

SOUTH HADLEY PLANNING BOARD PUBLIC HEARING

ON SITE PLAN REVIEW WAIVER REQUEST

BY DM TOWING LLC-U-HAUL LEASING.

MINUTES OF APRIL 25, 2011

(As Approved on May 23, 2011)

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

Ms. Rosner called the public hearing to order at 6:45p.m. She introduced the members of the Board, the Town Planner and explained the procedures for conducting the hearing. She also emphasized the importance of the public to voice their comments and questions.

Mr. Cavanaugh read the notice of public hearing – the South Hadley Planning Board will hold a public hearing on Monday, April 25, 2011 at 6:45 p.m. in Room 204 of the Town Hall to discuss the request of DM Towing, LLC; 254 Old Lyman Road; South Hadley, MA 01075 for a waiver of Site Plan Review under Section 12 of the Town of South Hadley Zoning By-Law. The applicant is seeking waiver of Site Plan Review approval to allow use of the property for U-Haul rental business in conjunction with the existing towing business office. The subject property is located at 254 Old Lyman Road and identified on Assessor's Map Number #8 as Parcels #101, #105, and #115.

Ms. Rosner noted that since this project involves a Site Plan Review and not a Special Permit, Ms. Melissa O'Brien, Associate Member, will not participate in the voting, but will participate in the public hearing and discussion.

David Bartley, attorney representing the applicants, stated that DM Towing LLC wants to add a U-Haul leasing component to their business. Referencing a letter he submitted, he noted the type of operation involved with the leasing business – Monday through Saturday from 7:30 a.m. to 6:00 p.m. with afterhours drop off allowed. They don't intend to hire any additional employees to operate the business. The maximum number of rental units will be 10. Based on the size of the parcel and pavement arrangement, the owners of DM Towing LLC have identified the capacity to have 32 parking spaces on the site. He also stated that the signage will be limited to two (2) "stick-on" signs.

Ms. Fantini inquired about multi-tenants and the parking requirements. Mr. Harris indicated that there will be at least 2 businesses in the building and that is permitted. In terms of parking, Mr. Harris stated that this area would generally require 1 space per employee on peak shift and 1 space for each company vehicle.

Mr. Squire commented that some of the spaces in the draft layout do not work.

William Forget, one of the owners of DM Towing LLC, stated that 4 of the vehicles are garaged in the building.

Ms. Fantini inquired about the handicapped parking, suggested that the U-Haul trucks act as signs, and questioned the impact on the neighborhood.

Darlene Forget, one of the owners of DM Towing LLC, stated that there is parking area available behind the building.

David Bartlett stated that his clients have been in business for 12 years and want to be respectful to the board, Town, and the neighborhood. He indicated that they are flexible regarding the parking layout. He noted that Mr. Squire had fair comments. The businesses will have a maximum of 20 vehicles on site at any time – including customer vehicles.

Ms. Rosner inquired about the size of the U-Haul trucks. William Forget responded that the largest truck is 26 feet in length. However, it is unusual for those trucks to be on this type of site. Typically, the largest truck that they would expect on this site would be 22 feet and the most common size would be 14 feet. Right now, the site is “stagnant” due to the slow season.

Mr. Cavanaugh inquired as to how many trucks are in/out on a weekly basis. Darlene Forget stated that it varies, but lately it has been approximately 3 per week. William Forget added that it shouldn't be more than 6 vehicles/trailers on site at any one time. However, they identified 10 to provide some flexibility with drop situations.

Christine Archambault, 259 Old Lyman Road, stated that there is a “for rent” sign on the building. She noted that there is a discrepancy between the dimensions the applicants have presented and the Assessor's maps. Ms. Rosner responded that the purpose of the assessor's maps is for assessment purposes and are not to be relied upon for site planning. Mr. Harris added that the assessor's maps clearly indicate that they are not for survey purposes.

Christine Archambault, 259 Old Lyman Road, stated that there is a discrepancy in the parking space dimensions. She noted that John Broderick stated that the parking aisle is to be at least 22-24 feet. Mr. Harris noted that he isn't sure what Mr. Broderick was referring to, but the Zoning Bylaw sets the maximum width of the driveway aisle at the street right of way line as 24 feet.

