

Planning Board
Minutes
Longmeadow Fire Department Conference Room
Thursday, October 5, 2006
7:00 pm

Chair Person Walter Gunn called the meeting to order at 7:06 pm.

Present at the meeting: Walter Gunn, Bruce Colton, Richard Curran, Louis Kornet and Roy Johansen.

7:06 pm Chair Person Walter Gunn opened the public hearing to consider rezoning Lot #38 on Shaker Road at the Armata's Plaza as shown on the Hampden County Registry of Deeds Book of Plans 51, Page 89 from residential to business zone.

The Planning Board reminded those in attendance that the vote and decision this evening was only a recommendation from the Planning Board. Regardless of the results of their decision, the item is on the Warrant for the Town Meeting in November and must be passed by the residents of Longmeadow with a two third's vote to approve the zoning change.

Attorney Norman C. Michaels addressed the Planning Board on behalf of his client, Great Northern Reality Partners LLC, the current owners of Armata's Shopping Center. He explained that there has always been a residential lot attached to the business which has remained undeveloped over the years. His client feels that a business use of this parcel would be in the best interest of the shopping center and of the Town.

William LaMontagne, Principal Partner of Great Northern Reality Partners LLC, addressed the board and explained in great detail the plan of the layout. Stating that the new structure, a Hampden Bank, would be of Colonial Architecture, 1,500 square feet, have two (2) drive thru windows, one ATM (Automated Teller Machine), extensive landscaping and use dark sky lighting. He realizes that the design would have to be approved during the Site and Design portion of the process, but wanted to share with the Planning Board and the residents his intentions, should the parcel be rezoned business.

Mr. Thomas Burton, President & CEO of Hampden Bank, then addressed the Planning Board. Mr. Burton stated that there were no plans to close the other Longmeadow Branch of Hampden Bank. Hampden Bank is already a good neighbor in Longmeadow and he wishes to continue that relationship on the other side of the town. He reminded everyone that a very successful bank used to sit near that location in the past.

Board Member Roy Johansen asked if it was possible to approve the zone change with restrictive use or creating a light business zone. In the event that Hampden Bank leaves the business, or should it be sold, there would be restrictions on what could replace it. After some discussion, it was decided that was a possibility, however, it was too close to Town Meeting to make such a change in the bylaws. The Planning Board is also trying to avoid multiple types of zoning. Mr. LaMontagne shared with the Planning Board that he

currently has a twenty (20) year lease agreement with Hampden Bank contingent upon the zoning change being approved. They are not opposed to a “restrictive use” zone change. Unfortunately Mr. LaMontagne did not have a copy of that Lease agreement to share with the Planning Board.

Resident Question / Comment Period

Mariann McCeed of 196 Sheffield Avenue shared some history of the lot with the Planning Board. Over twenty (20) years ago, she claimed that there was an attempt to pave that section of land and it was only partially paved (as it is today), as part of an agreement to leave buffer space for the abutters. She shared an aerial photo showing the property and outlined the current driveways and mentioned that it is difficult to safely back out now; adding more will make the situation worse. (Armata’s file A)

Norice Smith of 888 Shaker Road stated that that lot was purposely left as a buffer for the residents by the past owners. She claimed there was an agreement but was unable to find the record. She asked the Planning Board to consider the increase in traffic in that area and shared a diagram showing the driveways and pointed out that her driveway is circular so she can pull out. (Armata’s file B) Attorney Michaels stated that the past owner appealed to the Zoning Board of Appeals (ZBA) and applied for variances regarding frontage requirements. The request for a variance on lot #38 was withdrawn and the abutters that appeared did not object to the owners other requests. (Armata’s file C). Chair Person Walter Gunn will post the minutes to the ZBA meeting on the Town’s website.

Dr. Samer Tahoun of 186 Sheffield Avenue is concerned with what will happen in the future if the bank pulls out. He also feels that the location of the loading dock would require deliveries at different times; either earlier in the morning or later in the evening which will be a disturbance for residents. He also inquired about limiting the zone to light business.

