

# *East Longmeadow Planning Board*

*60 Center Square*

*East Longmeadow, Massachusetts 01028*

*since 1894*

*Telephone: (413) 525-5400- extension 1700 - Facsimile (413) 525-1656*

*Ralph Page, chair*

*George Kingston, vice chair*

*Tyde Richards, clerk*

*Michael Carabetta*

*Deborah Bushnell*

*robyn d. macdonald, director*

*rmacdonald@eastlongmeadowma.gov*

## Minutes of May 3, 2016

Present were: Chair, Ralph Page; Vice Chair, George Kingston; Clerk, Tyde Richards, and Deborah Bushnell. Michael Carabetta was not presented.

### Public Hearing Amended Special Permit – Club Meadows to FOGO, 621 North Main Street

Chair, Ralph Page opened the public hearing for Club Meadows, 621 North Main Street.

Clerk, Tyde Richards read the legal notice into the record.

Mr. Page asked the applicant to explain to the Board what it is he would like to do.

Manny Coelho, Owner of Club Meadows said that he is just doing a name change from Club Meadows to FOGO.

Mr. Page asked Mr. Coelho if anything was changing inside. Mr. Coelho said the only thing he is doing is expanding the kitchen and everything else is staying the same. Mr. Page asked if the seating was staying the same. Mr. Coelho said the seating will be the same. Mr. Page addressed the Board for any questions.

Mr. Richards asked if the changes to the kitchen would trigger Planning Board action. Ms. Macdonald said that is what the Special Permit is for and the Board approved that.

Ms. Bushnell said it is simply just an amendment to the Special Permit the Board already approved. Ms. Macdonald said correct. Mr. Richards said it is not in addition to what the Board has already approved. Ms. Macdonald said correct.

Mr. Coelho said that it will be the same sign on top of the roof. He said that sign has been there for over 40 years and all they are doing taking out is taking out the plastic sign and replacing it with a new name.

Mr. Page said at the moment the sign is not in front of them and that will have to be a sign permit when they change it. Upon motion duly made by George Kingston and seconded by Deborah Bushnell, the Board voted unanimously (4-0) to close the public hearing. Upon motion duly made by George Kingston and seconded by Deborah

Bushnell, the Board voted unanimously (4-0) to approve the amendment to the Special Permit to change the name from The Meadows to FOGO at property located at 621 North Main Street.

Waivers of Site Plan Review Approved

Calla Harrington, LICSW, 200 North Main Street

LHM Dreams Entertainment, 40 Waterman Avenue

Request for Signage – Sweat Power Yoga, 217 Shaker Road

Clerk, Tyde Richards read a request for signage Sweat Yoga, 217 Shaker Road.

After review of the proposed signage and upon motion duly made by George Kingston and seconded by Deborah Bushnell, the Board voted unanimously (4-0) to approve the signage as presented. One sign will be a directory sign measuring approximately 3' x 6' 6" for a total of 19.5 square feet each, and a building sign measuring approximately 3' x 3' 6" for a total of 9.6 square feet conditioned upon the applicant obtaining a sign permit from the Building Inspector.

Petco signage & new facade - Heritage Park Plaza, 440 North Main Street

Mr. Page said that he asked Ms. Macdonald to add it to the agenda because he received a few phone calls regarding the signage. He said the Board approved a sign and then when he drove by he noticed that the building is being adjusted for the sign. Mr. Page said that the original sign the Board approved was taking the place of the existing sign not a new facade. He said under the Site Plan in the zoning by-laws it says any exterior alteration to the building the Board either needs to do a Site Plan or a Waiver of Site Plan. Mr. Page said what is being done falls under that because it is an exterior alteration and in talking with Ms. Macdonald when the building was first built through the other Planning Board there was an agreement that all the signs would be uniform across the front that there wouldn't be any projection, large changes to the building, anything along that idea.

