

**SOUTH HADLEY PLANNING BOARD VIRTUAL MEETING
MEETING MINUTES OF APRIL 24, 2023**

Present: Diane Mulvaney, Chair; Nate Therien, Vice-Chair; Joanna Brown, Clerk; Brad Hutchison, Member; Michael Davis, Member; Michael Adelman; Associate 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 – Planning Board Reorganization.

As local elections were held on April 11, the Board could consider new appointments for Chair, Vice-Chair, Clerk and Pioneer Valley Planning Commission (PVPC) representative.

Motion: Chair Hutchison moved to appoint Vice-Chair Mulvaney as Planning Board Chair. Clerk Brown seconded the motion. Five (5) out of five (5) members voted in the favor of the motion through roll call.

Motion: Member Hutchison moved to appoint Member Therien as Planning Board Vice-Chair. Member Davis seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Motion: Member Hutchison moved to re-appoint Clerk Brown as Planning Board Clerk. Vice-Chair Therien seconded the motion. Five (5) of out five (5) members voted in favor of the motion through roll call.

The Board also needed to consider appointment for a representative to the local planning commission, PVPC. Member Davis nominated Clerk Brown and Vice-Chair Therien nominated Member Hutchison. As two members were nominated and both were interested in the appointment, each was given an opportunity to share why they were interested in the position. Clerk Brown stated that she had functioned as the Town's representative to PVPC for the past two years. She had been appointed to the PVPC executive committee, a committee involved in evaluating candidates for the new PVPC Director. If she lost her appointment as PVPC representative, she would also lose her seat on the executive committee. Member Hutchison stated that he was entering the final year of his term on the Planning Board. He was interested in devoting what time he may have left on the Board working towards improving housing choice in South Hadley which would be complemented by the opportunity to represent South Hadley at PVPC.

Chair Mulvaney called for a roll call vote to affirm the appointment. As Clerk Brown was nominated first, she called for a roll call vote on her re-appointment as PVPC representative.

Two (2) out of Five (5) members voted in support of the nomination of Clerk Brown as representative to the Pioneer Valley Planning Commission. Member Davis and Clerk Brown voted in favor of the nomination. The nomination of Clerk Brown did not pass.

Four (4) out of (5) members voted in support of the nomination of Member Hutchison as representative to the Pioneer Valley Planning Commission. Clerk Brown voted against the nomination. The nomination of Member Hutchison passed.

Agenda Item #2 --- Open Comment Period

No members of the public spoke during the comment period.

Agenda Item #3 --- Minutes

Draft minutes of the April 10 Amherst Road zone change public hearing were sent to the board for review. Spelling and grammar errors were identified in the initial draft. A revised version was sent to the board prior to the meeting.

Member Therien moved to approve the minutes and Member Davis seconded.

Clerk Brown indicated that a member of the public had reviewed the minutes and had requested that additional context be included relating to comments given during the hearing. After she read the draft minutes, Clerk Brown questioned their accuracy so she provided the draft to a resident who attended the hearing. The resident emailed staff the edits but they were not incorporated into the revised drafts.

Director Capra stated that minutes were only intended to capture the gist of the meeting and were not meant to be verbatim. If an inaccuracy was within the draft, it could be corrected. However, the requested edit did not reflect an inaccuracy but asked for more elaboration on a stated topic.

Vice-Chair Therien indicated that edits to the draft minutes should be sent from board members themselves. He indicated that distributing draft minutes to the public could create difficult situations to manage. Chair Mulavney agreed and indicated that it was best practice to not distribute minutes to the public prior to approval.

As most members had not seen the requested edit from the public, it was read aloud.

Clerk Brown moved to approve the draft minutes of the April 10 public hearing with the inclusion of text submitted by a member of the public. The motion was not seconded.

Motion: Member Therien moved to approve the revised April 10 public hearing minutes as emailed prior to the meeting. Member Davis seconded the motion. Four (4) out of five (5) members voted in favor of the motion through roll call. Clerk Brown voted against the motion.

Agenda Item #4 – Correspondence

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

Agenda Item #5 -- Discuss and Consider Request for waiver of Special Permit filed by Andy and Karen Buscemi for expansion of a nonconforming structure to construct a breezeway between their house and garage at 53 Woodbridge Street

The applicants, Andy and Karen Buscemi, were present at the meeting along with project consultant, Robert Szklarz of Colonial Carpentry Innovations Inc. Robert Szklarz explained that his clients were seeking to build a covered breezeway between their home and garage. The breezeway would eliminate the need for his clients to traverse across ice and snow during the winter months which would increase their safety as they aged. The site alteration would be no more nonconforming than existing conditions.

