

**SOUTH HADLEY PLANNING BOARD VIRTUAL MEETING
MEETING MINUTES OF JUNE 27, 2022**

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

Chair Hutchison called the meeting to order at 6:31 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

No minutes had been prepared for the Board's review.

Agenda Item #3 – Correspondence

The list of correspondence was sent to the Board. The Board discussed an email received from Susan Newton, Chair of the South Hadley Democratic Town Committee, regarding the language within the Board's Open Comment Period Policy. Members supported placing the item on a future agenda for further consideration.

Before opening the scheduled public hearings, Director Capra explained that the Board could anticipate reviewing a number of special permit applications for Bed & Breakfast uses as the Building Commissioner issued cease and desists to all short-term rentals in Town operating without the required special permitting. This resulted in the submission of a number of special permit applications for Bed & Breakfast operations; two of which would be considered later during the meeting. The Board had met with the Building Commissioners to discuss regulatory challenges in permitting short-term rental use. The use was not directly addressed in the Zoning Bylaw which is why applicants needed to satisfy the standards for operating a Bed & Breakfast to continue their operation. Many of the properties issued a cease and desist could not conform to the standards for approval. For instance, Bed & Breakfasts could only be permitted in owner-occupied single-family homes within a zoning district allowing the use. As had been discussed at previous meetings, the Board would begin to consider amendments to the Zoning Bylaw to address short-term rental use.

Agenda Item #4 ---- Public Hearing to consider Special Permit application filed by Stephen and Sheila Moos to establish a Bed & Breakfast Home at the property located at 629 Granby Road, Assessor's Map 35 Parcel 16

Chair Hutchison called the public hearing into order at 7:04 PM (See public hearing minutes)

Chair Hutchison called the meeting into recess from 7:38 PM – 7:44 PM.

The Board discussed other items on the agenda before remembering to close the hearing at 8:01 PM.

Agenda Item #5 --- Public Hearing to consider Special Permit application filed by Lynn Williams to establish a Bed and Breakfast Inn at the property located at 15 College View Heights, Assessor's Map 51 Parcel 71

Chair Hutchison called the public hearing to order at 7:45 PM (See public hearing minutes)

The regular meeting reconvened at 8:01 PM.

Agenda Item #6 --- Set Performance Guarantee for Stormwater Management Permit and Special Permit issued to E Ink Corporation for industrial redevelopment at 7 Gaylord Street

As the Board was aware, a special permit and stormwater management permit were recently issued to E Ink for redevelopment of their property at 7 Gaylord Street. As part of the approval process, the Board could set a performance guarantee to ensure that stormwater management systems were built to specification and were functional. In the event that the applicant was unable to satisfy the requirements of approval, the Town could use the performance guarantee to cover the cost of the necessary improvements. The applicant provided a cost estimate for the stormwater management improvements which was reviewed by the Director of Public Works. The Director of Public Works agreed with the cost estimate but recommended that the guarantee be increased to reflect the anticipated costs associated with inflation.

Director Capra recommended that the Board condition the requirement for the stormwater management systems be constructed and functional for one year prior to release of the performance guarantee. Clerk Brown questioned if the requirement for one year was long enough. No other members indicated support for holding the performance guarantee for longer than one year.

Motion: Member Therien moved to require a performance guarantee in the amount of \$295,000 in the form of cash or credit to be held jointly for the special permit and stormwater management permit issued to E Ink for industrial redevelopment at 7 Gaylord Street with special conditions to include the requirement for the stormwater management system to be constructed and functional for one year prior to release of performance guarantee. Vice-Chair Mulvaney seconded the motion. Four (4) out of four (4) members present voted in favor of the motion through roll call.

Agenda Item #7 --- Planning & Conservation Department Report on Planning Projects and Development Updates

Director Capra detailed the following items:

- Public Art – A mural was painted on Main Street as part of a public education campaign relating to the Town's Municipal Vulnerably Preparedness (MVP) Grant to spread

awareness of Buttery Brook. Separately, a class of Mount Holyoke College students created a mural at Buttery Brook Park.

- Housing Production Plan – Proposals had been received from prospective consultants. An agency has been selected and notice of award would be sent soon.
- Small Business Grants- Applications were received by the Planning and Conservation Department for available grant funding for façade improvements for South Hadley Falls businesses and funding for activation of public spaces at the Village Commons.

Agenda Item #8 --- Other New Business

The Board was scheduled to host a public hearing to consider the final draft of the route 202-33 Corridor Study at their next meeting on July 25.

