

Background Materials September 9, 2024– Planning Board Meeting

Prepared by Anne Capra, Director of Planning and Conservation, 9/6/24

Cable Access Channel 15 –The Cable Studio has indicated that this meeting will be live streamed on Channel 15.

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Background Reports for all Planning Board meetings are posted online:

<https://www.southhadley.org/1274/Agenda-Background-Materials>

AGENDA ITEM #1 Open Comment Period

This 10-minute period is set aside for the public to offer comments on items not on the posted agenda, in accordance with the adopted policy, as amended 9/11/23, posted on the Town of South Hadley Planning and Conservation Department webpage here:

<https://www.southhadley.org/DocumentCenter/View/11705/Policy-on-Open-Comment-Period---As-Adopted-2023-09-11>

Action Needed: Allow members of the public to offer comments to the Board.

AGENDA ITEM #2 Minutes

Planning and Conservation Coordinator Colleen Canning will forward minutes separately.

Action Needed: Vote to approve the minutes.

AGENDA ITEM #3 Correspondence

Correspondence are attached.

Action Needed: No action needed.

AGENDA ITEM #4 Woodlawn Plaza Apartments Plan Approval and Stormwater Management Permit Extension Request

Request and permits are online: <https://www.southhadley.org/1211/Newton-Street-501---Woodlawn-Plaza-Housing>

The Planning Board issued Plan Approval and a Stormwater Management Permit on October 19, 2020 for a 60-unit mixed income apartment building to be developed by Wayfinders at the Woodlawn Plaza (former Big Y site) at the southeast corner of the intersection of Newton Street and Lyman Street. An

extension to both permits was issued on September 20, 2022, and will expire on October 18, 2024, for which they are seeking a one-year extension.

As noted in their request letter, progress during the past two years has included application and receipt of the final Federal and State LIHTC and other state funding to close the \$5M construction gap, and application and issuance of a building permit in August 2024. They are now in the process of finalizing financing and will thereafter initiate construction.

The parcel has now been assigned an address by the Assessor – 99 Lyman Street; and the housing development will be called “The Clover”.

Recommendation: These acts demonstrate good cause for an extension and it is recommend that they be granted the requested one-year extension.

Action Needed: Motion to grant a one-year extension to the Plan Approval and Stormwater Management Permit, with an expiration date of October 17, 2025.

AGENDA ITEM #5 Right of First Refusal Chapter 61 Release – Lithia Springs Road

Request and permits are online:

<https://www.southhadley.org/DocumentCenter/View/13075/4LithiaSpringsRdANR2024?bidId=>

Notice of Sale:

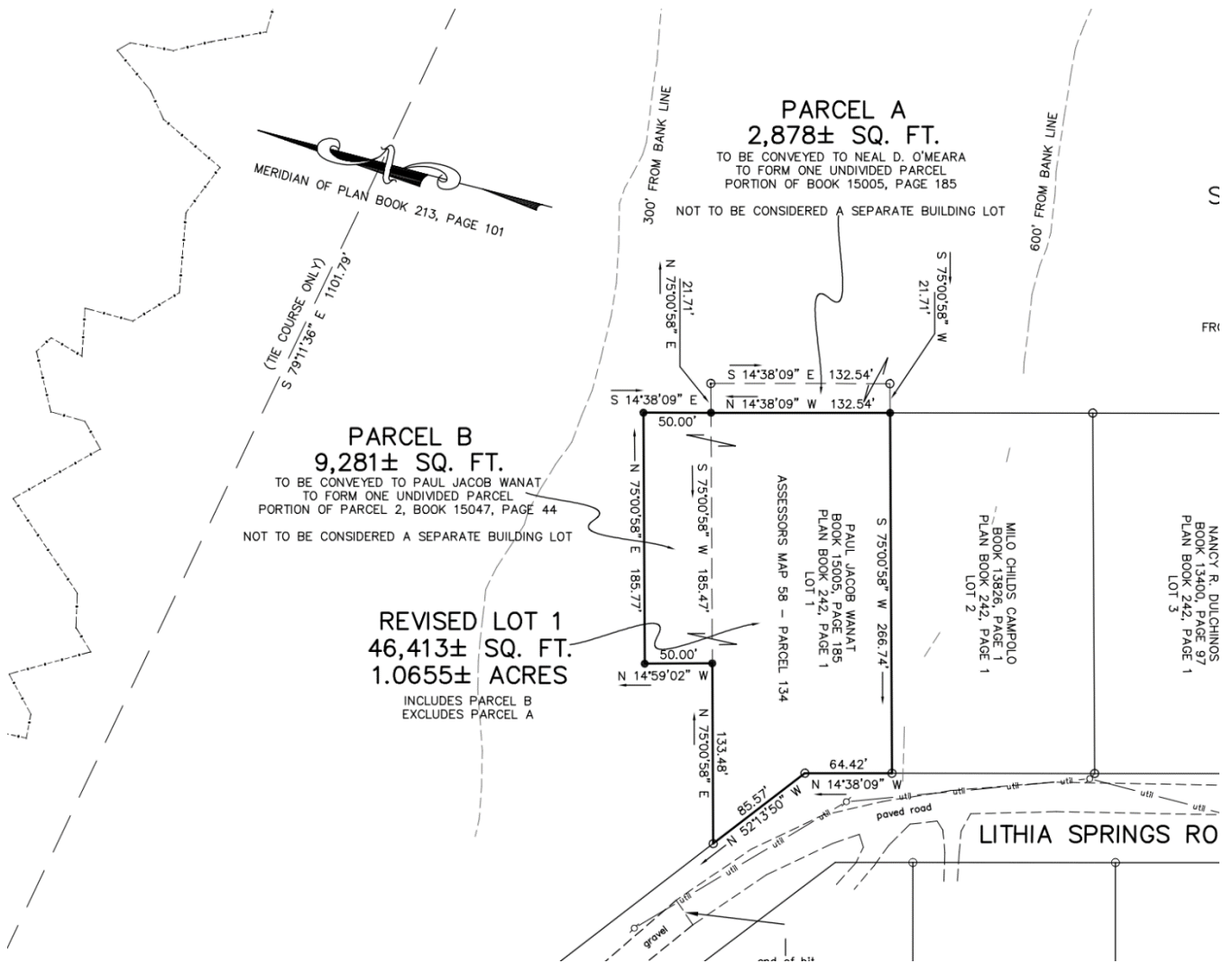
<https://www.southhadley.org/DocumentCenter/View/13261/First-Refusal---12-Lithia-Springs-Rd?bidId=>

