



## **EAST LONGMEADOW PLANNING BOARD**

**Tuesday, April 6, 2021**

**6:00 PM Eastern Time (US and Canada)**

**Zoom Webinar**

### **MINUTES**

Chair Russell Denver opens the meeting at 6:00 pm and called the roll.

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 24, 2021

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

#### **SITE PLAN WAIVER REQUESTS**

1. **Case SPRW 2021-8:** Request for Site Plan Review Waiver for J'Inks Tattoo, a tattoo studio at 143C Shaker Road, Suite 205 (Assessor's Parcel ID 17-65-0) in an existing structure on a 1.14 +/- acre site in the Industrial zoning district. Applicant: James Boucher, 143C Shaker Road, East Longmeadow, MA 01028.

Applicant James Boucher was present for discussion. Planning and Community Development Director Bethany Yeo noted that that the Planning Department's approval will be conditional to the Health Department's approval. Mr. Boucher explained that this studio will be by appointment only and set up as a boutique tattoo studio.

**Motion to approve pending Health Department approval made by Vice Chair George Kingston; second by Board member Jonathan Torcia and approved by roll call vote five (5)-zero (0).**

2. **SPRW 2021-9:** Request for Site Plan Review Waiver for RedFive Toys and Collectibles, a toy, comic and collectibles shop at 57 Maple Street (GIS 55 Maple St, Assessor's Parcel ID 27-15-0) in an existing structure on a .57 +/-0 acre site in the Business zoning district. Applicant: Brian Rushby, 751 Mountain Rd, Suffield, CT 06078.

Applicant Brian Rushby was present for discussion. He provided a brief background on his sales and buying experience and his vision for the property. He aims to open May 4<sup>th</sup>, 2021. No further comment.

**Vice Chair George Kingston; second by Board member Pete Punderson and approved by roll call vote five (5)-zero (0).**

3. **SPRW 2021-10:** Request for Site Plan Review Waiver for a home office for Lisovets Group Services, LLC, at 43 White Avenue (Assessor's Parcel ID 27-43-13) on a .25 +/- acre site in the Residence C zoning district. Applicant: Natalya and Mikhail Lisovets, 43 White Avenue, East Longmeadow, MA 01028.

Applicants Natayla and Mikhail Lisovets were present for discussion. The Board members reminded the applicants that commercial vehicles need to be garaged or put in the backyard as to not be visible to abutters. Board member Peter Punderson asked if any materials would be stored on site. Mr. Lisovets noted that all materials are delivered to the homeowners and not to his property.

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

**Motion made to combine Items 4, 5, and 6 to be heard together made by Vice Chair George Kingston; second by Board member Peter Punderson and approved by roll call vote five (5)-zero (0).**

4. **Case SPRW 2021-11:** Request for Site Plan Review Waiver for Atlantic Handling Systems (dba of Maybury Associates, Inc.) a Manufacturer and Distributor of Industrial and Logistics Products at 90 Denslow Road (Assessor's Parcel ID 10-15-1) on a 17.54 +/- acre site in the Industrial Garden Park zoning district. Applicant: John Maybury, 90 Denslow Road, East Longmeadow, MA 01028.
5. **Case SPRW 2021-12:** Request for Site Plan Review Waiver for New England Grow Rooms (dba of Maybury Associates, Inc.) a Manufacturer and Distributor of Industrial and Logistics Products at 90 Denslow Road (Assessor's Parcel ID 10-15-1) on a 17.54 +/- acre site in the Industrial Garden Park zoning district. Applicant: John Maybury, 90 Denslow Road, East Longmeadow, MA 01028.
6. **Case SPRW 2021-13:** Request for Site Plan Review Waiver for New England Clean Rooms (dba of Maybury Associates, Inc.) a Manufacturer and Distributor of Industrial and Logistics Products at 90 Denslow Road (Assessor's Parcel ID 10-15-1) on a 17.54 +/- acre site in the Industrial Garden Park zoning district. Applicant: John Maybury, 90 Denslow Road, East Longmeadow, MA 01028.

Applicant John Maybury was present for discussion. He explained that due to a change in lending institutions, these filings were necessary in order to be recognized by the bank. He gave a brief overview of the companies, which provides modular structures for a multitude of purposes.

