

**SOUTH HADLEY PLANNING BOARD VIRTUAL MEETING
MEETING MINUTES OF MAY 22, 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 meeting to order at 6:30 PM and reviewed the virtual meeting protocols.

Agenda Item #1 --- Open Comment Period

No comments were received during the open comment period.

Agenda Item #2 --- Minutes

Draft minutes of the April 10 regular meeting were sent to the Board for review. A revised draft was sent to the Board before the meeting to correct spelling and grammar errors.

Motion: Vice-Chair Therien moved to approve the April 10 regular meeting minutes as revised. Clerk Brown seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Agenda Item #3 --- Correspondence

Correspondence was sent to the Board prior to the meeting. Director Capra recommended that the Board consider a May 21 email from Martha Terry, 25 Brainard Street, regarding the recently adopted Accessory Dwelling Unit (ADU) Bylaw under *Agenda Item #7 ---Other New Business*.

Agenda Item #4 --- Illuminated Sign Request to install a replacement illuminated freestanding sign for Min Min Restaurant located at 532 Newton Street, Assessor's Map 28, Parcel 164

The applicant's representative, Tracy Janik of Sign Techniques Inc., was present at the meeting. She explained that the location, which was a former Subway Restaurant, was undergoing renovations and would re-open as 'Min Min Kitchen' in the near future. The new restaurant owners were proposing a new illuminated sign at the same location of the former Subway free-standing sign. Both day and night renderings were provided which showed the sign would not be back lit. The restaurant would operate daily from 11:00 AM – to 10:00 PM and sign illumination was proposed for one half hour after the close of business.

Vice-Chair Therien asked if the sign would be the same height as the existing sign. Tracy Janik replied that the new sign would be the same height.

Member Davis asked if Min Min Restaurant would be take-out only. Tracy Janik confirmed that the restaurant was take-out only.

Clerk Brown observed that the sign included phone numbers and questioned if they could be illuminated. She asked if other members were comfortable with the amount of illuminated text. Member Davis stated he was not concerned with the sign being distracting. Tracy Janik added that the sign had less than two feet of text.

Motion: Vice-Chair Therien moved to find that that proposed sign illumination would not be adverse to the surrounding neighborhood *and* moved to approve the sign illumination for Min Min Kitchen at 532 Newton St. subject to the following condition: sign illumination is permitted Monday –Sunday until one half hour after the close of business which would be 10:30 PM as the business closed at 10:00 PM. Member Davis seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

Agenda Item #5 --- 6:45 PM - Public Hearing to consider a Special Permit application filed by Baltazar Dental to expand a non-conforming structure for the purpose of establishing a dentist office at 2078 Memorial Drive

The applicant, Dr. Felicia Baltazar, was present at the meeting.

Director Capra explained that, if the Board opened the hearing tonight, it would need to be continued to a future meeting to allow the applicant to submit additional required materials such as site elevations. However, the applicant was in attendance so the Board could open the hearing to allow the applicant to get initial feedback from the Board. A quorum of members was supportive of opening the hearing.

Chair Mulavney called the hearing to order at 7:01 PM (See Public Hearing Minutes)

The regular meeting reconvened at 7:51 PM

Agenda Item #6 --- Planning & Conservation Department Report on Planning Projects and Development Updates

Director Capra detailed the following items:

- *Town Meeting* --- Since the Board's previous meeting, Town Meeting was held. All the Board's Zoning and General Bylaw amendments were passed. The Attorney General's Office would need to review the Zoning Bylaw amendments before they are officially accepted which typically took three to six months.
- *Housing Production Plan* – The second Housing Production Plan Community Forum would be held within the upcoming weeks. It was anticipated the full process for adoption would be completed by December 2023.
- *Master Plan Joint Meeting* – The Board would meet with the Selectboard and Master Plan Implementation Committee in early June to discuss the challenges and successes of Master Plan Implementation.

- *Façade Improvement Grant* – 11 local businesses were awarded funds to complete façade improvements.
- *Conservation Newsletter*- Rebekah Cornell, the Town’s Conservation Administrator had been working on releasing periodic newsletters regarding various conservation efforts.
- *Future meeting schedule* – The Board could anticipate reviewing updates to the Open Comment Period policy and updates to Subdivision Regulations.

