

SOUTH HADLEY PLANNING BOARD REGULAR MEETING

MINUTES OF JANUARY 25, 2016

As Approved February 10, 2016

Present: Jeff Squire, Chair; Mark Cavanaugh (arrived 6:35 p.m.), Vice-Chair; Helen Fantini, Clerk (arrived 6:37 p.m.); Joan Rosner, Member; Melissa O'Brien, Member; Dan Dodge, Associate Member; and Richard Harris, Town Planner

Mr. Squire called the meeting into session at 6:32 p.m.

1. Minutes

a. January 11, 2016 Planning Board meeting minutes

Mr. Harris referenced the draft minutes which he distributed. The Board members reviewed the draft minutes.

Motion - Ms. Rosner moved and Ms. O'Brien seconded the motion to approve the January 11, 2016 Planning Board Meeting minutes as submitted. The Board voted **Three (3)** out of **Three (3)** members present in favor of the motion.

2. Bills and Correspondence

Mr. Harris referenced the list of correspondence. He stated that there were no bills ready for payment at this time.

3. Development Update and Planner's Report

Mr. Harris reviewed the status of various developments and recent Planning Department activities:

a. Development Report

- Annapfield Estates Subdivision (The District #1 Water Superintendent and the SHELDD Engineer have approved the draft "As-Built" plan but the DPW Superintendent noted some missing or vague data that needs to be corrected/clarified – we are waiting for the surveyor to correct the plan)
- One Canal Street (no change)
- Mountainbrook Street Acceptances (Mr. Harris has met with the lender and their attorney regarding Phase 2 and the issue with Phase 1; a principal in the development has also contacted Mr. Harris regarding these matters)
- Rivercrest Condominiums (no change – one foundation has been installed)
- Ethan Circle (no change)
- Berkshire Hills Music Academy proposed expansion (application for Site Plan Review and Stormwater Management Permit was submitted January 22, 2016 and the Site Plan Review will likely occur on February 10th depending on the Stormwater plan)
- Mount Holyoke College Dining Hall development project (no change - Application for Site Plan Review and Stormwater Management Permit anticipated to be submitted)

February 17th with the actual stormwater plan to be received by February 23rd. The initial site plan review meeting is likely to be February 29th but the final review will likely be sometime in March – possible on March 14th depending on the Stormwater Plan and Conservation Commission)

b. Other Projects

- Mr. Harris stated he is participating in the effort to update the Town's Hazard Mitigation Plan – this plan will qualify the Town for FEMA grants. A public meeting is being planned to be held as part of the Planning Board's February 10, 2016 meeting – an item he is noted is to be discussed later in the meeting.
- Mount Holyoke College Intern Opportunity (Mr. Harris is waiting to hear back from the student. He noted she will be working approximately 3 hours per week next semester – primarily on a GIS project related to inventorying and mapping available developable land)
- Mr. Harris is continuing to work on the Permitting Guide and monitor the work on the General Code codification project.
- Wetlands Bylaw Appeal Committee. Mr. Harris reviewed the background and purpose of the Wetlands Bylaw Appeal Committee. He noted that the Committee was envisioned to be a functioning appeal body; however, the way the Wetlands Bylaw structured the Committee, it has no authority and merely advises the Commission as to whether they erred and the Commission has authority to determine whether or not it erred. He noted that the Planning Board is supposed to have two representatives on this committee. When it was first formed, Mark Cavanaugh and Ralph Blank were appointed. Board members noted that the Committee does not serve a function and it would seem better to do away with the Committee. In absence of the Committee's elimination, Mr. Squire stated he would be willing to serve with Mr. Cavanaugh – the other members concurred.
- Trees and Plantings. Mr. Harris stated that Mike Lamontagne submitted a new list of Trees and Plantings to be included as "Appendix Three" of the "Planning Board Bylaws as approved by the Tree Committee and the Tree Warden at the Jan 21, 2016 Tree Committee Meeting". It appears that the "Bylaws" to which Mr. Lamontagne is referring is the "Subdivision Regulations". Mr. Harris stated he informed Mr. Lamontagne that the listing cannot take effect unless/until the Planning Board approves it – this would require an amendment to the Subdivision Regulations and the Board can take the revised list as a "recommendation" from the Tree Committee and Tree Warden. Mr. Squire stated he had reviewed the list and made some comments edits on a copy which he would provide to Mr. Harris.

