

**Development Review Team: March 16, 2009**

***Planning Board Projects – Post Meeting***

A. Projects under development

1. Adam and Eve Estates – Lyman Street – ***No Change since February 2009 meeting***

Number of Building Lots: 9

Percent Infrastructure Completed: 78%; Percent Housing Units Completed: 22%

Significant Issues: **None known at this date**

**Performance Guarantee:** \$59,000 Letter of Credit

**Description/Comment:** The subdivision involves 9 new single-family building lots with 1 lot addressed to Lyman Terrace and 8 lots addressed to a new street “Apple Road”. The developer has installed the drainage, water lines, and sewer lines. The base of the road has been completed. A sidewalk is to be installed on one side of Apple Road, but not on Lyman Terrace.

The Planning Board is holding a Letter of Credit in the amount of \$59,000. This amount was based on an estimate of approximately \$53,000 from the DPW, notification by District One Water Superintendent that a fence has yet to be restored, an estimate of the street tree costs, and a contingency. Two (2) houses have been completed and occupied. Construction of a third house is underway.

The Conservation Commission and DEP have noted that there are sediment control issues which must be addressed by the developer. These have apparently been partially addressed. At the April 28<sup>th</sup> meeting, Janice Stone indicated that there were some issues related to the house that was sold. These issues need to be resolved.

The Conservation Commission Order of Conditions was extended through 2011.

***Comments at March 2009 meeting:*** The Conservation Commission Administrator indicated that there remains a problem with the fence which was installed without approval.

2. Mountainbrook – Mountainview Street and Westbrook Road - ***No Change since***

***February 2009 meeting***

Number of Building Lots: 52

Percent Infrastructure Completed: 45%; Percent Housing Units Completed: 15.4%

Date Special Permit Expires: **February 8, 2010**

Significant Issues: **None known at this date**

**Performance Guarantees:** The Planning Board holds several Performance Guarantees on this project:

- a Letter of Credit for the detention basins,
- a \$300,000 Tri-Party Agreement on Phase 1,
- a \$132,000 Tri-Party Agreement on a portion of Phase 2, and
- two Covenant Agreements on differing portions of Phase 2

**Note:** The Covenant Agreements do not permit any construction on the lots in Phase 2.

**Description/Comment:** The subdivision involves two new roadway systems: Red Bridge Lane and Lyon Green. Red Bridge Lane (with 33 single-family building lots) is located and accessed off Westbrook Road while Lyon Green (with 19 single-family building lots) will be located and accessed off Mountainview Street. Phase 1 of the development incorporates all of the Red Bridge Lane roadway system and is currently the site of all of the house construction. Phase 2 will incorporate all of the Lyon Green roadway system.

The developer has installed all of the utilities inclusive of drainage for Phase 1. Only a preliminary clearing of the right of way and some utility work has been undertaken on Phase 2.

The Planning Board has extended the Special Permit for two (2) years in accordance with the original decision adopted by the Board. Eight (8) houses appear to be completed and occupied. Five (5) houses (including the house at 37 Westbrook Road) appear to be nearly complete with three (3) of them available for purchase. Two (2) additional houses are at various stages of construction but not near completion. Several additional lots were previously cleared, but no construction has begun on those lots.

The Tree Warden identified three pre-existing trees which were “declining/dead” in late August and recommended that the trees be removed. According to the developer, they have removed those trees and plan to plant trees in front of all “completed” houses in the Spring 2009. The delay until Spring 2009 for planting of the trees is on the advice of their arborist.

The “bridge” from Westbrook Road sustained a “wash out” on the sideslope over the weekend of October 25-26. Marion Excavating restabilized the slope and made drainage improvements. They indicated that the problem was caused by a substantial blockage of the inlet by leaves.

The Town Engineer has stated that “the repair is acceptable. However, DPW will perform final inspection for all substructures and utilities including sewer, drain, culvert and bridge. At which point, DPW will notify Planning Board of any corrective action or third party review that is required prior to placement of final top course pavement.” The Conservation Commission Administrator has indicated that the Commission will need to approve a revised plan for the bridge.

**Comments at March 2009 meeting:** The Conservation Commission Administrator stated that the Commission has extended the Order of Conditions to 2012. There was discussion about when the Special Permit expires. As follow-up to the meeting, the Town Planner determined that the extension to begin substantially complete Phase 2 expires February 8, 2010.