Member Hutchison stated that the standard for a waiver from special permits requirements appeared to be satisfied as the work would increase accessibility. He added that the project was an example of how current dimensional requirements can create challenging design issues. He supported issuance of a waiver.

Clerk Brown found the project to be eligible for a waiver and appreciated the thoughtful design. Vice-Chair Therien and Member Davis agreed with the previous comments and believed the project was eligible for a waiver.

Motion: Member Hutchison moved to issue a waiver from the requirement for a Special Permit for expansion at 53 Woodbridge Street due to finding that the alterations would not be more detrimental to the neighborhood than the existing nonconformity. Clerk Brown seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Agenda Item #6 --- 6:30 PM - Public Hearing to consider an application for Site Plan Review filed by Lauren Smith to operate a dog grooming business on residential property located at 93 Mountainview Street, Assessor's Map 32 Parcel 7

Chair Mulvaney called the hearing to order at 7:11 PM (see public hearing minutes).

The regular meeting reconvened at 7:21 PM.

Agenda Item #7 --- Discuss and consider the following Planning Board Reports to Town Meeting: 1) Landowner Petition for 280 & 286 Granby Road Zoning Map Amendment; 2) Citizen Petition for 460 Amherst Road Zoning Map Amendment; 3) Short Term Rental Zoning Bylaw and 4) Short Term Rental General Bylaw

At a previous meeting, the Board approved the report to Town Meeting on the proposed Accessory Dwelling Unit (ADU) Zoning Bylaw. The Board now needed to consider draft reports for four other Town Meeting reports.

Reports for the Short Term Rental (STR) proposed General Bylaw (Article 20) and proposed Zoning Bylaw (Article 21) were drafted by Director Capra and sent to the Board prior to the meeting.

Vice-Chair Therien mentioned the following items to be considered for inclusion in the reports: 1) reference to discussion on limiting the number of days per year an STR could be rented and why such limit was not recommended; 2) reference to discussion on enforcement efforts and reference to state legislation which allows the Town to impose STR taxes; 3) reference to the rationale for limiting the number of non-owner occupied STRs; and 4) reference to discussion on the disadvantages that would be faced by owners of smaller homes if a total ban of non-owner occupied STRs were in effect.

Associate Member Adleman noted that non-owner occupied STRs could be seen as investment properties.

Member Davis noted spelling and grammar errors within the drafts and Clerk Brown asked for adjusted word choice in certain instances.

Director Capra reviewed the revisions which would be incorporated into the approved drafts.

Motion: Member Hutchison moved to approve the Town Meeting Reports on Article 20 (STR General Bylaw) and Article 21 (STR Zoning Bylaw) as revised during the meeting. Member Therien seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Director Capra provided the Board with a draft report for Town Meeting on Article 23 (280 & 286 Zone Change Request).

Motion: Vice-Chair Therien moved to approve the Town Meeting Report on Article 23 (280 & 286 Zone Change Request). Clerk Brown seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Director Capra provided the Board with a draft report for Town Meeting on Article 24 (460 Amherst Road Zone Change Request).

Motion: Member Davis moved to approve the Town Meeting Report on Article 24 (460 Amherst Road Zone Change Request). Member Hutchison seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Agenda Item #8 --- Planning and Conservation Department Report

Future meetings

- The Board's next scheduled meeting would be held on May 8 which was a few days before Town Meeting. As no substantive items were on the agenda, Director Capra asked if the Board would like to host an 'open house' to answer questions from the public regarding Town Meeting articles. Members supported the idea.

- The second community forum for the Town’s Housing Production Plan (HPP) was scheduled. Member Hutchison recalled how robust the previous HPP process was and inquired if the HPP consultant would meet with the Board prior to the anticipated hearing on the topic. Director Capra would look into the consulting contract and coordinate a meeting with the Board and HPP consultant.
- During the summer months, the Board was scheduled to meet on July 10, July 24, August 12 and August 28. The Board had a number of items on the docket as follows: subdivision regulations updates, flexible development bylaw updates, consideration for farming and animal keeping under zoning, sign bylaw updates, water supply protection district updates, and updates to the open comment period.