c. Grants

- Mr. Harris stated that the Town received notice on Thursday January 21st that the application for a Health Impact Assessment grant to undertake work related to the Falls Design Guidelines and Subdivision Regulations has been approved by the Massachusetts Association of Health Boards in the amount of \$12,480.

d. *Workshops/Training Opportunities*

Mr. Harris stated he attended “MAPD Luncheon – Fair Housing: Foundations and Looking Ahead” held in Quincy on January 15th. He is scheduled to attend the following:

- “DHCD Downtown Technical Assistance Workshop: Design Guidelines and Lighting in Your Downtown” in Brockton, January 27th.
- “Baystate Roads Program - Complete Streets Workshop” at the PVPC in Springfield, February 10th.

Mr. Squire recessed the meeting for the public hearing at 6:45 p.m.

4. 6:45 PM – PUBLIC HEARING: Special Permit – Proposed Multi-family development (former library conversion) – Orange Park Management, LLC. Property Location: 27 Bardwell Street (Assessor’s Map Number #5A - Parcel #24). (CONTINUED FROM DECEMBER 14, 2015)

The Public Hearing was held. (See minutes of Public Hearing.)

The meeting reconvened at 7:37p.m.

5. DECISION: Special Permit – Proposed Multi-family development (former library conversion) – Orange Park Management, LLC. Property Location: 27 Bardwell Street (Assessor’s Map Number #5A - Parcel #24).

Mr. Squire noted that the Board had reviewed the Special Permit Standards during the public hearing and inquired if there were a motion to approve or deny the application.

Motion - Mr. Cavanaugh moved and Ms. Rosner seconded the motion that the Planning Board make the Special Permit findings previously discussed during the public hearing and vote to grant a Special Permit for the project at 27 Bardwell Street subject to ratifying a written decision with conditions consistent with the Planning Board’s discussion during this evening’s public hearing including the following:

- 1). Snow Removal is to be carried out as described by the applicant.
- 2). Trash disposal locations are to be provided as described by the applicant with the provision that the Board may waive the requirement for a Special Permit to alter a nonconforming structure as long as the alteration does not result in an encroachment on the setback any more than any of the existing building.
- 3). Entrance to the basement is also to be provided as described by the applicant with the provision that the Board may waive the requirement for a Special Permit to alter a nonconforming structure as long as the alteration does not result in an encroachment on the setback any more than any of the existing building.
- 4). All signage is to be limited to the two types of signs which are to be installed as described during this evening’s public hearing.
- 5). Landscaping is to be installed and maintained by the applicant and their successors.

The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

Mr. Harris stated that he will draft the decision for the Board to ratify at their February 10th meeting.

9. Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

Joy Binder asked to address the board. She noted that she was in an accident coming out of her apartment parking lot at Village Green Apartments. There are often cars and large trucks parallel parked outside of a restaurant, which makes it very difficult to see cars coming through the nearby intersection, and makes turning left hazardous. She would like the town to install a mirror that makes it possible to see incoming traffic to prevent accidents such as this in the future.

Board members indicated that this is a matter for the Selectboard and the DPW. The Planning Board does not have authority over this type of issue. Mr. Harris suggested Ms. Binder contact Jim Reidy with the DPW and gave her Mr. Reidy's office telephone number.

6. Consider the status of the Site Plan Review for the Commercial site at Stonybrook Village Condominium development. Property Location: East side of Newton Street and north side of Stonybrook Way (Assessor's Map #28 – Parcel #246)

Rob Levesque of Rob Levesque Associates, representing the property owner, reviewed the background of the site. He stated that this project had been approved by Special Permit/Site Plan Review. In reliance on this approval in 2006, the developers installed drainage, graded the site, and installed the driveway.

Mr. Harris commented that the Planning Board has no authority to rule on the status of the Site Plan Review. He noted that only the Building Commissioner has that administrative role as the Zoning Enforcement Officer.

Mr. Harris stated that the Special Permit did not apply to the commercial site. The Site Plan Review was limited to the commercial site and is precedent to a building permit. He noted that the owners never sought nor obtained a building permit. Much of the work undertaken on this site was joint with the condo development.

Attorney Mike Labrie, also representing the property owner, asserted that the owners had spent over \$100,000 in making improvements to the site in reliance on the Special Permit/Site Plan Review approval.