3. Shadowbrook Estates – Baker Street - *No Change since February 2009 meeting*

Number of Dwelling Units: 36

Percent Infrastructure Completed: 98%; Percent Housing Units Completed: 89%

Date Special Permit Expires: **The project has been substantially completed; therefore, the expiration provision does not apply.**

Significant Issues: **Retention Basin**

**Description/Comment:** This development involves the addition of 36 new condominium dwellings (in 18 duplexes) to the Shadowbrook Estates development which began in the 1980's. No additional dwellings are anticipated to be added to Shadowbrook Estates once this phase is completed.

The developer has installed all of the utilities inclusive of the drainage system. Thirty-two (32) units are completed and four (4) are substantially finished.

**Issues regarding this project:** More plantings may be necessary to address the Conservation Commission's concerns. Additionally, the retention basin is not draining as it should. The Conservation Commission Administrator has sent an email to the developer regarding the condition of the retention basin.

The developer has provided a revised drainage report which is based on the actual soils of the site as opposed to the original study which relied upon the Hampshire County Soils Survey. This new report shows that the "pre-development" drainage volumes were significantly higher than the original estimate.

The Conservation Commission will be considering a request to modify the Order of Conditions. The Planning Board may require a modification of the Special Permit.

**Comments at March 2009 meeting:** The Conservation Commission Administrator stated that the Conservation Commission was expected to finalize its decision to allow expansion of the outlet to 4" and to address concerns regarding the slopes and burrowing animals. As a follow-up to the meeting, the Conservation Commission Administrator stated that the Commission, at its March 16, 2009 meeting, approved a modification of the Order of Conditions to allow and require some modifications regarding the outlet pipe and the slope.

4. Pettengill Office/Condominium Project – Newton, Camden, and Lyman Streets – *No Change since February 2009 meeting*

Number of Dwelling Units: 6 and an office building

Percent Infrastructure Completed: 100%; Percent Housing Units Completed: 67%

Date Special Permit Expires: **With the bank/office building and 2/3 of the dwelling units completed and occupied, the project has been substantially completed; therefore, the expiration provision does not apply. However, the Special Permit may lapse due to lack of continued work on the project.**

Significant Issues: **None known at this date**

**Description/Comment:** This project included construction of 6 new condominium dwellings (in 3 duplexes) and a new bank/office building. To date, the developer has installed the entire infrastructure including the utilities and drainage. The bank/office building has been completed. Four of the condo units appear to be completed and three have been sold and occupied. It is unknown whether the developer will build the additional 2 dwellings.

**Comments at March 2009 meeting:** None.

5. Oakley Estates – Dino Marinello – Lathrop Street –  
Number of Building Lots: 6  
Percent Infrastructure Completed: 100%; Percent Housing Units Completed: 83%  
Significant Issues: None known at this date  
**Performance Guarantee:** The Planning Board set the new Performance Guarantee at \$19,000. Accordingly, the developer has provided a new Letter of Credit in this amount.

**Description/Comment:** This project includes development of 5 new single-family building lots (a pre-existing house was renovated and left on a separate lot) and construction of Oakley Drive. To date, the developer has installed all of the utilities, drainage, and completed the base course of the roadway. Three (3) new houses have been completed and the renovations of the existing house have been completed. A fourth house has been completed. Thus, one lot remains to be built upon.

**Comments at March 2009 meeting:** The Conservation Commission Administrator reported the Conservation Commission has issued a Certificate of Compliance.

6. Stonybrook Village Residential – Phase I & II – Newton Street opposite White Wing (32 new condominium units in Phase I and 4 new condominium units in Phase II) –  
Number of Dwelling Units: 36  
Percent Infrastructure Completed: 60%; Percent Housing Units Completed: 17%  
Date Special Permit Expires: Unclear due to amendments to original decision.  
Significant Issues: None known at this date  
**Performance Guarantee:** The Planning Board holds an Irrevocable Standby Letter of Credit in the amount of \$95,000 for the drainage improvements.  
**Description/Comments:** This development consists of 36 condominium dwellings, to be constructed in either in a “quad” arrangement or duplexes. Some of the utilities and roadway improvements have been completed.

To date, the developer has completed and sold all four units in one of the quads. The second quad is substantially constructed and a duplex is also under construction.

