

Background Materials – June 26, 2023– Planning Board Meeting

Prepared by Anne Capra, Director of Planning and Conservation, 6/23/23

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.

6:30 PM - AGENDA ITEM #4

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

Application and revised plans online here: <https://www.southhadley.org/1304/Memorial-Drive-2078---Dentist-Office>

Revised Site Plan and Building Elevations 6/15/23:

<https://www.southhadley.org/DocumentCenter/View/11476/61523-Updated-Site-Plan-w-Elevations?bidId=>

Management Plan:

<https://www.southhadley.org/DocumentCenter/View/11477/61523-Management-Plan?bidId=>

The Public Hearing was opened on 5/22/23 and continued to 6/26/23 so that the applicant could provide more detailed site plans and a management plan, consistent with the Special Permit Rules and Regulations Section IV. Plan Contents for new/expanded structures, inclusive

of site changes. The applicant has submitted a revised site plan and building elevations dated 06-15-2023.

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.

Parking:

255-86 Off-street Parking: [Town of South Hadley, MA General Provisions \(ecode360.com\)](https://www.ecode360.com)

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

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

1,050 SF Storage Area: No parking requirement

The revised plan still includes the addition of 7 parking spaces to create a total of 14 (1 accessible, 1 compact [seems to be an error – van accessible space also marked “c”], and 12 regular). The accessible ramp to the building entrance has been realigned and a new parking area for three spaces has been created on the north side of the building (#12-14), parallel to Abbey Street. Shrubs have been removed along the north boundary along Abbey Street and the intersection of Loretta Street to provide a clear sight line for vehicles turning onto Loretta Street from Abbey Street, and vehicles exiting the parking lot onto Loretta Street. Shrubs were removed close to the intersection of Abbey Street and Memorial Drive, presumably to also improve sight lines for the business sign at the front of the building facing Memorial Drive. A shorter row of shrubs have been left in place to screen the parking spaces (#12-14) from Abbey Street.

Potential Special Condition: The Board may wish to consider a special condition requiring pavement painting (and possibly signage but not sure where that would be located) indicating the one-way traffic flow for patients leaving the parking lot onto Loretta Street.

Stormwater Management:

The amount of disturbance does not trigger the 1 acre threshold for a Stormwater Management Permit. The revised plan now has existing and proposed 1' contours, and three revised shallow retention basin/rain gardens for runoff from new parking areas and roof: +/- 500 SF in the northeast corner of site, another smaller area on east side of building (size not indicated), and +/-325 SF in the southwest corner of the site. Blue areas labeled drainage illustrate the flow of water from the surrounding paved areas and building flowing

perpendicular to proposed contours into the basins. Planting plans for basins/rain gardens not provided.

Plan notes the total proposed lot impervious coverage is 56%. This is increased from 54% in the original plan due to an increase in the SF of new proposed structures which appears to be due to an enlargement of the proposed covered porch at the parking lot building entrance. The maximum impervious coverage for the RA1 zoning district is 60%.

Potential Special Condition: The Board may wish to consider a special condition requiring a detailed planting plan for the shallow retention basins/rain gardens, as well as the entire site, shall be submitted and be approved by the Director of Planning and Conservation. Native plants are preferred. The planting plan shall include an operation and maintenance plan.

Landscaping and Screening:

In addition to the landscaping and screening changes noted above, the dumpster, located in the southwest corner of the parking lot is now screened with a wood stockade gate and arborvitae shrubs. It is unclear if the dumpster is surrounded by the fencing entirely or not. Seek clarification on the design of the screening for the dumpster.

The revised plan has eliminated the proposed 5 shade trees previously proposed along the property boundary corners.

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.

Potential Special Condition: The Board may wish to consider a special condition requiring 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 SHEL D 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 SHEL D's requirements. The revised plan dated 06-15-2023 has redesigned the ramp locating it fully in front of the building, presumably to accommodate the new parking area on the north side of the building. An expanded covered porch has been added at the top of the ramp and entrance to the building.

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.

Management Plan:

A brief description of property management including trash pickup, snow removal, employee parking, and use of the onsite well for landscape irrigation has been provided (see link above).

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, SHEL D –

5/12/23 email:

SHEL D 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 SHEL D 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 SHEL D 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 SHEL D 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 SHEL D. Although unrelated to SHEL D, 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:

SHEL D 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. A Special Permit requires a 2/3 super majority vote. Discuss any potential conditions to attach to the Special Permit.

AGENDA ITEM #5

Discussion on Updates to Open Comment Period Policy

I submitted the Board's questions to Town Counsel and am awaiting a response. Pending questions are:

1. Can the Board restrict comments during this period to items not on the posted agenda, to prevent discussion on projects outside of a posted public hearing or public meeting on the project.
2. Is the Town's Visitor's Code of Conduct in violation of Barron v Kolenda, and should reference to it be stricken from the Open Comment Period Policy.

AGENDA ITEM #6

Planning & Conservation Department Report on Planning Projects and Development Updates

Housing Production Plan Update

Information about the HPP can be obtained:

Planning Board [Webpage](https://www.southhadley.org/1264/11840/Housing-Studies-and-Reports?activeLiveTab=widgets): <https://www.southhadley.org/1264/11840/Housing-Studies-and-Reports?activeLiveTab=widgets>

[Project Website](https://shhousingplan.org/) (hosted by project consultant Outwith Studio): <https://shhousingplan.org/>

A. Community Forum #2 – June 22, 2023 and Survey

[Presentation](https://www.southhadley.org/DocumentCenter/View/11492/Community-Forum-2-Presentation---06-22-2023) PDF: <https://www.southhadley.org/DocumentCenter/View/11492/Community-Forum-2-Presentation---06-22-2023>

[Handouts](https://www.southhadley.org/DocumentCenter/View/11491/Community-Forum-2-Handouts---06-22-2023): <https://www.southhadley.org/DocumentCenter/View/11491/Community-Forum-2-Handouts---06-22-2023>

Housing Strategies Survey – Open Until July 6th
Copy and paste this [link](https://links.shhousingplan.org/survey2) into your browser: links.shhousingplan.org/survey2

A hybrid community meeting was held at the Senior Center with 16 in person and 9 virtual attendees. I am awaiting the video recording from SHTV Cable Access and will post this link as soon as I receive it. Links to the presentation and the handouts are included above. A survey regarding the 17 housing strategies presented is now live, and will be open until July 6th.

