



EAST LONGMEADOW PLANNING BOARD
Tuesday, March 16, 2021
6:00 PM Eastern Time (US and Canada)
Zoom Webinar

MINUTES

Chair Russell Denver opened the meeting at 6:00 pm.

Present: Russell Denver, Chair
George Kingston, Vice Chair
Tyde Richards, Clerk
Jonathan Torcia
Peter Punderson

Staff Present: Bethany Yeo, Planning & Community Development Director
Rebecca Jones, Planning & Community Development Administrative Assistant

APPROVAL OF MINUTES

March 2, 2021

Motion to approve made by Peter Punderson; second by George Kingston and approved by roll call vote five (5)-zero (0).

PUBLIC HEARINGS

Motion made to move Item No. 4 to No. 1 made by vice Chair George Kingston; second by Board Member Pete Punderson and approved by roll call vote five (5)-zero (0).

- 1. Case SP 2021-2: 13-25 North Main Street** – Request by applicant for Special Permit for redevelopment of the existing gas station and convenience store and proposed drive-up ATM at 13- 25 North Main Streets (Assessor’s Parcel IDs 27-38-0; 27-37-0; 27-36A; 27-26-148A) on a 63,690 +/- SFT site located in the Business zoning district. Applicant: Pride Stores, LLC, 246 Cottage Street, Springfield, MA 01104.

Clerk Tyde Richards read the legal notice into the record. Chair Russell Denver noted that the applicant withdrew their application earlier that day via email. No further comment.

Motion made to grant applicant’s request to withdraw without prejudice by Vice Chair George Kingston; second by Board member Jonathan Torcia and approved by roll call vote five (5) - zero (0).

- 2. Case SITE 2021-1: 431 North Main Street** – Request by applicant for Site Plan Review for the installation of two (2) pick-up locker units with 30 lockers each at 431 North Main Street (Assessor’s Parcel ID 13-22-0) on a 8.44 +/- acre site by an existing structure located in the

Business Zoning district. Applicant: Big Y Foods, Inc. P.O. Box 7840. Applicant Representative: Lori Bryant, 2145 Roosevelt Avenue, Springfield, MA 01102.

Clerk Tyde Richards read the legal notice into the record for the Site Plan approval request. Applicant representative Lori Bryant described the proposal to erect two food lockers in front of the Big-Y store located at 431 North Main Street. Ms. Bryant explained the function and operation of the lockers. Chair Russell Denver asked for clarification on the location of the proposed food lockers. Ms. Bryant explained the lockers would be located on the left hand side of the entrance when facing the building. Board member Pete Punderson inquired if the applicant would be adding any parking spaces. Ms. Bryant explained four existing parking would be designated for customers picking up food from the lockers and no additional parking is proposed. Hearing no further comment, the hearing was closed.

Motion to approve the Site Plan Review made by Board member Pete Punderson; second by Board member Jonathan Torcia and approved by roll call vote five (5)-zero (0).

- 3. Case SITE 2021-2: 90 Denslow Road**—Request for Site Plan Review for the installation of five (5) solar carports at 90 Denslow Rd (Assessor's Parcel ID 10-15-1) on a 17.54 +/- acre site located in the Industrial Garden zoning district. Applicant: John Maybury, 90 Denslow Road, East Longmeadow, MA 01028.

Applicant John Maybury and Mike Smith of Smith Associates Surveyors, Inc. were present for discussion. Clerk Tyde Richards read the legal notice into the record for the Site Plan approval request. At the Chair's request, Planning Director Yeo explained the applicant had previously come before the Board with a Site Plan Review Waiver for the proposed work, which the Planning Board had approved conditional upon a full Site Plan Review being submitted within the near future.

Applicant John Maybury described the proposal to construct five solar carports at 90 Denslow Road. Mr. Maybury explained the proposed plan included new paved area beneath the carports and in-ground utilities for potential future use. Mr. Maybury confirmed he had sought and subsequently received approval from the East Longmeadow Conservation Commission for the proposed work as it abuts wetlands area.

Mr. Thomas Christensen, DPW Deputy Superintendent informed the Board of several outstanding items in need of further review and approval from the Department of Public Works. The Planning Board suggested approval contingent upon final review and approval by the Department of Public Works. Hearing no further comment, the hearing was closed.

Motion to approve the Site Plan Review contingent upon final review and approval by the East Longmeadow Department of Public Works made by Board member Pete Punderson; second by Vice Chair George Kingston and approved by roll call vote five (5)-zero (0).

- 4. Case SP 2021-1: Barrera, Inc. DBA Torito Mexican Restaurant** –Request by applicant for Special Permit for a restaurant at 621 North Main Street (Assessor's Parcel ID 1A-54-85) on a .54 +/- acre site in an existing structure located in the Business Zoning district. Applicant: Barrera, Inc. DBA Torito Mexican Restaurant, 35 Nottingham Road, Grafton, MA 01519.