**Comments at March 2009 meeting:** None.

7. Park Avenue Extension – Homes By LeBlanc – eastern terminus of Park Avenue – Definitive Subdivision (1 new building lot) –  
 Number of Building Lots: 1  
 Percent Infrastructure Completed: 85%; Percent Housing Units Completed: 100%  
 Significant Issues: Replacement of some trees.  
 The Town holds a \$33,000 Letter of Credit. While a \$7,000 Letter of Credit was submitted subsequently, the Planning Board was never requested to reduce the Performance Guarantee.

**Description/Comments:** This subdivision involves the “completion” of a portion of Park Avenue in that Park Avenue was originally to be constructed as a “thru” street. However, that is not feasible and the developer of this project is creating one new single-family building lot and providing a “turn around” at the end of the roadway where none previously existed.

The roadway and utilities including drainage have been completed. The house has been completed. However, “as-built” plans for the roadway need to be completed and submitted.

The developer’s bank has submitted a new Letter of Credit in the amount of \$7,000 based on a verbal estimate from their contractor and the DPW. The Planning Board has not reduced the Financial Guarantee to this amount since a formal request has not been submitted or reviewed by the departments.

Departments have raised some issues that need to be resolved: plantings in buffer zone and water concerns.

At the April 28<sup>th</sup> Meeting, Janice Stone stated that the developer needs to do some additional plantings and reseed a portion of the disturbed area.

***The developer has submitted “as-built” plans which are being reviewed.***

***Comments at March 2009 meeting:*** None.

8. Annafield Estates – Stewart Street - ***No Change since February 2009 meeting***  
 (4 new building lots)  
 Number of Building Lots: 4  
 Percent Infrastructure Completed: 80%; Percent Housing Units Completed: 0%  
 Significant Issues: None.  
**Performance Guarantee:** The Planning Board holds an Irrevocable Letter of Credit in the amount of \$21,700 which expires November 13, 2009 based on the following figures from the various departments:

DPW -	\$18,471
SHELD	\$ 0
Water Department -	\$ 0

Tree Warden - \$ 1,200  
Contingency - \$ 2,029 (approximately 10%)

**Description/Comments:** This subdivision involves the extension of Stewart Street by creation of 4 new single-family building lots around a new cul-de-sac. Site work has begun on one of the houses. All of the utilities and drainage systems have been installed and the base course of the roadway has been completed.

SHELD has provided a street lighting plan which was referred to the Town Administrator for approval.

The Conservation Commission Administrator has indicated that the builder encountered substantial, high ground water in excavating for the first house. Therefore, the builder will have to drain into wetlands which feed into Buttery Brook.

**Comments at March 2009 meeting:** The Conservation Commission has approved the drainage improvements which will allow construction on the first house to proceed.

9. Granby Road Condominiums – Jacob’s Edge/Home Improvement Associates, LLC – Granby Road @ Lorraine Avenue – Special Permit/Form H Plan  
Number of Dwelling Units: 25  
Percent Infrastructure Completed: 10%; Percent Housing Units Completed: 0.00%  
Significant Issues: **Status of the Buffer along the western portion of the property.**  
**Performance Guarantee:** The Planning Board holds a Letter of Credit in the amount of \$155,000 for the drainage and related improvements. The amount of the LOC is 10% above the amount recommended by the Town Engineer. The LOC is limited to drainage work.

**Description/Comments:** This project involves construction of 25 new condominium dwellings in a combination of duplex and triplex arrangements. The developer has “cut” the driveway for a portion of the development and installed a portion of the utilities including a detention basin. The Special Permit for this project was granted (subject to numerous conditions) on March 3, 2008 and the decision was filed with the Town Clerk on March 19, 2008. No appeal was filed.

The developer has largely cleared the site of trees and loam. A “temporary” detention basin was dug without Planning Board authorization or notification as a means of mitigating the impact of the heavy rains and the removal of all of the vegetative covering.

Construction is underway for the first two duplexes to be constructed. There have been concerns and objections voiced about work in the “buffer” zone adjoining the houses on Lorraine Avenue.

At their December 8, 2008 meeting, the Planning Board approved a “timing/clarification” plan regarding the installation of the buffers. This plan includes immediate installation of some pvc fencing as part of the western buffer. Pursuant to this plan, the developer has installed the 140 feet of fencing along a portion of the western buffer.

The developer does not expect to obtain the first Certificate of Occupancy until Spring 2009.

