

## **Background Materials – Planning Board Meeting – August 16, 2021**

Prepared by Anne Capra, Director of Planning & Conservation, 8/13/21

### **1. Discuss and Consider Open Comment Period (Planning Board’s Open Comment Period Policy here: [bit.ly/opencommentpeiod](http://bit.ly/opencommentpeiod))**

As of today, no requests to address the Board have been submitted.

### **2. Discuss and Consider Approval of Minutes**

Senior Clerk Colleen Canning will be forwarding the following meeting minutes for your review and approval: 7/19/21 Planning Board Meeting; 7/19/21 Public Hearing; New Director of Planning & Conservation Special Planning Board Meetings and Interview Meeting on 4/22/21, 4/27/21, 5/13/21, 6/6/21 and 6/7/21.

### **3. Discuss and Consider Correspondence**

Chapter 61A Right of First Refusal, 225 and 229 Hadley Street, Ryan and Boudreau, P.C – received 8/12/21

Notice of a Purchase and Sale Agreement for this property was received. Since the property is currently enrolled in Chapter 61A, the Town is provided notice of an intended sale, and under state law, is offered the first right of refusal to acquire the property. The approximately 9 acres consist of two parcels owned by the same owner with a single family home on one of the parcels. The P&S agreement price is \$300,000. Verbal notice of the intended sale was provided to the Conservation Commission prior to their 8/4/21 meeting. At that meeting, they voted to not exercise the right of first refusal to acquire the property, and have submitted this information to the Selectboard.

It is at the discretion of the Planning Board to decide if you would like to take any action regarding this notification. Such action may include a vote as to whether or not the Town should exercise its right of first refusal to acquire the property, or the Board may take no action at all upon this notification.

### **4. Discuss and Consider Application for replacement freestanding illuminated sign at the South Hadley located at 153 Newton Street (Assessor Map 17, Parcel 15)**

Application materials can be viewed here: [bit.ly/highschoolsign](http://bit.ly/highschoolsign)

Chapter 255-85 Signs, Section G. Illumination of Signs <https://ecode360.com/30053735>

Signarama has submitted an Application for Sign Illumination for a replacement sign for the South Hadley High School at 153 Newton Street. Note that the cover letter with the application dated 7/13/21 states the purpose of the application is to “apply for a variance”. In speaking with a representative from the company, they stated this is inaccurate and they wish to proceed with the normal review process of the Planning Board at this time.

The High School is located in Residence A-2 Zoning District. All signs are prohibited in Residence and Agricultural Districts except B(4) signs that provide for the identification of public facilities, to convey activities and events associated with such facilities. One free standing sign for such

purpose is allowed. Per Section G, for the illumination of a sign, the Planning Board must make a determination that the sign will not be adverse to the character of the surrounding neighborhood or the community. Signs which illuminate more than what is necessary to convey the message or name being promoted or create glare which may impact motorists are generally considered to have an adverse impact on the community. Such adverse impact arises from excessive light pollution.

The existing illuminated sign is double sided electronic message board, 28"x96" with illuminated red lettering mounted on a brick base. The High School name and emblem is mounted above the LED electronic message board in white lettering. The proposed sign, mounted on the existing brick base, is a double sided internally illuminated light box 28" x 94" with the school emblem, name and outline of box illuminated; and a double sided LED electronic message center in full color at 28"x94" below. Refer to the application for proposed and pre-existing sign illustrations, day and night views.

