

**SOUTH HADLEY PLANNING BOARD REGULAR MEETING
MINUTES OF JANUARY 13, 2020
As Approved**

Present: Mark Cavanaugh, Chair; Melissa O'Brien, Vice-Chair; Diane Mulvaney, Clerk; Brad Hutchison, Member; Joanna Brown, Member; Richard Harris, Town Planner; Anne Capra, Conservation Administrator/ Planner; and Colleen Canning, Senior Clerk Planning and Conservation

Chair Cavanaugh called the meeting into order at 6:30 PM.

Agenda Item #1 --- Minutes

Draft Public Hearing minutes from December 9, 2019 and draft regular meeting and public hearing minutes from December 16, 2019 had been transmitted for the Board to review.

Motion: Clerk Mulvaney moved to approve the minutes of the December 9, 2019 Public Hearing for the Site Plan Review of SHELD's proposed development of a telecommunication facility on Old Lyman Road. Ms. Brown seconded the motion. Five (5) out of Five (5) members voted in favor of the motion

Motion: Clerk Mulvaney moved to approve to the Regular Meeting minutes of December 16, 2019 as amended to clarify an item under 'New Business'. Vice-Chair O'Brien seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Motion: Clerk Mulvaney moved to approve the December 16, 2019 public hearing minutes for the Definitive Subdivision Plan of North Pole Estates. Vice-Chair O'Brien seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Agenda Item #2 --- Correspondences

The list of correspondences had been transmitted to the Board. Additional correspondences had been received associated with items to be discussed during the course of the regular meeting and scheduled public hearing.

Agenda Item #3 --- Consider Endorsement of Approval Not Required Plan submitted by Albert House, LLC. Property Location: 15 Pershing Avenue (Assessor's Map #19 - Parcel #13)

Mr. Harris opened with background. He explained that the submitted ANR plan sought to carve out a new building lot from an existing parcel on 15 Pershing Avenue. The parcel was within Residential A-2 zoning and the proposed ANR Plan met or exceeded all dimensional requirements. The newly formed lot would have frontage on Wood Avenue which was publicly maintained.

Motion: Mr. Hutchison moved to endorse the ANR Plan which would carve out a new building lot from the existing land parcel at 15 Pershing Avenue. Clerk Mulvaney seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Chair Cavanaugh, Clerk Mulvaney and Mr. Hutchison signed the endorsed ANR Plan.

Agenda Item #4 --- Consider Endorsement of Approval Not Required Plan submitted by Mary Quesnel. Property Location: 30-32 Boynton Avenue and Richview Street (Assessor's Map #28 - Parcels #195, #215, & #216 AND Assessor's Map #30 - Parcels #11, #15, & #147)

Mr. Harris opened with background. He explained that the submitted ANR plan sought to adjust the property lines of two parcels so an existing structure would no longer be on the property line. Additionally, four existing parcels were proposed to be consolidated into one so the owner would receive only one tax bill for the property. The property was within Residential A-2 zoning and the proposed ANR plan met or exceeded all dimensional requirements for a new building lot with frontage on Richview Ave which was publicly maintained.

Motion: Mr. Hutchison moved to endorse the ANR Plan to adjust the lot lines associated with 30 and 32 Boynton Avenue and to consolidate the four lots associated with 32 Boynton Avenue. Clerk Mulvaney seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

Chair Cavanaugh, Clerk Mulvaney, and Mr. Hutchison signed the endorsed ANR plan.

Agenda Item #5 --- Consider revising Planning Board meeting schedule relative to April and May 2020

Mr. Harris explained that the Board had tentatively set the Regular Meeting schedule for the first six months of 2020 at the previous meeting. However, due to scheduling conflicts, Mr. Harris proposed to delete the April 27, 2020 and the May 11, 2020 meetings and insert a meeting on May 4, 2020.

