

## ***Background Materials for November 28, 2016***

### **Agenda Items #1 through #10**

#### ***Agenda Item #1 – Proposed South Hadley Redevelopment Plan***

This is a follow-up to the prior discussions at several of the Planning Board meetings. As you will recall, you have been provided a working draft of the revised plan. At the last meeting, Mr. Squire noted that the Board needs to see the complete plan before taking action. Frank DeToma, Chair of the Redevelopment Authority indicated that they were working to finalize the Financial Plan and related materials and would provide them to the Board. As of October 13<sup>th</sup>, I have not received any updated materials.

The consultant for the Redevelopment Authority, Kathy McCabe, has noted several times that the Planning Board's role in the Redevelopment Plan process is statutorily defined as making two findings that the Plan

- 1) was based on a survey
- 2) conforms to the comprehensive plan for the town as a whole

I think it is clear that there was a survey conducted which has served as a basis for defining the Redevelopment Area which is the focus of the Plan. I also believe that the creation of a Redevelopment Plan is consistent with the Master Plan – although there may be specific recommendations in the subject plan which the Board may not find consistent with the plan yet “overall” the proposed plan would “conform” to the Goals and Objectives of the 2010 Master Plan.

Making such findings does not necessarily mean that the Planning Board supports or endorses adoption of the particular Redevelopment Plan since the findings are rather limited in their scope. As I have previously noted, the Board could make the required findings yet recommend changes in the plan or that Town Meeting not approve the plan for specific reasons.

Frank DeToma, Chair of the Redevelopment Authority, has indicated to the Board that the Redevelopment Authority would like to have the Planning Board's endorsement and support for the plan.

To allow the Plan to proceed to the Selectboard and Town Meeting, the Planning Board could make the limited findings and also note that the Planning Board's position on the Plan will be withheld until such time as the Planning Board is given an opportunity to review the proposed Plan in its entirety.

In terms of the content of the plan, as you will recall I provided extensive written comments on the prior draft. I am in the process of comparing the most recent draft to those comments. While that review is not completed, it appears that they have reviewed the comments and incorporated some comments into the revised plan.

**ACTION NEEDED:** Determine whether or not to make the findings noted above and whether to make a “recommendation” regarding the working draft of the Redevelopment Plan.

***Agenda Item #2 – Minutes***

I have distributed the minutes of the November 14, 2016 Planning Board meeting and public hearing – a copy is attached.

**ACTION NEEDED:** Review, edit and approve the minutes.

***Agenda Item #3 – Bills and Correspondence***

A list of the bills and correspondence will be provided on Monday. No bills are currently due for payment. However, I expect a bill from Turley publications for the notice of the December 12<sup>th</sup> public hearing.

**ACTION NEEDED:** Review the list of correspondence.

***Agenda Item #4 – Public Hearing – Multifamily Special Permit – Canal Street***

This is a continuation of the public hearing began on September 12, 2016. The hearing was continued to September 26, 2016. At that hearing, the Planning Board voted to continue the hearing further until October 17, 2016 at 7:00 p.m. requesting the following materials:

- Stamped plan
- Photometric plan
- Drainage plan or details
- Planting plan
- Management plan

**Background**

Orange Park Management, LLC has submitted an application for a Special Permit to construct a 12 unit multifamily development on the property at the corners of Canal, Main, and High Streets across from the new library.



The subject property is zoned Business B which allows multifamily by Special Permit. It is also within the South Hadley Falls Overlay District which exempts the use from the density restrictions outside of the district. It also lies within the South Hadley Falls Smart Growth District which could allow up to 24 units per acre (or approximately 23 units on this site) by right subject only to design review.

All of the plans and application submitted by the applicant (as of September 12, 2016) have been posted on the Town's website at the following links:

Elevations:

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2270>

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2271>

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2264>

Floor Plans:

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2265>

Landscaping (and Details) and Site Plans:

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2268>

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2266>

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2267>

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2269>

Roof Plan – shows the buildings connected:

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2272>

Application and Narrative:

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2256>

#### Departmental Comments

Comments have been requested from the various departments. As of September 23, 2016, comments have been received from the following:

*Building Commissioner* - Approved with questions/comments:

- Will wait for full set of Construction drawings to do Plan review. (limited information on the construction of the building) Items to Code are: egress out of units adequate, minimal room measurements are met, requirement of sprinkler/fire suppression system is listed.
- Questions: height of building needed, fit neighborhood / size of parking spaces are listed as 8ft, may have to be 9ft (checking Zoning), and amount of spaces are only 12 outside with 12 in garages (? is this correct by regulations) / important to have Police and Fire approve adequate visibility for the vehicles coming in and out and down street as related to building size, location / Definitely full use of site

*SHELD Engineer* – Conditionally Approved with questions/comments:

- The electric meter locations and the secondary/service design, as shown on S-001, is not acceptable to SHELD. The meter locations must be grouped by building, 4 locations per building. The secondary/service design will consist of 1 secondary riser from 1 pole, and 1 handhold, centrally located to service the 3 buildings.
- Relocation of the 2 poles is possible. However, the pole closest to the library is a 3 phase primary riser, and will be costly to relocate, and will likely involve a new road crossing from the new pole location to the padmount transformer at the library. Furthermore, the new poles will need to be set by Verizon.
- Plans conditionally approved pending re-design of the secondary/service system, and acknowledgment that the pole relocations need to be set by Verizon, and will likely involve 1 new road crossing on Canal Street.