Based on this illustration, it appears that the proposed full color message center is illuminating a graphic in addition to the message being promoted, as well as some background illumination. Such a design may not meet standards 255-85 G(2)b and e as listed below:

Therefore, in determining whether to approve the illumination of a sign, the Planning Board shall:

- a. Consider and minimize the illumination impact of the signage illumination on the surrounding properties; and
- b. *Only approve internally illuminated signs where only the lettering or logo of the enterprise or message being promoted are illuminated; and*
- c. Ensure that the illuminated sign does not illuminate adjoining or nearby residential properties or pose a danger to motorists on adjoining or nearby roadways which might arise from glare from the illumination source; and
- d. Not approve exposed or illuminated neon signs; and
- e. *Require that illumination sources not illuminate the background or field of a sign except to the extent that the background or field (due to the shape of the sign area) is clearly a logo of the company or enterprise being advertised.*

**ACTION NEEDED:**

- 1) Make a decision as to whether or not the proposed illuminated sign will have an adverse impact on the surrounding neighborhood and community; and,
- 2) Vote to approve or disapprove the proposed illuminated sign.

## 5. Planning & Conservation Department Report on Planning Projects and Development Updates

### **Authorization for Planning Director to Sign Permits and Decisions**

I spoke with the former Director of Planning and Conservation Richard Harris and he informed me that authorization to sign permits, decisions and ANR plans were made on a project by project basis per vote of the Board as part of the decision. Regarding recorded plans and documents, apparently the Registry doesn't require authorization to be recorded so there is no need to have a recorded authorization for signature. However, it is good practice to have such a vote as part of the decision and/or record for each project so that someday, in a post-COVID world, everyone understands how and why the Director was signing or signing on behalf of the Board. Therefore, I am recommending the Board take action on the following proposed motion:

Vote to authorize Anne Capra, Director of Planning and Conservation, to sign as endorsement of Approval Not Required Plans on the Board's behalf. Said signature is to be affixed after the Board has voted to endorse said plans. This authorization is to be in effect upon filing with the Registry of Deeds and will remain in effect until the Planning Board votes to withdraw said authorization.

### **Development Updates**

#### **a. 27 Bardwell Street – Bardwell Arms Condos – Special Permit**

The Special Permit extension is due to expire on 9/30/21, and work must be substantially complete at that time. Bi-monthly progress reports are required to report on the status of work. On 8/2/21, Jess Liu, Project Manager from SCNY, Inc. submitted the following letter, dated 6/22/21. Note – the last progress report received was in February 2021.

*I hope this report will catch up with our obligations. We've been dealing with the same market conditions that our now compromising most developers; namely material shortages, long delivery times and a very frustrating lack of willing workers. Jessie's crew has been a constant, but our sub-contractors have sharply reduced staff. We have still achieved some progress:*

1. *In response to a offer to purchase unit one, we've completed the revised framing and begun the revisions to the plumbing, electrical, hvac, and sprinkler systems.*
2. *Exterior masonry pointing and repair has be expanded to include sub-surface work required after foundation leaks developed from the removal of old plantings. The work of flashing the perimeter of the older building has been completed.*
3. *New window and door assemblies are being ordered, but delays are anticipated.*
4. *The rough framing of the unit 4 entrance deck has been completed.*
5. *Interior framing including tenant revisions are 100% complete. (revisions to unit 5)*
6. *Above slab rough plumbing is complete.*
7. *Installation for new gas meters is complete, but gas company connections are delayed.*
8. *Installation for new electric meters is complete, but electrical company connections are delayed.*

*The buyer of unit 4 remains committed to the project. Offers have been made for the purchase of units 5 and 1. These offers have been made with contingencies allowing only the right of first refusal should cost of completion and market conditions exceed their market value. All the previous real-estate listings have been withdrawn and we anticipate a 're-set' of our marketing when our time of completion and our final pricing will be more certain. We are still secure in the funding for this project and we are doing our best under the existing conditions to complete it.*

**b. McKinley Ave Duplex Special Permit Public Hearing Continuation**

This public hearing continuation is scheduled for 9/13/21 at 6:45 PM. The applicant submitted revised plans dated 7/29/21 with the following comments: “Setback adjusted to town standards, water absorption plan, and driveway modifications as discussed”.