Motion: Vice-Chair O'Brien moved to amend the regular Planning Board Meeting Schedule to delete April 27, 2020 and May 11, 2020 and insert May 4, 2020. Mr. Hutchison seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Mr. Harris would send the Board the confirmed updated Regular Meeting Schedule.

Agenda Item #6 --- Consider/Review Annual Report

Mr. Harris explained that each fiscal year Town Departments draft reports to be compiled within the Town's Annual Report. He drafted a report of the Planning Board's FY-2019 activities and transmitted it to the Board for their review. He added that the report was intended to be brief as there was a two page limit.

Ms. Brown noted that the section of the report detailing revenue could be reduced as the department does not generate much revenue. Mr. Harris agreed that the section could be reduced.

Motion: Clerk Mulvaney moved to endorse the Planning Board's Annual Report for FY-2019 as amended to reduce the text relating to revenue collection. Mr. Hutchison seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Agenda Item #7 --- SCHEDULED PUBLIC HEARING: Application for Site Plan Review for proposed Telecommunications Facility by South Hadley Electric Light Department. Property Location: west side of Old Lyman Road and east side of Willimansett Street (Assessor's Map Number #15 - Parcel #153)

Chair Cavanaugh called the Public Hearing continuance to order at 6:46 PM (See Public Hearing Minutes)

The regular meeting reconvened at 6:55 PM.

Agenda Item #8 --- CONSIDER DECISION: Application for Site Plan Review for proposed Telecommunications Facility by South Hadley Electric Light Department. Property Location: west side of Old Lyman Road and east side of Willimansett Street (Assessor's Map Number #15 - Parcel #153)

Mr. Hutchinson inquired if the Board needed to make findings relating the site plan. Mr. Harris responded that generalized findings could be included within the Board's decision on the application.

The Board and Mr. Harris reviewed the drafted Special Conditions within the background materials which included conditions pertaining to a vegetated buffer, privacy fencing, emergency generator use, appropriate signage and bollard installation. Updated plans and narrative were submitted after Mr. Harris developed the draft conditions. Therefore, the Board reviewed the drafted conditions to update them to match the new specifications.

As there was no additional discussion, Chair Cavanaugh inquired if there was a motion.

Motion: Clerk Mulvaney motioned to make general findings that the proposed Site Plan filed by SHELD to develop a telecommunications facility on Old Lyman Road and Willimansett Street was consistent with Site Plan Review criteria and was not injurious to the surrounding area. In turn, she motioned to approve the application for Site Plan Review with Special Conditions including the requirement for a vegetated buffer, privacy fencing, emergency generator restrictions, signage placement and bollard installation. Vice-Chair O'Brien seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Mr. Harris would draft a decision for the Chair to sign at a later date.

Agenda Item #9 --- Consider Request for Full Release of Performance Guarantee for Ethan Circle Definitive Subdivision. Property Location: Off Hadley Street (aka Route 47) (Assessor's Map #47 – multiple parcels)

Mr. Harris explained that the developer of Ethan Circle had request a release of the performance guarantee. The purpose of the guarantee was to ensure that the development was installed to the specification set forth in the approved plan. The developer submitted as-built plans which were submitted to the Water Department, the DPW, and SHELD. As of the night of the meeting, only the Water Department had reviewed and approved the plan. Mr. Harris explained that the Board could authorize a release for the guarantee contingent upon SHELD and DPW's approval of the as-built plans. Alternatively, the Board could wait to act on the request until after completion of SHELD and DPW's review. Mr. Harris explained that a contingent release would allow the applicant to be refunded without an unnecessary delay.

Ms. Brown noted that release of the guarantee did not commit the Town to accepting the road. She inquired if there was a way to condition notification of such to potential homeowners through as a condition of the release. Mr. Harris explained that the Board was not able to do so. He added that it would be incumbent upon the potential owner and their attorney to verify the acceptance of streets on any property sale.

Ms. Brown noted that a makeshift development sign was installed on site. Mr. Harris explained that removal of the sign could be conditional of the release. Additionally, the Building Commissioner was the zoning code enforcer and would investigate any zoning complaint. Chair Cavanaugh added that the DPW's review of the as-built plan might pick up additional items that need to be addressed prior to performance guarantee release.

