

**SOUTH HADLEY PLANNING BOARD REGULAR MEETING  
MINUTES OF APRIL 8, 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

Chair Squire called the meeting into session at 6:30 PM.

**Agenda Item #1: --Minutes**

The draft minutes from the March 25, 2019 Planning Board Meeting were previously transmitted to the Board for review.

**Motion:** Ms. Mulvaney moved and Mr. Cavanaugh seconded the motion to approve the draft minutes from the March 25, 2019 Planning Board Meeting. Five (5) out of (5) members voted in favor of the motion.

**Agenda Item #2 --Correspondences**

It was noted that the correspondences folder was in front of Mr. Squire and no additional correspondences had been received.

**Agenda Item # 3--Consider adjustments/additions to the April, May, and June meeting schedules.**

Mr. Harris explained that the current Planning Board Meeting schedule for April, May and June were as follows:

- o April 8 and 22
- o May 13 (There will be no meeting on May 27 as it is Memorial Day)
- o June 10 and 24

At the April 22 Meeting, there will be a Public Hearing regarding proposed Bylaw amendments. It was anticipated that the scheduled Public Hearing will fill most of the scheduled meeting time. Additionally, the Town's consultant for the 'Corridor Study of Routes 33 and 202' want to meet with the Board on the April 22 as the Planning Board has been designated as the advisors for the project. As the Public Hearing to discuss Bylaw amendments was scheduled for 6:45 PM, Mr. Harris recommended that the Board meet at 5:30PM to ensure they would have enough time to meet with the consultants.

Mr. Harris recommended that the Board consider scheduling a Special Meeting on April 29. He went on to explain that, as Chicopee Concrete Services submitted a Preliminary Subdivision Plan on March 28, the Board would need to act on the submitted plan within 45 days of the applicant's submission and the regularly scheduled meeting on April 22 was already full.

**Motion:** Mr. Hutchinson moved and Ms. Mulvaney seconded the motion to approve the April, May and June meeting schedule as follows:

- The next regular meeting will be on **April 22** at 5:30 and will include a Public Hearing to discuss Bylaw amendment changes at 6:45 PM
- A Special Planning Board meeting will be held on **April 29** to act on the submitted Preliminary Subdivision Plan submitted by Chicopee Concrete Services
- A regularly scheduled Planning Board Meeting will be held on **May 13**. (Kemp Realty/ John Pettengill have requested to defer their scheduled Public Hearing to this date. This will be considered under agenda Item #5)
- Planning Board meetings will be held on **June 3** (moved from June 10) and **June 24**

Five (5) out of (5) members voted in favor of the motion.

**Agenda Item #4 -- Consider request by Stephen and June Carpenter for a Waiver of the Plan Preparation requirement that the Site Plan be prepared by a Licensed Professional in regard to a proposed Special Permit for conversion of a single-family residence to a two-family residence – Property Location: 116 Brockway Lane - (Assessor’s Map #45 - Parcel #37)**

Mr. Harris opened with some background on this agenda item. He explained that the homeowners, Stephen and June Carpenter, of 116 Brockway Lane were intending on submitting a Special Permit to convert their single family home into a two family. Prior to submission of a Special Permit, the homeowners wanted to ask the Board to waive the requirement that a licensed professional must prepare the Special Permit. John and June Carpenter were present at the meeting along with their daughter, Laurel.

Laurel Carpenter addressed the Board. She explained that, in converting the single family into a two family, no site changes or alternations to the exterior would be made. She explained that the proposed additional living space could have been accommodated within the exiting house for nearly 20 years. As she intends to move into the proposed additional living area, she wants to initiate the permitting process now. She went on to explain that she will provide plans that show the changes that would need to occur. For these reasons, she was requesting a waiver.

Mr. Harris explained to the Board Members that, if they grated the waiver tonight, it would not commit them the accepting the Special Permit. If during the public hearing process, members felt a though the project would require a licensed professional, they could require it.

**Motion:** Mr. Hutchinson moved and Ms. O’Brien seconded the motion to allow a provisional waiver to allow the applicant to submit a Special Permit that was not prepared by a licensed professional. Five (5) out of Five (5) members voted in favor of the motion.

