

**SOUTH HADLEY PLANNING BOARD REGULAR MEETING  
MINUTES OF MAY 13, 2019  
As Approved**

**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 6:30 PM.

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

Ms. Brown asked for minutes to be reviewed at the end of the meeting as she had not been able to review them.

**Agenda Item #2 --- Correspondence**

The correspondence folder was in front of Mr. Cavanaugh. An additional correspondence had been received on May 13, 2019 from the attorney representing AAD, LLC. As the correspondence regarded agenda items two and three, it will be discussed under the agenda items.

**Agenda Item #3 --- Consider request to "Re-Issue/Modify the" March 20, 2017 Special Permit regarding construction of 12 multifamily dwellings - Property Location: 1 Canal Street and identified on Assessor's Map #4D as Parcel #15.**

Mr. Harris explained that the Planning Board approved a Special Permit to construct Condos on Canal Street back in 2017. The approval of the Special Permit required the applicant to file the decision with the Registry within 20 days of the appeal period. As the applicant did not make the recording, the Building Commissioner determined that the Special Permit had expired and, thus, could not grant the developer a building permit. The applicant has requested that the Board 'reissue' the Special Permit so that can proceed with the project.

Mr. Harris explained that the attorney of the developer provided a written request today (May 13, 2019) to defer the discussion until the June 3<sup>rd</sup> Planning Board Meeting as the applicant's attorney and architect would not be able to attend tonight's meeting. Mr. Harris further explained that since this agenda item was not a Public Hearing, the applicant was not subject to the 72 hour advance notice for a deferral request.

**Motion:** Ms. Mulvaney moved to defer the consideration to reissue a Special Permit to construct 12 multifamily dwellings at 1 Canal Street (Map 4D, Parcel 15) to the June 3, 2019 Planning Board Meeting. Mr. Hutchinson seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

**Agenda Item #4---DECISION: Request to “Re-Issue/Modify the” March 20, 2017 Special Permit regarding construction of 12 multifamily dwellings - Property Location: 1 Canal Street and identified on Assessor’s Map #4D as Parcel #15.**

As the consideration for the request was deferred to the June 3, 2019 Planning Board Meeting, no decision was made on the matter.

As the scheduled Public Hearing under agenda item five (and subsequently agenda item number six) was advertised to start at 6:45 PM, the Board skipped the item and would return at the advertised time.

**Agenda Item # 7--- Update on Smart Growth District Administrative Regulations and Newton Street Smart Growth Zoning District Design Guidelines**

Mr. Harris shared that draft *Design Guidelines for the Newton Smart Growth District* and draft *Administrative Regulations for South Hadley’s Smart Growth Zoning Districts* had been submitted to the state for review. The Department of Housing and Community Development (DHCD) staff had reviewed the drafts and offered comment. Overall, the drafts received positive responses. However, suggestions were made to firm-up generalized information. For example, the guidelines reference methods be used “as appropriate”, which could be widely interpreted. Mr. Harris hopes that the guidelines will be ready for Public Hearing in the upcoming months.

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

a. Development Report

- North Pole Estates Preliminary Subdivision Plan – Mr. Harris shared that he was researching subdivisions inside zone two of Water Supply Protection Districts in other communities. The research could offer a model for requirements in the permitting of the North Pole Subdivision. Mr. Harris went on to explain that percolation tests on the proposed residential lots were being performed as required by the Subdivision Regulations.
- Bridge Street Mixed Use Development – No changes were addressed
- Newton Street Smart Growth Zoning District – This item was discussed under agenda item 7

b. Bylaw Amendments

- Bylaw Amendments for 2019 - Mr. Harris intends on submitting the necessary information to the Town Clerk soon so the recently approved amendments can be sent to the Attorney General for review. The Attorney General has 90 days after the submission for approval or denial. Future considerations for bylaw amendments will be addressed under agenda item 8.

