

Background Materials for July 18, 2016

Agenda Items #1 through #7

Agenda Item #1 – Proposed South Hadley Redevelopment Plan

As you are aware, at the Annual Town Meeting and at the joint meeting with the Selectboard held June 21st, I encouraged the Redevelopment Authority to attend several Planning Board meetings (such as June 27th, July 18th, and August 15th) to discuss the Redevelopment Plan. They were unable to attend the June 27th meeting, but I have been informed that members of the Authority will be present July 18th.

In preparation for this meeting, I provided the Redevelopment Authority with an email which described issues/concerns/comments from the Board based on our discussion on June 27th. The body of this email is attached to this document.

Given other items on the agenda, particularly the discussion on the Design Review processes in several other communities - scheduled for 7:00 p.m. – I have allocated an hour for this item.

I plan to include this item on the August 15th and September 12th agendas as well. Therefore, there will be opportunities to have follow up discussions at these subsequent meetings. I should also note that the Redevelopment Plan has NOT been posted on neither the Town's website nor the Redevelopment Authority's website as of July 14, 2016.

I have been informed that the Advisory Committee will meet Wednesday July 20, 2016. I am not certain as to the agenda for that meeting or whether more information will be provided at that time.

ACTION NEEDED: No action is required at this time.

Agenda Item #2 – Design Review Bylaws in other communities

This is a follow up to previous discussions regarding development of a Design Review Bylaw and process for South Hadley. As the Board has established creation of a Design Review as one of the top priorities for the next year or two, it is vital we gather as much information as possible prior to preparation of a proposal for Town Meeting's consideration.

Board Member Brad Hutchison has arranged to have two individuals with professional experience but also with "Board experience" in the Design Review process attend the July 18th meeting to discuss their experiences:

- Jonathan Salvon served with the Amherst Design Review Board until about a week ago. Amherst's select board is enforcing term limits a little more stringently and just released two design professionals from the board whose terms were up.
- Aelan Tierney serves on the Northampton Central Business District Architecture Committee which administers Design Review provisions in the district.

To provide some background for the meeting, I have provided weblinks to both of the design review entities:

Amherst Design Review Board: <http://www.amherstma.gov/702/Design-Review-Board>

Northampton Central Business Architecture Committee:
<http://www.northamptonma.gov/1044/Central-Business-Architecture-Committee>

Additionally, I have attached excerpts from the Amherst Zoning Ordinance which reference Design Review as well relevant portions of the Northampton Codes.

Additionally, I have attached the design review bylaw questions/issues I had drafted and distributed previously.

This is a terrific opportunity to learn from others in hopes of undertaking this effort in the most effective way possible – and avoiding the pitfalls and mistakes which available to ensnare us.

ACTION NEEDED: No action is required at this time. But, this is an opportunity to ask questions from those who have experience serving a design review body.

Given the individual's volunteering of their time, I have set this item for 7:00 p.m. and assumed an hour would be sufficient.

Agenda Item #3 - Housing Production Plan and Multifamily Study

This is a follow-up to the Board's last meeting and the previous public forum. As the board members will recall, Shawn Rairigh, Senior Planner with the Pioneer Valley Planning Commission has presented several PowerPoints much of the data, issues, and goals regarding the Housing Production Plan at the May 23, June 16th, and June 27th meetings. Copies of these PowerPoint presentations have been placed on the Town's website at the following link:

- May 23, 2016: <http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2156>
- June 16, 2016: <http://southhadleyma.gov/DocumentCenter/Home/View/2196>
- June 27, 2016: <http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2201>

As described in the June 27th meeting minutes, much of the discussion on this topic focused on “where” to develop workforce housing – in fact, where to develop housing of all price ranges in densities which are greater than the traditional half acre-single-family lot subdivisions. The July 18th meeting is intended to proceed beyond the discussions of June 27th and try to finalize the strategies for meeting our housing goals. It is recognized that the Multifamily Development Study will not be completed at the same time as the Housing Production Plan and the Multifamily Development Study will focus more specifically on the questions of where and under what “guidelines” much of the multifamily and cluster-style development should occur.

Shawn Rairigh, Senior Planner and Larry Smith, Senior Planner are again planning to be present to facilitate a final discussion as to strategies for achieving the goals of the Housing Production Plan. They had hoped to have a draft of the Housing Production Plan to us before the meeting so

that you could review the draft and offer specific comments on the recommendations. Such final input will need to be scheduled for the August 15, 2016 meeting.

ACTION NEEDED: No action required at this time.

Agenda Item #4 – Minutes

I have distributed the minutes of the June 27, 2016 Planning Board meeting and public hearing.

ACTION NEEDED: Review, edit and approve the minutes.

Agenda Item #5 – Bills and Correspondence

A list of the bills and correspondence are attached. We have no bills to be paid at this time.

ACTION NEEDED: Review the correspondence.

Agenda Item #6 - Development Update and Planner's Report

I will provide a report on the following items:

a. Development Report

- ***One Canal Street*** – A revised preliminary schematic design has been submitted for departmental discussions. The applicant and their consultant met with myself and representatives of various departments. The general consensus was that the revised plan addressed the various concerns that departments had expressed previously. However, the discussions also identified a couple of questions which the applicant needs to resolve for themselves. I anticipate the applicant submitting an application during August.
- ***Newton Street Duplex*** – Gerry Coderre is working to develop an additional duplex on his property at 383 Newton Street. He has prepared a preliminary plan which appears to meet all the Zoning Bylaw requirements. The property is zoned Business A which allows the proposed use by Special Permit. There is an existing building located thereon which currently has four apartments located within it. This duplex will be an additional two units in a detached building.
- ***Single-family Conversion on Brockway Lane*** – I and the Building Commissioner have had a preliminary meeting with the owners of a house who wish to convert a portion of their residence into an apartment. Apparently, this was anticipated when the house was constructed over 2 decades ago, but it did not occur.
- ***Mountainbrook Street Acceptances*** (no change)
- ***Rivercrest Condominiums*** (no change)
- ***Ethan Circle*** – I am waiting for the developer to submit the required materials. If the required materials are submitted in a timely manner, this matter may be on the July 18th agenda.
- ***Orchard's Golf Course and Club House***. As noted for the last meeting, the Town has been approached by the new operator of the course regarding the possibility of “non-seasonal” use of the Club House on a regular basis. I have advised that the Special Permit needs to be amended and offered to meet with the representatives to go over the process and their operating proposal. There has been no further discussion on this matter.
- ***Annafield Estates*** (no change).
- ***Western Mass Yacht Club*** (no application has been received)

- **Zoning for small domesticated pets – pot belly pigs, miniature goats, etc.** – Conducting some very interesting research on this potential amendment for Fall Special Town Meeting

b. Other Projects

- **Urban Renewal Plan and Redevelopment Authority.** (To be discussed under agenda item #1 above)
- **Housing Studies.** (To be discussed under agenda item #3 above)
- **Complete Streets Program Participation.** The Town’s Complete Streets Policy has been approved by the State with a score of 100 points out of a possible 100 points (actually we received 101 due to bonus points but they don’t score above 100.) DPW Director Jim Reidy drafted the policy. I am working on submittal of the Town’s request for Complete Streets funding to develop the Town’s Prioritization Plan.
- **MassWorks 2016 Application.** I am working on filing the 2016 MassWorks Grant application which will, again, focus on improvements in the Falls supporting the Smart Growth District and Redevelopment Plan
- **Chapter 43D Expedited Permitting Program.** I have received a “sign off” from the authorized representative of the owner of the Gaylord Street Industrial Priority Development Site and anticipate submitting the application to the State for approval shortly.
- Participating in the Regional Valley Bike Share planning process with the Town Administrator
- Participating with the Bike/Ped planning process.
- Participating in the “Team Hampshire” economic development coordinating effort – an informal process among several of the cities and towns in Hampshire County
- Mount Holyoke College Intern Opportunity
- Permitting Guide.
- General Code. We have received a revised draft of the proposed code. I am reviewing some Zoning Bylaw and Subdivision questions.
- **Health Impact Assessment.** PVPC staff are scheduled to meet with the Board on August 15th on this project.

c. Workshops/Training Opportunities

I plan to attend the following:

- The “2016 Moving Together Conference - MassDOT's Annual Statewide Healthy Transportation Conference” to be held September 29, 2016
- “2016 Southern New England American Planning Association Chapter Conference” scheduled for October 20-21, 2016.

Agenda Item #7 – 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.

Dear Mr. Judge and members of the Redevelopment Authority,

From the presentation and discussion held June 21st, it is apparent that you and your consultant have spent considerable time and effort in reviewing the South Hadley Falls area and developing a plan for its future. Some good ideas and information have been provided and we look forward to seeing a draft of the plan. However, at last night's Planning Board meeting, the members discussed the presentation and had some questions and comments which we would like to outline and use as a basis for a discussion with you at our July 18, 2016 Planning Board meeting:

- 1) Gateways. We feel the Falls has several Gateways – the Route 116 bridge entrance from Holyoke is the most often discussed Gateway. But, we also think the approach from Route 202 into the Falls is equally deserving and should be given considerable focus.
- 2) Gateway from Route 202. The potential for a storage yard as the “gateway” from Route 202 is discouraging and contrary to the intent of the Smart Growth District. The corner of Gaylord Street and Lamb Street (site of Mill #6) offers potential for a mixed residential/commercial use which would be a great “gateway” into the Falls.
- 3) Main Street/Bridge Street intersection. We have no doubt that this intersection has issues – particularly pedestrian safety and “gateway” appearance issues. It is vital that the resolution of these issues do not work against the long-term enhancement of the Falls area. We have doubts about the appropriateness of the roundabout proposed for this intersection as well as the Main Street/Lamb Street intersection. Addressing this issue needs a lot of focused study and the Plan should note the issues of both intersections and set a priority to undertake an alternatives analysis for both intersections – the recommendations arising from such a study could be the basis for a future amendment to the Redevelopment Plan if the study demonstrates that changes need to be made. This study needs to be in consultation with the stake holders in the Falls as well as our potential partners in the City of Holyoke and City of Chicopee.
- 4) Roundabouts. As noted above, we understand that the Bridge Street/Main Street and Lamb Street/Main Street intersections have some issues and are key entrances into the Falls. While, we also understand that roundabouts can improve traffic safety, they can also impede pedestrian access and discourage vehicular access – and I think we all agree that we need to get more customers coming to the Falls to enhance the business climate. Roundabouts offer one opportunity for a “gateway” entrance through landscaping. However, from our experiences and discussions with other professionals, we have also learned that they do not facilitate “village center” commercial development due to the setbacks that become essential. That is one reason the original plan for a “village center” in South Amherst has been discarded. The roundabout originally proposed for North Amherst is unlikely to be pursued due to the pedestrian safety

issues. So, any study of the potential use of roundabouts in the Falls needs to consider its viability for promoting “village center” development and for pedestrian/bicyclist safety.