Mr. Harris suggested that if Attorney Mike Labrie wishes to submit a legal opinion detailing why/how the 2006 Site Plan Review is still valid, that could be submitted to Special Counsel for their review. This approach may take a while to work through the system.

Mr. Harris noted that State law does not recognize Site Plan Review. He also reviewed the portions of Chapter 40A, Section 6 of MGL which relate to grandfathering rights of various plans and permits and opined that the property owners are seeking to have the Site Plan

Review be deemed valid in perpetuity. He questioned whether the owners would consider it valid 20 years from now if the buyer did not construct on the site. Attorney Mike Labrie indicated they were not seeking to have it in perpetuity but he did not say for what time frame it would be valid. Craig Authier stated the Site Plan Review would be valid 20 years from now.

Mr. Harris commented that the requirement for Site Plan Review had not been raised when previous purchasers were before the Board. He also noted that the Big Y Plaza on Route 33 was approved by Site Plan Review with buildings for each outparcel. The entire plaza was not constructed and each building on the outparcels – for which utility stubs, parking in the plaza, grading, and drainage had been undertaken – had been required to go through Site Plan Review. He questioned, if the Newton Street 2006 Site Plan Review is still valid, would the 1997-1998 Site Plan Review for the Big Y plaza still be considered valid for new buildings.

There was continued discussion as to the role of the Site Plan Review and the Special Permit. Questions were raised as to what impact the Zoning Bylaw amendments since 2006 would have on this site.

Rob Levesque stated that they would have to move the building to within 10 feet of the front property line and change the parking locations and layout. Attorney Mike Labrie suggested that it is in the Town's best interest to have this development go forward.

Mr. Dodge (echoed by other Board members and Mr. Harris) indicated that it is in the Town's interest to have the site commercially developed. However, he stated it is also in the Town's interest and the Board's duty to have the Town's regulations and procedures followed.

There was discussion as to what latitude the Board would have to modify the Zoning Bylaw requirements. It was stated by several persons that the Board cannot "vary" the requirements. However, it was also stated that it would be reasonable to modify their application to some degree during the Site Plan Review process to fit the circumstances and the needs of the site. For instance, it was noted that the fire protection requirement might require some of the access and parking not be located to the rear. Mr. Harris opined that given the interrelationship of the condos with the site, the fire access could be another reason to view this site as a transitional site where the regulations are adapted to the site and not necessarily applied rigidly.

Mr. Squire stated that the Board will work with the applicant and their consultant. Mr. Harris noted that he had made a similar comment in an email to Rob Levesque and others representing the owner several weeks earlier and reiterated such comments to reasonably apply the requirements. Mr. Harris outlined a timetable whereby the Site Plan Review for the new building could be carried out on March 28th and building could begin in May/June. Attorney Mike Labrie suggested that such an approach would be quicker than attempting to validate the 2006 Site Plan Review.

7. Discussion with Larry Smith from the PVPC regarding Housing Studies (Housing Production Plan and Multifamily Development)

Larry Smith of the Pioneer Valley Planning Commission was present to discuss the housing studies which are being undertaken by the PVPC. He noted that there have been personnel changes which have shifted responsibility for some projects. He is currently responsible for both housing studies.

Regarding the Housing Production Plan, Larry Smith distributed a summary of the survey results and a rough draft of the first few chapters which had been prepared by David Elven. A few of the results of the survey were discussed. Joanna Brown commented that there could have been a better survey strategy which would have resulted in better results. Larry Smith noted that they could have spent the entire grant on the survey but there were a number of other tasks to be done. There were suggestions that the public forums and other means may be employed to make up for the lack of representation in the survey respondents.

Regarding the Multifamily Development study, Larry Smith commented that they have been looking at various areas of the community and began with a “development constraints map” and distributed a copy of the map. He explained the methodology as to how the map was developed including that it relied heavily on availability of utilities. It was noted that the “areas” identified as potential multifamily areas are just conceptual or generalized, no properties have been identified – just general areas.

Larry Smith stated that he generally thinks overlay districts are overused. But, he thought that such districts may be an appropriate means for the multifamily development regulation – possibly using 40R or the Compact Neighborhood Development tool from DHCD. He also suggested that there would need to be some Design Guidelines and he has done some research on such an approach for multifamily development and distributed an outline for such a regulation in South Hadley.