David Harris of 877 Shaker Road stated that the four residents who built on the abutting lots were assured that the buffer zone would remain intact. His concern is mostly with noise pollution. He shared with the Planning Board information about decibel levels and a statement from a former Town Administrator advising him to speak with his own attorney about options available regarding the noise levels because it was not “under [the Towns] jurisdiction”. (attached) Chair Person Walter Gunn assured Mr. Harris that during the Site and Design process those issues would be dealt with. Mr. LaMontagne has recently researched building a wall around the generators and muffling them to cut down on the noise. He has made an agreement with a frozen food delivery company to turn off their truck generators while unloading. Armata’s generators are only five years old, so replacing them is not an option at this time. He feels that the extensive landscaping, fence around the bank and the bank itself would assist with deflecting noise.

James Bortnick of 874 Shaker Road is concerned with deliveries and dumpster pick up. The trucks slam into the loading dock and the dumpsters get banged around quite a bit too. He believes that snowplow operation in the early morning hours as well as the twenty four hour ATM will be a frustration for the residents. Chair Person Walter Gunn has researched ATM use in Longmeadow. One study showed that between the hours of 7:00 pm – 6:30 am, the

ATM machine at Bank of America was used once. There is very low ATM usage in Longmeadow. He also reminded everyone that Longmeadow's Long Range Plan, which the residents voted on and approved, encouraged growth of commercial properties.

Robin Frechette of 859 Shaker Road has a concern with noise and agrees with all other comments made by other residents.

Paul Drost of 974 Shaker Road has been a resident of Longmeadow since 1974 and stated that there was a verbal agreement was made with the past owner that lot 38 would always be a buffer zone. He shared a detailed presentation with the Planning Board and the applicants detailing parking issues, driveway issues, aerial views and photographs from abutters' properties. (Armata's file D)

Another resident shared that she went through the process with Berkshire Bank in Longmeadow in the past. Banks do have the money to put up extensive landscaping and have the desire to improve the area. She wanted to remind the Planning Board that the issues the residents have are with the Armata's and are not directly related to the bank itself. She also stated that there is no bank service in the south end of Town and that the addition of Hampden Bank would be an asset to Longmeadow.

Scott Barnett of 69 Eastland Road has two small children and is opposed to the zone change due to the safety issue.

8:48 pm Chair Person Walter Gunn closed the public hearing.

8:48 pm Chair Person Walter Gunn opened the Public Meeting of the Longmeadow Planning Board.

1. Discussion of the rezoning of Lot #38 on Shaker Road at the Armata's Plaza as shown on the Hampden County Registry of Deeds Book of Plans 51, Page 89 from residential to business zone.

Board Member Roy Johansen understands the need and desire for more commercial expansion in Longmeadow, referring to the Long Range Plan, but he feels that there are certain areas that warrant development and those that don't. This area does not meet his requirements for more business development. The aerial map is very symmetrical at this moment and the zoning change would create an appendage of off the existing shopping plaza into the residential area.

Board Member Bruce Colton feels that there are frequent vacancies in existing buildings where a bank can move in but realizes that a drive through may not be possible at these locations. The Armata's area has not been particularly well maintained over the years; the parking on lot 38 is illegal and suggested that if that is bothering the residents then Mark Denver would be the person to contact to enforce the bylaws. He understands the fears of the residents that if the property is rezoned, what could be there in the future. He does agree that given the financial situation the Town more commercial property is needed.

Board Member Lou Kornet reminded everyone that their job, as the Planning Board, is to plan. There are many complex issues on all sides of this proposal and at this point he is not prepared to give a “carte blanche” approval for a zoning change. His main concern is losing control over the property. He also mentioned that there are ways to work out this issue such as an overlay district or some other option mentioned tonight, however they are not available at this time.

