

## SOUTH HADLEY PLANNING BOARD REGULAR MEETING

### MINUTES OF FEBRUARY 25, 2019

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

Jeff Squire called the meeting into session at 6: 31 PM.

#### 1. Minutes

Mr. Harris noted he had previously transmitted copies of the draft minutes from the February 11, 2019 meeting.

**Motion:** Ms. Mulvany moved and Ms. O'Brien seconded the motion to approve the minutes from the February 11, 2019 meeting. **Five (5) of Five (5)** members voted in favor of the motion.

#### 2. Correspondence

The correspondences were in front of Mr. Squire. No additional correspondences had been made. Mr. Squire inquired if the Board had thoughts in regards to the letter from the Conservation Commission requesting information on Chicopee Concrete's current permitting. It was noted that full consideration for the letter will be given at the March 11, 2019 meeting if time allowed.

#### 3. Confirm Ex-Officio Representative to the Master Plan Update and OSRP Update Advisory Committees

Consideration was given to choosing a representative of the Planning Board for the Master Plan Update and the OSRP Update Advisory Committees. Mr. Harris shared that the Chairs of both the Conservation Commission and the Master Plan Implementation Committee would be representing their respective organizations on the OSRP update committee and the MPIC chair is also on the Master Plan Update Committee. Ms. Mulvany inquired if it would be appropriate to appoint an alternative in the event that that the Chair would not be able to attend. Vice-Chair Mark Cavanaugh was recommended as an alternate to the Chair, Jeff Squire.

**Motion:** Ms. Mulvany moved and Ms. O'Brien seconded to confirm the Chair, Jeff Squire, as representative of the Planning Board for the Master Plan Update and OSRP Advisory Committees and to have the Vice-Chair, Mark Cavanaugh, as alternate. **Five (5)** out of **Five (5)** members voted in favor of the motion.

**4. SCHEDULED PUBLIC HEARING:** Proposed amendment to Special Permit & Site Plan Review (as previously amended) granted to Kemp Realty/John Pettengill for 6-unit multifamily development and an office building with a drive-through window – Property Location: 460 Newton Street, 47-49 Camden Street, and 102-104 Lyman Street - (Assessor's Map #28 – Parcels #267 and #269). (*NOTE: On February 15, 2019, applicant's representative requested that this hearing be deferred/continued until April 8, 2019.*)

Mr. Harris offered background on this case. A representative of the applicant sent a letter through e-mail, followed by a hard copy in the mail, requesting to defer their scheduled public hearing until the April 8, 2019 Planning Board Meeting. It was noted that the initial request was received by the Planning Department 72 business hours prior to the public hearing. Because the applicant abided by the Board's policy, the applicant was not required to attend the scheduled public hearing on February 25, 2019. It was up to the Board's discretion to allow the deferral of the scheduled public hearing to the requested date and time.

**Motion:** Ms. Mulvany moved and Mr. Cavanaugh seconded the motion to grant the applicant's requested to defer the scheduled public hearing on February 25, 2019 to April 8 2019 at 6:45 PM. **Five (5)** out of **Five (5)** members voted in favor of the motion.

**5. SCHEDULED PUBLIC HEARING:** Application for Site Plan Review and Stormwater Management Permit by Center for Human Development for an Educationally Exempt Use (24 bed congregate living facility providing a variety of core life skills education) – Property Location: West side of Old Lyman Road - (Assessor's Map #14 – Parcel #64). (**NOTE: On February 19, 2019, applicant's representative requested that this hearing be deferred/continued until March 11, 2019.**)

Mr. Harris offered background on this case. A representative of the applicant sent a letter through e-mail requesting to defer their scheduled public hearing until the March 11, 2019 Planning Board Meeting. It was noted that the initial request was received by the Planning Department 72 business hours prior to the public hearing. Because the applicant abided by the Board's policy, the applicant was not required to attend the scheduled public hearing on February 25, 2019. It was up to the Board's discretion to allow the deferral of the scheduled public hearing to the requested date and time.

**Motion:** Mr. Cavanaugh moved and Ms. Mulvany seconded the motion to grant the applicant's requested to defer the scheduled public hearing on February 25, 2019 to March 11 at 6:45 PM. **Five (5)** out of **Five (5)** members voted in favor of the motion.

## **6. Discussion/consideration of clarifying application requirements including revisions to application forms**

Discussion opened in regards to draft edits to the Special Permit Application form. Mr. Harris explained that the draft includes a section which requires the applicant to list the proposed project's "overlay district"; if one exists. This would supplement the existing application question which asks the applicant to state the present "zoning district". Mr. Harris added that the draft edits to the Special Permit Application could be included on all Planning Department Permitting applications if the Board advised so.