There was some discussion about the map and the timeframe for pursuing Zoning Bylaw or other Bylaw amendments. Generally, it was suggested that it is unlikely the Board would be ready for this Fall Special Town Meeting but possibly the 2017 Fall Special Town Meeting – or the Annual Town Meeting or another Special Town Meeting.

8. Discussion of Hazard Mitigation Plan – Public Meeting for February 10, 2016

Mr. Harris noted that he is working with other departments to develop an update on the Town’s Natural Hazards Mitigation Plan. Two public forums need to be conducted during this process – one early on to solicit public input in identifying the hazards and the second one a month later to solicit input into the recommendations and strategies.

Since this topic is closely related to the issues which the Planning Board must routinely address, it was suggested by the consultant that the first one be held by the Planning Board at one of their meetings and the second one by the Selectboard at one of their meetings. Accordingly, Mr. Harris suggested holding the forum at the February 10th Planning Board meeting. To accommodate the Board’s business, he proposed having the meeting begin at

6:00 p.m. with the forum being held during the first part of the meeting. All members indicated that they concurred with the suggestion.

9. Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

There was no new business.

10. Adjournment

Motion – Ms. Rosner moved and Ms. O’Brien seconded the motion to adjourn. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

The meeting was adjourned at 8:41 p.m.

Respectfully submitted,

AS APPROVED

Richard Harris, Recorder

AS APPROVED

Attachment A

List of Documents Reviewed in January 25, 2016 Planning Board Meeting

<u>Document</u>	<u>Record Location</u>
Planning Board Meeting Agenda and Background Information	Planning Board Agenda Packet Files
Zoning Bylaw	Planning Board Files
South Hadley Master Plan	Planning Board Files
Application submittal and plans and Comments regarding 27 Bardwell Street Special Permit	Planning Board Project Files
Revised plans and responses regarding 27 Bardwell Street Special Permit	Planning Board Project Files
Stonybrook Village Commercial Site – request For consideration of status of 2006 Site Plan Review and plans	Planning Board Project Files
Housing Production Plan Survey Results and Draft chapters	Planning Board Files
Multifamily Development Study – Development Constraints map and draft outline of Design Guidelines	Planning Board Files

SOUTH HADLEY PLANNING BOARD PUBLIC HEARING

ON SPECIAL PERMIT APPLICATION FOR MULTIFAMILY DWELLINGS AT 27 BARDWELL STREET BY ORANGE PARK MANAGEMENT, LLC

MINUTES OF JANUARY 25, 2016

As Approved February 10, 2016

Present: Jeff Squire, Chair; Mark Cavanaugh, Vice-Chair; Helen Fantini, clerk; Joan Rosner, Member; Melissa O'Brien, Member; Dan Dodge, Associate Member; and Richard Harris, Town Planner

Mr. Squire called the public hearing to order at 6:45 p.m. He noted that this was a continuation of the public hearing begun in November.

Ray Hervieux, architect representing the applicant, reviewed the changes in the site plan using a copy of the revised plan submitted to the Planning Board. Among the items he noted were:

- The HVAC units would be ground mounted and screened to block noise emissions and sight
- Each dwelling unit's main entrance will have a "patio" of approximately 100 square feet
- A trash enclosure to accommodate two bins for each dwelling is proposed for the Bardwell Street side. This would be landscaped. However, he was informed that it could not have roof and be placed in its proposed location.
- More landscaping detail is provided

Regarding the trash enclosure, Ray Hervieux stated he would prefer to have roofs on the enclosure – possibly move it up against the building so it would be an extension of the building. He stated, if moved against the building, the extension would be no nearer to the roadway than the existing building. There was discussion regarding the enclosure.

Mr. Harris suggested that, under Section 2(F) of the Zoning Bylaw, the Planning Board could grant a separate Special Permit for alteration/extension of a nonconforming structure – if it made appropriate findings that the extension would not be more detrimental to the neighborhood. The Board could waive the Section 2(F) Special Permit requirement with appropriate findings – they have done so for a number of projects, mostly single-family homes. Such an option could be reflected in the Board's decision on this application if they vote to approve the application.

Ray Hervieux, architect representing the applicant, reviewed the comments/questions raised by the Board and the various departments particularly noting:

- Using a copy of the building elevations, he illustrated how they have softened the transition of the older and newer sections of the building and where windows are to be inserted.

