

**EAST LONGMEADOW PLANNING BOARD
MEETING MINUTES**

Date: August 20, 2019

Time: 6:00 PM

Place: School Committee Conference Room

East Longmeadow High School, 180 Maple St., East Longmeadow, MA

MINUTES

Chairman Russell Denver opened the meeting at 6 PM and called the roll.

CALL THE ROLL:

Present: Russell Denver, Chair
George Kingston, Vice Chair
Tyde Richards, Clerk
Jon Torcia

Absent: Louis Morabito

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

APPROVAL OF MINUTES:

July 16, 2019

Motion for approval of the July 16, 2019 minutes made by Vice Chair George Kingston; second by Board member Jon Torcia and approved by a vote of four (4)-zero (0).

SITE PLAN WAIVER REQUESTS:

1. **SPRW 2019-23: Home Office for Car Hauler Business** –Request by applicant for Site Plan Waiver for a home office at 34 Anne Street (Assessor's Parcel ID 24-28-73) on a 0.20+/- acre site in the Residential C (RC) zoning district. Applicant: Yosi Iffaimov, 34 Anne Street, East Longmeadow, MA 01028. (Cont. July 16, 2019)

Representing the applicant, Tatiana Iffaimov was present for discussion. Tatiana stated that they had made arrangements with the property owner of 55 Deer Park Drive for overnight parking and storage of the trailer/hauler.

The Board members stipulated that they are in favor of the home office however the associated trailer/hauler may not be parked at 34 Anne Street. Vice Chair George Kingston stated the reason being due to the street weight limit of 1 ton, of which the hauler exceeds.

An abutter on Anne Street spoke in favor of the home office however expressed concern over the presence of the trailer parking on the road and operating in the neighborhood. The abutter clarified that as the truck also has Commercial plates that it may not be parked at 34 Anne Street unless it is in

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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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compliance with the provisions of the East Longmeadow Zoning Bylaw Section 3.02 General Use Regulations, 3.092 Garaging or Parking of Commercial Vehicles. The Planning Board confirmed. Vice Chair George Kingston requested the applicant submit written documentation from the owner of 55 Deer Park Drive verifying the applicant has permission to park the trailer on the property. The applicant agreed.

Motion made by Vice Chair George Kingston; second by Tyde Richards to approve the Site Plan Waiver for the Home Office only, with approval contingent upon written authorization from property owner of 55 Deer Park Drive for overnight/parking/storage of the trailer. Motion approved by a vote of four (4)-zero (0).

2. **SPRW 2019-24: Home Office for E-commerce online retail**—Request by applicant for Site Plan Waiver for a home office [for e-commerce online retail Fashionwarehouz, LLC.] at 95 Somers Road (Assessor's Parcel ID 28-25-0) on a 0.15 acre site in the Residence A (RA) zoning district. Applicant: Olevia Segree-Wilson, 95 Somers Road, East Longmeadow, MA 01028.

Applicant Olevia Segree-Wilson was present for discussion. The Board inquired if the applicant would be using a commercial vehicle. Ms. Segree-Wilson confirmed that she will not be using a commercial vehicle. The Director of Community Development and Planning, Constance Brawders inquired if there would be deliveries to/from home office as part of the business. Ms. Segree-Wilson confirmed that no deliveries would be taking place. C. Brawders also inquired of the name of the business and the merchandise to be sold. Ms. Seegree-Wilson provided the name of the business: Fashionwarehouz and stated that the merchandise is clothing apparel.

Motion to approve the site plan waiver made by Vice Chair George Kingston; second by Board member Jon Torcia and approved by a vote of four (4)-zero (0).

3. **SPRW 2019-25: Home Office for Equine Massage business**—Request by applicant for Site Plan Waiver for a home office at 35 Rockingham Circle (Assessor's Parcel ID 31-42-6) on a 1.06 acre site in the Residence AA (RAA) zoning district. Applicant: Laura Peteros, 35 Rockingham Circle, East Longmeadow, MA 01028.

Applicant Laura Peteros was present for discussion. Ms. Peteros summarized her business stating that the home office will be for appointment scheduling and billing office work only and confirmed that no commercial vehicle would be used for the purposes of the business.

Motion to approve the site plan waiver made by Vice Chair George Kingston; second by Board member Jon Torcia and approved by a vote of four (4)-zero (0).

