

## Background Materials – November 21, 2022– Planning Board Meeting

Prepared by Anne Capra, Director of Planning and Conservation, 11/18/22

**Cable Access Channel 15 – Cable Access Channel 15** – The Cable Studio has indicated that this meeting will be live streamed on Channel 15.

### AGENDA ITEM #1 Open Comment Period

This 10-minute period is set aside for the public to offer comments on items not on the posted agenda, in accordance with the adopted policy, as amended 8/8/22, posted on the Town of South Hadley Planning and Conservation Department webpage here:

<https://southhadley.org/DocumentCenter/View/9842/Open-Comment-Period-Policy---As-Adopted-2022-08-08>

**Action Needed:** Allow members of the public to offer comments to the Board.

### AGENDA ITEM #2 Minutes

Senior Clerk Colleen Canning will forward minutes separately.

**Action Needed:** Vote to approve the minutes.

### AGENDA ITEM #3 Correspondence

A list of correspondence received will be sent prior to the meeting.

**Action Needed:** No action needed.

### 6:30 PM AGENDA ITEM #4 Delaney Market, 459 Granby Road, Site Plan Review Waiver Request (Assessor's Map 31, Parcel 15)

Application materials are online here: [Granby Road \(459\) - Delaney's Market - 2022 | South Hadley, MA - Official Website](#)

The new owner of the property intends to re-purpose the existing building located on the site. The building was formerly used as a retail building for motorcycle sales and repairs. The proposed use will include establishment of a small retail component for sales of pre-packaged prepared meals and offices on the first floor of the building, and a commercial kitchen and storage in the basement. The site is currently zoned Business A-1 and retail sales require Site Plan Review, and per 255-145 (A)(1) the construction or expansion of commercial structures. The applicant has also filed a Notice of Intent with the Conservation Commission, public hearing held on 11/16/22 and continued until 12/7 so the Commission could conduct a site visit.



Per Zoning Bylaw Section 255-145 (D), the applicant has requested a waiver from Site Plan Review based on the following criteria:

Waiver permitted. The Planning Board may waive any and all requirements of site plan review/approval for the following:

- (1)** New construction under 1,000 square feet; and
- (2)** Exterior expansions, provided that the expansion is less than 25% of the existing floor area of the structure. Where the structure is part of a complex consisting of multiple buildings functioning as a single facility, the sum of the total square footage of all structures comprising the complex may be used to determine the threshold for such a waiver.

The project will remove an existing deteriorated shed and existing degraded pavers at rear loading dock. New construction will include installation of two concrete pads for a walk in cooler (370 SF) and mechanical equipment (102 SF) totaling 472 SF. The sewer onsite will be upgraded but all work will be underground. This work has been coordinated with the DPW Water Pollution Control Director Melissa Labonte. The sewer trench and area where pavers will be removed will be repaved. I do not consider this “new construction” or “commercial expansion”. Therefore, this new construction meets standard #1 for a waiver.

A rough measurement of the building footprint from an aerial photo on the Assessor’s GIS viewer is 4,900 SF; 25% of that is 1,225 SF. (Applicant reports the floor area as 4,026 SF which may be more accurate given porch space etc.) Therefore, the new construction meets standard #2 for a waiver. Note: a project must meet only one of the standards for waiver approval.

Off-Street Parking – The project will include the stripping of 13 new parking spaces, one of which will be handicapped accessible. The previous lot, although paved, had no stripped spaces or designated handicap parking. There is shared driveway easement on the east side of the

building with 461 Granby Road. Based on the submitted plans, it appears that 609 SF are for retail space leaving the remaining as commercial kitchen and office space (7,443 SF),  
4 spaces x 1000 SF floor area retail = 3 spaces  
1 spaces x 1000 SF for industrial/warehouse (Commercial kitchen may be best suited in this category) = 7 spaces  
Total 11 spaces required to meet standards

**Recommendation:** Motion to approve a request for waiver from Site Plan Review for 459 Granby Road. (The project will be submitting an Illuminated Sign application, anticipated to be on the 12/5 agenda.)

