Permit was Atty. Alfred Geoffrion, Jr. (175 Dwight Road, #302, Longmeadow, MA 01106).

Atty. Geoffrion summarized the project stating that the applicant is intending to open an Italian take-out only restaurant in an existing building with a menu based off of his existing restaurant Typical Sicilian in Springfield, MA.

The Chair asked Atty. Geoffrion to clarify the definition of a take-only restaurant. Atty. Geoffrion clarified that it is a restaurant that provides food with is no option for consumption on the premise. The Chair asked how it differed from a catering service or food vendor.

Atty. Geoffrion stated that it may be considered a food vendor however, the food is prepared on site and that catering would involve catering off-site which is not the intended purpose of the proposed restaurant in question.

The Chair stated the definition of a restaurant as seen in the town zoning bylaw “a place where people eat” explaining that the take-out only restaurant falls into a gray area with no consumption occurring on the premise.

The Chair stated that he has two major issues with the proposed restaurant: 1) There are no handicapped parking spaces shown on the parking plan 2) Limited accessibility in terms of entry and egress of the parking lot circulation with one 12 FT driveway and one five FT driveway.

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Atty. Geoffrion addresses these issues stating that the circulation issue could be solved by having one driveway be entrance only and the other an exit only. The Chair questioned if 5 FT is wide enough for a vehicle to enter. Atty. Geoffrion asked two employees of the proposed restaurant to address the question. The unidentified employee clarified that the 5 FT driveway is shared with the abutting neighbor. The Chair asked if there is an easement with the neighbor that allows for the shared use of the driveway. Atty. Geoffrion stated that he does not know if there is an easement for the use of the driveway.

The Chair stated that he is concerned that the 5 FT driveway is too narrow to allow room for a fire truck to enter.

The Chair opened the hearing up to the public.

Joseph Torcia (283 North Main Street) expressed concerns of traffic.

Vonda Bernatchez (188 North Main Street) is the abutting neighbor who shares her 12FT driveway. Ms. Bernatchez expressed traffic and parking concerns although she supports the proposed restaurant and stated she is willing to work with the applicant to execute a cross-easement for the shared driveway. Ms. Bernatchez also inquired if the food will be prepared on site. The restaurant employee stated that food will be prepared on site.

Elaine Beaty (14 Dewey Avenue) stated traffic concerns.

Comment brought back to the board.

R. Denver expressed his concerns of traffic congestion and inquired on if there is designated street parking for the proposed restaurant. Atty. Geoffrion stated that no, there is no designated street parking.

The Chair suggested that a traffic study should be conducted based on the numerous traffic concerns heard by both the public and the board members. J. Torcia concurred.

Comment brought back to the public.

David Frey (16 Westwood Avenue) stated concerns related to the waste disposal trucks entering and exiting the parking lot.

The unidentified employee responded that there is enough room for a water disposal truck as he has witnessed delivery trucks of similar size entering and exiting without any issue.

The Chair stated that on the parking plan there is no indication of where a dumpster may be kept and added that it must be screened.

Marilynn Richards (342 Pinehurst Drive) asked what the parking formula the board was using for this parcel. The Chair responded that the board is waiting for a parking plan to make that determination. The Director, Ms. Brawders stated that in the site plan there is a parking chart however there is no matrix showing how the parking spaces are being calculated.

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Motion to continue the public hearing to May 21, 2019 so as have the applicant provide additional documentation for the Planning Board's consideration made by Jon Torcia; second by Board member Russell Denver, by a vote of five (5) - zero (0).

- 7. SITE 2019-06: Take-out Restaurant for North Main St – Request by applicant for a Site Plan for a take-out restaurant at 192 North Main St. (Assessor's Parcel ID 25-3-4) located on a 4,832 +/- SF site in the Business zoning district. Applicant/Owner: Vincenzo Amore, 20 Rollins Drive, East Longmeadow, MA 01028.**

Clerk Tyde Richards read the Notice into the record opening the Public Hearing.

Motion to continue the public hearing to May 21, 2019 so as have the applicant provide additional documentation for the Planning Board's consideration made by Jon Torcia; second by Board member Russell Denver, by a vote of five (5) - zero (0).

- 8. SITE 2019-05: Proposed Commercial Development for Shaker Rd– Request by applicant for the construction of a proposed 2500+/- SF bank and 5500+/- SF commercial building at 244 Shaker Rd.(Assessor's Parcel ID 18-35-0) on a 133,217 +/- SF site located in a Residence A and Business zoning district. Applicant: SIVAD Development Partners LP, 1 Monarch Place, Suite 1300, Springfield, MA 01144.**

Clerk Tyde Richards read the Notice into the record opening the Public Hearing. The Chair clarified to the public that this is a hearing on a site plan. Elaborating that the Zoning Enforcement Officer had made a determination that the proposed use is an allowed use in the zone where the project is proposed. The Planning Board's job being to review the site plan and make sure the plan, as presented, meets the standards that are set out in the zoning bylaw.