**Motion:** Ms. O'Brien moved and Mr. Hutchinson seconded to approve edits to the Special Permit Application and to include those edits to the Planning Department's other applications including; Site Plan Review, Preliminary Subdivision Plan, Definitive Subdivision Plan, Form H Plan, and Storm Water Permit. **Five (5)** out of **Five (5)** members voted in favor of the motion.

## **7. Discussion/consideration/update of Smart Growth Zoning District Administrative Regulations and Newton Street Smart Growth Design Guidelines**

Discussion opened with Ms. Mulavny inquiring when the supplemental graphic designs by Lucia Foley for the Newton Street Design would be submitted. Mr. Harris responded by saying he was not sure but hoped to get revisions to the Board for review by March 11. He hoped to have a revised text submitted into the state for preliminary review without the final graphics by the end of March.

Analysis and review of the current draft of the “*Newton Street Smart Growth Zoning District Design Standard*” began with discussion of required step-backs. Mr. Hutchinson noted that the current draft requires four story buildings to have setbacks of five feet stipulated in section 7.1.3 *Building Step-Back*. To Mr. Hutchinson, this seemed excessive and he was concerned that the requirement would lead to ‘bad architecture’. He reminded the board of the pedestrian scale of the district and noted that these setbacks could lead to eyesores including street front storage and trash. Mr. Butler added that the draft set back could lead to roof leak problems. Mr. Harris replied that the intention of the setback was to offer privacy for adjoining properties. The setbacks create the view from the window as looking “out” rather than ‘down’. Ms. Mulvany inquired how privacy could be addressed without setbacks. It was said that privacy could be addressed through “dimensional” setbacks, site plan construction, and landscape construction. 7.1.3 *Building Step-Back* will be struck from the current draft.

Mr. Hutchinson had additional concern about the language in section 7.6 *Roofs*. Section 7.6.2 requires all buildings that include residences to have peaked roofing. He commented that the language of the guideline unnecessarily encourages peaked/gable roofing; even in mixed use buildings. Mr. Harris replied that, if the Board saw appropriate, sections 7.6.1 & 7.6.2 could be combined and the guidelines could be written to ensure that the design of buildings should conform to the existing architecture of the area rather than mandating roof style. Section 7.6.1 & 7.6.2 will be combined in the current draft.

Mr. Harris mentioned his hope to have a draft of the text by next week and a preliminary text with graphics by mid-March. This would allow members of the Board to continue to review the current draft of the “*Newton Street Smart Growth Zoning District Design Standard*”. Discussion will resume in future meetings.

## **8. Discussion/consider revisions to Reports to Town Meeting on proposed Zoning Map amendments**

Mr. Harris opened with background on this case. At a previous Board meeting, questions were raised about the impact of zoning on land that adjoins bordering municipalities. Elaine Wijnja of the Department of Housing and Community Development was consulted by Mr. Harris to clear up confusion on the matter. Clarity would help inform the content of Reports to Town Meeting. It is understood that the Town’s jurisdiction stops at the town line. However, it is also understood the zoning of neighboring municipalities has effects on the Town of South Hadley. Mr. Harris indicated that that the phrasing of the initial report could be confusing so edits were made for clarity. It was up to the Board to approve such changes.

**Motion:** Ms. O' Brien moved and Ms. Mulvany seconded to approve the changes to the language in the Report to Town Meeting. **Five (5)** out of **five (5)** members voted in favor of the motion

### **9. Discussion/update 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**

Discussion about potential changes to the Water Supply Protection District started with Ms. Mulvany inquiring with Mr. Harris if he had heard updates from Frank Detoma, Chair of Fire District #2 Board of Water Commission, or Mark Akien, Fire District #2 Water Department Superintendent. Mr. Harris shared that the Fire District #2 Board of Water Commission just recently held a meeting and detailed communications had not been shared yet. Ms. Mulvany asked if it would be best to have a full discussion at a later meeting as it would allow time for information to be shared. Mr. Harris thought it was a good idea and suggested the Board invite the Conservation Commission, the Board of Health and the Water Board of Commissions to a future Planning Board meeting to discuss redistricting of the WSPD. Mr. Hutchinson asked if the discussion should be held at a 'joint meeting' between the invited boards and commissions. Because of the nuances of public meeting law, Mr. Harris advised to have the discussion during a Planning Board Meeting with the open invitation. All members indirectly concurred with the suggestion. The discussion will be put on the agenda for the March 25, 2019 Planning Board Meeting.

In relation to Water Protection, Rudy Ternbach, of precinct B, invited everyone to a Science Conference held at the South Hadley Public Library on Sunday April 7, 2019 from 2:00 PM- 4:00 PM in the Community Meeting Room. Hydrogeologists will be holding information sessions on water quality and reviewing studies of local aquifers.

