

Planning Board – Regular Meeting

Longmeadow High School, Meeting Room A15 – 535 Bliss Road, Longmeadow MA 01106

Wednesday April 6th, 2022 7:00 p.m.

Members Present: Donald Holland, Chair; Walter Gunn, Clerk; Cheryl Thibodeau, Bruce Colton, Chris Legiadre.

Members Absent: None

Others Present: Town Manager Lyn Simmons.

The *Planning Board In-person Regular Meeting* was called to order at 7:04pm by Chair Donald Holland.

Meeting Minutes Review:

1. Regular Meeting March 2nd, 2022: Cheryl Thibodeau made a motion, which was seconded by Chris Legiadre, to accept the minutes as presented. All in favor 5-0, motion passed.

Review and Vote to endorse General Code’s eCode reformat of the Town’s General By-laws:

Members of the board proceeded to evaluate each recommendation made by contractor General Code after they reviewed all General and Zoning Bylaws as part of the reformatting process. Some recommendations pertained to addressing typographical/grammatical error or updating the official names of government agencies and/or municipal roles. Below is a list of the motions:

		Motions Made by Members of Planning Board			
Question	Code Content Location	Language	Made by	Seconded by	Vote
242-001	Ch. 242 "Signs, Billboards and Other Advertising Devices"	“To defer decision until after Code publication and recommend to the Select Board that the language described in this question be deleted from the General Bylaws.”	Cheryl Thibodeau	Walter Gunn	5-0
242-002	Ch. 242, § 242-1 General Provisions	“To defer decision until after Code publication and recommend to the Select Board that the language described in this question be deleted from the General Bylaws.”	Cheryl Thibodeau	Walter Gunn	5-0
242-003	Ch. 242, § 242-1 General Provisions	“To defer decision until after Code publication and recommend to the Select Board that the language described in this question be deleted from the General Bylaws.”	Cheryl Thibodeau	Walter Gunn	5-0
315-001	Ch. 315 Zoning	“Revise the adoption date of Zoning Bylaw to indicate May 19, 1988.”	Bruce Colton	Walter Gunn	5-0
315-002	Ch. 315 Zoning, Art. I General Provisions, § 315-3 Severability	“To delete indicated severability sections as covered by §315-3”	Bruce Colton	Walter Gunn	5-0
315-003	Ch. 315 Zoning, Art. I General Provisions, § 315-4 Definitions	“To defer decision until after Code publication.”	Walter Gunn	Cheryl Thibodeau	5-0
315-004	Ch. 315 Zoning, Art. I General Provisions, § 315-4 Definitions	“To change the word <i>quality</i> to <i>quantity</i> as indicated.”	Bruce Colton	Chris Legiadre	5-0
315-005	Ch. 315 Zoning, Art. I General Provisions, § 315-4 Definitions	“To accept the corrected reference to the CMR listed in this section.”	Walter Gunn	Bruce Colton	5-0
315-006	Ch. 315 Zoning, Art. I General Provisions, § 315-4 Definitions	“To defer decision until after Code publication.”	Walter Gunn	Cheryl Thibodeau	5-0

315-007	Ch. 315 Zoning, Art. I General Provisions, § 315-4 Definitions	“To defer decision until after Code publication.”	Walter Gunn	Cheryl Thibodeau	5-0
315-008	Ch. 315 Zoning, Art. II Administration and Enforcement, § 315-7 Board of Appeals	“Change <i>Board of Appeals to Zoning Board of Appeals</i> ”	Bruce Colton	Chris Legiadre	5-0
315-009	Ch. 315 Zoning, Art. II Administration and Enforcement, § 315-7 Board of Appeals	“To revise reference to MGL c40A, § 12.”	Bruce Colton	Cheryl Thibodeau	5-0
315-010	Ch. 315 Zoning, Art. II Administration and Enforcement, § 315-7 Board of Appeals	“Create an Option 3 that indicates that this question is to be referred to Town Counsel.”	Cheryl Thibodeau	Walter Gunn	5-0
315-011	Ch. 315 Zoning, Art. II Administration and Enforcement, § 315-7 Board of Appeals	“To change <i>Inspector of Buildings to Building Commissioner.</i> ”	Walter Gunn	Cheryl Thibodeau	5-0
315-012	Ch. 315 Zoning, Art. II Administration and Enforcement, § 315-7 Board of Appeals	“To eliminate the conflict with § 315-9B, C and D as explained by General Code and change 10 days to 30 days in § 315-7B.”	Chris Legiadre	Walter Gunn	5-0
315-013	Ch. 315 Zoning, Art. II Administration and Enforcement, § 315-9 Violations and penalties; remedies	“To revise as follows: a fine of \$100”	Bruce Colton	Chris Legiadre	5-0
315-014	Ch. 315 Zoning, Art. II Administration and Enforcement, § 315-9 Violations and penalties; remedies	“To revise as follows: <i>Except as otherwise provided in this bylaw, any violation of the provisions of this bylaw, the conditions of a permit granted under this bylaw, or any decision rendered by the Zoning Board of Appeals or Planning Board under this bylaw shall be liable to a fine of \$100 for each violation. Each day that such violation continues shall be deemed a separate offense.</i> ”	Walter Gunn	Cheryl Thibodeau	5-0
315-015	Ch. 315 Zoning, Art. II Administration and Enforcement, § 315-9 Violations and penalties; remedies	“To defer decision until after Code publication.”	Walter Gunn	Bruce Colton	5-0
315-016	Ch. 315 Zoning, Art. II Administration and Enforcement, § 315-9 Violations and penalties; remedies	“To create a new option that indicates <i>Do not revise or change this code content</i> ”	Walter Gunn	Chris Legiadre	5-0
315-017	Ch. 315 Zoning, Art. II Administration and Enforcement, § 315-9 Violations and penalties; remedies	“To defer decision until after Code publication.”	Chris Legiadre	Walter Gunn	5-0
315-018	Ch. 315 Zoning, Art. III Zones, § 315-10 Divisions of Zones	“To choose the <i>Do Not Revise</i> option.”	Donald Holland	Bruce Colton	5-0
315-019	Ch. 315 Zoning, Art. III Zones, § 315-11 Zoning Map	“To keep date as January 1991 but add <i>as amended</i> ”	Walter Gunn	Cheryl Thibodeau	5-0

