

**SOUTH HADLEY PLANNING BOARD REGULAR MEETING
MINUTES OF SEPTEMBER 9, 2019
AS APPROVED**

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

Chair Cavanaugh called the meeting into order at 6:31 PM

Agenda Item #1 --- Minutes

The draft minutes had been previously transmitted to the board for their review.

Motion: Ms. Mulvaney moved to approve the draft minutes for the August 19, 2019 Public Hearing for the *Application for Special Permit and Stormwater Management Permit for proposed Skinner Woods Flexible Development*. Vice-Chair O'Brien seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Motion: Ms. Mulvaney moved to approve the draft minutes for the August 19, 2019 Public Hearing for *Proposed revisions to Planning Board General Rules and Regulations Concerning Application Requirements, Application Fees, Application Review Fees, and Fee Schedules*. Vice-Chair O'Brien seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Vice-Chair O'Brien noted a spelling error in the draft regular meeting minutes of August 19, 2019.

Motion: Ms. Mulvaney moved to approve that draft regular meeting minutes of August 19, 2019 as amended. 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 correspondences had been previously transmitted to the Board for their review.

Mr. Harris detailed submitted applications that would entering Public Hearing within the upcoming weeks.

Martha Terry, 26 Brainard Street, addressed the Board. She asked for further information regarding a correspondence made to the Planning Board from the owners of 135 Newton Street. Mr. Harris explained that the property owners expressed concern for proposed MassDOT activities within the easement in front of their house. The homeowner and MassDOT were working together to find a solution. The proposed project was outside of the Planning Board's purview.

Agenda Item #3 --- Consider Endorsement: Consider Endorsement of Form H Plan for Library Commons multifamily. Property Location: 1 Canal Street (Assessor's Map #4D Parcel #15)

Mr. Harris opened with background. He explained that the proposed condo development at 1 Canal Street had already received Special Permit approval. Additionally, the performance guarantee amount was set by the Board. However, endorsement of the Form H plan was still required. Mr. Harris explained that the developer submitted plans stamped by an engineer which reflected changes required by the Special Permit decision. The stamped plans were not inclusive to all the Form H requirements. However, Mr. Harris explained that the original plan included within the stormwater management report included the requirements. Therefore, between the original plan and the new stamped plan all Form H requirements were met and conditions of the Special Permit were satisfied.

Mr. Harris added that the applicant had addressed previously pending components of Special Permit Condition #14. A written statement was received from the applicant's attorney guaranteeing access to all buildings within the development in accordance with Subdivision Regulations. Additionally, payment was received relating to the performance guarantee set by the Planning Board at the August 19, 2019 meeting.

Ms. Mulvaney and Ms. Brown inquired about what continued consideration would be made relating to the performance agreement. Mr. Harris explained that the performance agreement would be drafted by himself and reviewed by Town Counsel. He explained that adherence to the Operations and Maintenance Plan would be tied to the release of the performance guarantee.

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

Motion: Ms. Mulvaney moved to endorse the Form H Plan for Library Commons. Vice-Chair O'Brien seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Chair Cavanagh, Mr. Hutchinson and Ms. Mulvaney signed the submitted plan stamped by an engineer.

Five (5) out of five (5) members signed the *Special Permit Performance Bond Agreement* that was unanimously endorsed at the August 19, 2019 Planning Board Meeting.

Agenda Item #4 --- Discussion of Proposal for a Hydrologic Study of the Drybrook Hill Aquifer

Mr. Harris opened with background. He explained that he met with Rudy Ternbach and others since the previous Planning Board Meeting when the topic of the proposed hydrologic study was first discussed. Mr. Harris suggested that the proposal for the study be reviewed and considered by the Fire District 2 Board of Water Commissions during their 2021 fiscal year budget review. He added that, as money would need to be allocated for the study, the Selectboard would ultimately be the authority to determine if the warrant would be pushed forward to receive funding.

Rudy Ternbach, Precinct E, addressed the Board. He invited everyone to the next Conservation Conservancy Event on Sunday November 3, 2019 at 2:00 PM at the Library. Professor David Boutt, the professor who drafted the proposal for study, would be in attendance as the special guest speaker.

Ms. Brown reflected on the importance of the Town's aquifer and urged for timeliness in addressing additional protections for the aquifer. Mr. Harris noted that the Town has the authority to be more stringent than DEP standards. However, the more restrictive regulations become the more challenges the town could face from a regulatory stand point. Evidence showing the need for added protections would place the town in a position to effectively regulate. He added that the Board currently had authority to require an impact study for proposed developments in town within the Water Supply Protection District.

Ms. Brown thanked Rudy Ternbach and other members of the community for their efforts in outreach and organizing the study proposal and setting up the Conservation Conservancy Event.

Chair Cavanaugh reviewed that, moving forward, the study would be up for consideration by the Fire District 2 Board of Water Commissioners during their review of the fiscal year 2021 budget.

