

Background Materials – September 12, 2022– Planning Board Meeting

Prepared by Anne Capra, Director of Planning and Conservation, 9/9/22

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 is attached.

Action Needed: No action needed.

6:30PM AGENDA ITEM #4

1 Conti Drive Site Plan Review and Stormwater Management Permit

Original project plans are online here: <https://southhadley.org/1053/Newton-Street-501---Woodlawn-Plaza-Housi>

The subject parcel is 8.9 acres located at Map 31, Parcel 104. The proposed project is within the Business A-1 district. The parcel has split zoning with a portion to the east within the Residence A-1 District, but the proposed project appears to be fully outside of that district per plan sheet C100.



The proposed project includes the construction of two commercial buildings, each 50'x150', a short driveway, a 26-car parking lot, and a detention pond. The parcel also houses the applicant's existing business, Page's Automotive (seen in the photo above).



1. Zoning Use Schedule

The application states that this is a commercial building development for either: personal, business and professional services, offices, professional business, or retail. Although these uses per the Use Schedule are allowed within the Business A-1 District by Site Plan Review, Professional Business requires a Special Permit per the notation “as provided in Article VII”. Article VII 255-34 Professional Business notes that a number of criteria for this use, and one of which is a Special Permit. Thus, Professional Business uses would not be permissible without a Special Permit. <https://ecode360.com/30053205> Additionally, the applicant must be the proprietor of the Professional Business, and thus obtain the Special Permit.

Use Classifications	A-1
Business Uses	
Drive-in services	SP
Retail sales	SPR
Personal, business, and professional services	SPR
Gasoline filling stations	SP/a
Automotive repair and services	SP/h
Open-air parking for 25 vehicles or fewer/d	N
Public parking areas and garages (un-restricted capacity)	N
New and secondhand car dealers	SP
Marinas	SPR
Offices	SPR
Wholesale sales and warehousing	N
Telephone exchange buildings	N
Railroad or bus passenger stations or shelters and rights-of-way	SP
Amusement parks, bowling alleys, roller skating rinks	N
Motels – hotels	N
Professional business (as provided in Article VII)	SPR

The application states that they are seeking to provide small rentable spaces for 1 to 2-person service-related businesses. The application and plans further state that tenants have not been identified and that the buildings are framed bays that will be outfitted to suit new tenant’s business needs.

The full Zoning Use Schedule is online here: [Schedule A \(ecode360.com\)](#) I have excerpted the portion pertaining to Business A-1 business uses, as identified by the applicant as related to this project.

2. Zoning Dimensional Standards

The Business A-1 dimensional standards apply. Per sheet C101, the project appears to comply with the required dimensional standards.

3. Site Plan Review Standards 255-148

A. Does site plan reasonably fulfill the following objectives:		
1.	Compliance with bylaws, regulations, and Master Plan.	Proposed commercial development on Conti Drive abuts Page’s automotive and garage storage for A-1 Landscaping. Frontage along Granby Road is underutilized commercial/retail space. The Granby Road/Route 202 corridor is known for mixed commercial and residential development. The addition of this commercial development is within an area zoned for commercial development.
2.	Integration of site into existing terrain, surrounding landscape, and built environment to minimize disruptions.	The project abuts Pine Grove Condominiums to the southwest and Hadley Village Condominium Complex to the north.
3.	Site design characteristics avoids and minimizes disturbance to	Project will require filing a Notice of Intent with the Conservation Commission.