Mr. Richards said that he specifically remembers when they came before the Board they basically said that they were taking down the existing sign and replacing it with an identical sign with a different name on it. He said that there was no discussion with regards to the way it looks currently. Mr. Page said that he doesn't believe they came in front of them. Mr. Kingston said they did not and in their application the distance to the top of the sign above the vertical wall is listed as 23' 11/4" and he thinks they may have thought it referred to the facade and that is what they approved. Mr. Page said that he actually had Ms. Macdonald ask them ahead of time before they approved the last one if it was going to project above the building. Ms. Macdonald said that she called the sign company and they said no. Mr. Page said looking at it currently he can understand why they would say no because they are going to put a new facade on it so is the sign going to project above that, no. He said one way or the other at the very least they should be doing a Waiver of Site Plan Review because it's less than 2,000 sq. ft. of alteration. Ms. Macdonald said that they also did the dock out in the back and she was

never advised and the permit that was issued said it was build out and no additional square footage. She said nothing was mentioned about a dock, nothing about changing the facade so she didn't question the building permit and it specifically states no square footage added. Ms. Macdonald said that she looked at it 4 or 5 times and showed it to Mr. Page to make sure she wasn't seeing things and then she sent everyone the plans that Mr. McFadden sent her. She said not only did they do it to the front but they did it to the dock and all have been inspected and it never came before her. Mr. Page asked the Board their thoughts and where do they go from here.

Ms. Bushnell asked if they have reached out to them and asked are they maintaining the sign that was approved and is now going on the vertically erected structure. Ms. Macdonald said yes it is on the new plan. Mr. Richards said that they are talking about 4 feet just for the letters. Mr. Kingston said that was not what they approved. Mr. Richards said that there isn't any height shown on either side and they only measured the letters and none of the background was measured.

Mr. Page said on the original application is shows that the P was 48" but the whole height to the top of the dog was 4' & 8'1/4 by 21' 4". He said that they didn't know the whole entire facade of the building was being changed. Ms. Bushnell said the thing that troubles her is that the previous Planning Board as mentioned all signage across the way had to be uniformed for aesthetics, correct. Ms. Macdonald said however they did allow Panera Bread something which is under a Special Permit because it is a restaurant and Petco is under Special Permit because they do dog grooming. Mr. Page said that he is not saying that they couldn't do it they need to go through the process to be allowed to do it. Ms. Macdonald said that she didn't tell them to stop because she doesn't have the authority to tell them to cease. She said that Fred McFadden is aware of their concerns and he also said that there are huge financial implications from PETCO if the project is stopped. Mr. Page said his concern is that they went to the Building Department and they assumed they got a building permit and everything would be okay. Ms. Macdonald said according to the site contractor Mr. Hellyer has been there every day. However Mr. Hellyer said he knew nothing about it.

Mr. Richards asked if they have seen the permit. Ms. Macdonald said yes she has and said that they don't have a sign permit from the Building Inspector because he only issues one after they get approval from the Planning Board. She said if Mr. Hellyer issues a sign permit it would need to match what the Planning Board approved.

Mr. Kingston said the plans that they submitted shows the facade on the original sign permit. Mr. Page said but he specifically asked the sign company is it just going to replace the Party City one and go in the same location. He said even if they approved the signage they didn't do a waiver to approve the construction on the building, they approved the actual lettering and the sign. Ms. Bushnell said being that there is a building department possible involvement in it as well and they are not looking to shut anybody down. Would it be easy enough just to ask them to have a simple site plan review. She said if they do that what are the implications on them at this point being that it's under construction.

Mr. Page said that he thinks they would ask for a Waiver of Site Plan to waive it. He said that the Special Permit was for the dog grooming within the location and it would be

a waiver to adjust the existing building. Ms. Macdonald asked what kind of waiver it would be. Mr. Page said a waiver to approve the new facade which is less than 2,000 square feet.

After further discussion the Board agreed to have them come into their next meeting to discuss with them their concerns and let them know if they proceed that they are at their own risk. Ms. Macdonald said that she will let them know.

### Minutes

The Board reviewed the minutes of April 19, 2016 and upon motion duly made by George Kingston and seconded by Deborah Bushnell, the Board voted (4-0) to approve the minutes.

With no further business and upon motion duly made by George Kingston and seconded by Deborah Bushnell, the Board voted 4-0 to adjourn at 6:30 p.m.

For the Board,

Tyde Richards, Clerk