

**SOUTH HADLEY PLANNING BOARD VIRTUAL MEETING
MEETING MINUTES OF MAY 24, 2021
As Approved**

Present: Brad Hutchison, Chair; Diane Mulvaney, Vice-Chair; Joanna Brown, Clerk; Nate Therien, Member; Michael Davis, Member; Michael Adelman, Associate Member; Richard Harris, Director of Planning and Conservation; Anne Capra, Conservation Administrator/Planner; and Colleen Canning, Senior Clerk Planning and Conservation Department

Chair Hutchison called the meeting to order at 6:30 PM and reviewed the virtual meeting protocols.

Agenda Item #1 --- Open Comment Period

No members of the public indicated interest to speak during the comment period.

Agenda Item #2 --- Consideration and Decision: Minutes

Draft minutes of the April 26 regular meeting and public hearing and the May 10 regular meeting and public hearing were sent to the Board for review.

Motion: Clerk Brown moved to approve the draft minutes of the April 26 regular meeting and public hearing and the May 10 regular meeting. Vice-Chair Mulvaney seconded the motion. Three (3) out of four (4) members present voted in favor of the motion through roll call. Member Therien abstained from the vote and Member Davis was not present.

Member Davis joined the meeting at 6:36 PM.

Agenda Item #3 --- Correspondence

The list of correspondence was included in the agenda background packet. Additional correspondence was sent to the Board prior to the meeting.

Agenda Item #4 --- Consideration and Decision: Setting Performance Guarantee amounts for proposed Skinner Woods Flexible Development. Property Location: north side of Amherst Road

At a previous meeting, the Board moved to require the performance guarantee for stormwater management and landscaping associated with the Skinner Woods Flexible Development to be accepted in the form of cash or as a line of credit. At that time, the amount needed to be retained was not confirmed as department staff was still working with the project engineer and the Department of Public works to develop cost estimates. The project engineer provided price quotes in the amount of \$121,700 for the stormwater management system and \$58,905 for landscaping which the DPW director indicated was appropriate. As the Town would be required

to enter a procurement process to perform the work, it was recommended the Board retain the guarantee in an amount 50% higher than estimated.

Motion: Vice-Chair Mulvaney moved to set the performance guarantee for Skinner Woods Flexible Development in the amount of \$182,550 for stormwater management and \$88,360 for landscaping. Member Davis seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Agenda Item #5 --- Consideration and Decision: Endorsement of Form H Plan for proposed Skinner Woods Flexible Development. Property Location: north side of Amherst Road

The Form H Plan submitted for the Skinner Woods Flexible Development had been sent to Town and Municipal offices for comment. Of the comments received, only the Conservation Administrator/Planner had comments which would require action from the applicant. She identified that the draft Open Space Restriction stated that no structures would be built in the open space. However, a walkway, pavilion, and putting green were proposed in the plans at that location. Therefore, she recommended that the restriction be revised to reflect these structures. Upon receiving these comments, the project engineer revised the drafted restriction to incorporate the comments.

Richard Harris recommended that the Board conditionally endorse the Form H Plan upon receipt of the performance guarantee as specified under agenda item #4.

Motion: Vice-Chair Mulvaney moved to endorse the Form H Plan upon receipt of the performance guarantee in the amount of \$270,910 in the form of cash or as a credit line *and* moved to authorize the Director of Planning and Conservation to sign the performance guarantee and Form H Plan. Clerk Brown seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Agenda Item #6 --- Scheduled Public Hearing: Application for Special Permit for proposed new two-family dwelling by Anthony Wheeler. Property Location: southside of McKinley Avenue approximately 151 feet east of its intersection with Newton Street

The Chair called the public hearing to order at 6:45 PM (See public hearing minutes)

The regular meeting reconvened at 8:33 PM.

Agenda Item #7 --- Consideration and Decision: Application for Special Permit for proposed new two-family dwelling by Anthony Wheeler. Property Location: southside of McKinley Avenue approximately 151 feet east of its intersection with Newton Street

No decision was considered as the hearing was continued to July 19, 2021 and 6:45 PM.