5) **Assets.** There needs to be recognition of the commonality and strength offered on both sides of the Connecticut River. South Hadley Falls and the Holyoke Flats are a common community divided by a river and a political boundary. The potential for collectively building on the strengths of either area is made stronger by looking at the assets of both areas. Thus, the “asset inventory” needs to incorporate the range of social, cultural, environmental, and economic assets of both areas. We are confident such a collective view of the assets will make the area much more of a magnet for investors.

6) **Mixed-Use.** The term “mixed-use” is not mentioned much and is only mentioned vaguely. But, “mixed-use” is a significant element of the history and strength of the Falls. Given likely development trends regionally, and nationally, it would seem that the Plan needs to capitalize on and emphasize the mixed-use development potential – which the Smart Growth District encourages and facilitates.

7) **Natural Resources.** The environmental assets of the Falls appears to be one of its strengths but can also be a “hurdle” for development. The information provided to date does not seem to focus much on the environmental resources, Natural Heritage, etc.

8) **40R Smart Growth District.** One of the challenges for a Redevelopment Plan is providing a compatible strategy and design while encouraging development. The Smart Growth District including the adopted Design Guidelines offers an approach for addressing this challenge. Therefore, incorporating the 40R district and the Design Guidelines into the Redevelopment Plan would seem to a) enhance coordination with other initiatives being undertaken and b) provide a compatible design strategy.

9) **Parking.** The Planning Board is not in favor large parking areas, particularly for intermittently used facilities. However, parking has to be addressed as this area is not, currently, well-served by Transit. For instance, the Board has some question as to how parking would be provided to accommodate the “amphitheater” being proposed in the Falls. We see this as an example of an issue that can be addressed through an understanding of “priorities” and scheduling as well as coordination with the City of Holyoke.

10) **Coordination with City of Holyoke.** The Planning Board members were unclear as to the extent to which the City of Holyoke has been involved in this planning process. We feel strongly that the South Hadley Falls Redevelopment Plan should be closely coordinated with the Holyoke Redevelopment Plan and there needs to be coordination with the City. The Town Planner is readily available to help facilitate this coordination – we understand that the City of Holyoke

Planning Director is the Executive Director of the Holyoke Redevelopment Authority so it would seem to make sense to have the coordination facilitated through the Town Planner and Town Administrator.

11) Transparency. The Planning Board members are unclear as to the public involvement process. It seems that the Advisory Committee has only had one meeting on this project and June 21st was the first time the Planning Board and Selectboard were briefed on the project. Given the power which an adopted Redevelopment Plan will vest in the Redevelopment Authority, it is vital that the process be very transparent with significant buy-in from the various boards, committees, Town Meeting, and the public.

12) Project Estimates, Timeframes, Phases, Priorities. As noted on June 21st, for the Planning Board and Selectboard to weigh in on the plan and provide Town Meeting with a recommendation to adopt the plan, the Boards need a full understanding of the plan components. This includes the individual project estimates, potential timeframes, phases, and priorities. We understand that these are “best guesses” and are subject to change. They are also essential information for all of us to discuss and possibly revise.

13) Redevelopment Authority Powers. The powers of the Redevelopment Authority should be explained in the plan. While we generally understand the breadth of the powers, many persons will not.

14) Daylighting. The implications for daylighting of the brook needs to be described. What is DEP’s perspective of a daylighted brook in terms of the “resource area”?

15) Image. One of the goals of the plan should be to identify the image for the area. We have not seen anything that tells the history, highlights, issues, etc. of the area.

Please confirm that you and other members of the Authority will be able to attend July 18th.

Thank you.

Richard Harris, AICP
Town Planner
Town of South Hadley
413-538-5011 Ext 206

LI Light Industrial

The purpose of the LI District is to provide areas for certain light manufacturing, warehousing, wholesaling and similar activities.

R&D Research & Development

The R&D District is an overlay district intended to modify the regulations in underlying business and industrial/research park districts in order to facilitate research and development and testing uses and to provide specific additional regulations with regard to such uses.

2.04 Special Districts

ED Educational

ED zoning allows any use of land and buildings which may legally be carried on by, or under the auspices of, the college or university which owns or manages the property. It is intended that the Educational District only include land which is owned or managed by Amherst College, Hampshire College, or the University of Massachusetts.

MP Municipal Parking

The MP District is an overlay district intended to include selected areas of the downtown General Business (B-G) District and abutting General Residence (R-G) District. Within the MP District, a wide range of permitted retail, service, commercial and residential uses shall be exempted from the requirement to provide off-street parking spaces. It is the policy of the Town of Amherst to encourage dense multi-use development in its Town Center. Toward that end, provision of off-street parking is not required for selected uses within the MP District.

DR Design Review

The DR District is an overlay district intended to include the General Business (B-G) District, and the abutting Limited Business (B-L) districts. The purpose of the DR District is to support the success and vitality of Amherst’s Town Center by assuring that the historic character, aesthetic character, and functional quality of the design of Town Center buildings and sites are protected and enhanced. The DR District corresponds to those areas where the exterior design of new development or alterations requiring permits is subject to review by the Design Review Board.

TCDR Town Common Design Review

The TCDR District is an overlay district intended to include the Amherst Town Common and sites within 150 feet of the Common greenspace, as measured from the outside edges of the curbs bordering the three sections of the Common, parking lots and interior roadways inclusive. The purpose of the TCDR District is to protect and enhance of the design of the historic Town Common and that of the surrounding buildings and landscapes. The TCDR District corresponds to those areas where the exterior design of new development or alteration on or within the vicinity of the Town Common is subject to review by the Design Review Board.

2.05 Resource Protection Districts

FPC Flood-Prone Conservancy

The FPC District consists of those geographical areas which by virtue of their relationship to components of the natural hydrology of the Town of Amherst, have substantial importance to the protection of life and property against the hazards of floods, erosion, and pollution and in general are essential to the public health, safety, and welfare. To this end, the number and types of uses allowed are restricted.

SECTION 3.2 SPECIAL DISTRICTS

3.20 Design Review Districts

3.200 General

The Design Review District (DR) and Town Common Design Review District (TCDR) are overlay districts and shall be superimposed on other districts established by this Bylaw. Restrictions and prohibitions of land use in the underlying district shall remain in full force, and shall not be modified by the conditions of the DR or TCDR Districts unless superseded by the restrictions and prohibitions of said districts.

3.2000 Establishment of Districts

The Design Review District (DR) and Town Common Design Review District (TCDR) shall consist of the geographic areas shown for these districts on the Official Zoning Map.

3.2001 Purpose

The purpose of this section and these districts is to preserve and enhance the Town's cultural, economic and historical resources by providing for a detailed review of all changes in land use, the appearance of structures and the appearance of sites which may affect these resources. The review procedures are intended to:

- 1) Enhance the social and economic viability of the Town by preserving property values and promoting the attractiveness of the Town as a place to live, visit and shop;
- 2) Encourage the conservation of buildings and groups of buildings that have aesthetic or historic significance;
- 3) Prevent alterations that are incompatible with the existing environment or that are of inferior quality or appearance; and
- 4) Encourage flexibility and variety in future development.

3.201 Design Review Board

In accordance with the provisions of Chapter 40A of the Massachusetts General Laws, a Design Review Board is hereby established. The Design Review Board shall review applications for all actions that are subject to the provisions of this section and shall make recommendations to the appropriate permit-granting authority concerning the conformance of the proposed action to the design review standards contained herein.

The Design Review Board shall consist of five members, two of whom are registered architects, landscape architects or persons with equivalent professional training, and one of whom operates a business or owns commercial property in the affected area. Appointments to the Design Review Board shall be made by the Select Board. Of the five Design Review Board members, one member shall represent the Planning Board and one member shall represent the Historical Commission. The Planning Board and Historical Commission shall vote to recommend their representatives and forward those recommendations to the Select Board prior to appointment. These two representative members need not be members of the Planning Board or Historical Commission.

The terms of all members of the Design Review Board shall be three years, except that when the Board is originally established, the Select Board shall make two of their appointments for a two year term and the remaining appointment shall be for a one year term.

3.202 Reviewable Actions

The following types of actions shall be subject to review by the Design Review Board and shall be subject to the design standards herein.

3.2020 Actions in the DR Districts

All new structures, alterations or additions to existing structures, changes in outdoor land use or changes in site design which require a building permit, Site Plan Review, Special Permit or Variance and which affect the exterior architectural appearance of a building or site shall be subject to review by the Design Review Board, provided that the action occurs within the General Business (B-G) District or abutting Limited Business (B-L) zoning districts.

3.2021 Actions in the TCDR District

Any construction, alteration, demolition or removal that affects the exterior architectural appearance of a building or site shall be subject to review by the Design Review Board provided that the site is on or within 150 feet of the Amherst Town Common, as measured from the outside edges of the curbs bordering the three sections of the Common's greenspace, parking lots and interior road ways inclusive.

Exterior architectural appearance shall be defined as the architectural character and general composition of the exterior of a building, including but not limited to the kind, color and texture of building materials, including paint color, and the type, design and character of all windows, doors, light fixtures, signs, awnings, utility and ventilation structures and all other appurtenant elements.

The appearance of a site shall be defined as the character, layout and general composition of the site, including but not limited to the kind, color and texture of such materials as plantings, paving, benches, site lighting, free-standing signs, utility structures and all other appurtenant elements.

3.2022 Actions by Town Government

Any construction, alteration, demolition or removal of a structure or site by the Town of Amherst shall be subject to review by the Design Review Board. This includes all actions throughout the Town of Amherst, except for routine maintenance of existing structures or sites. Any repair, renovation or rehabilitation which will result in substantial alteration to the form or appearance of a structure or site shall not be considered routine maintenance. Where the status of such an action by the Town is in doubt, the department or agency responsible shall request a determination from the Zoning Enforcement Officer prior to beginning work.