**Status:** Planning Board granted Special Permit approval at its March 3, 2008 meeting subject to various conditions including a reduction from 28 units to 25, increased buffers, and increased setbacks. A decision was filed with the Town Clerk on March 19, 2009. No notice of appeal was filed within 20 days.

The plans were revised to remove all utilities and drainage work from the required buffer area. At its July 14, 2008 meeting, the Planning Board approved the revised plans including the buffer and landscaping plans.

The “access drive” will be known as “Jacob’s Way”.

**Several residents along Lorraine Avenue attended the February 23, 2009 Planning Board meeting to discuss several concerns regarding this development. Subsequently, the Planning Board sent a letter to the developers requesting information regarding the concerns that were voiced.**

**Within the past 2 weeks, the Town Planner has received emails from several abutters expressing concerns about vibration impacts on their homes, the status of the sediment control measures enacted by the developers, and the security lighting for the trailer.**

**Comments at March 2009 meeting:** There was discussion as to which department, if any, had jurisdiction over some of the complaints which have been voiced by abutters.

10. Mount Holyoke College Kendall Hall Expansion – Silver Street - Site Plan Review – **No Change since February 2009 meeting**

Size of Building Addition: 6,000 square feet

Percent Infrastructure Completed: \_\_%

Significant Issues: **None at this time.**

**Performance Guarantee:** None required.

**Status:** The Planning Board granted the plan review approval subject to conditions at its September 5, 2007 meeting. There is not an appeal period on Site Plan Review. MHC plans to begin the work in the summer of 2008.

Construction has continued on the structure.

*Comments at March 2009 meeting:* None.

11. Houle Welding & Fabrication Warehouse-East Street – Site Plan Review – *No Change since February 2009 meeting*

Size of Building: 2,550 square feet

Percent Infrastructure Completed: \_\_%

Significant Issues: *None at this time.*

**Performance Guarantee:** None required.

***Status:*** Planning Board granted Site Plan Review approval on March 17, 2008 subject to several conditions. The Planning Board approved modification of the decision to allow the applicant to increase the building size by 42% in terms of floor area.

The building appears to be substantially completed. Trees have been installed along the southern perimeter and a new fence appears to have been constructed along the northern property line.

***Comments at March 2009 meeting:*** The Building Commissioner stated that the building has been completed, but he indicated a portion of the drainage work remains to be completed.

12. Park Avenue Extension – Murphy Subdivision – western terminus of Park Avenue – Definitive Subdivision (1 new building lot) – *No Change since February 2009 meeting*

Number of Building Lots: 1

Percent Infrastructure Completed: 0%; Percent Housing Units Completed: 0%

Significant Issues: *None at this time.*

The developer has connected the detention basin drain line to the Town's stormwater system. The Town Engineer has noted that additional grading is to be undertaken to ensure that ponding does not occur on the property or the abutting properties as a result of the work on the detention basin.

**Performance Guarantee:** The Planning Board holds a Covenant Agreement which precludes regulates the timing of the improvements and precludes occupancy until all improvements are completed.

***Comments:*** Planning Board granted approval with conditions on **September 27, 2006**. Two appeals are pending in Land Court at this time.

The Planning Board has granted approval of several minor modifications of its September 27, 2006 decision as they relate to the ownership, use, and maintenance of the proposed roadway extension. The most recent modifications were granted at the November 19, 2007 Planning Board meeting.

The Planning Board signed decisions modifying the original September 27, 2006 decision. The modifications generally relate to ownership, maintenance, and access to the proposed extension.

The Planning Board has endorsed the revised plans which have been recorded at the Registry in Northampton.

**Comments at March 2009 meeting:** None.

13. Knight's Machine and Tool Expansion – Industrial Drive – **No Change since February 2009 meeting**

Size of Building: 7,440 square feet (addition)

Percent Infrastructure Completed: 0%

Significant Issues: **None at this time.**

**Performance Guarantee:** None required.

**Status:** The Planning Board granted approval of the Site Plan on August 11, 2008. No appeal is provided for a Site Plan Review.

**Comments:** The building is under construction and substantially completed.

**Comments at March 2009 meeting:** The Building Commissioner stated that the interior work is underway.

14. Faginski Flag Lot Special Permit – 63 Washington Avenue – **No Change since February 2009 meeting**

Number of Building Lots: 1

Percent Infrastructure Completed: 0%; Percent Housing Units Completed: 0%

Date Special Permit Expires: **September 5, 2010**

Significant Issues: Strict conformity to the endorsed plans due to the litigation **Status:** **Performance Guarantee:** None required since this project involves construction of a single-family residence and does not involve a subdivision. However the Board's approval was conditioned upon certain landscaping plantings to be installed prior to occupancy of the residence.

