



Town of Southwick
Planning Board
Meeting Minutes
October 2, 2007



MEMBERS IN ATTENDANCE: Doug Moglin, Chairman
Roz Terry, Vice Chairman
Cal Chunglo
Sam Santaniello
Robert Johnson
Richard Utzinger, Associate

OTHER: Marcus Phelps, Town Planner

The regularly scheduled meeting of the Planning Board was called to order at 7:00 p.m. by Mr. Moglin.

TOWN PLANNER'S REPORT 7:00 p.m.

1. Revised text of proposed Accessory Apartment bylaw and definitions. Prepared letters for submittal to the Board of Selectmen in order to initiate the Zoning bylaw amendment process. Also, received a flier on an Accessory Apartment workshop to be held on October 19 in Easthampton.
2. Contacted Mr. Tim Lescalleet of Griffin Land, and he agreed to participate in a Planning Board work session on October 9 at 7:30 p.m. to discuss the possible rezoning of their land in Southwick.
3. Contacted Massachusetts Highway Department and worked with Mr. Jeff Neece to obtain estimated figures for the design and installation of a traffic signal at the intersection of College Highway and Tannery Road.
4. Assisted with the drafting of the decision on 681 College Highway (Tractor Supply Co.) Special Permit and site plan approval application heard on September 18 and 25 by the Planning Board.
5. Drafted text for the decision on the Lexington Circle Subdivision modification application heard on September 18th by the Planning Board.
6. Received notice from the Pioneer Valley Planning Commission of a regularly scheduled meeting of the Commission on October 18 at 5:30 p.m. to include a training course on Subdivision Control and ANR.

PUBLIC COMMENTS 7:10 p.m.

Floor opened to public comments.

Mr. Richard Solek, a member of the Southwick Conservation Commission and the Agricultural Commission requested of the Planning Board an endorsement for the application for an APR for Fox Farms. He stated that Raymond, Russell and Robert Fox are in the process of completing the paperwork that will place an Agricultural Preservation Restriction (APR) on their cropland acreage. This is a voluntary program intended to offer a non-development alternative to farmers who are faced with a decision regarding future use and disposition of their farm. The program offers to pay farmers the difference between the "fair market value" of their farmland in exchange for a permanent deed restriction which precludes any use of the property that will have a negative impact on its agricultural viability. The endorsement was requested to be received within 30 days.



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Mrs. Terry reported on the Southwick Economic Development Committee meeting with State Senator Knapik on October 1, 2007. He discussed the bike trail. The first part from the Conn. Line to Point Grove Rd. is fully funded and the bids will open up Oct.12. The project to be constructed in 2008. Point Grove Rd. to the Westfield line is also fully funded and those bids will open January 8. U.S. Congressman Olver has earmarked \$1.8 million dollars for the Southwick downtown but we need 4.9 million. Mr. Moglin mentioned that the earmarked funds are to be used only for improvements and not for the actual construction of the roads that Mass. Highway would ordinarily do. Senator Knapik suggested that the Town may want to start at the Conn. Line and come up to the Southwick Inn and potentially use the \$1.8 million to fund the phase two. He noted that this would leave the Center of Southwick sorely lacking. The Senator also suggested that the Town planned to put the \$1.8 million in escrow and than approach the Pioneer Valley Planning Commission to try to get half of the money out of the TIP Program. Then maybe Senator Knapik and Representative Stanley could push for the other half. We need to push our all our state representatives to contact Mass. Highway to get the other part of it. Once the project is at 75% it is easier to get money for the remaining 25%. There was a brief discussion on permits and hearings held by Mass. Highway.

ROUTINE BUSINESS 7:15 P. p.m.

Draft Decision on 681 College Hwy. Tractor Supply Company Application

The Board read the draft of the Special Permit for Tractor Supply Co. application. Mr. Phelps presented a chart of figures based on discussions with Mass. Highway to determine the cost to each of the businesses as a contribution to the total cost of a traffic light. Mr. Moglin asked Marcus if he had gotten back any thing from Tighe & Bond per our request for design and preliminary design costs. Mr. Moglin requested that Mr. Phelps get in touch with them. Mr. Phelps stated that a five year time frame is standard to hold funds in escrow. The Board continued to discuss traffic flow along College Highway. The special Permit will be revised according to the discussion and will be emailed to the Keith Corp. and the Planning Board. Tractor Supply Co. should provide an updated site plan to include directional arrows on the pavement, lighting plan, landscape plan, parking plan and fence design. The revised permit will be sent to Keith Corp. The Planning Board needs to see an updated site plan before they will sign off on the Special Permit.

Letter from Dennis Clark, Conservation Commission

Mr. Moglin read the letter that expressed concern about the preliminary plan for Sunny Ridge Estates approved by the Planning Board. He is questioning how the Planning Board can make a decision when the wetlands have not been approved by the Conservation Commission. Mr. Moglin explained to the Board that preliminary plan approval for a subdivision is optional and is not a required act. In our bylaw Chapter 315 says "may". The primary purpose of a preliminary subdivision approval is to get everyone on the same page about the type of development. In our bylaws Chapter 315 -11 Article 3 covers who gets the preliminary plan and it is presented to only the Board of Health and the Planning Board. Mr. Moglin stated he appreciated Mr. Clark looking out and doing the right thing.

Accessory Apartment Bylaw

Mr. Phelps emailed the revised Accessory Apartment Bylaw to the Board for review. Mrs. Terry mentioned that it was good that we took out the common area section because in Mass. General Law states that no zoning ordinance or bylaw shall regulate the interior of a single family residence. Mr. Santaniello requested that the Board table this bylaw until the Board hears from Mr. Denis Gaido, Zoning Enforcement Officer and Mr. FitzGerald, Heath Inspector. The Board agreed to table and to continue the discussion on October 9, 2007 at 8:10 p. m. with them present.

APPOINTMENTS

8:00 p.m. - Public Hearing on 497 – 481 College Hwy. Southwick Inn

Chairman, Mr. Moglin recused himself from the hearing and asked Vice Chair, Mrs. Terry to moderate the hearing. Mrs. Terry Read the hearing notice, as posted.

Mr. John Whalley, represented by Attorney Richard Buckley requested a continuation of the hearing until December 4, 2007 pursuant to M.G.L. Chapter 40A, Section 9, with regard to the application filed with the Planning Board on August 7, 2007. The reason being the



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applicant is not the sole owner of the property in the application. There are a number of other legal issues that need to be corrected. Mrs. Terry noted that hearing would have to be re-advertised with the changes and all the abutters to the property will again be notified about the amendments to the application. Mr. Chunglo made **A MOTION** and Mr. Santaniello seconded the motion to continue the public hearing to December 4, 2007 at 8:00 p.m. The vote was unanimous. Mr. Scott Ricker asked why the Board needed to extend the hearing date. Mrs. Terry explained that the Town and the Applicant both agree that we will be going beyond the 65 day requirement to hear an application. The extension must be granted to stay within MGL requirements. She reminded those in attendance that the Board will notify all concerned of the next public hearing.

Being no further business to be brought before the Board, **A MOTION** was made by Mr. Chunglo, seconded by Mrs. Terry; to adjourn at 8:30 p.m. Vote was unanimous,

Doug Moglin _____
Chairman

Roz Terry _____
Vice-Chairman

Cal Chunglo _____

Sam Santaniello _____

Bob Johnson _____

Richard Utzinger _____
Associate

Respectfully submitted,

Ruth Preston
Recording Secretary