

**SOUTH HADLEY PLANNING BOARD VIRTUAL MEETING  
MEETING MINUTES OF SEPTEMBER 11, 2023**

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

Chair Mulvaney called the meeting to order at 6:17 PM and reviewed the virtual meeting protocols.

**Agenda Item #1 --- Executive Session – Pursuant to M.G.L. c. 30A sec 21(a)(3), and subject to the Chair’s declaration that public discussion will have a detrimental impact on the litigating position of the Board, the Board will go into Executive Session to discuss strategy with respect to litigation in the matter of Chicopee Concrete Service, Inc v. Hutchison, et al. (South Hadley Planning Board and Board of Health) C.A. No. 2180CV00038; this session may be held jointly with the Board of Health.**

Chair Mulvaney indicated that the Board would enter executive session and return to their regular meeting around 7:00 PM.

**Motion:** Member Hutchison moved to enter executive session pursuant to MGL c.30A sec. 21 (a) (3). Clerk Brown second the motion. Five (5) out of five (5) members present voted in favor of the motion through roll call.

(See executive meeting minutes)

The Board left executive session at 6:57 PM and reentered the regular meeting at 7:00 PM.

**Agenda Item #1 --- Introduction of new Planning Board Associate Member, Preston Smith**

The Board welcomed new Planning Board Associate Member Preston Smith to the position and thanked him for volunteering his time and expertise.

**Agenda Item #3 --- Open Comment Period**

No comments were received during the open comment period.

**Agenda Item #4 --- Minutes**

Draft minutes of the July 10 executive session; July 24 regular meeting; August 14 executive session; and August 14 regular meeting were sent to the Board for review. Recommended edits to the August 14 regular meeting minutes were sent to staff prior to the meeting. As the edits had not been incorporated, it was recommended that approval be deferred to a future meeting.

**Motion:** Clerk Brown moved to approve the minutes of the July 10 executive session; July 24 regular meeting; and August 14 executive session. Member Davis seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call.

**Agenda Item #6 --- Approval Not Required (ANR) Plan filed by South Hadley Plaza LLC to create a new parcel easterly of Newton Street and northerly of Lyman Street, Assessor Map 28 Parcels 200 and 316**

Peter Graham, Valley Housing Consultants, was present at the meeting.

Director Capra shared that an Approval Not Required (ANR) plan had been received which sought to create a new 3 acre parcel from two existing parcels at the corner of Newton and Lyman Streets. The new parcel was being created so the lot could be transferred to Wayfinders, the entity developing an apartment building previously approved by the Board on the subject property. Lyman Street was maintained by the Town at this location and Newton Street was maintained by MassDOT. Thus, endorsement standards for 'type of way' and 'vital access' were met. As the subject property was located within the Newton Street Smart Growth District, no minimum lot frontage was required.

Clerk Brown asked how the tax status of the property would change. Director Capra stated that the creation of a new parcel would create a separate tax bill. The tax status of the land was not part of review for ANR endorsement. Director Capra added that the Town Assessor was aware of the submitted ANR.

**Motion:** Member Hutchison moved to endorse the ANR to create a new parcel from land easterly of Newton Street and northerly of Lyman Street known as Assessor's Map 28 Parcels 200 and 316 *and* moved to authorize the Director of Planning and Conservation to endorse the ANR on the Board's behalf. Member Davis seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call vote.

**Agenda Item #7 --- Discussion on Open Comment Period policy revisions**

As the Board was aware, recent state supreme court action was taken regarding limiting speech during open comment periods at meetings of public entities. The Board reviewed their own Open Comment Period policy in response to the recent decision and considered edits. Following response from Town Counsel, Director Capra incorporated recommended edits into a revised policy for the Board's consideration.

The Board reviewed the draft policy and incorporated further edits which included removal of contradictory language and modification of language for clarity.

**Motion:** Vice-Chair Therien moved to adopt the revisions as discussed to the Board's Open Comment Period policy. Member Hutchison seconded the motion. Five (5) out of five (5) members voted in favor of the motion through roll call vote.

### **Agenda Item #8 --- Discussion on updates to Subdivision Regulations and Flexible Development Bylaw**

At a previous meeting, the Board decided to begin review of updates to the Subdivision Regulation Article IX which related to design standards.

Members discussed the advantages and disadvantages of cul-de-sacs as the language of the proposed regulations appeared to discourage their use. Director Capra shared that Healthy Community Policy encourages interconnected streets. She would provide the Board with additional information and the Board could return to the topic in the future.

The Board discussed the proposed road widths for subdivision types. Roadways more narrow than current standards were recommended as it allowed for less impervious surface. Some members favored even narrower roadways than recommended. However, other members did not support the concept as maintenance could be difficult and pedestrian use of the road could be impacted. The Board would return to the discussion at a future meeting.

The Board would continue review of Article IX at a future meeting and review of Article X would follow.

### **Agenda Item #9 --- Planning & Conservation Department Report on Planning Projects and Development Updates**

Director Capra detailed the following items:

- *Housing Production Plan* - The draft Housing Production Plan has been released for public comment and a third community forum would be held at the Senior Center on September 11.
- *Housing Speaker Series*- The Planning and Conservation Department, with the support of the Pioneer Valley Planning Commission, would host a series of three webinars to discuss affordable housing.
- *Short Term Rental Bylaws* - The Short Term Rental Bylaws recently adopted at Town Meeting had been approved by the State Attorney General's Office. Town staff were working to implement an application and licensing process.
- *Grant Activity* - Director Capra submitted a grant application in June seeking funding to help develop zoning and design guidelines for the Route 202/33 Corridor. The Dry Brook Aquifer Isotopic Study was underway and water sampling had begun.
- *Meeting Schedule* - The Board was scheduled to meet on September 25, October 2 and 23, November 13 and 17, and December 4 and 18.

### **Agenda Item #5 --- Correspondence**

Correspondence was sent to the Board prior to the meeting which included a development report for 27 Bardwell Street and a New York Times article on housing forwarded by Vice-Chair Therien.

**Agenda Item #10 --- Other New Business**

Chair Mulvaney identified that the date was the 22<sup>nd</sup> anniversary of the September 11 attacks and held a moment of remembrance.

Director Capra shared that the State Attorney General’s Office approved the Accessory Dwelling Unit Bylaw adopted by Town Meeting.

**Agenda Item #11 --- Adjournment**

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

The meeting adjourned at 9:16 PM

Respectfully Submitted,  
Colleen Canning, Planning/Conservation Coordinator

**Appendix**

<b>Document</b>	<b>Document Location</b>
ANR , Assessor Map 28 Parcels 200 and 316	Planning Files
Revised Open Comment Policy	Planning Files
Proposed Subdivision Regulation Update	Planning Files