

AGAWAM PLANNING BOARD
October 7, 2010

MEMBERS PRESENT:
Travis P. Ward, Chairman
Violet Baldwin
David A. Chase
Michael J. Morassi
Mark R. Paleologopoulos

ALS PRESENT:
Deborah S. Dachos
Pamela R. Kerr

Mr. Ward called the meeting to order at 6:30 PM.

1. BOND SETTING – Farmington Heights – Hillside Development Corp.

The Engineering Department recommended that \$504,500 be posted to cover the completion of the Farmington Heights subdivision. The developer has already submitted a Letter of Credit in that amount and it is currently being reviewed by the Law Department.

Motion was made by Ms. Baldwin and seconded by Mr. Paleologopoulos to set the bond for the Farmington Heights subdivision at \$504,500 as recommended by the Engineering Department.

VOTE 5-0

Motion was made by Ms. Baldwin and seconded by Mr. Chase to approve and execute the Letter of Credit and Release of Covenant for the Farmington Heights subdivision pending a favorable review of the Letter of Credit by the Law Department.

VOTE 5-0

A new Performance Agreement will be prepared for the developer to sign and will be placed on the next agenda for the Board to execute.

2. BOND RELEASE – Connor’s Cove Estates – Russo

The Engineering Department has recommended that the bond being held on the Connor’s Cove subdivision be released as all work has been completed. The Town is currently holding \$95,000 for this project.

Motion was made by Mr. Morassi and seconded by Ms. Baldwin to release the full bond being held on the Connor's Cove Estates subdivision as recommended by the Engineering Department.

VOTE 5-0

3. BOND SETTING & NEW PERF. AGREEMENT – Lots 2 & 7 Anvil Street – Calabrese

At the last meeting the Board voted to reduce the bond being held on High Meadow IV (Anvil Street) to \$7900 to cover two of the remaining vacant lots that Mr. Calabrese does not own. This amount was recommended by the Engineering Department. Mr. Calabrese would like to post a separate surety for the \$7900 and sign a new Performance Agreement.

Motion was made by Mr. Morassi and seconded by Ms. Baldwin to set the bond amount for lots 2 & 7 Anvil Street at \$7900 as recommended by the Engineering Department and release the original bond that was reduced to \$7900 upon receipt of the new surety.

VOTE 5-0

4. SITE PLAN – New Coaster and Move Slingshot – Six Flags New England

John Furman of VHB, Inc. was in attendance to present this Site Plan as well as Jason Freeman (new general manager) and Chuck Davis of Six Flags New England. Mr. Furman explained that this plan shows two projects and that per the zoning ordinance the abutters were notified of tonight's meeting. The first project is the relocation of the Slingshot Ride. He explained that this ride is currently located on the foundation that was placed for a previously proposed indoor rollercoaster that ultimately did not get built. He stated that the ride will be moved to the southern end of the Park (former ferris wheel area) where there is an existing stage that will also be moved. The queue line from the existing Slingshot location will be removed and minor sidewalk work will occur in that location. He stated that this proposal will result in an overall reduction of 17% impervious coverage and no stormwater management will be required. He went on to say that the overall height of the ride in motion is 196' (height of ride itself is 147.6') and is located approximately 1300' from Main Street. He then explained the new coaster (Wild Mouse Ride) which will be placed on the existing foundation. He stated that the existing slingshot queue line will be loamed over and the new queue line and exit line will be covered. He stated that the overall height of this ride is 53.5'. There was a brief discussion regarding the original proposed indoor coaster and Mr. Davis stated that proposal will not be coming back.

Motion was made by Mr. Morassi and seconded by Ms. Baldwin to approve the Slingshot Relocation at Six Flags New England.

VOTE 5-0

Motion was made by Mr. Chase and seconded by Ms. Baldwin to approve the Wild Mouse Ride at Six Flags New England.

VOTE 5-0

Motion was made by Ms. Baldwin and seconded by Mr. Chase to amend the order of the agenda.

VOTE 5-0

9. NEW PERFORMANCE AGREEMENT – Burlington Estates

The developers have signed a new Performance Agreement for lots 4, 11 and 15 Burlington Estates to cover sidewalks and treebelts. The performance agreement is now ready for the Board's signatures. The Law Department has reviewed and signed the new Performance Agreement as to form.

Motion was made by Mr. Morassi and seconded by Mr. Chase to approve and execute the new Performance Agreement for lots 4, 11 and 15 Burlington Estates as approved by the Law Department.

VOTE 5-0

10. VOTE TO APPOINT – PVPC Commissioner

Mr. Ward gave a brief overview of his experience as Agawam's Commissioner to the Pioneer Valley Planning Commission which he no longer is. The Board has been requested to appoint a new Commissioner and the Mayor has been requested to appoint a new Alternate Commissioner. Mr. Chase volunteered to serve as the Commissioner and Mr. Paleologopoulos stated that he would be willing to serve as the Alternate Commissioner.

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to appoint David A. Chase as the Commissioner from Agawam to the Pioneer Valley Planning Commission.

VOTE 4-0-1 (Chase abstained)

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to recommend that the Mayor appoint Mark Paleologopoulos as the Alternate Commissioner to the Pioneer Valley Planning Commission.

VOTE 5-0

11. APPROVAL OF MINTUES – September 16, 2010

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to approve the minutes of September 16, 2010 as written.

VOTE 3-0-2 (Chase and Morassi abstained)

8. PUBLIC HEARING CONT. – Definitive Plan – Mariella Place – Federal St. – Tirone

Rob Levesque was in attendance this evening to go over the waiver requests that he submitted. He explained that he is not ready to present a revised plan tonight as he is still working with the Engineering Department to resolve their concerns. He stated that he expects to be ready for a full presentation at the next Board meeting. He went on to say that not all of the originally requested waivers will be needed and submitted an updated request this evening. Mr. Ward stated that members have been out to the site. He also stated that since this is a public hearing, he will allow questions/input on the waivers. Mr. Levesque then went over the October 7th waiver requests:

1) Waiver of plan requirements to allow for select plans at a 30 scale rather than a 40 scale as required.

Motion was made by Ms. Baldwin and seconded by Mr. Morassi approve a waiver of Article III, Section 159-7 D to allow for select plans at a 30 scale rather than 40 scale as required.

VOTE 5-0

2) Request to waive requirement for mylar recording documents at the time of submittal of the application. Ms. Dachos stated that has been a past practice but not allow applicants request the waiver in writing. She explained that plans often go through many revisions before final action is taken.

Motion was made by Mr. Morassi and seconded by Ms. Baldwin to waive Article III, Section 159-7D from the requirement of mylar recording documents at the time of submittal of application, based on past practice.

VOTE 5-0

3) Request to waive Article III, Section 159-7, 8 from the requirement to perform soil borings every 250 feet along center line of roadway. *Test pits have been conducted within the specified interval and soil data has been logged.*

Mr. Levesque explained that the test pits were done every 250' and that they exceed the depth of soil borings. Mr. Morassi stated that he spoke with the Michelle Chase, Town Engineer, and she would prefer to have the soil borings done. Ms. Dachos asked if the test pits were done for the road. Mr. Levesque stated yes and that two additional pits were done. He went on to say that for the record per his conversation with Michelle Chase and John Decker they've never required soil borings for a subdivision and that he is very surprised with Mr. Morassi's statement regarding his recent conversation with Michelle Chase. Mr. Morassi stated that this was not a "gray area" of his conversation with Michelle. Mr. Chase suggested that the Engineering Department provide their

comments or input on the requested waivers. Mr. Levesque stated that he would request that this waiver request be tabled to get further clarification.

Motion was made by Mr. Morassi and seconded by Ms. Baldwin to table action on waiver request #3 as outlined in the October 7, 2010 letter from R. Levesque Associates.

VOTE 5-0

- 4) Waiver from the requirement of installing catch basins in general at a maximum interval of 300 feet.

Mr. Levesque stated that they are providing one catch basin at Federal Street and that the Engineering Department felt comfortable that the water would be collected. Mr. Morassi stated that during his recent conversation with Michelle Chase, she stated that she would like to see no action on this waiver request until the final sewer and drainage designs are submitted. Mr. Levesque then asked if the Board could request that Michelle Chase attend the next meeting. Ms. Dachos stated that she met Monday morning with John Decker and Michael Morassi and they were informed that the grading on the west side of the roadway shows a potential for standing water between two the lots and it was suggested that catch basins could connect to the depressed area to alleviate an ponding. She also stated that they expressed concern over inadequate cover over the sewer and that addressing that may create a low spot with water ponding potential and catch basins would be ideal for alleviating that potential. She went on to say that no new roads are constructed without catch basins that she is aware of. She also stated that there would be a potential for icing with the proposed curbing with a gutter line and no catch basins. Anthony Sylvia, DPW Superintendent was in attendance this evening. He stated that the Engineering Department provides written comments for the Board and that Michelle Chase's presence at the next meeting is not necessary. He stated that the roadway profile is changing to accommodate the proper amount of cover over the sewer line. Mr. Levesque stated that another low point will not be created with the new cover amount over the sewer. Mr. Ward stated that he does not favor having no catch basins in the new street. Mr. Morassi stated that allowing no catch basins would not be "good planning" and that there should be one in the cul-de-sac.

Motion was made by Ms. Baldwin and seconded by Mr. Paleologopoulos to deny the request to waive Article III, Section 159-21 D, the requirement for installing catch basins in general at a maximum of 300 feet.

VOTE 5-0

- 5) Waiver of requirement of concrete sidewalks on both sides of the roadway allowing for a concrete sidewalk on one side.

Mr. Levesque stated that he could accommodate a "candy cane" as shown. Mr. Ward asked how that would be in the best interest of the Town. Mr. Levesque stated that his

client could put sidewalks on a portion of Federal Street. He also stated that he waiver request would reduce the impacts to the abutters on Federal Street. Mr. Ward stated that the Board has not acted favorably on sidewalk waivers for years because it is not in the best interest of the Town. He went on to say that sidewalks provide protection for future residents as well. Anthony Sylvia stated that he does feel sidewalks on both sides of this street would be necessary and that it is an added burden and cost to the Town and the homeowners in terms of maintenance. Ms. Dachos explained that the former Subdivision Rules and Regulations called for bituminous sidewalks on both sides of the new streets and that a waiver was usually requested to allow for one concrete sidewalk. The Regulations now require concrete sidewalks on both sides of new roads. Mr. Morassi stated that he agrees with Mr. Sylvia regarding sidewalk maintenance and pointed out that there is already a maintenance issue with this plan, specifically with the two strips of land shown along the entrance to the site. He went on to say that he would favor a waiver to one sidewalk if something else would be proposed (i.e. sewer upgrade). Ms. Baldwin stated that she was not comfortable voting on the sidewalk waiver this evening. Mr. Levesque stated that he would appreciate action on this waiver request tonight as he is hoping to resolve all of the issues with the Engineering Department and this would allow him to move forward. Mr. Morassi asked what impacts the sidewalks would have on the abutting properties. Mr. Levesque stated a driveway will be impacted. Mr. Ward stated that he is not happy with the design with the two grass strips that are still shown and that maintenance will be required now for over 200' of sidewalk and grass strips. Mr. Levesque stated that this is a unique design problem and that he and his client have communicated with the abutters but that there is no interest in taking the property. He suggested that they make it a requirement that these strips be maintained. He also suggested that low maintenance landscape plantings be placed on the strips or some type of slow growing vegetation. He went on to say that these strips are leftover land and that the applicant has a right to subdivide the land.

