

Planning Board – Regular Meeting
Longmeadow Police Department – Meeting Room
34 Williams, Longmeadow, MA

Wednesday, August 15th, 2019 7:00 p.m. after Public Hearing

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

Members Absent: Heather Laporte.

Others Present: Filipe Cravo from R Levesque & Associates, Attorney James Martin, Town Counsel Jesse Belcher-Timme, Pride Station Attorney James Channing.

The **Planning Board Regular Meeting** was called to order at 7:38 p.m. by Chair Donald Holland.

Vote – Recommendation of Citizens’ Petition for Proposed Zoning By-law Amendment for Special Town Meeting on August 20th:

Walter Gunn recused himself from this vote due to his membership with the Longmeadow Country Club. Bruce Colton made a motion to recommend the citizens’ petition for the aforementioned amendments as presented and Ken Taylor seconded the motion, all in favor 3-0, motion passed.

Site & Design Review Amendment – 21 Dwight Rd. – Case #20170323:

Filipe Cravo from R Levesque & Associates presented a minor modification to the stormwater management design in the northern portion of the parcel due to changes of a one building’s use from “professional” to “medical”, which caused a minor increase in the proposed number of parking spaces and, therefore, an increase in the total area of impervious surface; the proposed detention basin’s location shifted over the town line. Due to the presence of a nearby isolated vegetated wetland, the project was reviewed and approved by both the Longmeadow and East Longmeadow Conservation Commissions. Previous determinations by Planning Board and ZBA reflect that the project’s parking requirements are still being met.

Walter made a motion to amend the Site & Design Review application Case #20170323 with a condition that the Town Engineer provide a final written evaluation on the case and Ken Taylor seconded the motion, all in favor 4-0, motion passed.

Documents presented:

1. *Sign drawing # W-1A dated 07/25/2019*

Discussion – Town Counsel Jesse Belcher-Timme Comments on Pride Station Litigation:

Since Pride Station’s original Site & Design Review application filed in February 2017, a lawsuit was filed in the Superior Court, and remains pending, for constructive approval based on a failure to hold a public hearing and an additional lawsuit was filed in the Land Court related to town bylaws, which has been resolved and dismissed. A Planning Board public hearing was held on December 2017 for the Site & Design Review Application filed months prior, which resulted in said application being denied, moving Pride Station to file an appeal in the Superior Court soon after. Such litigation was dismissed by both parties in recent months. Typically, denied applications receive a 2-year ban for re-applying unless the project presents substantial changes to the original proposal; with the 2-year ban almost near culmination at the end of this year and the realization that the Superior Court was not going to make a ruling on the foreseeable future, the attorneys and Town Counsel agreed that, over the course of time, Pride Station’s modified design could potentially be described as sufficient to meet the needs of the exception granted under the ban. Under the advice of Mr. Belcher-Timme, the Planning Board would be able to receive an application from Pride Station and, based on the current application checklist and regulations, confirm at the next regular meeting in September 4th of 2019 whether or not the application is complete and the design does reflect substantial modifications that warrant the execution of the ban’s exemption clause.

Other factors discussed were a 2-year Special Permit granted by Enfield's ZBA in May 2019 and the State of Connecticut's Dept. of Transportation conditional approval pending Town of Longmeadow's approvals. Also, a consensus was reached regarding traffic studies: any traffic study requested by the Longmeadow Planning Board must be performed by an independent consultant and paid by the applicant to guarantee objectivity in the information presented.

Site & Design Review Application – Pride Station, 1730 Longmeadow St.

Attorney James Channing presented an application (including drawings and payments), which the board will review for compliance per the advice given by Town Counsel Jesse Belcher-Timme. A confirmation of compliance will be provided at the September 5th meeting, at which time, if applicable, a timeline of subsequent steps will be established.

Documents presented:

1. *Complete Site & Design Review Application with drawings, payments and petition letter requesting the acceptance of the new application prior to the end of ban.*

Meeting Minutes Review:

1. Public Hearing June 12, 2019: Bruce Colton made a motion to accept the minutes as presented and Donald Holland seconded the motion. All in favor 4-0 meeting minutes approved as presented.
2. Regular Meeting June 12, 2019: Bruce Colton made a motion to accept the minutes as presented and Donald Holland seconded the motion. All in favor 4-0 meeting minutes approved as presented.
3. Special Meeting June 26th, 2019: Bruce Colton made a motion to accept the minutes as presented and Donald Holland seconded the motion. All in favor 4-0 meeting minutes approved as presented.

Bruce Colton made a motion to adjourn the meeting and Ken Taylor seconded the motion, all in favor 4-0 with none opposed, meeting adjourned at 8:48 pm.

Respectfully submitted,

Bianca Damiano