

SOUTH HADLEY PLANNING BOARD REGULAR MEETING

MINUTES OF JANUARY 23, 2017

As Approved February 27, 2017

Present: Jeff Squire, Chair; Brad Hutchison, Member; Melissa O'Brien, Member; Joan Rosner, Clerk; Larry Butler, Associate Member; Mark Cavanaugh, Vice-Chair (arrived at 6:37 p.m); and Richard Harris, Town Planner

Mr. Squire called the meeting into session at 6:33 p.m.

1. Minutes

a. *January 9 Planning Board meeting minutes*

Mr. Harris referenced the draft minutes which he had previously distributed. The Board members reviewed the draft minutes.

Motion - Mr. Hutchison moved and Mr. Cavanaugh seconded the motion to approve the January 9, 2017 Planning Board Meeting minutes as submitted. The Board voted **Four** (4) out of **Four** (4) members present in favor of the motion.

2. Bills and Correspondence

Mr. Harris referred to a list of correspondence and a list of additional correspondence which were distributed to the members and noted that the correspondence folder is on the front table. He also stated that there are no bills to be paid.

3. Consider Endorsement of Approval Not Required Plan for Suzanne Bara. Property Location: 4 & 6 Bara Lane (Assessor's Map #24 – Parcels #90 & #130).

Mr. Harris described the ANR Plan which proposes to remove a 20 foot wide strip of land from a lot owned by Suzanne Bara and add it to the adjoining lot at 4 Bara Lane owned by John P. Beaulieu to create a large undivided parcel of land at 6 Bara Lane. As such, the ANR Plan does not create any new building lots though it does create a new "lot". The subject properties are located on the northside of Bara Lane and are currently developed with existing single-family residences.

Mr. Harris noted that the applicant's property is zoned Residence A-1 which allows single-family dwellings by right on parcels of 22,500 square feet and 125 feet of frontage. Both building lots will exceed the minimum requirements of the Zoning Bylaw. He stated that while Bara Lane is NOT a publicly maintained roadway, it was a roadway approved by the Planning Board under the Subdivision Control Law - the waivers granted the applicants require the roadway to be privately maintained. Based on the available information, he stated that he believes the ANR Plan is appropriate for endorsement.

Motion - Mr. Hutchison moved and Ms. Rosner seconded the motion to find that the ANR Plan is appropriate for endorsement and to authorize endorsing the ANR Plan as presented.

The Board voted **Four (4)** out of **Four (4)** members present in favor of the motion. Mr. Hutchison, Ms. Rosner, and Ms. O'Brien endorsed the Plan.

(Mr. Cavanaugh arrived at 6:37 p.m.)

4. Discuss and Consider request to have Planning Board meetings recorded and/or broadcast via the Cable Studio services

Mr. Harris stated that Martha Terry had submitted a request to the Town Administrator "that all future Planning Board meetings be taped so that the public who cannot attend may view or review these meetings". The Town Administrator has indicated that decision is up to the individual Board and/or Board Chair.

Mr. Squire indicated he had no objection to the Board's meetings being taped and broadcast but expressed an opinion that there should be a town wide policy on this matter applicable to all Boards – or at least significant boards.

There was discussion as to the logistics of having all the meetings taped and broadcast. A question was asked if this would apply only to the public hearings or the entire meeting – "gavel to gavel". Mr. Harris stated that the request was for "all Planning Board meetings"; therefore, it would be "gavel to gavel".

Concerns were expressed that the taping and broadcast could discourage some people from speaking as many people are already hesitant to speak before a crowd. It was noted that, to ensure that everyone speaking is picked up on the audio and video, it will be essential for all speakers to come to the front and speak into a microphone.

Motion - Mr. Hutchison moved and Ms. O'Brien seconded the motion to approve the request that "all Planning Board meetings" be taped and recorded. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

There was discussion as to whether to request or recommend that meetings of all or at least "significant" Boards be taped and broadcast. However, no motion was made.

Mr. Squire recessed the meeting for the public hearing at 6:49 p.m.

