

## **Background Materials for March 08, 2021**

### **Agenda Items #1 through #9**

#### **Persons may join the meeting and/or public hearing by either of the following:**

Join ZOOM Webinar from your computer:

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#### **Channel 15/Facebook Streaming:**

***The Cable Studio staff have indicated that this meeting will be viewable on Channel 15.***

During the meeting, persons who are not joining the meeting, but watching via the online streaming may submit questions or comments via the Google Form or the dedicated email address: [SHPlanBoard@southhadley.ma.gov](mailto:SHPlanBoard@southhadley.ma.gov)

#### ***Agenda Item #1: Open Comment Period Policy***

As a follow up to the Board's discussion on February 22, 2021 regarding having a 10 minute "public" comment period, I revised the draft policy to note that it is an "open comment period" so that no one would reasonably think that was the only time persons could comment during the Planning Board meeting. I also made other revisions to clarify how this policy would be applied in a virtual setting and in a "in person" setting as well as address comments/corrections raised by Board members. The revised draft policy has been posted on the Planning & Conservation Department page of the Town's website at the following link:

<https://southhadley.org/DocumentCenter/View/8150/DRAFT---Policy-on-Open-Comment-Period-NOT-ADOPTED---Revised-2021-02-28>

**ACTION NEEDED:** Adoption of an Open Comment Period policy.

#### ***Agenda Item #2 – Minutes***

The Planning & Conservation Planning Technician has emailed a draft of the February 22, 2021 Planning Board meeting minutes for the Board's review.

**ACTION NEEDED:** The Board needs to vote to approve the minutes as submitted or with edits.

#### ***Agenda Item #3 – Correspondence***

A list of correspondence is attached.

**ACTION NEEDED:** No action is required.

**Agenda Item #4 – Scheduled Public Hearing on North Pole Estates- Hadley Street 6:45 p.m.**  
**This is a continuation of the public hearing began on November 18, 2019.**

Chicopee Concrete Services, Inc. submitted a Definitive Plan Application for the Planning Board's review and approval on a 108.93-acre site consisting of multiple parcels owned by multiple different parties. Along with this application, they are also requesting a Stormwater Management Permit for the proposed subdivision. The project site is situated along Hadley Street and Sullivan Lane (see aerial photo to the left) in the Agricultural Zoning District and within the Water Supply Protection District. Lying within the Agricultural Zoning District and the Water Supply Protection District and using septic systems instead of a sanitary sewer system, the minimum lot size is 40,000 square feet with a minimum lot width of 150 feet.



and Sullivan Lane (see aerial photo to the left) in the Agricultural Zoning District and within the Water Supply Protection District. Lying within the Agricultural Zoning District and the Water Supply Protection District and using septic systems instead of a sanitary sewer system, the minimum lot size is 40,000 square feet with a minimum lot width of 150 feet.

This project has been under review the Planning Board since November 2019 (see brief chronology following the aerial photo to the left). Nine sessions of public hearings totaling approximately 20 hours have been held to date. Comments have been received from various departments and boards.

**(Follow up to the last public hearing begins on page 17 below – additional correspondence has been highlighted as well.)**

Brief Chronology Recap

- Application submitted: October 25, 2019
- Waivers requested as part of original application: Yes – Board addressed those November 18, 2019 – some rejected, alternative relief granted for some
- Waivers requested subsequent to application: Yes – Board partially addressed those December 16, 2019
- Comments submitted by Departments/Agencies: Yes
  - *District 2 Board of Water Commissioners: November 13, 2019*
  - *District 2 Water Superintendent: November 13, 2019*

- *Conservation Commission: November 14, 2019*
- *Police Chief: November 15, 2019*
- *Public Health Director: November 18, 2019; December 5, 2019; and June 16, 2020*
- *Board of Health Chair: June 12, 2020, September 23, 2020, and October 15, 2020*
- *DPW Superintendent (Acting): November 22, 2019 and December 13, 2019*
- *Building Commissioner: March 3, 2020 and February 15, 2021*
- Public Hearing began November 18, 2019
- Public Hearing Sessions held on: November 18, 2019; December 16, 2019; February 10, 2020; June 15, 2020 (Focused on Stormwater Management Report and Hydrogeological Assessment Study; June 22, 2020 (Focused on Traffic and the Definitive Plan Details; July 13, 2020 (Focused on Definitive Plan Details); September 14, 2020 (Focused on Definitive Plan Details); October 5, 2019 (completed the Peer Review); November 2, 2020; November 30, 2020; and January 25, 2021
- Continuation Requested by Applicant: March 9, 2020 (for Peer Review Report), January 11, 2021, and February 8, 2021 (for additional hydrogeologic work)
- Continuations Requested or Declared by Town: March 23, 2020; April 6, 2020, May 5, 2020, May 20, 2020 (Due to COVID 19), and December 14, 2020
- Revised submittal by Applicant: November 18, 2019
- Revised materials submitted by Applicant: December 16, 2019
- Revised materials submitted by Applicant: January 22, 2020
- Revised materials submitted by Applicant: March 16, 2020
- Peer Review Report Submitted: March 5, 2020
- Responses to Peer Review Submitted: March 16, 2020 and June 12, 2020
- Review of Response to Peer Review Submitted: April 29, 2020
- Title 5 Third Party Review Reports Submitted: June 10, 2020
- Site Visit by Planning Board and Planning & Conservation staff: November 15, 2019
- Site Visit by Peer Review Team and Planning & Conservation staff: February 24, 2020
- Extension of Deadline for filing decision to January 29, 2021: submitted December 14, 2020 in the form of emails between applicant's attorney and Town Counsel; and to February 12, 2021 in the form of emails between applicant's attorney and Town Counsel
- ***Further extension of Deadline for Filing decision to March 26, 2021 submitted in the form of emails between applicant's attorney, Town Counsel, and Director of Planning & Conservation.***

All of the original application materials, revised materials submitted by the applicant, the comments from the departments, request for continuation, declaration of continuations by the Planning Board Chair, Peer Review reports, and Response to the Peer Review are posted on the Town's website at the following link:

<https://southhadley.org/1010/Hadley-Street---Northpole-Estates---2019>

#### Revisions to plans

Over the course of the Board's Review and the Peer Review, the applicant has made some revisions and some supplemental submissions (all of which are posted on the Town's website at the aforementioned link). Some of the revisions include:

- 1) A change in the lot layout

- 2) Changes in the proposed grade of the proposed roadway
- 3) Increase in the amount of material to be removed from the site
- 4) Shift in location of detention basin
- 5) Change in the proposed finished grade of the turnaround
- 6) Change in the number of houses to be served by the proposed roadway

Departmental Comments (through March 5, 2021)

The project application and plans were provided to the various departments. Through June 12, 2020, the following comments had been received:

Police Chief (2019-11-15): I have reviewed the Traffic Impact Study Residential Development North Pole Estates as provided by McMahan and can provide the following comments:

- 1). I reviewed the proposed vehicular trip generation (increase) as a result of this development and could not identify any concerns as it relates to the impact of this proposed development.
- 2). I reviewed the level of service approach for the existing roadways that would be impacted (Sullivan Street and Pearl Street) as well as the new northern and southern approaches from North Pole to Hadley Street. Given the analysis within the traffic study provided I could not identify any concerns as it relates to the impact of existing traffic/ (and anticipated non-build traffic growth of 1% per year), on Hadley St.