4. **SPRW 2019-26: Addition of Blue Rhino Propane Exchange** –Request by applicant for Site Plan Waiver for an addition of Blue Rhino Propane Exchange at 13 North Main Street (Assessor's Parcel ID 27-37-0; 27-38-0) in the Business zoning district. Applicant: Pride Convenience, Inc., 246 Cottage Street, East Longmeadow, MA 01028.

Representative Hamilton Ramos from Pride Stores was present for discussion. Mr. Ramos gave a summary of the purpose for the waiver and stated they are complying with the requirements and regulations requested by the Fire Department.

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The Chair Russell Denver inquired if the addition of the Blue Rhino Propane Exchange will reduce parking spaces. Mr. Ramos stated that there should not be any loss of parking space as the propane tanks will be stored on the sidewalk next to the Pride convenience store.

Vice Chair George Kingston opined that the applicant should file for a modification to Site Plan Review as the addition of the Blue Rhino Exchange is technically a modification to the Site Plan however will not be recorded as such if only a Site Plan Waiver is filed.

Clerk Tyde Richards stated he does not have an issue with the change being filed as a waiver as it is a minor change.

Jon Torcia inquired of other locations in East Longmeadow offer propane exchange. The Chair stated that Rocky's Ace Hardware store has a propane exchange as well as a "filling station" however does not sell Blue Rhino Propane.

Motion made by Board member Jon Torcia to approve the site plan waiver for Blue Rhino Propane exchange; second by Clerk Tyde Richards and approved by a vote of three(3)- one (1). Vice Chair George Kingston voted nay.

CONTINUED PUBLIC HEARINGS:

5. **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 (Cont. April 16, 2019; June 18, 2019, July 16, 2019)

Atty. Jim Martin [Robinson Donovan, P.C., 1500 Main Street, Suite 1600, Springfield, MA 01115] and Sofia Bitzas [R Levesque Associate, LLC 40 School Street, Westfield, MA 01085] were present for discussion. Ms. Bitzas explained to the Planning Board that the applicant has gone back to the drawing table in an effort to accommodate the Chief of Police's requests regarding exit and entry to the site and connectivity between the proposed parking lots. Ms. Bitzas requested a continuance to the Planning Board's September 17, 2019 meeting.

Motion to continue to September 17, 2019 made by Vice Chair George Kingston, second by Board member Jon Torcia and approved by a vote of four (4)- zero (0).

Motion to agenda item number seven (7) out of order made by board member Jon Torcia; second by Vice Chair George Kingston and approved by a vote of four (4)- zero (0).

OTHER BUSINESS:

7. **Letter of Concern received from Alice Widmer, 81 Harwich Road, East Longmeadow regarding Hidden Ponds Development.**

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Alice Widmer, 81 Hariwch Road was present for discussion. Ms. Widmer distributed pictures of her property to the Planning Board illustrating the flooding she states she has endured on her private property as a result of construction of Hidden Ponds Estates on Redstone Drive.

Ms. Widmer read a letter she had written that day updating the Planning Board on her continued experience with flooding on her private property. Her letter inquired who was responsible for monitoring the site for Hidden Ponds Estates and urged the Planning Board to take action before more of her property was eroded from the runoff water. Ms. Widmer also stated for the record that she had filed a consumer complaint per the Attorney General's recommendation. Clerk Tyde Richards suggested a site visit to the property as it is difficult to determine the context from the pictures taken by Ms. Widmer.

Constance Brawders, Director of Community Development and Planning department summarized her site visit concluding with a recommendation that the Planning Board request the developer to hire a consulting engineer to monitor the site. Vice Chair George Kingston suggested referring to the consulting engineer who reviewed the storm water management report for the subdivision. Discussion ensued concluding with the decision to inquire from the Department of Public Works if they would like to monitor the issue or if a third party should be sought with agreement that action should be taken as soon as possible to prevent water from draining onto Ms. Widmer's property.

Motion to agenda item number eight (8) out of order made by board member Jon Torcia; second by Vice Chair George Kingston and approved by a vote of four (4)- zero (0).