Agenda Item #8 --- Consideration and Decision: Recommendation to Town Meeting regarding Zoning Map Amendment Requests and Proposed Repeal and Replace of the Town's Stormwater Management Bylaw

Draft reports to Town Meeting regarding the two zoning map amendment requests relating to the properties located at the intersection of routes 202 and 33 were sent to the Board for review. Additionally, the Board received a report which annotated changes to the existing stormwater management bylaw which was being proposed to be repealed and replaced. It was noted that the reports could be revised as new information was received. This particularly related to how the findings from the active corridor study could impact the Board's recommendation relative to the zoning map amendments.

Motion: Vice-Chair Mulvaney moved to approve the reports to Town Meeting regarding the Board's recommendation for the Zoning Map Amendment Requests and the proposed repeal and replacement of the Town's Stormwater Management Bylaw. Member Therien seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Agenda Item #9 --- Planning and Conservation Department Report

Department staff reviewed the following items:

- *Master Plan Update-* The Board had scheduled meeting dates on June 14 and June 21. Members agreed to designate two hours during each meeting to continue review of the draft Master Plan. The Board could anticipate completing their review in the time allotted.
- *Mass Works-* The project was proceeding towards final design. A public listening session on the project was held and the presentation was available to review on the Town's website
- *MVP Grant-* Two workshops would be hosted by the grant consultant in early June regarding climate resiliency.

Agenda Item #10 --- Other New Business

Chair Hutchison stated that the COVID-19 state-of-emergency would be ending soon. He inquired how that would impact the Board's ability to host meetings virtually. Richard Harris replied that the state-of-emergency granted the Board's ability to hold virtual meetings. Without new legislation, the ability to host virtual meetings would end. He would inform the Board of any updates on the matter.

Anne Capra left the meeting at 8:50 PM.

The Board considered scheduling a meeting to prepare for the interview to consider a candidate for director of planning and conservation on June 7. The Board agreed to host a pre-interview meeting on June 3.

Agenda Item #11 --- Adjournment

Motion: Clerk Brown moved to adjourn the meeting. Member Davis seconded the motion. Five (5) out of five (5) members voted in favor of the motion through

The meeting adjourned at 9:10 PM.

Respectfully Submitted,
As Approved
Colleen Canning, Senior Clerk, Planning and Conservation Department

Appendix

Document	Document Location
Q&A Report	Attached
Skinner Woods Form H Plan	Planning files
Reports to Town Meeting regarding amendments to the zoning map and stormwater management bylaw.	Planning Files

May 24, 2021 Virtual Planning Board Meeting Q&A Transcript

#	Question	Asker Name	Asker Email	Answer(s)
1	Im here as an attendee. Can you move me over?	Zoom 8	Zoom8@southhadleyma.gov	live answered
2	Zoom8 is Anne Capra	Zoom 8	Zoom8@southhadleyma.gov	live answered

SOUTH HADLEY PLANNING BOARD VIRTUAL PUBLIC HEARING:

Application for Special Permit for proposed new two-family dwelling by Anthony Wheeler.
Property Location: southside of McKinley Avenue approximately 151 feet east of its intersection
with Newton Street (Assessor's Map #27 – Parcel #179)

MEETING MINUTES OF MAY 24, 2021 As Approved

Present: Brad Hutchison, Chair; Diane Mulvaney, Vice-Chair; Joanna Brown, Clerk; Nate Therien, Member; Michael Davis, Member; Michael Adelman, Associate Member; Richard Harris, Director of Planning and Conservation; Anne Capra, Conservation Administrator/Planner; and Colleen Canning, Senior Clerk Planning and Conservation Department

Chair Hutchison called the public hearing to order at 6:45 PM

Clerk Brown read the public hearing notice aloud as follows:

The South Hadley Planning Board, in accordance with the provisions of Chapter 40-A, Section 11, Massachusetts General Laws as modified by Chapter 53 of the Special Acts of 2020 and the Governor's Executive Orders pertaining to public gatherings during the COVID 19 State of Emergency, will hold a virtual public hearing on Monday May 24, 2021 at 6:45 p.m. to discuss the application of Anthony Joseph Wheeler, 15 Gableview Lane, Southwick, MA 01077; for a Special Permit to construct a two-family dwelling pursuant to Section 255-19 of the Town's Zoning Bylaw. The public hearing will be conducted virtually/online using the Zoom Webinar platform and persons may join the meeting by either joining Zoom Webinar or by phone. At present, the log in information is as follows:

URL to join:

*<https://us02web.zoom.us/j/81331108104?pwd=eWQvd1JTN3JpWS83NDM1dTNBU2ZYz09> Or
join by phone: US: +1(301)715-8592*

Webinar ID: 813 3110 8104 Passcode: 038447

However, interested persons should review the agenda for the meeting which will be posted on the Town's website no later than Thursday May 20, 2021 for any updated log in information for the meeting.