5. PUBLIC HEARING: Special Permit for Proposed 12-unit multifamily development – Property Location: Canal, Main, and High Streets - (Assessor's Map #4D – Parcel #15) (Continued from September 26, 2016)

The Public Hearing was held. (See minutes of Public Hearing.)

The meeting reconvened at 7:14 p.m.

6. DECISION: Special Permit for Proposed 12-unit multifamily development – Property Location: Canal, Main, and High Streets - (Assessor's Map #4D – Parcel #15)

Since the public hearing was continued until February 27, 2017, no action was taken on this item.

7. Discussion and consideration of the South Hadley Urban Renewal Plan including Statutory Findings regarding the plan

Mr. Harris provided an update on the status of the plan and the Advisory Committee meeting which was held last week. He noted that Frank DeToma, Chair of the Redevelopment Authority, had planned to be here tonight but was ill and could not attend.

Mr. Harris stated that he had a conversation with Kathy McCabe, consultant to the Redevelopment Authority as to the time frame for the plan completion. She indicated to him that she wants to submit the plan to DHCD for an “informal” review before the Planning Board takes any action. Therefore, she suggested that the Board not make any findings until their meetings in March 2017.

Accordingly, Mr. Harris stated that no action is needed or appropriate tonight.

8. Discuss and Consider Adopting Interim Policy Regarding Standards to be Applied to Special Permits For Conversion of Single-Family Dwellings to Two-Family Dwellings

Mr. Harris provided background on this matter noting that the Board had approved an “Interim Policy” under “Other New Business” at the last meeting but should formally adopt the Policy as an agenda item. He referred to a document which he had distributed to the Board as part of the meeting packet and which had been included in the Board’s Report to Town Meeting in January. Mr. Harris stated that, at the last meeting, he had incorrectly advised that the guidelines/standards in 2015 were merely brought forward from 2014. However, in researching the matter for the Town Meeting Report January 9, 2017 he realized that the 2015 guidelines/standards had some additional items which had been raised in the January 9th discussion. Therefore, the “Interim Policy” is a compilation of the guidelines/standards which the Board had drafted and provided to Town Meeting for the Fall Special Town Meetings in 2014 and 2015.

Mr. Hutchison had questions about including the “owner occupancy” requirement and how the Interim Policy would apply to applications. Mr. Harris stated that since the Interim Policy would only apply to Special Permit projects, the Board has latitude to attach special conditions to address issues raised in the hearing.

There was discussion regarding the “owner occupancy” provision with several of the Board members expressing concern about the provision. Mr. Harris noted that enforcement, especially long term, is problematic. However, this guidelines/standard was included in the January 9, 2017 action; therefore, he suggested it needs to remain. He provided an example of a circumstance in which the Board could make a case for inclusion of the “owner occupancy” – if all the houses in the neighborhood are documented as being only owner occupied, then the Board might be able to make a case for a special condition.

In terms of the Task Force, Mr. Harris suggested that no appointments be made tonight. However, the Board should establish some parameters for the Task Force; such as, size, scope, and duration. He stated he envisioned the Task Force meeting over a 6 month period and developing a proposal which they would present to the Planning Board. Then, just as the

Board did with the Master Plan, the Board would revise the proposal before taking it to Town Meeting. The revision process would be in consultation with the Task Force.

All members indicated that they concurred with Mr. Harris' comments. Mr. Squire suggested that the Task Force should not be too big and should be an "odd" number of members. Mr. Harris suggested 5, 7, or 9 (but no more than 9) members. The Board members indicated that they concurred with size but thought it should be on the 5 or 7 size. In terms of duration, Board members thought 6 months was sufficient and the Task Force should look at guidelines/standards for all conversions, not just for Special Permit conversions. Mr. Harris suggested that the guidelines/standards could differ between zoning districts based on "by right" or "by Special Permit".

Ms. Rosner inquired if the Selectboard Office would solicit names. Mr. Harris suggested that the Planning Board members recruit members for the Task Force and bring the names to the next meeting.

