

Planning Board – Public Hearing
Longmeadow High School – Meeting Room A15
535 Bliss Road, Longmeadow, MA

Wednesday, May 7th, 2019 6:30 p.m.

Members Present: Donald Holland, Chair; Walter Gunn, Clerk; Ken Taylor, Bruce Colton, Heather Laporte.
Others Present: Stephen Crane, Town Manager; John Stankiewicz, Police Chief; Andrea Chasen, Michele Marantz, Curt Freedman, James & Elaine Tourtelotte, Cecilia Walker, Paul Walker, Kathy Mullins, Vicky Deal, Cynthia Sommer, Mark Pohlman, Elizabeth Port, Andrew Fox, Mary & Robert Kapner, Denise Conboy, Hugh Nagggar, Lihua Zhao, Xiao Feng, Barbara Wenig, Steve Walker, Daniel Munro, Kimberly Masiuk, John Catlin, Chad E. Branon, Tina Aughenbaugh, Erik Merliss.

The **Planning Board Public Hearing** #1 was called to order at 6:30 p.m. by Chair Donald Holland. The legal notice was originally published on a locally circulated newspaper (April 11th and 18th) and at Town Hall more than 48 hours of said hearing. The public was reminded of the procedures of the hearing which begin with a presentation by the Town Manager and Police Chief, followed by comments from residents in favor or against the project, with each individual being allowed a five-minute single opportunity to speak.

Article 41 of Town Warrant - Proposed Zoning Bylaw change to Article IV, Section B sub-section 1.2a:

Town Manager Stephen Crane explained that the intent to clarify the legal language of this bylaw has been ongoing for the last year and is being pursued to facilitate a more effective enforcement and better reflect the needs and lifestyle of town residents nowadays. The Police Chief cited MassDOT's CMR definition of a commercial vehicle (weighs 6,000 lbs or more, transports tools/supplies equipment for a business as opposed to passengers, is owned by a partnership/trust/corporation and has commercial signage), which has been set as the foundation for the legal language being presented on this latest proposal.

Comments from residents:

- Thomas Haramut (664 Shaker Rd) asked how the bylaw would be enforced when comparing two commercial license plate vehicles: one being non-descriptive and over the GVW while the other being under the GVW but having signage.
- Andrew Fox (29 Lorenz St) opposes the proposal and indicates that the current bylaw should be kept and enforced as it maintains residents' expectations of our town's unique residential character and was not meant to be related to taxation or vehicle registration. He also feels the current legal language contradicts the Planning Board's mission statement and wondered if the Historic District Commission has commented on this matter. He presented pictures of both compliant and non-compliant residents.
- Mark Gold (129 Avondale Rd) commented that as a Selectman he voted against this proposal in a Select Board meeting. He feels the current bylaw language can be enforceable and pondered whether residents should understand the town's order and lifestyle and adapt to that rather than attempt to alter the order.

Mr. Crane addressed Mr. Haramut's inquiries and further clarified that the GVW threshold to be set in the proposed bylaw change may be amended on the floor at Town Meeting pending further review. Also, per a Supreme Court decision, signage regulation may conflict with First Amendment rights.

Walter Gunn made a motion to close the public hearing on the Proposed Article 41 of the Town Warrant, Ken Taylor seconded the motion, all in favor 5-0, public hearing #1 was closed.

Mr. Stephen Crane and Police Chief John Stankiewicz left the meeting at 6:53pm.

The **Planning Board Public Hearing #2** was called to order at 6:53 p.m. by Chair Donald Holland.

The legal notice was originally published on a locally circulated newspaper (April 11th and 18th) and at Town Hall more than 48 hours of said hearing. The public was reminded that the procedures were to be identical as the previous hearing.