3.203 Procedures for Review of Actions Subject to Design Review

3.2030 Applications for all actions subject to review by the Design Review Board shall be made by submitting a complete application form along with the required application materials and fee to the Planning Department where application forms may be obtained.

3.2031 All applications to the Design Review Board shall include all information required by the Rules and Regulations of the Design Review Board, as applicable, in addition to any other information that the Board may require, and any information that is required under this Bylaw as part of an application for a building permit, Site Plan Review, Special Permit or Variance. The Design Review Board may waive any and all of the requirements for design review submittal and approval.

3.2032 Upon receipt of an application for design review, the Planning Department shall immediately transmit a copy of the application to the Building Commissioner or the appropriate Town staff for the applicable permitting authorities. The Design Review Board shall review the application and transmit its recommendations in writing to the applicant and Building Commissioner or other appropriate Town staff within thirty-five (35) days of the receipt of the application. If the application for design review is associated with an application for a Variance or a Special Permit, the Building Commissioner shall immediately transmit the Design Review Board's recommendations to the Zoning Board of Appeals.

Failure by the Design Review Board to make and transmit its recommendation within the thirty-five (35) day period allocated shall be considered a recommendation for approval of the application submitted, unless the applicant has granted an extension in public meeting or in writing.

3.2033 No design review shall be required in those instances where the Design Review Board determines that specific actions subject to Section 3.202 do not constitute substantial alterations to the form or appearance of a building or site, and where no new or additional requirements of the Zoning Bylaw must be met for the proposed action.

3.204 Design Review Principles and Standards

The design review principles and standards described in this section are intended to guide the applicant in the development of site and building design and the Design Review Board in its review of proposed actions. These principles and standards shall not be regarded as inflexible requirements and they are not intended to discourage creativity, invention or innovation. The Design Review Board is specifically precluded from mandating any official aesthetic style for Amherst or for imposing the style of any particular historical period. The design review principles and standards shall apply to all actions reviewable under Section 3.202.

3.2040 General Principles

- 1) Every reasonable effort shall be made to preserve the distinguishing original qualities of a building, structure or site and its environment. The removal or alteration of any historic material or architectural features should be avoided when possible.
- 2) All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.
- 3) Stylistic features distinctive to the architecture of a specific building, structure or landscape, or examples of skilled craft which characterize a building, structure or site shall be conserved or preserved where feasible and appropriate, and may be considered for use as the basis for design of additions. Their removal or alteration should be avoided whenever possible.
- 4) Contemporary design for new structures or sites, alterations or additions to existing properties shall not be discouraged when such new development, alterations or additions do not destroy significant historical, architectural or cultural material, and when such design is compatible with the design character of the surrounding environment.
- 5) The design of alterations and additions shall, where reasonable and appropriate, strive to improve the quality, appearance and usability of existing buildings, structure and sites.

3.2041 Design Review Standards

The Design Review Board shall consider, at a minimum, the following standards in the course of the design review of a proposed action.

- 1) Height - The height of any proposed alteration should be compatible with the style and character of the building, structure or site being altered and that of the surroundings.
- 2) Proportions - The proportions and relationships of height to width between windows, doors, signs and other architectural elements should be compatible with the architectural style and character of the building or structure and that of the surroundings.
- 3) Relation of Structures and Spaces - The relation of a structure to the open space between it and adjoining structures should be compatible with such relations in the surroundings.
- 4) Shape - The shape of roofs, windows, doors and other design elements should be compatible with the architectural style and character of a building or site, and that of its surroundings.
- 5) Landscape - Any proposed landscape development or alteration should be compatible with the character and appearance of the surrounding area. Landscape and streetscape elements, including topography, plantings and paving patterns, should provide continuity and definition to the street, pedestrian areas and surrounding landscape.
- 6) Scale - The scale of a structure or landscape alteration should be compatible with its architectural or landscape design style and character and that of the surroundings. The scale of ground-level design elements such as building entryways, windows, porches, plazas, parks, pedestrian furniture, plantings and other street and site elements should be determined by and directed toward the use, comprehension and enjoyment of pedestrians.
- 7) Directional Expression - Building facades and other architectural and landscape design elements shall be compatible with those of others in the surrounding area with regard to the dominant vertical or horizontal expression or direction related to use and historical or cultural character, as appropriate.
- 8) Architectural and Site Details - Architectural and site details including signs, lighting, pedestrian furniture, planting and paving, along with materials, colors, textures and grade shall be treated so as to be compatible with the original architectural and landscape design style of the structure or site and to preserve and enhance the character of the surrounding area. In the downtown business districts, these details should blend with their surroundings to create a diverse, functional and unified streetscape.
- 9) Signs - The design of signs should reflect the scale and character of the structure or site and its surroundings. Signs should simply and clearly identify individual establishments, buildings, locations and uses, while remaining subordinate to the architecture and larger streetscape.

The choice of materials, color, size, method of illumination and character of symbolic representation on signs should be compatible with the architectural or landscape design style of the structure or site, and those of other signs in the surroundings.

3.21 Educational District (ED)

- 3.211 In an Educational District any use of land and buildings is permitted which may legally be carried on by, or under the auspices of the College or University which owns or manages the property in said District provided that the appropriate officials shall file with the Planning Board, for its information, plot plans of any new construction or significant change in use at least 60 days prior to initiation of said construction or change.

- a. One of the dwelling units shall be occupied by the owner(s) of the principal one family detached dwelling as their principal residence. Neither unit may be used for accessory lodging under the provisions of Section 5.01.
- b. The supplemental apartment shall not be occupied by more than three (3) adult residents.
- c. The supplemental apartment and property shall be operated in accordance with a Management Plan submitted to and approved by the Building Commissioner. Upon any change in ownership, a new Management Plan shall be filed in a timely manner with the Building Commissioner for review and approval.
- d. Any dwelling unit on the property being rented shall be registered and permitted in accordance with the Residential Rental Property Bylaw.
- e. Parking shall be provided and designed in accordance with Article 7 of this Bylaw.
- f. All exterior lighting shall be designed and installed so as to be shielded or downcast, and to avoid light trespass onto adjacent properties.
- g. On-site storage and management of waste and recycling shall occur on the interior of the dwelling or within an attached garage or other accessory outbuilding. There shall be no freestanding dumpster or storage unit associated with a property regulated under this section, except on a temporary basis in association with construction or similar temporary purposes.
- h. A reflective street address sign for each unit shall be installed at the street in a manner ensuring their visibility for public safety personnel from any approach.

Any Supplemental Apartment I which in the judgment of the Building Commissioner does not meet these requirements shall require a Special Permit from the Zoning Board of Appeals.

- 2. Supplemental Apartment II - A supplemental apartment which involves significant changes to the existing one family detached dwelling, including but not limited to external fire escape structures, exterior additions not exceeding ten percent (10%) of the footprint of the habitable portions of the existing building, and other similar changes which result in a significant alteration to the appearance and function of the building or site. A Supplemental Apartment II shall require a Special Permit granted by the Zoning Board of Appeals in the R-G, R-VC, R-N, R-O, and R-LD Districts.

5.0111 Supplemental Detached Dwelling Unit

A supplemental detached dwelling unit shall be a small freestanding accessory one family detached dwelling permitted to co-occur on a residential property as supplemental and incidental to a one family detached dwelling. A supplemental detached dwelling unit may be the result of new construction or rehabilitation of an existing structure resulting in a unit meeting the general requirements of this section.

Supplemental detached dwelling units shall require a Special Permit from the Zoning Board of Appeals in the R-G, R-VC, R-N, R-O, and R-LD Districts.

5.0112 General Requirements. The following standards shall apply to supplemental dwelling units (supplemental apartments and supplemental detached dwelling units):

- 1. There shall be not less than 350 square feet nor more than 800 square feet of habitable space in any supplemental dwelling unit, except that any such dwelling unit built and maintained as fully accessible under the provisions of the Americans with Disabilities Act (ADA) may include a maximum of 900 square feet in habitable space.

2. No one family detached dwelling in which a supplemental apartment is constructed or upon the property of which a supplemental dwelling unit is built may be used simultaneously for accessory lodging under any provision of Section 5.010, nor shall any supplemental dwelling unit built upon the property of such a one family dwelling be so used.
 3. One of the dwelling units on the property shall be occupied by the owner(s) of the principal one family residence, which requirement shall be made a condition of any Special Permit issued under this section.
 4. Notwithstanding the provisions of Article 12, a supplemental dwelling unit shall be occupied by a total of no more than three (3) adult residents.
 5. The design review principles and standards established under Section 3.204 shall be applied to all accessory uses under this section, and the review and recommendation of the Design Review Board may be sought by the Building Commissioner, Permit Granting Board, or Special Permit Granting Authority.
- 5.012 Office or Studio - The use of a portion of a dwelling or of a building accessory thereof as the office of a doctor, dentist, optician, member of the clergy, lawyer, architect, engineer or other member of a recognized profession, or as the studio or office of an artist, musician, teacher, real estate or insurance agent residing on the premises shall be considered accessory to the use of the dwelling unit, provided that:
- 5.0120 Not more than two persons other than residents of the premises are regularly employed therein in connection with such use.
 - 5.0121 No external change is made which alters the residential appearance of the building on the lot.
 - 5.0122 There is no outward evidence that the premises are being used for any purpose other than residential (except for an accessory sign or vehicle as hereinafter permitted).
- 5.013 Home Occupation - The Board of Appeals may authorize, by issue of a Special Permit, the use of a portion of a dwelling or building accessory thereto as the workroom of a resident artist, craftsman, beautician, dressmaker, milliner, photographer, cabinetmaker, skate sharpener, radio repair technician or other person engaged in a customary home occupation, or as the office of a resident taxicab or limousine service operator (see Section 3.340.3), or as a place for incidental work and storage in connection with the off-premises trade by a resident builder, carpenter, electrician, painter, plumber or other artisan, or by a resident tree surgeon, landscape gardener or similar person, provided that:
- 5.0130 Such use is clearly secondary to the use of a premises for dwelling purposes.
 - 5.0131 Not more than two persons other than residents of the premises are regularly employed there in connection with such use.
 - 5.0132 No trading in merchandise is regularly conducted except for products made on the premises or of parts of other items customarily maintained in connection with, and incidental to, such merchandise.
 - 5.0133 No external change is made which alters the residential appearance of the building on the lot.
 - 5.0134 All operations, including incidental storage, are carried on within the principal or accessory building, and that there is no outward evidence that the premises are being used for any purpose other than residential (except for an accessory sign or vehicle as hereinafter permitted).
 - 5.0135 The proposed accessory use would be suitably located in the neighborhood in which it is proposed and/or the total Town, whichever is deemed appropriate by the Board of Appeals.
 - 5.0136 In Residence Districts, the use will be reasonably compatible with other uses permitted as of right in the same district;

