

## Background Materials – May 22, 2023– Planning Board Meeting

Prepared by Anne Capra, Director of Planning and Conservation, 5/19/23

**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

Planning and Conservation Coordinator Colleen Canning will forward minutes separately.

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

### AGENDA ITEM #3 Correspondence

Correspondence is attached.

**Action Needed:** No action needed.

### AGENDA ITEM #4

#### Illuminated Sign Permit – Min Min Restaurant, 532 Newton Street

Application and plans online here: [Newton Street \(532\) - Min Min Kitchen | South Hadley, MA - Official Website](#)

The application is for the replacement of a freestanding illuminated sign for a new restaurant. The location is within the Business A-1 zoning district, at the location of the former Subway. The applicant submitted an original application dated 4/13/23, and subsequently a revised nighttime sign image to conform with the restriction that signs may not be backlit and only the lettering or logo may be illuminated. The sign dimension is described as 28”x119” = 3,332 sq.in. or 23 sq.ft. which complies with the size restriction of 60 SF maximum, and is located 14’ from the striped street line.

Per 255-85, the standards for adverse to surrounding neighborhood or community:

- a. Illumination impact on surrounding properties must be considered and minimized.
- b. Internally Illuminated signs for lettering or logo or message being promoted only.

- c. Illumination does not illuminate adjoining or nearby residential properties or pose a danger to motorists on adjoining or nearby roadways from glare.
- d. Background or field of sign cannot be illuminated.

**Recommended Motion:** Make a finding that the sign will not be adverse to the character of the surrounding neighborhood or community, and move to approve the sign illumination.

**Action Needed:** Conduct the meeting. To approve the sign illumination, the Board must make a finding that the sign will not be adverse to the character of the surrounding neighborhood or community.

## 6:45 PM - AGENDA ITEM #5

### Special Permit Public Hearing – Baltazar Dental, 2078 Memorial Drive – Expansion of Non-conforming Structure

Application and plans online here: [2023-05-15 Baltazar Dental \(southhadley.org\)](https://www.southhadley.org/2023-05-15/Baltazar-Dental)

The subject property is a 0.4 acre property within the RA1 zoning district and identified as Map 7, Parcel 123. The proposed project is for the expansion of a professional office building (Baltazar Dental) within the front setback area on the subject parcel (Map 7, Parcel 123). The dental business received a Special Permit for Professional Business in December 2022. They have now submitted an application for a Special Permit to expand the nonconforming building by 1,969 SF (inclusive of 1,882 SF building expansion, 87 SF entranceway and covered entrance) and add 4 parking spaces and renovate the landscaping.

The property fronts on three streets: Memorial Drive, Abbey Street, and Loretta Street, and thus has front setbacks of 40' for each. The existing building is located partially within the front setback of Memorial Drive, which creates the preexisting nonconformity.

#### *255-86 Off-street Parking:* [Town of South Hadley, MA General Provisions \(ecode360.com\)](https://www.ecode360.com/town-of-south-hadley-ma-general-provisions)

The proposed plan includes the addition of 7 parking spaces to create a total of 14 ( 1 accessible van, 3 compact cars, and 10 regular). This number is based on the following breakdown within the building:

3,050 SF Personal Service Area: 4/1000 SF=12 spaces

750 SF Office Area: 2/1000 SF= 2 spaces

1050 SF Storage Area: No parking requirement

All parking is off of one-way Loretta Street. During departmental review, questions were raised about the orientation of spaces 12-14 and the need for patients to back onto Loretta Street. DPW expressed no concerns regarding this. However, the Board may wish to consider a special condition requiring pavement painting and signage indicating the one-way traffic flow for patients leaving the parking lot.

#### *Stormwater Management:*

The amount of disturbance does not trigger the 1 acre threshold for a Stormwater Management Permit. The proposed plan includes two shallow depressed areas as rain gardens for stormwater retention. However, the plan does not include contour lines and it is therefore not feasible to determine the direction of flow from paved areas or the building.

