

Planning Board – Public Hearing
Longmeadow High School – Meeting Room A15
535 Bliss Road, Longmeadow, MA

Wednesday, May 2, 2018 6:00 p.m.

Members Present: Ken Taylor; Donald Holland, Chair; Bruce Colton; Walter Gunn, Clerk; Heather Laporte.

Others Present: Stephen Crane, Town Manager; Andre Lam, Chris Orszulak, Jeff Squire, Andrew Fox, John Robbins, Steve Weiss, Michael Caronna, Margaret Cohn.

The ***Planning Board Hearing #1*** was called to order at 6:00 p.m. by Chair Donald Holland,

In accordance with M.G.L. 40A, Sect. 5, the Longmeadow Planning Board held a public hearing to provide an opportunity for comment on proposed amendments to the following Longmeadow Zoning By-laws:

Article 28: replace the text of Article IV, Section B, Sub-section 1.2a regarding the overnight storage of commercial vehicles. The proposed language as amended is:

Private garage, of such size and construction as to accommodate no more than three automobiles. A detached garage shall be permitted in lieu of, but not in supplement to, any existing like facility. A totally enclosed private garage must be used for the overnight vehicular storage of vehicles used in connection with a business or trade except those that do not exceed the gross weight of 7,000 lbs., have no more than two axles, have six wheels or fewer, and are not registered at the address where the vehicle is being stored overnight.

Comments from Residents:

- Andrew Fox (29 Lorenz St) commented against the proposed amendment and indicates that the current by-law should be kept and enforced as it “maintains residents’ expectations of our town’s unique residential character”. He presented a picture showing a trailer parked in the front lawn of a property on Lawrence St as an example of how the current by-law’s lack of enforcement leads to dangerous and unsightly situations as well as drive down property values. In his opinion, removing the signage criteria from the proposed amendment and, instead, using the “gross weight” criteria to determine whether a vehicle is in violation or not may pose a bigger enforcement challenge.

Responses from Board Members and Town Manager:

- Donald Holland, Chair, clarified that with the proposed language, the first two sentences of the Article in question remain intact and the third sentence is new. He thanked Mr. Fox for his comments.
- Bruce Colton asked what happens if a vehicle exceeds the specified criteria, to which Donald Holland pointed out that the vehicle must then be stored in a totally enclosed parking garage.
- Stephen Crane, Town Manager, pointed out that the intent was always that the vehicle must meet all four criteria but during the drafting and proofing process of the By-law, the feedback received pointed out to a misinterpretation and, thus, the language was corrected after initially published to clarify the matter; the decision to step away from the “signage” language within the By-law stems

from a Supreme Court decision about signage and its relation to First Amendment rights; enforcing the By-law from a “GVW” (gross vehicle weight) perspective while also verifying the vehicle’s ties to the property where it’s parked allows for a more targeted intent – the Town intended to be practical and reasonable taking into account long-standing aesthetic aspiration from the residents while also considering modern life habits and circumstances. He also indicated that, while By-laws language can sometimes be subjective, enforcement does not occur proactively as it would require an unpractical amount of resources while moving away from the traditional “enforcement-by-complaint” system and yet, complaints are followed up thoroughly and frequently.

- Walter Gunn, Clerk, pointed out that, in defense of Mr. Fox’s concerns, the strength of the proposed By-law language is the connection the vehicle must have to the home where it’s parked but also noted that Town Council has recently indicated that, due to the previously mentioned Supreme Court decision, the Town can’t regulate signage content, those days are gone.
- Bruce Colton indicated that while he disagrees with comments recently made by Select Board Member Mark Gold, he is sympathetic to Mr. Fox’s concerns and thinks the proposed By-law may be too lenient. He considers the Longmeadow Police Department (LPD) should be able to enforce this By-law as opposed to waiting for neighbors to place the complaints.
 - Stephen Crane clarified that different agencies enforce different By-laws: the By-law in question is within the Building Commission’s jurisdiction, not the LPD.

Donald Holland thanked Stephen Crane for his last remark and requested that the hearing move on to the next item in the agenda, Article 29, to see if the Town will vote to amend its Zoning Bylaw by adding the following to Article XIII, Section C, Definitions, or take any other action relative thereto.