The Chair also notified the public that the Conservation Commission has not yet issued an Order of Conditions for the proposed development which means that the Conservation Commission is still debating whether or not the plan, as proposed, meets the Wetlands Protection Act. Therefore, the Chair announced that the hearing would be continued to the next public Planning Board hearing or until the Conservation Commission acts reason being, if the Planning Board approves the plan and then the Commission requires the applicant to increase the buffer by 10 feet the revised site plan will have to go back under review by the Planning Board.

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Representing the SIVAD Development Partners was Robert Levesque of R Levesque Associates, Inc (40 School Street, Westfield, MA 01085) and Atty. James F. Martin (Robinson Donovan, PC 1500 Main Street, Springfield, MA 01115).

Mr. Levesque summarized the project. Board member Russell Denver asked for a definition of retail store. Levesque stated he pictured it would be local services less likely to be a convenience store such as Cumberland Farms.

Levesque stated that a traffic study was conducted and the traffic engineer would be attending the following meeting May 21, 2019 to give the Board members time to review the study. R. Denver stated two omissions he noted in his review of the traffic study: the gas station across the intersection was not included in the aerial photos and the language in the study going to the Massachusetts Department of Transportation and the Community Development and Planning department for information regarding future developments that may impact the traffic in the area however, there was no reference to potentially 600 units of housing being proposed for the neighboring lot.

Levesque stated that the gas station will be added to the aerial photographs and noted that the traffic numbers were drawn post development of the gas station and are current.

At this time the Clerk read correspondence from abutters into the record.

Letter 1) Theresa Ravosa (31 Windsor Lane) of the Great Woods Neighborhood spoke not in favor of the proposed development citing concerns regarding: pedestrian safety to the Rail Trail, traffic congestion, and accessibility of the traffic study to the public as well as concerns related to property value and conservation land in East Longmeadow.

Letter 2) Diane Reese-Sittig (159 Canterbury Circle) Great Woods Neighborhood spoke not in favor of the proposed development citing concerns regarding: other vacant buildings and offices elsewhere in town and traffic congestion.

Letter 3) Roy Sittig (159 Canterbury Circle) of the Great Woods Neighborhood spoke not in favor of the proposed development citing concerns regarding incomplete information provided to him when he purchased the home.

Letter 4) Carter Sittig (159 Canterbury Circle) of the Great Woods Neighborhood spoke not in favor of the proposed development citing concerns regarding pedestrian safety and traffic congestion.

The Chair opened the hearing up to comments from the public.

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Marilynn Richards (342 Pinehurst Drive) the buffer will start at the property line above the proposed building and if the Business zone would encroach further into the residential zone. The Chair confirmed that the buffer will start at the property line, 25 FT buffer is required with 12.5 FT wooded. He also confirmed that the Business zone would not encroach further into the residential zone. Levesque clarified that under the current proposal they cannot put a building beyond the zoning line however; there could be a request in the future as it is not a protected open space.

Ms. Richards also cited concerns regarding the visibility of the proposed buildings from the residents' homes in Great Woods. Levesque replied that the proposed building will be a one story building as the parking spaces are maxed out and they cannot build higher.

Brian Murphy (195 Canterbury Circle) spoke not in favor of the proposed development citing traffic and safety concerned.

The Chair reminded the public that this is a site plan review hearing and the owner of the property has the right to build on the site provided they meet the standards that are laid out in the zoning bylaw. The zoning bylaw is available on the town website Chapter 7 relates to the standards for the Site Plan Review.

Ralph Paige (306 Prospect Street) expressed concerns over the entrance and exit to the proposed bank being on the hill with limited visibility and asked the developer if they had considered a campus style road between the two buildings to the entrance and exit come out on Shaker Road instead to increase visibility in both directions as well as if the developer is planning on building up the side with a retention wall.

Levesque explained that they could not connect the two buildings because they needed room for a storm water basin. Levesque stated that as of now it is just a slope not a retention wall.

Craig Jernstrom (799 Parker Street) inquired if the parcel had ever been conveyed to the town. The Chair stated that at the time there was a Board of Selectman, they asked Conservation, Recreation and the Department of Public Works on whether or not they should accept the land. DPW was concerned that the land included detention basins and at the time the Public Works Board was not interested in acquiring land that included detention basins. The town never did accept the offer of the parcel, although the Chair stated he cannot speak definitively on the matter.

Christina Holmes (101 Canterbury Circle) spoke against the proposed development expressing concerns of traffic safety particularly at the intersection from Chestnut Street. Ms. Holmes asked for clarification on if the proposed bank must be a bank or if the use could change.

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Levesque said that if the plan is approved then it will stay a bank because the parking is all based on a bank footprint. If a different use were proposed the developer would need to go back before the Planning Board for approval. The Chair clarified that it is a Business zone and therefore anything that is allowed in the Business zone and can provide sufficient parking may be approved. Levesque restated his use of the term convenience as meaning a more neighborhood based business not a big box or even small box business.