**Agenda Item # 5 -- CONSIDER REQUEST TO DEFER/CONTINUE 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)

A representative of the applicant sent a letter received March 22, 2019 requesting to defer their scheduled public hearing until the May 13, 2019 Planning Board Meeting. It was noted that the initial request was received by the Planning Department 72 business hours prior to the scheduled Public Hearing. 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. O'Brien moved and Mr. Cavanaugh seconded the motion to grant the applicant's request to defer the scheduled public hearing to May 13, 2019 at 6:45 PM. Five (5) out of Five (5) members voted in favor of the motion.

Mr. Harris recommended to the Board, that at a future meeting, the deferral policy for Public Hearings be re-evaluated. Recently, there have been many extensions requested. With the current policy, the applicant does not need to appear if they request a deferral prior to 72 hours of the scheduled Public Hearing. It could be a consideration of the Board to require attendance of the applicant after a certain amount of granted extensions. This will be considered at and future meeting.

**As the Public Hearing under Agenda Item # 6 (and subsequently agenda item #7) could not begin until 7:00 PM, the Board skipped the item and would return to it at the appropriate time.**

### **Agenda Item # 9 -- Development Update and Planner's Report**

#### a. Development Report

- Zoning Map Amendments – (The reports have been revised and posted on the Town's website )
- North Pole Estates Preliminary Subdivision Plan – (The Preliminary Plans for a 59 lot subdivision proposed by Chicopee Concrete Services, Inc. have been submitted for the Board's review and approval. The plans have been posted on the website under "Project Plans" with a separate page. The Preliminary Subdivision Plan has been submitted to Fuss and O'Neil, the Town's contacted engineer, for peer review. Additionally, the plans have been circulated to the various appropriate departments for review and comment. As decided under agenda item #3, a Special Planning Board Meeting will be held on April 29, 2019 to afford a longer opportunity for the various departments to submit comments and afford the Board an opportunity to focus on this development proposal.)
- Bridge Street Mixed Use Development – (Anne Capra, Conservation Administrator/Planner, is working with Dan and Jaime Luis regarding their proposed small mixed use building. She has advised the applicant to secure a consultant to assist them in the permitting process to navigate DEP requirements.)

#### b. Bylaw Amendments

- Bylaw Amendments for 2019: (The public hearings on the proposed amendments discussed at the March 25, 2019 meeting have been advertised for a hearing on April 22, 2019 at 6:45 PM. A draft of the proposals has been posted on the Town's website)

c. Other Projects

- Urban Renewal Plan and Redevelopment Authority: (Anne Capra, Conservation Administrator/Planner is meeting with the Redevelopment Authority tonight (4/8/19) to discuss the MEPA proposals that were submitted last week. Mr. Harris explained that a concept draft must be generated to get provisional approval.)
- MassWorks Grant – Gaylord Street: (Mr. Harris explained that construction had begun and paving of the parking lot was finished. Sidewalk and curb line drainage still needs to be completed. The project completion deadline is June 30, 2019. When Mr. Harris spoke with the DPW Superintendent, he was confident that the project would be completed on schedule.)
- Complete Streets Program Participation: (Mr. Harris explained that the town's consultant had completed the bid package. Mr. Harris offered some examples of projects that could be completed through the program. These included the resurfacing Lamb Street, adding bike paths, adding sidewalks, and upgrading pedestrian systems.)
- Open Space & Recreation Plan and Master Plan Updates: The second forum was held March 27th and had approximately 36 participants. The MPIC has scheduled 4 "Meetings in a Box" as follow ups to the second forum as follows:
  - April 9, 2019 – 2:00 p.m. – Lathrop Village, Lathrop Street
  - April 13, 2019 – 10:30 a.m. – South Hadley Public Library, 2 Canal Street
  - April 16, 2019 – 11:00 a.m. – South Hadley Senior Center, Dayton Street
  - April 18, 2019 – 6:30 p.m. – Loomis Village, 246 North Main Street
- The next meeting of the Open Space and Recreation Plan Update Advisory Committee is scheduled for Wednesday April 10, 2019 in the Town Hall – Room 205
- The next meeting of the Master Plan Update Advisory Committee is scheduled for Wednesday April 10, 2019 in the Town Hall – Room 205 (to immediately follow the OSRP Update Advisory Committee meeting)
- The next Community Forum is scheduled for Wednesday April 24, 2019 at 6:00 p.m. However, due to scheduling conflicts, the location has been moved to the Public Library (Main) at 2 Canal Street.

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

Ms. Mulvany reminded everyone that tomorrow (4/9/19) was South Hadley voting day and encouraged everyone to go out and vote.

