

Planning Board Public Hearing
January 17, 2018
Accepted with corrections, April 4, 2018

Planning Board - Public Hearing
Longmeadow High School – Meeting Room A15
535 Bliss Road, Longmeadow, MA
Wednesday, January 17, 2018
7:00 p.m.

Present: Ken Taylor; Don Holland, Chair; Heather Laporte; Walter Gunn, Clerk

Absent: Bruce Colton

Also Present: Stephen Crane

Public Hearing was called to order at 7:00 p.m. by Don Holland.

The Longmeadow Planning Board is holding a public hearing for the rezoning of the property at 734 Longmeadow St. from residential to professional.

Dr. Andrew Lam of 734R Longmeadow Street gave a presentation with the assistance of James F. Martin of 38 Oxford Road. Mr. Martin is an Attorney of Robinson Donovan representing the members of the Longmeadow Historic Preservation's Partners; the owners of the property.

Attorney Martin started off by presenting on behalf of the petitioners of the zone change he would like to introduce into the record letters of support signed by 114 Longmeadow residents; a letter from a real estate agent who tried for many years to sell the mansion; a powerful letter from the Young Family; letters from the abutters of the property; residence of the Historic District; letters from the Historical Commission and letters from the Historic District Commission.

Attorney Martin also discussed whether the legal issue of whether this property is rezoned constitutes spot zoning. A memorandum was submitted on behalf of his clients which is appended to the legal opinion of Town Counsel both of which conclude that this would not be considered spot zoning if this property be rezoned. Don Holland asked what the factors are for whether or not something constitutes spot zoning. Attorney Martin's response was that the general misunderstanding is when you have a consistent zone and you rezone something in the middle of that zone, that it is automatically spot zoning which is not correct. There are certain facts that must be taken into consideration. Examples are the Doctors office, restaurants and banks that are all fit into residential zones.

Walter Gunn discussed the Long Range Plan that is in Longmeadow and not a Master Plan. Dr. Lam provided eight reasons why the board should provide a recommendation: and four frequently asked questions that should help address some common concerns:

1. The Young Mansion is a Historic Landmark.
2. The Mansion is too large and costly to restore and maintain as a residence.

3. There is no angel organization coming to save the mansion.
4. The mansion has fallen into such disrepair that we can no longer wait for it to be saved.
5. Rezoning as professional offices is the best most stable way to ensure its long term survival – discussed parking plan.
6. Repurposing the mansion's offices enables preservation of this historic inter spaces.
7. Rezoning the Mansion in this exact manner was put forth in the 2004 Long Range Plan, which was adopted at town meeting as part of an annual plan report, according to town manager. It recommended we consider allowing some commercial uses along the corridor in strictly controlled cases within larger structures and lots with sufficient area to accommodate off street parking.
8. This plan has been unanimously endorsed by the Longmeadow Historical Commission. They will forever ensure the mansions exterior does not change.

Mr. Lam made a Public Pledge: That if the mansion is ever demolished, if the restoration becomes to costly, or a natural disaster strikes, the developers would petition the town to return it to residential zoning, and are prepared to put this in writing.

Don Holland asked Attorney James Martin if the town rezones the property to professional is there any possibility of having restrictions on the deed to the property to reflect that it would rezone it back to residential if something were to happen to the building. Atty. Martin commented that it is unclear if the property is zoned one way that you can restrict the use within that zone. Heather Laporte requested confirmation from Atty. Martin on whether or not a restricted deed can be created and enforced. Mr. Gunn also confirmed that the rezoning is for the land and not the building.

Don Holland opened the hearing to visitor comments.

Steven Weiss – 18 Pioneer Drive. In favor

The proposal from Dr. Lam is the mansion's last best hope to reverse the condition of the property and character of the Green.

Paul Calento – 40 Wilkin Drive. In favor

This resident driven proposal is following all key requirements to enhance the property and avoid safety issues when requesting a zoning change, in addition to following all of the recommendations and guidelines of the Longmeadow Historical Commission.

Arlene Miller – 68 East Greenwich Road. In favor

Mentioned that the long range plan which was called 'Longmeadow Faces the Future' wanted to allow for the possibility that some homes on the Green could be changed to professional use to preserve them.

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Henry Cropsey – 862 Longmeadow Street. *Not in favor*

Mr. Cropsey provided email correspondence that was entered on the record which showed conversations by the town manager (Stephen Crane) confirming his favor of the proposed zoning change. Mr. Cropsey is concerned that the rezoning of the property would set a precedent to other residential properties. He stated that Longmeadow is a residential only community. He is concerned about the unknowing of who the tenants are that will be coming to the professional building and mentioned that there is no traffic, water or lighting study as of yet as well as no site and design for viewing.

Laurie Housman – 796 Longmeadow Street. *Not in favor*

(Unable to show PowerPoint Presentation – Provided paper copy) Ms. Housman is concerned that the developers are out to profit from the purchase and will not follow through and restore the property, possible demolition. She stated that there were other ideas for the mansion but prospective investors were unable to explore these options as the property sold so quickly (restore to marketable residence; Bed and Breakfast or Luxury Condo's).

Tim Somers – 679 Longmeadow Street. *Not in favor*

Mr. Somers is concerned about community house parking use. He stated voting 'yes' only references the property, which means anything can happen to the mansion. He is requesting that a third party explain to the voters the impact of the rezoning question and what the questions reference.

Michelle Steger – 35 Warwick Street. *In favor*

Ms. Steger mentioned that the rezoning requires 2/3 vote for the question to pass. The home was in foreclosure for a period of time and just deteriorated. She stated that no residential buyers had come forth to purchase the property.

Bill Togneri – 870 Longmeadow Street. *Not in favor*

Mr. Togneri believes there were others interested in purchasing the mansion. A letter dated March 2016 from the developers, Mr. Orzolak and Mr. Clement, to the bank with their offer to return the mansion to a marketable single family residence was entered into record. Mr. Togneri believes the investors have other plans for the mansion.

Peter Wakeman – 977 Longmeadow Street. *In favor*

Mr. Wakeman stated that he has been concerned about the state of the property and wanted to say that he likes the proposal and he supports it.

Marie Angelides – 199 Tanglewood Drive. *In favor*

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Ms. Angelides stated the Brewer Young Mansion is a treasure on the Green. It's a very bold and makes economic sense. She hopes that the Board will positively consider the zone change for Mansion and property.

Jeffery Wint – 960 Longmeadow Street. Not in favor

He is concerned about the parking plan and the width of the driveway, which doesn't seem to be adequate. He does not believe it is a tangible commercial project.

Nancy Hayes – 56 Williams Street. Not in favor

Based on the town's zoning by-laws, a zoning request for change of use should consider the needs of the community. Rezoning for more office space is not a good reason for rezoning the mansion as the new medical building. She stated that the petitioners have never offered evidence that the town needs more office space by placing a new business property in the center of a residential district. She is urging that the Board not allow this plan to move forward. (Ms. Hayes was unable to confirm where in the zoning by-laws she was referencing her information)

John Robbins – 1028 Longmeadow Street. Not in favor

The town Green is a living museum located along the most historically unspoiled section of route 5 which runs from its beginning near the Canadian Border to its end at the Connecticut shore. He recommend voting 'No'. Closing, Mr. Robbins mentioned the one thing that was not mentioned was 'taxes. He stated that the property as a business won't increase tax revenue.

Richard Foster – 29 Captain Road.

Mr. Foster has confidence that the Board will render a judgement that is in the best interests of the community. He stated that the issue is the land and the board has not been provided with any plans to prove what will happen to the mansion. There might be a plan that fails and the estate is demolished

Kristen Carnahan – 311 Farmington Road. Not in favor

Ms. Carnahan stated that the rezoning is for the land and not the structure. She is not in favor of rezoning the land to save the property. She is worried that a zone change would change the character of the community.

Alex Grant – 54 Westmoreland Avenue. In favor

The structure is an eyesore and an embarrassment. He believes this proposal is the best option.

David Bogan – 655 Longmeadow Street. Not in favor

He believes this is spot zoning. Allowing the rezoning change will change the Green.

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Michael Caronna – 24 Chandler Avenue. *Not in Favor*

Mr. Caronna is concerned about the traffic at Williams Street and Route 5. The project will exacerbate the situation. He believes the developers' traffic study is not sufficient and the parking and driveway is not adequate. He asked for the Board not to support the proposal.

Melinda Cropsey – 862 Longmeadow Street. *Not in favor*

Ms. Cropsey doesn't want to see change. She is concerned about the Long Range Plan, and discussion of an overlay district. She is concerned about the precedent this proposed zone change establishes. Ms. Cropsey does not want to live next to commercial businesses and urges the Board to vote 'No' to rezoning. A map of 20 homes around the Green was submitted into record.

Larry Starr – 81 Williamsburg Drive. *In favor*

He's not concerned that the zone change will not set a precedent. Future zone changes require the same process of approval and might not succeed.

Bill Wagner – 878 Longmeadow Street. *Not in favor*

Mr. Wagner is concerned that a precedent will be set.

Jerry Nolet – 724 Frank Smith Road. *In favor*

Mr. Nolet mentioned that he and Arlene Miller were both on the Long Range. He believes Dr. Lam is trying to save the mansion. Mr. Nolet is asking the Board to accept Dr. Lam's plan.

Ed Carroll – 788 Longmeadow Street. *Not in favor*

He believes there are several White Knights and other people in the room who would do exactly what Dr. Lam wants to do but keep it residential. He is concerned what the commercial space will look.

Margaret Landon – 5 Meadowbrook Road. *In favor*

This is a question of trust with the three young investors. They have families in Longmeadow and have laid their plan out. She believes they will not disappoint us.

Maury Garrett – 133 Tedford Drive. *In favor*

Supports Dr. Lam's project. The community needs this investment. Overtime the house has become an eyesore. He believes the home can be preserved and is asking the Board to accept the proposal.

Fran Cress – 99 Oxford Road. *Not in favor*

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She does not believe that all of the necessary facts to make an intelligent decision. There should be a defined plan for which a decision can be made. She made a request that the preservation of the property be put on the deed.

Diane Fisher – 16 Cross Street. *In Favor*

Ms. Fisher is a real estate agent. In her opinion there is no single family buyer. This is the perfect opportunity to restore the property.

Mr. Gunn motioned to close the public hearing meeting @ 9:24. Heather Laporte seconded the motion and a vote carried 4-0.

Respectfully submitted,

Sharon Smith

SS:wg