The Planning Board granted approval of the Special Permit with conditions on September 22, 2008. No appeal has been filed.

At the January 5, 2009 meeting, the Planning Board endorsed the ANR Plan which created the new lot.

**Comments at March 2009 meeting:** None.

15. Beers & Story Funeral Home – Parking lot expansion – *No Change since February 2009 meeting*

Size of Building: No building to be constructed, but parking area would accommodate at least 22 parking spaces, possibly 30.

Percent Infrastructure Completed: 98 %

Significant Issues: **Requires approval by the Conservation Commission..**

**Performance Guarantee:** None required.

**Status:** The Planning Board granted approval of the modified Site Plan and modification to the Special Permit on November 10, 2008. No appeal is provided for a Site Plan Review.

The parking lot is substantially complete. However, the Planning Board approval requires installation of additional landscaping. Additionally, it has been reported that the owner intends to install more lighting.

**Comments at March 2009 meeting:** None.

16. Mount Holyoke College Boat House – Ferry Street – Section 3 Plan Review – *No Change since February 2009 meeting*

Size of Building: 4,500.

Percent Infrastructure Completed: 0 %

Significant Issues: **None known at this time..**

**Performance Guarantee:** None required.

**Status:** The Planning Board granted the plan review approval based on a revised site plan. The Board of Health has questioned the retention basin. The consultant has provided the Board of Health with calculations as to the time that the “rain garden” will take to drain – 52 hours. This information has been forwarded to the Town Engineer for review.

The Board of Health has approved the project based on the supplemental information. The Conservation Commission approved the project except for aspects related to the dock. The DEP is now conducting its review including the public comment period.

The applicant and HG&E have filed with the Federal Energy Regulatory Commission to exclude the subject property from the Project Boundary. The Town has supported this request but does not support expanding the Project Boundary to include unrelated land owned by the Town.

FERC has issued an order amending the Project Boundary and approving this project without requiring any compensatory addition to the Project Boundary.

Mount Holyoke College is beginning work to install temporary trailers for use on the property.

**Comments at March 2009 meeting:** The Building Commissioner and Conservation Commission Administrated indicated that the “trailers” for the temporary use and fencing have been installed.

B. Projects approved by Planning Board, but not initiated

1. Stonybrook Village Commercial – Newton Street opposite White Wing – **No Change since July 2008 meeting**

**Status:** (See “Stonybrook Village Residential” above.) No progress has been made on the commercial component. The developer has indicated that the commercial component is being marketed and several parties have expressed interest in the site.

**Comments at March 2009 meeting:** None.

2. Dry Brook Village – Hadley Street and Sullivan Lane opposite Pearl Street - (36 new condominium units) – **No Change since July 2008 meeting**

**Status:** The developer has obtained the necessary approvals of the wastewater treatment system. At the developer’s request, the Planning Board has granted a one-year extension of the Special Permit approval. This Special Permit approval, including the extension, expires April 2009.

**Comments at March 2009 meeting:** None.

3. Lower Riverside Park/HG&E – Main Street – Earth Removal – **No Change since January 2009 meeting**

**Status:** Planning Board granted approval on **September 27, 2006**. An earth removal permit was required for this project since the project involves alteration of grades and no building permit is involved with this project.

While the applicant submitted a revised plan and Mass. NHESP approved the project, that plan and approval did not address vista pruning. The Intervenor Status Committee reviewed the revised plan and met with the project consultant to clarify aspects of the plan.

The Conservation Commission approved the plans at its December 17, 2007 meeting.

HG&E has filed an appeal of the Commission’s Order of Conditions. DEP has sent a request for a substantial amount of information and documentation from HG&E.

A MEPA review was conducted as part of the DEP consideration of the appeal. An on-site MEPA meeting was undertaken on Wednesday August 20, 2008. Subsequently, the EOEEA determined that a formal Environmental Impact Report was not required. However, HG&E must undertake additional studies to address concerns raised during the MEPA review.

HG&E submitted a request to FERC to extend the deadline for completion of the Lower Riverside Park and Gatehouse Park until the end of 2009 due to delays in the State permitting of the Lower Riverside Park and delays in the Texon Building. The FERC has granted the request by HG&E.