The subject property is located along the south side of McKinley Avenue and is identified on Assessor's Map #27 Parcel #179. The property is located in the Residence A-2 zoning district.

Plans and the application (and supporting documentation) are on file in the Planning & Conservation Department Office (Room U6) in Town Hall. The plans and application (and supporting documentation) are also posted on the Planning & Conservation Department's page of the Town's website www.southhadleyma.gov under 'Project Plans' - 'Project Plans M through Z' under section 'McKinley Avenue Proposed Duplex SP- 2021' located at the bottom of the page. Any person interested in, or wishing to be heard, regarding this application should appear/join the hearing at the time and in the manner designated.

*Joanna Brown, Clerk
South Hadley Planning Board*

*Publication: Friday, April 30, 2021
Friday, May 7, 2021*

The applicant, Anthony Wheeler, was present at the meeting.

Richard Harris opened the discussion regarding the special permit application to construct a duplex on McKinley Ave. He explained that duplexes were allowed through special permit in the location's zoning district, Residential A-2. Approval of the special permit would require an affirmative vote of at least four out of five members of the Board. It was up to the applicant to demonstrate how the project satisfied the criteria for approval.

Anthony Wheeler explained that the lot proposed for development was a pre-existing nonconforming lot which was considered undersized by contemporary dimensional zoning standards. He sited the duplex in a manner which honored current setbacks requirements.

Clerk Brown stated that the lot was undersized for development and had been sold a number of times. Richard Harris stated that the lot was formed prior to the adoption of a zoning bylaw in Town which is why it was considered 'pre-existing'. Even though the lot had been conveyed a number of times, it was never held in common ownership by an abutter so it still satisfied the standard to be considered pre-existing.

The Board reviewed the comments from the DPW Director regarding the moratorium associated with McKinley Ave. A five year moratorium was placed on the road which disallowed any work requiring the road to be cut. According to the DPW Director, the road could be cut in spring 2023 to allow for utility hookups to the unit. The applicant was aware of the requirement and believed he could complete the project in the time afforded given the special permit expiration.

Associate Member Adelman asked what the maximum tenant capacity was and asked if laundry machines would be provided. Anthony Wheeler responded that each unit would have three bedrooms so he estimated three or four people would live in each unit. Laundry facilities would be provided.

The Board reviewed the proposed parking plan and considered if it adequately served the site. The current plan had a total of four parking spaces which would allocate two spaces per unit. Therefore, on-street parking might need to be utilized if the project moved forward as-is. Anthony Wheeler responded to the Board's concerns by explaining that an alternative site design could be drafted which offered more off-street parking.

Member Therien stated that the Master Plan called for diversification of housing types to serve the Town's postulation. This housing development could work towards that goal.

Clerk Brown asked how stormwater would be managed on site. Anthony Wheeler stated that a grading plan would need to be submitted which would show how drainage was managed.

In response to inquiries from the Board, Anthony Wheeler stated the duplex would be constructed with vinyl siding and architectural shingles. The roof would be solar ready.

Chair Hutchison opened the hearing to public comment.

Janine Knight, 17 McKinley Ave, submitted a google form (attached) which indicated her interest to speak at the public hearing. She expressed concerns for the building's size and occupancy potential relative to the size of the lot. Additionally, she expressed concern for the potential for overflow parking along the street. She would be more amenable to the development of a single-family home.

Jack Urekew, 391 Newton Street, used the meeting's 'raised hand' function to indicate his interest to speak at the hearing. He stated that the application materials indicated that college students could potentially be tenants of the duplex which would not be compatible with the existing neighborhood. He was opposed to the application but indicated support for single-family home development.