There was some discussion that the previous occupant of the building was Old Iron Works. It was suggested that they did not have enough parking spaces.

Ms. O'Brien inquired how the parking plan would work if the vacant space were rented. William Forget stated that they would park in the back of the building.

Ms. Fantini inquired about the number of employees and vehicles in the towing business. William Forget stated that he has 8 vehicles for the towing business, but he is the only

person to operate the vehicles. He has 8 vehicles because each vehicle is used in a different situation – depends upon what is being towed, where, etc.

Ms. Fantini stated that she has concerns about the parking plan that was presented. It does not appear to realistically layout workable spaces. David Bartlett, attorney representing the applicants, inquired if the Board was asking for an engineer to layout a parking plan. He suggested that there needs to be a balance between what is required and what is being requested. He noted that his clients laid out the plan using an actual wheel measure. Maybe the board would wish to restrict location of vehicles.

William Forget questioned the parking at the gymnastics studio. Mr. Squire agreed that the parking at the studio is chaotic. He suggested that the applicants merely need a parking plan that works, not necessarily hire an engineer to lay out the parking plan.

There was discussion about the location of the towing vehicles and where all of the trucks will be located. William Forget stated that 4 of the towing vehicles are stored in the building. Mr. Harris noted that the Board has generally counted “garage spaces” towards the required parking spaces.

_____ 255 Old Lyman Road commented that when DM Towing moved in, there was beeping of the trucks at all hours. William Forget responded that the towing business generally operates between 5:30 a.m. and 6:00 p.m.

Pete St. Jacques, 2 Industrial Drive, stated that this is an industrial park and identified several other businesses which may be more dangerous. He suggested that the Board is being discriminatory. He reviewed the history of the use of this property and noted that all of the abutters have moved in after the industrial park was developed. While there may be “eyesores” in the area, this property is not an “eyesore”.

David Bartlett, representing the applicants, commented that the abutters have some valid opinions. He stated that if we were to take away the “U-Haul” vehicles, there would still be vehicles on the property. Whether there is an “eyesore” is a matter of opinion.

Mr. Harris reviewed the parking space requirements. He suggested that some of the spaces identified on the sketch do not meet the Zoning Bylaw because, as designed, they require backing into/out of from the street. Pete St. Jacques, 2 Industrial Drive, responded that the entire front is parking designed for backing out. Mr. Cavanaugh questioned the parking layout as well.

Christine Archambault, 259 Old Lyman Road, suggested that there should be no storage of vehicles on the site. She also stated that they are working on vehicles even though that is not allowed.

William Forget stated that the vehicles are towed in or towed out. Mr. Harris commented that if someone believes a zoning violation is occurring, they should contact the Building Commissioner as he is empowered to enforce the Zoning Bylaw.

David Bartlett, representing the applicants, stated that they are not trying to mislead anyone.

Martha Terry, 25 Brainerd Street, suggested that the Board should not waive Site Plan Review.

Mr. Harris questioned if the Board felt that an engineered plan is required. Mr. Squire stated that he does not feel an engineered plan is required; but they do need a plan that works. Ms. O'Brien indicated she agreed with the comments.

Mr. Cavanaugh noted that if the Board denies the request, that does not end the project. They could still apply for Site Plan Review approval.

Mr. Harris suggested that if the Board members are thinking of denying the request, they should continue the matter. He stated that the only apparent issue is a parking plan that works. He offered to meet with the applicants and their attorney to review the parking requirements and advise them on developing a plan which meets their needs and meets the Zoning Bylaw requirements.

The Board members discussed the parking issues – spaces that are not maneuverable, spaces designed which do not meet the layout requirements, and locations of spaces. Mr. Harris noted that Site Plan Review means a use is allowed by right, but the Board may identify reasonable measures to comply with the Zoning Bylaw and mitigate impacts.

Motion - Mr. Cavanaugh moved and Ms. Fantini seconded the motion to continue the public hearing to May 9, 2011 at 6:45 p.m. The Board voted **Four (4)** out of **Four (4)** members present in favor of the motion.

There being no further public comment, Ms. Rosner stated that the hearing will be continued. With concurrence from the other members, Ms. Rosner recessed the hearing at 7:50 p.m.

Respectfully submitted,

As Approved

Richard Harris, Recorder