- The Fire Department concerns have been addressed by increasing the turning radius of the driveways
- A detailed code compliance report has been provided
- The building is exempt from being required to provide any handicapped accessible units
- In terms of density, the project needs the 6 units to be feasible and if it is not feasible, the building will not be renovated
- Snow storage areas have been identified – the condo association will be responsible for having the snow removed from the site if it becomes necessary

Mr. Squire asked about the location of new curbs, landscaping, and signage plans. Ray Hervieux identified the few locations where curb will be provided. It will not be provided where there would be interference with plowing operations. The only signage planned is for the entrance and exit of the parking lot/driveway – those may be small signs or painted on the driveway. The proposed arbor vitae will be six feet in height – the six inch on the plan was a typo.

Mr. Squire stated that some plantings will not survive in areas proposed. The applicant may want to revisit some of the plantings or just plan on replacing the plants on a regular basis.

Ms. Fantini queried as to the size of the units and lights and windows. Ray Hervieux stated that each unit will be approximately 1,200 square feet plus have 200 square feet of storage allocated in the basement. Some of the windows will be new; they may not be replacing all of the windows. The locations of windows have been identified to meet the code requirements.

Mr. Harris noted, in terms of density, that he had reviewed the abutting properties and they average approximately 10.04 units per acre compared to the proposed 10.91 units per acre of this project. By comparison, while the applicant is proposing 6 units, the recently adopted Smart Growth District would allow 13 units by right – no Special Permit would be required but would have design review. He reviewed the mix of housing in the area – single-family to four-family.

Mr. Squire asked about the ramps and retaining walls; noting that some units have steps up to the units. Ray Hervieux described the path of access to the units.

Ms. O'Brien indicated that one of the existing gables appears to be boarded up. Ray Hervieux stated that is actually plaster.

Mr. Cavanaugh asked Mr. Harris if the Building Commissioner had responded to or weighed in on the Code Report. Mr. Harris responded that she was provided with a copy of the report but had not provided any comments. This is a matter which will be addressed during the building permit process.

Ken Vautrin, 30 Bardwell Street stated that he had presented the Board with a petition against the project. However, he commented that the project looks really nice and his objection is not against the project although he still believes it is too many units. However, he expressed concern that the six units will become a rental block as opposed to being owner occupied. He commented that the other rental buildings in the area all have an owner residing in the buildings. He inquired if something can be done to preclude the units from becoming all rental.

Mr. Squire and Mr. Harris stated that the short answer is “no”. Zoning does not regulate tenancy.

Ken Vautrin, 30 Bardwell Street, further asked if something could be inserted into the Special Permit to preclude all of the units from becoming rental.

Mr. Squire responded “no”.

Patrick _____, representing the applicant, responded that, with the investment being put into the building, if they were rental units, they would be “high level” rentals commanding significant rents.

Ms. Rosner stated that the owner occupancy is a risky requirement due to the nature of the real estate market. She noted that some projects in which this requirement was a problem

Ken Vautrin, 30 Bardwell Street, noted that Riverboat Village has been a problem since it was built and the Town fought that project. He also noted a block in the Falls which sits vacant as the owner can't rent them.

Gill Woods, representing the applicant, noted his experience in renting condo units. He commented that only 2 of the 36 units in Shadowbrook (the most recent phase) were rental.

Joanna Brown, Charon Terrace asked about the Fire separation required by the Building Commissioner and the Siamese connection noted in the Water Department's comments. Ray Hervieux responded that the separation required by code is provided and the units will be fully sprinkled. He also stated that the water services have been approved as designed.

Joanna Brown, Charon Terrace also asked about the windows, snow removal, and whether the provisions can be written into the condo approval. Ray Hervieux reviewed the plans for the windows – the requirements of the code are met and stated that the snow removal will rely on the condo association.

Mr. Squire stated that the snow removal will be written into the decision.

Ken Vautrin, 30 Bardwell Street stated he is not happy with the trash arrangements. He expressed concern that the bins will cause the section of Bardwell Street to be smelly. Mr. Harris stated that the trash management arrangement has been approved by the DPW and suggested that the trash could be managed by the association not allowing residents to put the trash out till the morning of trash pick-up. Mr. Squire stated he likes the idea of having the trash enclosure and barrels against the building.

There was discussion as to the number of barrels and recycling bins.

Frank DeToma, _____ stated that the architect and developer have shown creativity in their design efforts and willingness to take a chance on an area that has not had significant residential investment in many years.