Karen Murphy (195 Canterbury Circle) spoke against the proposed development stating concerns relating to public safety and quality of life.

Nick Torcia (283 North Main) stated concerns with traffic and the quality of life for the residents in Great Woods.

Comment taken back to the Board.

Denver Russell noted that the Planning Board cannot regulate diversity of businesses within the town.

Jon Torcia commented on the meeting minutes of April 2004 which imply the Conservation Commission at the time did not supporting with allowing parking so close to the wetlands. Atty. Martin supplied more information on the meeting minutes from April 2004 that the DPW voiced opposition to the acceptance of the land; they did not want to take care of another retention basin and stated it was impractical to create sports fields due to the shape and topography of the land.

Jon Torcia addressed comments from the public that had pointed fingers at the developer and Atty. Martin for scheduling the meeting during the spring break for public schools in East Longmeadow stating that: the meeting schedule was set at the beginning of the year by the Town and by no means was it intended to conflict with concerned residents' schedules.

Russell Denver asked the Chair to explain the appeal process should any residents appeal the decision after it has been made.

The Chair said he would share information regarding the appeal process at the following meeting 05/21/2019.

Motion to continue the public hearing to May 21, 2019 made by Jon Torcia; second by Russell Denver, by a vote of five (5)- zero (0).

ZONING AMENDMENTS:

- 9. 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.**

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Mantolesky, Fitzgerald Attorneys at Law, PC, 46 Center Square, East Longmeadow, MA 01028. (Cont. April 2, 2019).

The Chair stated he and the Director of the Community Development and Planning department will have draft language ready by the following work session on May 7, 2019. Russell Denver asked how this will affect the timeline and suggested holding a special meeting to get back on schedule. The Chair suggested seeing how far they can get on May 7th work session and rescheduling the timeline if need be.

Developer John Taikina (Director of Real Estate Development, M & M Realty, 1260 Stelton Road, Piscataway, NJ 08854) was present for discussion. Discussion ensued regarding the variety of uses within the mixed use space. John Taikina shared that he prefers a certain number of square feet per purpose. Tyde Richards asked how the Board felt about a maximum amount of retail. Taikina stated that they had originally discussed a maximum of 10% for retail space. Richards suggested to the board that they raise the percentage just in case they are able to find an anchor tenant. Discussion ensued. The Chair stated he was under the impression that they had tentatively set the minimum as 10% and 20% as a maximum.

The Chair opened the public hearing to public comment.

Marilynn Richards (342 Pinehurst Drive) a member of the Town Council's Planning Matters subcommittee questioned if this is the right location for a mixed use development given the information Taikina shared at a previous meeting that the location is not ideal for commercial uses.

Ralph Paige, 306 Prospect Street spoke in favor of the project as well as the acreage requirements that Planning Board may want to consider.

Motion to continue the public hearing case to May 7, 2019 made by Jon Torcia; second by Russell Denver, by a vote of five (5)- zero(0).

10. 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. April 2, 2019).

Motion to continue the public hearing case to May 7, 2019 made by Jon Torcia; second by Russell Denver, by a vote of five (5)- zero(0).

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OTHER BUSINESS

11. SP 99-30: Pride Convenience-618-634 North Main Street – Vote on Amended Denial of Special Permit request for extension of hours of operation to 24/7.

The Chair reminded the Board that this is a matter currently under litigation in Land Court and upon the advice of the Town’s legal counsel, the above motion will theoretically help move the case forward toward resolution.

Motion to deny amendment to Special Permit 99-30 by Jon Torcia; second by roll call vote five (5) - zero (0).

12. Brief Discussion of Master Plan

Director Brawders invited the Planning Board to read the current Master Plan which is available on the East Longmeadow website. The Chair advised the Board a letter had been sent to the Town Manager asking a sub-committee be appointed for the master plan. The Chair encouraged the board to review the 1976 master plan and envision how they would like the town to look in the future.

Endorsement of Subdivision Plans, Review of Performance Guarantee & other documents

13. Case SD-D 2018-02 – Jeffrey Lane Extension. Request by applicant for extension of endorsement of Definitive Subdivision plans and acceptance of other documents for a three (3) lot definitive subdivision plan on a 3.5+/- acre site located at Jeffrey Lane (Assessor’s Parcel ID 40 - 12+13 - 32+33) in the Residence A zoning district. Applicant: Jeffrey Bosworth (Southern NE Real Estate Development, Inc.), 45 Knollwood Drive, East Longmeadow, MA 01028.

Motion to grant extension for endorsement of definitive plan made by Jon Torcia; second by Russell Denver, by a vote of five (5)- zero (0).

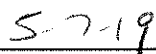
ADJOURN: Motion to adjourn made by Jon Torcia; second by Russell Denver, by a vote of five (5) – zero (0) at 8:42 PM.

DATE OF NEXT MEETING:

The next scheduled meeting of the Planning Board is May 7, 2019.



Tyde Richards, Clerk



Date

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