

Deerfield Planning Board  
April 1, 2008  
Minutes

PUBLIC HEARING on Proposed Bylaw Change opened at Deerfield Municipal Offices at 7:19 p.m.

Members Present: John Waite/acting-Chair, James Pasciesnik, Lynn Rose, Roger Sadowski, Elizabeth Schmitt

Others Present: Town Attorney Mark Bobrowski; Town Administrator Bernie Kubiak; Steve Upton/Chair and other members of the Former Oxford Foods Redevelopment Steering Committee (Steering Committee)  
Allan Blair and other representatives of the Economic Development Council of Western Massachusetts (EDC)

Members Absent: Peter LaBarbera, James Pasciesnik

Mr. Waite read the Notice of Public Hearing:

The Deerfield Planning Board will hold a public hearing on a proposed amendment adding a new Section 4700 to the Town of Deerfield Zoning Bylaw creating an Expedited Permitting District (EPD). The public hearing will be held on Tuesday, April 1, 2008, at 7:00 PM in the Town Offices located at 8 Conway Street, South Deerfield, MA. Copies of the proposed Zoning Bylaw Amendment may be viewed at the Office of the Deerfield Town Clerk weekdays between the hours of 9:00 a.m. and 4:00 p.m.

Mr. Waite explained that the proposed zoning change is specified for the former Oxford Foods Property. He reported that he is a member of the Steering Committee and has kept the Planning Board updated on the work of the Committee. He introduced members of the Committee and the representatives from the EDC and then asked Attorney Bobrowski to explain the proposed bylaw change.

Attorney Bobrowski explained that the proposed bylaw change is authorized under Chapter 43D of Massachusetts State Law. It allows Deerfield to create an Expedited Permitting District which offers interested businesses the opportunity to quickly and easily explore possibilities for a business venture in Deerfield. It guarantees that a business can receive a decision on their application for a permit by 180 days. This option is rare in the Commonwealth.

The proposed change would rezone the former Oxford Foods Property out of the Commercial District into an Expedited Permitting District. An applicant's proposed development would need to meet specified criteria to be eligible for siting in an EPD and would be subject to only a site plan review by the Select Board. Mr. Bobrowski stressed that the Select Board will be able to influence, and even micromanage, the details of how the site is developed, such as standards on Energy Efficiency and Green Building, Stormwater, and Architectural Design, through the purchase and sale agreement. He stated that it is not necessary to specify particular details of development at this stage and that doing so might serve to discourage potential bidders. He stated that the Town does not know what will be developed on the property or who will develop it.

Mr. Waite asked if the EPD would be subject to current and future zoning bylaws and Attorney Bobrowski stated that all general bylaws would apply.

Mr. Sadoski asked what happens to the Steering Committee now. Mr. Upton stated that the Steering

Committee will follow the property through to final action by the Select Board. Mr. Kubiak explained that the existence of the Steering Committee is stipulated in the contract for the State grant which is paying for the expertise of the EDC.

Mr. Upton stated that failure to address this proposal in this cycle would be costly to the Town due to the expense of interest payments and the loss of tax revenue from the property. Mr. Blair stated that the EDC will be marketing the property and that the Town will benefit from getting it onto the market quickly. It is a unique property and a unique opportunity for Deerfield; finding the right fit will be important. It will be difficult to be patient given the amount of money the Town has already, but patience is necessary because of the crazy market.

Ms. Rose asked why the market is crazy. Mr. Blair explained that the general market is competing which each other and they are cautious and uncertain. Mr. Bobrowski explained that companies are holding back; "keeping their powder dry." He said that interested parties can contact Mr. Kubiak. Mr. Waite urged viewers to talk up the property in order to bring interested parties to the Town.

Ms. Rose asked about concerns addressed in Mr. LaBarbera's Memo. Mr. Borowski explained that he had endeavored to address those concerns earlier. He stressed that they can be addressed in the Purchase and Sale Agreement. He doesn't want to scare anyone away by being too specific in the bylaw. He reported that the Steering Committee anticipates that one entity will bid on the property, but that does not preclude several entities from working together on a bid.

Mr. Bobrowski explained that the Planning Board will need to present a written recommendation to Town Meeting. He requested that the Planning Board also make a motion to amend the language of the original motion to specify in ..... that the Select Board will oversee the Site Plan Review of the Oxford Property. He also stated that the April 1, 2008 hearing will be the only public hearing on the project.

Mr. Blair stated that there will be a public workshop to discuss the proposed bylaw changes at Deerfield Town Hall on April 16, 2008. Mr. Kubiak emphasized that it will be a public information session. Mr. Waite urged residents to attend so they can get their questions answered prior to Town Meeting.

