

**SOUTH HADLEY PLANNING BOARD REGULAR MEETING
MINUTES OF JUNE 3, 2019
As Approved**

Present: Mark Cavanaugh, Chair; Melissa O'Brien, Vice-Chair; Diane Mulvaney, Clerk; Brad Hutchison, Member; Joanna Brown, Member; Larry Butler, Associate Member; Richard Harris, Town Planner; and Colleen Canning, Recorder

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

Agenda Item #1 --- Minutes

Mr. Harris explained that the draft minutes from the May 13, 2019 Regular Meeting and the draft minutes from the May 13, 2019 Public Hearing had been prepared by department staff. However, the drafts had not been reviewed so they were not available for the Board tonight.

Agenda Item #2 --- Correspondence

The correspondence folder was in front of Chair Cavanaugh. Additional correspondences had been made and were included within the folder.

Agenda Item #3 --- Consider Request to “Re-Issue/Modify” the March 20, 2017 Special Permit regarding construction of 12 multifamily dwellings - Property Location: 1 Canal Street and identified on Assessor’s Map #4D as Parcel #15.

The applicant, AAD LLC, along with their representing attorney, Alan Marshall Esq. of S. M. Riley Associates, were present at the meeting.

Mr. Harris opened with background. He explained that the Planning Board approved a Special Permit to construct Condos on Canal Street back in 2017. The approval of the Special Permit required the applicant to file the decision with the Registry within 20 days of the Certification of No Appeal by the Town Clerk. As the applicant did not make the recording, the Building Commissioner determined that the Special Permit had expired and would not grant the developer a building permit. The applicant has requested that the Board ‘reissue’ the Special Permit so that they can proceed with the project.

Attorney Alan Marshall addressed the Board. He reiterated that his client was only asking for the Special Permit to be reissued; they were not asking for the conditions within the permit to be changed. He added that the applicant’s engineer had been in touch with Mr. Harris in an attempt to streamline the submittal process for the additional permitting that the project would require.

Mr. Harris explained that he was been working with the project engineer regarding revisions to the Stormwater Management Plan, endorsement of Form H Plan, and a performance guarantee as

required by the Special Permit. The applicant needs to secure a Special Permit prior to proceeding with these items. It would not make sense to invest in the engineering work without having the Special Permit in hand.

Mr. Harris advised that, if the Board allows re-issuance of the Special Permit, the Special Permit should be modified to reflect that the permit must be recorded with the registry of deeds prior to the issuance of the Building Permit or prior to any site work being undertaken; rather than within 20 days of the Certification of No Appeal. That would satisfy the Board's original intention that the Special Permit be recorded prior to development of the site.

Mr. Hutchinson inquired what further project review would be afforded to the Planning Board. Mr. Harris explained that a "Form H Plan", the revised landscaping plan, a performance guarantee, and an 'operations and maintenance' plan would be part of future considerations for the Planning Board.

Ms. Brown inquired about available parking on site. Mr. Harris stated that there would two parking spaces for each unit, which exceeds the requirement.

Ms. Brown inquired about snow removal on site. Mr. Harris said that would be addressed through the 'operations and maintenance' plan and would also be addressed through the Stormwater Management Plan. The Condo Association would be the responsible party to ensure that maintenance of the site was adequate.

Agenda Item #4 --- DECISION: Request to "Re-Issue/Modify the" March 20, 2017 Special Permit regarding construction of 12 multifamily dwellings - Property Location: 1 Canal Street and identified on Assessor's Map #4D as Parcel #15.

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

Motion: Ms. O'Brien moved to **reissue** the Special Permit approved by the Planning Board on March 20, 2017 to construct multifamily dwellings at 1 Canal Street and to **modify** the Special Permit to require that the Special Permit be recorded at the registry of deeds prior to the issuance of a Building Permit or initiating any site work. Ms. Mulvaney second the motion. Five (5) out of five (5) members voted in favor of the motion.

Agenda Item #5 --- SCHEDULED PUBLIC HEARING: Proposed Planning Board General Regulations

Chair Cavanaugh called the meeting into session at 6:45 PM (See Public Hearing Minutes)

The meeting reconvened at 7:12 PM.

