

SOUTH HADLEY PLANNING BOARD REGULAR MEETING

MINUTES OF JANUARY 28, 2019

Present: Mark Cavanaugh, Vice-Chair; Melissa O'Brien, Clerk; Brad Hutchison, Member; Diane Mulvaney, Member; Larry Butler, Associate Member; and Richard Harris, Town Planner; Colleen Canning, Recorder

Mr. Cavanaugh called the meeting into session at 6:30 p.m.

1. Minutes

Mr. Harris noted that there were no draft minutes prepared for the Board to approve that night.

2. Correspondence

Mr. Harris informed the Board that no additional correspondences had been made. The folder of correspondences was in front of Mr. Cavanaugh.

3. CONSIDER REQUEST TO WITHDRAW WITHOUT PREJUDICE the Special Permit Application by Chicopee Concrete, Inc. for Major Excavation Permit – Property Location: West side of Hadley Street (aka State Route 47) and along Sullivan Lane and are identified on Assessor's Map Number #54 as Parcels #15 & #20 and on Assessor's Map Number #56 as Parcels #26, #42, & #43.

Mr. Cavanaugh opened with a review of the status of the special permit application for Chicopee Concrete's intended extraction activities. He stated that Chicopee Concrete had requested to withdraw the application without prejudice. The letter from Chicopee Concrete's representative was received the previous Thursday and was posted to the town's website. The Board had to consider how it wanted to act on the request prior to taking further action. Ms. Mulvaney suggested that the Board had two courses of action on this matter - the Board could allow the withdrawal without prejudice or not. Mr. Harris clarified for the Board and the public that if the Board voted to allow Chicopee Concrete to withdraw their application without prejudice, the application would no longer be pending therefore no further discussion would be required. Mr. Harris confirmed that the Town Counsel advised that, in the absence of Jeff Squire, the Associate Member, Larry Butler, could vote on Special Permits (including this withdrawal request) – if the it is so noted by the Chair (Mr. Cavanaugh acting as Chair in absence of Jeff Squire). Mr. Cavanaugh stated that Mr. Butler would be participating in the vote on this request. Mr. Cavanaugh inquired if the Board had any more questions. When they did not, Mr. Cavanaugh asked if there was a motion.

Motion: Mr. Butler moved and was seconded by Mr. Hutchison to allow Chicopee Concrete Services to withdraw their Special Permit Application without prejudice. **Five (5)** out of **Five (5)** Board members (including Associate Member Mr. Bulter) voted to allow withdraw without prejudice.

4. PUBLIC HEARING: Special Permit Application by Chicopee Concrete, Inc. for Major Excavation Permit – Property Location: West side of Hadley Street (aka State Route 47)

and along Sullivan Lane and are identified on Assessor's Map Number #54 as Parcels #15 & #20 and on Assessor's Map Number #56 as Parcels #26, #42, & #43. (continuation of public hearing)

Due to the outcome of agenda item three, no public hearing was held on this matter.

5. DECISION: Special Permit Application by Chicopee Concrete, Inc. for Major Excavation Permit – Property Location: West side of Hadley Street (aka State Route 47) and along Sullivan Lane and are identified on Assessor's Map Number #54 as Parcels #15 & #20 and on Assessor's Map Number #56 as Parcels #26 & #43.

Due to the outcome of agenda item three, no decision was needed to be given on this matter.

6. Discussion regarding potential revisions to the Zoning Bylaw regarding regulations applicable to the Water Supply Protection District Zoning Bylaw and Zoning Map regarding the boundaries of the Water Supply Protection District

Mr. Harris offered background information on the agenda item. He noted that during the past public hearings there were questions raised as to the application of some of the provisions of the Water Supply Protection District – it may appropriate to revise the provisions to reflect what the community wants the regulations to say in 2019 as opposed to 30 years ago. Additionally he noted that Mark Aiken, Water District 2 Superintendent, had retrieved information from the DEP regarding recommendations for South Hadley's current Water Supply Protection District (WSPD). Mr. Aiken noted that DEP suggested:

- The WSPD needs to include additional provisions incorporating restrictions detailed in the relevant Massachusetts CMR; and,
- The Town could reduce the boundaries of the WSPD to reflect the current Zone 2

The current Water Supply Protection District includes much of District 2. The present WSPD map was drawn when Lithia Springs was supplying drinking water to the district. As that is no longer the case, it was an observation that the WSPD could be considerably reduced down to the Zone 2 area. Mr. Harris explained that reducing the WSPD would mean that the land removed from that District would only be subject to the underlying zoning regulation (lower lot sizes, for example). Community input will be important in deciding how to change the Water Supply Protection District. Possible changes to the WSPD will be part of an ongoing multi-month conversation. Mark Aiken commented that the town's by-laws can be stricter than the DEP recommendations. He stated that more research needed to be done.

There was a suggestion that the WSPD could merely reference the applicable Massachusetts CMR. Mark Aiken, District 2 Water Superintendent and Frank DeToma, Water District 2 Commissioner, indicated that would be good approach as it would incorporate the DEP requirements as they might change. Frank DeToma also commented that he would be reviewing this matter with his Commission.

