

**SOUTH HADLEY PLANNING BOARD SPECIAL MEETING
MINUTES OF MAY 8, 2019**

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

Chair Cavanaugh called the meeting into session at 5:15 PM.

Agenda Item #1---Discuss and consider possible alterations or recommendations or actions regarding Town Meeting Articles 22, 23, 24, 25, and 26.

Chair Cavanaugh opened discussion with a review of the previous Board Meeting on April 29, 2019 in which the Board voted to recommended articles to be accepted at Town Meeting as follows:

Article 22 would amend the Stormwater Bylaw, a General Bylaw, requiring that all stormwater runoff generated within a WSPD zone remain within the zone.

Article 23 would amend the Zoning Bylaw to prohibit fill and excavation within the WSPD.

Article 24 would amend the Zoning Bylaw to define the purpose and use of the WSPD. It would also re-delineate the district to reflect DEP's recommendations as well as incorporate other changes to the provisions of 255-35. Ms. Brown noted that she voted against recommending Article 24. However, the article received 4-1 votes recommending the article be adopted at Town Meeting.

Article 25 would amend the Zoning Bylaw to stipulate dimensional restrictions within the WSPD including restrictions on impervious surface and lot clearing.

Article 26 would amend the Zoning Bylaw to require an applicant satisfy all relevant Federal, State and Local requirements to be in compliance with a Special Permit.

Since the April 29th meeting, there was discussion between Mr. Harris and town residents expressing concern for Articles 24 and 25. There was opposition to accepting the reduced WSPD delineation. Mr. Harris explained that if the current delineation remained and the other components of the articles were accepted, there could be unforeseen consequences. For instance, Article 25 defines the amount allowable lot clearing and impervious surface. If article 25 were accepted, without accepting the reduced delineation in Article 24, many residential lots would be affected. Additionally, appropriate notice could not be given to those effected if the articles were adopted and changed tonight. He noted additionally impacts which would result from Article 23 if the District delineation was not reduced as proposed in Article 24.

Separate concerns was raised regarding Article 23. Prohibition of major earth removal was largely considered the primary article of importance. However, it was not the article's intention to impact residential homeowners. Major earth removal was defined as removal over 5,000 cubic yards. An example of impact was given. If homeowners were having drainage problems, they would not be allowed to regrade their property to address such problems, if Article 23 were adopted as written.

The need for additional studies regarding Article 24 and Article 25 was noted. Ms. Brown endorsed updated scientific methods. She referenced isotopic studies to monitor water flow within the zones of the WSPD.

Mr. Harris noted that department staff could pull information from the GIS system to analyze the residential impact if the delineation were to remain.

A Special Town Meeting could be called by the Selectboard in the Fall for any reason. Thus, if Articles 24 and 25 were reworked such that there was a sufficient agreement on the proposals, the Selectboard could be asked to call for a Fall Special Town Meeting.

As there was no additional discussion, Chair Cavanaugh inquired if there were motions.

Motion: Ms. Mulvaney moved to recommend that Article 24 and Article 25 be referred back to the Planning Board for further study and consideration. Ms. O'Brien second the motion. Five (5) out of Five (5) members voted in favor of the motion.

Motion: Ms. Mulvaney moved to amend the language in Article 23 to prohibit major excavation but allow 'other' excavation. Ms. O'Brien seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

As there were no more items to discuss, Chair Cavanaugh inquired if there was a motion to adjourn.

Motion: Ms. Mulvaney moved to adjourn the meeting. Ms. O'Brien seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

The meeting was adjourned at 5:43 PM.

Respectfully Submitted,

Colleen Canning, recorder

Appendix

Motion to Amend Article 23 reference sheets	Planning Files
Motions to Amend Articles 24 and 25 reference sheets	Planning Files