The Town has received a Notice of Sale for a parcel enrolled in Chapter 61A known as 0 Lithia Springs Road, Assessor’s Map 58, Parcel 23; Parcel B on ANR plan. Notice is required when land is proposed to be converted out of Chapter Land status. Under MGL, the Town is provided the first right of refusal to acquire land converted from Chapter Land status due to the reduced tax assessment land in Chapter 61 receives. The notice indicates Neal O’Meara seeks to transfer parcel B to the abutter, and it is this 9,281 SF of land that is being offered to the Town under the first right of refusal for acquisition.

Parcel B: 12 Lithia Springs Road Assessor's Map 58, Parcel 134 = 9, 281 SF

Recommendation: This is a very small parcel of land with no road frontage. The purpose of the land swap is to offer each property owner greater privacy around the existing and planned residential dwellings. Therefore, I recommend the Board does not recommend the Town exercise their right of first refusal to acquire the property.

Action Needed: Motion to recommend to the Selectboard that the Town does not exercise their first right of refusal to acquire Assessor’s Map 58, Parcel 134.



7:00PM AGENDA ITEM #6 PUBLIC HEARING – Flexible Development Bylaw Amendment and associated bylaws

The Planning Board will hold a public hearing on the bylaws listed below. The Director of Planning and Conservation will give a presentation summarizing the proposals, and the Board will entertain public comments thereafter.

The Planning Board has been working on amendments to the 1995 Subdivision Regulations since last year to bring them up to date with revisions to the state’s Subdivision Control Law. The goals of these amendments are to improve functionality and safety for multimodal transportation, improve stormwater management requirements in relation to climate change impacts, integrate considerations for community character and quality of life in plan evaluation, and improve administrative processes for more effective permit compliance and enforcement. The amendments sought to achieve these goals have some implications on the Zoning Bylaw, specifically the Flexible Development Bylaw (255-

31), which need to be addressed before any changes to the Subdivision Regulations can be adopted by the Planning Board.

Flexible Development is a zoning tool that essentially creates a subdivision with a portion of the site devoted to protected open space. In addition to ensuring consistency with the Subdivision Regulations, changes to the Flexible Development Bylaw are intended to incentivize use of it as an alternative to a traditional subdivision. Since its adoption in 2004, it has only been used three times. The bylaw is unfortunately complicated and confusing, and its relationship to the Subdivision Regulations even more so.