Alan Lefferts, 72 Federal Street stated that he sees no reason for the Board to grant this waiver.

Mac Lynch, 35 Federal Street stated that a portion of his driveway encroaches onto Mr. Tirone's property and that he will have that removed. He went on to say that the Subdivision Rules and Regulations were written for a reason and he does not feel the waiver should be granted.

Motion was made by Mr. Morassi and seconded by Mr. Chase to approve a waiver of Article III, Section 159-23A allowing a sidewalk to be on one side of the street rather than having concrete sidewalks on both sides of the street.

VOTE 2-3 (Ward, Baldwin and Chase opposed)

Mr. Levesque stated that with the Board's concerns on the two strips of land, he would suggest a "boulevard" approach which would show an island in the middle that could be landscaped. Mr. Morassi stated that the DPW might have a problem with that idea.

Margaret Collins, 184 Main Street stated that the boulevard suggestion would put the road closer the existing homes.

Mac Lynch, 35 Federal Street stated that design would make him a corner lot under zoning.

Deborah Lefferts, 72 Federal Street asked about wetland locations on the property. Ms. Dachos explained that the Conservation Commission has walked the site and approved the wetland delineation.

Mr. Ward then asked if the abutting lots on Federal Streets become corner lots would they be conforming. Ms. Dachos explained that they would become more non-conforming as they now are pre-existing non-conforming.

Mac Lynch, 35 Federal Street stated that the shed on his property is non-conforming but that he does not feel that gives the developer a right to create another zoning violation.

Motion was made by Ms. Baldwin and seconded by Mr. Chase to continue the public hearing on the Definitive Plan for Mariella Place to October 21, 2010.

VOTE 5-0

5. PUBLIC HEARING – Zone Change – Garden Street – Russo

Rob Levesque of R. Levesque Associates was in attendance to present this zone change request. He explained that the property (Parcel A) is 6.6 acres and is currently zoned Business B. His client, Thomas Russo, Jr., would like to change the zoning to Residence A3 (multi family). He stated that Parcel A was created under a Form A and is only a portion of the original parcel. He submitted a schematic of a proposal for the site if the zone change is granted. He stated that the wetland delineation has been approved by the Conservation Commission and that the site slopes to the south. He went on to say that city water and sewer is available. Ms. Baldwin pointed out that the review the application that was prepared by Deborah Dachos, it states that the allowable density on this site would be 52 units. She asked if that takes into account that only half the property is buildable. Ms. Dachos stated that zoning does not disallow wetlands and that the buildable portion of this site could not accommodate 52 units. Mr. Levesque stated that the schematic shows 41 units and that during the Team Meeting on this request the Planning Department suggested amenities for the proposal (i.e. playground/playscape/trails/patios/decks). He went on to say that the proposal they have in mind would be similar to the units recently built in Westfield on Meadow/East Main Street. He also stated that they have shown story units with the potential for drive under garages. Mr. Ward asked about the soil types on the property. Mr. Levesque stated that there is “great sand” on the buildable portion of the site and that soil permeability would not be an issue. Mr. Ward then stated that this location has been recognized as a potential growth area for

industrial use and that although some residences exist in the area, the property across the street is used for storage of gravel or other material. He went on to say that the remaining land from this original parcel is zoned commercial. Mr. Russo stated that previously an area business owner wanted to build on this site but back out and he thought this would be a good use for the site. He went on to say that he will be proposing an office building on the adjacent parcel. Ms. Baldwin asked how big the units would be. Mr. Levesque stated they would be approximately 1200 SF. Mr. Morassi stated that his first reaction to this proposal was what uses exist in the area. He stated that in terms of planning you try to group uses in town and he feels this site is would be a prime development site for a business. Mr. Chase stated that this has been vacant land forever and after Route 57's extension it should make it a prime business lot but it has not "been moving" in that direction. He stated that he would not be opposed to Mr. Russo's request. Mr. Paleologopoulos stated that he partially agrees with Mr. Chase and recalls a similar discussion on Tennis Road in terms of impacts to residences. He went on to say that there appear to be challenges with this site and that a pump station may be required but in conclusion he would support the zone change if the development was done properly. Ms. Dachos stated that this is a prime vacant parcel and that over the years she has sent approximately five developers to the previous owner with interest in the land. She stated that the land is vacant still but not from a lack of interest but was told of the difficulty dealing with the property owner. Ms. Baldwin asked if the proposal was for condominiums or apartments. Mr. Levesque stated that they could be either and that zoning doesn't dictate ownership. Mr. Ward stated that here are very few pieces of industrial land in town and spoke of the tax base with business vs. residential. Ms. Baldwin spoke of the economy and the ability to market 1200 SF condos. Mr. Levesque stated that industrial uses are less sensitive to wetland issues than residential uses. Mr. Morassi reiterated his position that it may not be good planning to put a residential use in an area where business and industries are concentrated. Mr. Ward then asked for any public input.

Skip Hawthorn, 272 Garden Street asked for the price range of the condos and stated that there is a big difference between condominiums and apartments. Mr. Russo stated that he is planning affordable condominiums, not apartments. Mr. Hawthorn then asked about the number of parking spaces and whether they would be two-story units. Mr. Ward stated that the schematic submitted was just a conceptual plan and that if the zone change is granted the developer will have to file for the condominiums with the Planning Board.

Motion was made by Mr. Chase and seconded by Ms. Baldwin to close the public hearing on the zone change request on Garden Street by Russo as there was no further public input.

VOTE 5-0

Motion was made by Mr. Morassi and seconded by Mr. Paleologopoulos to send a negative recommendation to the Town Council regarding the application for a Zone Change on Garden Street by Thomas Russo, Jr. as it does not constitute good planning

and the area is not appropriate for residential development with the current uses found in the area.

VOTE 3-2 (Paleologopoulos and Chase opposed)

Mr. Ward stated that his position on this proposal has no reflection on the integrity and quality of development that Mr. Russo has shown in the past and that he just does not feel that a residential development would be appropriate in this area. Mr. Morassi and Ms. Baldwin echoed Mr. Ward's statements.

6. PUBLIC HEARING - Community Development Strategy – Pioneer Valley Planning Commission

Chris Dunphy and Andrew Loew of the Pioneer Valley Planning Commission were in attendance this evening to discuss and define priorities and possible projects that could be included in the current CDBG funding program. Mr. Dunphy stated that Agawam has not received federal CDBG funds since 1983 and discussed the categorization of CDF1 vs. CDF 2 communities which is based on demographics. He went on to say that there are three national objectives with CDBG funds: 1) benefit to low to moderate income persons; 2) to remediate slum or blight; and 3) to be used for a catastrophic event. He expanded on the first objective and stated that housing, planning and infrastructure are possibilities. Andrew Loew then stated that the target areas for Agawam that were suggested when he met with various departments are: economic development (commercial façade or sign improvements on Walnut Street); transportation projects (Springfield Street, Rowley and Mill Streets including sidewalk and roadway improvements). He went on to say that an income survey was sent out to residences in this area. Ms. Dachos explained that the survey results must show areas with at least 50% low/moderate income individuals. Anthony Sylvia, Superintendent of Public Works stated that he has been meeting with Mr. Loew on this matter would like to discuss in the future the possibility to split any awarded funds for the different categories. Ms. Dachos stated that the 1983 CDBG funds that the Town received were used for house rehabilitation and sewer separation in North Agawam.

There being no public input, Mr. Ward closed the public hearing.

The meeting adjourned at 9:00 PM.

All memos and correspondences referenced in these minutes can be viewed or obtained from the Agawam Planning Department.