

SOUTH HADLEY PLANNING BOARD PUBLIC HEARING

Proposed Bylaw Zoning Amendments to be brought forth at Special Town Meeting November 2019

MINUTES OF OCTOBER 28, 2019 AS APPROVED

Present: Mark Cavanaugh, Chair; Melissa O'Brien, Vice-Chair; Diane Mulvaney, Clerk; Brad Hutchison (arrived at 6:29), Member; Joanna Brown, Member; Richard Harris, Town Planner; and Colleen Canning, Senior Clerk Planning and Conservation

Chair Cavanaugh called the Public Hearing into order at 6:26 PM

Clerk Mulvaney read the Public Hearing notice aloud:

Pursuant to the provisions of South Hadley Zoning By-Law, Article II and M.G.L. Chapter 40A, Section 5, the Planning Board of the Town of South Hadley will hold a public hearing to discuss proposed amendments to the South Hadley Zoning By-Law regarding Section 255-84 (Earth removal, extraction, and fill regulations) as noted herein. The public hearing will be held as follows:

*Place: South Hadley Town Hall, Selectboard Meeting Room;
116 Main Street, South Hadley, MA
Date: Monday, October 28, 2019
Time: 6:15 p.m.*

The subject matter of the proposed amendments to the Zoning By-Law and Zoning Map are as follows:

Article PB-2. To see if Town Meeting will amend Chapter 255 (the Zoning Bylaw) in Section 255- 84A(2)(b) by specifying limitations under which a Development of site improvements for a subdivision is exempt from an Earth removal, excavation, and/or fill permit; in Section 255-84C (4) by adding additional supplemental application requirements; in Section 255-84D(1) by expanding the prohibited area for major earth removal, excavation, or fill activity to include the Water Supply Protection District; Section 255-84D(3) by changing "five" feet" to "ten feet" (or another dimension); and by replacing Section 255-84F Surety requirement a new Section 255-84F Performance guarantee requirement as detailed in the Planning Board's Report to Town Meeting, or take any other action relative thereto.

The complete text and maps (if any are applicable) relative to the proposed amendments are available for inspection during regular business hours (8:30 a.m. to 4:30 p.m.) at the following place:

South Hadley Planning & Conservation Department

*Town Hall – 116 Main Street - Room 204
South Hadley, MA 01075*

Additionally, a copy of said proposed amendments is posted on the Planning & Conservation Department page of the Town's website under "Proposed Bylaw Amendments" – Fall 2019 Proposals. Any person interested in, or wishing to be heard on, the proposed by-law amendment should appear at the time and place designated for the public hearing.

*Diane Supczak-Mulvaney, Clerk
South Hadley Planning Board*

*Publication: Friday, October 11, 2019
Friday, October 18, 2019*

Mr. Hutchinson arrived at 6:26 PM.

Mr. Harris opened the hearing by giving an overview of the proposed zoning bylaw amendments. He explained that the amendments sought to offer clarity and constancy to the zoning bylaw. Through the proposed amendments, additional criteria was added for development which would: 1) limit that amount of allowable exaction and fill, 2) set requirements for a hydrogeological assessment, and 3) allow for the inclusion of a reuse plan; which was not limited to a vegetation plan.

The Public Hearing scheduled tonight was advertised to address two amendments within Section 255-84 which had not been included within the previously held Public Hearing on October 7. One amendment proposed to increase the separation to depth of ground water to 10 feet. The other amendment would give the Planning Board latitude in requiring performance guarantee as the existing Bylaw only specified surety bonds.

Mr. Harris explained that, following input from the October 7th public hearing, he included language which reflected that bounds of the 'prohibited area' defined in 255-84 both as references to Section 255-15 and Section 255-35; as well as the street boundaries. He reiterated that the prohibited would be expanded by the amendment.

Neva Tolopko, South Hadley resident, addressed the Board. She spoke on behalf of a group of citizens who supported the amendments. She stated that the amendments brought clarity and consistency to the Bylaw.

Chair Cavanaugh closed the Hearing at 6:34 PM.

Respectfully Submitted,
AS APPROVED
Colleen Canning, Senior Clerk Planning and Conservation

Appendix

Document	Document Location
Draft report for Article PB-01 (Revisions to Section 255-35 regarding the Water Supply Protection District)	Planning Files
Draft report for Article PB-02 (Revisions to 255-84 regarding Earth Removal Extraction and/or Fill Activities)	Planning Files