Board Member Richard Curran has concerns with several of the physical characteristics of the building and driveway. There is an existing driveway problem in that area already. As it stands now his concerns are with the physical layout. He understands that these issues would be addressed during the Site and Design process, but wanted to make his concerns known.

Chair Person Walter Gunn referred to the Long Range Plan of Longmeadow: “...to encourage existing non residential areas of Longmeadow to be developed to their highest and best use and provide residents with convenient access to a variety of locally basic goods and services and provide jobs for these residents in Longmeadow.” He stressed NON residential areas of Longmeadow. He is inclined to leave lot 38 as it is, he would like to see the Armata’s plaza cleaned up and he is discouraged that the lot is already being abused as business use.

After much discussion, Board Member Bruce Colton made a motion to recommend against the proposed zone change on lot 38 on Shaker Road that will be on the Town Warrant proposing that the lot be rezoned from residential to business. Board Member Roy Johansen seconded the motion. Chair Person Walter Gunn called a vote. The motion carried 4 to 1 to recommend against the proposed zone change. W. Gunn – yes; R. Johansen-yes; B. Colton-yes; L. Kornet-yes Dick Curran –no.

2. 9:10 pm Jeff Lebeau (525-3822), Baystate Environmental Consultants, RE: Parcel of land on Dwight & Converse Streets.

Chair Person Walter Gunn will call the applicant, Jeff Labeau of Baystate Environmental Consultants, and inform him that the clock is *not* running because the application has not been presented to the Planning Board as the procedure for Site Design Review states in the bylaws. Board Member Lou Kornet suggested meeting with Mr. Labeau informally to ensure that the information and the plan is complete and then get him on the agenda for the next meeting. After much discussion it was decided that Chair Person Walter Gunn call Attorney Joel Bard from Kopelman and Paige, and confirm that the Site and Design process has not already commenced. He will then fax a copy of Article XI, Section D from the Site and Design bylaws to Mr Labeau and advise him of what the Planning Board expects in the content of the plan, have him be prepared with any requests for waivers and schedule him on the agenda for the next Planning Board meeting.

3. 9:26 pm New Business – None at this time.

4. 9:26 pm Old Business:

- ***PVPC (Pioneer Valley Planning Commission) Bylaw Review Project:*** Board Member Lou Kornet submitted a status report to the rest of the board regarding the PVPC Bylaw Review Project. The following is the list of initial tasks pending the status of the State grant application:
 1. Updating the Subdivision Rules and Regulations
 2. Creating of Planning Board's Rules and Regulations
 3. Creation of flow chats with time lines for subdivision applications, Site and Design plan review application and process for appealing decision of Board
 4. Creation of checklists for ANR's, Preliminary Subdivision Plans, Definitive Subdivision Plans and Site and Design Plan Reviews
 5. Revision of application forms for ANR's (Form A), Preliminary Subdivision Plans (Form B) and definitive subdivision Plans (Form C)
 6. Creation of application form for Site and Design Plan reviews.

5. 9:45 pm Approval of Meeting Minutes -

- Board Member Roy Johansen made a motion to accept the Regular Meeting Notes of September 12, 2006 as presented. Board Member Lou Kornet seconded the motion. Chair Person Walter Gunn called a vote and the motion carried unanimously.
- Meeting Notes for the August 7, 2006 were not available for review and will be on the next agenda.

6. 9:42 pm Public Portion of the Planning Board Meeting and Comments- Board Member Roy Johansen had a concern with placing information presented at the public hearings on the Town web site. After some discussion Chair Person Walter Gunn agreed and will have any information available to the public at the Community Development Office in the Town Hall.

Board Member Roy Johansen made a motion to adjourn the meeting. Board Member Lou Kornet seconded the motion. Chair Person Walter Gunn called a vote and the motion carried unanimously. The meeting was adjourned at 9:52pm.

Respectfully Submitted,

Stacy Wieners
Recording Secretary