Ms. O'Brien invited everyone to an event hosted by the Bike Walk Committee. On Sunday April 14th from 1:00 AM- 3:00 PM there will be a guided trek through Bynan Conservation Area.

**Agenda Item # 8-- Discussion of Newton Street Smart Growth Zoning District Design Guidelines and Administrative Regulations**

Mr. Harris opened by addressing a recommendation made last Planning Board Meeting regarding a portion of **Section 7.6: Roofs**. Upon reflection, it was suggested that mandating “walls should extend three feet higher than a flat roof” would be overly specific. It was felt that there should be more flexibility offered in standards. The Board was tasked with creating *guidelines* for the district, not to *design* the district.

Mr. Harris used the opportunity to express appreciation for Lucia Foley’s work in helping create the design guidelines.

Mr. Harris shared that he had completed the Administrative Regulations for Smart Growth Districts. He recommended that the Administrative Regulations be the same for all Smart Growth Districts within Town. He went on to share that he was in communication with other local communities to gather information regarding their administrative procedures. He hoped that both mentioned documents, the design guidelines and the administrative regulations, would be ready for a Public Hearing within upcoming months.

**Agenda Item # 6 -- 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**).

The Public Hearing was called into session at 7:00PM. (See Public Hearing Minutes)

The meeting reconvened at 8:50 PM.

**Agenda Item #7 --CONSIDER MAKING DECISIONS REGARDING:** 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**).

Following the Public Hearing, Chair Squire inquired if there were any motions.

**Motion:** Mr. Huchison moved to accept the Site Plan Review with the inclusion of clarifying points that **1)** basketball court stripping be applied to the parking-lot for recreation, **2)** the eight foot fence outside the facility will have large mixed vegetation facing the street to break up the appearance of the fence and **3)** exterior ‘night lighting’ will be used (with only two lights by the entrance) during the hours of 11:00 PM and 7:00 AM. Ms. Mulvany seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

**Motion:** Ms. Mulvany moved to accept the Stormwater Management Permit grating allowances for stormwater runoff of **0.2 CFS** and to enter a **maintenance agreement** in which the applicant is responsible to maintain the property. In the he event that that the applicant is no longer able to

maintain the property, the Town will be granted an easement for maintenance and the applicant would be required to cover the cost. Mr. Cavanaugh seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

**Agenda Item # 11 – Adjournment**

**Motion:** Mr. Cavanaugh moved and Ms. Mulvaney seconded the motion to adjourn the meeting at 8:59 PM. Five (5) out of Five (5) members voted in favor of the motion.

Respectfully Submitted,

Colleen Canning, Recorder

**Appendix**

Newton Street Smart Growth District Draft Guidelines

**Planning Files**

**SOUTH HADLEY PLANNING BOARD PUBLIC HEARING:  
Stormwater Management Plan and Site Plan Review  
Center for Human Development Proposed Congregate Living Facility on Old Lyman Road**

**MINUTES OF APRIL 8, 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

Mr. Squire called the public hearing into session at 7:00 PM.

Ms. O'Brien read the public hearing notice noting that the date for the public hearing had changed due to the previously approved requests to defer/continue the public hearing.

*The South Hadley Planning Board, in accordance with the provisions of Chapter 40-A, Section 11, Massachusetts General Laws, will hold a public hearing on Monday February 25, 2019 at 7:00 p.m. in the Selectboard Meeting Room of the Town Hall to discuss the application of Center for Human Development; 332 Birnie Avenue; Springfield, MA 01107 for Site Plan Review of an Educationally Exempt facility under Article XII of the Town of South Hadley Zoning By-Law and approval of a Stormwater Management Permit under Chapter 200 of the Town of South Hadley By-Laws. As an exempt use under Chapter 40A, Section 3, MGL, the Planning Board's Article XII Site Plan Review is limited in scope to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements.*

*The applicant is seeking Site Plan Review approval to allow construction and operation of a 10,133 +/- square foot congregate living facility providing a variety of core life skills education (such as nutrition, medication management, vocational skills, parenting, etc.) for clients residing at the facility. The facility will provide core life skills education for clients in recovery who will reside at the facility. Other elements of the project include provision of parking, landscaping, Stormwater management facilities, and related improvements. The subject property consists of a 1.383 acre parcel of land located off the west side of Old Lyman Road and is generally identified Parcel #64 on Assessor's Map Number #14.*

*Plans and the application may be viewed at the Office of the Planning Board during normal office hours (8:30 a.m. to 4:30 p.m.). The application packet and various plans are also posted on the Town's website on the Planning Board page under "Project Plans M-Z" titled "Old Lyman Road – CHD Congregate Living Facility - Site Plan Review Exempt Use".*

*Any person interested in, or wishing to be heard regarding, this application should appear at the time and place designated.*

*Melissa O'Brien, Clerk  
South Hadley Planning Board*

*Published: Friday, February 8, 2019 & Friday, February 15, 2019*

Mr. Harris provided some brief background. Chair Squire asked the applicant for a presentation.