Further comments:

- A. Lighting: With increase access/volume in the Hadley St area, I would recommend a lighting needs assessment as it relates to vehicular, pedestrian and cyclist safety. While my perception is just that, perception, this is a dark roadway and could benefit from enhanced lighting.
- B. Speeding/Signage: Similarly, a more advanced evaluation regarding speed regulations on Hadley St would be warranted to determine if the posted speed (40 MPH) are appropriate for the increased vehicle trips on the roadway (and even existing vehicle trip activity). The Police Department receives complaints from residents of Hadley St. regarding speeding on this roadway and the Police Department does make efforts to enforce the speeding regulations with personnel, but our opportunities during peak hours are limited given staffing and call volume. Per the traffic impact study, 85% of the traffic is within 47 MPH, but the remaining 15% is travelling in excess of 47MPH is concerning for other motorists, pedestrians/cyclists. This area of Hadley St. may be a good candidate for electronic speed signs, even absent development.

Water Department District 2 Superintendent (2019-11-13): The applicant must meet with the Superintendent to discuss the following requirements:

- 1). South Hadley Water District No. 2 Rules and Regulations for Housing Developments.
- 2). Water Impact assessment application.
- 3). Material Standards for District No. 2 Water Department.
- 4). Copy of the Water Billing Structure.
- 5). Payment Fee for the development plans.
- 6). Connection Fee's shall be paid to the department before any connection is made to the distribution system.

Additionally, the Water Superintendent for District 2 also provided a letter from the Board of Water Commissioners expressing some concerns and comments (see the attached letter).

Water Department District 2 Superintendent (2019-12-10): Submitted a letter regarding the water service relative to the size of the development.

Director of Public Health (2019-11-15): In a telephone conversation, the Director of Public Health expressed concerns about the extent of excavation and possible fill activities at locations where perc tests were conducted. She indicated that these activities could pose challenges for or even impede installation of septic systems in these locations. I anticipate a letter or email with her concerns prior to the hearing on Monday.

Director of Public Health (Update 2019-11-15): Subsequent to the November 18, 2019 Public Hearing, the Director of Public Health provided a letter denying the Definitive Plan (see the attached letter dated December 5, 2019).

Director of Public Health (2020-06-10): The Director of Public Health submitted copies of the third-party review of the Title 5 plans submitted by the applicant.

Director of Public Health (2020-06-16): The Director of Public Health submitted an email to the applicant and their consultant regarding requirements for the Board of Health permitting:

*“Based on the third-party review from D3 Engineering, dated June 4, 2020 for the Title 5 plan review of the North Pole estates subdivision, the South Hadley Health Department would like to see elevations be associated with each one of the deep holes and percolation tests done on each lot and that each deep hole and percolation test elevation be referenced to a benchmark that cannot be moved. Those elevations are to be indicated on a plan for the North Pole estates subdivision: a copy to be given to the South Hadley Health Department.*

*Also, prior to any construction of a system on any of the lots, a surveyed elevation for that test site must be done to verify that the elevation for those deep holes and percolation test locations are the same as the original elevations. Any disposal works construction permit will need to meet all requirements of 310 CMR 15.000: THE STATE ENVIRONMENTAL CODE, TITLE 5: STANDARD REQUIREMENTS FOR THE SITING, CONSTRUCTION, INSPECTION, UPGRADE AND EXPANSION OF*

*ON-SITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS AND FOR THE  
TRANSPORT AND DISPOSAL OF SEPTAGE.”*

She also attached a copy of the letter and reports transmitted in her June 10, 2020 email to the Director of Planning & Conservation.

Conservation Commission (2019-11-15): The Conservation Commission provided a letter which notes, in part, that the work in proposed Phase 1 of North Pole Estates as presented on the plans “will not require a permit from the Conservation Commission”. However, they also note that subsequent work on proposed Lots #4 and #5 might require Conservation Commission permitting. Additionally, subsequent phases of the subdivision might require Conservation Commission permitting action (NOI or RDA). Additionally, the Commission provided further comments and suggestions (see the attached letter).

South Hadley Electric Light Department – SHELD (2019-11-18): SHELD will provide electric service based upon any town approved plans, both for the initial design, and the full conceptual plan. I don’t anticipate any unusual or unique conditions that would limit our ability to design, construct, operate and maintain the electric system for the development.

Fire District #2 – Fire Department (2019-12-09): South Hadley Fire District #2 Fire Department has reviewed the plans for the proposed development off of Hadley Street (route 47) and participated in the walk through. We have no concerns at this time in regard to road width, fire access, and hydrant locations. Any questions or concerns please let me know.

Building Commissioner (2019-12-06): Per § 255-84 of the zoning bylaws, if the subdivision site preparation activities for North Pole Estates “involve the removal, excavation, and/or addition of 5,000 or more cubic yards of material for use on parcels of land other than the parcel(s) from which the materials were removed or extracted”, a special permit from the planning board will be required prior to issuance of a permit from this office for said activities. Incidental activity exemptions (not requiring a special permit) apply only to premises for which a building permit has been issued or for the development of site improvements for a subdivision for which definitive plans have already been approved. Neither exemption applies.

Building Commissioner (2020-03-03): Provided a statement as to the meaning of “incidental” and how this relates to the proposed development.

Building Commissioner (2021-02-15): Provided a memo indicating that even if the Planning Board approves the subdivision, a Special Permit is required.

Acting DPW Superintendent (2019—11-22): The DPW Superintendent submitted a letter regarding the issue of a possible sanitary sewer extension to serve this development.

Acting DPW Superintendent (2019-12-13): The South Hadley DPW would like to request that the Planning Board have the plans reviewed by an outside expert with particular focus on stormwater and traffic.

Board of Health Chair (2020-06-12): The Board of Health Chair submitted a letter via the Public Health Office.

Board of Health Chair (2020-09-23): The Board of Health Chair submitted a letter to the applicant regarding a planned Board of Health meeting to deliberate on the application scheduled for October 13, 2020. The Public Health Office provided a copy to the Planning & Conservation Department.

Board of Health Chair (2020-10-15): The Board of Health Chair submitted a letter to the applicant regarding the Board of Health review of the proposed development and identified issues the Board of Health had in reviewing the project. The Public Health Office provided a copy to the Planning & Conservation Department.

Building Commissioner (2020-03-03 and 2021-02-15): Building Commissioner provided comments as to his interpretation of “Incidental” and that approval of the Subdivision would require a Special Permit to excavate more than 5,000 cubic yards.