Robert Pleasure, resident of water district #2, addressed the Board. He had been in attendance at the recent Board of Water Commission District #2 meeting and gave some background on the meeting's talking points. He shared that the current WSPD is the 'ridge that constitutes the watershed' and the Mount Holyoke Range recharges the underground aquifer. Robert Pleasure shared that the current WSPD recharges the aquifer and without protections, contamination is possible. He referenced that the town can go over and beyond DEP recommendation.

Mr. Harris commented that the stated purpose of the WSPD will need to be reviewed to justify keeping the current districting. Review of the perimeters around the WSPD will be part of an ongoing conversation.

### **10. Development Update and Planner's Report**

#### **a. Development Report**

- Mountainbrook Development – Phase 2 – (No change)

- Rivercrest Condominiums – (The developers have inquired about the installation of a sign in accordance with the 2018 amendment to the Zoning Bylaw. It is believed that an amendment to their Special Permit will be required. The developers are working on a proposal to bring before the Planning Board.)
- 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)
- 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>)
- 460 Newton Street, 47-49 Camden Street, and 102-104 Lyman Street – This was discussed under Agenda Item #4. The applicant wants to take time to communicate with abutters what the proposed changes to the current Special Permit are.
- Proposed Group Home/Congregate Living Facility – This was discussed under Agenda Item #5. The Town’s contracted engineer needs to complete a peer review of the Storm Water Management Plan.

*b. Bylaw Amendments*

- Bylaw Amendments for 2019: (None are being drafted at this time. The deadline for submittal of articles to the Town Administrator is April 2, 2019)
- Smart Growth 40R Districts: (This was discussed under agenda item #7.)
- Infill Development/Lot Averaging Bylaw Amendment: (No change)
- Design Review Bylaw: No change – however, Mr. Harris thinks this is an item that should be put forward for Town Meeting in 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 Conservation Administrator/Planner has received feedback from DHCD. She is now working on making the appropriate edits)
- MassWorks Grant – Gaylord Street: (No change)
- MassWorks Grant – 2018: (No change)
- Land & Water Conservation Fund Grant Applications: (No change)
- Complete Streets Program Participation: (Fuss & O’Neill is 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.
- Age Friendly Community. The Town is participating with Chicopee and Holyoke in an “Age Friendly Community” planning process. As part of this process, they have launched a survey which is attached. We are hoping that the survey from this effort can also benefit the efforts in the Master Plan and OSRP Update efforts.
- Open Space & Recreation Plan and Master Plan Updates: (This was discussed under Agenda Item #3 above. It is noted that a separate website has been created and is hosted by the Consultant, a separate email has been created, the committees have been appointed, and the first committee meeting has been held. Most importantly, the first community forum is scheduled for Wednesday, February 27, 2019 at 6:00 p.m. in the Town Hall Auditorium.)

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

Linda Yong addressed the Board. She asked about the status of a series of old mills on Gaylord Street. Mr. Harris replied that E-ink was acquiring Mill 3 and they were intending to demolish it. The owners of the property are retaining Mill 6 but did not currently have a plan for it as known to the town.

Ms. Mulvany invited everyone to attend “Dan Kane and Friends featuring Freddie Marion” on Sunday May 19<sup>th</sup> at the South Hadley High School. Proceeds from the show will benefit the new South Hadley Senior Center building.

Joan Vohl-Hamilton addressed the board and asked whose responsibility it was to review permit applications and verify that the information is truthful. Mr. Squire that the town planner reviews applications and then the Board discusses them at public meetings and hearings.

Joanna Brown, of Precinct E, inquired with the board where she could direct comments about recent public surveys. Mr. Harris informed her that Harriman was the town’s consultant for the OSRP/ Master Plan surveys. The “age-friendly community” survey was instituted by an organization outside the town and would be serving members of not only South Hadley, but Chicopee and Holyoke too. Mr. Harris told her that he would forward her comments if she sent an e-mail to him.

Conflict of Interest Law training certificates are due soon. Mr. Harris informed the Board to take the seminar and turn in certificate to the Town Clerk upon completion.

**12. Adjournment**

As there was no more new business to discussed, Mr. Squire inquired if there was a motion.

**Motion:** Mr. Hutchinson moved and Ms. O’Brian seconded the motion to adjourn the meeting at 7:32 PM. **Five (5)** of **Five (5)** members moved in favor of the motion.

**NEXT SCHEDULED REGULAR MEETING: MONDAY, March 11, 2019**

Respectfully Submitted,  
Colleen Canning, Recorder

**Appendix**

<b>Document</b>	<b>Document Location</b>
Special Permit Application	Planning Department Files
Report to Town Meeting	Planning Department Files
Newton Street Smart Growth Deign Standard	Planning Department Files