*Police Chief:* In an email the Chief Steve Parentela stated that “the plans look good. This new plan will give vehicles a better view of the sidewalk when they are pulling out of the garages onto Canal Street. This is much safer. These plans for the Canal Street Project look good”. He added that his “concerns have been eliminated with these new drawing”.

*Conservation Commission Administrator* - Project is not applicable.

*Fire District #1 Water Department* - Approved without comments.

*Fire District #1 Fire Department* - Approved without comments.

*Board of Health* – Approved without comments.

*DPW Superintendent:* I discussed the issue of drainage with Jim Reidy on September 22<sup>nd</sup> and he advised me to forward the project to Fuss & O’Neill for review since this issue was raised in the public hearing as a concern. I have forwarded the submittal to Fuss & O’Neill and they asked for more information.

*September 12, 2016 Public Hearing Follow up*

As noted above, I have followed up with the DPW regarding the Stormwater issue. I also emailed the Town Administrator regarding the language of the “sight easement”. The Town Administrator indicated that as long as any fence or screening in the “sight easement” meets code and does not in any way impede sight distances in the agreed upon buffer area, the Selectboard will leave it up to the Planning Board to decide the matter.

*September 26, 2016 Public Hearing Follow up*

As the Board is aware, the applicants submitted a revised plan at the September 26<sup>th</sup> Public Hearing which addresses – at least in part – many of the issues raised in the initial public hearing. However, many other issues had not been addressed. Accordingly, the Planning Board continued the public hearing until October 17<sup>th</sup> at 7:00 p.m. and requested the following additional materials from the applicant:

- Stamped plan
- Photometric plan
- Drainage plan or details
- Planting plan
- Management plan

The applicant submitted some revised materials to address much of what the Planning Board requested (the architect noted he will submit a “stamped plan” reflecting the final approval conditions) which have been posted on the Town’s website at the following link:

*Boundary Survey*

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2296>

*Erosion Control Plan*

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2297>

*Narrative*

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2298>

*Photometric Plan*

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2299>

*Planting Plan*

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2300>

*Site Plan*

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2301>

*Soils/Drainage Letter*

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2302>

These materials were submitted to the DPW and the Town’s Consulting Engineer for review.

***Stormwater Management Review and Response***

Fuss & O’Neill, the Town’s consulting engineer, provided a letter of review regarding the Stormwater proposal. The applicant’s consultant has provided a response. These materials are posted on the Town’s website at the following:

*Fuss & O’Neill Review:*

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2328>

*Applicant’s Consultant Response:*

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2329>

In reviewing the photometric plan, it appears there is some spill over onto the adjoining residential properties. Such “spill over” may be addressed by fencing or other screening if the materials are higher than the light fixtures.

**ACTION NEEDED:** Conduct the public hearing. If more information is needed or revisions required, specify what additional information or materials are needed from the applicant and from staff and other departments and continue the public hearing to a date and time certain. If no further information is required, the public hearing should be closed.

***Agenda Item #5 – DECISION – Multifamily Special Permit – Canal Street***

If the public hearing under agenda item #8 is closed, the Board may take action on the application. A copy of the Special Permit Standards/Criteria is attached to this packet.

**ACTION NEEDED:** If the public hearing is closed, the Board needs to make and file a decision within 90 calendar days.

***Agenda Item #6 – Housing Production Plan & Multifamily Study***

This is a follow-up to the Board’s last several meetings 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, June 27th, and July 18th 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://southhadley.ma.gov/DocumentCenter/Home/View/2196>
- June 27, 2016: <http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2201>

Shawn Rairigh has provided the most current draft of the Housing Production Plan. I have posted this most current draft of the HPP on the Town’s website at the following link:  
<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2295>

The primary difference between the current draft and the previously posted draft is that the State has passed a new Housing Incentive Program to promote development of moderately dense single-family housing. The revised plan makes reference to that program:

- 1). New paragraph within section 3.4 Land Use Regulations, bottom Page 43;
- 2). New Action 2.2.2 on page 54.

Shawn Rairigh, Senior Planner will be present to answer questions regarding the Housing Production Plan.

**ACTION NEEDED:** Review, and if ready to do so, approve the HPP for consideration by the Selectboard.

***Agenda Item #7 – Master Plan Top Priorities***

I distributed the Master Plan Top Priorities to the various Boards and Departments. The Recreation Director responded that he would like to meet with the Planning Board as he and the

Recreation Commission do not see those items as within the purview of the Recreation Commission.

The Chair of the Redevelopment Authority has also indicated a desire to meet with the Planning Board to discuss the Master Plan Top Priorities and the status of actions taken on those items.

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

***Agenda Item #8 –Bylaw Amendments for Special Town Meeting***

This is a follow up to the last meeting regarding Zoning Bylaw amendments. I am intending to provide the Board with my review of the codification of the Zoning Bylaw as well as the Subdivision Regulations. The Planning Board will likely need to take action to approve of the codification of the Subdivision Regulations – I will schedule that for December 12<sup>th</sup>.