315-020	Ch. 315 Zoning, Art. III Zones, § 315-15 Floodplain Zone	“To update to <i>Select Board</i> ”	Walter Gunn	Cheryl Thibodeau	5-0
315-021	Ch. 315 Zoning, Art. III Zones, § 315-15 Floodplain Zone	“To delete Water and Sewer Commission”	Walter Gunn	Cheryl Thibodeau	5-0
315-022	Ch. 315 Zoning, Art. IV Use Regulations, § 315-26 Moving of earth	“To defer decision until after Code publication.”	Cheryl Thibodeau	Donald Holland	5-0
315-023	Ch. 315 Zoning, Art. IV Use Regulations, § 315-26 Moving of earth	“To defer decision until after Code publication.”	Walter Gunn	Cheryl Thibodeau	5-0
315-024	Ch. 315 Zoning, Art. IV Use Regulations, § 315-27 Prohibition on marijuana establishments	“To revise outdated regulations references as suggested”	Walter Gunn	Cheryl Thibodeau	5-0
315-025	Ch. 315 Zoning, Art. V Height and Area Regulations, § 315-36 Reduction of lot area	“To revise grammatical error as suggested”	Cheryl Thibodeau	Chris Legiadre	5-0
315-026	Ch. 315 Zoning, Art. V Height and Area Regulations, § 315-38 Submission of plans	“To delete ‘ordinances’ as suggested”	Walter Gunn	Cheryl Thibodeau	5-0
315-027	Ch. 315 Zoning, Art. VI Special Permits, § 315-38 Special permit procedures	“To create a new option that indicates <i>Do not revise or change this code content</i> ”	Walter Gunn	Cheryl Thibodeau	5-0
315-028	Ch. 315 Zoning, Art. VI Special Permits, § 315-38 Special permit procedures	“To defer decision until after Code publication.”	Walter Gunn	Chris Legiadre	4-0 (Bruce Colton abstained)
315-029	Ch. 315 Zoning, Art. VI Special Permits, § 315-38 Special permit procedures	“To revise first sentence of § 315-39F to read "All special permits and variances shall lapse one year from date of issue unless construction or operation under said permit or variance has commenced."	Walter Gunn	Cheryl Thibodeau	5-0
315-030	Ch. 315 Zoning, Art. VII Site and Design Review, § 315-45 Procedure	“To choose the <i>Do Not Revise</i> option”	Walter Gunn	Cheryl Thibodeau	5-0
315-031	Ch. 315 Zoning, Art. VII Site and Design Review, § 315-45 Procedure	“To revise to read: “The applicant shall submit a fee established by the Planning Board and pay any expenses’...”	Walter Gunn	Chris Legiadre	5-0
315-032	Ch. 315 Zoning, Art. VII Site and Design Review, § 315-45 Procedure	“To revise grammatical error as suggested”	Bruce Colton	Walter Gunn	5-0
315-033	Ch. 315 Zoning, Art. VII Site and Design Review, § 315-45 Procedure	“To correct to <i>parties in interest</i> to align with MGL c40A’s definition.”	Walter Gunn	Chris Legiadre	5-0
315-034	Ch. 315 Zoning, Art. VII Site and Design Review, § 315-46 Review criteria; design guidelines	“To revise grammatical error as suggested”	Bruce Colton	Chris Legiadre	5-0
315-035	Ch. 315 Zoning, Art. VIII Off-street Parking and Loading Standards, § 315- 50 General regulations	“To update the reference to the CMR listed in this section to 572 CMR 1.00.”	Chris Legiadre	Bruce Colton	5-0
315-036	Ch. 315 Zoning, Art. VIII Off-street Parking and Loading Standards, § 315-	“To revise as follows: <i>The loading and unloading area shall be designed</i>	Walter Gunn	Donald Holland	5-0