The Board did not act on the applicant's request at this time. Mr. Harris would reiterate to the applicant the additional information the Board would need to release the guarantee.

Agenda Item #10 --- Consider Request to Release Covenant Agreement and set amount of Performance Guarantee for Mountainbrook Subdivision Phase 2 – Lyon Green. Property Location: Off Mountainview Street (Assessor's Map #38 – Parcels #56 through #67 and Parcels #150 through #159)

Mr. Harris explained that the developer of Lyon Green had requested a release of the covenant agreement. Following the release, the Board would need to set a performance guarantee to ensure the work was preformed to specifications. Mr. Harris explained that the covenant agreement dictated that lots could not be conveyed and building permits could not be issued on those lots. The developer requested that a portion of the lots be released from the covenant agreement prior to the Board setting an amount for the performance guarantee to allow the developer time to recover funding from the sale of the released lots.

Draft as-built plans had been submitted to the Water Department, DPW and SHELD for review. As of the meeting, only the Water Department had submitted comment. Mr. Harris explained that the draft as-built plan had yet to be certified by an engineer. As this time, only the survey was certified.

As the Board did not have adequate information to make a decision, they did not act on the applicant's request to Release the Covenant Agreement.

Agenda Item #11 --- Consider comments/endorsement regarding Draft Open Space & Recreation Plan

Mr. Harris explained that the draft Open Space & Recreation Plan (OSRP) had been transmitted to the Board for their review and comment. He complied the Board's comments and provided staff responses which were compiled within the agenda background materials.

Ms. Brown noted that pagination would be beneficial for review of the document. Mr. Harris responded that Anne Capra would be compiling the final edits to the draft after the consultant finished their required work on the draft document. Pagination could be incorporated at that final stage.

Ms. Brown expressed concern that there was not adequate staffing to implement all the items captured in the OSRP. Clerk Mulvaney noted that one of her comments asked for clarity in defining the responsible party for each action item. She added that including a priority level to the items would help identify the most important items. Mr. Harris noted that the draft was designed to maintain eligibility for grant funding. Therefore, a comprehensive list of items placed the Town in the best position for grant funding even if every item wasn't addressed.

Clerk Mulvaney recommended that regular reporting and monitoring of the OSRP's progress be incorporated in the plan. Vice-Chair O'Brien questioned if the Master Plan Implementation Committee could monitor progress. Mr. Harris responded that it could be possible as OSRP initiatives were folded into the Town's Master Plan.

Mr. Harris would draft a letter compiling the Board's comments in a letter of support to be considered at the January 27, 2020 Planning Board Meeting.

Agenda Item #12 --- Consider District Local Technical Assistance (DLTA) Request for PVPC Services

Mr. Harris explained that the Pioneer Valley Planning Commission (PVPC) solicits proposals yearly from communities who are seeking assistance in efforts relating to different planning initiatives. As the proposals were due by January 24, 2020, Mr. Harris wanted input on what initiatives the Board wanted to focus its request on. The Board had identified the Mount Holyoke Resource Area as a priority area of interest to further develop in 2020. The DTLA request could provide the Town with studies to help inform regulating the area. Alternatively, the Federal government was working on implementing new laws that might require the Planning Board to amend the current Stormwater Bylaw. The service request could be used to help provide the information to amend the bylaw to remain in compliance with the new federal regulations.

Anne Capra, Conservation Administrator/ Planner, addressed the Board. She explained that existing federal stormwater requirements did not account for recent large storm events and did not incorporate current precipitation data sets. She explained that the new federal requirements were not yet implemented but were on the horizon. Mr. Harris added that an implementation assessment of the new requirements could be used to evaluate the new requirement's impact on redevelopment.

Ms. Brown noted that, within an early Open Space & Recreation Plan, the Mount Holyoke Resource Area was often referenced. She addressed the importance of understanding the complexities of the area and the impact of climate change.