Ms. Fantini asked if the architect had double checked on the historical significance. Ray Hervieux responded that he had not researched that issue but noted that they are not disturbing any historical elements.

Mr. Harris suggested that the Board review the Special Permit standards.

Mr. Squire read through each of the standards and the board noted the following:

- 1. *Comply with all applicable land use district, overlay district, and other specific requirements of this and other bylaws and regulations, and be consistent with the purpose and intent of this bylaw and of the land use district in which it is located.***

The Board determined that the Zoning Bylaw provides that the purpose of the zoning districts applicable to this property is to provide for residential uses. The proposed use is a form of residential land use which is allowed by Special Permit. The proposed development will comply with the Zoning Bylaw dimensional requirements, parking, fencing, and other requirements. Therefore, the Board found that the proposal as revised meets Special Permit Standard 1.

- 2. *Be suitable to the surrounding neighborhood and the “Land Use Area” in which it is located. Land Use Areas are identified and described in the section of South Hadley’s Master Plan entitled “Land Use Area Vision Statements” (pages 1-10 through 1-19). In making this determination the Planning Board shall take into consideration any guidance provided by the Land Use Goals articulated in South Hadley’s Master Plan, goals articulated in South Hadley’s Open Space and Recreation Plan, and input from relevant Boards, town officials, and the public.***

The Board determined this standard is specific to the “Land Use Area” defined in the Master Plan and the “Land Use Area Vision” statement applicable is for the Falls area. This is a mixed used area and the applicant is proposing to repurpose the former library into a medium density residential use. This will help strengthen the revitalization of the Falls neighborhood. The proposal’s density is in line with the overall density of the abutting properties. Revitalization of the Falls and the density is compatible with the Land Use Area Vision statement for the Falls. Therefore, the Board found that the proposal meets Special Permit Standard 2.

- 3. *Be compatible with existing uses and uses allowed by-right in the neighborhood, Land Use Area, and zoning district.***

The recently adopted Smart Growth District would allow the property to have a much higher density by right. The surrounding properties are residential but as one is closer to Main Street, the uses become more varied – within a block or so of the proposal’s site. Therefore, the Board found that the proposal meets Special Permit Standard 3.

- 4. *Be compatible with the existing character of the neighborhood and Land Use Area, and/or zoning district. “Character” shall be understood to include prevalent patterns of: site design; setbacks from property lines; amount and location of parking; amount, type, location and quality of open spaces and landscaped areas; amount, type, and location of***

impervious surfaces; distances and relationships between buildings; density of building(s) relative to land area; building massing; architectural style and detailing; materials; buffering from adjacent uses; traffic volume and timing; noise; odors; and light.

The Falls neighborhood is a mixed use area with a range of medium to high density residential. The proposal involves repurposing an established building in the heart of the area at a medium density. As such, the building setbacks are not a consideration and the proposal involve landscaping and other means of buffering as well as providing more than the required amount of off-street parking. Given the previous use of the building, the traffic resulting from the proposed reuse of the building is likely to be less than previously experienced. Therefore, the Board found that the proposal meets Special Permit Standard 4.

- 5. Be suitable for the property on which it is proposed, considering the properties, scenic, cultural and historic significance, and its ability to be buffered or screened from neighboring properties and public roads.***

The applicant is proposing to retain the structure and modifications will be undertaken keeping in character with the historical and more recent addition to the building. Screening will be provided from neighboring properties to the extent appropriate and viable. Therefore, the Board found that the proposal meets Special Permit Standard 5.

- 6. Provide safe access for fire, police, and other emergency vehicles.***

The Police Chief indicated no public safety concerns. District One Fire Department has indicated approval of the proposed reuse. The applicant has proposed to modify the driveway radii to ensure fire apparatus access and the building will be fully sprinkled. Thus, there no apparent public safety issues and the property will be readily accessible for emergency vehicles and personnel. Therefore, the Board found that the proposal meets Special Permit Standard 6.

- 7. Provide adequate water, drainage and waste disposal systems without causing significant harm to any natural water system or overloading any public water, drainage, or sewer system, or any other municipal facility.***

The applicant has designed the water services to meet the District One requirements. Minimal alteration of the natural site is being proposed. The DPW and District One Water Departments have signed off on the proposed modifications of sewer and water systems, respectively. Therefore, the Board found that the proposal meets Special Permit Standard 7.

