

Background Materials for January 12, 2015

Agenda Items #1 through #8

Agenda Item #1 – Minutes

I have distributed draft copies of the following minutes for your consideration:

- 1) 12-15-2014 Planning Board Meeting
- 2) 10-20-2014 Planning Board Meeting
- 3) 10-20-2014 Public Hearing on Zoning Bylaw Amendments
- 4) 9-8-2014 Planning Board Meeting
- 5) 9-8-2014 Public Hearing on Rivercrest Stormwater Management Permit
- 6) 7-29-2014 Planning Board Meeting
- 7) 7-29-2014 Public Hearing on DM Towing Site Plan Review for Vehicle Storage
- 8) 7-29-2014 Public Hearing (Joint with Conservation) on Rivercrest Stormwater Management Permit
- 9) 2-10-2014 Planning Board Meeting

I am working on drafts of several sets of minutes and may be forwarding some minutes on or before Monday.

ACTION NEEDED: Review, edit and approve the minutes.

Agenda Item #2 – Bills and Correspondence

A list of the bills and correspondence are attached – at this time we do not have any new bills.

Agenda Item #3 – Meeting with Master Plan Implementation Committee

At the Board's last meeting, there was a discussion as to what should be the Bylaw priorities for the Board. And, it was suggested by a member that since the MPIC members have reviewed the efforts of the various boards in implementation, it would be helpful to solicit their thoughts on what should be the priority items - a bit of a reversal from how we have been approaching that question. While it may be construed as beyond or outside of MPIC's "charge", the members of MPIC have all agreed to attend the January 12th meeting and offer their input to the Board.