Chair Cavanaugh noted that the expected federal stormwater management requirements would be effecting many communities regionally. Therefore, there could be opportunities to work with communities to review the updated requirements when the time came.

Motion: Clerk Mulvaney moved to authorize preparation and submittal of an application for a DLTA request for studies and/or efforts relating to the Mount Holyoke Resource Area. Ms. Brown seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Mr. Harris would draft the letter for the Chair to sign as an endorsement of the Board's DLTA Request for Services relating to the Mount Holyoke Resource Area.

Agenda Item #13 --- Development Update and Planner's Report

Mr. Harris provided the following information:

a. Development Report

- North Pole Estates Definitive Subdivision Plan – Mr. Harris explained that the Public Health Director performed new test pits on site.
- New SHELD Telecommunications Facilities on Old Lyman Road – Mr. Harris explained that this item was discussed under the previous Agenda Items #7 and #8.
- Decision on Skinner Woods project – Mr. Harris explained that an appeal of the Board's decision has been filed in Superior Court. The Board will be notified if there is a need for Board members to provide input for the Town's response.
- Ethan Circle – Mr. Harris explained that this item was discussed under the previous Agenda Item #9
- Mountain Brook Subdivision – Phase 2 – Mr. Harris explained that this item was discussed under the previous Agenda Item #10.
- 36 Bridge Street Mixed Use Development – Mr. Harris explained that he met with the developers on Friday January 10, 2020. A Special Permit application is expected to be submitted next week. A public hearing will likely be scheduled for February 10, 2020. Mr. Harris asked the Board to consider holding the February 10th meeting at 6:00 p.m. so the public hearing on this project could be started before the North Pole Estates public hearing. Members of the Board were agreeable to starting the February 10, 2020 meeting at 6:00 PM.
- Newton Street Smart Growth Zoning District – Mr. Harris noted no change.

- Rivercrest Condominiums – Mr. Harris noted no change.
- Former Library conversion to condominiums – Mr. Harris stated that the Building Commissioner expressed concern about the slow pace of the construction and the potential expiration of the Special Permit. He explained that Special Permits require work to start within one year of issuance and that work be substantially completed within two years thereafter. Mr. Harris explained that the Special Permit was amended to allow a new developer to take over the project. Therefore, the Board could consider allowing an extension for good cause in the event the applicant requested one
- 1 Canal Street condominiums – Mr. Harris explained that site work had begun
- ITW Cell Tower on Hadley Street – Mr. Harris noted no change.

b. Bylaw Amendments

- Bylaw Amendments for 2019: Mr. Harris noted no change.

c. Other Projects

- Urban Renewal Plan and Redevelopment Authority – Mr. Harris noted no change.
- Complete Streets Program Participation - Mr. Harris explained that the contractor is waiting for delivery of signal related equipment which is scheduled for late February 2020
- Valley Bike Share - Mr. Harris noted no change
- Open Space & Recreation Plan and Master Plan Updates – Mr. Harris explained that considerations for the Master Plan update were included on the next meeting’s agenda on January 27, 2020. The Board had been transmitted surveys to complete and the findings would be compiled in a letter to be drafted by Mr. Harris.

d. Workshops/Training Opportunities

Mr. Harris explained that the Conservation Administrator/Assistant Planner, Anne Capra, and he would be attending the National Conference of the American Planning Association in late April.

Agenda Item #14 --- Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

Vice-Chair O’Brien invited everyone to attend a guided trek of the Ledges Golf Club paths hosted by the Bike Walk Committee at 1:00 PM on Sunday January 19, 2020.

Vice-Chair O’Brien invited everyone to attend the Climate Change Preparedness Listening Session to discuss the condition of rivers and ponds in Town which would be held on January 15, 2020 in the Selectboard Meeting Room.

Vice-Chair O’Brien noted a letter within the Board’s correspondence from John Howard, South Hadley resident. She appreciated the letter’s sentiment in its urgency to address climate change through regulatory action. Coordination with local communities could help in that goal. Mr. Hutchison added that Amherst has net zero requirements for all new municipal buildings and expressed interest in researching additional information.

Agenda Item #14a --- Other New Business - Reports of representatives on various committees including the Pioneer Valley Planning Commission

No new reports were addressed.

Agenda Item #15 --- Adjournment

As there was no additional new business, Chair Cavanaugh inquired if there was a motion to adjourn the meeting.

Motion: Clerk Mulvaney moved to adjourn the meeting at 8:08 PM. Vice-Chair O'Brien seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

Respectfully Submitted,
As Approved
Colleen Canning, Senior Clerk Planning and Conservation

Appendix

Document	Document Location
ANR Plan – 15 Pershing Avenue	Planning Files
ANR Plan – 30-32 Boynton Avenue and Richview Street	Planning Files
Draft FY-2019 Planning Board Annual Report	Planning Files
Draft Special Conditions – SHELD Old Lyman Road Site Plan Review	Planning Files
Request for Release of Performance Guarantee- Ethan Circle	Planning Files
Request for Release of Covenant Agreement – Lyon Green	Planning Files
Land Surveyor Certification of Lyon Green	Planning Files
Draft Open Space and Recreation Plan (OSRP)	Planning Files
Compilation of Planning Board member comments on the draft OSRP	Planning Files
Letter from John Howard to the Planning Board regarding Climate Change	Planning Files

SOUTH HADLEY PLANNING BOARD PUBLIC HEARING:

Application for Site Plan Review for proposed Telecommunications Facility by South Hadley Electric Light Department. Property Location: west side of Old Lyman Road and east side of Willimansett Street (Assessor's Map Number #15 - Parcel #153)

MINUTES OF JANUARY 13, 2020

As Approved

Present: Mark Cavanaugh, Chair; Melissa O'Brien, Vice-Chair; Diane Mulvaney, Clerk; Brad Hutchison, Member; Joanna Brown, Member; Richard Harris, Town Planner; Anne Capra, Conservation Administrator/ Planner; and Colleen Canning, Senior Clerk Planning and Conservation

Chair Cavanaugh called the Public Hearing into order at 6:46 PM

The applicant's representatives, Bob Liswell and Sean Fitzgerald of SHELD, were present at the Public Hearing along with their consultant, Matt Kissane of Fuss & O'Neil.

Mr. Harris reviewed the application's progress from the previous Public Hearing date. A site visit was performed with three of four Planning Board members to assess the proposed project's impact to the abutting residential property to the north. Updated plans had been submitted which reflected minor changes. Bollards were proposed to be installed along a portion of the access road to prevent further impact to the residential property from vehicles. Privacy slats were proposed to be added to the existing chain-link fence to offer additional screening. Since the previous public hearing, the applicant submitted a noise impact assessment and a traffic assessment. Updated plan sets reflecting minor changes were submitted the day of tonight's hearing.

The applicant and members of the Board expressed appreciation for the consideration in development and review of the updated plan sets.

Martha Terry, 25 Brainard Street, addressed the Board. She inquired what information the noise assessment provided. Mr. Harris responded that the decibel level was below the threshold for noise mitigation requirements. From 60 feet away, the decibel differential was 6.8 when the emergency generator was in use. The applicant proposed to run the generator's weekly maintenance cycle around 1:00 PM on Thursdays.

As there was no further information to gather, Chair Cavanaugh closed the hearing at 6:55 PM.

Respectfully Submitted,

As Approved

Colleen Canning, Senior Clerk Planning and Conservation

Appendix

Document	Document Location
1/13/2020 Revised Plan Sets – SHELD Old Lyman Site Road Plan Review	Planning Files
12/31/2019 Traffic Impact Assessment – SHELD Old Lyman Site Plan Review	Planning Files
1/13/2020 Generator Sound Test – SHELD Old Lyman Site Plan Review	Planning Files