c. Other Projects

- Urban Renewal Plan and Redevelopment Authority - No changes were addressed.
- MassWorks Grant – Gaylord Street: Mr. Harris shared that the contractor is on track to complete the work ahead of schedule.
- Complete Streets Program Participation: Mr. Harris shared that the DPW is currently accepting bids for the improvements which include sidewalk construction and installation of pedestrian systems.
- Open Space & Recreation Plan and Master Plan Updates: The fourth Community Forum is scheduled to be held on Wednesday May 29, 2019 at the South Hadley Town Hall Auditorium. Additionally, the Master Plan Implementation Committee (MPIC) has scheduled 3 “Meetings in a Box” as follow ups to the third forum:
  - May 4, 2019 at 10:30 am, Falls Neighborhood Association at the SH Public Library
  - May 9, 2019 at 7:00 pm, Community Room, Riverboat Village, 173 Riverboat Village Road
  - May 16, 2019 at 6:00 pm, Fire District 2, 20 Woodbridge Street
- The next meetings of the Open Space and Recreation Plan Update Advisory Committee are scheduled for Wednesday May 15, 2019 and Wednesday May 22, 2019 in the Town Hall – Room 205
- The next meeting of the Master Plan Update Advisory Committee is scheduled for Wednesday May 15, 2019 in the Town Hall – Room 205 (to immediately follow the OSRP Update Advisory Committee meeting)

**Agenda Item #5 --- 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).**

Chair Cavanaugh called the public hearing into session at 6:45 PM (See Public Hearing Minutes)

The meeting reconvened at 7:36 PM.

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

As there was no additional discussion, Chair Cavanaugh inquired if there was a motion.

**Motion:** Ms. Mulvney moved to approve the amendment to the Special Permit and Site Plan Review to create additional parking in lieu of building a two-unit house with special conditions including: 1) addressing the five items in Liz Austin's submitted document 2) eliminating the allowance to install a fence 3) requiring no lighting within the parking lot at night and 4) requiring that that raingarden functions as proposed and will drain water within 72 hours. Ms. O'Brien seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

**Agenda Item #8 --- Discussion on Revising proposals to amend the Zoning Bylaw in regards to the Water Supply Protection District and Earth Removal, Extraction, and/or Fill Activities**

Mr. Harris explained that potential Bylaws amendments regarding the Water Supply Protection District (WSPD) would benefit from an inter-departmental working group to help craft the proposals. As envisioned, the group would include the chairs and a staff person of the District 2 Board of Water Commissioners, Board of Health, Conservation Commission and Planning Board. It would be the intention that the group would meet periodically during the summer months to prepare for a Special Town Meeting in the fall.

Frank DeToma, Chair of the District 2 Board of Water Commissioners, addressed the Board. He was in agreement with the approach.

**Motion:** Ms. Mulvaney moved to endorse the concept of an inter-departmental working group to craft Bylaws regarding the Water Supply Protection District. Ms. O'Brien seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

**Agenda Item #1 – Minutes**

Draft minutes had been transmitted for the Board to review earlier in the day which included:

- Draft minutes of the April 22, 2019 Regular Board Meeting
- Draft minutes of the April 22, 2019 Public Hearing (Bylaw Amendments)
- Draft minutes of the April 29, 2019 Special Board Meeting
- Draft minutes of the May 8, 2019 Special Board Meeting

**Motion:** Ms. Mulvaney moved to approve the Regular Meeting minutes from April 22, 2019. Ms. O'Brien seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

**Motion:** Ms. Mulvaney moved to approve the April 22, 2019 Public Hearing (Bylaw Amendments) minutes. Ms. O'Brien seconded the motion. Four (4) out of Five (5) members voted in favor of the motion. Ms. Brown abstained.

Chair Cavanaugh noted two errors of the Special Meeting minutes of April 29, 2019. The minimum lot size in the North Pole Estates Preliminary Plan was 40,000 square feet, not 45,000

square feet as written. Additionally, Kevin McCaffrey had made a comment at the meeting and his name was not correct within the draft.

Ms. Mulvaney noted that her name was misspelled.