Site Visit – November 15, 2019

A site visit was held for the Planning Board on Friday November 15, 2019. Also in attendance were the staffs of the various departments that are participating in the review including the Planning Director, Assistant Planner, Planning & Conservation Senior Clerk, Acting DPW Superintendent, District 2 Fire Chief, District 2 Water Superintendent, and SHELD Engineer.

Site Visit - - February 10, 2020

A site visit was held for the Peer Review team on Monday February 24, 2020. Also in attendance were the Planning Director and Conservation Administrator/Assistant Planner,

Standards for Approval – Stormwater Management Permit

Section 200-11 provides that to grant a Stormwater Management Permit, “the Planning Board must . . . find that the stormwater management and erosion and sediment control plan submitted with the permit application meets the following criteria:

- A. The stormwater management and erosion and sediment control plan are consistent with the purposes and objectives of this bylaw in Article I;
- B. Provisions for stormwater management meet the performance standards described in Article VI;
- C. Provisions for erosion and sediment control meet the design requirements in Article VII.”

Standards for Approval – Definitive Plan

Town Counsel has provided the Board with a memo as to the standards for the Board to use in reviewing a Definitive Plan submittal and taking action on such a plan (see attached July 10, 2020 memorandum from the Town Counsel to the Planning Board).

### Requested Waivers

The applicant requested the following waivers from the Subdivision Regulations (see their letter dated October 25, 2019 in their application):

- 1). 360-20A – Requirement for submittal of a Mylar of the Definitive Plan with the initial submittal
- 2). 360-21A – Requirement that plans be at a scale of 1” equals 40’
- 3). 360-21B(8) – Requirement that proposed street addresses be shown on the original submission plan
- 4). 360-21B(16) – Requirement topographical detail be shown for the entire site
- 5). 360-21B(16)- Requirement that topographical contours be in 2 foot intervals
- 6). 360-21B(16) – Requirement that existing topographic lines be shown as solid lines and proposed topographic lines be shown as broken lines
- 7). 360-21B(21) – Requirement that proposed parks, etc. be depicted

At the December 16, 2019 public hearing, the applicant submitted a revised Waiver Request Letter which outlined the Board’s responses/actions regarding the initial requests and made an addition waiver request:

360-22A(1) Requirement for Design plan of proposed on-site sanitary sewage system

All waiver requests are included in the in the aforementioned link on the Town’s website.

### Peer Reviews

The Board determined that a Peer Review of the following elements of the applicant’s submitted was necessary:

- Hydrogeological Assessment
- Traffic Impact Study
- Stormwater Drainage Report
- Definitive Plan details (all plan sheets)

The Board selected Weston & Sampson to perform the Peer Review. The applicant objected to some of the scope of the peer review and Weston & Sampson revised the scope to address appropriate concerns.

After some delay, the Town was provided the funds necessary to contract with Weston & Sampson for a Peer Review of the application and associated materials. The Initial Peer Review Report, the applicant’s responses, a subsequent Peer Review Report document, and subsequent Response regarding traffic are posted on the aforementioned page of the Town’s website.

### Resumption of Public Hearing – Virtually (June 15, 2020 and June 22, 2020)

After a 4-month break in holding hearings primarily due to the COVID-19 State of Emergency, the Board resumed hearings on June 15, 2020. The applicant’s consultant and Planning & Conservation staff suggested, and the Peer Review consultant and Planning Board concurred that the resumption of the public hearing should occur in two phases:

- June 15, 2020 –focused on the Stormwater Management Plan and the Hydrogeological Assessment Study
- June 22, 2020 – focused on the Traffic Impact Assessment and the Definitive Plan

The Board conducted a virtual session of the public hearing on June 15, 2020 focusing primarily on the Stormwater Management Report and the Hydrogeological Assessment Study as had been posted. That session lasted approximately 2-1/2 hours. Five members of the public spoke, and several other members of the public had submitted comments/questions via email and/or the Google Form – those comments/questions were read into the record by Town staff.

The Board conducted a virtual session of the public hearing on June 22, 2020 focusing primarily on the Traffic Study and the Definitive Plan Details (mostly, however, on the traffic study) as had been posted. That session lasted over 3 hours. Five members of the public spoke, and several other members of the public had submitted comments/questions via email and/or the Google Form – those comments/questions were incorporated into the record. Due to the amount of time devoted to the Traffic Impact Assessment, there was not sufficient time to review the Definitive Plan Details.

The Board continued its examination of the Definitive Plan Details Peer Review in a virtual session of the public hearing on July 13, 2020 and again on September 14, 2020. However, the Board was unable to complete its review.

At the October 5, 2020 Public Hearing, the Board allowed the hearing to go considerably longer than the time limit called for in the Board’s virtual meeting guidelines. But the Board was able to conclude its review of the Peer Review reports. The Board also received, prior to the October 5<sup>th</sup> hearing, and discussed during the hearing an overlay of the boundaries of the Preliminary Plan and the Definitive Plan – this is posted on the Town’s website at the following link: <https://www.southhadley.org/DocumentCenter/View/7013/Hadley-Street---North-Pole-Estates-Definitive-Plan-over-Preliminary-Plan-2020-09-22>

Following the September 14<sup>th</sup> public hearing, Board members provided the Director of Planning and Conservation with lists of apparent inconsistencies regarding the plan, public hearing comments, and related documents. The Director of Planning and Conservation compiled the submitted statements and provided them to the applicant to allow for a response prior to the October 5<sup>th</sup> meeting. The applicant’s representative subsequently provided responses to the Planning Board members’ comments. While this aspect of the Board’s review and the responses were not discussed at the October 5, 2020 meeting, the Board’s listing of inconsistencies and the applicant’s responses are posted on the Town’s website at the following links:

*Planning Board Members list of Inconsistencies:*

<https://www.southhadley.org/DocumentCenter/View/7154/North-Pole-Estates-Definitive-Plan---2020-09-24-Planning-Board-Members-Comments-as-to-Inconsistencies>

*Applicant's Responses:*

<https://www.southhadley.org/DocumentCenter/View/7155/North-Pole-Estates-Definitive-Plan---2020-09-28-Letter-Responding-to-Inconsistencies>

Following the October 5<sup>th</sup> Public Hearing session, the various materials were submitted to the Board in response to the Board's requests including:

The Applicant's consultant submitted aerial overlay and it is posted on the Town's website at the following link:

<https://www.southhadley.org/DocumentCenter/View/7220/Hadley-Street---North-Pole-Estates---Defintiive-Plan---Aerial-overlay-2020-10-16>

The list of questions posed for the Peer Reviewer and the Applicant's consultant is posted on the Town's website at the following link:

<https://www.southhadley.org/DocumentCenter/View/7286/Hadley-Street---North-Pole-Estates---2020-10-05-Questions-for-Peer-Reviewer-and-Applicant-Representative>

The Peer Reviewer submitted responses to the questions posed to them and they are posted on the Town's website at the following link:

<https://www.southhadley.org/DocumentCenter/View/7254/Hadley-Street---North-Pole-Estates---2020-10-19-Memo-from-Weston-and-Sampson-Peer-Reviewer-Responses>

The Applicant's consultant submitted responses to the questions posed to the Applicant and they are posted on the Town's website at the following link:

<https://www.southhadley.org/DocumentCenter/View/7284/North-Pole-Estates---2020-10-23-Letter-from-Rob-Levesque>

Additionally, the Board of Health Chair submitted a letter to the applicant with a copy to the Planning Board Chair and it is posted at the following link:

<https://www.southhadley.org/DocumentCenter/View/7250/North-Pole-Estates-Definitive-Plan---Letter-2020-10-15-from-Board-of-Health-2020-10-21-Received>

The focus of the November 2, 2020 public hearing was to begin reviewing the "design standards" detailed in Chapter 360 – the Subdivision Regulations. During the public hearing, three items were identified which the Planning Board felt it needed and the applicant's consultant agreed to provide:

- A letter or document from the Traffic Consultant providing responses to several traffic concerns
- An estimate of the economic value of the material to be excavated
- An updated aerial image showing accurate existing conditions.

The applicant's consultant provided a letter on November 23, 2020 which addressed the first two items. The November 23, 2020 letter is posted on the Planning & Conservation Department's page of the Town's website at the following link:

<https://www.southhadley.org/DocumentCenter/View/7411/Hadley-Street---North-Pole-Estates-Definitive-Plan---2020-11-23-Letter>

The applicant's representative provided the updated aerial to the Town for the November 30<sup>th</sup> public hearing.

The Board was unable to complete review of the "design standards" November 2, 2020 in part due to the need for the above-referenced materials.

The focus of the November 30, 2020 public hearing was on the *Design Standards*. The Board completed a review of the Chapter 360 "design standards" using a matrix provided to the Board with my assessment of the plans where there were clear "objective" standards which do not require Planning Board determinations. The Board determined that the following items were needed from the applicant:

*360-31A(8)*

The vertical alignment at grade changes or minimum stopping sight distance at 3.5 feet above the pavement shall be 200 feet. Where is it demonstrated on the plans?

*360-31D(1)*

Type "A" The minimum center-line radii of horizontal street curves shall be: 100 feet. Where is it shown on the plans?

*360-38A*

Bituminous concrete curbs of the type and dimensions as shown on the Typical Street Cross-Section (see Appendix[1]) shall be required along both sides of the roadway, except at curb inlets or where, in the opinion of the Planning Board, such curbs are not necessary. Where is the detail?

The applicant provided a response to the technical questions raised above regarding 360-31A(8), 360-31D(1), and 360-38A. The response is posted on the Town's website at the following link: <https://www.southhadley.org/DocumentCenter/View/7618/Hadley-Street---North-Pole-Estates-Definitive-Plan---2021-01-04-Letter-from-Applicant-Consultant>

Additionally, the following excerpt from the November 30<sup>th</sup> Public Hearing minutes indicate that the applicant would provide additional responses or plan details regarding some of the "subjective" or "discretionary" standards:

*The applicant's consultant was given an opportunity to address the Board and offer clarity on items discussed during review of the design standards. Rob Levesque reviewed that the cul-de-sac would be revised and reflected as 'permanent'. Either through special conditioning or plan revision, he would add screening along the lots nearest the mining operation to benefit the livability of the area. He added that additional information regarding the traffic assessment would be provided. Attorney Seidel would speak with the applicant regarding the installation of sidewalks on both sides of the road, rather than the side as was currently proposed.*

Outstanding or Remaining Issues – Planning Board

As a follow up to the November 30, 2020 Public Hearing, Planning Board members were asked to provide the Director of Planning & Conservation with their view as to the “outstanding” or “remaining” issues. Planning Board members identified a number of issues regarding the hydrogeological Assessment Study, Traffic Study, and the Definitive Plan sheets – these are detailed under the Section “**January 20, 2021 Workshop**” below.

Question about the value of the lots and the value of the materials being excavated.

At the November 30, 2020 public hearing there was information discussed as to the value of the proposed lots and the value of the excavated materials. The applicant has indicated that the value of the excavated materials is approximately \$1,575,000 to \$1,800,000. There was some information provided by a member of the public as to the value of the proposed lots. I would suggest a simpler approach to estimating the value of the resulting lots using the “assessed value” of lots in the Agricultural zoning and Water Supply Protection District located in a subdivision (*keeping in mind that current assessed valuations are based on 2019 calendar year sales*) as follows:

Chatham Estates is a 4-lot subdivision located off Woodbridge Street slightly south of Pearl Street. It is located within the Agricultural zoning district and within the Water Supply Protection District. Two lots abut Woodbridge Street and two lots do not. One lot is over 2 acres in size and the other 3 are very slightly over 1 acre in size. The former lot is assessed at \$120,000 (land only) while the latter 3 lots are assessed at \$116,000 to \$116,200 (land only). None of these lots have sanitary sewer and none abut an active or former earth removal operation. I am suggesting that only the land value be used in the comparison because the typical subdivision developer creates the lots and sells them to either a builder or an end use (future homeowner) who has the home built. Therefore, the value to the subdivider is the value of the lots not the lots and houses – the value of the houses depends on what is built which is unknown at this time.

The North Pole Estates Definitive Plan involves creation of Frosty Lane which is necessary for proposed lots 2 & 3 as shown on the proposed plan. One lot is over 2 acres and the other lot is approximately 1.33 acres. The other two lots proposed as part of the Definitive Plan are abutting Hadley Street and could be created as ANR Plan lots not necessitating the construction of Frosty Lane. Using the assessed values from the Chatham Estates development, the value of proposed lots 2 and 3 would appear to be in the range of \$120,000 and \$116,200 for a total value of the proposed lots of \$236,200.

The applicant’s consultant has indicated that they would also create additional lots off Frosty Lane using an ANR Plan once the roadway was built. It is impossible to know how many lots would be so created and their size. However, the “concept plan” on Sheet D-2 of the submittal suggest that there could be a net of 3 additional lots. Assuming they are also the size of Lot 2 or Lot 3, they could be similarly assumed to have a value of approximately \$120,000 each. Therefore, the combination of the value of Lots 2 and 3 and the potential additional of 3 more lots by ANR Plans could be assumed to possibly result in a “lot value” of approximately \$596,200. However, it should be noted that this would be “market” or

“retail” value which is more than the “net” value to the developer as a developer would deduct their development expenses (plans, permitting, legal, infrastructure costs, etc.)

Obviously, there are numerous factors which impact assessments, and this is not presented to suggested that this would be the “assessed value” but to provide some comparisons in the area.