- 10.386 The proposal ensures that it is in conformance with the Parking and Sign regulations (Articles 7 and 8, respectively) of this Bylaw.
- 10.387 The proposal provides convenient and safe vehicular and pedestrian movement within the site, and in relation to adjacent streets, property or improvements. If the Special Permit Granting Authority deems the proposal likely to have a significantly adverse impact on traffic patterns, it shall be permitted to require a traffic impact report, and the proposal shall comply with Section 11.2437 of this Bylaw.
- 10.388 The proposal ensures adequate space for the off-street loading and unloading of vehicles, goods, products, materials and equipment incidental to the normal operation of the establishment or use.
- 10.389 The proposal provides adequate methods of disposal and/or storage for sewage, refuse, recyclables, and other wastes resulting from the uses permitted or permissible on the site, and methods of drainage for surface water.
- 10.390 The proposal ensures protection from flood hazards as stated in Section 3.228, considering such factors as: elevation of buildings; drainage; adequacy of sewage disposal; erosion and sedimentation control; equipment location; refuse disposal; storage of buoyant materials; extent of paving; effect of fill, roadways or other encroachments on flood runoff and flow; storage of chemicals and other hazardous substances.
- 10.391 The proposal protects, to the extent feasible, unique or important natural, historic or scenic features.
- 10.392 The proposal provides adequate landscaping, including the screening of adjacent residential uses, provision of street trees, landscape islands in the parking lot and a landscape buffer along the street frontage. When a non-residential use adjoins a residential district, an uninterrupted vegetated buffer shall, to the extent feasible, be established and maintained between buildings associated with uses under this section and the nearest residential property boundaries. Where natural, undisturbed vegetation already exists on-site prior to site preparation and clearing, the majority of that vegetation may be retained and included as part of the buffer, along with the addition of such new plantings, selective removals, and other management of site plantings as are determined to be necessary to maintaining an effective year-round visual screen. See Section 11.3.
- 10.393 The proposal provides protection of adjacent properties by minimizing the intrusion of lighting, including parking lot and exterior lighting, through use of cut-off luminaires, light shields, lowered height of light poles, screening, or similar solutions. Except for architectural and interior-lit signs, all exterior site lighting shall be downcast and shall be directed or shielded to eliminate light trespass onto any street or abutting property and to eliminate direct or reflected glare perceptible to persons on any street or abutting property and sufficient to reduce a viewer's ability to see. All site lighting, including architectural, sign, and parking lot lighting, shall be kept extinguished outside of those business hours established under an approved site management plan, except for lighting determined to be necessary for site security and the safety of employees and visitors.
- 10.394 The proposal avoids, to the extent feasible, impact on steep slopes, floodplains, scenic views, grade changes, and wetlands.
- 10.395 The proposal does not create disharmony with respect to the terrain and to the use, scale and architecture of existing buildings in the vicinity which have functional or visual relationship thereto. Within the B-L, B-VC, B-N, COM, OP, LI and PRP Districts, and any residential zoning district where the project in question occurs within the boundaries of a National Historic Register District, the Special Permit Granting Authority shall, if it deems the proposal likely to have a significant impact on its surroundings, be permitted to use the design principles and standards set forth in Sections 3.2040 and 3.2041, 1) through 9) to evaluate the design of the proposed architecture and landscape alterations. Within the B-G and abutting B-L districts, and for any Town project within any district, the provisions of Section 3.20, Design Review, shall remain in effect.

- 11.2412 Ability of proposed sewage disposal and water supply systems within and adjacent to the site to serve the proposed use.
 - 11.2413 Adequacy of the proposed drainage system within and adjacent to the site to handle the increased runoff resulting from the development.
 - 11.2414 Provision of adequate landscaping, including the screening of adjacent residential uses, provision of street trees, landscape islands in the parking lot and a landscape buffer along the street frontage. When a non-residential use adjoins a residential district, an uninterrupted vegetated buffer shall, to the extent feasible, be established and maintained between buildings associated with uses under this section and the nearest residential property boundary. Where natural, undisturbed vegetation already exists on-site prior to site preparation and clearing, the majority of that vegetation may be retained and included as part of the buffer, along with the addition of such new plantings, selective removals, and other management of site plantings as are determined to be necessary to maintaining an effective year-round visual screen. See Section 11.3.
 - 11.2415 Adequacy of the soil erosion plan and any plan for protection of steep slopes, both during and after construction.
 - 11.2416 Protection of adjacent properties by minimizing the intrusion of air and water pollution, flood, noise, odor, dust and vibration through appropriate site and structure design and the use of appropriate design and materials for containment, ventilation, filtering, screening, sound-proofing, sound-dampening and other similar solutions.
 - 11.2417 Protection of adjacent properties by minimizing the intrusion of lighting, including parking lot and building exterior lighting, through the use of cut-off luminaires, light shields, lowered height of light poles, screening or similar solutions. Except for architectural and interior-lit signs, all exterior site lighting shall be downcast and shall be directed or shielded to eliminate light trespass onto any street or abutting property and to eliminate direct or reflected glare perceptible to persons on any street or abutting property and sufficient to reduce a viewer's ability to see. All site lighting, including architectural, sign, and parking lot lighting, shall be kept extinguished outside of those business hours established under an approved site management plan, except for lighting determined to be necessary for site security and the safety of employees and visitors.
 - 11.2418 Protection from flood hazards as stated in Section 3.22, considering such factors as: elevation of buildings; drainage; adequacy of sewage disposal; erosion and sedimentation control; equipment location; refuse disposal; storage of buoyant material; extent of paving; effect of fill, roadways or other encroachment on floor runoff and flow; storage of chemicals and other hazardous substances.
 - 11.2419 Protection of wetlands by building in accordance with the provisions of the Wetlands Protection Act, Chapter 131, Section 40, and the Amherst Wetlands Bylaw.
- 11.242 DESIGN
- 11.2420 Within the B-L, B-VC, B-N, COM, OP, LI and PRP Districts, and any residential zoning district where the project in question occurs within the boundaries of a National Historic Register District, the Permit Granting Authority shall, if it deems the proposal likely to have a significant impact on its surroundings, be permitted to use the design principles and standards set forth in Sections 3.2040 and 3.2041, 1) through 9) to evaluate the design of the proposed architecture and landscape alterations. Within the B-G and abutting B-L districts, and for any Town project within any district, the provisions of Section 3.20, Design Review, shall remain in effect.
 - 11.2421 The development shall be reasonably consistent with respect to setbacks, placement of parking, landscaping and entrances and exits with surrounding buildings and development.

- 11.2422 Building sites shall avoid, to the extent feasible, the impact on steep slopes, floodplains, scenic views, grade changes and wetlands.
- 11.2423 If there is more than one building on the site, the buildings shall relate harmoniously to each other in architectural style, site location and building exits and entrances.
- 11.2424 Screening shall be provided for storage areas, loading docks, dumpsters, rooftop equipment, utility buildings and similar features.

11.243 TRAFFIC/PARKING

- 11.2430 The site shall be designed to provide for the convenience and safety of vehicular and pedestrian movement both within the site and in relation to adjoining ways and properties.
- 11.2431 The location and number of curb cuts shall be such to minimize turning movements, and hazardous exits and entrances.
- 11.2432 The location and design of parking spaces, bicycle racks, drive aisles, loading areas and sidewalks shall be provided in a safe and convenient manner.
- 11.2433 Provision for access to adjoining properties shall be provided as appropriate.
- 11.2434 Where possible, driveways located in commercial and business districts shall be located opposite each other.
- 11.2435 Joint access driveways between adjoining properties shall be encouraged.
- 11.2436 A traffic impact report shall be required, unless waived under Section 11.222. Information required as part of this report shall be as set forth in the Rules and Regulations of the Planning Board.
- 11.2437 When a traffic impact report is required, the proposed development shall comply with the following standards:
 - 1. Level of Service (LOS) at nearby intersections shall not be degraded more than one level as a result of traffic generated by the proposed development, nor shall any nearby intersection degrade below the Level of E.
 - 2. Adjacent streets shall not exceed design capacity at the peak hour as a result of traffic generated by the proposed development.
 - 3. Safety hazards shall not be created or added to as a result of traffic generated by the proposed development.
 - 4. If any of the standards in Section 11.2437 1 - 3 are violated, the applicant shall provide alternative proposals to meet the standards, including but not limited to; reduction in the size of the development, change in proposed uses on the site, contributions to off-site street and intersection improvements or construction of off-site street and intersection improvements.

6.0. Central Business Architecture Committee

Established

There shall be a Central Business Architecture Committee consisting of five members and two alternates. Members shall include at least one of each of the following: one person from two nominations made by the Greater Northampton Chamber of Commerce; one person in the building trades or construction industry; one person from two nominations made by the Association of Realtors covering Northampton; one architect; and one person from two nominations made by the Historic District Commission.

Authorities and Responsibilities

The Central Business Architecture Committee shall have the authority to adopt reasonable rules, regulations, and forms and to revise the design guidelines manual to aid in the administration of the central business architectural ordinance chapter, and to reclassify building types shown in said ordinance.

