

# *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 September 20, 2016

Present were: Chair, Ralph Page; Vice Chair, George Kingston; Clerk, Tyde Richards, Michael Carabetta and Deborah Bushnell.

### Public Hearing Site Plan Review – CDB Realty, LLC., 280 North Main Street

Chair, Ralph Page opened the public hearing for CDB Realty, LLC 280 North Main Street. Clerk Tyde Richards read the legal notice into the record.

Mr. Page asked the applicant to explain to the Board what they would like to do.

Jeff Webber of Green Earth Energy said that they will be installing solar panels at the Reminder building that is an engineered concrete and steel structure car port with a roof that can or cannot accept solar panels. He said it could just be a carport for safety or convenience for their clients because they can attach panels to it and tie it into a system. Mr. Webber said they are going to utilize it to maximize their potential at their property to cover essentially 100% of the electrical load and it will cover seven or eight parking spaces. He said that they will be running conduit underground and tie into the current system that they are installing on the roof top make it a hundred K system and expect that the project will take no more than 2 weeks to get everything installed and connected.

Mr. Page said that it looks like they are right up close to the road maybe two parking spots in.

Mr. Webber said he believes they are 31 feet from the front yard and they are flexible in that they would like to keep it as close to the front as possible for the clients and guests going in.

Mr. Page addressed the Board for any questions.

Mr. Kingston asked if it includes the panels that they have already installed on the roof.

Mr. Webber said the rendering that he sent in with the application is what it would look like.

Mr. Kingston said because it is a Site Plan and the roof top panels are already there is it also part of the Site Plan? Ms. Macdonald said no because it is an allowed use, the building is already there and any roof top solar is just a building permit and the only thing that is applicable is the addition of the carport over the parking spaces that already exist.

Ms. Bushnell asked if the angle of the panels will be projected towards the Reminder building.

Mr. Webber said correct and the carport will be pitched a few degrees towards the parking facing south and they won't be seen unless someone is in a high truck.

Mr. Kingston said that he received an inquiry from someone who has a building north of the Reminder building about whether or not any of it is going have an effect on their building and after hearing Mr. Webber it will not because they will be facing south.

Mr. Webber said by code the panels themselves have a very minor reflection rate.

Mr. Page asked what the actual height is.

Mr. Webber said the height of the lowest portion where it's angled towards the building is going to be 9ft 8" from the ground to the bottom of the eave.

Mr. Page asked if the columns that are holding it will be spaced so that they fall right on the lines.

Mr. Webber said yes that they are going to try and not eliminate any parking spaces whatsoever and the actual structure of the columns are concrete posts that are seven feet in height and four feet into the ground.

Mr. Page asked if there is any height change and if it drops as you come in.

Chris Buendo, Applicant said the land drops down but the addition that was put on in 2004 is maybe a foot higher than the original building.

Mr. Page addressed the audience for any questions.

Mr. Buendo said that they think it is a great idea for them to go solar and go green and do it with local company like Green Earth Energy and they are also utilizing Maybury Material Handling to help them with the creation of it.

There being no further questions and upon motion duly made by George Kingston and seconded by Michael Carabetta, the Board voted unanimously (5-0) to close the public hearing. Upon motion duly made George Kingston and seconded by Michael Carabetta, the Board voted unanimously (5-0) to approve the Site Plan for the construction of one 1,200 square foot car port with solar panels at 280 North Main Street.

Request for waiver of Site Plan Review East Longmeadow Sunoco, 204 North Main Street

Clerk, Tyde Richards read a Request for Waiver of Site Plan Review from Tony El-Nemr, NEC OPCO I, Inc. new owner of the Sunoco gas station at 204 North Main Street for the operation of a gas station, convenience store and existing car wash

The Board determined that a gas station with a convenience store must have a Special Permit. When the station was built the by-laws were not in effect and now they are and with any change the business must meet all the current zoning requirements. Upon motion duly made by Michael Carabetta and seconded by George Kingston, the Board voted unanimously (5-0) to deny the request for Waiver of Site Plan Review and require a Special Permit.