Article 41 of Town Warrant - Proposed New Zoning Bylaw Article 15 Restrictions for Facilities of Natural Gas Utilities (Citizen Petition):

Ms. Andrea Chasen (236 Crestview Circle), in representation of the LPAG, presented the latest amendments to the original bylaw draft prepared in prior months, which are as follows:

1. Aside from a Site & Design Review, such facilities would also require a special permit from the Planning Board.
2. Facilities' emissions are to be monitored/reported monthly and its incurring costs must run in their entirety by the facility's operator.
3. The Town of Longmeadow/Select Board must receive copies of any and all monitoring and environmental reports.
4. Should any portion of this article be found improper by the MA Attorney General, it shall not have an impact on any other of the provisions herein.

Comments from residents:

- Mark Gold (129 Avondale Rd) encourages the Board to endorse this citizen's petition as this would provide new tools for the Town to monitor such types of facilities. He is unaware if other town locations had been considered prior to selecting the Longmeadow Country Club location.
- Curt Freedman (24 Ridge Rd), as a professional engineer, discussed the fundamental need for improved setbacks from large diameter high pressure natural gas transmission pipelines. He cited both the Stephens and Rhodes setback standards, first established in Canada, and which are based on the calculations of radiant energy released by pipelines in the event of an accident depending on their diameter. Based on the project's available information, the standards' formulas reveal that the current setbacks for the proposed facility are not enough from an engineering/scientific standpoint and put all surrounding structures and human lives at high risk in the event of a catastrophe. He also added that, due to inadequate workmanship, clear and proper setbacks may be the safest alternative. He is concerned that this issue has not been properly addressed nationwide.
- Marie Angelides (199 Tanglewood Dr) strongly supports the bylaw as a Select Board member and is concerned for the lack of clarity on the project's development.
- Michele Marantz (117 Rugby Rd), Chair of LPAG, encourages the Board to support the proposed bylaw and states that there have been repeated attempts to have the utility companies discuss this project in an open forum.
- Xiao Feng (165 Prynwood Rd) supports the proposal and is against the project due to its proximity to a school; she's is disturbed by the utility companies' mischaracterization of the project's location.
- Mark Pohlman (561 Frank Smith Rd) support the proposal and is concerned, as a physician, over the well-known human health impacts from exposure to chemical and gas leakage from metering stations.
- James Tourtelotte (64 Prynwood Rd) supports the proposal and is concerned that governmental authorities responsible for this are not entirely on same page.
- Kathy Mullins (123 Wheelmeadow Dr) is concerned over the public's safety if a metering station is allowed and highlights a 2017 Columbia Gas metering station accident in OH as well as the 2018 Columbia Gas Merrimack Valley disaster.

- Elizabeth Port (212 Farmington Rd) provides a 2017 Heetma.org map showing leaks (fixed and unfixed) and emphasizes that the utility companies should repair existing lines and not expand service. She also inquired about rumors that helicopters flying over town are operated by utility companies.
- Suzanne Rosenberg (81 Robyn Rd) ponders whether this article has the legal weight to address the legitimate concerns and potential negative impacts raised at the hearing.

The Planning Board praised the research done and considers the Article as a valid first step. The petitioners were reminded that copies of the amendment must be provided at the town meeting while encouraging them to look into strengthening Section H “Setbacks” with specific measurements. Should this article pass at the upcoming town meeting (May 14th) and be approved by MA’s Attorney General in the coming months, it would be retroactive to May 14th but State’s Energy Facilities Siting Board may have the legal leverage to override any town/zoning decision in this matter. It was added that utility infrastructure surveillance by means of helicopter flights is a post 9/11 requirement.

Bruce Colton made a motion to adjourn the public hearing and Walter Gunn seconded the motion, all in favor 5-0 with none opposed, hearing adjourned at 7:52 pm.

Respectfully submitted,

Bianca Damiano

Documents presented:

1. *Amendment for Article 42 of Town Warrant.*
2. *Presentation on High Pressure Gas Pipeline setbacks standards.*
3. *2017 HeetMA.org gas leakage map.*