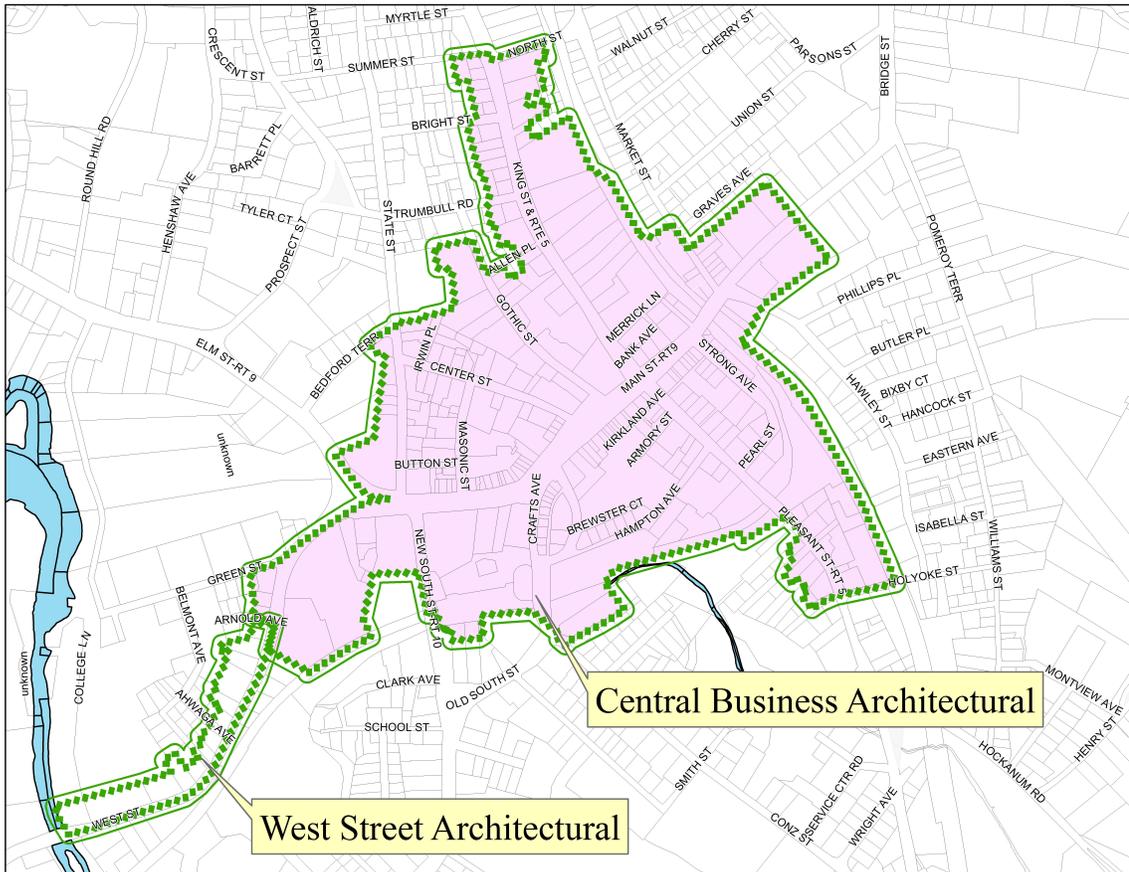
The Central Business Architecture Committee is a regulatory and adjudicatory multiple-member body of the City.

§ 156-1. Purpose.

The purpose of this chapter is to preserve and enhance the pedestrian-scale character, culture, economy and welfare of downtown Northampton by preserving historic and architecturally valuable buildings and features, and by encouraging compatible building design. Nothing in this chapter shall be construed as creating a new responsibility for landowners to maintain their buildings.

§ 156-2. Map. [Amended 11-17-2011]

A Central Business and West Street Architecture Ordinance is hereby established within the City of Northampton. The ordinance (this chapter) shall regulate the Central Business District and the West Street District bounded as shown on an attached map entitled "Central Business and West Street Architecture, City of Northampton," and made part of this chapter. This chapter creates an architecturally controlled district as envisioned by MGL c. 143, § 3A.



§ 156-3. (Reserved)¹

1. Editor's Note: Former § 156-3, Central Business Architecture Committee, was repealed 12-4-2014. See now the Administrative Code, included in the City Code following the Charter.

§ 156-4. Central Business Design Guidelines Manual and rules and regulations; materials required for submission.

- A. The Design Guidelines Manual, Downtown Northampton Central Business District, 1999, as may be amended, is attached hereto by reference. It shall be cited in this chapter as the "Design Guidelines Manual."²
- B. The Central Business Architecture Committee shall have the authority to appoint a subcommittee or agent to act on behalf of the full Committee for any action which does not require a public hearing.
- C. After a public hearing and only with four affirmative votes, the Central Business Architecture Committee shall have the authority to adopt reasonable rules, regulations, and forms and to revise the Design Guidelines Manual to aid in the administration of this chapter, and to reclassify building types shown on the Central Business Architectural Ordinance, City of Northampton, Map attached to this chapter.
- D. Materials to be submitted for nonexempt projects shall be provided in sufficient detail to determine the projects impact and compliance individually and in context with the surrounding buildings, and with respect to the Design Guidelines Manual. The Committee may waive or clarify any of these requirements either as part of its rules and regulations or in their review of a specific project. For all nonexempt projects, unless waived by the Committee, the following shall be provided:
 - (1) Photographs of existing conditions, showing both detail and context of area(s) to be altered. Photographs should include buildings to be demolished and vacant areas to be developed.
 - (2) Scale plans of proposed alterations, renovations, or new construction sufficient to show all aspects considered under this chapter.
 - (3) Renderings or photographic or computer simulations showing both detail and context of the area to be altered sufficient to show all aspects considered under this chapter. For new buildings and major alterations, this item shall be sufficient to see the entire building, its details, and context from relevant viewpoints.
 - (4) A list or full description of existing materials to be altered and of proposed materials.
 - (5) Detailed description of any financial hardship.

§ 156-5. Central Business architecture; exemptions.

- A. The Central Business Architecture Committee shall appoint a subcommittee or agent and authorize that subcommittee or agent to issue a certificate of

2. Editor's Note: The Design Guidelines Manual is included at the end of this chapter.

nonapplicability under this section. Such certification is not required but is provided to provide an applicant documentation that a permit is not required.

- B. To request a certificate of nonapplicability under this section, the applicant shall complete and file the appropriate application form with the Northampton Office of Planning and Development. Within 14 days the Committee's duly authorized subcommittee or agent shall issue such certificate if it finds that the application demonstrates that the project is exempt under this section. If the Committee fails to act within these time periods, an applicant may send a written notice requesting the certificate. If the Committee still fails to act the certificate shall be deemed to have been issued seven days after the Committee's receipt of said notice. A denial of this certificate may be appealed to the full Committee within 21 days of its denial.
- C. The following elements are specifically exempt from review by the Committee. The Building Commissioner shall issue permits for this work only after determining that the project is exempt:
- (1) Interior work, including features, arrangements or use of other nonexterior elements.
 - (2) Exterior architecture features not visible from a public street, provided that they would not be visible even in the absence of all freestanding walls and fences, signs, accessory structures, and landscaping, and the rear of any buildings if the rear facade does not abut a City street.
 - (3) The ordinary maintenance, repair or replacement of any exterior architecture feature which does not involve any change of design or appearance.
 - (4) Landscaping with plants, trees or shrubs.
 - (5) Meeting any requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition.
 - (6) All ground signs, building signs and awnings except those which could potentially alter or damage the building facade to which they are attached.
 - (7) Open terraces, walks, driveways and similar structures, provided that such structures are substantially at grade level.
 - (8) Handicapped access ramps designed solely for the purpose of facilitating ingress or egress of a physically handicapped person, as defined in MGL c. 22, § 13A, provided that such ramps are not more than one foot above original grade.
 - (9) Freestanding walls or fences that are not part of any other structure, when such walls or fences are allowed as of right by Chapter 350, Zoning. (No special permits or findings are required.)

- (10) Storm doors and windows, screens, window air conditioners, rooftop solar panels, lighting fixtures, and antennas. Satellite dish antennas with a diameter of greater than one foot are not exempt.
- (11) Roof colors, paint and stain colors, and painting of unpainted masonry and all nonmasonry structures.
- (12) The reconstruction, substantially similar in exterior design and appearance, of a building, structure or exterior architecture feature damaged or destroyed by fire, storm or other disaster, provided that such reconstruction is begun within one year thereafter and carried forward with due diligence.
- (13) Freestanding outdoor art, provided that such art is not also a sign, does not alter any exterior feature protected by this chapter in such a way that it cannot be readily repaired, and is not also an integral part of the exterior facade of a building.
- (14) Alteration or renovation, but not expansion or demolition, of any anomaly or transitional residential building, based on its most recent classification, if developed in accordance with the Design Guidelines and so long as the change does not reduce the glazed area of any street-facing façade. **[Amended 12-3-2015]**
- (15) Alteration of the first-floor facade of any theme commercial building, as defined in the Design Guidelines Manual, that was built with glass covering a significant part of the first-floor facade or has glass covering a significant part of the first-floor facade when a permit for the proposed alteration is applied for, when at least 50% of the altered first-floor facade will be glass installed providing a view from the public right-of-way of the inside of at least part of the building.
- (16) Alteration of the first-floor facade of any landmark building, when the Committee finds that such alteration will be in conformance with Design Guidelines Manual.
- (17) Replacement of a window with a new window of the same general design and appearance but a change in materials when the Building Commissioner or the Committee finds that the new windows are identical in size to the old windows and do not alter sills, lintels or tops, do not incorporate mirrored glass, and when, except for small decorative windows and first-floor storefronts, windows have a traditionally appropriate horizontal division within the glass. (Snap-in grills are exempt, but do not meet the requirement for a horizontal division.)
- (18) Restoration of features of the same general design and appearance as existed historically on a structure when the Building Commissioner or Committee finds that there is adequate evidence to believe that the restoration is

§ 156-5

§ 156-6

historically accurate and the restoration will not damage other historic features nor alter the historic character of the building.

- (19) Temporary structures for up to 30 days.
- (20) Streets, sidewalks, utility poles and public and utility infrastructure that is generally within the street right-of-way.
- (21) Any other classes of projects or construction methods which the regulatory Committee has found, after a public hearing, are appropriate for exemption after Committee review.

§ 156-6. Central Business architecture permit process.

Except for activities exempted above, no building or structure within the Central Business Architecture District shall be constructed, altered, or demolished in any way without a central business architecture permit from the Central Business Architecture Committee issued in accordance with this chapter, nor, without such a permit, shall such activities be issued a building permit or demolition permit. (See also MGL c. 143, § 3A.)