**Comments at March 2009 meeting:** No change in the project. The project is awaiting DEP action on the HG&E appeal. The Conservation Commission Administrator noted that the DEP was still awaiting the final report required by the Massachusetts Historical Commission. Apparently, the DEP is waiting for HG&E to submit the final report before they can take action on the HG&E appeal.

4. Ethan Circle Subdivision – Hadley Street – Preliminary Subdivision Plan – **No Change since July 2008 meeting**

**Status:** The Planning Board granted approval of the Preliminary Plan at its May 9, 2007 meeting. The decision was filed with the Town Clerk on **May 11, 2007**. There is no appeal period for a Preliminary Subdivision Plan. The developer is to prepare a Definitive Plan submittal based on the conditions stated in the Preliminary Plan. A Definitive Plan submittal is anticipated in the near future.

The prospective developer has apparently been doing soils tests on the site. It was noted at the last meeting that District #2 Water Department will require that the water system be looped. Apparently, the developer has had trouble getting an engineer to design the looped water system.

The Town Planner met with the developer briefly in early December and was informed that the developer is intending to proceed with the project, but not at this time due to the market conditions.

**Comments at March 2009 meeting:** Several people noted that if the developer sold off a portion of the property equal to the proposed rear lots, then the developer could scale back some of the improvements typically required.

5. Cree's Landing Subdivision – Washington Avenue – Preliminary Subdivision Plan (one new building lot) – **This Project has been replaced by the Faginski Flag Lot Special Permit**

6. Stony Brook Child Care Center Expansion – Stanton Avenue – Site Plan Review Expand the existing facility and convert it into the Gorse Child Center.

**Status:** The Planning Board granted the Site Plan Review on December 22, 2008.

**Comments at March 2009 meeting:** No change in the project.

7. Pocket Wireless – 3 applications for Special Permits at the following locations:

- Fire District #1 water tank at 10 Industrial Drive,
- Fire District #1 water tank at 14 Mulligan Drive, and
- Mount Holyoke College Library

**Status:** The Planning Board granted the Special Permits at its February 9, 2009 meeting.

**Comments at March 2009 meeting:** The Planning Board is waiting to receive the bonds required for any wireless communications tower/facility.

8. Pat Springs ANR Plans – Riverlodge Road  
Number of Prospective Building Lots: 18  
Significant Issues: As an Approval Not Required (ANR) Plan pursuant to State Law – Chapter 41, Sections 81L and 81P, the Board was limited to reviewing and determining whether the prospective lots have adequate frontage on a public way.

**Status:** At its January 26, 2009 meeting, the Planning Board voted 4-0 to endorse the two ANR plans. The Board members determined that the applicant had sufficiently demonstrated that the existing roadway is suitable and adequate for the proposed development.

**Comments at March 2009 meeting:** No change in the project.

9. Danielle A. Robertson Home Occupation – 12 Canal Street  
Request to operate a home office/studio for a pet services business and a commissioned art studio.  
Significant Issues: The Public Health Director and Animal Control Officer expressed concerns about the keeping of animals (for grooming or through rescue efforts) in the residence.

**Status:** The Planning Board granted the Special Permit with conditions at their February 23, 2009 meeting. The conditions incorporated measures to address the concerns of the Public Health Director and the Animal Control Officer – essentially precluding keeping of animals, other than allowed personal pets, on the property.

**Comments at March 2009 meeting:** No change in the project.

10. Terri Hazzard Professional Business – 157 Willimansett Street  
Request to operate a professional business – pet grooming service.  
Significant Issues: The Animal Control Officer expressed concerns about the keeping of dogs on the property due to previous experience where such activities resulted in complaints regarding barking dogs.

**Status:** The Planning Board granted the Special Permit with conditions at their March 9, 2009 meeting. The conditions incorporated measures to address the initial concerns of the Animal Control Officer – essentially limiting the keeping of animals, other than allowed personal pets, on the property.

**Comments at March 2009 meeting:** No change in the project.

C. Projects pending before Planning Board

**1. David Levreault – 26 Lyman Street**

Request to operate a home occupation (office in the home with parking for employees)

Next Public Hearing Date: **April 27, 2009**

Deadline for Departmental Comments: **April 20, 2009**

Anticipated Date of Decision: **May 11, 2009**

Significant Issues: Number of employees, number of commercial vehicles stored on the property, nature of business, and concerns from abutters.