Kimberly Masiuk, Civil Engineer with Associated Builders, and Tim Houle, EIT with Associated Builders, presented on behalf of their client, Center for Human Development. Kimberly Masiuk opened by explaining they were seeking approval for the submitted Stormwater Management Plan and Site Plan Review for a proposed congregate living facility on Old Lyman Road (Map 14, Parcel 64). As the facility has a zoning exempt use, the scope of the Planning Board's regulatory authority related to parking, setbacks, landscaping, etc. She explained that a 'community conversation' took place in which representatives of the Center for Human Development (CHD) meet with local residents to gather their input. These conversations influenced the design of the facility as she would later detail.

Kimberly Masiuk continued in sharing that relevant state and municipal agencies approved the project design. Additionally, the project had been peer-reviewed by a third party engineering firm, Fuss & O'Neil. Mr. Harris confirmed that Fuss & O'Neil reiterated that all concerns within the application had been addressed.

Kimberly Masiuk explained the proposed location relative to the existing property abutters and site conditions. The MassDOT salt shed exists on one side and Big Y Supermarket on the other. There were a number of residential properties located across the way. The area currently consists of wood, grass and brush. The existing soils at the proposed location were in good quality and the existing water table could be managed. All required utilities were readily available. She explained the site was 'prime for development.'

The facility will be a 10,133 square-foot single-story building with vinyl siding and residential architecture. The driveway will be set away from Big Y and lead to a parking lot with 44 spaces. The intended driveway will be 'pitched' to treat ground water. All ground water will be collected and treated on-site. The facility has been design to withstand the 100 year storm. The parking area will be screened from abutting residential neighbors. Seven light poles will be erected, most of which located at the back of the facility. Informed by discussions with residential property abutters, an eight foot tall fence (six feet solid with the top two feet lattice cut) was added along certain parts of the facility.

Jim Goodwin, President and CEO of Center for Human Development, addressed the Board and the Public. He offered background information about CHD's mission and their intentions with the proposed recovery facility on Old Lyman Road (Map 14, Parcel 64). He explained that the facility will house 16 residents and licensed staff will be present on site at all times. CHD has

serviced many communities and they operate around 15 other similar facilities within the state. Jim Goodwin explained that the average length of stay for clients is around 90 days. The day-to-day activities within the facility will be structured and focus on job training and life skills development. Program participation would be completely voluntary and the clients entering the facility would have already gone through detox.

Mr. Harris asked why there were 16 clients housed at the facility when the initial application had 24 clients. Jim Goodwin replied that they decided on only 16 clients and the additional space would be kept for recreational activities.

Chair Squire shared initial thoughts. He appreciated that the applicant reached out to the community for input. However, as a landscape architect, he valued the restorative aspects of greenspace and saw a lost opportunity in using the majority of the greenspace for stormwater management. Additionally, he didn't understand why the building should be surrounded by a solid fence. Kimberly Masiuk, of Associated Builders, shared that the idea of the fence stemmed from community concern for security. The Board appreciated abutters concerns but were interested in looking into more attractive alternatives.

The Board members questioned the necessity for 44 parking spaces. Jeff Goodwin, of CHD, explained that, with normal day-to-day activities, 15 parking spaces would be used by staff. For special events and graduation ceremonies he would expect the parking lot to be at capacity. Normally, when the lot isn't at capacity, a portion of the parking lot will be used for recreation activities; such as basketball.

Ms. O'Brien inquired about sidewalks near the facility. Kimberly Masiuk, of Associated Builders, shared that sidewalks were part of the initial plan. However, neighboring residents did not want sidewalks near the facility as they thought it would encourage loitering. Additionally, the location of the facility is between the MassDOT salt shed and the Big Y loading dock so there wasn't a pedestrian need for sidewalks at that area.