**Deadline for Decision - Changes in Section 17, Chapter 53 of the Special Acts of 2020**

Since Spring of 2020, the Board has been operating under the provisions of Section 17, Chapter 53 of the Acts of 2020 which, among other things, tolled the deadlines for acting on various applications until after the State of Emergency was lifted. However, recently, the legislature passed amendments to this statute which changed the deadline of the “tolling” period to December 1, 2020. Thus, the “clock” for rendering decisions, beginning public hearings, etc. is no longer measured by the end of the ‘State of Emergency’ but resumes on December 1, 2020.

The applicant’s counsel, in an email exchange with Town Counsel, extended the deadline for completing the public hearing to January 11, 2021 and the deadline for filing a decision to January 15, 2021. This was subsequently further extended to completing the public hearing to January 25, 2021 and the deadline for filing a decision to January 29, 2021.

In an email exchange on January 8, 2021, the applicant’s counsel and Town Counsel agreed to a continuation of the public hearing to January 25, 2021 which resulted in a further extension of the deadline for completion of the public hearing to February 8, 2021 and filing of a decision until February 12, 2021. ***In subsequent emails, the deadline for completion of the public hearing was extended to March 22, 2021 with a deadline for filing of a decision being extended to March 26, 2021.***

**January 20, 2021 Workshop**

As discussed at the January 11, 2021 meeting, a workshop between Town representatives and the applicant’s representatives was held on January 20, 2021 to review the list of outstanding issues as identified by the Planning Board and Town staff. The purpose of the workshop was to ensure that the applicant understood what the issues were from the Town’s perspective – it was not to make any decisions – and no decisions were made.

**Participating in this workshop were:**

- Two members of the Planning Board (Chair Brad Hutchison and Member Melissa O’Brien);
- Town staff representatives including Planning & Conservation Director Richard Harris, Assistant Planner Anne Capra, and Town Counsel Brian Winner; and
- Representatives of the applicant including Attorney Michael Siddall, consultant Rob Levesque, and Jason Ouellette.

**Outstanding Issues Discussed:**

Approximately 23 issues were identified as outstanding prior to the workshop and reviewed by the participants. Below, each of these issues are listed and a summary statement regarding the discussion is provided for each of the issues.

*General*

1. Changing the cul de sac labeling to "permanent".  
**Summary:** The plan does not meet the requirements for being a “temporary” cul de sac since all of the applicant’s property is within the subdivision. Applicant’s attorney indicated that they would remove the term “temporary” and just label the turnaround “cul de sac”
2. Add screening along the lots nearest the mining operation to benefit the livability of the area.  
**Summary:** The Planning Board must have a plan for the screening before they can act on the Definitive Plan. The Board cannot have in the decision that it is subject to the Board approving a screening after the decision is made. The applicant’s consultant will provide a screening plan.
3. Additional information regarding the traffic assessment.  
**Summary:** This was discussed under items 9 through 12 and item 21 below.
4. Installation of sidewalks on both sides of the road, rather than the side as was currently proposed. – to be on both sides  
**Summary:** The Board’s practice has been to require only sidewalks on one side of a street of the length proposed for Frosty Lane. However, if the roadway were to be extended to serve an additional 40 to 60 homes, then the traffic would warrant sidewalks on both sides of the roadway. The sidewalks always are located within the Right of Way. However, homeowners tend to assume they own to the edge of the pavement – which is not true for a Town accepted roadway. The applicant intends to construct the sidewalks on both sides of the roadway and that will be reflected in the plans.

*Hydrogeological Assessment Study*

**Summary for items 5 through 8 and item 20 below:** The applicant indicated that they are retaining a consultant to do additional study work to address the Board of Health letter and items 5 through 8 and item 20 below. They plan to meet with the Public Health Director and other Town representatives to verify the scope of the additional work.

5. See pages 1-3 of the 10/19/20 memo from Weston & Sampson: Loss of recharge capacity and temporary recharge storage (based on 400,000 cubic yards of earth to be removed) are not addressed. If/when addressed, the analyses should be based upon a mapping of the lateral and vertical extents of the intended sand and gravel removal relative to the existing site topography.
6. HAS does not specifically address the currently proposed 9 lot subdivision (only a hypothetical buildout) to account for its specific impacts/activity.
7. The cumulative effect of nitrogen nitrate and run-off from fertilizer (and other known contaminants associated w/homeowners) have yet to be analyzed in this study.
8. Testing for and a potential remediation plan for prior known contaminants (e.g., lead bullets)
20. For the hydrogeologic study, I believe that study assumed that 23 acres would be preserved as an “offset”. Since the 23 acres will not be preserved at this time the offset included in the hydro. Geo. Study assumptions is no longer valid. – a statement – part of new HAS study work

### *Traffic Study*

9. See pages 4 and 5 of the 10/19/20 memo from Weston & Sampson. As of 11/23/20, it appears the traffic consultant responded to the tree/ROW issue while the others remain outstanding. Confirm.  
**Summary:** The applicant is to provide an updated response from their traffic consultant.
10. Sight line measurements for northern driveways as per AASHTO.  
**Summary:** The issue regarding this aspect is that it is unclear if the traffic consultant was evaluating Frosty Lane or a different access point. The applicant is to provide an updated response from their traffic consultant.
11. Sight line measurements from the existing driveway to the gravel operation – part of background traffic  
**Summary:** There was a question as to whether the continuation of the existing gravel operations using their existing driveway was taken into consideration. The existing driveway is a “given” existing condition which is not part of the Subdivision Definitive Plan.
12. Provide calculations to support truck traffic analysis.  
**Summary:** This issue relates to the truck traffic associated with the earth removal as part of the Subdivision. The applicant is to provide an updated response from their traffic consultant.
21. For the traffic study, the study documents and diagrams reference a “Northern Site Driveway” and a “Southern Site Driveway”. If I’m not mistaken, Rob was going to get the engineer that prepared the report to confirm which, if either, of the access drives studied by the analysis correspond to Frosty Way. – Part of Traffic Study comments  
**Summary:** The issue regarding this aspect is that it is unclear if the traffic consultant was evaluating Frosty Lane or a different access point. The applicant is to provide an updated response from their traffic consultant.

### *Definitive Plan*

13. Street layout design does not appear to meet standard 360-31 A(1) and possibly (2) as well, as elaborated on at the most recent public hearings – see 2 above  
**Summary:**
  - Standard 360-31A(1) has multiple parts. One part relates to “the maximum livability and amenity of the subdivision”. To address this concern, the applicant indicated November 30, 2020 that they would propose some mitigation of the potential impact of the gravel operation on the new lots being built. As noted in Issue #2 above, the applicant is to provide a screening plan regarding this aspect of this issue.
  - Another aspect of Standard 360-31A(1) is the last sentence which reads: “As far as practicable, streets should follow natural contours.”. There is question whether the amount and scope of the excavation is necessary for the proposed subdivision and whether it could be developed without the width and depth of the proposed cuts – this is in regard to the approach from Hadley Street but also in regard to the extent of earth removal to be undertaken around the cul de sac. The applicant indicated they understand the Board’s concern – they have indicated in the past that they don’t agree.
  - Standard 360-31A(2) relates to conformity with the Master Plan. There is concern that the Master Plan defines the character of the corridor on Hadley Street and the proposed excavation would be contrary to that character.
14. Temporary cul-de-sac not appropriate as per 360-31F  
**Summary:** This was addressed under issue #1 above.