The Board discussed the status of virtual meetings. The Governor’s Orders allowing virtual meetings to take place due to the COVID-19 pandemic was set to expire on July 15. Although there was no guarantee, the Board was optimistic that the Orders would be extended. Director Capra asked Board members if they preferred virtual or in-person meetings. All members indicated a preference for virtual meetings.

Agenda Item #9 --- Adjournment

Motion: Vice-Chair Mulavney moved to adjourn the meeting. Clerk Brown seconded the motion. Four (4) out of four (4) members voted in favor of the motion through roll call.

The meeting adjourned at 8:36 PM.

Respectfully Submitted,
Colleen Canning, Planning/Conservation Coordinator

Document	Document Location
Susan Newton 6/17/22 email	Planning Files
Eink Stormwater Management Cost Estimate	Planning Files

SOUTH HADLEY PLANNING BOARD VIRTUAL PUBLIC HEARING:
Special Permit application filed by Stephen and Sheila Moos to establish a Bed & Breakfast
Home at the property located at 629 Granby Road, Assessor's Map 35 Parcel 16
MEETING MINUTES OF JUNE 27, 2022

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

Chair Hutchison called the public hearing to order at 7:04 PM and stated that Associate Member Adelman would be a voting member during the hearing as Member Davis was not present.

Clerk Brown read the hearing notice below out loud:

The South Hadley Planning Board will hold a virtual public hearing on Monday June 27, 2022 at 6:30 p.m. to discuss a Special Permit application filed by Stephen and Sheila Moos to establish a Bed & Breakfast Home at the property located at 629 Granby Road pursuant to Section 255-19 of the Town's Zoning Bylaw.

The public hearing will be conducted virtually using the Zoom Webinar platform and persons may join the meeting by either joining Zoom Webinar or by phone. The log-in information is as follows:

URL to join: <https://us02web.zoom.us/j/88135482004?pwd=U2FvbGVseDJURXdjSlk1dCtTNHljdz09>

Or join by phone: +1(646) 558 8656

Webinar ID: 881 3548 2004

Passcode: 269981

Interested persons can review the meeting agenda which will be posted on the Town's website no later than Thursday June 23, 2022.

The subject property is located at 629 Granby Road and is identified on Assessor's Map 35 Parcel 16. 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 are posted on the Department website www.southhadleyma.gov under 'Project Plans' - 'Special Permits' under section 'Granby Road (629) - Bed & Breakfast (2022)'. Alternatively, you can view the documents at the following link: <https://www.southhadley.org/1108/Special-Permits>. Any person interested in, or wishing to be heard, regarding this application 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 as modified by Chapter 53 of the Special Acts of 2020 and the Governor's Executive Orders pertaining to public gatherings during the COVID 19 State of Emergency.

Joanna Brown, Clerk

South Hadley Planning Board

Publication: Friday, June 10, 2022

Friday, June 17, 2022

The applicants, Steven and Sheila Moos, were present at the meeting along with their daughter, Elizabeth.

Sheila Moos discussed her experience as a short-term rental host using the Airbnb platform. She began operating the property as a short-term rental in 2020 following a discussion with a Town official which led her to believe that no permitting would be needed for the operation. However, after receiving a cease and desist notice from the Building Commissioner, she was made aware of the special permitting requirements. As such, she filed an application for a Bed & Breakfast Home Special Permit to bring the operation into compliance.

Clerk Brown identified that the standards required owner occupancy for approval of a Bed Breakfast Special Permit and observed that the applicant's address was not the same address as the subject property. Sheila Moos responded that she did not live in the home. She previously had long term renters and, following a poor experience, decided to rent the home for short-term instead.

Chair Hutchison stated that the owner occupancy standard could be satisfied if the owner designated someone to occupy a room in the home full time and acted as their representative. Sheila Moos stated that no owner agent resided at the property.

The Board discussed consideration for drafting a new bylaw to directly address short-term rental operations in Town. However, any new bylaw would need to be adopted by Town Meeting which was a process that could not be expedited. As described, the special permit could not be approved as owner-occupancy was required. The applicant could withdraw their application without prejudice to allow them to reapply if and when a bylaw is accepted which would allow them to operate their business as desired. It would be up to the discretion of the Building Commissioner to extend any allowances to continue operations under the cease and desist order.

No members of the public indicated their interest to speak during the hearing.

Motion: Voting Associate Member Adelman moved to allow the applicant to withdraw the special permit application without prejudice. Clerk Brown seconded the motion. Five (5) out of five (5) voting members present voted in favor of the motion through roll call.