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

***Agenda Item #9 - Development Update and Planner's Report***

I will provide a report on the following items:

***a. Development Report***

- ***Newton Street Duplex (383 Newton Street)*** – (no change – no application has been submitted).
- ***Mountainbrook Street Acceptances*** (no change)
- ***Rivercrest Condominiums*** – (no change)

***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 #6 above)
- ***Complete Streets Program Participation.***
- 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
- Permitting Guide.
- General Code. (To be discussed under agenda item #8 above)
- ***Health Impact Assessment.*** (To be discussed at a future meeting)

***c. Workshops/Training Opportunities***

I attended the November 15, 2016 “Complete Street 201 Training Course”

***Agenda Item #10 – 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.

# SOUTH HADLEY PLANNING BOARD REGULAR MEETING

## MINUTES OF NOVEMBER 14, 2016

### Draft – Draft

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

Mr. Squire called the meeting into session at 6:34 p.m.

#### 1. Minutes

*a. September 26, 2016 Planning Board meeting minutes*

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

**Motion** - Ms. Rosner moved and Ms. O'Brien seconded the motion to approve the September 26, 2016 Planning Board Meeting minutes as submitted. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

*b. September 26, 2016 Public Hearing (Canal Street SP) minutes*

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

**Motion** - Ms. O'Brien moved and Ms. Rosner seconded the motion to approve the September 26, 2016 Planning Board Public Hearing (Canal Street SP) minutes as submitted. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

*c. September 26, 2016 Public Hearing (25 Woodbridge Street B&B SP) minutes*

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

**Motion** - Ms. Rosner moved and Ms. O'Brien seconded the motion to approve the September 26, 2016 Planning Board Public Hearing (25 Woodbridge Street B&B SP) minutes as submitted. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

*d. September 26, 2016 Public Hearing (2078 Memorial Drive Professional Business SP) minutes*

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

**Motion** - Ms. O'Brien moved and Ms. Rosner seconded the motion to approve the September 26, 2016 Planning Board Public Hearing (2078 Memorial Drive Professional

Business SP) minutes as submitted. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

*e. October 17, 2016 Planning Board meeting minutes*

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

**Motion** - Ms. O'Brien moved and Ms. Rosner seconded the motion to approve the October 17, 2016 Planning Board Meeting minutes as submitted. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

**2. Bills and Correspondence**

Mr. Harris referred to a list of correspondence which had been previously distributed and noted that the correspondence folder is on the front table. He also stated that there are no bills to be paid at this time.

**3. Consider Endorsement of Approval Not Required Plan for Peter Gagne. Property Location: 470-4 Amherst Road (Assessor's Map #58 – Parcel #48).**

Mr. Harris stated that an Approval Not Required Plan was submitted by Peter Gagne. The plan seeks to divide a large tract into two lots – one of which already has a house located thereon.

Mr. Harris noted that both lots will meet or exceed the minimum requirements for area. Additionally, he stated that Amherst Road (Route 116) is a publicly maintained roadway. However, he also stated that much of the subject property's frontage is in the Town of Granby and will be subject to their Zoning Bylaw requirements. He added that the smaller lot being created is zoned Business B while the larger lot being created is Business B on the front but Agricultural in the rear. He suggested it was appropriate for the Board to endorse the plan as presented.

Mr. Squire stated that he was only hesitant due to so much of the frontage being in Granby. There was further discussion regarding the Granby frontage issue.

**Motion** - Mr. Cavanaugh moved and Ms. Rosner seconded the motion to authorize 3 members of the Board to sign their endorsement on the plan. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

**4. PUBLIC HEARING: Proposed Flag Lot Special Permit Application - Property Location: 108 College Street (Assessor's Map #41 – Parcel #18) APPLICATION WITHDRAWN**

Mr. Harris stated that the attorney for the applicant had submitted a letter withdrawing the application and requesting that the application fee be applied to a new application if one is submitted. He added that the applicant is considering submittal of a subdivision plan to create one new building lot and requesting some waivers from the standard subdivision requirements.

Mr. Harris recommended that the Board accept the withdrawal request along with the condition that the application fee be applied to a future application – provided it is submitted in a reasonable period. He noted that the Board has done this in the past and the “reasonable” period has typically been 6 to 12 months.

**Motion** - Mr. Cavanaugh moved and Ms. O’Brien seconded the motion to accept the letter withdrawing the Special Permit application including the condition that the application fee may be applied to a future application to the Planning Board for a project on the property provided the application is submitted in a reasonable time period – within 6 to 12 months. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

**5. Consider request for illuminated signs for Quality Fleet Services. Property Location: 548 New Ludlow Road (Assessor’s Map #8 – Parcel #118).**

Nicholas Moynihan, owner of Quality Fleet Services, represented the application. Using a copy of the submittal request, he described the signs they wish to install.

Mr. Harris commented that, during the public hearing on the Site Plan Review the applicant stated that there would not be any illuminated signs and the photometric plan did not incorporate sign illumination into the analysis. That raises a question whether additional photometric analysis should be undertaken.

Mr. Squire reviewed the sign illumination standards in Section 8(F)7b of the Zoning Bylaw:

- 1). consider and minimize the illumination impact of the signage illumination on the surrounding properties; and,
- 2). only approve internally-illuminated signs where only the lettering or logo of the enterprise or message being promoted are illuminated; and,
- 3). ensure that the illuminated sign does not illuminate adjoining or nearby residential properties or pose a danger to motorists on adjoining or nearby roadways which might arise from glare from the illumination source; and,
- 4). not approve exposed or illuminated neon signs; and,
- 5). require that illumination sources not illuminate the background or field of a sign except to the extent that the background or field (due to the shape of the sign area) is clearly a logo of the company or enterprise being advertised.

