

AGAWAM PLANNING BOARD  
June 17, 2010

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

MEMBERS ABSENT:  
Mark Paleologopoulos

ALSO PRESENT:  
Deborah S. Dachos  
Pamela R. Kerr

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

1. APPROVAL OF MINUTES – May 6 & 20, 2010

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to approve the minutes of May 6, 2010 as written.

VOTE 3-0-1 (Morassi abstained)

Motion was made by Mr. Chase and seconded by Mr. Morassi to approve the minutes of May 20, 2010 as written.

VOTE 4-0

2. SITE PLAN – Colonial Forastiere Funeral Home – Main Street

Frank Forastiere was in attendance to present this site plan which shows the addition of twenty-nine parking spaces. He explained that the area will be gravel. The plan the Board received this evening has been revised to incorporate the Engineering Department's comments which included adding more handicap parking and adding a silt fence to the plan. The Engineering Department submitted a new memo on the revised plan. One of the items in the latest memo is that one of the handicap parking spaces be moved north. Mr. Forastiere stated that he would do that. Mr. Ward asked where the employee parking would be. Mr. Forastiere stated that the employees will park in the new gravel lot. Item #3 of the Engineering memo was that if any cut and fill is necessary, the proposed grades be shown on the plan. The members were in agreement that was not necessary as most of the work has been done. Ms. Dachos explained that the work had already begun on this project when the applicant was informed that a site plan is required.

Motion was made by Mr. Morassi and seconded by Ms. Baldwin to approve the Site Plan for Colonial Forastiere Funeral Home with the condition that the June 16, 2010 Engineering Department comments with the exception of #3 be addressed.

VOTE 4-0

3. REVISION TO DEFINITIVE PLAN & BOND SETTING – Lango Estates

Roy Benjamin was in attendance this evening. He stated that he feels the recommended bond amount is high, however, he will be asking for a reduction in approximately sixty days. The members explained that the Board's policy on bond reductions is to allow one reduction mid-way and then a final release when all work is complete. Mr. Benjamin stated that he understood that. Mr. Morassi stated that he spoke with John Decker of the Engineering Department and the changes to the plan include a change in the grade of the street and the lots slightly, upgraded the pipe and will now have 3.5' of cover and four additional lots can now be sewerer without grinder pumps as a result of these changes. A memo was sent from the Engineering Department approving these changes.

Motion was made by Mr. Chase and seconded by Ms. Baldwin to approve the revisions to the Definitive Plan of Lango Estates as shown with a revision date of 5-11-2010 per the Engineering Department recommendations.

VOTE 4-0

Motion was made by Mr. Morassi and seconded by Mr. Chase to set the bond for Lango Estates at \$389,500 as recommended by the Engineering Department.

VOTE 4-0

4. DISCUSSION – Meadow Street Apartments Calabrese

Mr. and Mrs. DeCaro asked that the Board table this item this evening as they were unable to attend. Ms. Dachos stated that none of the work that the Board requested of Mr. Calabrese, as shown on the approved site plan, has been done. Mr. Ward stated that he spoke with Mr. Calabrese regarding the status of the outstanding items and was informed of the following: he (Mr. Calabrese) is seeking bids for the fence around the detention pond; and he has ordered the new light poles; he intends to keep the concrete pad that was formerly used for the dumpster and would like to put a picnic table on it for the residents of the apartments. Mr. Ward stated that he wasn't certain whether Mr. Calabrese had contacted D.L. Bean for confirmation on the drainage as-built. There was a discussion regarding how site plans are enforced and whose responsibility it is. Mr. Chase stated that follow-ups should be done when conditional approvals are granted. Ms. Dachos explained that the Engineering Department inspects the projects prior to a c/o being issued and that she believes there is a temporary c/o issued for this project. She went on to explain that site plan review is advisory to the Building Inspector, however, he has the authority to enforce the approved plans. Upon further discussion of enforcement

procedures, Ms. Dachos noted that the Engineering Department inspects subdivisions and reports to the Board. In conclusion, the members agreed to send a letter to Mr. Calabrese stating that the Board is waiting for him to address the items outlined in the March 15<sup>th</sup> letter and to notify the Board when the work has been completed and informing him that the Board is requesting the Building Inspector's assistance on ensuring compliance with the approved plan. A letter will also be sent to the Building Inspector asking once again for his assistance with enforcing this site plan.

5. REVISED SITE PLAN – Agawam Housing Authority – Wright Street

Rick Misiaszek of Reinhardt Associates was in attendance to present this revised plan which shows the addition of ten parking spaces. He explained that they are also proposing an adjustment to the lighting. He explained that some lighting was taken out and less put back in. Cut sheets of the lighting were provided. The Engineering Department submitted a memo stating they approve the changes. Ms. Dachos explained that the Conservation Commission has voted to allow for an amended Order of Conditions for these changes. She also stated that the earlier site plan approval required an as-built lighting plan.