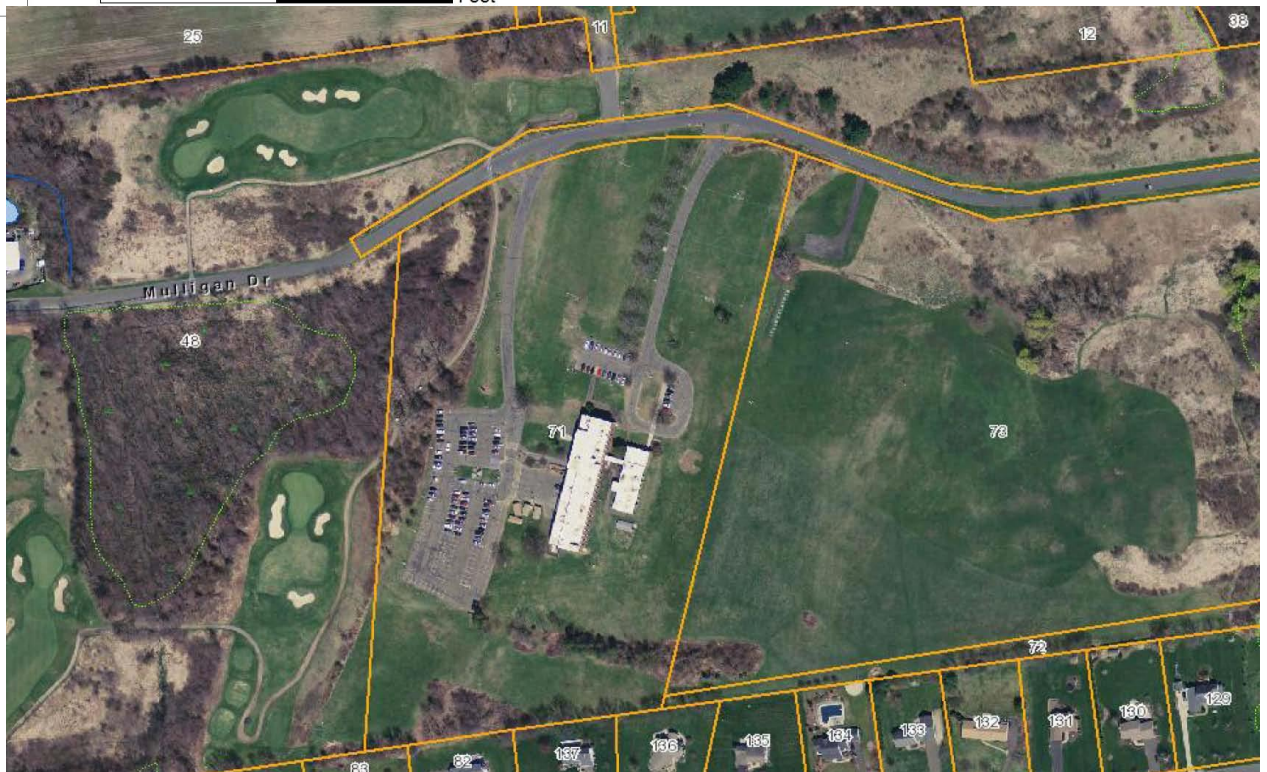
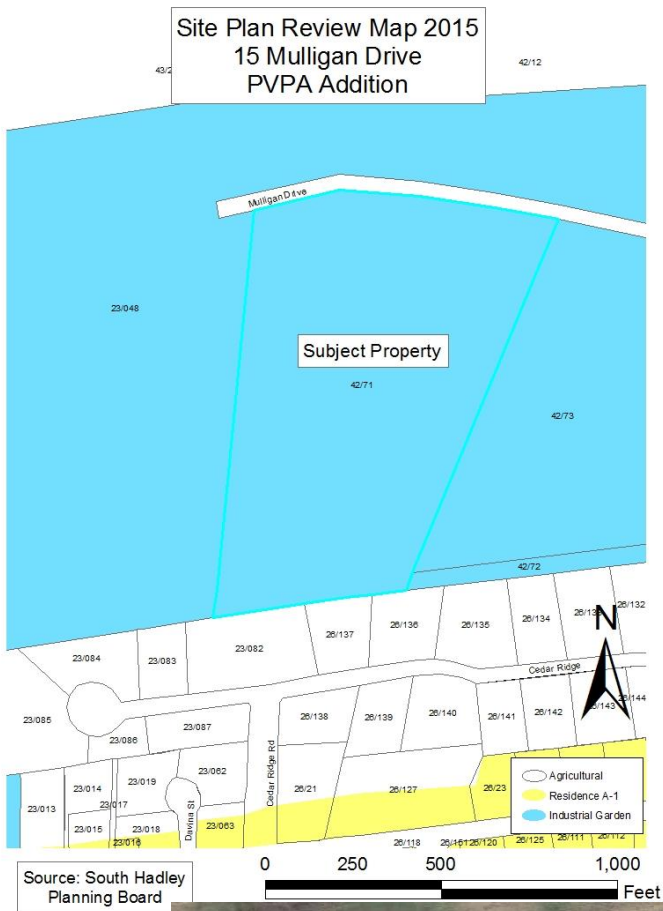
I have attached a document which they have provided as preparation for the meeting on January 12th.

ACTION NEEDED: No action is required, but this is a great opportunity to get other's input in setting some timelines and priorities for the coming year in regards to bylaws and Town Meeting.

Agenda Item #4 – Minor Site Plan Review – PVPA Project

The Berkshire Design Group, on behalf of their client, has submitted an application for a Minor Site Plan Review for construction of a new 7,300+ square foot addition to the south side of the building to serve as performance space for their students. According to their submittal, there would not be any need for additional parking spaces and the addition would meet all the dimensional requirements/limits within the Zoning Bylaw.

The site is approximately 17-1/2 acres situated on the southside of Mulligan Drive with Cedar Ridge to the south and Alvord Street to the east. Currently, the property is zoned Industrial Garden District. (See map and aerial photo to the right and below.) Prior to the building being converted into the Pioneer Valley Performing Arts Charter School, it was occupied as a Research and Development facility for Rexam Graphics.



The Rules and Regulations adopted by the Board to govern a Minor Site Plan Review include the following provisions:

- a. Threshold. Subject to the conditions detailed in paragraph 4b below, the following qualify for Minor Site Plan Review:
 - 1) Exterior expansion not more than 50% of the existing building's floor area
 - 2) New parking areas (including expansion of existing parking areas) not more than 4,500 square feet
 - 3) Uses which require Site Plan Review under Section 5(D) of the Zoning Bylaw but no new construction (other than interior renovation or alterations with no increase in floor area) will be undertaken and the new use will not require more than 4,500 square feet of additional parking area.
 - 4) Uses which qualify for exemption under MGL Chapter 40A, Section 3 but which are subject to limited Site Plan Review under Section 12(B) of the Zoning Bylaw
 - 5) Construction of new buildings under 5,000 square feet provided a Special Permit is not required.
 - 6) Projects located in the South Hadley Falls Overlay District.

