

AGAWAM PLANNING BOARD  
March 18, 2010

MEMBERS PRESENT:

Mark Paleologopoulos, Acting Chairman  
Violet Baldwin  
Michael Morassi

MEMBERS ABSENT:

Travis Ward

ALSO PRESENT:

Deborah S. Dachos  
Pamela R. Kerr

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

1. APPROVAL OF MINUTES – January 21, 2010

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to approve the minutes of January 21, 2010 as written.

VOTE 3-0

APPROVAL OF MINUTES – March 4, 2010

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to approve the minutes of March 4, 2010 as written.

VOTE 3-0

2. SITE PLAN – Twisty's – 1504 Main Street – Cirillo

Mr. Cirillo was not in attendance this evening. The members discussed comments from the last meeting and agreed to return this plan until the additional information/revisions are provided: show all existing and proposed lighting and provide cut sheets/dimensions; add the required landscape maintenance note to the plan; show both refrigeration/freezer units on the plan/ provide the stockade fence around the dumpster; address Engineering Department comments; and gain approval from the Conservation Commission.

Motion was made by Mr. Morassi and seconded by Ms. Baldwin to return the Site Plan for Twisty's, 1504 Main Street to the applicant to allow for additional information to be provided.

VOTE 3-0

3. SITE PLAN – new warehouse – Six Flags New England

The applicant's representative has requested that this item be tabled to the next meeting to allow for them to meet with the ZBA and Conservation Commission.

Motion was made by Mr. Morassi and seconded by Ms. Baldwin to table the Site Plan for the new warehouse at Six Flags New England to the next meeting as requested by the applicant's representative.

VOTE 3-0

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to amend the agenda to include the "add-on's".

VOTE 3-0

4. BOND SETTING – Tiny Bull Estates – School Street

Ms. Dachos explained that the Engineering Department has prepared a new bond amount that is lower than the previous amount. She stated that this is a unique situation for the Town and they are working with the developers to get them moving on completing the subdivision to protect abutters interests. She went on to say that this will require significant amendments to this Performance Agreement, including a strict time schedule on particular items (i.e. test sewer prior to issuance of building permits); resolution of the drainage issue (DEP Superseding Order eliminated detention pond across the street) as the existing detention basin which is much larger than previously approved now holds water. Anthony Sylvia, DPW Superintendent was in attendance this evening and stated that he has been unable to contact the appropriate DEP staff to discuss ways to resolve the detention pond issue but will continue to do so. Mr. Morassi stated that the detention must be modified and asked if that was reflected in the bond amount. Ms. Dachos stated yes. She suggested a possible amendment to the Performance Agreement that the developer re-evaluate drainage system and provide a deadline by summer. Ms. Dachos stated that she had spoken with Mr. Ward and he would be available to meet in-house on this matter next Monday or Tuesday to discuss the specifics of the amendments to the Performance Agreement. Mr. Morassi also agreed to participate in that meeting. Ms. Dachos stated that if the Board sets the new bond amount this evening then they can work on drafting the Performance Agreement amendments to allow the developer to move forward.

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to set the bond for Tiny Bull Estates Phase I (Lots 1-9 & 15-18) at \$328,000 conditional upon a Performance Agreement being executed by all parties.

VOTE 3-0

7. DISCUSSION – North Street Ext. – VIP Homes

Attorney Gary Liquori was in attendance this evening to discuss with the Board the response from the Town Solicitor regarding the Form A application (withdrawn at last meeting) for property on North Street Extension. He stated that he does not agree with opinion and that this property can be conveyed through fee interest by his client. He stated that his client could go through Land Court to have the rights extinguished, however, that would be an added expense that he does not feel is necessary. He went on to say that he could give easement rights to the rear property owner in the deed. Ms. Dachos stated that the Board must rely on their professional staff and that there is a procedure that can be followed to resolve this matter. Attorney Liquori stated that he will contact Attorney Gioscia once again to discuss this.

8. DISCUSSION – Offer of Land – School Street – Grimaldi

Ms. Dachos informed the members that Elizabeth Grimaldi has offered to donate a 12 acre parcel of land on School Street to the Town of Agawam. She stated that the property contains floodplain and wetlands and that the Conservation Commission has voted 5-2 to support the Town accepting this offer. She went on to say that an “outdoor classroom” may be feasible. She explained that the Conservation Commission owns a large parcel of land further down on School Street which also contains a large wetland and pond. She stated that the Commission has attempted over the years to create trails on this site but the forest is very dense and the trails soon fill in. Mr. Paleologopoulos asked if any of the abutters are aware of this offer. Ms. Dachos stated no but that she could notify them for the next meeting. He also stated that the Town would be losing taxes if they accept it. Ms. Dachos explained that the owner could stop paying the taxes or file for an abatement. Mr. Paleologopoulos stated that while he would not be opposed to this, would it become a maintenance issue for the Town? Mr. Morassi asked if the property has been “inspected” and asked if it was in acceptable condition. Ms. Baldwin stated that the offer sounds good but suggested that members walk the property. Ms. Dachos pointed out that the property contains a large wetland and floodplain and therefore the entire parcel may not be appropriate to walk. She stated that she will notify the abutters and place this item on the next agenda.

The meeting adjourned at 7:45 PM.