Sign, Monument - A sign made of durable materials where the entire bottom of the sign is affixed to the ground that it is not internally illuminated and does not have variable/digital message boards.

Comments from Members and Town Manager:

- Stephen Crane explained that, considering recent experiences with window signs and Bay Path’s sign, as well as observing that monuments denoting a location are part of the community’s landscape, this proposal is part of proactive and ongoing efforts to reduce the gaps found in the Definitions sections of our By-laws and, therefore, set a standard moving forward.
- Walter Gunn suggested an amendment be made on the floor to correct a small type error in the definition (currently it reads “that it in not internally” but should read “that it is not internally”). He also asked, for the purposes of establishing jurisdiction of future application reviews, where would these signs and monuments be located.
 - Stephen Crane responded that they’d be on private property and subject to the aforementioned sizing restrictions.

Donald Holland then requested that the hearing move on to the next item in the agenda, Article 30, to see if the Town will vote to amend its Zoning Bylaw by adding to Article XIII, Section C, Definitions a new Subsection 6.15 immediately following Article IV, Section B, Subsection 6.14 to read as follows, or take any other action relative thereto:

*6.15 Monument Signs for Non-Residential Uses Located Within Residential Zones.
Monument Signs immediately adjacent to a non-residentially used property’s entrance or driveway identifying the name of the entity or establishment located upon the same property. The following dimensional restrictions shall apply:*

Max. area: 15 square feet on lots with an area less than an acre; 40 square feet on lots containing greater than an acre.

Max. height: 6 feet

Max. number: 2 per vehicular ingress/egress

Min. setback: 10 feet

Comments from Residents and Town Manager:

- John Robbins (1028 Longmeadow St) asked the reason behind the proposed amendment.
 - Stephen Crane indicated the existence of structures that are significantly set back from the roads which could potentially come forward in the future with requests for signs or monuments as forms of property identification, therefore he reiterates the aforementioned proactive efforts as a “good tool to have”.

Donald Holland proposed a motion to adjourn the meeting. All members were in favor and the Public Meeting was closed at 6:37pm.

The ***Planning Board Hearing #2*** was called to order at 6:37 p.m. by Chair Donald Holland.

In accordance with M.G.L. 40A, Sect. 5, the Longmeadow Planning Board held a public hearing to provide an opportunity for comment on Site and Design Review application for Longmeadow Historic Preservation Partners, Application 20180307-4 located at 734 Longmeadow St.

Andrew Lam thanked the Board for meeting them for the 6th time and announced the recent ZBA unanimous approval of the 36 parking spaces as well as the recent decision by the State Attorney General of approving the Town Meeting decision. He indicated that the review intended to showcase very minor changes made to the design after its last approval:

- Curbing will be added at the Town Engineer’s request on the east side of the parking as a precautionary measure to ensure all water runoff from the pavement is adequately captured.
- Reduction of the parking lot’s curved driveway entry from 60’ to 42’ wide to be more consistent with the surrounding properties’ entries. The idea was consulted with, and approved by, both the Fire Department Chief and the Historic District Commission.
- Handicap parking spaces moved closer to the building and the entrance where the elevator will be located.
- The driveway on the right side won’t be used for the project as it’s a private driveway for the residence behind the mansion. In addition, this driveway is zoned as “residential” and cannot be a mixed use zoning category.

Architect Jeff Squire added the following comments:

- Retention of most of the existing large trees in the property to maintain the landscape.
- The reduction in driveway width was attained by reducing the radius of the curb at the start of the driveway.
- Shielding with hedges all edges of the project to provide privacy for abutters.
- Coarse asphalt will be used in parking lot and that will help permeate storm water.
- For lighting, 3’ tall steel bollard light fixtures will be used that are similar to those currently seen in the Library’s parking lot.
- A small wood hand-carved sign will be mounted on the steel fence with the original name of the property.