Motion - Ms. Rosner moved and Mr. Cavanaugh seconded the motion to adopt the "Interim Policy Regarding Standards to be Applied to Special Permits For Conversion of Single-Family Dwellings to Two-Family Dwellings" as presented. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

Motion - Ms. O'Brien moved and Ms. Rosner seconded the motion to approve the structure, duration, and scope of the Task Force to develop "Standards to be Applied to Conversion of Single-Family Dwellings to Two-Family Dwellings" as follows:

- Number of Members: 5, 7, or 9
- Duration: 6 Months to report back to the Planning Board
- Scope: All Conversions of Single-Family to Two-Family Dwellings

The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

9. Development Update and Planner's Report

Mr. Harris reviewed the following items and activities:

a. Development Report

- Newton Street Duplex (383 Newton Street) – (no change – no application has been submitted).
- Mountainbrook Street Acceptances – (no change)
- Rivercrest Condominiums – (no change)
- Ethan Circle Subdivision – (no change)
- Canal Street Condominiums – (Discussed under agenda items #5 above).
- Used Car License (3 Main Street) – This property is being sold and the buyer is intending to apply for a Special Permit for a "Used/Second-hand car sales" and to seek Class II and Class III licenses for the use. He has indicated his intent to "clean up" the property and to store all auto parts and inoperable vehicles inside the building. The Special Permit application is scheduled for a public hearing on the Planning Board agenda February 13th

- Bed & Breakfast (one room) – The owner of the residence/beauty shop at College Street and Wright Place has expressed an interest in renting out one room on Air BNB. Mr. Harris stated he is meeting with Susan Carson to go over the Special Permit process required of such a use.

b. Other Projects

- Urban Renewal Plan and Redevelopment Authority. (This was discussed under agenda item #7 above.)
- Housing Studies. (No change at this time)
- Complete Streets Program Participation. (Mr. Harris has been informed that MassDOT is reducing the amount of funding and he is revising the Scope of Work and resubmitting the request to MassDOT.)
- Participating in the Regional Valley Bike Share planning process with the Town Administrator.
- Participating with the Bike/Ped planning process. (The final plan was presented by the PVPC at the Selectboard Meeting on December 20, 2016 and is posted on the Town's website.)
- Participating in the "Team Hampshire" economic development coordinating effort – an informal process among several of the cities and towns in Hampshire County
- Permitting Guide.
- General Code. (This was adopted at the January 2017 Special Town Meeting)
- Health Impact Assessment. (No change)
- Chapter 43D Expedited Permitting. (No Change)
- Fair Housing Report: Assessment of Impediments to Fair Housing in South Hadley. (Mr. Harris noted that this matter has not changed, but suggested that review of the report should be on the Board's agenda for discussion in February)

c. Workshops/Training Opportunities

Mr. Harris stated he is scheduled to attend the following workshop:

- Dynamic Market & Retailing Shifts - Considering the Future of Downtown (January 25, 2017 – in Worcester)

10. Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

None

11. Adjournment

Motion – Mr. Cavanaugh moved and Ms. Rosner seconded the motion to adjourn. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion. The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

AS APPROVED

Richard Harris, Recorder

Attachment A

List of Documents Reviewed in January 23, 2017 Planning Board Meeting

<u>Document</u>	<u>Record Location</u>
Planning Board Meeting Agenda and Background Information	Planning Board Agenda Packet Files
Zoning Bylaw	Planning Board Files
ANR Plan – Bara	Planning Board Files
Request to have meetings taped	Planning Board Files
Application and Related Plans & Materials Regarding the Canal Street multifamily Special Permit project	Planning Board Project Files
Proposed Interim Policy Regarding Standards for Conversion of One-Family to Two-Family Dwellings	Planning Board Files

AS APPROVED

SOUTH HADLEY PLANNING BOARD PUBLIC HEARING

**REQUEST SPECIAL PERMIT FOR MULTIFAMILY DEVELOPMENT
ORANGE PARK MANAGEMENT, LLC – CANAL STREET**

MINUTES OF JANUARY 23, 2017

As Approved February 27, 2017

Present: Jeff Squire, Chair; Mark Cavanaugh, Vice-Chair; Joan Rosner, Clerk; Brad Hutchison, Member; Melissa O'Brien, Member; Larry Butler, Associate Member; and Richard Harris, Town Planner

Mr. Squire called the public hearing to order at 6:49 p.m. He noted that this is a continuation of the public hearing began on September 26, 2016.