**Motion:** Ms. Mulvaney moved to approve the April 29 Special Meeting minutes as amended tonight. Ms. O'Brien seconded the motion. Four (4) out of Five (5) members voted in favor of the motion. Ms. Brown abstained.

Chair Cavanaugh noted that within the appendix of the draft Special Meeting minutes of May 8, 2019, there was an error. The appendix should reflect '*Motions to Amend Articles 24 and 25 reference sheets*' not '*Motions to Amend Articles 25 and 25 reference sheets*' as is written.

**Motion:** Ms. Mulvaney moved to approve the May 8, 2019 Special Meeting minutes as amended tonight. Ms. O'Brien seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

**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. O'Brien invited everyone to an event hosted by the Bike Walk Committee. A guided trek will be held on Sunday May 19, 2019 from 1:00 to 3:00pm at the Ashley Reservoir in Holyoke. Interested parties will meet at 12:45pm at the Elks Lodge parking lot, 250 Whitney Ave, Holyoke.

Ms. Mulvaney 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.

**Agenda Item #11 --- Adjournment**

**Motion:** Ms. Mulvaney moved to adjourn the meeting at 7:55 PM. Ms. O'Brien seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

Respectfully Submitted,  
**As Approved**  
Colleen Canning, recorder

**Appendix**

<b>Document</b>	<b>Document Location</b>
Liz Austin’s written statement regarding the requested Amendment to the Special Permit and Site Plan Review submitted by Kemp Realty/ Pettengill Insurance	<b>Planning Files</b>

**SOUTH HADLEY PLANNING BOARD 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).**

**MINUTES OF MAY 13, 2019**

**As Approved**

**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 Public Hearing into session at 6:45 PM.

Ms. Mulvaney read the public hearing notice:

*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 6:45 p.m. in the Selectboard Meeting Room of the South Hadley Town Hall at 116 Main Street, South Hadley, MA to discuss the application of Paul Boudreau on behalf of Kemp Realty and John Pettengill; 129 College Street; South Hadley, MA 01075 for modification/Amendment of the Special Permit and Site Plan Review (Decision dated May 10, 2005 as previously amended November 17, 2005) approved for the development of 6 multifamily dwelling units and an office building with a drive through window. The substance of the current request and proposed modifications is to reduce the approved number of dwelling units down to 4, convert at least a portion of the property previously proposed for multifamily development into parking area.*

*The subject property is generally located at 460 Newton Street as well as 47-49 Camden Street and 102- 104 Lyman Street (on the north side of Camden Street, west side of Newton Street, and south side of Lyman Street) and identified on Assessor’s Map Number #28 as Parcels #267 and #269.*

*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.). Additionally, the plans and application are posted on the Planning Board’s “Project Plans M-Z” page on the Town’s website [www.southhadley.ma.gov](http://www.southhadley.ma.gov) in a file titled “Newton /Camden/Lyman Streets SP/SPR Amendment Request - 2019-02-25”.*

*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*

*Publication: Friday, February 1, 2019  
Friday, February 8, 2019*

The applicant, John Pettengill, was present along with his attorney, Paul Boudreau Esq, and the project engineer/architect, Mark Reed of Heritage Surveyors.

Following a brief introduction from Mr. Harris, Chair Cavanaugh invited the applicant to present to the Board.

Paul Boudreau Esq. opened with the retelling of the initial permitting of the project back in 2005. The initial Special Permit and Site Plan Review allowed for two businesses on Newton Street (now Pettengill Insurance and TD Bank) and six housing units consisting of three buildings facing Camden and Lyman Streets. Currently, there are four residential units within two buildings. The applicant was requesting to repurpose the space remaining for residential use into an additional parking area instead. Attorney Boudreau reiterated that no additional exterior lighting would be used and no overnight parking would occur.

Mark Reed, of Heritage Surveyors, reviewed the revised site plan. He presented two maps for reference. The proposed parking was displayed in relation to the existing site. The proposed parking would be east of 47 Camden Street and south of 102 and 104 Lyman. A proposed six foot high fence or arborvitae row between the residential and parking areas would help reduce impact on residents. The applicant intends reconfigure the property to create one lot with just the residential uses and the other with the business uses through an ANR plan.