	natural resources, scenic views, and open space.	
4.	Conforms to Special Permit requirements , if applicable.	N/A Professional Business uses will require Special Permit. Other uses not identified in the application do require SP in this District. If future tenants propose such business uses, they will require a Special Permit.
5.	Structures shall be compatible with the character and scale of structures in the neighborhood and zoning district.	Size and style of proposed buildings are similar to Page’s Automotive.
6.	Landscaping shall be an integral part of the proposed site design, and shall enhance the design and arrangement of structures, define usable public and private outdoor spaces, integrate the site into the surrounding landscape, as appropriate, and provide buffering from objectionable or noxious elements both within the site, between the site, and the surrounding area.	No landscaping is proposed.
7.	Provide for the convenience and safety of vehicular, bicycle, and pedestrian movement within the site and should provide connections, wherever feasible and appropriate, to adjoining public ways and properties.	No bike/ped connections are proposed.
8.	Prevent pollution of surface and groundwater, changes in ground water levels, increased run-off, and potential for flooding; and minimize erosion and sedimentation.	Stormwater management system is proposed that includes a detention basin.
9.	Minimize and/or mitigate adverse impacts on the Town’s services and infrastructure .	It is presumed that planned commercial development will be serviced by public water and sewer.
10.	Minimize intrusion of light into adjacent properties and shall minimize excessive night-sky lighting	Outdoor lighting and signage is not indicated on the plans and should be identified.

	while ensuring adequate light for safe use of the property.	
11.	Place electric, telephone, cable TV, and other utilities underground where physically and environmentally feasible.	Utilities are not identified on the site plans.
12.	Drainage of the site shall recharge ground water to the extent practical. The peak rate of surface water flowing off-site shall not increase above predevelopment conditions and shall not adversely affect drainage on adjacent properties or public roads or increase turbidity of water flowing off-site.	Post-development runoff rates appear to be less than predevelopment overall. See comments in #5 below regarding subdrainage area P4.
13.	To create more walkable and pedestrian-friendly developments, minimum frontage occupancy requirements apply in certain locations to create a sense of enclosure in the streetscape. As used herein, "frontage occupancy" means the percentage of the lot width at the front of the building that must be occupied by the facade of a building.	N/A
B. Modifications to a site plan may be required to ensure the objectives above are fulfilled.		

4. **Parking Standards** - Use of buildings is undetermined and therefore, the parking standards are not definitively determined.

255-86 Off Street Parking:

[Town of South Hadley, MA General Provisions \(ecode360.com\)](http://ecode360.com)

255-86(C): Since the use is not defined, the applicant has not demonstrated compliance with off-street parking requirements for non-residential uses. Application states that 26 parking spaces are shown, and an additional 11 available spaces are shown at the end of the parking area should future permitted rental use dictate increased parking needs. Per 255-86(C) the provisional parking standards are:

Retail or personal services – 4 spaces /1,000 sq.ft. enclosed floor space

Office uses: 3 spaces/1,000 sq.ft. floor space

The plans show 5 - 30'x50' bays = 7,500SF and 3 - 50'x50' bays = 7,500SF for a total of 15,000SF

For retail or personal services, parking requirements are 4 x 15 = 60

For office uses, parking requirements are 3 x 15 = 45

Plans currently show 26 paved parking spaces which is less than half the required spaces for the maximum parking standard for the most intensive use (retail or personal services). The application states there are 11 future spaces if needed, however, it is unclear from the plans if that area is paved or factored into the stormwater plan or site design since the area abuts the stormwater swale.

5. Stormwater Management Plan

The Stormwater Management Plan is currently under review by the DPW Director. Additionally, the amended and updated version of Chapter 200 Stormwater Management, adopted at Annual Town Meeting in May 2022, has not been approved by the Attorney General's Office and thus is not incorporated into Ecode and not the current standards by which this application should be reviewed against. That said, the Stormwater Report does utilize the NOAA Atlas 14, Volume 10, Version 3 Point Precipitation Frequency Estimates for sizing the detention basin. The primary standard that is in the amended bylaw, and not one by which this application can be evaluated against, is the inclusion of Low Impact Development Best Management Practices.

Questions based on Planning Director's Review:

- Do the proposed buildings have gutters?
- For the building on the west side of the parking lot, it appears runoff from the west side of the gabled roof sheets flows onto the ground and is graded off into the existing natural landscape, not directed to the stormwater detention basin. The area on the west side of that building is identified as subdrainage area P4 in the report. A comparison of Tables 1 and 2 show that the post-development runoff rates for all three storm events is higher in this subcatchment area post development. This area drains to an abutting wetland and intermittent stream. Although the report claims that overall the post development runoff rates are slightly less than predevelopment, the runoff rates are exceeded in this one area which is within the 100' