

AGAWAM PLANNING BOARD
February 18, 2010

MEMBERS PRESENT:

Travis P. Ward, Chairman
Violet Baldwin
Michael Morassi
Mark Paleologopoulos

ALSO PRESENT:

Deborah S. Dachos

Mr. Ward called the meeting to order at 7:00 PM.

1. APPROVAL OF MINUTES – February 4, 2010

The agenda was incorrect regarding this item. The February 4th meeting was canceled. The January 21, 2010 minutes should have been reflected on this agenda. Also, Ms. Baldwin wanted further information included in the Burlington Estates discussion.

Motion was made by Mr. Morassi and seconded by Mr. Paleologopoulos to table approval of the January 21, 2010 minutes to allow for additional information to be added.

VOTE 4-0

2. DISCUSSION – correspondence re: 322 Meadow Street

The Board received a letter from Attorney Joseph Pacella, representing Mr. and Mrs. DeCaro of 302 Meadow Street regarding outstanding items with the next door apartments built by Calabrese. Attorney Pacella and Mr. and Mrs. DeCaro were in attendance this evening. Attorney Pacella stated that his clients want Mr. Calabrese to comply with the approved Site Plan. He went on to say that they apartments are occupied and are revenue generating and the approved plan is yet to be completed. The Planning Board had sent Attorney Pacella's letter to the Engineering Department for their review and comment. At this time the Board went over the items of concern: 1) the lights are not 7' as shown on the approved plan but are more like 10'-12' which allow them to cast significant light onto the DeCaro's home and property at night. 2) The concrete pad adjacent to the DeCaro's property and is not part of the site plan has not been removed. After complaints the dumpster that was illegally placed there was finally moved. The DeCaro's want the concrete pad removed as they are afraid that the dumpster will be put back there in the future. 3) Drainage concerns still exist at the front of the driveway, including issues with the closest catch basin not being pitched right, the developer's

failure to correct the grade (raising his land higher than the grade shown on the site plan) and an insufficient drainage pipe that was installed. They fear that the same drainage issues will develop again if this is not remedied. 4) The road is not properly graded such that the runoff skips over the catch basin and runs onto the DeCaro property. Photos were submitted to the Board showing water ponding. Mr. Ward asked the DeCaro's if they had water ponding in this area previously. Mr. DeCaro stated yes but not as much. He estimated that previously there would be an area approximately 10' x 12' of water and now it is more like 75' x 100'. 5) Paving was installed at the end of the driveway on DeCaro's side to extend the parking area by at least two spaces which were not shown on the approved plan. If not removed, this will place cars too close to the DeCaro's home and may result in snow being piled there in violation of the conditions as part of the approved site plan. 6) The landscaping has not been completed as shown on the approved plan. The DeCaro's want the Board to direct Mr. Calabrese to complete the landscaping plan as soon as weather permits and to do so with mature trees and other perimeter plantings to account for the lost growth during the past two years that this was not done. 7) All other conditions of the approved plan should be directed to be completed by a date certain (fencing around the detention ponds). Ms. Baldwin stated that she attended a site visit with the developer, Engineering and Dave Bean and submitted notes (June 20, 2006) for the file. She stated that at that visit it was emphasized that the drainage must work properly and that the inverts must be checked by D.L. Bean to ensure they are correct. Mr. Morassi stated that if the lighting is causing problems they it needs to be corrected. Mr. Ward agreed and stated that while the lighting may be right for the use but may not be consistent with the approved plan. They agreed that three lights located adjacent to the DeCaro property are to be shielded so as not to spill over onto that property. They also agreed that the existing concrete pad shall be removed as it is not shown on the plan. After a lengthy discussion of each item, the Board agreed to send a letter to the Building Inspector and place this item on the next agenda for an update.

Motion was made by Ms. Baldwin and seconded by Mr. Paleologopoulos to send a letter to the Building Inspector outlining the DeCaro's concerns and including a copy of the Engineering Department's memo, asking for his assistance in enforcing the Site Plan as approved (i.e. install fence around detention basin immediately; remove concrete pad located on western side of driveway; have D.L. Bean verify the invert elevation of the drain pipe located on the eastern side of the DeCaro property to ensure that the drainage has been installed according to plan and confirm whether it is functioning properly; and the approved lighting is to be installed and the three lights located adjacent to the DeCaro property are to be shielded so as not to spill over onto the DeCaro property).

VOTE 4-0

3. SITE PLAN – Twisty's – 1504 Main Street (addition)

Mr. Cirillo phoned the office and asked that this item be tabled to the next meeting as he was going to be out of town this week.

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to table the Cirillo site plan to the next meeting as he requested.

VOTE 4-0

4. BOND REDUCTION – Dova Subdivision – Aimwa

The Engineering Department submitted a memo regarding the release of lot 3 (#36 Stevenson Lane). The Town is currently holding \$6,000 on this subdivision to cover lots 3 and 5 (\$3,000 per lot).

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to reduce the bond being held on the Dova Subdivision to \$3,000.

VOTE 4-0

Motion was made by Mr. Morassi and seconded by Ms. Baldwin to add a discussion of new members and trees in buffers.

VOTE 4-0

Mr. Ward stated that the vacancy on the Planning Board was advertised however no letters of interest were submitted. He stated that he will be meeting with the Mayor to discuss the interested individual who had previously contacted him.

Ms. Baldwin left the meeting at this time.

Mr. Ward then stated that the Board received a request from a homeowner on Barden Street to cut the trees within their 30' buffer and erect a fence. He stated that a letter should be submitted to the homeowner stating that the Planning Board doesn't have the authority to act on any request to alter the buffer and that they should consult their attorney (there is a recorded deed covenant on the buffer). The letter should also state that the Board's response in no way constitutes their approval of this request. The members were in agreement with Mr. Ward.

The meeting adjourned at 8:45 PM.