**Motion to approve Items 4, 5, and 6 made by Board member Peter Punderson; second by Vice Chair George Kingston and approved by roll call vote five (5)-zero (0).**

7. **Case SPRW 2021-14:** Request for Site Plan Review Waiver for The Baker Mama, a home office for a Cottage Food licensed home baking business at 12 Cross Meadow Road (Assessor's Parcel ID 61-52-42) on a .59 +/- acre site in the Residence A zoning district. Applicant: Alison Rush, 12 Cross Meadow Road, East Longmeadow, MA 01028.

Applicant Alison Rush was present for discussion. She would like to sell dessert boxes and deliver to customers in and around East Longmeadow and is seeking a cottage food license. Vice Chair George Kingston noted that in the past this has been perceived as manufacturing in a residential area and similar applications have been denied in the past. By approving this site plan waiver, it would be setting a precedent.

Discussion ensued amongst the Board members regarding the best course of action in addressing this application. VC George Kingston gave a procedural history of similar filings and opined that it not clearly an allowed use. Chair Denver recommended this this filing be continued and requested that Ms. Yeo do a review of surrounding town's bylaws and policies.

**Motion to continue made by Vice Chair George Kingston; second by Board member Jonathan Torcia and approved by roll call vote five (5)-zero (0).**

#### **PUBLIC HEARINGS**

1. **Case SP 2021-3: 642-644 North Main St** –Request by applicant for Special Permit for a restaurant at 642-644 North Main Street (Assessor's Parcel ID 1-5-1) in a Business zoning district. Applicant: George Akkouris, 642 North Main Street, East Longmeadow, MA 01028.

Clerk Tyde Richards read the legal notice into the record. Applicant representative Joel D. Castleman, Esq. and George Akkouris, owners were present for discussion. Planning Director Yeo explained the restaurant use would have been grandfathered if Mr. Akkouris had opened his restaurant within 24 months after the former restaurant had closed however, due to the extensive repairs needed and the pandemic, the applicant had missed this window and was now in need of a Special Permit by the Planning Board to open.

Attorney Castleman summarized the business model and explained the renovations that had taken place within the structure. The only exterior change to the building was the addition of a handicap ramp to make the building accessible. Mr. Akkouris shared that the cuisine will be wood-fired pizza and handmade pasta. The parking plan had also been updated to include three handicap spaces at the direction of the Building Commissioner.

The public hearing was opened for comment. No comments in favor or opposition of the Special Permit were made. The Town of East Longmeadow Planning Board closed the public hearing.

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

Chair Russell Denver suggested a condition in the decision regarding the hours of operation. The Board agreed to a condition that the hours of operation are 11-12 AM (midnight). No further questions by the Planning Board.

**Motion to approve subject to the above special condition made by Vice Chair George Kingston and seconded by Board Member Pete Punderson; approved by roll call vote five (5) – zero (0).**

2. **Case SP-E 2021-1: 0 Grove Street** –Request by applicant for an Earth Removal Permit for the excavation of 4.95 +/- acres for a previously approved self-storage facility located at 0 Grove Street (Assessor's Parcel ID 15-32-E). Applicant: All Purpose Storage East Longmeadow, LLC, 4023 Dean Martin Drive, Las Vegas, NV 89103.

Clerk Tyde Richards read the legal notice into the record. Applicant representative Felipe Cravo, R Levesque Associates was present for discussion. Mr. Cravo provided a summary of the Earth Removal as proposed. The earth removal is necessary to create a level foundation for the previously approved Self-Storage Facility to be constructed upon. Mr. Cravo estimated the earth removal would take six months to complete with ten truckloads removing the earth from the site per day. Mr. Cravo explained dust management would be accomplished by routinely spraying the site with water.

The public hearing was opened for comment. Kelly Bruce, 19 Calkins Avenue expressed concerns related to excessive noise during the earth removal phase of the project as well as the potential for light overflow into her home from vehicles exiting the site. Mr. Cravo suggested creating an earthen berm by the residential properties to screen noise. Chair Russell Denver commented that in the approval for the Storage Facility there is a requirement that there be downward lighting specifically to help reduce overflow into residential properties abutting the site as well as a vegetative buffer between the railroad right of way and the brook.