Bruce Blanchard, 16 McKinley Ave, used the meeting's 'raised hand' function to indicate his interest to speak at the hearing. He stated that the lot was too small to accommodate the level of proposed development. He added that other duplexes and multi-family homes in the area were on larger lots. He expressed concern for drainage, off-street parking, and snow removal. He was not supportive of the application.

John Walsh, 12 Washington Ave, used the meeting's 'raised hand' function to indicate his interest to speak at the hearing. He stated that the existing neighborhood was largely single-family homes and the lots that did have multi-family homes were larger than the lot associated with the special permit application. He was not supportive of the application.

Anthony Wheeler responded to some of the public comments made. He stated that he could not be discriminatory in selection of tenants and referenced the possibility of college student renters as there was a college in South Hadley. While tenants could be college students, they could also be small families such as a single-parent household. He added that a multi-family dwelling already existed on the lot next to the subject property and the existing neighborhood was not negatively impacted.

Chair Hutchison stated that the proposed site plan showed arborvitae as a privacy buffer. As public comments were heard, the applicant could take those comments into consideration when evaluating the effectiveness of the plantings as screening.

Member Therien asked if there were local regulations regarding on-street parking. Richard Harris replied that there was no such regulation. If posted with no parking signs, parking is not allowed on the street. However, if no sign is posted prohibiting parking then anyone can park on the street.

Members of the Board were informally polled to indicate if they felt duplex development on the lot was conceptually possible. This information would allow the applicant to know if submitting

a revised concept plan was worth his and the Board's time. The members identified that parking capacity and lot size were of concern. However, no member indicated they were completely opposed to the concept and welcomed the applicant to submit revised plans which would address the concerns heard.

Paula and Lenny Pietras, 21 McKinley Ave, used the meeting's 'raised hand' function to indicate their interest to speak at the hearing. They were supportive of the public comments previously made. They did not support development of a duplex at the location

The Board reviewed the additional items needed before the hearing could close and discussed an appropriate date on which to continue the hearing. The applicant needed to submit revised plans and narrative to incorporate the concerns addressed during the hearing which included: parking, privacy/screening, snow removal and drainage. As the applicant needed time to prepare revised plans, the hearing would be continued to the Board's July meeting date. Revised materials would be needed by July 6, 2021.

Motion: Clerk Brown moved to continue the public hearing to July 19, 2021 at 6:45 PM. Member Davis seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

The regular meeting reconvened at 8:33 PM. (See regular meeting minutes)

Respectfully Submitted,
As Approved
Colleen Canning, Senior Clerk, Planning and Conservation

Document	Document Location
Special Permit application	Planning Files Attached
Google Form –Jennie Knight	Attached

May 24, 2021 Public Hearing - Special Permit for Duplex on McKinley Ave

This public hearing regards the application for a Special Permit to develop a new two-family dwelling filed by Anthony Wheeler for the property at the following location: southside of McKinley Avenue approximately 151 feet east of its intersection with Newton Street (Assessor's Map #27 - Parcel #179)

Application and Plan Materials are posted at bottom of page at the following link:

<https://southhadley.org/316/Project-Plans-M-through-Z>

Please note the Planning Board's Virtual Hearing Guidelines/Protocols posted at :

<https://southhadley.org/1043/Virtual-Public-Hearing-Guidelines> *



Check an acknowledgement that this was noted

Please State Your First and Last Name *

Janine Knight

Please State Your Street Address including City/State *

17 McKinley Ave South Hadley, MA

Please State Your Email Address

janine.raquel@gmail.com

Do you wish to speak at the May 24th public hearing regarding the Special Permit Application to construct a duplex on McKinley Ave? *

Yes

No

You may also submit written comments and/or questions. Do you wish to submit written comments and/or questions at this time? *

Yes

No

Please state any comments or questions you wish to submit at this time.

I would like to strongly oppose the "McKinley Ave Proposed Duplex SP-2021" as the lot is directly adjacent to my property and a two-family dwelling cannot fit on that land with adequate space for parking and outdoor space. It will cause significant congestion at this end of the street as well as a disruption to my living environment and those around me. I have many concerns about the size of the proposed duplex and the resulting implications for my property and current standard of living.

Do you have any other comments, questions, or information that the Board should be aware of? *

Yes

No

If "yes" to previous question, please provide such other comments, questions, or information below.

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Google Forms