The Board took recess from 7:38 -7:44 PM and discussed other items on the agenda before remembering to close the hearing at 8:01 PM.

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

Respectfully Submitted,
Colleen Canning, Planning/Conservation Coordinator

Appendix

Document	Document Location
Special Permit Application – 629 Granby Road	Planning Files

SOUTH HADLEY PLANNING BOARD VIRTUAL PUBLIC HEARING:

Special Permit application filed by Lynn Williams to establish a Bed and Breakfast Inn at the property located at 15 College View Heights, Assessor's Map 51 Parcel 71

MEETING MINUTES OF JUNE 27, 2022

Present: Brad Hutchison, Chair; Diane Mulvaney, Vice-Chair; Joanna Brown, Clerk; Nate Therien, Member; Michael Adelman, Associate Member (voting member for this hearing); and Anne Capra, Director of Planning and Conservation; Colleen Canning, Planning/Conservation Coordinator

Chair Hutchison called the public hearing to order at 7:45 PM and stated that Associate Member Adelman would be a voting member during the hearing as Member Davis was not present.

Clerk Brown read the hearing notice below out loud:

The South Hadley Planning Board will hold a virtual public hearing on Monday June 27, 2022 at 7:00 p.m. to discuss a Special Permit application filed by Lynn Williams to establish a Bed and Breakfast Inn at the property located at 15 College View Heights pursuant to Section 255-19 of the Town's Zoning Bylaw.

The public hearing will be conducted virtually using the Zoom Webinar platform and persons may join the meeting by either joining Zoom Webinar or by phone. The log-in information is as follows:

URL to join: <https://us02web.zoom.us/j/88135482004?pwd=U2FvbGVseDJURXdjSlk1dCtTNHljdz09>

Or join by phone: +1(646) 558 8656

Webinar ID: 881 3548 2004

Passcode: 269981

Interested persons can review the meeting agenda which will be posted on the Town's website no later than Thursday June 23, 2022. The subject property is located at 15 College View Heights and is identified on Assessor's Map 51 Parcel 71. 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 are posted on the Department website www.southhadley.ma.gov under 'Project Plans'- 'Special Permits' under section 'College View Heights (15) - Bed & Breakfast (2022)'. Alternatively, you can view the documents at the following link: <https://www.southhadley.org/1108/Special-Permits>. Any person interested in, or wishing to be heard, regarding this application 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 as modified by Chapter 53 of the Special Acts of 2020 and the Governor's Executive Orders pertaining to public gatherings during the COVID 19 State of Emergency.

Joanna Brown, Clerk

South Hadley Planning Board

Publication: Friday, June 10, 2022

Friday, June 17, 2022

The applicant, Lynn Williams of 15 College View Heights, was present at the hearing.

Lynn Williams explained that she had been operating a short-term rental operation out of her home using the Airbnb platform. She resided at the property and used two bedrooms as short term rentals. In 2019, she filed a business license and was not aware of the additional permitting requirements needed for the operation to be in full compliance. As such, she was now pursuing special permitting from the Planning Board to allow use of her home as a Bed & Breakfast under the South Hadley Zoning Bylaw. No kitchen would be provided to guests. Fruit and granola bars would be provided to satisfy the requirement to provide food to lodgers.

Clerk Brown stated that the application appeared to meet the requirements for approval. All members indicated agreement. Chair Hutchison opened the discussion to Special Permit Review Criteria. Following some discussion, Director Capra explained that special conditioning should be included in Special Permit approval to require the applicant to obtain all applicable local, state, and federal approvals.

Lina Young, Westbrook Road, addressed the Board. She asked what the acreage of the property was and asked if the Special Permit could be transferred to a new owner. Lynn Williams stated that the property was a little over an acre and Chair Hutchison clarified that Special Permits were not transferable.

Motion: Vice-Chair Mulavney moved to find that the Special Permit application conformed to the Special Permit review criteria and moved to issue a Special Permit to Lynn Williams for a Bed & Breakfast Home at 15 College View Heights with special conditions. Voting Associate Member Adelman seconded the motion. Five (5) out of five (5) voting members voted in favor of the motion through roll call.

Motion: Clerk Brown moved to close the public hearing. Vice-Chair Mulavney seconded the motion. Five (5) out of five (5) voting members voted in favor of the motion through roll call.

The regular meeting reconvened at 8:01 PM.

Respectfully Submitted,
Colleen Canning, Planning/Conservation Coordinator

Appendix

Document	Document Location
Special Permit Application – 15 College View Heights	Planning Files