15. “Due regard” not given to Dry Brook Hill as required per standard 360-33B  
**Summary:** Standard 360-33B provides that “Due regard shall be shown for all-natural features such as large trees, watercourses, scenic points, historic spots and similar community assets, which, if preserved, will add to the attractiveness and value of the subdivision and the Town.” There is concern that development of Dry Brook Hill, particularly with the extent of excavation proposed demonstrates a lack of showing “Due regard” for the natural feature.
16. Is there sufficient info for 360-31A(8), 360-31D(1) and 360-38(A)  
**Summary:** The Director of Planning & Conservation had noted that the plans don’t appear to demonstrate compliance with these three standards. The applicant’s consultant previously provided a response to these concerns in a letter dated January 4, 2021 which is posted on the Planning & Conservation Department page of the Town’s website as noted above on page 14 of this background packet. While the response noted that the plans do provide the information for standards 360-31D(1) and 360-38(A) – they were not picked up in the staff review, a revision in the plan is required for standard 360-31A(8). However, the plan revision has not been submitted as of January 21, 2021.
17. Provide details on how the lot purchasers will be informed that they are in a Zone II area.  
**Summary:** There is concern that persons buying homes in this subdivision will not be aware of the sensitive environment associated with this area as a primary source of public water. Other houses constructed on Sullivan Lane were on lots created as part of ANR Plans which do not afford the Town any opportunity to raise these concerns. There are multiple ways to address this issue. With the Stonegate Subdivision, approved in the 1980’s there was concern about the presence of a dairy farm and how homebuyers might be “offended” so the Planning Board required a deed attachment – not the most effective way to inform people particularly in regards to the issues raised for North Pole Estates. A placard placed in the home could be a more effective educational tool. The Town is looking to the applicant to propose a means to address this concern and they have previously indicated a willingness to do so.
18. Landscape/fence buffer, safety measures needed for lots abutting the active gravel pit.  
**Summary:** This was addressed under issue #2 above.
19. Is amount of earth removed “incidental” for the construction of 2 houses - as highlighted in multiple public hearing discussions by the Board, members of the public and the Peer Reviewer, Weston & Sampson, most recently cited in their 10/19/20 memo.  
**Summary:** There is concern that the amount of earth removal proposed for this subdivision is not “incidental” and the subdivision could be developed with less removal. The applicant has previously offered their justification as to why the work must be done as proposed.
22. Section 360-35A Re: Abnormal lot sizes. We briefly discussed this as the plan has several abnormal shape/size lots but not sure if this "resolved".  
**Summary:** This was discussed previously at public hearing sessions and it was noted that the lots proposed are not “porkchop” or “flag lots”. The Director of Planning & Conservation and Town Counsel have noted that there are some very large lots but all the lots meet the frontage requirements without any special considerations.
23. Section 360-38D Re: Special conditions w/regard to specially constructed berms or gutters. I don't have notes on whether this was discussed. Given the sensitivity of this particular site, should DPW (or another entity) should weigh in on whether these are needed?  
**Summary:** This standard provides that “Under special conditions, specially constructed berms or gutters may be required by the Planning Board, particularly in areas of heavy

slope.: The DPW Superintendent will be asked to advise if this subdivision, as designed, would warrant “specially constructed berms or gutters”.

### **January 22-25, 2021 Submissions**

The applicant provided revised plans for the January 25, 2021 public hearing which addressed several of the design standard technical issues and the issue of screening. Additionally, the applicant submitted a draft “placard” to address concerns about home buyers being made aware of the Water Supply Protection District restrictions. Further, supplemental responses from the Traffic Consultant were also provided for the January 25, 2021 public hearing. All of these materials are posted on the Planning & Conservation Department page of the Town’s website at the following link: <https://southhadley.org/1010/Hadley-Street---Northpole-Estates---2019> under “January 2021 Submissions”.

### **Follow Up to January 25, 2021 Public Hearing**

The public hearing was continued to February 22, 2021 and then to March 8, 2021.

#### *Supplemental Hydrogeologic Analyses.*

These continuations were requested and provided to allow time for the applicant to have McLane Environmental, LLC - a new consultant for this project - prepare supplemental Hydrogeologic Analyses. As part of the discussion between the new consultant and the Director of Planning & Conservation, it was determined that it would be helpful and necessary to have Weston & Sampson engaged by the Town to provide input into the scope of this work and to review the resultant analyses.

A meeting between the consultants (members of McLane Environmental, LLC and a representative of Weston & Sampson) and the Director of Planning & Conservation was held on February 17<sup>th</sup> to determine the scope and methods of the additional study. Subsequently, there email exchanges between the consultants to confirm use of particular models and model inputs as well as to answer questions regarding the analyses. McLane Environmental LLC submitted a “supplemental Hydrogeologic Analyses” on March 1, 2021 which is posted on the Planning & Conservation Department page of the Town’s website at the following link: <https://southhadley.org/DocumentCenter/View/8148/Hadley-Street---North-Pole-Estates-Definitive-Plan---Supplemental-Hydrogeologic-Analyses---2021-03-02>

The supplemental Hydrogeologic Analyses was provided to Weston & Sampson for their review. A report as to whether this analyses satisfactorily addresses the concerns raised about the initial Hydrogeological Assessment Study is expected prior to the March 8, 2021 Planning Board public hearing. A link to the supplemental Hydrogeologic Analyses has also been provided to South Hadley Public Health Director Sharon Hart.

#### *Cost Estimate*

During the January 25, 2021 public hearing, residents provided an estimate of the cost of the proposed subdivision. As a follow-up to that meeting, I asked the DPW Superintendent for an approximate cost. He has estimated the improvements would cost approximately **\$463,981** broken out as follows:

- Stormwater: \$130,500
- Water system: \$146,200
- Sidewalk apron: \$ 3,000
- Roadway: \$108,000
- HMA, sidewalk, berm: \$ 76,281

*Departmental/Board comments*

As noted earlier, the Building Commissioner has submitted a memo indicating that if the Board approves the subdivision plan, a Special Permit will be required for removal of more than 5,000 cubic yards in a single year.

The Board of Health is to meet March 9, 2021 and will consider the Supplemental Hydrogeologic Analyses at that meeting, It may require additional time to complete its review.

Requests to speak:

As of March 5, 2021, no one has signed up to speak.

Google Form Responses and Emails – Comments:

No new comments have been received since the January 25, 2021 public hearing as of March 5, 2021.