Mr. Squire invited the applicant to review the plan changes and comments.

Pat G_____, principal of Orange Park Management, LLC and Ray Hervieux, architect were present to represent the application.

Ray Hervieux, architect, noted that the hearing was continued to address the drainage plan and he only received the Peer Review letter late today. He questioned if the Stormwater Management Permit is required before the Special Permit. Mr. Squire responded that they are typically pursued concurrently.

Mr. Harris noted that, since this site is slightly under one acre (only 0.96 acre), it is not subject to the Stormwater Management Bylaw. However, under the Special Permit standards, the Board must review the impacts of Stormwater. Thus, the expectation is that, to the extent appropriate, the Stormwater Management Bylaw standards and criteria should be followed – or close to it. He suggested that the applicant's consultant work with Fuss & O'Neill to resolve the issues.

Mr. Squire added that the project is not required to meet all of the Stormwater Management Bylaw provisions. But, they should be followed to the maximum extent feasible. He expressed concern about the aesthetics of the design and the extent to which the system will work as designed – something that Fuss & O'Neill appear to be questioning too.

Ray Hervieux, architect, commented that the system is designed to handle all flows but the 100 year storm. For that event, they have proposed the detention basin.

Mr. Squire commented that the system has maintenance and aesthetic issues which could be reasonably addressed. He offered some ideas about issues and solutions for the applicant to consider. Among the items discussed were how much of the "leaching catch basins" would actually leach given their means of construction, the proposed basin with its concrete headwall and 12 inch exposed drainage pipe could be an unaesthetic feature

but converting that to an underground infiltration basin could alleviate the aesthetic issue and enhance the drainage functionality of the system, and having regular “catch basins” instead of “leaching catch basins”.

There was discussion about the visual image the proposed concrete headwall and 12” outfall pipe would project as viewed from Main and High Streets. Additionally, the proposed system would require regular maintenance which would be up to the Condo Association; and even with the maintenance there was some skepticism about the functionality of the proposed system – as currently designed.

Ray Hervieux, architect, commented that he thought there would not be a problem having the engineer modify the engineering plan. He reviewed the changes to the landscaping plan which were made to address the Tree Warden’s comments. It was suggested that the Stormwater basin as currently proposed would warrant much more landscaping.

Mr. Cavanaugh and Mr. Squire inquired as to the roof drainage. Ray Hervieux, architect, stated that the roof would drain by gutter into the parking areas and the leaching catch basins.

Mr. Harris stated that he would notify Fuss & O’Neill that the project does not require a Stormwater Management Permit. However, the Board wants the project to substantially meet the various standards to the extent reasonable given the previous site conditions and the costs associated with full compliance.

Mr. Harris suggested that the public hearing be continued to February 27, 2017 at 6:45 p.m. for the sole purpose of addressing the Stormwater management and related aesthetic issues as discussed in the public hearing. He urged the applicant to have their engineer contact Fuss & O’Neill as soon as possible.

Motion – Mr. Cavanaugh moved and Ms. Rosner seconded the motion to continue the public hearing until February 27, 2017 at 6:45 p.m. – with Stormwater management (as discussed tonight) being the remaining issue that needs to be addressed. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

There being no further public comment, Mr. Squire announced that the public hearing is continued until February 27, 2017 at 6:45 p.m. With concurrence from the other members, Mr. Squire recessed the hearing at 7:14 p.m.

Respectfully submitted,

AS APPROVED

Richard Harris, Recorder