- A. To apply for a permit, the applicant shall complete and file the Committee's application form and file required submittal materials with the Northampton Office of Planning and Development.
- B. To provide consistency, even though a Central Business Architecture Ordinance is distinct from Zoning Ordinances, the Committee shall use the same public notice and time line requirements for permit applications as is required under the State Zoning Act (MGL c. 40A) for special permits. If the Committee fails to act within these time periods, an applicant may send a written notice requesting the permit. If the Committee still fails to act, the permit shall be deemed to have been issued seven days after the Committee's receipt of said notice.
- C. The Committee shall hold a joint public hearing with the Planning Board or Zoning Board of Appeals, as appropriate, for any project that also requires zoning relief from those Boards, if the applicant provides a written request for a joint hearing with the application to both Boards, and if the applicant grants waivers from statutory time limits, if necessary, to allow a joint hearing.
- D. The Committee shall follow the following process in reviewing an application:
 - (1) If the Committee finds that a project is exempt, it shall issue a certificate of nonapplicability.
 - (2) If the Committee finds that a project is compatible with the preservation of historic, architecture and pedestrian-scale character, under the terms of this chapter, it shall issue an central business architecture permit. The Committee shall not review elements of the project which are exempt under § 156-5, but

shall determine that projects respect the details and the character of Central Business by considering the following:

- (a) Any element of the project or the project in its entirety shall be presumed to meet the standards necessary for approval if the Committee finds that it meets the Applicability and Design Guidelines sections in the Design Guidelines Manual; and
 - (b) Any element of the project or the project in its entirety not permitted under Subsection C(2)(a) above shall be approved if the Committee finds that the project maintains and enhances the Downtown Northampton Central Business District: Character Defining Features in the Design Guidelines Manual, even if it does not meet the Design Guidelines; and
 - (c) In the event elements of the project or the project in its entirety does not meet the above standards, the Committee can waive some or all of the standards if such waiving will clearly preserve and enhance the pedestrian-scale character, culture, economy and welfare of downtown Northampton by preserving historic and architecturally valuable buildings and features, and by encouraging compatible building design.
- (3) If the Committee finds that owing to conditions especially affecting the building or structures involved, but not affecting the district generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this chapter, it shall issue an central business architecture permit.
 - (4) If the Committee finds that none of the above apply, it shall deny the central business architecture permit.
 - (5) A landowner in the district or his or her representative may request informal assistance from the Commission in planning alterations or new construction. The Commission shall offer informal advice and comments on any proposal. This advice, however, cannot be binding on the Committee when they formally review an application for a certificate.

§ 156-7. Central Business architecture appeals.

Any issuance or denial of a permit by the Committee may be appealed to the Northampton Planning Board, by an applicant or other aggrieved party, provided that such appeal has been filed within 21 days of the filing of said decision with the City Clerk. The Planning Board shall limit its consideration of such an appeal to considering errors of the Committee and shall need a two-thirds vote of its members to overturn the action of the Committee. For the purposes of this section, Planning Board associates may

§ 156-7

§ 156-9

serve as full Planning Board members in the absence or inability of the Planning Board member to vote.

§ 156-8. Violations and penalties; noncriminal disposition.

- A. This chapter may be enforced by criminal and noncriminal penalties and injunctive relief, in accordance with Chapter 40 of the Northampton Code of Ordinances. Each day a condition is in violation of the provisions of this chapter shall constitute a separate violation.
- B. As an alternative to criminal prosecution or civil action, the City of Northampton may elect to utilize the noncriminal disposition procedure set forth in § 40-5.

§ 156-9. West Street architecture standards.

- A. The following activities are exempt from West Street architecture review:
 - (1) Interior work, including features, arrangements or use of other nonexterior elements.
 - (2) Exterior architecture features not visible from a public street, provided that they would not be visible even in the absence of all freestanding walls and fences, signs, accessory structures, and landscaping, and the rear of any buildings if the rear facade does not abut a City street.
 - (3) The ordinary maintenance, repair or replacement of any exterior architecture feature which does not involve any change of design or appearance.
 - (4) Landscaping with plants, trees or shrubs.
 - (5) Meeting any requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition.
 - (6) All ground signs, building signs and awnings, except those which could potentially alter or damage the building facade to which they are attached.
 - (7) Open terraces, walks, driveways and similar structures, provided that such structures are substantially at grade level.
 - (8) Handicapped access ramps designed solely for the purpose of facilitating ingress or egress of a physically handicapped person, as defined in MGL c. 22, § 13A, provided that such ramps are not more than one foot above original grade.
- B. All regulated activities will integrate buildings and landscape design with the campus, the West Street streetscape and neighborhood, consistent with the following principles:

- (1) Locate new buildings along West Street in a manner that is densely developed, oriented to the street and frames the street, enhances the streetscape, and creates an urban, pedestrian-friendly corridor at the ground floor, connecting downtown, the Smith/Green/West Street neighborhood, and the Village at Hospital Hill. For buildings along West Street, among the building alternatives considered will be massing and scale that is similar to the existing residential scale, such as use of stepped-up facades, bays, courtyards and other design options, and/or more urban-style facades built near the sidewalk edge that include ground floors with active uses.
- (2) Pay particular attention to the campus/neighborhood interface; i.e., porous facades facing public streets as well as inner campus; balance of interior and exterior focus/views; sensitive siting and design of back sides of buildings, dumpsters, loading docks, mechanicals, and parking lots to support the urban corridor.
- (3) Minimize new curb cuts onto public ways; i.e., limit new service access driveways onto West Street.
- (4) Extend pedestrian-focused Smith College core campus to Ford Hall and create pedestrian pathways linking green spaces, buildings, streets, campus, neighborhood, and the parking garage, considering elements such as sidewalk width and street trees.

§ 156-10. West Street architecture process.

- A. Except as noted above, no building or structure within the West Street Architecture District shall be constructed or altered, in any way, nor shall new off-street parking be constructed without a permit from the Planning Board issued in accordance with this chapter, nor, without such a permit, shall such activities be issued a building permit.
- B. To apply for a permit, the applicant shall complete and file the application form and file required submittal materials with the Northampton Office of Planning and Development. To provide consistency, even though West Street architecture is distinct from zoning ordinances, the Planning Board shall use the same public notice and time line requirements for permit applications as are required under the State Zoning Act (MGL c. 40A) for special permits. If the Board fails to act within these time periods, an applicant may send a written notice requesting the permit. If the Board still fails to act, the permit shall be deemed to have been issued 21 days after the Committee's receipt of said notice.

Why is South Hadley considering or exploring Design Review?

Interest in, and a desire to have, a Design Review element in the Town's procedures has some long roots – extending back at least to the mid-1990's when the Business C zoning district was created. More recently, the impetus for Design Review has, grown out of the 2010 Master Plan. Of 18 issues identified in the Land Use and Community Design chapter of the Master Plan, at least In the 2010 Master Plan, at least one-third of them have a close or direct connection to the issues addressed in Design Review:

- Development (particularly multi-family and commercial) appears haphazard and located in inappropriate places;
- Development (particularly multi-family and commercial) is out of character with the surrounding neighborhood;
- Lack of landscaping, trees, greenery in existing and new developments;
- Unappealing architecture, signage and landscaping of development throughout town especially with respect to the main thoroughfares (Routes 116, 47, 33, 202)
- Lack of common areas;
- Lack of pedestrian connectivity between developments;
- Loss of agricultural lands and scenic vistas to large subdivisions and multi-family development;
- Overabundance of non-conforming land uses throughout town;
- Spot zoning of parcels throughout town;
- Potential for large residential development (“McMansion” style development) that use significant pristine forest/agricultural land;
- Lack of comprehensive ideas for development;
- High noise levels from businesses disturb neighboring residences;
- Insufficient access to riverfront;
- Insufficient recreational / alternative transportation opportunities (i.e., bike and hiking paths) throughout town;
- Overabundance of auto-related services throughout town;
- Eateries and shops should be consistent with the character of the town;
- Concern for the environmental impacts of development;
- Loss of mature, native vegetation due to development.

An “improved aesthetic quality” is identified as one of the three Goals of the Land Use and Community Design chapter.

The Master Plan further identifies Design Review as being the “most fundamental way for the Town to ensure that future projects contribute to the community’s vision is through the strategic use of a design review process and standards within its planning and zoning practices. Through the use of standard design review processes and tools such as architectural guidelines, landscaping and site planning standards, or enhanced site plan review, South Hadley can help guide future developments in a manner that is consistent with the vision identified in this Plan.”

Development and adoption of Design Standards and a Design Review Bylaw are specific Recommended Actions in the Land use and Community Design chapter:

Objective 2-4: A design review process that is guided by the goals/objectives of this Plan, governed by clear standards, and is integrated with and involves the various participants in the development review process.

Recommended Action 2-4-1: Assess the community's design characteristics.

Recommended Action 2-4-2: Develop and adopt clear Design Review Standards that are based on the assessment of the community's design characteristics and the goals/objectives of this Plan.

Recommended Action 2-4-3: Develop design standards to minimize the incompatibility of new industrial, commercial, and/or residential uses in developed, mixed use corridors and areas.

Recommended Action 2-4-4: Development of narrow parcels should be designed to blend in with the adjoining uses and development characteristics along the roadway corridor.

Recommended Action 2-4-6: Develop and adopt a Design Review Bylaw including creation of a Design Review Board (preferably as an amendment to the General Bylaw).

Recommended Action 2-4-8: Expand the composition of boards, committees, and commissions involved in the development review and design review processes to include the Historical Commission.

Exploratory Questions

The following questions/issues have been identified as needing to be addressed in the Planning Board's Exploration toward crafting a Design Review Bylaw appropriate for South Hadley:

Geographical Scope

- Town wide Design Review?
- Or, limiting the Design Review to selected areas/corridors?

Topical Scope

- Cover all types of development?
- Or, limiting the Design Review to commercial/industrial and Special Permit allowed uses?

Type of Bylaw

- General Bylaw?
- Or, Zoning Bylaw provision?

Jurisdictional Scope

- Should Design Review and Recommendations be mandatory?
- Or, should the Design Review and Recommendations be only advisory on all parties?
- Or, should this depend on the type of project or its location?

Institutional Placement

- Administered by the Planning Board?
- Or, a separate committee?

Separate Committee

- If a separate committee, then who should be on the Committee?
- Should there be specific skills, education, and training?
- Should the Town Planner or Building Commissioner be a “voting member”?

Appointing Authority

- Should the Selectboard appoint the members?
- Or, should the Planning Board appoint the members?

Role of the Design Standards

- Mandatory?
- Suggestive?

Structure of the Design Standards

- Should the standards be detailed?
- Should detailed standards be incorporated into the Bylaw?
- Or, should the Bylaw establish clear but succinct “guidelines or principles” and authorize the Design Review Authority to develop more detailed standards?