Mr. Squire indicated that he felt the proposal meets the requirements.

Ms. O’Brien stated she had reservations about #2. She noted that 6 of the signs are for equipment suppliers and not for the “enterprise” conducting the business – she expressed concern about setting a precedent. Mr. Harris suggested that the wording of the standard (#2) is a little vague. However, he expressed similar concern – if a commercial establishment wanted to illuminate their vendor signs.

There was discussion as to whether all or none of the signs should be illuminated and; if signs were to be illuminated, what hours they should be illuminated. It was noted that the subject building is 200+ feet away from New Ludlow Road and is “screened” by other

buildings to either side and is not near any residences. Mr. Harris suggested that if the Board decides to approve the request, they should make specific findings as to how this is a unique situation – distance setback from the roadway, screening by other buildings, lack of residences abutting or opposite the building, etc.

Nicholas Moynihan noted that, as a vendor for the various equipment, he is required to illuminate their signs when his business sign is illuminated.

John Leminsky, representing the applicant, suggested that the Board has discretion regarding the illumination of the signs and application of the standards.

Mr. Squire asked if all members were in agreement that all of the signs could be illuminated. Ms. O'Brien commented that she did not feel that the request meets the second standard since 6 of the signs are not promoting the company but the equipment they service. Other members indicated that they felt the site was unique and would meet the standards.

Martha Terry, 25 Brainard Street, commented that she agreed with Ms. O'Brien's comments.

**Motion** - Mr. Cavanaugh moved and Ms. Rosner seconded the motion to 1) find that the proposed illuminated signs will not be adverse to the character of the surrounding neighborhood or the community based on the specific circumstances noted in the discussion as to the unique setting of the signs (building is over 200 feet from New Ludlow Road, adjoining and nearby buildings provide significant screening, and there are no residences abutting the property) and 2) approve the sign illumination request subject to the following conditions:

- 1). Signs being installed and operated as described in the submittal to the Planning Board
- 2). Signs are not to be illuminated before 6:00 a.m. nor after 9:00 p.m.

The Board voted **Four (4)** out of **Five (5)** members present in favor of the motion (Ms. O'Brien voted against the motion).

Mr. Harris noted that the Public Hearing on the Flag Lot on Roundelay Road had not been opened October 27, 2016 but had been deferred until tonight at 7:00 p.m.

Mr. Squire recessed the meeting for the public hearing at 7:14 p.m.

**6. PUBLIC HEARING: Proposed Flag Lot Special Permit Application - Property Location: Roundelay Road and Chapel Hill Drive (Assessor's Map #50 – Parcels #17, #28, #29, & #39)**

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

The meeting reconvened at 7:50 p.m.

**7. DECISION: Proposed Flag Lot Special Permit Application - Property Location: Roundelay Road and Chapel Hill Drive (Assessor's Map #50 – Parcels #17, #28, #29, & #39)**

Mr. Harris reviewed the findings required and some of the conditions which had been discussed in the public hearing that are unique to this application:

- 1.) The access drive grade is not to exceed that allowed for residential streets in the Subdivision Regulations; and,
- 2.) A landscaping plan depicting the screening of the access drive is to be provided to and approved by the Planning Board prior to any building being initiated or receipt of a building permit.

**Motion** - Ms. Rosner moved and Mr. Hutchison seconded the motion to 1) find that the proposed Flag Lot (subject to the conditions below) will meet the requirements of Section 7(O) and the Standards in Section 9(C) of the Zoning Bylaw and 2) approve the application for a Special Permit for the Flag Lot as proposed subject to the following conditions:

- 1). The access drive grade is not to exceed that allowed for residential streets in the Subdivision Regulations; and,
- 2). A landscaping plan depicting the screening of the access drive is to be provided to and approved by the Planning Board prior to any building being initiated or receipt of a building permit.

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

**8. Discussion of topics slated for November 15th Joint Meeting with the Selectboard**

Mr. Harris stated that the joint meeting agenda is only for the interview and selection of an Associate Member. However, the Planning Board will be invited to stay for a presentation of the Redevelopment Plan.

In regards to the Associate Member process, Mr. Harris reviewed the process that has been used in the past to interview and select candidates for the position. He inquired if the Board members had any questions that they thought they would want to ask of the candidates.

As to the Redevelopment Plan, Mr. Harris stated that the statutory findings are clear cut. However, he has understood the Authority Chair – Frank DeToma – as wanting the Board to support the plan. He noted that making the findings and supporting the plan may be two different votes and the latter may require more information and discussion.

Frank DeToma, Chair of the Redevelopment Authority commented that the Selectboard had requested some “indices for success”. Therefore, the Authority and their consultant developed some materials for the Selectboard and Frank DeToma distributed them to the Planning Board.

Frank DeToma asked if there were issues or concerns the Planning Board had regarding the Redevelopment Plan. Mr. Squire stated he has not read the most updated plan closely but he has reviewed it.