Agenda Item #7 --- Other New Business

As was mentioned under *Agenda Item #2 --- Correspondence*, members discussed an email from Martha Terry regarding the feasibility for a driveway to be installed, and similar site features, for an ADU under the newly adopted ADU Bylaw. Members decided to discuss the item at the next meeting. The Building Commissioner would be invited to help offer clarity.

Vice-Chair Therien stated that Town Meeting had robust discussion on the attempt to rezone a collection of parcels at the intersection of Routes 202 and 33. Director Capra noted that she was in the process of completing a grant application to help implement some of the recommendations identified in the Route 202-33 corridor study.

Clerk Brown shared that Conservation Administrator Rebekah Cornell, in partnership with the Conservation Commission, hosted an event at the Library regarding natural landscapes in residential areas.

Agenda Item #8 ---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 8:21 PM

Respectfully Submitted,
Colleen Canning, Planning/Conservation Coordinator

Appendix

Document	Document Location
Martha Terry, Brainard St, May 21 Email	Attached
Illuminated sign application - Min Min Kitchen, 532 Newton St	Planning Files

Fwd: questions for the Planning Board

Colleen Canning <ccanning@southhadleyma.gov>
To: Colleen Canning <ccanning@southhadleyma.gov>

Mon, May 22, 2023 at 4:10 PM

----- Forwarded message -----

From: **Martha Terry** <marthatterry25@gmail.com>
Date: Sun, May 21, 2023 at 4:07 PM
Subject: questions for the Planning Board
To: Anne Capra <acapra@southhadleyma.gov>

Dear Members of the Planning Board,

I recently sent in a question regarding whether or not detached accessory dwelling units may have attached or detached garages as part of the maximum square footage allowed.

A corollary to that question is the following that I would like answered: May a detached accessory dwelling unit have its own driveway from the street to the unit?

I have researched other towns and often by laws state that garages may not be added to a detached accessory dwelling units, nor may such unit have its own separate driveway from the street back to the unit.

I do not see such prohibitions in the by law that recently passed at Town Meeting, so I am asking for a clarification of both questions.

Thank you for your time and consideration.

Martha Terry

SOUTH HADLEY PLANNING BOARD VIRTUAL PUBLIC HEARING:

Special Permit application filed by Baltazar Dental to expand a non-conforming structure for the purpose of establishing a dentist office at 2078 Memorial Drive

MEETING MINUTES OF MAY 22, 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 7:01 PM and Clerk Brown read the hearing notice out loud as follows:

The Planning Board will hold a virtual public hearing on Monday May 22, 2023 at 6:45 p.m. for a Special Permit application filed by Baltazar Dental to expand a non-conforming structure for the purpose of establishing a dentist office at 2078 Memorial Drive, and is identified on Assessor's Map 7 Parcel 123, pursuant to the Zoning Bylaw 255-7 (existing uses, building and structures; nonconforming uses); Article IX (special permits); and the Zoning Dimensional Regulation Schedule.

The public hearing will be conducted virtually on Zoom. Persons may join as follows: URL to join: <https://us02web.zoom.us/j/89942201273?pwd=cUo5UGl6YlNOTmMyTONjRzFBNFNoZz09> Or join by phone: +13052241968, Webinar ID: 899 4220 1273 Passcode: 689595

The property is located within the Residence A-1 zoning district and is an existing office building. The application is on file in the Planning & Conservation Department Office (Room U6) in Town Hall and posted at www.southhadley.ma.gov under 'Permit Applications'-Special Permit' under section 'Memorial Drive (2078) - Dentist Office' or viewed at:

<https://www.southhadley.org/1181/Special-Permits>. Any person interested in, or wishing to be heard, should appear/join the hearing at the time and in the manner designated. The public hearing is being conducted in accordance with the provisions of Chapter 40-A, Section 11, Massachusetts General Laws and the enacted House Bill 58 as filed on March 1 2023, an Act making appropriations for the Fiscal Year 2023.