In meeting with those who have been working with or administering a Design Review Bylaw/Ordinance/Guidelines/Standards, we would like to know their responses to the above questions but more precisely:

- What type of structure does their review take?
- How has Design Review worked for them in administering the process?
- How has Design Review worked for their communities?
- What would they change, if anything, about their Design Review Bylaw/Ordinance/Procedures/etc?

SOUTH HADLEY PLANNING BOARD REGULAR MEETING

MINUTES OF JUNE 16, 2016

Draft – Draft

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

Mr. Squire called the meeting into session at 6:30 p.m.

1. Minutes

a. May 23, 2016 Planning Board meeting minutes

Mr. Harris referenced the draft minutes which he distributed. The Board members reviewed the draft minutes and noted corrections which needed to be made.

Motion - Ms. Rosner moved and Ms. O'Brien seconded the motion to approve the May 23, 2016 Planning Board Meeting minutes as corrected. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

2. Bills and Correspondence

Mr. Harris noted that he previously distributed a list of correspondence and referred to a list of Additional Correspondence. He also noted that there are no bills ready to be paid.

He also noted that there were two bills ready to be paid – both of them to Turley Publications for publication of notices:

- Amendment to Site Plan Review Rules and Regulations \$133.04
- Housing Production Plan \$161.64

Due to the timing of the bills, Mr. Harris stated he submitted the bills for processing but the Board should ratify the payment of the bill.

Motion - Mr. Cavanaugh moved and Ms. O'Brien seconded the motion to ratify payment of the bills for Turley Publications in the amounts of \$133.04 and \$161.64. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

3. Consider Right of First Refusal under Chapter 61A for a 1.16 acre portion of a 3.16 acre parcel for Russell S. Adams. Property Location: 339 Pearl Street (Assessor's Map #56 – Parcel #03).

Mr. Harris provided background on the Chapter 61A program and the municipal "right of first refusal". He noted that the subject property is 3.16 acres but since there are 2 houses thereon and at least one acre associated with each house is not in the 61A assessment program, 1.16 acres is in the assessment program. However, there is no "specific" portion of the property in the 61A program.

Mr. Harris stated that the owner is seeking to have all of this 3.16 program removed from the Chapter 61A assessment program so that he can create a building lot and build another house. He noted that the Board of Assessors and the Conservation Commission had voted not to purchase the property. There does not appear to be any public use for the 1.16 acres.

Mr. Cavanaugh noted he is a neighbor to the property – he resides across the street. Therefore, he inquired if he needed to recuse himself. Mr. Harris stated that he did not think a recusal was necessary.

Motion - Ms. Rosner moved and Ms. O'Brien seconded the motion that the Board not purchase the property subject to this agenda item. The Board voted **Four (4)** out of **Five (5)** members present in favor of the motion (Mr. Cavanaugh abstained from voting on this matter).

4. Consider Endorsement of Approval Not Required Plan for Russell S. Adams. Property Location: 349 Pearl Street (Assessor's Map #56 – Parcel #03).

Mr. Harris displayed the proposed ANR Plan. He stated that the property is zoned Agricultural and they are seeking to create a second parcel. Both parcels would conform to the requirements of the Zoning Bylaw. Given that the proposed lots meet the Zoning Bylaw requirements for the Agricultural zoning district and that Pearl Street is a public way, Mr. Harris suggested that it would be appropriate for the Board to endorse the ANR Plan.

Motion - Ms. Rosner moved and Mr. Hutchison seconded the motion to find that a) Pearl Street is a public way and b) the proposed lots will have satisfactory frontage on a public way; therefore, the Plan is appropriate for endorsement. The Board voted **Four (4)** out of **Five (5)** members present in favor of the motion (Mr. Cavanaugh abstained from voting on this matter). Subsequently, Mr. Squire, Ms. Rosner, and Ms. O'Brien signed the plan.

5. Consider Endorsement of Approval Not Required Plan for Whispering Pines at Root Road, LLC. Property Location: Newton Street (Assessor's Map #28 – Parcel #246).

Mr. Harris displayed the proposed ANR Plan. He stated that the property is zoned Business C and they are seeking to create a parcel to be developed commercially. The new parcel would conform to the requirements of the Zoning Bylaw. Given that the proposed lot meet the Zoning Bylaw requirements for Business C and that Newton Street is a public way, Mr. Harris suggested that it would be appropriate for the Board to endorse the ANR Plan. This plan is similar to one submitted but withdrawn several months ago – the surveyor has added easements to this version of the plan.

Ms. O'Brien inquired about the Mixed Use requirement for the condominium development. Mr. Harris noted that the Zoning Bylaw was vague on what was required at the time the Stonybrook development was approved. The conditions of the Special Permit would still apply – this site must be developed commercially or the Stonybrook Condominiums would be nonconforming.

There was further discussion as to the Site Plan recently approved for this parcel. Mr. Harris noted that approval would stand.

Motion - Ms. Rosner moved and Mr. Hutchison seconded the motion to find that a) Newton Street is a public way and b) the proposed new building lot will have satisfactory frontage on a public way; therefore, the Plan is appropriate for endorsement. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion. Subsequently, Mr. Squire, Mr. Cavanaugh, and Mr. Hutchison signed the plan

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

6. PUBLIC HEARING: Special Permit Application for South Hadley & Granby Chamber of Commerce and MConnie Laplante to operate a Professional Business – Chamber of Commerce offices in a portion of the subject property; Property Location: 2 Lyman Street (Assessor’s Map Number #15 - Parcel #79).

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

The meeting reconvened at 6:56 p.m.

7. DECISION: Special Permit Application for South Hadley & Granby Chamber of Commerce and MConnie Laplante to operate a Professional Business – Chamber of Commerce offices in a portion of the subject property; Property Location: 2 Lyman Street (Assessor’s Map Number #15 - Parcel #79).

Mr. Squire asked if there were a motion to approve the Special Permit. Mr. Harris noted that some of the Special Permit criteria – particularly related to Site Planning – would not be applicable to this project.

In terms of conditions for approval, Mr. Harris suggested that they primarily relate to the project being undertaken as described in the submittal and the public hearing.

Motion – Ms. Rosner moved and Mr. Cavanaugh seconded the motion to waive those Special Permit standards which do not apply to this project due to the fact that the applicant is using existing building and parking space. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

Motion – Mr. Cavanaugh moved and Ms. Rosner seconded the motion to approve the Special Permit application subject to the project being undertaken as presented in the application submittal and the public hearing and other, “standard” conditions.. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

Mr. Harris suggested that, since the public forum was advertised for 7:15 p.m. and there is another 10+ minutes, the Board should take up the Development Update/Planners Report and Other New Business. All members indicated that they concurred.

9. Development Update and Planner's Report

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

a. *Development Report*

- 548 New Ludlow Road - The developer of the Quality Fleet Services facility had expressed interest in changing the Stormwater system to underground but has since indicated that he would like to stick with the already approved plan.
- One Canal Street - A very preliminary schematic design has been submitted for departmental discussions. Mr. Harris noted that he is holding a preliminary joint meeting with the various departments and the applicant this Friday.
- Mountainbrook Street Acceptances (no change)
- Rivercrest Condominiums (no change)
- Ethan Circle – Mr. Harris noted that he has had three inquiries (from the contractor, developer, and builder) as to how the developer can receive a partial release of the Covenant Agreement so that they can begin building/selling lots. In response, he has sent all parties in email reminding them of the provisions of the Planning Board Decision and the Subdivision Regulations which detail what is required. He has also noted that when the Board approved the recent modification of the plan, they did so with a condition that a revision be submitted stamped by a PE and no such stamped revision has been received yet and must be received before the Board can consider a Release of the Performance Guarantee.
- Adam & Eve Estates subdivision – All required materials have been received including a draft of a right of way deed.
- Annafield Estates subdivision - All required materials have been received except for a draft of a right of way deed.
- Western Mass Yacht Club – potential Special Permit (no change – no application has been received)
- South Hadley/Granby Chamber of Commerce – Mr. Harris stated that the application was just dropped off during the meeting.
- Zoning for small domesticated pets – pot belly pigs, miniature goats, etc. (no change).
- Zoning Bylaw –The updated Zoning Bylaw is on the Town's website.

b. *Other Projects*

- Urban Renewal and Redevelopment Authority. (Discussed previously) No change – Joint Meeting on June 21st may discuss this matter)
- Housing Studies. (To be discussed under Agenda Item #8)
- Complete Streets Program Participation. Mr. Harris stated he has been asked by the Town Administrator to handle submittal of the Town's Complete Streets Policy to MassDOT for approval. This submittal should be completed this month.
- Chapter 43D Expedited Permitting Program. Mr. Harris has received a "sign off" from the authorized representative of the owner of the Gaylord Street Industrial Priority Development Site and anticipates submitting the application to the State for approval by the end of this month.
- Participating with the Bike/Ped planning process.
- Mount Holyoke College Intern Opportunity
- Permitting Guide (in progress)

- General Code (continuing to participate as needed)
- Health Impact Assessment. PVPC staff are scheduled to meet with the Board in June (likely on June 27th) on this project.
- South Hadley Falls Smart Growth District. The adopted Design Guidelines have been posted on the Town's website

c. *Workshops/Training Opportunities*

Mr. Harris stated he has either attended or is scheduled to attend the following:

- "Massachusetts Association of Planning Directors Annual Conference" held May 19-20, 2016.
- "Massachusetts Housing Partnership Housing Institute" held June 14-15, 2016
- "Massachusetts Smart Growth Conference" held June 2, 2016
- "Western Mass Developers Conference" being held June 23, 2016

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

Ms. O'Brien noted that she has seen "No Trespassing" signs on the fence at the Plains School. Mr. Harris suggested those are likely related to the construction underway at the site.

Ms. Rosner stated that she will not be able to attend the joint meeting with the Selectboard on June 21, 2016 due to a prior commitment.

Mr. Harris noted that the time is now 7:14 and the public forum was advertised and noticed for 7:15. Since this is a Public Forum and not a "formal public hearing", he suggested the notice did not need to be read but the subject matter should be noted.

8. PUBLIC FORUM: Housing Production Plan and Multifamily Study

Mr. Squire called the public forum to order after the Pioneer Valley Planning Commission staff had prepared the equipment for the PowerPoint presentation. He noted that this is a public forum on the Town's development of a Housing Production Plan and a Multifamily Study.