Clerk Tyde Richards read the legal notice into the record. Applicant representative Jeffrey W. Oppenheim, Esq. [Oppenheim & Nickerson LLP, 156 Locust Street, Falmouth, Massachusetts 02540], Phil Burdick, Architect and Ramon Jr. Michel, General Manager were present for discussion. Planning Director Yeo explained the Town Council had approved a transfer of Liquor License on March 9, 2021 for the applicant and had unanimously approved instruction to the Planning Board to consider the application for special permit by Barerra Inc. while the existing agreement with GMRC remains in force. The referenced agreement dated 2/15/2018 between the property owner, Manuel Coelho and the Town of East Longmeadow prohibited the use of the deck for outdoor dining or entertainment among other use restrictions for the site.

Attorney Oppenheim summarized the business model and explained outdoor dining at this location will not be pursued at this time furthermore; the interior will have minor changes including the elimination of a bar and the addition of two walls to screen the kitchen and the dishwashing room. A pre-existing nonconforming apartment with separate egress exists on the second floor of the structure, a dedicated parking spot for the second-floor apartment will be provided. Updated to the parking plan include two additional handicapped spaces and the designation of an existing parking space to the use of the second floor residential apartment.

The public hearing was opened for comment. Ralph Page suggested noting the existence of the second floor residential apartment in the Special Permit decision to aid in the Building Inspector's ability to conduct inspections of the residence as appropriate.

Rolando Curtis, 23 Van Dyke Road inquired of the hours of operation. Attorney Oppenheim responded that the proposed hours of operation are Sunday-Thursday 11 AM-10 PM and Friday-Saturday 11 AM- 12 AM (midnight).

After duly considering the case submittal documents before them and applicable sections of the Zoning Bylaw, members of the Town of East Longmeadow Planning Commission closed the public hearing.

Motion to close the public hearing was made by Board member Pete Punderson; second by Vice Chair George and approved by roll call vote five (5) – zero (0).

Vice Chair George Kingston requested the applicant ensure all applicable Assessor's Parcel IDs were noted in the application cover letter for future clarification. Chair Russell Denver suggested a condition in the decision include that the second floor office space be used solely in conjunction with the operation of the restaurant. The Board concurred with both suggested conditions. No further questions by the Planning Board.

Motion made by Vice Chair George Kingston to hear Item No. 6 before Item No. 5 as it is part of the parcel that is being considered for the subdivision; second by Board Member Jonathan Torcia and approved by roll call vote five (5)-zero (0).

5. **Case ANR 2021-02: 35-43 South Bend Lane**– Request by applicant for endorsement of a plan believed not to require subdivision approval under Subdivision Control Law to create two parcels: New Lot 1 38,612 sq. ft. and New Lot 2 28,021 sq. ft. at 35-43 South Bend Lane (Assessor’s Parcel ID 54-6-0) located in the Residence A zoning district. Applicant: Marlene Goldstein, 43 South Bend Lane, East Longmeadow, MA 01028.

Applicant representative Mike Smith of Smith Associates Surveyors, Inc. was present for discussion. This filing would create two frontage lots, one for Mrs. Goldstein’s existing house and the second for an existing house that is being razed. Both lots meet the Town’s frontage requirements. Vice Chair George Kingston asked about the lot adjacent to Michelle Street, to which Mr. Smith confirmed is not included in this filing.

Motion to endorse the ANR plans made by Vice Chair George Kingston; second by Pete Punderson and approved by roll call vote five (5)-zero (0).

6. **Case SD-P 2021-1: Preliminary Subdivision Plan for ‘Happy Acres’**–Request by applicant for preliminary subdivision approval for a twenty-three (23) lot subdivision on a 50.43+/- acre site located at South Bend Lane & Pease Road (Assessor’s Parcel ID 54-6-0) in the Residence A zoning district. Applicant: Marlene Goldstein, 43 South Bend Lane, East Longmeadow, MA 01028.

Applicant Representative Rob Levesque of R. Levesque Associates was available to address questions or concerns by the Board or attendees during each meeting. The property owner is proposing to build one access road and three cul-de-sacs for a twenty-three residential building lots off South Bend Lane in East Longmeadow. In addition, two ANR lots, previously approved by the Planning Board, to were created: New Lot 1 with 38,612 sq. ft. and New Lot 2 with 28,021 sq. ft. at 35-43 South Bend Lane (Assessor’s Parcel ID 54-6-0).

The land is zoned Residence A and consists of a nine (9) parcels of land that together contain 69 +/- acres having frontage on South Bend Lane, Michel Street, Lee Street, and Pease Road. Within the site exists Ms. Goldstein’s house as well as five (5) additional buildings and a silo. A right of way, also known as Ronald Road, was formerly used to access the buildings set back from South Bend Lane. A sewer easement extends easterly off Lee Street to the end of Michel Street where it continues southerly to Pease Road and is a maintained cart path from Michel Street to Pease Road. Mr. Levesque explained that a large swathe of land on the west side of the site is either Bordering Vegetative Wetlands or otherwise protected wetland resources therefore, the propose roadways and associated storm water were designed to avoid construction within the resource areas as much as possible.

