

**SOUTH HADLEY PLANNING BOARD VIRTUAL MEETING
MEETING MINUTES OF JANUARY 9, 2023**

Present: Brad Hutchison, Chair; Diane Mulvaney, Vice-Chair; Joanna Brown, Clerk; Nate Therien, Member; Michael Davis, Member; Anne Capra, Director of Planning and Conservation; Colleen Canning, Planning/Conservation Coordinator

Chair Hutchison called the meeting to order at 6:30 PM and reviewed the virtual meeting protocols.

Agenda Item #1 --- Open Comment Period

No members of the public spoke during the open comment period.

Agenda Item #2 --- Minutes

Draft minutes of the November 21 regular meeting, the November 21 public hearing for a special permit on Memorial Drive, and the November 21 public hearing for site plan review on Ashfield Lane were sent to the Board for review.

Motion: Clerk Brown moved to approve the November 21 regular meeting and the two sets of public hearing minutes. Vice-Chair Mulvaney seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Agenda Item #3 – Correspondence

The list of correspondence was sent to the Board prior to the meeting.

Agenda Item #4 ---- 6:30 PM - Continuation of Illuminated Sign Request filed by Delaney's Market for replacement of an illuminated freestanding sign at 459 Granby Road, Map 31 Parcel 15

No new information had been provided regarding approval from the abutting property owner to allow replacement of the existing illuminated sign. Therefore, consideration for the request needed to be continued to the next meeting.

Motion: Vice-Chair Mulvaney moved to continue the public meeting to January 23, 2023 at 6:30 PM. Clerk Brown seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Agenda Item #5 --- Approval Not Required (ANR) Plan filed by Averi Barthelette to create three separate parcels from one existing parcel at the corner of Morgan and Park Streets, Map 48, Parcel 38

The applicant, Averi Barthelette, was present at the meeting along with surveyor Tim Armstong of Berkshire Design.

An ANR sought to create three lots from one existing parcel. As it was explained, the applicant would remain owner of only one of the newly created parcels. The remaining two parcels would be conveyed to the abutting properties. All created lots would exceed the dimensional requirements of the zoning district. Of the three new lots, only two would have frontage. None of the lots met the minimum frontage requirements of the zoning district but the ANR would not reduce any of the parcel's existing frontage. A notation on the plan indicated that the newly created lots were not building lots. Therefore, the standard of approval for frontage was met. Morgan and Park Streets are both publicly maintained. As such, the ANR satisfied the standards for approval under 'type of way' and 'vital access'.

Motion: Vice-Chair Mulvaney moved to endorse the ANR and authorize the Director of Planning and Conservation to sign the plan on behalf of the Board. Member Davis seconded the motion through roll call. Five (5) out of five (5) members voted in favor of the motion through roll call.

Agenda Item #6 --- Discussion on Accessory Dwelling Unit Bylaw

The Board continued their discussion on development of an Accessory Dwelling Unit (ADU) bylaw. During the previous meeting, the board discussed permitting, dimensional requirements and the feasibility of detached ADUs. Chair Hutchison provided some information on what types of detached units were available on the market in response to stated concerns that detached units would negatively impact the character of existing neighborhoods. Similarly, the Board could consider height or design restrictions that limit visual impact.

Members discussed how undersized lots could be eligible for ADUs. For dimensionally conforming lots, ADUs should conform to set back requirements of the site's primary use. For pre-existing nonconforming lots, a special permit could be issued for expansion.

New Massachusetts legislation allowed for a reduction in Town Meeting voting thresholds in instances which advocated for increasing housing accessibility. Clerk Brown questioned if the lower voting threshold was a requirement or optional. It was understood to be required but Town Counsel would offer a legal opinion to clear any confusion.

Members discussed the distance a detached ADU needed to be from the primary structure. Members also questioned how utilities would service the ADU dwellings and questioned what could be required under zoning.

Members indicated support for allowing attached ADUs by-right. However, there was not universal agreement on the permitting path for detached ADUs. Chair Hutchison and Member Therein were both supportive of allowing detached ADUs by-right in spirit. However, it was acknowledged that a compromise would likely need to be made. Allowing ADUs through Site Plan Review seemed to be a compromise that a quorum of the Board would support. Vice-Chair Mulvaney was supportive of the Site Plan Review permitting path. Member Davis was amenable to either Site Plan Review or Special Permit. Clerk Brown was supportive of requiring a Special Permit. As a quorum of members indicated support of allowing detached ADUs through site plan review, the public hearing bylaw draft would indicate such.

During the course of conversation, a number of questions were raised regarding building code and design. These questions would be best answered by the Building Commissioner. Therefore, Director Capra would invite him to attend the next meeting to discuss the draft bylaw and answer any questions.

A public hearing to open the draft to public comment was scheduled for February 27 at 6:30 PM.

Agenda Item #7 --- Planning & Conservation Department Report

Director Capra detailed the following items:

- *Short Term Rental Bylaw* - The Board had a public hearing scheduled on February 6 to consider the draft bylaw.
- *Housing Production Plan* - A questionnaire was recently conducted which sought public comments regarding South Hadley's housing needs. The Town's consultant was working on an assessment that was anticipated to be completed within the upcoming weeks.

Agenda Item #8 --- Other New Business

There was no new business to discuss.

Agenda Item #9 --- Adjournment

Motion: Clerk Brown moved to adjourn the meeting. Member Davis seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

The meeting adjourned at 8:50 PM.

Respectfully Submitted,
Colleen Canning, Planning and Conservation Coordinator

Appendix

Document	Document Location
ANR Morgan and Park Streets	Planning Files
ADU model resources	Planning Files
Draft ADU Bylaw	Planning Files