Documents presented:

1. Photo provided by Mr. Andrew Fox (29 Lorenz St.) of trailer on front lawn in Lorenz St. regarding hearing on ATM Article 28.
2. David Gustafson (73 Ardsley Rd) provided comments on proposed Willie Ross School renovations, 32 Norway St. (project not on agenda).
3. Longmeadow Historical Preservation Partners, revised site plans for 734 Longmeadow St., PB Case number 20180307-4, revision date 5/2/18.

Comments from residents:

- Michael Caronna (24 Chandler Ave) is concerned that the new driveway and new 36 parking spaces will greatly increase the traffic in the already busy intersection of Williams St./Longmeadow St. that lacks traffic lights. With two schools already adding to the congestion and the lack of appropriate crosswalks for pedestrians, he is concerned that the project will create a traffic hazard. He is also surprised that the Town has not mandated the property owners to develop off-site improvements considering the impact the project will have in the area. On another note, as an abutter, he requests that the Town ensure that the vegetation barrier be erected and maintained for privacy reasons and that the parking lot lights be shut off at night.
- Margaret Cohn (66 Woodland Rd), as Chair of the Longmeadow Historical Commission, notes that the Commission is satisfied with the latest updates as they feel it still maintains the original intent.
- Steve Weiss (18 Pioneer Drive), speaking as a private resident, commends the developers for their due diligence with just about every constituency of this town and feels current site plan still maintains its original intent despite the minor changes.
- John Robbins (1028 Longmeadow St) is opposed to the project and pointed out to an old easement that the property's original driveway attained and feels that this should allow the project to use this driveway in lieu of the new curved driveway. He points to the Library and its back residence as an example of a driveway with a dual purpose.

Responses from Members and Town Manager:

- Don Holland asked whether the parking spaces will be inclined to allow for a drainage hole in the middle of the lot. Jeff Squire replies that with coarse asphalt the inclination isn't necessary as water will permeate through the paving material.
- Walter Gunn asked about remediation plan in the event there is a significant rainfall and the porous pavement fails to permeate all the water.
 - Stephen Crane pointed out to the newly added curbing requested by the Town Engineer as a backup plan and, should this fail as well, the ponding becomes an issue that the Board of Health would flag and the property owners would have to address immediately.
- Stephen Crane commented on the traffic:
 - The traffic impact study performed for this project has already indicated that traffic will be increased by 1.7% and that such minor increase doesn't warrant the implementation of off-site improvements; items such as traffic lights are determined by warrants signed off by State engineers per guidelines from the Commonwealth and, at this time, the 1.7% isn't triggering any further studies at the State level.
 - While acknowledging the traffic activity of the intersection, he did point out that the traffic peaks specifically at school drop-off and dismissal during weekdays and is not a constantly congested intersection.

- Under the law, a crosswalk must start and end at sidewalks and have ramps per ADA. The Town Green and its surroundings do not support the simple addition of crosswalks unless additional sidewalks are installed. The Town is proactively looking into improvements in the intersection for pedestrians.
- Walter Gunn added that the traffic impact study performed as mitigation process by the future MGM casino developers pointed out to below-average accident levels on the Williams/Longmeadow streets intersection. A peer review, based on this data, wouldn't trigger any further recommendations because the level of services A (free flow) on Longmeadow St northbound/southbound even peak weekdays; only the section of Longmeadow Street that meets Williams has levels of services F, C, D at specific times.
- Stephen Crane added that, per By-law, the level of service at a given location needs to first decrease by two in order to trigger a remediation and that this project will likely not affect this current status.
- Heather Laporte clarified Mr. Robbins' remarks in that the example used (Library) is without merit due to both the Library and its back residence being zoned as "residential" and that the project under review contains two side-by-side zones: "professional" and "residential". Per By-laws there is no precedent for a mixed use zone.
- Stephen Crane also reminded the public of the terms "grandfathering" and "pre-existing non-confirming", which are used to denote structures that precede in age the laws and regulations that oversee them. Although an old property, the renovation process does trigger action, which is why the property must now be brought up to modern day design and construction standards.

Bruce Colton placed a motion to close the hearing and Heather Laporte seconded the motion. All in favor, therefore the hearing was closed at 7:18pm.

Respectfully submitted,

Bianca Damiano

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Accepted with corrections 7/11/18