Waiver of Site Plan Review Approved

Accurate Real Estate Appraisals, 2 Athens Street

Request for Temporary Signage – Kelly Fradet, 587 North Main Street

Deborah Bushnell recused herself because she works at Kelly Fradet.

Michael Carabetta recused himself because of conflict of interest.

Clerk, Tyde Richards read a request for temporary signage from Kelly Fradet, 587 North Main Street.

Upon motion duly made by George Kingston and seconded by Tyde Richards, the Board voted unanimously (3-0) to approve the temporary signage as presented showing request for employment measuring 48" x 24", for a period not to exceed 90 days and conditioned upon the applicant obtaining a sign permit from the Building Inspector.

ANR – 175 and 169 Braeburn Road

The Board reviewed the ANR for 175 and 169 Braeburn Road owned by Roland D. and Joy A. Gelinias and Alexander Grisaru & Anna Maria Ferrentino for the combination of parcels. Parcel A to be conveyed from Gelinias to Grisaru & Ferrentino and become an integral part of Lot 3 for a total of 10,993 square feet on Lot 3 and 12,690 square feet on Lot 4.

Upon motion duly made by George Kingston and seconded by Deborah Bushnell, the Board voted unanimously (5-0) to approve the ANR for 175 and 169 Braeburn Road owned by owned by Roland D. and Joy A. Gelinias and Alexander Grisaru & Anna Maria Ferrentino.

Request for Waiver of Site Plan Review – Joseph Alexopoulos, Tree 413,  
64 Maple Street

Tyde Richards recused himself due to possible conflict of interest.

Mr. Kingston read into the record a Request of Waiver of Site Plan Review from Joseph Alexopoulos owner of Tree 413 to store vehicles, equipment and material storage.

Mr. Page asked what the actual address of the business is because the request says Maple Court. Ms. Macdonald said that there is an entrance off of Maple Court and the actual address is 64 Maple Street. Mr. Page said if he remembers correctly the last time Longmeadow Landscape came in they redid their Waiver of Site Plan Review so that it said Maple Street because there was no actual address on Maple Court.

Mr. Kingston said as he recalls the last time they were permitting a landscape business and given the operations that are there right now with the large amount tree trunks lumber and the large amount of mulch that is stored there he would be reluctant to do it without a Site Plan. He said that the Board has had promises from them and they have not been fulfilled.

Ms. Bushnell said that she would intend to agree with that and reading some of the letters from other departments such as the Fire Department.

Upon motion duly made by George Kingston and seconded by Michael Carabetta, the Board voted unanimously (4-0) to deny the Request for Waiver of Site Review given the amount of activity and storage on the site and requires a full Site Plan.

Request for Temporary Signage – St. Mark's Church, 1 Porter Road

Clerk, Tyde Richards read a request for temporary signage from Father Peter Swarr, St. Mark's Church, 1 Porter Road.

Upon motion duly made by George Kingston and seconded by Michael Carabetta, the Board voted unanimously (5-0) to approve the temporary signage as presented showing Block Party at the church, for a period not to exceed 30 days conditioned upon the applicant obtaining a sign permit from the Building Inspector.

Winterberry Lane release of Bond

Ms. Macdonald said that Winterberry Lane was approved and it was taken as a town street and Mr. Campagnari still has money left and is looking to have the money returned to him and DPW has agreed that the project is complete. Mr. Richards read a memo into the record from Dan Murphy, Town Engineer who said that construction has been completed on Winterberry Lane and he recommend the release of the bond.

Upon motion duly made by George Kingston and seconded by Deborah Bushnell, the Board voted unanimously (5-0) to release the cash bond for Winterberry Lane in the

amount of \$27,411.24 with all interest accrued and requested that the account be closed. They endorsed the full release of subdivision bond document.