- b. Conditions. Projects which meet one or more of the following conditions shall not qualify for a "Minor Site Plan" Review even though they meet the threshold in paragraph 4a above:
 - 1) The use proposed for the site requires a Special Permit under Section 5(D) of the Zoning Bylaw.
 - 2) The property abuts residentially developed property unless the proposed building or portion of the building to be used for the project is at least 300 feet from the nearest dwelling unit.
 - 3) The property abuts property which is in the Agricultural, Residence A-1, or Residence B zoning districts unless the proposed building or portion of the building to be used for the project is at least 300 feet from the nearest dwelling unit.
 - 4) The project site was developed based on a prior Site Plan Review with conditions and the proposed activity would involve an alteration of one or more of the conditions.
 - 5) The project involves residential development to be undertaken pursuant to Section 7(J) of the Zoning Bylaw.
 - 6) The project involves use of a portion of the property for a Home Occupation.
 - 7) The project site is the subject of a Zoning Violation complaint at the time application is made for Site Plan Review.
 - 8) A Medical Marijuana facility which is subject to Section 7 of the Zoning Bylaw.

This project appears to meet standards 4a 1, 2, and 4. However, reviewing the Site Plan submittal, it is not quite certain that the project meets standards 4b 2 and 3. The narrative submittal states that the site has a current building rear setback of 358 feet but will be

approximately 297 feet (based on GIS data and not a survey). I have emailed the landscape architect handling the project for the Berkshire Design Group regarding this issue. Since it is my estimation that the building to building distance will be 300 or more feet, at the present time, I am processing this matter as a Minor Site Plan Review.

Exception under Town Planner Determination

The Zoning Bylaw (Section 12B5) provides that Site Plan Review is not required if the Town Planner determines that no additional parking is required for the proposed expansion. Based on the application submittal, it is clear that no additional parking would be required.

Waiver Allowed

Section 12B allows the Planning Board to grant a waiver of Site Plan Review for 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.” To grant a waiver, the Board must determine the proposed development will have a de-minimis impact relative to the criteria set forth in Section 12(E) of the Zoning Bylaw.

With an expansion of approximately 7,343 square feet and an existing building of approximately 34,398 square feet, the expansion would be equivalent to approximately 21% of the existing floor space. Thus, it would meet the threshold for a waiver.

Appropriate Review

Neither the Town Planner exception nor a waiver provides for multidepartmental reviews. The Minor Site Plan Review does require such reviews – just expedites the process. Additionally, neither of these process (Town Planner exception, Waiver, or Minor SPR) involve a public hearing.

It would appear that proceeding with the Minor Site Plan Review would be appropriate and involve more review and coordination than either a waiver or the Town Planner exception provision.

Non-Profit Educational Status

It is clear in my opinion that this project qualifies as a private, nonprofit educationally exempt project under MGL Chapter 40A, Section 3. The Town Counsel has also provided a response to an inquiry from myself and the Town Administrator that the project proponent “is a non-profit educational institution entitled to the reasonable exemptions under MGL 40 A, Sec 3”.

ACTION NEEDED: Determine if the application should be processed as a Minor Site Plan Review.

Agenda Item #5 – Bike/Pedestrian Master Plan

At the last meeting, the Board members indicated that they were comfortable with my being appointed to represent the Planning Board on the team working with the Pioneer Valley Planning Commission (PVPC) on this project. Shortly after that meeting, I was approached by someone

asking if a particular member of the Board could be appointed. Therefore, I have included this item on the agenda for discussion.

ACTION NEEDED: No action is required at this time as the Chair has been asked to make the appointment. But, I thought it would be a good opportunity to inform the Board of this activity.