Motion was made by Mr. Chase and seconded by Mr. Morassi to approve the revisions to the Site Plan for the Agawam Housing Authority, incorporating the previous site plan approval conditions.

VOTE 4-0

6. BOND STATUS – Capua Estates

Mr. Capua was in attendance this evening. He had submitted a written request for an extension of the Capua Estates Performance Agreement to December of 2010. The last punch list on file is dated December 3, 2009. Ms. Dachos stated that there is a "white form" being reviewed for another building permit at Capua Estates and that she spoke with the Engineering Department and was informed that there are significant issues with the sewer and they were not sure if they would sign off on the form. She went on to say that she was informed by Ms. Chase that she has concerned with the laterals and the main and that it may have to be reconstructed. Mr. Capua stated that he hand delivered the white form to the Town Engineer and was not told that there may be an issue with approving it. He went on to say that the previous sewer testing showed a "slight gully" but it was agreed by Engineering at that time to wait until one or two more houses were added to the line to see if that the additional flow would be effective. He also stated that one section of the sewer was redone and approved by the Engineering Department. After a lengthy discussion, it was agreed that an in-house meeting be scheduled with Mr. Capua, Michelle Chase, Town Engineer; Deborah Dachos and Travis Ward to discuss what work has been done on the subdivision and a final recommendation on the sewer as well as items that Mr. Capua has included in his extension request that have been completed since the last punch list.

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to rescind the Board's previous motion to secure the Capua Estates bond if an extension request was not received by June 3, 2010.

VOTE 4-0

Motion was made by Ms. Baldwin and seconded by Mr. Chase to extend the Performance Agreement for Capua Estates to July 1, 2010.

VOTE 4-0

The in-house meeting will be scheduled prior to the Board's July 1<sup>st</sup> meeting.

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

VOTE 4-0

10. COMPLAINT – Cecelia Estates – School Street

Ms. Dachos explained to the Board members that she continues to hear from Mr. Carmel who lives in the original house on School Street which is part of the Cecelia Estates subdivision regarding dirt blowing from the vacant lot behind him and getting into his home and causing damage to the paint on his home. She explained that a letter was sent to Mr. Cincotta as the developer of Cecelia Estates in April and informed him that per the Subdivision Rules and Regulations he must cover the dirt piles. Mr. Cincotta no longer owns this lot. He was in attendance this evening and stated that he spoke with the lot owner and offered to lend him a hose so that he could water down the property. He went on to say that the foundation has since been backfilled and that the piles that now exist are loam and some vegetation is growing on them. Ms. Dachos then stated that a second complaint was received; the Building Inspector has been out to the site multiple times and observed damage to the house by the blowing dirt. She stated that the Law Department issued a letter today to the property owner citing the Subdivision Rules and Regulations and that it is the owner's responsibility to comply. Mr. Chase brought upon the issue of enforcement of approved plans and stated that if there is a question as to who has the power to enforce, then the Town Solicitor should be consulted. Ms. Dachos explained that the complicating factor in this case is that the Town is holding a bond in Mr. Cincotta's name and he no longer owns the lot and therefore has no right to go on private property to alleviate the blowing dirt problem. Mr. Cincotta stated that he will contact the property owner once again.

7. FORM A – North Street Ex. – VIP Homes

This plan has not been resubmitted yet and therefore can come off the agenda.

FORM A – Southwick Street – Longhi

This plan shows two parcels being combined into one.

Motion was made by Mr. Morassi and seconded by Ms. Baldwin to approve the plan for Longhi on Southwick Street under “Subdivision Control Law Not Required”.

VOTE 4-0

3. REVISED PLAN – Begley Street – DePalma

The Board previously approved a site plan for Smart Start Pre-School on Begley Street conditionally. The plan has now been revised to incorporate the conditions of the approval.

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to approve and sign the revised site plan for Smart Start Pre-School on Begley Street.

VOTE 4-0

FORM A – Begley Street – DePalma

This Form A was revised to show the parking easement for the Pre-School site.

Motion was made by Mr. Chase and seconded by Ms. Baldwin to approve the plan for DePalma on Begley Street under “Subdivision Control Law Not Required”.

VOTE 4-0

8. SITE PLAN – Ferrentino’s Pizza & Pub – Main Street

Motion was made by Mr. Morassi and seconded by Mr. Chase to return the Site Plan for Ferrentino’s Pizza and Pub to the applicant as there is insufficient parking for the proposed uses.

VOTE 4-0

Motion was made by Ms. Baldwin and seconded by Mr. Morassi to amend the agenda to include the “add-on”.

VOTE 4-0

FORM A – Pine Street – Poirier/Barceleau

This plan shows a 10’ strip being added to the lot next door.

Motion was made by Mr. Chase and seconded by Mr. Morassi to approve the plan for Poirier/Barceleau on Pine Street under “Subdivision Control Law Not Required”.

VOTE 4-0

The meeting adjourned at 8:00 PM.