**ACTION NEEDED:** Hold the public hearing.

***Agenda Item #5 - Development Update and Planning & Conservation Department Report***

The Planning & Conservation Department staff will provide a report on the following items:

a. Development Activity

- SHELDT property on Granby Road: SHELDT has acquired a 24.7-acre tract of land on the northside of Granby Road. Anne Capra, Conservation Administrator/Assistant Planner has advised that they recently submitted an Abbreviated Notice of Resource Area Delineation (ANRAD) for the property at 545 Granby Road. A copy of this submittal is posted on the Town’s website at the following link:  
<https://www.southhadley.org/DocumentCenter/View/8083/545-Granby-Road-SHELDT---ANRAD-Resources-Areas-Map%5C>
- Dunkin Donuts – “Expansion”: Letter of decision has been issued. Contractor is pursuing permits.
- Dunkin Donuts – Signage”: Letter of decision has been issued. Contractor is pursuing permits.
- PeoplesBank: They appear to be nearing completion of the construction.
- Skinner Woods: The project engineer has submitted a draft of their Form H Submittal along with a proposed modification of their Special Permit to address a change in the ownership. I am reviewing the materials before they submit their formal application.
- Rocky’s Hardware: The project engineer is working on the plan submittals and their architect is having some simulations prepared which will show how the building will relate to the massing of other buildings on the site and on the adjacent property. I

- anticipate the application for Site Plan Review and Stormwater Management will be submitted sometime in March which would result in public hearing, probably late April.
- The Park at Woodlawn: The developer is pursuing their funding.
  - Senior Center Sign Illumination: The consultant for the Senior Center has indicated that they are planning to submit a request to illuminate the sign at the new Senior Center. I have provided the consultant with the application form and requirements for supplemental documentation. They have also been informed as to the extent to which the illuminated signs at the PeoplesBank have been an issue – this is in particular relevant as the Senior Center is in greater proximity to residences which could be impacted by the illumination.
  - Chapter 91 Notice of a proposed seasonal dock at 24 Canal Street. This notice is required by the State. The Conservation Commission also receives such notices. Since such a residential accessory use does not require Planning Board review, the Planning Board has not responded to such notices.

b. Bylaw and Map Amendments

- A request has been submitted for a change in the zoning for properties abutting Route 202 and Route 33. This request has been referred to the Planning Board from the Selectboard pursuant to Chapter 40A, Section 5, MGL Based on the decision at the last meeting, this matter has been scheduled for a public hearing on April 5, 2021 at 6:45 p.m.
- 82 Pearl Street (aka 82 Sorbi Circle) request for a change from Agricultural to Business A. The applicant has submitted emails to the Planning & Conservation Department and the Town Administrator indicating they are withdrawing their request.
- Stormwater Management Bylaw amendments
- Sign Illumination. As a follow-up to the February 22, 2021 Planning Board meeting where there was considerable discussion as to the hours of illumination for various signs – particularly those of entities competing against new developments, I conducted research into the restrictions on the hours of sign illumination that the Planning Board has placed (or not placed) on different signs in Town. This research, albeit not necessarily exhaustive, is attached to this packet.

This research shows that the hours of illumination restrictions are ALL over the place. Some would offer that the research results might suggest a somewhat arbitrary approach has been taken that varies depending on who is on the Board. It is particularly interesting that even within the same industry, the restrictions have not been the same – take financial institutions for example. Most of the bank’s signs have NO restriction on hours of illumination.

But the variation is not tied to a particular type or location of a business. It suggests strongly that there needs to be a new approach to regulation of the hours of illumination of business signs. I would suggest that the Board allocate some time at a meeting in the immediate future to review this data and develop a policy and/or a Bylaw amendment to bring about a more consistent standard.

c. Master Plan Update

- As the Board is aware, the Master Plan Update Advisory Committee has recommended the draft Update to the Planning Board for their review and consideration. The Board met on January 21, 2021, February 4, 2021, and March 4, 2021 to review the Master Plan Update. Special Planning Board meetings were scheduled to review the Master Plan Update on the following dates – to be held at 6:00 p.m. for approximately 2 hours each night:

- ~~January 21, 2021~~
- ~~February 4, 2021~~
- February 18, 2021 - CANCELLED
- March 4, 2021
- March 18, 2021

Several boards have submitted comments and questions regarding the update in response to meetings with the Master Plan Implementation Committee. The staff is compiling these comments and they will be provided to the Board for review at the March 18th meeting – to review them in a piecemeal fashion would be disruptive and counterproductive.

d. Planning Board Meeting Schedule

As set at the December 14, 2020 meeting, the meeting schedule through April 30, 2021 is as follows:

- ~~Monday, January 25, 2021~~
- ~~Monday, February 8, 2021~~
- ~~Monday, February 22, 2021~~
- Monday, March 8, 2021
- Monday, March 22, 2021
- Monday, April 12, 2021
- Monday, April 26, 2021

e. Planning & Conservation Department Grant Activity

- MassWorks
- MVP
- Land Grant
- APRs
- MDI Local Rapid Recovery Grant

f. Other

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**Agenda Item #6 – Other New Business**

I have included this agenda item for Board members to bring up new items (for discussion and future consideration) that are not on the agenda and which the Chair could not reasonably expect to be discussed/considered as of the date which the agenda was posted.

Additionally, this is an opportunity for the representatives on various committees and the PVPC Commissioner/Alternate Commissioner to make reports to the Board. The reports should be less than 3 minutes each.

## Planning Board Open Comment Period Policy

The Planning Board has a long history of accommodating public comment on nearly all agenda items. It has done so while ensuring and protecting the due process rights of applicants and members of the public on matters presently or anticipated to be brought before the Board. The purpose of this policy is to establish some foundational rules for **an open comment period** regarding matters that are not on the Planning Board agenda while continuing to protect the due process rights of all persons. Nothing in this policy is intended to alter the Board's long practice of allowing (at the Chair's discretion) members of the public to comment on posted agenda items.

An open comment period is to encourage the public to offer ideas for future discussions and agenda items. It is not to be used to debate current or past agenda items or items pending for future agendas.

The Board shall have on its agenda a period for public comment regarding items not on the agenda. This open comment period shall operate under the following conditions:

- 1) The open comment period shall be listed **at the very beginning of the meeting. To accommodate the Open Comment period at the beginning of the meeting, consideration of minutes and correspondence will be placed later in the agenda – depending on the agenda items, it may be placed immediately prior to the “Development Update” on the agenda or immediately after the “Open Comment” period.**
- 2) The open comment period shall be limited to 10 minutes in total
- 3) Persons speaking during the open comment period shall adhere to the following rules:
  - a. Sign up at the beginning of the meeting and list the topic they wish to speak about
  - b. Persons are not to speak until authorized by the Chair.
  - c. Comments should not be regarding any item which is on the posted agenda as the Board generally affords the public an opportunity to comment on such posted agenda items. **Any such comments under the Open Comment Period will be ruled out of order by the Chair.**
  - d. Comments must comply with the “Visitors Code of Conduct” adopted by the Selectboard.
  - e. The comments are limited to 2 minutes per person
  - f. **Location of Speaker**
    - i. **When meetings are held “in-person”,** persons are encouraged to come to the front of the room and speak from the “speakers” chair – not from their chair or position in the audience – as this will better ensure that they can be clearly heard by all present and those who may watch the recording of the meeting. Whether or not persons may address the Board from their position in the audience is at the discretion of the Chair **(based on their determination of how it does or does not disrupt the functioning of the**

## Planning Board Open Comment Period Policy

**Board** - whether or not it hinders the Board's or audience's ability to hear and understand the speaker, whether or not it disrupts the functioning of the meeting, etc.). This determination will likely be made based on experience the Board has with the Open Comment speakers over time. However, the Chair will make such determination uniformly and announce the determination prior to the beginning of the Open Comment Period.