Agenda Item #5 --- Scheduled Public Hearing: Applications for Site Plan Review and Stormwater Management Permit for proposed Senior Center. Property Location: 45 Dayton Street (Assessor's Map #28 Parcels #154 and #155)

Chair Cavanaugh called the Public Hearing into order at 7:02 PM (See Public Hearing Minutes)

The meeting reconvened at 8:41 PM.

Agenda Item #6 --- Consider Decisions: Applications for Site Plan Review and Stormwater Management Permit for proposed Senior Center. Property Location: 45 Dayton Street (Assessor's Map #28 Parcels #154 and #155)

No decisions were considered at the meeting as the Public Hearing was continued to October 7, 2019 at 6:45 PM.

Agenda Item #7 --- Discussion of possible Zoning amendments for the Fall Special Meeting

Mr. Harris opened with background. He reminded the Board of the proposed zoning bylaw amendments that were brought to the May 2019 Town Meeting and recommended by the Board to be reconsidered prior to adoption. As there was a Special Town Meeting tentatively scheduled for late November it was appropriate for the Board to consider the newly refined zoning bylaw amendments. Mr. Harris explained that these proposed amendments, unlike the May 2019 ones, did not incorporate dimensional changes to lot sizes within the Water Supply Protection District (WSPD). Additionally, the amendments would not alter the DEP delineated WSPD zones. Mr. Harris explained that the zoning bylaw amendment proposals would refine the purpose and voting authority of outside boards and commissions on Planning Board applications for development. The location of the intended development and the level of development would dictate that requirement. Additionally, the review period for interdepartmental consideration was proposed to extend from the current 35 days to 50 days. Mr. Harris shared that consideration for

the amendments would be discussed at a Public Hearing that would be advertised for October 7, 2019 at 7:15 PM. Ideally, this would allow time for amendments that were endorsed at the Public Hearing be considered at the Special Town Meeting the following month.

Agenda Item #8 --- Development Update and Planner's Report

a. Development Report

- North Pole Estates Preliminary Subdivision Plan – No change was noted.
- Bridge Street Mixed Use Development – No change was noted. However, Mr. Harris explained that the applicant was currently working with the Conservation Commission through the Commission's permitting process.
- Newton Street Smart Growth Zoning District – No change was noted.

b. Bylaw Amendments

- Bylaw Amendments for 2019 - Mr. Harris explained that the Massachusetts Attorney General's office approved most of the articles endorsed at the most recent Annual Town Meeting. He explained that Article 23, regarding prohibition of major earth removal within the Water Supply Protection District, was challenged by the representing attorney of a local excavation company, Chicopee Concrete Services. Town Counsel has since responded to the challenge and the Attorney General's office will come to a determination within upcoming months.
- Water Supply Protection District Revisions – This item was addressed under agenda item #7.

c. Other Projects

- Urban Renewal Plan and Redevelopment Authority – Mr. Harris explained that a public hearing before the Selectboard was scheduled for September 17th with the Redevelopment Authority to consider the South Hadley Falls Renewal Plan which could then be considered at Fall Town Meeting
- Complete Streets Program Participation – Mr. Harris explained there was no change and the contractor has completed most of the work.
- Open Space & Recreation Plan and Master Plan Updates – Mr. Harris explained that meetings of the OSRP Update Advisory Committee and Master Plan Update Advisory Committee would be held September 11, 2019.

d. Workshops/Training Opportunities

- Mr. Harris shared that several people would be attending the MassDOT annual "Moving Together" conference in October as well as the Southern New England APA annual conference also in October.

Agenda Item #9 --- Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

Ms. Mulvaney invited everyone to a Plant Sale to benefit the Senior Center on Saturday September 14, 2019.

Mr. Hutchison expressed interest in re-visiting the discussion surrounding an “arts and culture” zoning district that was brought up at the August 19, 2019 meeting. During the discussion, the possibility of zoning amendments to allow for an outdoor sculpture display in town were addressed. Mr. Harris responded that he would continue researching examples of “arts and culture” zoning districts and he would include consideration for such amendments to a future meeting agenda.

Vice-Chair O’Brien invited everyone to attend an event hosted by the Bike-Walk Committee on September 22, 2019. The Committee would be hosting a trek of the Mount Holyoke Project Steam boardwalk. Interested parties were invited to meet at 12:45 PM at the entrance of the Kendall Sport and Dance Complex.

Ms. Brown asked for consideration in creating a comment period for the public during regular meetings. Mr. Harris responded that he would add consideration for this topic on a future meeting agenda.

Agenda Item #10 --- Adjournment

As there was no further discussion, Chair Cavanaugh inquired if there was a motion to adjourn the meeting.

Motion: Ms. Mulvaney moved to adjourn the meeting at 9:00 PM. Mr. Hutchison seconded the motion. Five (5) out of five (5) members voted in favor of the motion.

Respectfully Submitted,
AS APPROVED
Colleen Canning

Appendix

Document	Document Location
Endorsed Plans for Library Commons Condos Stamped by an Engineer	Planning Files
Endorsed Special Permit Performance Bond Guarantee	Planning Files
Proposal for a Hydrologic Study of the Drybrook Hill Aquifer	Planning Files