Vice-Chair Cavanaugh inquired about lighting and signage at the facility. Kimberly Masiuk stated that there wouldn't be signage to retain the residential style of the facility. Decisions around exterior lighting would hopefully be flushed out during tonight's meeting as safety needed to be weighed against residential style.

Chair Squire asked if there were public comments/questions.

Kyle Levreault, 56 Old Lyman Road, urged the Board to go forward with the large fence as he would feel safer because he didn't want clients of the facility to monitor his movements and memorize his schedule.

John Howard, 15 Knowls, addressed the engineer. He commented that building for the '100 year storm' was outdated as buildings are being built for '5 year storms' today.

Jane Golob, 52 Old Lyman Road, addressed the Board. She commented that the applicant hadn't been as engaged with community as they had presented earlier. She expressed disapproval of how the town notified the community and continually delayed the public hearing. Additionally, she pointed out that, as the facility is non-profit, they will not be paying taxes but will be using tax funded resources. Chair Squire informed her that it wasn't standard protocol for abutters to be notified each time a Public Hearing is changed. The town has gone above what is required by law to inform abutters of changes in hearing dates. Additionally, the list of abutters who receive notification is generated by a certified abutters list from the assessors' office. Ben Craft, CHD, stated he extended invitations to abutters to initiate dialogue regarding the project. Kim Masiuk, Associated Builders, added that they also used social media to engage with the public.

An unidentified woman from 8 Eagle Drive, stated she did not receive a letter even though her house is close to the proposed facility. She was concerned about runways from the facility. She is not a certified abutter.

Kathy Gallivan, 26 Lyman Terrace, questioned the location of the basins at the front of the facility. Kim Masiuk explained that the basins collect stormwater runoff. The basins were designed to drain in four hours which falls well within the State's mandated 72 hours.

Brian Risler, 15 Taylor Street, asked the Board to define the scope of their decision making. Chair Squire explained that, as the facility is non-profit educational, the Board's purview is limited to 'reasonable regulations' under zoning.

Michelle MacDaragh, Woodlawn Street, identified herself as a developer and was enthusiastic to hear about the proposed facility. She shared that she had previously looked at an abutting property for a similar facility.

Joanna Brown, Precinct E, had a few general questions for the applicant. She asked: 1. Will people with violent criminal records be accepted into the facility? 2. What screening will be performed prior to admittance? And 3. What measures will be taken in securing the facility and will there be a curfew? Jim Goodwin responded by informing her that no violent criminals will be accepted into the program. As people enter the program they will be vetted to make sure they are ready to make life changes. He added that there will be a curfew and the facility will always be staffed. There will be seven or eight staff persons during the day shifts and two staff on site for the night shift.

Greg Dubreuil, 5 Eagle Drive, addressed the Board. He commented that the proposed location was not ideal as there was no public transportation or sidewalks. He added that he researched similar facilities within the area. His research showed a 70% success rate. This led to a concern for the 30% who did not succeed and the potential negative impact that could have on the community. He echoed earlier comments regarding the facility draining police, emergency and, fire resources while not contributing to municipal taxes.

Zieminski, Lyman Terrace, expressed dissatisfaction with the lack of time given between announcements as she felt it didn't give her enough time to adequately address her concerns. Additionally, she was concerned with the amount of traffic the facility would create on Old Lyman Road.

Tasha Baron, Lyman Terrace, echoed concerns regarding the amount of traffic on Old Lyman Road. She explained with the MassDOT facility, the nearby school, and the nearby landfill traffic is already a concern. The proposed facility could create more traffic on an already busy road. She also urged for the residential areas to get sidewalks.

Kathy Gallivan, 26 Lyman Terrace, addressed the Board again. She commented that the proposed entrance would be a 'blind entrance' and could potentially be dangerous.

Following multiple concerns regarding traffic, Mr. Harris shared that the DPW had been on site and had no objection with the added amount of traffic or the location of the facility entrance.

Emma Messier, Cornell Street, asked the applicant to clarify the positioning of the building entrance relating to Big Y. Kimberly confirmed that the front entrance would be facing Big Y.

Chair Squire asked if there were further comments from Board members, the applicant, or the public. There being no further public comment, with concurrence from the other members, Mr. Squire closed the hearing at 8:50 PM.

Respectfully Submitted,

Colleen Canning, Recorder

### Appendix

Public Hearing Notice

Planning Files

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CHD application, proposed project plans, and Fuss & O'Neill reviews

Planning Project Files