*ii. When meetings are held virtually, Persons wishing to speak need to notify the "host" of the meeting by either using the "raise your hand" feature, making a notation in the "QA" feature, using the "Google Form" to notify the Planning & Conservation Department staff prior to the meeting, or sending an email to the Department staff prior to the meeting. When the Chair authorizes someone to speak, the persons will be moved into the "panelist" position so that the Board members can hear and see directly from the individual.*

- g. The Planning Board has no role in Zoning Bylaw enforcement. Accordingly, the public is expected to refrain from making comments regarding allegations of zoning violations as those should be taken directly to the Building Commissioner who is the Zoning Enforcement Officer.
  - h. Comments must respect applicants' and abutters' rights of due process. Therefore, the public is expected to refrain from making comments regarding applications for approvals (Site Plan, Special Permit, Subdivision Definitive Plan, Stormwater Management Permit, or Zoning Map Amendment not requested or proposed by the Planning Board) items which are ***the subject of an ongoing public hearing or are reasonably expected to*** be subject to a public hearing and for which an application has already been received. Further, the public hearing is the appropriate time in which make such comments.
- 4) The Board is not anticipated to comment on any of the comments presented under this item. Rather, all members will take the public comments which appropriately conform to the Board's policy under consideration.
- 5) Following the meeting, and after making necessary research on the items, the Planning Director will discuss with the Chair as to the appropriate meeting at which to schedule Planning Board discussion of any of the relevant/appropriate items offered in the public comment period. ***If members believe that they want an item included on a future agenda, they may indicate as such under "Other New Business" later in the meeting; however, it should be noted that no staff research on the matter to better inform members will have been conducted.***

# **SOUTH HADLEY PLANNING BOARD**

## **LIST OF CORRESPONDENCES**

**February 22- March 5, 2021**

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### **Letters & Memos**

- Email received February 22, 2021 from Barbara Callan-Bogia, 148 Stony Brook Village, thanking the Board for considering her comments regarding the waiver from Site Plan Review for exterior modification to the Dunkin Donuts located at 497 Newton Street.
- Summary report of supplemental hydrogeologic analyses received March 3, 2021 relating to the proposed North Pole Estates Subdivision.
- Notice of license application pursuant to MGL Chapter 91 received March 4, 2021 for installation of a seasonal dock at 24 Canal Street.
- Letter received March 5, 2021 from Kimberly Robinson, Executive Director of the Pioneer Valley Planning Commission, awarding the Town of South Hadley with District Local Technical Assistance (DTLA) for 'Resource Based Water Supply Protection Strategy'

### **Legal Notices**

#### ***Amherst***

- Notice received March 1, 2021 from the Amherst Planning Board for a public hearing on March 17, 2021 to consider a site plan for an addition and associated site modifications at the North Amherst Library located at 8 Montague Road

#### ***Chicopee***

- Notice received March 1, 2021 from the Chicopee Planning Board for a public hearing on March 4 and 11, 2021 to consider a zone change to allow an existing building to be converted to a single-family residence at 3 Hartford Street.
- Notice of decision received March 1, 2021 from the Chicopee Zoning Board of Appeals for approval of a variance with conditions to allow for the construction of two single family homes at 287 Chicopee Street/Harding Street.

#### ***Granby***

- Notice of decision received March 3, 2021 from the Granby Zoning Board of Appeals for denial of a special permit to construct a detached garage at 107-R Carver Street.
- Notice received March 4, 2021 from the Granby Zoning Board of Appeals for a public hearing to consider construction of a detached garage at 20 Green Meadow Lane.

#### ***Hadley***

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#### ***Holyoke***

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### **Publications**

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<b>Location</b>	<b>Hours</b>	<b>Decision Type</b>	<b>Year</b>	<b>Type</b>
TDNorth/Pettingill Insurance – Newton St @ Lyman	No restriction	Part of Special Permit/SPR	2005	Financial Newton-Lyman
Ameriprise – Newton St	2 hours after closing no later than 10 pm	Illumination Decision	2017	Financial Newton-Lyman
Dollar General – Newton St – Woodlawn Plaza	30 minutes after closing	Illumination Decision	2018	Multitenant Woodlawn
Berkshire Bank – Lamb St	No restriction	Illumination Decision - Replacement	2015	Financial
Westfield Bank (formerly Chicopee Savings Bank) – Willimansett St	Same as Big Y Shopping Center	SPR/Special Permit	2008	Financial Multitenant
84 Willimansett	30 minutes after the close of business of the last tenant or 11:00 p.m. (whichever time comes first).	Illumination Decision	2018	Multitenant
Liquor Town on Granby Rd	only during the times that the business is open to the public	Illumination Decision	2017	Single business
Easthampton Savings Bank on Granby Rd	No restriction	Illumination Decision - Replacement	2016	Financial
Northampton Cooperative Bank – Newton St	1 hour beyond close of business	Illumination Decision	2019	Financial Woodlawn
Boathouse Restaurant – 1 Alvard St	not to be illuminated after the close of business	Illumination Decision	2018	Single business
Big Wide Smiles – Willimansett St (Westfield Bank)	Not specified	Illumination Decision	2009	Multitenant
Falls Driving School – 138 College St	not to be illuminated after the close of business	Illumination Decision	2018	Multitenant
Dashing Divas – 2092 Memorial Drive	Not specified	Illumination Decision	2015	Multitenant
Quality Fleet Service – New Ludlow Rd	not to be illuminated before 6:00 a.m. nor after 9:00 p.m.	Illumination Decision	2016	Single business

<b>Location</b>	<b>Hours</b>	<b>Decision Type</b>	<b>Year</b>	<b>Type</b>
Marion Excavating multitenant building	dusk until one half hour after close of 'Drunken Rabbit Brewery' as its the business with the latest operating hours	Illumination Decision	2020	Multitenant
Luxe Salon – multitenant building on Newton St	Until 10:00 p.m. (one hour after Pioneer Financial closes)	Illumination Decision	2020	Multitenant
Dunkin Donuts – Newton Street	not to be illuminated more than 1 hour after the close of business; and, not to be illuminated any earlier than 5:00 a.m.	Illumination Decsion	2021	Multitenant Woodlawn