	56 Loading and unloading requirements	<i>and constructed to accommodate the largest vehicles likely to service the use of the property, but in no case shall the area be less than 12 feet in width and 25 feet in length, and the area shall be a minimum of 300 square feet and have a minimum of 14 feet of overhead clearance from the roadway grade."</i>			
315-037	Ch. 315 Zoning, Art. IX Sign Regulations	"To defer decision until after Code publication and refer to Town Counsel."	Walter Gunn	Cheryl Thibodeau	5-0
315-038	Ch. 315 Zoning, Art. IX Sign Regulations, § 315-66 Administration and enforcement	"To change <i>Building Inspector</i> to <i>Building Commissioner</i> ."	Bruce Colton	Chris Legiadre	5-0
315-039	Ch. 315 Zoning, Art. IX Sign Regulations, § 315-66 Administration and enforcement	"To delete the word Article 14"	Walter Gunn	Donald Holland	5-0
315-040	Ch. 315 Zoning, Art. IX Sign Regulations, § 315-66 Administration and enforcement	"To choose the <i>Do Not Revise</i> option"	Walter Gunn	Donald Holland	5-0
315-041	Ch. 315 Zoning, Art. IX Sign Regulations, § 315-66 Administration and enforcement	"To update the state agency's name to <i>Office of Outdoor Advertising in the State Department of Transportation</i> ."	Walter Gunn	Chris Legiadre	5-0
315-042	Ch. 315 Zoning, Art. IX Sign Regulations, § 315-66 Administration and enforcement	"To defer decision until after Code publication."	Walter Gunn	Donald Holland	5-0
315-043	Ch. 315 Zoning, Art. X Registered Marijuana Dispensary and Off-Site Medical Marijuana Dispensary, § 315-67 Purposes	"Update grammatical error per Option 2's proposal to read: It is recognized that medical marijuana treatment centers and off-site medical marijuana dispensaries may have objectionable operational characteristics and should be located in such a way as to ensure the health, safety, and general well-being of the public as well as patients seeking treatment.	Walter Gunn	Cheryl Thibodeau	5-0
315-044	Ch. 315 Zoning, Art. X Registered Marijuana Dispensary and Off-Site Medical Marijuana Dispensary, § 315-67 Purposes	"To, in Article X and in the definition of "registered marijuana dispensary" in § 315-4 change "Department of Public Health," "Department of Health" and "MDPH" to "Cannabis Control Commission"."	Walter Gunn	Cheryl Thibodeau	5-0
315-045	Ch. 315 Zoning, Art. X Registered Marijuana Dispensary and Off-Site Medical Marijuana Dispensary, § 315-68 Additional requirements and conditions	"To endorse the change of the term <i>city official</i> to <i>Town official</i> ."	Walter Gunn	Cheryl Thibodeau	5-0
315-046	Ch. 315 Zoning, Art. X Registered Marijuana Dispensary and Off-Site	"To revise to read: <i>in a Site and Design Review</i> "	Walter Gunn	Cheryl Thibodeau	5-0

	Medical Marijuana Dispensary, § 315-69 Application requirements				
315-047	Ch. 315 Zoning, Art. XI Restrictions for Facilities of Natural Gas Utilities, § 315-74 Emissions	“To update state agency’s reference as suggested.”	Walter Gunn	Cheryl Thibodeau	5-0
315-048	Ch. 315 Zoning, Art. XI Restrictions for Facilities of Natural Gas Utilities, § 315-76 Lighting	“To revise grammatical error as suggested”	Walter Gunn	Cheryl Thibodeau	5-0
315-049	Ch. 315 Zoning, Art. XI Restrictions for Facilities of Natural Gas Utilities, § 315-79 Violations and penalties	“To choose the <i>Do Not Revise</i> option”	Walter Gunn	Chris Legiadre	5-0
315-050	Ch. 315 Zoning, Art. XII Wireless Communications Facilities, § 315-83 Design guidelines	“To revise as follows: <i>delete “and owners of communications facilities.”</i> ”	Bruce Colton	Chris Legiadre	5-0

53 Total number of General Code questions reviewed this evening.

9	Number of questions that will be deferred until after Code publication.
1	Number of questions that will be deferred until after Code publication and forwarded to Town Counsel for guidance.
1	Number of questions that will be forwarded to Town Counsel for guidance without deferral.
3	Number of questions that will be deferred until after Code publication and forwarded to Select Board for action.

The board members agreed to continue the revisions at the next available meeting. Consequently, Walter Gunn made a motion, and was seconded by Bruce Colton, to adjourn the meeting. All in favor 5-0, motion passed and meeting was adjourned at 9:00pm.

Respectfully submitted,

Bianca Damiano