Mr. Harris stated that he noted the Authority is still promoting “inclusionary zoning”. He stated that the Planning Board had spent over 2 years working on that topic and determined it was not a priority issue and had a variety of issues/challenges. The most Inclusionary Zoning can hope to achieve is to lessen the extent to which a community slides back from the 10% goal. He noted some of the challenges – this area is not a “hot market” where developers are knocking down the doors to get in, therefore, significant incentives must be given to get developers to use the Inclusionary Zoning and not merely steer away from South Hadley or down size their developments. Mr. Harris commented that Amherst has had their Inclusionary Zoning for several decades and no units have been constructed under their provisions – and Amherst is a hotter market than South Hadley.

Frank DeToma mentioned the potential to generate revenue from a “payment in lieu” feature. Mr. Harris stated that the Planning Board spent over a year on that issue. Trying to “price” the “payment in lieu” feature is very complicated and became cumbersome. Therefore, the Planning Board decided not to bring this item to Town Meeting.

#### **9. Discussion of Bylaw amendments for Special Town Meeting**

Mr. Harris noted that the Special Town Meeting is scheduled for January 11, 2017. The major focus of the STM is to be adoption of the General Code – which is a codification of the Town’s General Bylaws, Zoning Bylaw, and various other regulations. In developing the codification, General Code Corporation has updated provisions of the codes – including, for example, deletion of the “consent” provision for Conversion of Single-Family to Two-Family Dwellings in the Zoning Bylaw. Therefore, in consultation with the Town Counsel, Mr. Harris is advertising a public hearing on the Zoning Bylaw portion of the codification for a meeting in December.

Therefore, Mr. Harris inquired if the members could make a December 12<sup>th</sup> Planning Board meeting. This would replace the December 5<sup>th</sup> meeting which had been tentatively set. Since the Board is meeting on November 28<sup>th</sup> for various matters, the December 5<sup>th</sup> date would not be necessary – if the Board can meet on December 12<sup>th</sup>. All members indicated they could attend December 12<sup>th</sup>.

**Motion** - Ms. O’Brien moved and Mr. Hutchison seconded the motion to cancel the December 5<sup>th</sup> meeting and schedule a meeting for December 12, 2016. The Board voted **Five (5)** out of **Five (5)** members present in favor of the motion.

#### **10. Development Update and Planner’s Report**

Mr. Harris reviewed the following items and activities:

*a. Development Report*

- Newton Street Duplex (383 Newton Street) – (no change – no application has been submitted).
- Mountainbrook Street Acceptances (no change)

- Rivercrest Condominiums – (no change)

*b. Other Projects*

- Urban Renewal Plan and Redevelopment Authority. (This was discussed under Item #9 above and will be discussed November 28th)
- Housing Studies. (To be discussed November 28th)
- Complete Streets Program Participation (a Scope of Work has been submitted and we are waiting for MassDOT to approve the Technical Assistance Grant)
- 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
- Permitting Guide.
- General Code. (This was discussed under Item #9 above.)
- Health Impact Assessment. (To be discussed at a future meeting)
- Submitted a Letter of intent to submit a Mass Historical Grant application to undertake an archaeological research project in the Falls.

*c. Workshops/Training Opportunities*

Mr. Harris attended the September 29th Transportation Conference, participated in the October 3rd tour of HAP developments in Amherst and an October 5th visit and tour of Montague. He is planning to attend the following:

- “Complete Streets 201 Training Course” scheduled for November 15, 2016

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

Mr. Harris noted that John Howard provided a letter to the Board which Mr. Harris distributed.

Ms. O’Brien stated that the Bike/Walk Committee is leading a walk at Canal Park on November 20, 2016.

**12. Adjournment**

**Motion** – Mr. Cavanaugh 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 8:24 p.m.

Respectfully submitted,

**DRAFT**

Richard Harris, Recorder

Attachment A

List of Documents Reviewed in November 14, 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               |
| ANR Plan for Peter Gagne for Amherst Road                             | Planning Board Project Files       |
| Application and Plan for Illuminated Signs For Quality Fleet Services | Planning Board Project Files       |
| Application and Plan for Flag Lot on Roundelay Road                   | Planning Board Project Files       |

**6.PUBLIC HEARING: Proposed Flag Lot Special Permit Application - Property Location: Roundelay Road and Chapel Hill Drive (Assessor's Map #50 – Parcels #17, #28, #29, & #39)**

**SOUTH HADLEY PLANNING BOARD PUBLIC HEARING**

**REQUEST SPECIAL PERMIT FOR FLAG LOT  
WARREN BOCK – CHAPEL HILL DRIVE & ROUNDELAY**

**MINUTES OF NOVEMBER 14, 2016**

**DRAFT-DRAFT**

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

Mr. Squire called the public hearing to order at 7:14 p.m. He apologized for the delay in starting this hearing but the last one ran longer than allotted.

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 Monday, October 17, 2016 at 7:30 p.m. in Selectboard Meeting Room of the Town Hall to discuss the application of Warren D. Bock, Trustee of Chapel Hill Land Trust; 7 Cardinal Road; Worcester, MA 01602 for a Special Permit under Section 5(E) and Section 7(O) of the Town's Zoning By-Law to develop a Flag Lot from the subject property. The subject property is identified as generally being on the end of Chapel Hill Road and inclusive of a portion of the unbuilt portion (paper street) of Roundelay Road and lying on the east side of said unbuilt portion (paper street) of Roundelay Road and identified on Assessor's Map Number #50 as Parcels #17, #28, #29, & #39.

