

SOUTH HADLEY PLANNING BOARD PUBLIC HEARING

Application for Special Permit and Stormwater Management Permit for proposed Skinner Woods Flexible Development.

MINUTES OF OCTOBER 28, 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, Senior Clerk Planning and Conservation

Chair Cavanaugh called the Public Hearing into order 7:48 PM.

Mr. Harris noted that there was an error in the notification to abutters for the Public Hearing opened on July 22, 2019. Therefore, a new hearing was advertised to open tonight which would incorporate all information from the previous public hearing sessions.

Clerk Mulvaney read the Public Hearing notice out loud:

The South Hadley Planning Board, in accordance with the provisions of Chapter 40-A, Section 11, Massachusetts General Laws and Section 200-10 of the South Hadley Stormwater Management Bylaw will hold a public hearing on Monday October 28, 2019 at 7:30 p.m. in the Selectboard Meeting of the South Hadley Town Hall at 116 Main Street, South Hadley, MA to consider and discuss the application of Skinner Woods, LLC c/o Thomas Spring; 2 Cedar Ridge, South Hadley, MA 01075 for a Special Permit under Sections 255-19, 255-31, 255-35, 255-47, 255-85, 255-86, and Article IX of the Town's Zoning Bylaw and an application for a Stormwater Management Permit under Chapter 200 of the Town's Bylaws. The applicant is seeking a Special Permit and Stormwater Management Permit to allow development of a Flexible Residential Development consisting of ten (10) residential dwelling units in ten (10) free standing structures on a single parcel. Additional elements of the development include parking, landscaping, utilities, Stormwater management systems, septic disposal systems, open space and trails, and similarly related items.

The subject property is located along the northwest side of Amherst Road (aka Route 116) and identified on Assessor's Map Number #58 as Parcel #21 and on Assessor's Map Number #60 as Parcel #31. The property is located in the Agricultural zoning district and is within the Water Supply Protection Overlay District.

Plans and the application may be viewed at the Office of the Planning Board during normal office hours (8:30 a.m. to 4:30 p.m.). Additionally, the plans and application are posted on the Planning Board's "Project Plans A through L" page on the Town's website www.southhadleyma.gov in a section titled "Amherst Road SP Skinner Woods – 2019". Additionally, the applicant is incorporating all records of sessions of a public hearing on this project which were initiated on July 22, 2019.

Any person interested in, or wishing to be heard regarding, this application should appear at the time and place designated.

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

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

The applicant, Thomas Spring, was present at the Public Hearing along with his consulting engineer, Bucky Sparkle.

Bucky Sparkle offered an overview of the proposed development and detailed the minor changes made to the plan since the Board's previous review. He explained that the proposed flexible development would be situated on the site of a former quarry. The dwellings consisted of clustered detached dwellings with persevered openspace to the rear of the site. He continued by detailing changes to the submitted plan. The proposed development sign was removed from the MassDOT right-of-way along the route 116 corridor. Draft maintenance plans for both the stomwater and septic systems had been submitted. Lastly, the final peer-review had been received the day of the hearing and all components were satisfied.

Mr. Hutchison addressed the provided mitigation for tree removal. As proposed, trees would be replanted in the diameter amount equal to the amount removed. He observed that the area is considered priority habitat for turtles and inquired if the developer could incorporate a holistic mitigation plan which could benefit the priority habitat. Vice-Chair O'Brien concurred with the observation. She noted that mitigation could be an opportunity for native plant restoration. Members of the Board were agreeable to requiring the applicant to create a mitigation plan drafted by a landscape architect that fostered native habitat and received approval from the *Natural Heritage and Endangered Species Program*.

Bill Sojka, 528 Amherst Road, addressed the Board. He inquired were he could review additional information about the proposed project. Mr. Harris explained that all the information submitted by the developer was posted to the Town's website. Alternatively, all plans and applications could be reviewed in the Planning Department office.

Linda Young, 25 Westbrook Road, addressed the Board. She recommended that the developer grow an orchard in the open space as mitigation.

Clerk Mulvaney inquired about record keeping pertaining to ongoing operations and maintenance plans. The consultant explained that the condo association would have a Board who would be responsible for record keeping.

Chair Cavanaugh inquired if all TSS concerns had been addressed within the Stormwater Management Plan. The consultant confirmed that the peer-review was satisfied with the TSS calculations.

The Board reviewed the standards for Special Permits as dictated in the Zoning Bylaw as follows:

§ 255-129 Standards for special permits.

A. Except in the case of a special permit for changing a nonconforming use or structure, which is governed by § 255-7B, the SPGA must make written findings on the following mandatory standards, requiring that a proposed use will:

(1) Comply with all applicable land use district, overlay district, and other specific requirements of this and other bylaws and regulations, and be consistent with the purpose and intent of this bylaw and of the land use district in which it is located;

The proposed development satisfied the standard. The location was agriculturally zoned and within the Water Supply Protection Overlay District.