8. Endorsement of Modified Subdivision Plans and other documents Case SD-D 2019-04: Modification of Definitive Subdivision Plans for Bella Vista Estates Phase II—Request by applicant for endorsement of modified Definitive Subdivisions plans and acceptance of other documents for the elimination of the proposed Capri Drive wetland crossing, establishment of the temporary cul-de-sac between the Capri Drive cul-de-sac and Bella Vista Drive, removal of the section of right-of-way between the Capri Drive cul-de-sac and Bella Vista Drive, revision of lots 9,10,25 & 26 to including the land previously occupied by the removed section of the right-of-way and establishment of a 30-ft wide utility easement for proposed water and sanitary sewer utilities. Applicant:, Brian S. Fitzgerald, Trustee, 46 Center Square, East Longmeadow, MA 01028.

Brian Fitzgerald [Trustee, Bella Vista Holdings Realty Trust, 46 Center Square, East Longmeadow, MA 01028] and Anthony Carnevale, Developer were present for discussion.

Discussion ensued to clarify the appropriate action and process for the above referenced documents. The discussion concluded in the understanding that the applicant will receive an estimate from the Department of Public Works furthermore they may receive two reductions if permitted by the Planning Board. The amount of these reductions will also be calculated by the Department of Public Works. **Motion made by Vice Chair George Kingston for the endorsement if plans contingent upon amount of bond estimate by the Department of Public Works; second Board member Jon Torcia by a vote of four (4)- zero (0).**

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NEW PUBLIC HEARINGS:

- 6. Proposed amendment to the Rules & Regulations for the Submission of Petitions and Plans of Subdivision - Section II. General, 2.8 Amendments**—The purpose of this amendment proposed by the Town of East Longmeadow Planning Board and its Planning & Community Development Director is to correct typographical errors; establish an In-Lieu of Sidewalk Construction Fund, as an alternative to the construct/installation of sidewalks by the applicant/developer; clarify the obligations on the part of owner ensuring the infrastructure installed by the private developers, which includes installation of conduit for fiber optic cable, meets the standards of the utility providers.

See Attachment 1 for full text of proposed changes.

Ms. Brawders presented the reasoning behind the suggested edits/versions of the Rules and Regulations for the Submission of Petitions and Plans of Subdivision Section II. General, 2.8 Amendments.

Vice Chair George Kingston stated he is in favor of the addition of requiring sidewalks on both sides of the street. Board member Jon Torcia stated he was also in favor of sidewalks on both sides of the street and suggested side walk connectivity when and where possible.

The Chair stated he was in favor of sidewalks and sidewalk funds however shared that he is on the fence regarding requiring sidewalks on both sides of the street vs. one side.

Comment open to the public:

Marilyn Richards, 243 Pinehurst suggested the language could be more specific when speaking of the term “contributions”. Ms. Richards also suggested the addition of a sentence stating “In rare occasions some sidewalks may be waived”.

The Chair clarified that the term “contributions” was meant to be read as “financial contributions”.

Vice Chair George Kingston shared he would like to the language to be more specific and stated that he will provide a draft to Ms. Brawders of his recommendations for revision of the language.

The Planning Board opined that they would like to hear a presentation about the need and use of conduit for fiber optics from the IT Director, Ryan Quimby or a designated representative the IT department before moving forward with the revision to require the installation of conduit as part of the infrastructure of a subdivision.

Motion to correct typographical error to change “may” to “shall” SECTION VII-CONSTRUCTION STANDARDS, 7.2.5. Sidewalks made by Vice Chair George Kingston; second by Board member Jon Torcia and approved by a vote of four (4) - zero (0).

Motion to continue to September 17, 2019 made by Vice Chair George Kingston; second by Clerk Tyde Richards by a vote of four (4) - zero (0).

9. Update on progress of Mixed Use Zone bylaw petition.

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Ms. Brawders gave the Board an update on the progress of the Mixed Use Zone bylaw petition stating that the bylaw petition is scheduled to be heard by the Town Council at a public hearing September 24, 2019.

ADJOURN: Motion to adjourn made by Vice Chair George Kingston; second by Board member Jon Torcia and approved by a vote of four(4)- zero (0) at 7:46 PM.

DATE OF NEXT MEETING:

The next scheduled meeting of the Planning Board is September 3, 2019.



Tyde Richards, Clerk
GEORGE KINGSTON, VICE CHAIR

9/3/19

Date

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