Shawn Rairigh, Senior Planner and Larry Smith, Senior Planner with the Pioneer Valley Planning Commission were in attendance to facilitate the public forum.

Shawn Rairigh noted that the 2010 Master Plan's Housing Chapter provides much of the background needed for a Housing Production Plan. Using a PowerPoint presentation (copy is on the Town's website and a hard copy is in the Planning Board files), he reviewed the purpose and scope of a Housing Production Plan and the demographic changes and projections which have been gathered to date. He reviewed what is meant by "affordable" and there was discussion of "40B affordability" and "market affordability".

There was discussion as to the implications of a community not addressing its housing needs. These implications relate to the "40B" issue but also the potential impact for a community's economic development. It was noted that housing market demands are changing to a more

“smart growth” oriented development interest and communities need to meet the younger housing tastes to provide the labor market and consumer demand for new economic development. Comments were also made as to how the “smart growth” development approach can help communities address “obesity” and health issues. Mr. Harris noted that the region and State have had trouble filling labor force needs due to the lack of affordable housing which meets the younger market needs. “Affordable” housing is what is needed for persons entering the labor market – new teachers, laborers, etc.

Shawn Rairigh reviewed the Goals from the Housing Chapter of the Master Plan and inquired if these goals are still valid and how some of them came to be in the Master Plan. Mr. Harris provided some background on several of the goals, such as discussion as to why a Housing Trust was proposed and that the Selectboard has appointed the Redevelopment Authority as the Trust.

As part of the discussion of the goals, there was discussion about a number of related topics and programs, such as “sustainable housing development” and the Local Initiative Program.

A member of the audience inquired as to what it costs the Town to develop the necessary housing. This prompted a discussion as to how affordable housing gets developed/funded today. Mr. Harris noted that the days of “public housing” with Federal funding ended decades ago. Today, funds for affordable housing are largely raised through “Tax Credits” and some State/Federal programs. He noted that the Town was fortunate to have the assistance of Matt McDonough when the Town was trying to develop Hubert Place as it took 4-5 years from the time the site (managed by Mr. McDonough) was secured for the project and the time the developers could pay for the property.

Michelle McAdough, Vice-President of HAP, Inc. noted that she has developed a number of housing developments (and lives in South Hadley) reviewed how affordable or work force housing is funded and developed. She reviewed two projects in Northampton as examples.

Comments were made about taxation of “affordable housing” developments. Michelle McAdough noted that they pay taxes. But, she also commented that they would like the assessment to consider that these type of developments are more costly to undertake and operate.

A question was raised as to the next step in this process. Shawn Rairigh stated that they will be back at the Planning Board on June 27th to work on determining how the community wants to achieve its housing goals – the strategies.

_____ Glass, inquired as to who builds the infrastructure for the developments. Michelle McAdough, stated that, like other developments, the developer pays for the utilities, roads, etc.

There was discussion as to the types of development – making certain that the development fits into the area. There was a comment made that the Alvard Street area should be left as open space. Mr. Harris noted that the community decided otherwise over 40 years ago when

they put the interceptor sewer and other infrastructure in place. Those investments allowed Stonegate subdivision, Spring Meadow subdivision, Riverboat Village apartments, etc. to develop. Unless the community purchases the development rights on the land, the question is not whether they will be developed, but how and when they will be developed. A well-designed multifamily or cluster style development can save more functional open space and provide more housing at different price points, than a large-lot subdivision.

Mr. Squire thanked everyone for attending and closed the public forum.

11. Adjournment

Motion – Ms. O’Brien moved and Ms. Rosner 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 9:07 p.m.

Respectfully submitted,

DRAFT

Richard Harris, Recorder

Attachment A

List of Documents Reviewed in June 16, 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
PowerPoint presentation on Housing Production Plan	Planning Board Files
Right of First Refusal materials	Planning Board Files
339 Pearl Street ANR Plan	Planning Board Files
Stonybrook ANR Plan	Planning Board Files
Chamber of Commerce Special Permit Application Materials	Planning Board Project Files

6.PUBLIC HEARING: Special Permit Application for South Hadley & Granby Chamber of Commerce and MConnie Laplante to operate a Professional Business – Chamber of Commerce offices in a portion of the subject property; Property Location: 2 Lyman Street (Assessor’s Map Number #15 - Parcel #79).

SOUTH HADLEY PLANNING BOARD PUBLIC HEARING
ON APPLICATION FOR SPECIAL PERMIT – PROFESSIONAL BUSINESS
CHAMBER OF COMMERCE OFFICE

2 LYMAN STREET

BY M. CONNIE LAPANTE & SOUTH HADLEY/GRANBY CHAMBER OF
COMMERCE

MINUTES OF JUNE 16, 2016

DRAFT - DRAFT

Present: Jeff Squire, Chair; Mark Cavanaugh, Vice-Chair; Brad Hutchison, Member; 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.

Ms. Rosner read the notice of the Planning Board public hearing:

The South Hadley Planning Board, in accordance with the provisions of Chapter 40-A, Section 11, Massachusetts General Laws, will hold a public hearing on Thursday, June 16, 2016 at 6:45 p.m. in the Selectboard Meeting Room of the Town Hall to discuss the application of M. Connie Laplante and South Hadley/Granby Chamber of Commerce; 2 Lyman Street; South Hadley, MA for a Special Permit/Modification of Special Permit under Section 5(E) and Section 9 of the Town's Zoning By-Law to allow use of a portion of the building and property at 2 Lyman Street to be used as an office for the South Hadley and Granby Chamber of Commerce in addition to the Real Estate Office operated by M. Connie Laplante. Other aspects of the project include revision to the existing signage on the property. The subject property is located on the west side of Lyman Street and known as 2 Lyman Street and identified on Assessor's Map Number # 15 as Parcel #79.

Plans and the application may be viewed at the Office of the Planning Board during normal office hours (8:30 a.m. to 4:30 p.m.). Any person interested in, or wishing to be heard regarding, this application should appear at the time and place designated.

Published: Friday, May 27, 2016
 Friday, June 3, 2016

Mr. Squire asked the applicant to present their proposal.

Connie Laplante, one of the applicants, spoke about their length of operating the real estate business at this location and that there had not been any issues with the operation.

Mr. Harris provided some background on the existing professional business at this location noting that the Planning Board granted a Special Permit in 1991 for operating a real estate office on the premises. Two subsequent amendments (during the early to mid-1990's) to the Special Permit allowed inclusion of the current permittee "M Connie Laplante, Inc." and to expand the allowed uses to include conducting real estate courses on the site.

Dale Johnston, Executive Director of the South Hadley/Granby Chamber of Commerce, explained their proposed use of the premises as involving only one room and that often times, that room will be vacant as he conducts most of the work outside of the office. Therefore, on a typical day there would be no vehicle associated with the Chamber business but when he is at the office, there will be one, maybe two vehicles associated with the Chamber business. When the Board meets at the location, which is at most once in a month, there will be more cars.

Dale Johnston, Executive Director of the South Hadley/Granby Chamber of Commerce displayed a draft of the proposed signage for the Chamber office. He noted that they are still working through the process of designing the sign. He and Connie Laplante stated that the sign will conform to the Town's regulations.

Mr. Harris noted that the maximum size sign allowed for this use is 16 square feet. He noted that he believes that the address of the location can be on the upright posts and not count towards the "sign" since the General Bylaw requires owners to post their address for 911 purposes. Board members indicated that they agreed with Mr. Harris' suggestion.

Pat Gavin, _____, inquired about the special permit being transferred. Mr. Harris stated that Special Permits may not be transferred but a new operator could apply for a new Special Permit.

Mr. Squire asked if there were further comments. There being no further public comment, Mr. Squire closed the hearing at 6:56 p.m.

Respectfully submitted,

DRAFT

Richard Harris, Recorder

SOUTH HADLEY PLANNING BOARD

BILLS & CORRESPONDENCE

July 18, 2016

BILLS PAYABLE

- None
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Letters & Memos

- Letter dated June 29, 2016 from ARCADIS U.S. copy of Chapter 91 License Application; Holyoke Gas Coal Tar Deposits and Connecticut River: Chicopee, Holyoke, and South Hadley as submitted to David Foulis of Department of Environmental Protection
- Letter from Timothy Brennan of Pioneer Valley Planning Commission dated July 1, 2016 regarding Certification of Assessment from July 1, 2016 to June 30, 2017
- Six (6) invitations from HAP Housing to attend Parsons Village in Easthampton going solar
- Request from Gerry Coderre dated July 6, 2016 for a copy of a Special Permit for 383 Newton Street from the 1980's

Town Department Comments on Pending Projects

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Town Department Agendas & Minutes

- Selectboard Meeting Agenda for July 12, 2016
- Pioneer Valley Planning Commission Meeting Agenda for 'ValleyBike' Share Steering Committee on July 13, 2016

Legal Notices

Amherst

- Town of Amherst Planning Board Notice of Public Hearing on SPR2016-00025 Site Plan Review to reconstruct historic architectural feature, a conservatory originally constructed in 1855 and removed circa 1916 at 280 Main Street; SPR2016-00026 and SPP2016-00002 Site Plan Review approval for modifications to currently permitted project (mixed use building) to reconfigure the floor plans for floors 2 through 5 to increase number of dwelling units from 84 units (with 184 tenants) to 135 units (with 143 tenants, to reconfigure the ground floor plan, to revise the site plan and to revise the elevations and to request a Special Permit to modify side & rear setbacks and height requirements

Chicopee

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Legal Notices (continued)

Granby

- Town of Granby Planning Board Notice of Public Hearing on a Special Permit to construct a temporary (1 year) 24 square foot ground sign advertising the Future Home of the Granby Veterans Memorial on property located at 257 State Street; a Special Permit and Site Plan Approval to construct and operate a veterinary clinic on property located on the easterly side of South Street
- Town of Granby Board of Appeals Notice of Decision on a variance for proposed construction of a garage addition to the rear of the existing attached garage at 5 Leo Drive that no action was needed since the variance was already in place.
- Town of Granby Board of Appeals Notice of Public Hearing to consider a variance for dimensional and density regarding insufficient minimum side yard setbacks regarding a proposed construction of a garage at 12 Green Meadow Lane

Hadley

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Holyoke

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News Articles

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Publications

- American Planning Association, **Planning**. July 2016
- American Planning Association, **Zoning Practice**. July 2016