(2) Be suitable to the surrounding neighborhood and the "Land Use Area" in which it is located. Land Use Areas are identified and described in the section of South Hadley's Master Plan entitled "Land Use Area Vision Statements" (pages 1-10 through 1-19). In making this determination, the Planning Board shall take into consideration any guidance provided by the land use goals articulated in South Hadley's Master Plan, goals articulated in South Hadley's open space and recreation plan, and input from relevant boards, Town officials, and the public;

The proposed development satisfied the standard as it would be within an existing residential neighborhood. Open space would be maintained at the front and rear of the property. Additionally, the landscaping plan for mitigation would restore the open space.

(3) Be compatible with existing uses and uses allowed by right in the neighborhood, Land Use Area, and zoning district;

The proposed development satisfied the standard.

(4) Be compatible with the existing character of the neighborhood and Land Use Area, and/or zoning district. "Character" shall be understood to include prevalent patterns of: site design; setbacks from property lines; amount and location of parking; amount, type, location and quality of open spaces and landscaped areas; amount, type, and location of impervious surfaces; distances and relationships between buildings; density of building(s) relative to land area; building massing; architectural style and detailing; materials; buffering from adjacent uses; traffic volume and timing; noise; odors; and light.

The proposed development satisfied the standard. The flexible development standard capitalizes on all the items.

(5) Be suitable for the property on which it is proposed, considering the property's, scenic, cultural and historic significance, and its ability to be buffered or screened from neighboring properties and public roads.

The proposed development satisfied the standard. As trees would be retained, the development would be screened.

(6) Provide safe access for fire, police, and other emergency vehicles.

The proposed development satisfied the standard. The Police Department and Fire District reviewed the development proposal and provided comment.

(7) Provide adequate water, drainage and waste disposal systems without causing significant harm to any natural water system or overloading any public water, drainage, or sewer system, or any other municipal facility.

The proposed development satisfied the standard. The Stormwater Management Plan had been submitted and received endorsement from the third party peer-review. Septic requirements would be permitted through the Board of Health. The Water Department cited no concerns.

(8) Not cause significant traffic congestion, impair pedestrian or bicycle safety, or overload existing roads, sidewalks and trails, considering their current width, surfacing, and condition, and any improvements proposed to be made to them by the applicant.

The proposed development satisfied the standard. The development would be located off State Highway 116. As Route 116 is a straight road, there would not be issues concerning driver's 'line-of-site'

(9) Not result in excessive air, water, noise, or light pollution, or create any other public or private nuisance;

The proposed development satisfied the standard. The developer would come back at a later date to submit a request for sign illumination to install a small down cast light at the development sign.

(10) Not degrade the scenic, rural, or historic character of the Town with structures or other lot features which are deemed visually objectionable in light of prevailing community as reflected in the goals articulated in South Hadley's Master Plan;

The development satisfied the standard. The development preserved open space. The flexible development standard provided for a better outcome than a standard subdivision.

(11) Be consistent with the South Hadley Master Plan, provided that the Comprehensive Plan provides legally sufficient guidance and that the applicable provision of the Master Plan is not inconsistent with any specific provision of this bylaw;

The development satisfied the standard. The development was compatible with the land use vision as it was residential and maintained open space.

(12) Comply with applicable criteria for site plans under § 255-148.

This standard did not apply to the proposed development as it was residential.

B. In addition, the SPGA may include in its written findings, where applicable, consideration of any or all of the following criteria to be satisfied by the proposed use, building or structure:

(1) For projects involving the removal of existing housing, not adversely affect the availability of affordable housing in the Town;

This standard was not applicable.

(2) Not have an overall off-site impact that is significantly greater than the overall off-site impact that would be caused by full development of the property with uses permitted by right, considering relevant environmental, social, visual, and economic impacts;

The proposed development satisfied the standard. No greater impact would be contributed; perhaps lesser impact.

(3) The adequacy and configuration of off-street parking and loading areas, including their nuisance impact on adjoining properties and on properties generally in the district;

This standard was not applicable.

(4) Harmony of signs and exterior lighting, if any, with surrounding properties;

The Planning Board would receive a request for sign illumination if the developer wanted to install lights at the development's entrance sign.

(5) The location of the site, and proposed buildings or structures thereon, with respect to floodplains and floodways of rivers or streams;

This standard was not applicable.

(6) The absence of any other characteristic of the proposed use that will be hazardous, harmful, offensive or will otherwise adversely affect the environment or the value of the neighborhood or the community; or

This standard was not applicable.

(7) Provisions for energy conservation, for the use of renewable energy sources, and for protection of solar access.

This standard was not applicable. However, it was noted that the flexible development standard allowed for lesser pavement and greater open space.

As there was no further information to gather, Chair Cavanaugh closed the Public Hearing at 8:28 PM.

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

Appendix

Document	Document Location
10/24/19 updated plans, peer-review response, stormwater management plan and O&M plans for Skinner Woods Flexible Development	Planning Files
10/25/19 Peer Review of Skinner Woods Flexible Development performed by Fuss & O'Neil	Planning Files