Status: Planning Board held an informational meeting with the applicant on March 9<sup>th</sup> to discuss the number of persons employed by the applicant. It was determined that the Board would consider the nature of the interaction between the site and the employees when considering a home occupation application.

D. Projects anticipated to be submitted for Planning Board Review

1. Granby landfill expansion (Special Permit) – ***An application for this project is expected to be submitted by the end of March. The Town departments have determined that the Stormwater Management Bylaw is not applicable to the project, if the project disturbs less than one acre in South Hadley.***
2. Multi-family/condominium units – Route 33 @ Granby Road. Planning Board held Informational meeting with prospective applicant as part of the October 20, 2008 Planning Board meeting. – ***It was reported at the meeting that the site was apparently being surveyed in mid-February 2009.***
3. Self-Storage Facility Expansion – East Carew Street – Ken LeBlanc – Site Plan Review – ***It was reported that this potential project is not proceeding at this time.***
4. St. Patrick’s Church Parking Lot expansion. Departmental meeting with project engineer was held January 26, 2009. ***Based on the Conservation Commission Administrator’s follow-up discussions with a DEP representative, it does not appear that the “riverfront” will significantly impact this property. An application for Site Plan Review is anticipated to be submitted shortly. There is some discussion within the community to see if the front of the property abutting Main Street can be left for possible development as opposed to a parking lot.***

E. Other Projects of Interest

1. South Hadley landfill expansion – ***The DPW Superintendent stated that the possible expansion of the landfill (vertical and lateral) is under negotiation. If the vertical expansion is granted, the life of the landfill could be extended 3 years. The lateral expansion could extend the life of the landfill for 16 years.***
2. South Hadley Falls development interest (concerns about the floodplain impacts, Texon, Michael’s Market, local expansions) – ***No further discussion.***
3. Earl Bagg Property on Ferry Street – ***In litigation***
4. Ledges Golf Club – Status of Club House, Water Withdrawal Permit/Water Quality issues, etc. – ***No further discussion.***
5. Toth Property – Land has been purchased by the Town. – ***No further discussion.***

6. New Community Development Block Grant application. – *The application has been submitted; a decision from the Mass. Department of Housing & Community Development is anticipated in July 2009.*
7. East Street (311-317) – Drainage issues. – *The Town Planner stated that he is reviewing the records to determine what action, if any, the Planning Board could initiate.*
8. South Hadley Veterinary Clinic signage – 511 Newton Street – The clinic obtained a permit for, and installed, new illuminated signage in violation of the Zoning Bylaw and the conditions of the Planning Board’s prior approval of the Site Plan for this facility. *The Town Planner has noted that the company has not sent any further information to the Planning Board and the Board members are concerned that the sign does not conform to the conditions of the Board’s approval.*
9. *351 East Street – Housing Authority is interested in developing this property for affordable housing.*

F. New Regulations

1. Stormwater Management Bylaw.
2. Trench Regulations.

G. Possible May 2009 Town Meeting Bylaw amendments

1. **Zoning:**

- a. Floodplain – the Planning Board is considering modification of the regulations to eliminate the requirement that the first floor be one foot above the 100-year floodplain elevation. *At the March 2009 meeting, the Building Commissioner questioned whether the existing provision violates the State Building Code.*
- b. Illuminated signs – the Planning Board is considering modification of the regulations to expressly state standards for approval/denial of internally-illuminated signs.

2. **General:**

- a. Right to Farm – the Conservation Commission is considering a bylaw establishing the right to farm.
- b. Agricultural Commission – the Conservation Commission is considering a bylaw creating an Agricultural Commission.

Note: The deadline for warrant articles is March 19, 2009.

<b>Department/Board/Agency</b>	<b>Representative</b>	<b>03-16-09 Attendance</b>
Board of Health	Sharon Hart	Excused
Building Commissioner	Steve Reno	Present
Conservation Commission	Janice Stone	Present
DPW	Jim Reidy	Present
DPW Town Engineer	Yem Lip	Present
Fire District 1 – Fire	Bill Judd	Present
Fire District 1 - Water	Jeffrey Cyr	Present
Fire District 2 - Fire	David Keefe	Excused
Fire District 2 - Water	Mark Akin	Present
SHELD	Wayne Doerpholz or Andy Orr	<i>Not Present</i>
Town Planner	Richard Harris	Present
Town Administrator	Barry Del Castilho	Excused