B. HPP Schedule

Below is the schedule for the HPP. An attendee at the community forum requested a 60-day public comment period, rather than the scheduled 30-day period. The Board should consider this request and decide if the schedule should be amended to accommodate.

DATE	TASKS
6/22	Community Forum #2
6/23 – 7/6	Extended Community Forum Public Comment Period
7/6 – 7/16	Draft HPP Compiled
7/17 – 7/31	Draft HPP submitted to Advisory Committee for review
8/1	Draft HPP issued to Planning Board for review
8/14	Planning Board Meeting – Presentation by Utile on HPP highlights, comments from Board; Invite Advisory Committee for discussion (post joint meeting)
8/28	Final Draft HPP issued for public comment (30-day comment period)
9/11	Draft HPP Public Hearing
9/25	Draft HPP Public Hearing continuation (TBD depending on public comment)
9/29	30-day Public Comment Period ends
10/2 – 10/13	HPP revisions by Utile
10/16	Final HPP issued
November	Joint Selectboard & Planning Board Meeting for adoption

Next Meetings and Posted/Pending Agendas

Planning Board meets the 2nd and 4th Mondays of the month.

7/10	<ul style="list-style-type: none">• 72 Lamb Street – Special Permit Alteration Preexisting Nonconforming Structure; Illuminated Sign Permit• Pending ANR Application• Subdivision Regulations Update
7/24	
8/14	Draft Housing Production Plan Update Presentation by June McCartin, Outwith Studio
8/28	
9/11	Draft Housing Production Plan Public Hearing
9/25	Draft Housing Production Plan Public Hearing Continuance (TBD)

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.

**SOUTH HADLEY PLANNING BOARD
LIST OF CORRESPONDENCES
JUNE 26, 2023 REGULAR MEETING**

Letters & Memos

- June 20 letter (attached) from Linda Sachs, Woodbridge Street, regarding the Town's drafted Housing Production Plan.

Legal Notices

Amherst

- Notice received from the Amherst Planning Board for filing decisions for the following: 1) extension of site plan approval for construction of a new building and associated site improvements at the corner of Gray and Main Streets for Amherst Community Television; and 2) extension of special permit approval to modify setback requirement for a new building for Amherst Community Television at the corner of Gray and Main Streets

Chicopee

- Notice from the Chicopee Planning Board for denial of a waiver from frontage to allow construction of a single-family home on Hamel St.
- Notice of decision from the Chicopee Zoning Board of Appeals for denial of a variance to create a new building lot at 363 Montcalm Street.

Granby

- Notice from the Granby Planning Board for approval of a special permit and site plan for sale of used motor vehicles at 185 West State Street.

Hadley

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Holyoke

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June 20, 2023

COMMENTS OF LINDA SACHS
lsachsnyc@earthlink.net

RE: South Hadley's Progress to Date on a Draft Housing Production Plan and its Interim Deliverables, Including "Housing Needs and Demand Assessment"

COMMUNITY FORUM #2, June 22, 2023

South Hadley has done considerable work to date on drafting a 2023 Housing Production Plan and the creation of interim deliverables. The work has serious deficiencies.

One of the most horrendous deficiencies is that there is no consideration of sustainable architecture. Sustainable architecture should be the linchpin of any new housing construction.

If this deficiency is not remedied in the final plan and significant housing construction occurs -- including multi-family, affordable and low-income -- South Hadley will start to look and feel like some of the ugliest, congested cities in America.

The Plan exists in a terrible, old-fashioned, mid-twentieth century silo that ignores the realities of:

1. The human need for nature and the numerous studies that show humans living in landscapes without trees and other greenery suffer social, psychological and physical harm.
2. The harmful effects of noise, light and traffic pollution.
3. The Climate Crisis and the important role of trees for carbon sequestration and temperature cooling.
4. Loss of biodiversity and species extinction.

As part of the planning process, a December 12, 2022 Community Forum asked participants about design elements they favored. Shockingly, sustainable architecture was not given to participants as a choice. This is an unconscionable oversight given the fact that high on the list of what participants said they love about their neighborhoods was: 1) Access to nature/greenery/open spaces/rural areas; and 2) Walkability.

To face the realities that go beyond the need for housing means that construction must: 1) preserve natural ecosystems; 2) limit negative environmental impacts; 3) use clean or renewable energy; and 4) utilize ecological landscaping. That means that 75% of plants and trees should be natives, with no wide expanses of turf grass that cause ecological dead zones, harm to pollinators and require vast amounts of water and dangerous chemicals to maintain.

Trees and nature are must-haves in every neighborhood including any new ones, no matter how small, that are developed in South Hadley. Otherwise we are creating more environmental injustice and more concrete jungles.

I am a South Hadley homeowner and I recognize the need for more housing. But construction needs be done in a way that reflects the fact that we are living in the 21st century, in a climate crisis. The 2023s Housing Production Plan must center around sustainable architecture and ecological landscaping.