Plans and related materials 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 or wishing to be heard regarding this application should appear at the time and place designated.

Joan Rosner, Clerk  
South Hadley Planning Board

Publication: Friday, September 9, 2016  
Friday, September 16, 2016  
Friday, September 23, 2016 - CORRECTED

Mr. Harris noted that the Public Hearing on the Flag Lot on Roundelay Road had not been opened October 27, 2016 but had been deferred until tonight at 7:00 p.m.

Mr. Squire invited the applicant to present their proposal.

Simon Brighenti, Esq., representing the applicant, reviewed the proposed plan and described how it meets the Zoning Bylaw requirements – specifically, Section 7(O). He stated that the applicant will not be building a residence there, but intends to sell the lot to someone who will build on the site. Thus, the identification on the proposed lot of the “building” is their identification of the general area in which a house could be constructed.

There was discussion as to the process for obtaining flag lot approval and actually creating the lot. Mr. Harris noted that, once the Special Permit for a Flag Lot is approved, the applicant typically submits an ANR Plan for Planning Board endorsement. That plan includes references to the Special Permit Decision and other conditions to conform to the Zoning Bylaw.

Since the plan presented did not have any topography nor did it include a profile of the access drive, there were questions as to the grade of the access drive and proximity to the wetlands. Simon Brighenti, Esq., stated that the applicant will meet the slope/grade restrictions and the house will be far from any wetlands.

Peter Blain, 70 College View Heights, questioned how the owners can go about to make claim on their “half” of the “paper street”. Mr. Squire and Mr. Harris stated that is not something with which the Town is involved – it is a private matter. Simon Brighenti, Esq., explained the concept of claiming ownership and some ways an owner can make public claim to the land. There was further discussion as to the impact on the property value.

\_\_\_\_\_ Rowinski, asked about the roadway creating 4 lots. Simon Brighenti, Esq., explained the plan’s proposal to consolidate the existing four lots and half the right of way of the paper street into one lot.

Peter Blain, 70 College View Heights, asked about the proposal to build in Granby. Mr. Harris stated that he has not been approached about such a proposal. He has heard about it through some of the persons inquiring about this project. There was discussion as to the process for developing in an adjoining town.

Lucas Wilson, 18 Roundelay Road, inquired about what is a “paper road”. Simon Brighenti, Esq. explained “paper street”. There was discussion as to what it would take for someone to build the roadway. Mr. Harris noted that they would need to demonstrate they have the right to do so – if the “claimants to the paper street” were to be paying taxes on the land, that might demonstrate their ownership but the issue is a complex, legal matter that persons should discuss with their attorneys.

Mr. Squire asked if there were any further comments.

There was discussion about the requirement for a buffer. Simon Brighenti, Esq. , stated that they will provide what is required.

Mr. Harris suggested that the Board could approve the Special Permit with several conditions which he identified as follows:

- 1). The access drive grade is not to exceed that allowed for residential streets in the Subdivision Regulations; and,
- 2). A landscaping plan depicting the screening of the access drive is to be provided to and approved by the Planning Board prior to any building being initiated or receipt of a building permit.

There being no further comments or questions, with the concurrence of the other members of the Board, he closed the hearing at 7:50 p.m.

Respectfully submitted,

**DRAFT**

Richard Harris, Recorder

DRAFT



FUSS & O'NEILL

October 17, 2016

Mr. Richard Harris, AICP  
Town Planner  
Town of South Hadley  
116 Main Street  
South Hadley, MA 01705

RE: Peer Review of the Stormwater Management  
Canal Street Condominium Schematic Design  
Fuss & O'Neill Reference No. 20150214.P24

Dear Mr. Harris:

Fuss & O'Neill has conducted a review of the documents submitted by Hevieux Design related to the development of a 3 multi-family condominiums on property located the intersection of High Street, Canal Street, and West Main Street. It is Fuss & O'Neill's understanding the site formally contained a large warehouse and the proposed development will provide a reduction in impervious area. The overall concept of the project appears to be feasible however there are several technical items which need to be addressed in order to verify the proposed design meets the South Hadley Stormwater Bylaws. We have conducted a review of the following materials as they relate to the stormwater management and standard engineering practice.

**Materials Reviewed**

1. Plan sheet with survey prepared by Anderson Associates, dated Aug., 2015.
2. Plan sheet titled, "Revised Proposed Site Plan, Canal Street Condominium Schematic Design," prepared by Hervieux Design, dated 10/5/16.
3. Plan sheet titled, "Exterior Lighting Plan, Canal St. Condos," prepared by ION Lighting Group Inc., dated 10/5/2016.
4. Plan sheet titled, "Planting Plan, Canal Street Condominium Schematic Design," prepared by Hervieux Design, dated 10/5/2016.
5. Plan sheet titled, "Sediment & Erosion Control Plan, Canal Street Condominium Schematic Design," prepared by Hervieux Design, dated 10/5/16.
6. Letter addressed to Richard Harris, regarding recent changes to our special permit application, signed by Raymond P. Hervieux, dated October 5, 2106.

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South Carolina

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7. Letter addressed to Patrick Gottschlicht, regarding current site conditions and soil evaluation, prepared by Ward Engineering Associates, dated October 6, 2016.

### **Stormwater Management**

1. Per Section 16-1.1, B3 of the Stormwater Management Bylaw, the stormwater management system shall minimize the volume and rate of stormwater which is discharged. The applicant has not provided documentation demonstrating there will be a reduction in the volume and rate of stormwater discharge.
2. Per Section 16-1.1, B3 of the Stormwater Management Bylaw, the stormwater management controls must be properly maintained. The applicant has not provided documentation demonstrating the stormwater controls will be properly maintained.
3. Per Section 16-4.1 of the Stormwater Management Bylaw, no land owner or land operator shall receive any of the building, grading, or other land development permits required for land disturbance activities, and no land owner shall commence land disturbance activities without approval of a Stormwater Management Permit from the Planning Board. A permit has not been provided within the review materials, Planning Board shall ensure a Stormwater Management Permit is submitted prior to the start of construction.
4. Per Section 16-4.2, B and Section 16-8 of the Stormwater Management Bylaw, an ongoing maintenance agreement. An ongoing maintenance agreement has not been provided within the review materials.
5. Per Section 16-4.6 of the Stormwater Management Bylaw, adequate provisions for inspection of the property shall be developed. The Planning Board shall ensure provision as outline in the Section 16-4, 6 has been developed.
6. Applicant must provide a Stormwater Management and Erosion and Sediment Control Plan, prepared by a professional engineer licensed by the Commonwealth of Massachusetts which including information outlined in Section 16-5.1 of the Stormwater Management Bylaw. The provided Sediment & Erosion Control Plan is limited and does not provide sufficient detail.
7. Per Section 16-6.1 of the Stormwater Management Bylaw, projects must meet the Mass DEP Standards of the Massachusetts Stormwater Management Standards. Documentation has not been provided to demonstrate the Standards have been met.

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8. Per Section 16-6.3, A3 of the Stormwater Management Bylaw, infiltration systems greater than 3 feet deep shall be located a minimum 10 feet from the basement walls. Design details have not been provided for the leaching catch basins. It appears the leaching catch basins along Canal Street are within 10 feet of the condo units.
9. Per Section 16-6.3, A7 of the Stormwater Management Bylaw, provisions shall be made for safe overflow passage, in the event of a storm which exceeds the capacity of the infiltration system. The plans provide limited grading, detailed grading shall be provided to ensure overflow from the leaching catch basins does not flow towards the proposed condos.
10. The project shall follow the design requirements for the Erosion and Sediment Control Plan as outlined in Section 16-7.1, of the Stormwater Management Bylaw. The provided Sediment & Erosion Control Plan is very limited and does not provide sufficient detail.

**General**

11. It is not clear how the stormwater runoff from the roofs of the condominium units will be collected. Please clarify.
12. A detail of the leaching catch basin shall be provided to ensure proper sizing and installation.
13. Details of the erosion and sedimentation control measures shall be provided to ensure proper installation.
14. Soil information provided is not sufficient. Soil logs prepared by a soil evaluator or a professional engineer should be provided. In addition the site plans should show the location the soil test pits were taken.

The above comments are based on plans and documentation received at the time of review. Any revisions to the plans and documentation will require further review. Please feel free to contact us with any questions.

Sincerely,



Aimee Bell  
Project Engineer

Reviewed by:



Daniel F. DeLany, P.E.  
Senior Project Manager

## MICHAEL MOCKO ENVIRONMENTAL CONSULTANT

36 Hampden Road  
Stafford Springs, CT 06076  
Tel. 860-684-7205

Ward Engineering Associates  
1200 Converse Street  
Longmeadow, MA 01106  
Tel. 413-567-6560  
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November 22, 2016

Patrick Gottschlicht  
Orange Park Management LLC  
13 Center Street -1A  
Chicopee, MA 01013

Re: Canal Street Condominium Stormwater Management  
South Hadley, MA  
Response to Fuss and O'Neill Comments to Mr. Richard Harris, South Hadley Town  
Planner – Dated October 17, 2016

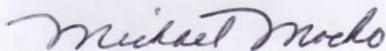
### Stormwater Management

1. Stormwater management may be exempt by the less than 1-acre requirement and the minimal proposed residential development. The previous land use included a large warehouse and extensive parking lot making most of the area impervious. Runoff went directly to gutter flow and existing storm drains on Canal Street. The proposed use of three residential condominium units will reduce runoff as there will be less impervious area. Voluntary storm water management will include directing parking lot runoff to infiltrating catch basins and by directing roof runoff to vegetated areas as much as possible. It is requested that storm water calculations be waived as it is apparent that a reduction in runoff will occur.
2. Maintenance will be provided by annual leaf removal inspection of storm drain inlets and the inspection of any sediment build up in sumps with vacuum cleaning, if sediment exceeds 6" build up.
3. A stormwater permit with supporting plans will be submitted prior to construction.
4. A maintenance agreement for stormwater management will be submitted prior to construction.
5. Inspection provisions will be outlined for the property.
6. Sediment and erosion control details needed for the site will be developed consistent with bylaw Sec. 16-5.1.

