

## **Planning Board – Regular Meeting**

Longmeadow High School Meeting Room A15 - 535 Bliss Road, Longmeadow, MA  
Wednesday February 5<sup>th</sup>, 2020 7:00 p.m.

**Members Present:** Donald Holland, Chair; Walter Gunn, Clerk; Ken Taylor, Bruce Colton, Josh Levine.

**Others Present:** Town Counsel Jesse Belcher-Timme, Selectman Marc Strange.

The *Planning Board Regular Meeting* was called to order at 7:01 p.m. by Chair Donald Holland.

### **Correspondence: Invitation from Sandra Krein to Support the Brewer-Young Mansion’s nomination for 2020 Preservation Award:**

The recent restoration of the Brewer-Young Mansion qualifies for a nomination under the category “Adaptive Re-use” for the Massachusetts Historical Commission’s 2020 Preservation Awards program, per a letter written by Ms. Krein to the Planning Board and other public bodies requesting support. The Planning Board is willing to support such nomination, therefore Bruce Colton made a motion, which was seconded by Josh Levine, to send a letter showing the Planning Board’s support for the Brewer-Young mansion nomination to the 2020 Preservation Awards. All in favor 5-0, motion passed.

### **Proposed amendments to Longmeadow Zoning By-law’s Article XV:**

Following up on suggestions and deletions made by the MA Attorney General’s Office upon review of Longmeadow Zoning By-law’s Article XV, a meeting held recently and involving Mr. Bruce Colton, Ms. Andrea Chasen, Mr. James Tourtelotte and Selectman Marc Strange yielded the following list of proposed amendments in order to strengthen the by-law:

- a) Add a new definition in the (B) DEFINITIONS section:  
“**8. Facilities of natural gas utilities and facilities of pipeline operators include:** Pressure regulating, pressurizing, odorizing, heating and fire suppressing equipment and associated building, pipes, valves, tanks and all other equipment and materials for handling and distributing natural gas.”
- b) Within section (E), delete sub-section “5. Testing and Low Frequency Noise”.
- c) Add a last sentence in the article’s section (I) PENALTIES AND FINES: "Fines, payable to the Town, shall be imposed at the rate of \$300.00 per day, for each day that such violation continues, pursuant to M.G.L. c. 40, Section 21."

Town Counsel Belcher-Timme added that, in accordance with M.G.L. Chapter 40A, Section 5, by-law amendments proposed by the Planning Board are to be submitted to the Select Board prior to holding a public hearing, which is to be scheduled within 65 days of proposing said amendments.

Bruce Colton made a motion, which was seconded by Ken Taylor, to accept the language of the three proposed amendments to Longmeadow Zoning By-law’s Article XV and subsequently submit to the Select Board as well as schedule a public hearing prior to the May Town Meeting. All in favor 5-0, motion passed.

*Documents presented: by-law amendments.*

### **Proposed amendment to Longmeadow Zoning By-law’s Article XI, Section D, sub-section 1(m):**

Mr. Colton explained that, due to the recent experience of an applicant attempting to challenge the board’s authority under the by-law to request special studies, he is proposing the following amendment, which seeks to delete in the aforementioned article and section the words "A traffic study to include:" and replace them with "At its discretion, the Planning Board may commission an independent traffic study, to be paid for by the Applicant, which shall include:". Mr. Colton and Mr. Belcher-Timme indicated that, while both the Zoning Bylaw Article XI’s Section D, sub-section 2 and Section E, sub-sections 2 and 3 as well as M.G.L. Chapter 44, Section 53G grant the Planning Board authority to request such independent studies at its discretion, the aforementioned amendment would add clarity to the issue at hand and not change the by-law itself.

Chair Don Holland made a motion, which was seconded by Ken Taylor, to accept the language of the proposed amendment to Longmeadow Zoning By-law's Article XI, Section D, sub-section 1(m) and subsequently submit to the Select Board as well as schedule a public hearing prior to the May Town Meeting. All in favor 5-0, motion passed.

*Documents presented: by-law amendments.*

**Proposed amendment to Longmeadow Zoning By-law's Article IV, Section B, sub-section 6.6:**

Bruce Colton explained that the sub-section enlists a number of terms for public utility buildings and installations that are unambiguous with the exception of the term "connected facility", therefore the addition of a second sentence defining said term would add clarity to this portion of the sub-section. The proposed language reads as follows: "*a connected facility is any facility for receiving, processing, and otherwise handling natural gas for sale to consumers.*"

Bruce Colton made a motion, which was seconded by Ken Taylor, to accept the language of the proposed amendment to Longmeadow Zoning By-law's Article IV, Section B, sub-section 6.6, and subsequently submit to the Select Board as well as schedule a public hearing prior to the May Town Meeting. All in favor 5-0, motion passed.

*Documents presented: by-law amendments.*

**Comments:**

- A public hearing for the proposed amendments to the Longmeadow Zoning By-law will be set for March 4<sup>th</sup>.
- Guest Selectman Marc Strange mentioned that amendments to the sign by-law are being explored to ensure that Select Board sign policies (for all signs, including promotional banners in athletic fields) and sign by-law are aligned; the intent is to have said proposal available for the May Town Meeting.
- Town Manager will explore the re-configuration of zoning bylaws on the Town website into a codified and user-friendly format.
- Building Commissioner Paul Healy recently expressed his desire to incorporate in the zoning by-laws new items (such as light pollution) as well as facilitate the enforcement of by-laws by revising fine values and incorporating a record of unpaid fines to a property lien, which is facilitated by state statutes. The City of Springfield currently incurs in such practice.

**Meeting Minutes Review:**

1. Amendment to Approved Special Meeting Minutes December 12<sup>th</sup>, 2019: Walter Gunn made a motion, which was seconded by Bruce Colton, to accept the corrections for typographical errors found on the previously approved minutes presented. All in favor 4-0 with one abstention (Josh Levine), motion passed.
2. Special Meeting with Select Board January 21<sup>st</sup>, 2020: Walter Gunn made a motion, which was seconded by Bruce Colton, to accept the minutes as presented. All in favor 4-0 with one abstention (Josh Levine), motion passed
3. Regular Meeting January 21<sup>st</sup>, 2020: Walter Gunn made a motion, which was seconded by Bruce Colton, to accept the minutes as presented. All in favor 4-0 with one abstention (Josh Levine), motion passed.

Ken Taylor made a motion, and was seconded by Walter Gunn, to adjourn the meeting. All in favor 5-0 with none opposed, meeting adjourned at 8:05 pm.

Respectfully submitted,

*Bianca Damiano*