An identified woman inquired if the mentioned DEP information would be up on the town website. Mr. Harris suggested that the District could post whatever materials it deems appropriate, as they generated it.

7. Development Update and Planner's Report

Before Mr. Harris updated the Board, Martha Terry, 25 Brainard Street, indicated she had comments on the Report to Town Meeting regarding the proposed zone changes on Granby Road. She commented that she had followed a posted link on the town website and it was not taking her to the correct place regarding these reports. She desired to have the Board clarify a point in the reports before they submitted to Town Meeting. She said that zoning of abutting properties across town lines would not influence the zoning of the property. She referenced a particular property in South Hadley that was on the Granby line. She stated she made a phone call to Elaine Wijnja of the Department of Housing and Community Development who indicated that the Board could not change the zoning because of the zoning in Granby. Mr. Harris stated he would follow up with Elaine Wijnja and this matter will be included on another agenda in February for the Board to consider revisions to the report.

Mr. Harris proceeded with the Update and Report as follows:

a. Development Report

- Mountainbrook Development – Phase 2 - (No change)
- Rivercrest Condominiums - (No change)
- Ethan Circle Subdivision -(No change)
- Canal Street Condominiums - (No change)
- Bardwell Street Condominiums - (No change)
- Potential Flexible Development on Amherst Road by Thomas Spring - (No change)
- Potential Expansion of the Leo Concrete sand/gravel pit of Hadley Street (Route 47) - (this was discussed under Agenda Item above)
- Riverlodge Road - (No change)
- Opportunity Zone Designation. (No change)
- Zoning Map Amendments -The reports have been revised and posted on the Town's website at the following link:
<http://ma-southhadley.civicplus.com/947/Reports-to-Town-Meeting-on-Zoning-Map-Am>
- Proposed Group Home - (The engineer is still working to finalize the project plans. They have submitted a letter regarding the exempt status of this project – under Chapter 40A, Section 3 MGL. The letter has been referred to Town Counsel for an opinion)

b. Bylaw Amendments

- Proposed 40R District: (The Town has submitted the application for Final DHCD Approval. Mr. Harris hopes the Board can work on the Administrative Regulations and the Design Guidelines in February – both will require DHCD approval prior to local adoption)
- Infill Development/Lot Averaging Bylaw Amendment: (No change)

- Design Review Bylaw: No change - however, it is suggested that this is one of the items that should be put forward for Town Meeting in 2019 or 2020
- Chapter 43D Expedited Permitting: (No change)
- Solar Photovoltaic Zoning Bylaw amendment: (No change.)
- Working on a model Subdivision Regulation with other communities and the PVPC: (This is taking a vacation over the winter.)

c. Other Projects

- Urban Renewal Plan and Redevelopment Authority: (The consultant has submitted a revised plan which the Conservation Administrator/Planner is reviewing)
- Mass Works Grant - Gaylord Street: (No change)
- Mass Works Grant - 2018: (No change)
- Land & Water Conservation Fund Grant Applications: (Work has begun on the River to Range Trail components funded under this grant.)
- Complete Streets Program Participation: (Fuss & O'Neill are working on the engineering details for this project.)
- Other Grant Application: (No change).
- Regional Valley Bike Share program: (no change.)
- Participating in the "Team Hampshire" economic development coordinating effort – an informal process among several of the cities and towns in Hampshire County
- Permitting Guide: No change
- Green Communities: No change
- Westover Air Reserve Base Joint Land Use Study: No change.
- Regional Housing Committee: (No change)
- River to Range Trails. No change.
- Open Space & Recreation Plan and Master Plan Updates: (Our consultant team is working on background research and have met with several stakeholders including MPIC on Wednesday January 16, the first public forum will be February 27th and the second will be March 27th)

Mr. Harris encouraged the public to serve on committees as there are openings on the Master Plan Committee and the Open Space and Recreation Plan Committee. Mr. Harris stated that surveys will be used to gain insight on the communities needs. Martha Terry, of 25 Brainard Street, asked what methods would be used to circulate these surveys. Mr. Harris indicated that a variety of tools including the town website, social media and e-mail as means to engage with the public. He explained that the forums would have individual themes surrounding community engagement.

Joanna Brown of Precinct E had further comment on survey outreach. She commented on survey goals, preview, and bench marks. She advised that working with a formal research group to gather data would be beneficial.

Mr. Harris made mention that he would be attending the Massachusetts Association of Planning Directors in North Adams in May.

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

Ms. Mulvany commented that SHELD has a new feature on their website to gather information about residents interested in municipal high speed internet. She urged the public to show their interest.

9. Adjournment

Motion: Ms. O' Brian moved and Ms. Mulvaney seconded the motion to adjourn. The Board voted **Four (4)** out of **Four (4)** in favor of the motion. The meeting adjourned at 7:08 p.m.

Respectfully Submitted,
Colleen Canning, Recorder