#### Lighthouse Liquors, 199 North Main Street parking lot

Ms. Macdonald said that she received a complaint from one of the members of the ZBA that Lighthouse Liquors has now changed their parking. She said that they did not come before the Board for approval of the new parking plan when they redesigned it. Ms. Macdonald said that she can't remember how many years ago it was but it was a huge issue with the Police Department for safety issues and requirements were made and now it looks like they've changed it. Mr. Page said that all parking is supposed to be approved by the Planning Board and suggested that a letter be sent to them stating that their new parking was never approved by the Board and they will need to come in with a full parking plan. Mr. Carabetta said that it will also need to be reviewed by the Police Department. Mr. Page said that Acting Building Inspector, Mark Hebert should also be informed.

#### Deadline for submitted plans

Mr. Page said lately they have been receiving plans at the last second at meetings. He said that he would like the Board to take a vote that Friday at noon plans should be submitted, that gives Robyn and Donna time to scan & e-mail them over to the Board members so that they have a chance to review them before the meeting. Mr. Page said anyone that comes in at 6:00 p.m. or drops them off on Monday and expects the Board to review them he just thinks is over the top. He said pretty much for anything that is going to be put on the agenda for Tuesday the deadline should be noon on Friday. Mr. Page said that he thinks a vote of the Board stating that they can't take anything else after that. Mr. Kingston agreed with Mr. Page and if somebody does come up with new plans at the meeting he thinks they have to continue whatever it is to the next meeting. Ms. Bushnell feels that a hard copy and a PDF should be submitted also. Mr. Kingston said that they already have it electronically and they could make a PDF and e-mail it.

Upon motion duly made by George Kingston and seconded by Michael Carabetta, the Board voted unanimously (5-0) not accept plans for a meeting after 12 noon on the previous Friday and to require where possible that the applicant submits a PDF of the plan along with the hard copies.

#### Miscellaneous

Mr. Kingston said that they talked about changes in the zoning by-law and asked Ms. Macdonald if she has heard from Attorney Donahue on it. Ms. Macdonald said that she contacted him that day and hasn't heard back from him. Mr. Kingston said his point with Ms. Macdonald is under Chapter 40 Section 5, the Planning Board has standing to petition the Town Council for a change in the zoning by-law. He said if the Board petitions them they have 14 days to send it back to the Board and then he thinks they have a month to hold a public hearing which they would hopefully do jointly because both the Planning Board and Town Council have to hold hearings. He said that his thought was as a courtesy they could pass it through the Town Manager but the

Planning Board has standing to submit it and he is not sure what Attorney Donahue will have to say. Mr. Kingston said his question was do they just want to proceed with it. Ms. Macdonald said that everything is kind of up in air and she is trying to figure out a procedure that's proper and it's either they give it to the town Manager who in turn gives it to the Town Council or can they as a Planning Board give it to the Town Council directly and if that's the case how do they go about doing that, do they send it to the President of the Town Council. Mr. Kingston said things that go to Town Council have to go through the Clerk of the Council, Mr. Florence. Mr. Kingston suggested that they petition the Town Council on the zoning changes that they have agreed on and see what happens. Ms. Macdonald asked where she should send it. Mr. Kingston said send it to the Town Council through Mr. Florence and let him bounce it back if it is not him. Ms. Macdonald said when they say petition what kind of format should that be. Mr. Kingston suggested the format that the Planning Board of East Longmeadow petitions the Town Council of East Longmeadow to make the following changes in the zoning by-law and spell out the changes they agreed on. He said when they get that they have 14 days to get back to the Board and then the Board has to hold a public hearing.

Mr. Page said that his concerned with joint public hearings because his thought is that the Planning Board should hold a public hearing and come up with a recommendation and make a recommendation to the Council then they're going to review it and either approve it or disapprove it. He said with both committees together the Council and the Planning Board the Council has seven members and the Planning Board has five he is afraid they won't actually get the Board's vote through to them.

With no further business and upon motion duly made by Michael Carabetta and seconded by Deborah Bushnell, voted 5-0 to adjourn at 6:45 p.m.

For the Board,

Tyde Richards, Clerk