Ms. Schmitt moved to close the hearing. Ms. Rose seconded the motion. Board approved the motion unanimously. Hearing closed: 7:58 pm

PUBLIC HEARING on Zoning Map Amendment opened at Deerfield Municipal Offices at 8:01 p.m.

Members Present: John Waite/acting-Chair, James Pasciesnik, Lynn Rose, Roger Sadowski, Elizabeth Schmitt

Others Present: Town Attorney Mark Bobrowski; Town Administrator Bernie Kubiak; Steve Upton/Chair and other members of the Former Oxford Foods Redevelopment Steering Committee (Steering Committee) Allan Blair and other representatives of the Economic Development Council of Western Massachusetts (EDC)

Members Absent: Peter LaBarbera, James Pasciesnik

Mr. Waite read the Notice of Public Hearing:

The Deerfield Planning Board will hold a public hearing on a proposed amendment to the Town of Deerfield Zoning Map. The amendment proposes to change the zoning district designation of the parcels known as Assessors Map 168 parcel 20, Assessors Map 168 parcel 21, Assessors Map 169 parcel 2, Assessors Map 169 parcel 3, Assessors Map 174 parcel 159, and Assessors Map 175, parcel 16 from district C-I to an Expedited Permitting District (EPD). The public hearing will be held on Tuesday, April 1, 2008 at 8:00 p.m. in the Town Offices located at 8 Conway Street, South Deerfield, MA. Copies of the proposed Zoning Map amendment may be viewed at the Office of the Deerfield Town Clerk weekdays between the hours of 9:00 a.m. and 4:00 p.m.

Mr. Waite asked Mr. Kubiak to explain the proposed amendment to the Deerfield Zoning Map. Mr. Kubiak explained that the amendment calls for changing the designation of the 5 parcels which currently make up the former Oxford Foods Property from C-I to Expedited Permitting District. He also explained that the Steering Committee further proposes to add to the EPD the  $\frac{3}{4}$  acre parcel on which the Town Highway Garage currently sits. The Steering Committee is requesting that Planning Board endorse the original proposal and the proposed addition of the  $\frac{3}{4}$  acre parcel to the EPD.

Ms. Rose asked if a highway garage will be built at another location. Mr. Kubiak affirmed that a new garage would be built and Mr. Waite stated that the issue of the highway garage is not conditional to approval of the proposed amendment. Mr. Kubiak reported that proposed access to and from the former Oxford Foods Property would be via Jewett Street and Coates Avenue. A third possible access route would involve crossing a stream and is less desirable.

Mr. Upton asked Mr. Kubiak to clarify the action requested of the Planning Board. Mr. Kubiak stated that he would work with Mr. LaBarbera to set up a hearing on the addition of the  $\frac{3}{4}$  acre parcel to the proposed EPD prior to Town Meeting. Mr. Kubiak explained the Steering Committee requests that the Planning Board act promptly on the proposal so it can be presented to the 2008 annual Town Meeting.

Mr. Sadoski moved to close the hearing. Mr. Baronas seconded the motion. Board approved the motion unanimously.

Hearing closed: 7:58 pm

#### PLANNING BOARD APRIL MEETING

The Board proceeded with regular business. Ms. Rose reported that Mr. Kubiak had informed her that the Planning Board budget had been submitted and approved. Mr. Waite read a message from Mr. LaBarbera regarding proposed new fee regulations. Action was deferred to the next meeting. Mr. Waite requested consideration of the minutes of February 4, 2008 and March 3, 2008.

Ms. Schmitt moved to table the minutes. Ms. Rose seconded the motion. Board approved the motion unanimously.

Ms. Schmitt noted that the Planning Board will need to write a statement endorsing the proposed changes to the Deerfield Bylaw and Deerfield Zoning Map. Mr. Waite suggested that the Board hold a Public Hearing on the proposed addition of the  $\frac{3}{4}$  acre parcel to the EPD prior to the Public Information Session on April 16, 2008 in the Town Hall. Mr. Kubiak said that he would post the Public Hearing the following day.

The Board discussed the Scope of Work proposal with the Franklin Regional Council of Governments. Mr. Baronas suggested that the Planning Board should cut back on the proposed expenditure to the

FRCOG, if the Paciorek parcel is taken out of the study area. Mr. Sadoski reported that FRCOG was to look at the property and determine whether zoning changes are needed. Mr. Waite stated that the contract with FRCOG has not been signed yet. Mr. Baronas stated that money is getting tight and the Planning Board needs to be careful how it uses its budget.

Ms. Schmitt moved to adjourn. Ms. Rose seconded the motion. Board approved the motion unanimously.

Meeting adjourned at 8:30 p.m.

Next Meeting: April 7, 2008 7 p.m.