**Landscaping and Screening:**

The plan shows an existing vegetative buffer (species not identified) along the south boundary line next to the existing residential use. The plan identifies new native plantings to be added to this buffer, as well as along Abbey Street, and around the building. A final planting plan is not provided and listed as “TBD”. The Board may consider as a special condition submittal of the planting plan to the Director of Planning and Conservation for approval.

**Signs:**

The plan identifies an existing freestanding sign along Memorial Drive to be relocated and set within new landscaping. The plan does not indicate if wall mounted signs will be added/replaced. The Board may consider as a special condition that signs shall comply with 255-85 and any proposed illuminated signs must be approved by the Planning Board.

**Accessibility:**

The original plan dated 04-17-2023 provided an accessible ramp along the north side of the building at the entrance way. Due to SHELd regulations requiring a buffer around the existing gas meter at that location, the ramp was angled away from the building, as presented in the revised plan dated 05-15-2023. This re-design satisfied SHELd’s requirements.

**Lighting:**

The plan states that the existing building mounted parking lot lights will be maintained and “adjusted” for expanded parking. I recommend seeking clarification on what “adjusted” means.

255-7 (B)(1) Preexisting nonconforming structures or uses may be changed, extended or altered only upon approval of a special permit for such purpose by the Planning Board acting as the special permit granting authority, provided that the Planning Board shall find that such change, extension or alteration will not be substantially more detrimental than the existing nonconforming use to the neighborhood in which it is located.

**Department Comments**

Matt Delmonte, SHELd –

5/12/23 email:

SHELd has reviewed the application materials with the following comments: 1. The existing electric meter is approximately 4’ above finished grade and maintains the minimum 4’ wide, 6’ high and 3’ depth clearances as required by the SHELd Requirements for Electric Service. Although not clear without a profile drawing, it appears as though the proposed ramp and railing at the north entrance would encroach on these minimum clearances limiting safe access by SHELd employees and emergency responders. 2. The existing electrical service maintains the minimum 12’ height at the point of attachment. It appears that the finished height of the

proposed ramp may reduce this vertical clearance to the point of attachment and associated drip loop to less than 10', in violation of SHELD policies and NESC. 3. The customer is adding 7 operatories and notes utilities will remain "as-is". If the customer is performing an electrical service upgrade, a Request For Service is required to be filed with SHELD. Although unrelated to SHELD, Loretta Street is a one-way street (southbound only). Due to the angle and proximity to Abbey Street, it would be quite difficult to navigate parking spaces 12-14. In addition, the existing gas meter is much closer to the center of the north side and would most likely require relocation as well -if the ramp is installed as shown.

5/16/23 email:

SHELD has reviewed the Site Plan application as revised 5-15-23 and we have no objections to the project.

John Broderick, Interim DPW Director –

5/15/23 via email: I spoke with the new owners of the property prior to them purchasing and I know that they had planned on altering some of the existing pavement area but that had to go through planning first. The Verizon building that was there never had any issues as far as off street parking or impacting any travel on Loretta. Looking at the proposed plans in your email I do not have an issue with anything there. I think it will be a nice addition to the town and to that corner. The previous businesses I had no impact as far as public travel.

Jeff Cyr, Fire District 1 Water Department –

The only comment I have is to make sure the plumber submits a permit for the backflow devices that will be installed within the facility.

**Recommended Motion:** Move to make a finding that the proposed change, extension or alteration will not be substantially more detrimental than the existing nonconforming structure to the neighborhood in which it is located, and to issue the Special Permit for the expansion of the nonconforming structure as presented, with Special Conditions.

**Action Needed:** The Board must 1) make a finding that the proposed change, extension or alteration will not be substantially more detrimental than the existing nonconforming structure to the neighborhood in which it is located, and 2) vote to take action on the Special Permit request. Discuss any potential conditions to attach to the Special Permit.

