



Town of Southwick

Planning Board

MINUTES



NOVEMBER 27, 2007

MEMBERS IN ATTENDANCE: Doug Moglin, Chairman
Roz Terry, Vice Chairman
Bob Johnson
Sam Santaniello
Cal Chunglo
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. Drafted a map for the Planning Board's proposed Business Restricted (BR) rezoning along College Highway and prepared a listing of properties involved. The map can be used for discussion and display purposes.
2. Contacted Marc Shute of D.L. Bean, regarding additional information needs for the Definitive Subdivision plan for Williamsburg Estates. He will meet with Town staff in mid-December to discuss the project and respond to questions.
3. Followed up with Town Counsel, Atty. Mark Beglane, regarding the use of Jered Estates Maintenance Bond funds to make road repairs. He commented that any claim made against this bond will require a strong justification that the current condition of the road was caused by a lack of maintenance before this source of funds could be used to correct the problems.
4. Contacted Jim Leonard, consultant for Crestview Construction, to notify him that the proposed construction of a new building and parking lot at 25 Industrial Road is not allowed in the Agriculture and Conservation District where the property is located. Sent a letter to John Dziengelewski of Crestview Construction informing him of the situation and provided information on applying for a zone change if he wants to proceed with the project.
5. Received a memo from Jeff Neece, DPW Director, that his previous calculation on the bond release for Amberleaf subdivision was incorrect. He recommends that the Planning Board consider releasing an additional \$48,121.
6. Contacted by Ken Vincunas, Development Associates, Agawam, MA, regarding potential building sites in Southwick for commercial uses. He will be coming to visit on Dec. 6 at 10 AM.
7. Lutheran Church, 568 College Highway, is moving forward with a coffee shop and was informed that the Planning Board wants to do a site plan review of the project. Also, they will be submitting a request for signage.
8. Received a zone change request on Nov. 19 from the Keenan Pension Trust for Lot 2 located on Jarry Drive. The zone change is from BR and R-20-B to entirely R-20-B.



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PUBLIC COMMENTS: 7:10 pm.

No comments from the public.

APPOINTMENTS:

7:15 p.m. 72 Mort Vining Rd. – Informal ANR
Art Pinell

Mr. Art Pinell presented the plan for 72 Mort Vining RD. to add on a piece of property that makes the non-conforming property less non-conforming. He was given a pre-approval slip for the ANR.

7:30 p.m. 709 – 723 College Hwy – Rezoning Discussion

The following property owners were present for the rezoning of College Highway discussion: Robert Cagliostro, 717 College Highway; Martin Lee, 719 College Highway and Alberto Matos, 1 Hickory Lane. Mr. Whalley was not present but indicated that he would be in favor of the zoning change. Mr. Moglin explained the reason why the Planning Board is considering rezoning from Residential 40 to Business Restricted (BR) along College Highway. He explained that they are trying to make the zoning along College Highway consistent and compatible for businesses. The rezoning would establish the BR zone to between 500 feet or the rear property line. The only business allowed in a BR Zone by right is a bank. All other businesses would have to apply for a Special Permit. BR zoning allows for more public input and control. There is a desire to entice business to come to Southwick. A map was displayed showing the zoning area. Mr. Moglin pointed out on the map a need for more BR zoned areas to encourage business development. A single family home can remain in a BR zone and not be affected. It can be sold as a residence. However, if the residence converts to a business it could not revert back to a residence in the future. Some members of the Planning Board indicated that they would not change a residence zoning to BR if the property owners were opposed to the change. The Planning Board feels that this is a positive change for the Town and the property owners. Mr. Moglin explained the process of a zoning change. The Zoning Change would have to go to the Selectman, the Selectmen would send it back to the Planning Board for a Public hearing; then the Planning Board would make a recommendation to Town Meeting and the Town Meeting must have a 2/3 vote for the zoning change to occur. The Planning Board agreed to invite the property owners on the northern section of College Highway to a meeting on January 15, 2008.

ROUTINE BUSINESS:

8:10 p.m. Jered Estates – Bond Release

Mr. Moglin stated that Counsel for the Town said the Town could not use the Maintenance Bond to fix Jered Drive unless it could be proven that the condition of the road was caused by lack of maintenance. Jeff Neece, of DPW, stated that the majority of the road is probably in acceptable condition. There are some rough patches that Mr. Chunglo had shown previously in photos of the road. Jeff Neece stated that the surface of the road is only 2 ½" thick and there is a question of whether the base material is installed as designed. The Town could require a core sample be



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taken to determine that the base material is acceptable. Mr. Neece said that the road is probably in the condition it would be expected to be in given the age of the road. Mr. Moglin stated that the bond money for the road has been returned to the Developer. The Developer has submitted a letter requesting that Jared Road be accepted by the Town of Southwick. Mr. Moglin offered a compromise that if the core sample indicates that the road was not constructed according to specification that the Town of Southwick should approach Mrs. LaFrance and ask that the condition for the Town to accept the road be that the remaining \$20,000 Bond money be applied to repair the road. Mr. Moglin will talk to Mrs. LaFrance. Mrs. Terry asked Mr. Neece what he would do with the \$20,000 if he had it. Mr. Neece replied that he would crack seal the road and fix all the bad spots.

8:45: p.m. - Lauren Lane (Glen Bluff Development) – Bond Release

A request from Norman Storey for the Planning Board to accept a portion of Lauren Lane and release the remaining Bond held by The Town of Southwick.

Mr. Moglin reviewed the following outstanding items with Mr. Neece:

Remaining to be completed is the installation of the street light, boundary pins, coring of the road and as built plan. Mr. Moglin asked Mr. Neece if he was comfortable accepting that part of the road. Mr. Neece replied yes. Mr. Phelps will contact to Mr. Storey informing him of the remaining requirements to be completed.

8:50 p.m. _____ Minutes

A MOTION was made by Mrs. Terry and seconded by Mr. Chunglo to pass the November 6th minutes. The vote was unanimous.

A MOTION was made by Mrs. Terry and seconded by Mr. Chunglo to pass the November 13th minutes. The vote was unanimous.

Being no further business to be brought before the Board, **A MOTION** was mad by Mr. Johnson, **SECONDED** by Mr. Chunglo to adjourn at 9:00 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