**Action Needed:** Conduct the meeting and motion to approve or deny the request for a waiver.

6:30 PM AGENDA ITEM #5 2078 Memorial Drive, Professional Business Special Permit (Assessor’s Map 7, Parcel 123)

Application materials are online here: [Memorial Drive \(2078\)- Dentist Office | South Hadley, MA - Official Website](#)

The property is located within the Residence A-1 zoning district in an existing office building, used previously for a dentist office. Professional Business is allowed by Special Permit in this district, on Route 33 between Route 202 and the Chicopee city line. Businesses at this location have been issued Professional Business Special Permits in 1994, 2007, and 2016. Parking and access to the building is at the rear of the building which fronts Loretta Street. No changes to the structure or exterior expansions are proposed.

Standards for approval are codified in 255-34 Professional Business Uses (<https://ecode360.com/30053205>) and Article IX Special Permits ([Town of South Hadley, MA Special Permits \(ecode360.com\)](#)). A spreadsheet with standards is attached.



Departmental Comments Received:

Chief Gundersen, Police Department – “I have no comments or concerns.”

**Recommendation:** Make findings on the Special Permit and Professional Business Use criteria and move to issue a Special Permit.

**Action Needed:** Conduct the public hearing and motion to approve the Special Permit, with or without conditions, or deny. The Board must make written findings on the mandatory standards in 255-129 (A), requiring that a proposed use will meet the standards, and in 255-34 Professional Business Uses.

6:30 PM AGENDA ITEM #6 19 Ashfield Lane, Home Occupation II Permit (Map 46, Parcel 35)

Application materials are online here: [Ashfield Lane \(19\) - Home Massage Therapy Business | South Hadley, MA - Official Website](#)

255-22 Home Occupation: [Town of South Hadley, MA Supplemental District Regulations \(ecode360.com\)](#)

The subject property is within the Residence A-1 zoning district in a single family home. Based on the plan submitted, the massage room has its own entrance and is 200SF. The total floor area of the house is 1,600SF which makes the room both under 500SF and less than 20% of the floor area. A designated parking space is also provided within the driveway.



Departmental Comments Received:

Chief Calkins, Fire District 2 – “SHFD2 would like to perform a Home Safety Inspection for 19 Ashfield Lane. Inspection would consist of adequate Smoke and CO detection, egress paths, and proper House numbering. The resident can contact us at 413-534-5803 or email [tcalkins@shfd2.com](mailto:tcalkins@shfd2.com) .

The last smoke and Co inspection for 19 Ashfield in our records was 2008. FYI”

Chief Gundersen, Police Department – “I have no comments or concerns.”

**Recommendation:** Review the Home Occupation II standards and make a finding for each. The project appears to meet all standards.

**Action Needed:** Conduct the public hearing and motion to approve the permit, with or without conditions, or deny the permit.

## AGENDA ITEM #7 Discussion on Accessory Dwelling Units

Given the full agenda for this meeting, I don't expect to get into any real discussion on Accessory Dwelling Unit Bylaws. Below is a list of key parameters that need to be discussed prior to developing a model bylaw. Also listed is a link to the State's toolkit on ADUs. Members should look at that material to become familiar. For future meetings, I will upload additional background reports on this topic. Attached is a American Planning Association Quick Notes which provides a basic summary of ADUs, parameters for consideration in developing bylaws, and the issues that can arise when working on these with the public. In summary, ADU bylaws can vary widely from town to town and need to be developed based on community preferences. Thus, I chose not to send bylaws from other towns to prevent any misunderstanding that any of the parameters are predetermined.

The following are some key parameters that need consideration before looking at model bylaws and developing a bylaw for South Hadley:

1. Permitting - By right, special permit. Or site plan review – This would include discussion on zoning districts for this use.
2. Dimensional requirements/Unit size – This would take into consideration parcel size as well as dwelling unit size.
3. Limitations on tenancy/occupancy (age, duration, etc.), if any. This would include discussion on whether or not the owner of the property lives in one of the units on the property.
4. Form of Ownership – Should bylaw prohibit converting the ADU unit into a condominium.
5. Preexisting, nonconforming ADUs – How to treat grandfathered ADUs; illegal apartments that seek to apply for a ADU permit.
6. Adequacy of Water and Sewer Services – Needs to be considered.