- 8. Not cause significant traffic congestion, impair pedestrian or bicycle safety, or overload existing roads, sidewalks and trails, considering their current width, surfacing, and condition, and any improvements proposed to be made to them by the applicant.***

The proposed repurposing of this existing building is reasonably anticipated to generate no more – and possibly less – traffic than the previous use of the property. Thus, the proposal is unlikely to cause any traffic congestion, impair pedestrian or bicycle traffic, or overload any of the existing transportation network. Therefore, the Board found that the proposal meets Special Permit Standard 8.

- 9. Not result in excessive air, water, noise, or light pollution, or create any other public or private nuisance.***

Given the proposal's reuse of an existing building, plans to use smaller HVAC systems which will be ground mounted and screened, plans to limit outside lighting to standard residential lighting fixtures, the Board found no reason to believe that it would result in any nuisance. Therefore, the Board found that the proposal meets Special Permit Standard 9.

10. *Not degrade the scenic, rural, or historic character of the town with structures or other lot features which are deemed visually objectionable in light of prevailing community as reflected in the goals articulated in South Hadley's Master Plan.*

The proposal conforms to the Master Plan policies and will reuse and enhance an existing structure while supporting the revitalization of the neighborhood by making the largest residential investment in a long time. Therefore, the Board found that the proposal meets Special Permit Standard 10.

11. *Be consistent with the South Hadley Master Plan, provided that the Comprehensive Plan provides legally sufficient guidance and that the applicable provision of the Master Plan is not inconsistent with any specific provision of this Bylaw.*

The Board noted that the proposal furthers various recommendations in the Master Plan and will be consistent with the Land Use Area Vision for the Falls as provided in the Master Plan. Therefore, the Board found that the proposal meets Special Permit Standard 11.

12. *Comply with applicable criteria for site plans under Section 12E.*

Since this proposal largely repurposes an existing building many criteria would not be applicable. However, the screening, placement of HVAC, location of trash bins, etc. are in compliant with the applicable criteria. Therefore, the Board found that the proposal meets Special Permit Standard 12.

13. *For projects involving the removal of existing housing, not adversely affect the availability of affordable housing in the Town.*

The Board found Special Permit Standard 13 does not apply as the proposal does NOT involve removal of existing housing but adds to the housing supply.

14. *Not have an overall off-site impact that is significantly greater than the overall off-site impact that would be caused by full development of the property with uses permitted by right, considering relevant environmental, social, visual, and economic impacts.*

Under the Smart Growth District provisions, this site could be developed with 11-13 dwelling units by right. Such a development would likely result in demolition of the existing structure and erection of a multistory building with minimal off-street parking. Such a development would likely have significantly greater impacts – off-site and on-site - than the proposal. Therefore, the Board found that the proposal meets Special Permit Standard 14.

15. *The adequacy and configuration of off-street parking and loading areas, including their nuisance impact on adjoining properties and on properties generally in the district.*

The proposal involves constructing 1/3 more off-street parking spaces than required and the applicant has proposed to landscape and screen such areas. Therefore, the Board found that the proposal meets Special Permit Standard 15.

16. Harmony of signs and exterior lighting, if any, with surrounding properties.

The proposal involves only entrance/exit signs and residential lighting typical of residential properties in the area. Therefore, the Board found that the proposal meets Special Permit Standard 16.

17. The location of the site, and proposed buildings or structures thereon, with respect to flood plains and floodways of rivers or streams.

The Board found Special Permit Standard 17 does not apply as the proposal does NOT involve construction of any new buildings only minimal additions and there are no floodplains or floodway impacting or impacted by the site.

18. The absence of any other characteristic of the proposed use that will be hazardous, harmful, offensive or will otherwise adversely affect the environment or the value of the neighborhood or the community.

There are not characteristics of the proposed use that given reason to believe they would be hazardous, harmful, offensive, or otherwise adversely affect the environment nor the neighborhood or community. Therefore, the Board found that the proposal meets Special Permit Standard 18.

19. Provisions for energy conservation, for the use of renewable energy sources, and for protection of solar access.

The Board found that Special Permit Standard 19 does not apply to the proposal. However, the Board noted that the repurposing of the existing building is a demonstration of the proposal's sustainability.

Mr. Squire asked if there were further comments. There being no further public comment, with concurrence from the other members, Mr. Squire closed the hearing at 7:37 p.m.

Respectfully submitted,

AS APPROVED

Richard Harris, Recorder