Therefore, additional amendments to the Zoning Bylaw are proposed as follows:

- Revise Flexible Development Bylaw to eliminate confusion with Subdivision Regulations and encourage use;
- Create uniformity throughout Zoning Bylaw on common open space requirements;
- Create Common Driveway Bylaw and Regulations

Proposed amendments and new bylaws include the following:

- 255-31 Flexible Development Bylaw Amendment
- 255-47 Multifamily and multiple dwellings Amendment
- 255-95 Common Drive NEW Bylaw
- 255-96 Common Open Space NEW Bylaw

Draft bylaws are online: <https://southhadley.org/1318/ProposedDraft-Bylaws>

255-31 Flexible Development Draft Amendments

<https://southhadley.org/DocumentCenter/View/13244/255-31-Flexible-Development---Final-Draft-Amendment---82824>

255-47 Multifamily and multiple dwellings Draft Amendments

<https://southhadley.org/DocumentCenter/View/13245/255-47-Multifamily-and-Multiple-Dwellings---Final-Draft-Amendment---82824>

Use Regulations Schedule Amendments

<https://southhadley.org/DocumentCenter/View/13247/Use-Regulations-Schedule---Final-Draft-Amendments---82824>

255-95 Common Drive and 255-96 Common Open Space – Proposed NEW Bylaws

[SKM_C450i24082815410 \(southhadley.org\)](https://southhadley.org/SKM_C450i24082815410)

<https://southhadley.org/DocumentCenter/View/13246/255-95-Common-Drive-and-255-96-Common-Open-Space---Proposed-New-Bylaws---82424>

Action Needed: Open the public hearing, allow the Planning and Conservation Director to give a short presentation summarizing the proposed bylaw amendments and new bylaws, open the hearing to public comments, and deliberate as to any possible edits. The Board will need to make a motion to

send final versions of the four bylaws and use regulations schedule to the Selectboard for inclusion on the Warrant for Special Town Meeting on November 13th.

AGENDA ITEM 7 Planning & Conservation Department Report on Planning Projects and Development Updates

A. Next Planning Board Meetings and Other Important Dates

Planning Board typically meets the 2nd and 4th Mondays of the month.

9/16/24	Community Forum #1 – Route 202/33 Corridor Rezoning 6-8pm @ Council on Aging, 45 Dayton Street
9/23/24	Approval of Town Meeting report on Flexible Development and Related Bylaws
10/7/24	Illuminated Sign Permit – Ebenezer’s Bar and Grill, 60 Bridge Street
10/16/24	Community Forum #2– Route 202/33 Corridor Rezoning 6-8pm @ Virtual/Zoom
10/28/24	
11/4/24	
11/13/24	Special Fall Town Meeting
11/14/24	Community Forum #3 – Route 202/33 Corridor Rezoning 6-8pm @ South Hadley Public Library, 2 Canal Street
11/25/24	
12/2/24	
12/9/24	
January – 1/13 & 1/27/25	February – 2/10 & 2/24/25
March – 3/10 & 3/24/25	April – 4/14 & 4/28/25

B. Route 202/33 Corridor Rezoning Project

Project website: <https://community.innesassocltd.com/south-hadley>

The project advisory committee has been working for three months with the project consultant Innes Associates. Four community forums are scheduled with the first on September 16th at 6pm at the Council on Aging. Flier attached. Please circulate to your networks.

The focus of the first forum is to take a close look at how existing development patterns along the corridor compare to the existing zoning – Nonconformity analysis. Attendees will engage in an exercise to share their opinions on what the future development/redevelopment of the corridor should look like in terms of the built form.

The four forums are cumulative so people are invited to attend all of them, however feedback is welcome at any phase of the project.

C. The Affordable Homes Act (H. 4977) and Changes to Accessory Dwelling Units Bylaw

The Act will become effective in February 2025. I am working with town counsel and Administration to determine what changes to our recently adopted bylaw are needed, and anticipated preparing for Annual Town Meeting in May 2025 with necessary amendments.

255-50 Accessory Dwelling Units Bylaw: <https://ecode360.com/44060663#44060663>

<https://southhadley.org/DocumentCenter/View/13201/MTC-Legal-Advisory-for-Zoning-Changes---Affordable-Homes-Act>

<https://southhadley.org/DocumentCenter/View/13200/Affordable-Homes-Act-H4977>

D. Master Plan Annual Forum

Friday, October 11th @ 8am

South Hadley Public Library, 2 Canal Street

Registration link will be available next week.

This year's forum will offer a training on Diversity, Equity, Inclusion and Belonging provided by Bird Guess of the Racial Equity Group. <https://racialequitygroup.com/our-people/>

AGENDA ITEM #8 Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

No additional business has been submitted to me as of the date of this notice.

TOWN OF SOUTH HADLEY MASSACHUSETTS
Routes 202/33 Corridor
Zoning Amendments

COMMUNITY FORUM #1

01 16TH SEPTEMBER, 2024

Monday

6:00 - 8:00 pm

South Hadley Council on Aging
45 Dayton Street

Can't make it to the Forums?



Scan for our interactive project site and stay engaged throughout the process!

<https://community.innesassocltd.com/south-hadley>

Be sure to share your opinions on the future development of Routes 202 and 33 in South Hadley!

Attend the Community Forums or comment on the interactive project website.