Resources:

EOEEA Smart Growth Toolkit – Accessory Dwelling Units

[Smart Growth / Smart Energy Toolkit Modules - Accessory Dwelling Units \(ADU\) | Mass.gov](#)

Next Steps – Schedule upcoming meeting to block out time to discuss the six parameters listed above and develop preferred criteria to develop a model bylaw on. At that point, Town Counsel can provide a template, in addition to bylaws from other communities to look at.

## AGENDA ITEM #8 Planning & Conservation Department Report on Planning Projects and Development Updates

### **South Hadley Housing Production Plan Launch**

Do you, your family, or your friends face challenges with housing in South Hadley? Do you want to help shape housing in your community? Do you want housing that can serve all our needs? The Town of South Hadley asks for your help to plan for a better housing future. We need your

help to craft a “Housing Production Plan” that will set the course for residential development and housing policy.

This fall there are two opportunities to get involved:

- **Community Forum** on the town’s housing goals and the future housing development – December 12, 2022, 7–9 PM, at the South Hadley Public Library, 2 Canal Street, South Hadley.
- **Survey** on housing in South Hadley, giving people who can’t attend the forum a chance to weigh in. Visit [links.shhousingplan.org/survey](https://links.shhousingplan.org/survey) to participate.

To stay informed, visit [www.shhousingplan.org](https://www.shhousingplan.org), and sign up for email updates at [links.shhousingplan.org/email](mailto:links.shhousingplan.org/email). Questions? Contact Anne Capra, Director of Planning and Conservation at [acapra@southhadley.ma.gov](mailto:acapra@southhadley.ma.gov) or (413) 538-5030 x6128.

### **Lauzier Farm APR – Local Fundraising Closed the Gap**

I am very pleased to announce that the \$190,000 local match toward the protection of the 210-acre Lauzier Farm on Alvord Street has been met as a result of enthusiastic community support and our partnership with Kestrel Land Trust. Following a steady flow of donations from neighbors and other supporters of farmland preservation over the past 18 months, a former South Hadley resident recently stepped up with a leadership gift to close the remaining funding gap. After the sale next spring of an Agricultural Preservation Restriction (APR) on 210 acres of farmland that will prohibit development in perpetuity, the Lauzier Farm will become “Forever Farmland.” Thanks to the landowners, Kestrel Land Trust, the Commonwealth of Massachusetts, and people like you, this beautiful fertile land will remain in agricultural production forever. We at the Town of South Hadley deeply appreciate the generosity that the Lauzier Farm project has inspired. Thank you again for investing in the preservation of this important family farm in our community and the Pioneer Valley.

### **Next Meetings and Upcoming Events**

12/5 – 1 Conti Drive SPR and Stormwater Management Permit Public Hearing Continuation; 510 New Ludlow Road Request to amend Special Permit

12/12 – Housing Production Plan Community Forum, 7pm @ South Hadley Public Library

12/19

1/9

1/23

2/6 – Short Term Rental Bylaws Public Hearing

2/27

3/6

3/20

### **Special Town Meeting**

Planning Board Meeting – November 21, 2022 – Background Materials

The Selectboard has called a Special Town Meeting for Wednesday, November 30, 2022 at 6pm at the South Hadley High School auditorium. The warrant has been approved and can be viewed online at:

[www.southhadley.org/DocumentCenter/View/10076/Warrant-Special-Town-Meeting-113022](http://www.southhadley.org/DocumentCenter/View/10076/Warrant-Special-Town-Meeting-113022)

Presentation from the Public Hearing here: <https://www.southhadley.org/1134/2021-to-2022>

**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)

No new business had been submitted to me as of today.