Ralph Page, 137 Pease Road expressed concerns that the anticipated heavy traffic of the trucks would overload standard tracking pads on Baldwin Street. Mr. Page inquired if the Planning Board would require the contractor to perform biweekly street sweeping of Baldwin Street. Mr. Cravo explained they had proposed to use a 50 FT tracking pad and was agreeable to regular street sweeping if the Planning Board made it a condition.

Charlie Christensen, 11 Glendale Road shared concerns of the noise during the 6-month earth removal phase as it was interfering with his daily business operations and quality of life.

Donna Utter, 13 Calkins Avenue expressed concern over the noise during the 6-month earth removal phase.

Sade Garvey, 15 Glendale Road expressed concern over the noise during the 6-month earth removal phase and desire that the contractor be mindful of the abutting residential properties.

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

Discussion ensued. Chair Russell Denver suggested the following conditions:

1. The operation of heavy equipment for work associated with the Earth Removal at the site other than between M-F 8 AM-5 PM and Saturday 8 AM- 1 PM is prohibited. No such equipment shall be operated on Sundays. **Motion made to add Condition No. 1 made by Vice Chair George Kingston; second by Board member Pete Punderson and approved by roll call vote five (5) – zero (0).**
2. Truck traffic shall be limited to Baldwin Street up until Maple Street. **Motion made to add Condition No. 2 made by Vice Chair George Kingston; second by Board member Pete Punderson and approved by roll call vote five (5) – zero (0).**
3. Street cleaning must occur no less than once a week and as needed on Baldwin Street. **Motion made to add Condition No. 3 made by Vice Chair George Kingston; second by Board member Pete Punderson and approved by roll call vote five (5) – zero (0).**

No further questions by the Planning Board.

**Motion to approve subject to the above conditions made by Vice Chair George Kingston and seconded by Board Member Pete Punderson; approved by roll call vote five (5) – zero (0).**

3. **Case ZN 2021-1: Special Permit Criteria** – For the purpose of amending and clarifying the Town of East Longmeadow Zoning Bylaws by adding under SECTION 7.2 - SPECIAL PERMITS, subsection 7.30 CRITERIA new item i. **All required state and local licenses must be acquired and kept current.** Petitioner: East Longmeadow Town Council.

Clerk Tyde Richards read the legal notice into the record. Ralph Page was present for discussion on behalf of the Town Council. Ms. Yeo stated that this is language that is already within the text of the special permit and would just be formalizing it so that it is included in the Town bylaws. Mr. Page explained that this has been reviewed by the Bylaw Committee and feels as though this is multipurpose as there are several businesses that require state license. Vice Chair Kingston requested clarification regarding the issuance of a license prior to granting the Special Permit and how to address lapses in both licenses and permits. Mr. Page stated that the Bylaw Committee was open to discussion.

The public hearing was opened for comment. No comments in favor or opposition of the Special Permit were made. The Town of East Longmeadow Planning Board closed the public hearing.

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

The Board discussed how to proceed. Vice Chair Kingston recommended adding the following statement to what has been proposed: “failure to meet this criteria will be grounds for revocation of the Special Permit.”

He feels as though this will make future potential revocations a much more concise process.

**Motion to amend Item I. to include the following language: “failure to meet this criteria will be grounds for revocation of the Special Permit by the Special Permit Granting Authority ” made by Vice Chair George Kingston; second by Board Member Pete Punderson and approved by roll call vote five (5) – zero (0).**

#### **OTHER BUSINESS**

1. Director’s Report

Master Plan chapters were submitted by Pioneer Valley Planning Commission to the Master Plan Steering Committee and copies will be circulated to the Planning Board for their review. Comments are due back to the Steering Committee by April 28<sup>th</sup>. The final Master Plan will be formally adopted by the Planning Board.

Local Rapid Recovery Plan had their first site visit. Information is still being distributed and meeting with stakeholders will be forthcoming.

**ADJOURN Motion to adjourn made by Vice Chair George Kingston; second by Board member Peter Punderson and approved by roll call vote five (5)-zero (0) at 7:38 pm.**

Respectfully submitted.

Rebecca A. Jones,  
Planning & Community Development Administrative Assistant