## [AGENDA ITEM #6 Planning & Conservation Department Report on Planning Projects and Development Updates](#)

### **Annual Town Meeting Recap**

Below are the final certified results from the Town Clerk for Articles 20-24. As is standard process for all new zoning bylaws, they have been sent to the Attorney General's Office for review and approval, which typically takes three to six months. In the meantime, I will be

working with other Town officials to develop necessary applications as related to Short Term Rentals and Accessory Dwelling Units.

All results: [News Flash • South Hadley, MA • CivicEngage](#)

Article 20 - Amendment 1	Fail	Majority	29	77	2	108
Article 20 - Short Term Rental General Bylaw	Pass	Majority	82	24	2	108
Article 21 - Short Term Rental Zoning Bylaw	Pass	2/3	81	17	10	108
Article 22 - Amendment 1	Fail	Majority	35	67	6	108
Article 22 - Accessory Dwelling Zoning Bylaw	Pass	Majority	68	34	6	108
Article 23 - Landowner Petition 280-286 Granby Rd	Fail	2/3	35	67	6	108
Article 24 - Citizen Petition 460 Amherst Road	Fail	2/3	8	94	6	108

**Housing Production Plan - Community Forum #2 –RESCHEDULED**

NEW Date & Location:

Thursday, June 22, 2023

7-9 PM

South Hadley Senior Center, 45 Dayton Street, South Hadley, MA

Agenda: [https://southhadley.org/AgendaCenter/ViewFile/Agenda/\\_06222023-5078](https://southhadley.org/AgendaCenter/ViewFile/Agenda/_06222023-5078)

Please join us to learn about housing development and constraints within South Hadley, and discuss draft goals, strategies and opportunities to create much need housing for people of all incomes and stages of life. To stay informed, visit [www.shhousingplan.org](http://www.shhousingplan.org), and sign up for email updates at [links.shhousingplan.org](mailto:links.shhousingplan.org)/email.

**Master Plan Annual Joint Meeting w/ Selectboard & MPIC – June 6th at 6:00 PM**

The Selectboard and MPIC have requested June 6th as the date for the annual joint meeting of the Selectboard, Planning Board and MPIC for MPIC's annual report and discussion. This will be at a regularly scheduled Selectboard meeting. Please save the date. I'll post an agenda with login info as it is available.

MPIC 2023 Annual Report:

<https://southhadley.org/DocumentCenter/View/11126/2023-Annual-Report>

**Façade Improvement Grants for Businesses**

The Town received a second Regional Economic Development Opportunity Grant (REDO) through the Western Mass Economic Development Corporation in the amount of \$76,000 to provide façade improvements to local businesses. The Town is providing a \$10,000 match from ARPA funds for the program, which is a rollover of unspent funds from the first grant allocation. Eleven businesses have been issued contracts and work is scheduled to be completed by June 30, 2023. Projects include new siding, new or replacement signs, window replacements, entranceway overhang, brick repointing, repair to concrete stairs, and other minor electrical and building repairs.

**Conservation Connections E-newsletter**

Conservation Administrator/Assistant Planner Rebekah Cornell has been publishing a monthly newsletter about South Hadley's conservation areas and local environment called Conservation Connections. You can sign up to receive this e-newsletter by emailing [Rcornell@southhadleyma.gov](mailto:Rcornell@southhadleyma.gov) or visiting the Conservation Commission webpage [Monthly Newsletter | South Hadley, MA - Official Website](#)

**Next Meetings and Posted/Pending Agendas**

*Planning Board meets the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of the month.*

6/6	MPIC Annual Report – Joint PB & Selectboard Mtg
6/12	
6/22	Housing Production Plan Community Forum #2, Senior Center, 7pm
6/26	
7/10	
7/24	
8/14	
8/28	

**AGENDA ITEM #7** Other New Business (topics which the Chair could not reasonably expect to be discussed/considered as of the date of this notice)

No additional business has been submitted to me as of the date of this notice.