Upon inquiry by Vice Chair George Kingston, Mr. Levesque conveyed the applicant does not intend to pave the existing dead end on South Bend Lane to connect back to Somers Road although the submitted Preliminary plans do not reflect this. The Definitive Subdivision plans will be revised to show the dead end as it exists on South Bend Lane to avoid any confusion. Vice Chair George Kingston opined that with South Bend Lane remaining a dead end, the length of the proposed Happy Acres Lane cul-de-sac should include the length of South Bend Lane and thus would be significantly greater than 900’ in length.

Vice Chair George Kingston opined the developer should ensure the Fire Department does not have any accessibility concerns given the lengths of the cul-de-sacs prior to their Definitive Plan submission. Mr. Levesque acknowledged an alternative emergency access point could be created via the proposed 25' wide utility easement on 35 South Bend Lane. Vice Chair George Kingston requested, Mr. Levesque investigated several concerns regarding reports of abandoned quarries on the property site allegedly filled with trash and construction debris. Mr. Levesque shared that the areas of potential concern on the site including the alleged quarries would be reviewed by a licensed site professional that would provide a report of any concerning environmental issues as appropriate.

Clerk Tyde Richards read into the record the Police Department's concerns, which are as follows:

"The East Longmeadow Police Department has concerns regarding traffic congestion on Somers Road. The Police Department anticipates heavier traffic flow on South Bend lane. There exists potential safety concerns regarding vehicles entering and existing South Bend Lane, specifically vehicles attempting to turn left onto Somers Road. South Bend Lane is positioned across from Hampden Road with Somers Road in between the two roads. Vehicles attempting to take a right onto Somers Road from Hampden Road may pose safety concerns. Vehicles traveling South on Somers Road attempting to go around the vehicles taking a right onto Hampden Road may pose possible safety issues."

The Planning Board discussed granting three (3) Waiver petitions under the Rules and Regulations for the Submission of Petitions and Plans of Subdivision, 1. Section 7.2.5 Sidewalks (Request for waiver of sidewalk on one side of the proposed streets); 2. Section 6.2.6 (1) Cul-de-Sacs/Dead-End Streets/Turnarounds (Cul-de-sac streets shall not be longer than 1,300 FT in length as determined by the Planning Board); and 3. Section 4.3.8 and 6.1.3 Protection of Natural Features (All natural features, such as large trees (greater than 18 inches shall be preserved.)

Motion made by Vice Chair George Kingston to grant waiver requests for Zoning Bylaws 7.424 Content of Site Plan; Zoning Bylaws 7.425 Content of Site Plan; and Zoning Bylaws 7.426 Content of Site Plan with the understanding these items are not waived in terms of the Subdivision Control Law Regulations; seconded by Board member Jonathan Torcia, approved by a roll call vote of five (5)-zero (0).

The petitions to waive Section 7.43, for Traffic Impact and Access Study; section 5.3.1(2) Definitive Plan Requirements specifically names of abutters; and section 7.3.4.3 (f) (1) Design Standards-Fencing were withdrawn from consideration by the applicant.

The Hearing was opened for Public Comment on March 16, 2021. William Counzelis, 25 South Meadow Road, asked for clarification on the definition of the 100' Buffer Zone and inquired if the proposed lot abutting the rear of his property could be clear-cut to the property line. Mr. Levesque explained the 100' Buffer is a regulatory upland review area that is measured horizontally 100' from the edge of a Bordering Vegetated Wetland or other resource area. Activity within the 100' Buffer is within the Conservation Commission's jurisdiction under the Wetlands Protection Act. Mr. Levesque also stated, if no wetlands resources were negatively affected, a future property owner of the lot to the rear of Mr. Counzelis' property could clear-cut their property to the property line.

Suzanne Larock, 256 Mapleshade Avenue asked for further explanation of a potentially buildable area on Pease Road, which is not proposed within the scope of the Preliminary Subdivision. Mr. Levesque explained the possible development options for the area of land off Pease Road.

Hearing there were no further comments or considerations, the Planning Board closed the Public Hearing on March 16, 2021 on a motion moved by Vice Chair George Kingston, with second by Board Member Pete Punderson, by a vote of five (5) – zero (0).

Motion to approve preliminary subdivision approval for a twenty-three (23) lot subdivision on a 50.43+/- acre site located at South Bend Lane & Pease Road made by Board member Pete Punderson and seconded by Vice Chair George Kingston by a vote of five (5) – (0) zero.

DIRECTORS REPORT

Planning Director Bethany Yeo shared a brief overview of the next meeting's filings.

ADJOURN Motion to adjourn made by Board member Jonathan Torcia; second by Vice Chair George Kingston and approved by roll call vote five (5)-zero (0) at 8:16 pm.

Respectfully submitted.

Rebecca A. Jones,
Planning & Community Development Administrative Assistant