<https://www.southhadley.org/DocumentCenter/View/8691/McKinley-Avenue-SP---Duplex---2021-07-29-Revised-Plans>

<https://www.southhadley.org/DocumentCenter/View/8693/McKinley-Avenue-SP---Duplex---2021-07-29-Revised-Plans-Elevations>

<https://www.southhadley.org/DocumentCenter/View/8692/McKinley-Avenue-SP---Duplex---2021-07-29-Revised-Plans-Renderings>

**Lyman Street Smart Growth District Infrastructure Improvement Project – MassWorks Grant**

Two bids for construction were received in response to an Invitation for Bids. The bid is being awarded to the lowest qualified bidder Ludlow Construction Company in the amount of \$2,415,094.65. Construction is anticipated to begin as soon as possible, and be completed by August 31, 2022.

**MDI Local Rapid Recovery Planning Project – Village Commons District**

I have been working with project consultants from Agency Landscaping and Planning, and three subject matter experts as assigned by the MDI program, to develop recommendations and strategies for supporting post-COVID business recovery in the Village Commons District. Other active stakeholders include Jeff Labrecque of the Village Commons management, Michelle Theroux of the Chamber, and several representatives from MHC. Although the MDI program limited the focus of the project to one business “district” within town, I have been pushing the project to think broadly and consider strategies that would support businesses town-wide. A draft report should be available later in September.

**Master Plan Update**

Due to current staffing levels, I have not been able to make the edits to the Master Plan. I hope to get to this in the coming weeks so that the plan can be turned over to consultant Emily Innes for edits she needs to address.

**Grant Applications**

MassTrails Grant – Leaping Well Nature Trail at Former Toth Property, Mosier Street

The grant application for construction of an ADA accessible parking lot and seating area at the trailhead on Mosier Street was not funded. The program received 125 proposals for just over

\$11.6 million and they funded only 52 projects with awards totaling \$3.5 million so it was a very competitive grant round.

**Upcoming Meeting Dates**

<b>2021</b>	<b>2022</b>
September 13	January 3*
September 20	January 24
October 18	February 7
October 25	February 28
November 8	
November 22	
December 6	
December 13	

\*The New Year’s Day holiday is being observed on Friday 12/31/21 so there is no conflict with a Planning Board meeting on 1/3/22.

## SOUTH HADLEY PLANNING BOARD

### LIST OF CORRESPONDENCES

July 17 –August 13, 2021

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#### Letters and Memorandums

- Notice received August 3, 2021 from Jesse Liu, 24 Bardwell Street Developer, with development updates regarding the site’s active special permit to convert the former library to condos.
- Special Permit Application received August 3, 2021 for development of a Bank of America ATM at 84 Willimansett Street
- Notice of intended sale received August 12, 2021 for the sale of 225 Hadley Street and 229 Hadley Street.

#### Google Forms- August 16, 2021 Planning Board Regular Meeting

No forms have been submitted as of August 13, 2021.

#### Legal Notices

##### *Amherst*

- Notice received July 27, 2021 from the Amherst Planning Board for a public hearing on August 4, 2021 to consider a site plan for the ‘Sweet Alice Trail’ along Bay Road.
- Notice received August 5, 2021 from the Amherst Planning Board for a public hearing on August 5, 2021 to consider a site plan for the ‘Center East Commons’ located at 462 Main Street.

##### *Chicopee*

- Notice received August 3, 2021 from the Chicopee Zoning Board of Appeals for denial of a variance of frontage and lot area to construct a single-family at Munger Road.
- Notices received from the Chicopee Planning Board for public hearings on August 5, 2021 to consider the following: 1) Site Plan Waiver Request for FedEx ground additional parking at 140 Lonczak Dr; 2) Site Plan for new Hot Table Restaurant on Memorial Drive; 3) a new annual alcohol license for Falls Pizza at 185 Grove Street; and 4) a waiver from frontage to create a single family home at Munger Street.

##### *Granby*

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##### *Hadley*

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##### *Holyoke*

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#### Publications

- **Zoning Practice:** August 2021: *Practice Ultralocal Upzoning*