Mark Reed went on to explain that new drainage calculations had been made to accommodate the additional impervious surface. A rain garden would be installed to handle the parking lot runoff. A cross-section of the rain garden was displayed identifying the soil composition. Any overflow of the raingarden would connect to a catch basin that would flow to a Camden Street Stormwater system. It was confirmed that the commercial development will maintain the raingarden.

Ms. Mulvaney inquired about the necessity for a 'Stormwater Management Plan' considering the additional impervious surface that would be added. Mr. Harris explained that the Town's 'Stormwater Management Plan' requirement was implemented after 2005 so the requirement could not be applied to this plan.

Mr. Harris inquired as to landscaping to be provided along Camden Street. John Pettengill explained that, following resident's input, landscaping would extend down Camden Street.

Ms. O'Brien asked how many employees would require parking day-to-day. John Pettengill, applicant and owner of Pettengill Insurance, stated he had about five employees daily and TD bank had about four to seven daily.

Ms. Brown asked if the raingarden would drain within the DEP required 72 hours. Mark Reed confirmed that the raingarden would be constructed to satisfy DEP standards and that overflow would run to Camden Street.

Liz Austin, 47 Camden Street, addressed the board. She provided a written statement for the Board's consideration. Her residence was located directly next to the proposed parking lot. Overall she was pleased with the changes use but provided a few requests as follows:

- *The space between the parking lot and Camden Street be landscaped with trees similar to the trees at the existing Pettengill office parking lot. The trees will provide aesthetic symmetry to the two lots, will shade the paved surface and mitigate hot temperatures, and will provide precipitation absorption.*
- *Also, for the same reasons, I request that two or three more trees be planted along the east end of the raingarden, for aesthetic and privacy reasons, plus the precipitation absorption qualities.*
- *I request that NO sidewalk be built in the space between the proposed parking lot and Camden Street. Sidewalk construction and any construction in that area has the potential of damaging the large maple tree in my front yard.*
- *I ask that there be about 8 feet of shrubs be planted at the Camden end of the arborvitae hedge row to block the view from my front yard of the parking lot.*
- *I request that the 'green' buffer between the condominiums and the parking lot be enhanced so as to eliminate the view of the parking lot from the condominium units.*

Jim Canning, 106 Lyman Street, was an abutter to the property and liked many of the proposed site improvements. However, he was concerned about stormwater runoff as he noticed basement flooding occurred in his home during the construction that followed the initial permitting. Mark Reed explained that the underdrain of the raingarden was his largest confidence that stormwater would be managed. He added that catch basins would flow to Camden Street therefore Lyman Street should not experience increased runoff.

Ms. Mulvaney cautioned that the arborvitae row be used strategically as not to block the view of the street as cars exit the parking lot.

Ms. Brown noted that the proposed drainage pipes were four inches, which is the standard. However, she inquired if larger pipes could be used. Mark Reed responded that a six inch drainage pipe would be the largest pipe used for a raingarden. He explained that, during site construction, the soil would be observed to determine if a six inch pipe would be appropriate. The project, as proposed, has four inch drainage pipes.

Mr. Huchinson did not see the necessity to include the potential allowance for a fence as the discussion tonight centered on vegetation to demarcate the residential and commercial areas. Paul Boudreau Esq. commented that the allowance for a fence could be removed from the plan.

As there was no additional discussion, Chair Cavanaugh closed the Public Hearing at 7:36 PM.

Respectfully Submitted,

**As Approved**

Colleen Canning, recorder

**Appendix**

<b>Document</b>	<b>Document Location</b>
Liz Austin's written statement regarding the requested Amendment to the Special Permit and Site Plan Review submitted by Kemp Realty/ Pettengill Insurance	<b>Planning Files</b>
Two Maps presented by Mark Reed to show amended site plan with additional parking	<b>Planning Files</b>