7. Voluntary stormwater management consistent with the current technology is being provided. The site may be exempt as it is under 1-acre developed. It is requested that calculations for the site be waived.
8. No basements are proposed within 10-ft. of infiltration systems.
9. Safe emergency overflow for excess storm water will be diagramed and grading details will be provided, as needed for the site.
10. Sediment and erosion control is basic for a small and minimal risk site. Sediment control details may be improved with a narrative directing the site contractor daily clean up and storm preparation protocol.
11. A plan of dispersing downspouts to spreaders and vegetated areas will be developed.
12. Leaching catch basin details will be provided.
13. Details of erosion control measures will be provided.
14. Soil logs and test pit locations will be provided.

We will continue to provide engineering assistance as outlined to assist in completion of your project.

Sincerely,



Michael Mocko

**Section 9  
SPECIAL PERMITS**

(As Amended through June 19, 2013 Special Town Mtg.)

**(C) Standards for Special Permits**

(As Amended through June 19, 2013 Special Town Mtg.)

|  | <b>Complies?</b> | <b>Comments</b> |
|--|------------------|-----------------|
| <b><i>Except in the case of a special permit for changing a nonconforming use or structure, which is governed by Section 2F(2), the SPGA must make written findings on the following mandatory standards, requiring that a proposed use will:</i></b>  |                  |                 |
| 1. Comply with all applicable land use district, overlay district, and other specific requirements of this and other bylaws and regulations, and be consistent with the purpose and intent of this bylaw and of the land use district in which it is located;  |                  |                 |
| 2. Be suitable to the surrounding neighborhood and the "Land Use Area" in which it is located. Land Use Areas are identified and described in the section of South Hadley's Master Plan entitled "Land Use Area Vision Statements" (pages 1-10 through 1-19). In making this determination the Planning Board shall take into consideration any guidance provided by the Land Use Goals articulated in South Hadley's Master Plan, goals articulated in South Hadley's Open Space and Recreation Plan, and input from relevant Boards, town officials, and the public.   |                  |                 |
| 3. Be compatible with existing uses and uses allowed by-right in the neighborhood, Land Use Area, and zoning district;   |                  |                 |
| 4. Be compatible with the existing character of the neighborhood and Land Use Area, and/or zoning district. "Character" shall be understood to include prevalent patterns of: site design; setbacks from property lines; amount and location of parking; amount, type, location and quality of open spaces and landscaped areas; amount, type, and location of impervious surfaces; distances and relationships between buildings; density of building(s) relative to land area; building massing; architectural style and detailing; materials; buffering from adjacent uses; traffic volume and timing; noise; odors; and light. |                  |                 |
| 5. Be suitable for the property on which it is proposed, considering the property's, scenic, cultural and historic significance, and its ability to be buffered or screened from neighboring properties and public roads.  |                  |                 |

**Section 9**  
**SPECIAL PERMITS**

(As Amended through June 19, 2013 Special Town Mtg.)

**(C) Standards for Special Permits**

(As Amended through June 19, 2013 Special Town Mtg.)

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| 6. Provide safe access for fire, police, and other emergency vehicles.  |  |  |
| 7. Provide adequate water, drainage and waste disposal systems without causing significant harm to any natural water system or overloading any public water, drainage, or sewer system, or any other municipal facility.  |  |  |
| 8. Not cause significant traffic congestion, impair pedestrian or bicycle safety, or overload existing roads, sidewalks and trails, considering their current width, surfacing, and condition, and any improvements proposed to be made to them by the applicant.       |  |  |
| 9. Not result in excessive air, water, noise, or light pollution, or create any other public or private nuisance;   |  |  |
| 10. Not degrade the scenic, rural, or historic character of the town with structures or other lot features which are deemed visually objectionable in light of prevailing community as reflected in the goals articulated in South Hadley's Master Plan;                |  |  |
| 11. Be consistent with the South Hadley Master Plan, provided that the Comprehensive Plan provides legally sufficient guidance and that the applicable provision of the Master Plan is not inconsistent with any specific provision of this Bylaw;                      |  |  |
| 12. Comply with applicable criteria for site plans under Section 12E.   |  |  |
| <b><i>In addition, the SPGA may include in its written findings, where applicable, consideration of any or all of the following criteria to be satisfied by the proposed use, building or structure:</i></b>  |  |  |
| 13. For projects involving the removal of existing housing, not adversely affect the availability of affordable housing in the Town.  |  |  |
| 14. Not have an overall off-site impact that is significantly greater than the overall off-site impact that would be caused by full development of the property with uses permitted by right, considering relevant environmental, social, visual, and economic impacts. |  |  |

**Section 9**  
**SPECIAL PERMITS**

*(As Amended through June 19, 2013 Special Town Mtg.)*

**(C) Standards for Special Permits**

*(As Amended through June 19, 2013 Special Town Mtg.)*

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| 15. The adequacy and configuration of off-street parking and loading areas, including their nuisance impact on adjoining properties and on properties generally in the district;                                    |  |  |
| 16. Harmony of signs and exterior lighting, if any, with surrounding properties;  |  |  |
| 17. The location of the site, and proposed buildings or structures thereon, with respect to flood plains and floodways of rivers or streams;  |  |  |
| 18. The absence of any other characteristic of the proposed use that will be hazardous, harmful, offensive or will otherwise adversely affect the environment or the value of the neighborhood or the community; or |  |  |
| 19. Provisions for energy conservation, for the use of renewable energy sources, and for protection of solar access.  |  |  |