Agenda Item #9 --- Other New Business

There was no new business to discuss.

Agenda Item #10 --- Adjournment

Motion: Vice-Chair Therien 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 8:26 PM.

Respectfully Submitted,
Colleen Canning
Planning/Conservation Coordinator

Appendix

Document	Document Location
Special Permit Waiver Request - 53 Woodbridge Street	Planning Files
Draft Report to Town Meeting - Article 20	Planning Files
Draft Report to Town Meeting - Article 21	Planning Files
Draft Report to Town Meeting - Article 23	Planning Filed
Draft Report to Town Meeting - Article 24	Planning Files

SOUTH HADLEY PLANNING BOARD VIRTUAL PUBLIC HEARING:

Application for Site Plan Review filed by Lauren Smith to operate a dog grooming business on residential property located at 93 Mountainview Street, Assessor's Map 32 Parcel 7

MEETING MINUTES OF APRIL 24, 2023

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

Chair Mulvaney called the public hearing to order at 7:11 PM and Clerk Brown read the hearing notice as follows:

The South Hadley Planning Board will hold a public hearing on Monday April 10 (Clerk Brown clarified that the date was April 24 verbally), 2023 at 6:30 p.m. to discuss an application for Site Plan Review filed by Lauren Smith for a Home Occupation II to operate a dog grooming business at residential property located at 93 Mountainview Street. The application is filed pursuant to the Zoning Bylaw Chapter 255-22 and the Zoning Use Regulation Schedule.

The subject property is located at 93 Mountainview Street and is identified on Assessor's Map 32 Parcel 7. The property is located within the Residence A-1 zoning district and is an existing single family home. The application is on file in the Planning & Conservation Department Office (Room U6) in Town Hall and is posted on the Department website www.southhadley.ma.gov under 'Permit Applications'-Special Permit' under section 'Mountainview St (93) - Home Dog Groomer'. Alternatively, you can view the documents at the following link: <https://www.southhadley.org/1179/11211/Site-PlanReview?activeLiveTab=widgets>. Due to the COVID 19 State of Emergency, virtual public meetings have been allowed to be held through Executive Orders of the Governor. This allowance is set to expire on March 31, 2023. At the time of publication, no extensions have been granted to allow fully virtual meetings to continue. If changes are made at the state level to allow fully virtual meetings to continue, the hearing will be held fully remote and will utilize zoom log-in information below:

URL to join: <https://us02web.zoom.us/j/82305486133?pwd=OjBIS1O3MFZxSVZvd00xdGNVeHpNUT09>

Or join by phone: +1(646) 931-3860 Webinar ID: 823 0548 6133 Passcode: 077561

If no such extension is granted allowing fully remote meetings to continue, the public hearing will be held in person at the South Hadley Senior Center in the Multipurpose Room located at 45 Dayton; South Hadley MA 01075. Clarifying information will be published on the meeting's agenda which will be posted on the Town's website no later than the evening of Thursday April 6, 2023.

Joanna Brown, Clerk

South Hadley Planning Board

Publication: Friday, March 24, 2023

Friday, March 31, 2023

The applicant was not present at the meeting. The hearing had been deferred from the previous meeting date as the applicant verbally withdrew their application. However, such notice was never given in writing so the Board needed to act on the application filing. The applicant filed a Site Plan Review for a Home Occupation II to operate a dog grooming business at their residential property at 93 Mountainview Street. The applicant intended on using a vehicle parked in their driveway to perform the dog grooming services. Unfortunately, this was not permissible under the Home Occupation standards as all business-related activity needed to be conducted inside the home. As the standards for approval were not met, the Board could not approve the site plan as submitted.

Member Davis noted that the Wastewater Treatment Plant asked for additional information. Director Capra replied that dumping waste, which could include pet hair, through the sewer could have been problematic.

Martha Terry, 25 Brainard Street, addressed the Board. She urged the Board to deny the application as it did not conform to the standards for approval.

Motion: Member Hutchison moved to deny issuance of Site Plan approval for a Home Occupation II at 93 Mountainview Street as it did not conform to the standards for approval. Member Davis seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Motion: Member Hutchison moved to close the hearing. Member Davis seconded the motion. Five (5) out of five (5) members voted in favor of motion through roll call.

The regular meeting reconvened at 7:21 PM.

Respectfully Submitted,
Colleen Canning

Appendix

Document	Document Location
Application for Site Plan Review - 93 Mountainview Street	Planning Files