Agenda Item #6 --- DECISION: Proposed Planning Board General Regulations

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

Motion: Ms. Mulvaney moved to accept the Proposed Planning Board General Regulations as modified during the Public Hearing. Ms. Brown seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Agenda Item #7 --- Development Update and Planner's Report

a. Development Report

- North Pole Estates Preliminary Subdivision Plan – Mr. Harris explained that the Public Health Director was involved in performing percolation test on the proposed residential lots.
- Bridge Street Mixed Use Development – No changes were noted.
- Newton Street Smart Growth Zoning District – Mr. Harris explained that the draft Design Standards had been posted to the Town's website. Revisions had been made to the previous draft to address issues raised by the Massachusetts Department of Housing and Community Development (DHCD) staff and issues raised by an architect who is designing plans within the district. DHCD comments sought to bring clarity in the standards – particularly where the standards use the term “appropriate”. Both DHCD and the architect sought clarity as to the “New England aesthetic” phrase used in the “Vision” statement. One particular issue raised by architect was the amount of landscaping required in parking areas. The architect noted that the draft standards did not appear to reflect Woodlawn Plaza's massive parking lot and he added that redevelopment with housing would include open space. Another issue raised by the architect related to the step back requirement in Section 7.1.3. The public hearing has been scheduled and advertised for June 17, 2019 and the public hearing draft is posted on the Town's website.
- Mr. Harris explained that he made revisions in the Administrative Regulations and Application Form for Smart Growth Districts town-wide to address issues raised by the DHCD staff. Mr. Harris noted that the ‘monitoring agent’ involved with the project should be specified. The “monitoring agent” would be the subsidizing agency. In the event there is no subsidizing agency, the monitoring agency would be the Town. The public hearing has been scheduled and advertised for June 17, 2019 and the public hearing draft is posted on the Town's website.

b. Bylaw Amendments

- Bylaw Amendments for 2019 – Mr. Harris explained that the bylaw amendments endorsed at Town Meeting had been submitted to the Attorney General's office for review. The office has confirmed that they received the submission.

c. Other Projects

- Urban Renewal Plan and Redevelopment Authority – Mr. Harris shared BSC Group had been selected as the consultant for MEPA
- MassWorks Grant – Gaylord Street – Mr. Harris explained that work is progressing and it is expected that the project will be finished within the next few weeks.
- MassWork Grant – New Application- Mr. Harris explained that the Town would be pursuing another MassWork Grant which would help offer improvements to pedestrian systems and roads. Mr. Harris intended on submitting the application for the new grant at the within the upcoming months
- Complete Streets Program Participation - Mr. Harris explained that, according to the DPW Superintendent, the project is out for bids.
- Open Space & Recreation Plan and Master Plan Updates - The fourth Community Forum was held on Wednesday May 29, 2019 at the South Hadley Town Hall Auditorium.

It was noted that the information in the Background packet did not have the current listings for the “Meetings in a Box”. Mr. Harris apologized and stated he would email those dates to the Board.

Mr. Harris explained that, as the public engagement period is winding down, the draft Open Space and Recreation Plan (OSRP) draft need to be completed by the end of the month. Prior to endorsement, the plan will be reviewed by Mr. Harris and Anne Capra. Once they are satisfied with the draft it will be forwarded to the advisory committee for their review and approval prior to being posted for public review and comments.

The Master Plan Update will follow a similar process but the Master Plan Update has a longer time frame. The consultant will draft the plan over the summer and provide drafts to Mr. Harris and Anne Capra who will then forward the drafts to the advisory committee for review and approval. A Public Meeting for the Master Plan Update will be held this fall.

- MVP Grant- Mr. Harris shared the Town received a grant for “Municipal Vulnerability Preparedness”. A public meeting process will be undertaken as part of this grant.

d. Workshops/Training Opportunities

- Mr. Harris shared that he attended an annual conference for the ‘Massachusetts Association of Planning Directors’ last week in North Adams. He attended a session on legal updates. One of the case involved large scale excavation for development of a project. He thought it might have implications for the North Pole Estates project. Therefore, the Town Counsel will be consulted on the subject.

Agenda Item #8 --- Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

Linda Young, South Hadley resident, addressed the Board. She inquired if 40-R Districts allow for use of drive-through service windows (as seen at banks and restaurants)? Mr. Harris replied that, within 40-R Districts, only items that are ‘specifically allowed’ can be used. He would need to review documents to precisely answer this question. However, he added that underlying zoning could be used.

Ms. Brown inquired if the Planning Board could review grant applications prior to submission. Chair Cavanaugh commented that, through Town Meeting, Boards and Commissions authorize their department staff to apply for grants on the Town’s behalf.

Agenda Item #9 --- Adjournment

Motion: Ms. Mulvaney moved to adjourn the meeting at 7:37 PM. Ms. O’Brien seconded the motion. Five (5) out of Five (5) members voted in favor of the motion.

Respectfully Submitted,

As Approved

Colleen Canning, recorder

Appendix

Document	Document Location
Agenda Background Packet	Planning Files
Request to Reissue Special Permit for 1 Canal Street	Planning Files
Prior Special Permit Decisions regarding 1 Canal Street Multifamily Development	Planning Files
Public Hearing Draft Planning Board Rules and Regulation	Planning Files