Agenda Item #6 – Recreation Trails Grant Application

The Town has been working with the Pioneer Valley Planning Commission (PVPC) to develop a plan for a trail on the Bachelor Brook-Stony Brook Resource Conservation Area. Conservation Works is the project consultant. This project is currently budgeted at approximately \$102,000 and efforts are underway to identify funding sources and ways to scale back the project. In summary, the project is described as follows:

The Bachelor Brook Accessible Trail will create a 1-mile loop trail with scenic views of the Connecticut River and Bachelor Brook in South Hadley. This handicapped accessible trail will provide important opportunities for recreation and exercise in a community where there is a great need. Longer-term, the trail will provide regionally significant connections between the Connecticut River and the Mount Holyoke Range, as additional trail segments are added.

Among the benefits of this project are filling several important recreational and social needs for residents of South Hadley and the region. This project will provide a convenient, centrally located loop for people to use for exercise after work or on weekends. Its location also provides a rare opportunity to access and view a beautiful, scenic section of the Connecticut River, New England's longest river, which has very little current public access. It will also provide scenic views of Bachelor Brook.

As we have discussed, the Master Plan called for developing a system of bike and pedestrian trails – interconnecting different parts of the community. Thus, I think this grant application is clearly consistent with the Master Plan and furthers goals of the Master Plan including:

- ***OSR-2:*** Improve connectivity between and among the town's open space and recreation areas, adding walking and biking opportunities wherever possible.
- ***OSR-8:*** Address appropriate open space, natural resource and recreation needs on a regional basis by promoting effective relationships and partnerships with regional agencies.
- ***TR-3:*** Enhanced community-wide and regional non-motorized connectivity.
Objective 3-1: Make South Hadley more pedestrian-friendly and bicycle-friendly.

ACTION NEEDED: Endorsing the proposed Recreation Trails Grant application as consistent with the Town's Master Plan – a first concrete step towards some of these goals regarding increased non-motorized alternatives.

Agenda Item #7 - Development Update and Planner's Report

I will provide a report on the following items:

a. Development Report

Mountainbrook Subdivision: I have not received any Request for Release of the Performance Guarantee.

Annafield Estates Subdivision: This project is moving towards final completion very shortly.

Chatham Estates Subdivision: I have not heard anything further regarding the Engineer's Certificate of Completion.

Rivercrest Condominiums. The representative of the applicant has submitted a formal notice of withdrawal of their 40B Comprehensive Permit application which was accepted and acknowledged at the December 17, 2014 Zoning Board of Appeals meeting.

While I had anticipated trying to have the Form H plan on the agenda for endorsement January 12, 2015, it appears that the applicant is looking towards the end of February 2015 in order to have everything ready for the Board including the Letter of Credit for the Performance Guarantee.

b. Pioneer Valley Planning Commission

Housing Plan. I have had discussions with representatives of the PVPC regarding a possible PATH grant as well as a DLTA grant. If both of these grants were awarded to the Town, we would update the Housing Production Plan (part of the Housing Chapter of the Master Plan) as well as undertake the multifamily development study.

c. Meeting Schedule through June 2015

This is to recap the meeting schedule that the Board accepted at the last meeting:

- a) December 15, 2014
- b) January 12, 2015
- c) January 26, 2015
- d) February 9, 2015
- e) February 25, 2015
- f) March 3, 2015 (cancelled if February 25th and March 9th are to be held)
- g) March 9, 2015
- h) March 23, 2015
- i) April 13, 2015
- j) April 27, 2015
- k) May 11, 2015
- l) May 25, 2015 (Memorial Day)
- m) June 8, 2015
- n) June 22, 2015

The Meeting Calendar on the website and the Meeting Schedule on the Planning Board's web page have been updated to reflect these meeting dates.

I would anticipate that we would not need to meet on e, f, and g above but likely only 2 one or two of those nights – unless something very surprising occurs. While no replacement date for Memorial Day was determined, I would like to suggest that it not be during the period of May 21st through May 27th.

- d. *Professional Development Day – January 9, 2015*
- e. *OnLine Permitting Program*

Agenda Item #8 – Other New Business

I have included this agenda item for Board members to bring up new items (for discussion and future consideration) that are not on the agenda and which the Chair could not reasonably expect to be discussed/considered as of the date which the agenda was posted.