Joanna Brown, Clerk

South Hadley Planning Board

Publication: Friday, May 5, 2023

Friday, May 12, 2023

The applicant, Felicia Baltazar, was present at the meeting. As was discussed prior to opening the hearing, a number of materials, such as proposed building elevations, needed to be provided before the Board could act on the applicant's permitting request. However, it was decided to open the hearing to allow the applicant to introduce the project to the Board and receive initial feedback. It was anticipated that the hearing would be continued to the Board's June 26 meeting.

Director Capra detailed the proposed expansion of the existing building. A special permit was recently issued to the applicant to operate a Dentist Office at the location. At that time, the applicant was told that additional special permitting would be required if expansion of the existing building was desired as the building structure did not conform to the current dimensional requirements of the zoning district. The applicant found that such expansion was necessary so

they were now returning to the Planning Board for approval of expansion of the existing, non-confirming building. The applicant's site plans showed color-coded areas of existing and proposed nonconformity. Site work would also include expansion of the parking lot, establishment of additional vegetative screening and installation of raingardens.

Felicia Baltazar explained her reasons for seeking the building expansion. The firm she hired to design the proposed expansion recommended that 8 observatories be created even though only 5 would be used. This would allow her practice to grow without needing additional permitting for expansion or needing to find a new business location.

Clerk Brown noted that the turning radius from Abbey to Loretta Street was acute and cautioned that the proposed plantings may obstruct a driver's field of vision.

Member Hutchison observed that the building expansion increased nonconformity towards Memorial Drive, rather than toward the more residential side of the building towards Loretta Street. Based on initial review, it appeared that the project had a good case to satisfy standards for approval for being 'not substantially more detrimental' to the existing neighborhood.

Clerk Brown wanted more information on the adequacy of the proposed raingardens. Director Capra stated that the project did not trigger the requirement for a Stormwater Management Permit. However, the applicant would provide an updated site plan showing contours to illustrate how the raingardens would interact with the site.

Vice-Chair Therien wanted to make sure that patients leaving the parking lot would exit onto Loretta Street in the correct direction as it was a one-way street. To better understand the traffic impacts, Vice-Chair Therien asked how many patients could be seen during peak hours of operation. Felicia Baltazar responded that certain observatories were not booked for use in the event of emergencies. She believed that no more than 6 patients could be on site at once.

Associate Member Adelman stated that the business seemed to align with the vision of the recent 202/33 Corridor Study. He recommended that traffic calming measures could be considered to manage concern for increased traffic.

Member Hutchison advocated for site design which created better pedestrian connection on the northern side of the site.

Chair Mulvaney thought it was a good idea for the most challenging parking locations to be designated for staff members.

Chair Mulvaney opened the hearing to public comment.

Jim Lajorie, 42 Loretta Street, addressed the Board. He recalled the series of businesses that previously operated out of the location and was happy to see proposed improvements to the site. However, he was concerned for potential traffic impacts to the Loretta Street neighborhood as the street was already used as a cut-through to avoid parts of Memorial Drive and a number of children also lived in the neighborhood. He asked how much traffic the business could expect to

see. Felicia Baltazar responded that hours of operation would be 8AM to 5PM and each dental hygienist would see about 7 or 8 patients a day. Her current practice was located in South Hadley and the location was not very busy.

Jim Lajorie asked what the second floor of the building would be used for. Felicia Baltazar responded that it would be used for storage and would only be accessed by staff.

Jim Lajorie observed that the location of the dumpster was along the street. He recommended that the dumpster be enclosed or screened. He also noted that fallen leaves from trees lining Loretta Street would fall on the applicant's property. He recommended that the applicant manage the leaves appropriately as a previous owner would just push the leaves into the street.

Following Board discussion and public comment, the board needed to consider continuing the hearing to allow the applicant time to provide additional information and allow them to consider the feedback heard during the hearing.

Motion: Member Hutchison moved to continue the public hearing to June 26, 2023 at 6:30 PM. Vice-Chair Therien seconded the motion. Five (5) out of five (5) members voted in favor of motion through roll call.

The regular meeting reconvened at 7:51 PM.

Respectfully Submitted,
Colleen Canning, Planning/Conservation Coordinator

Appendix

Document	Document Location
SP Application -2078 Memorial Drive	Planning Files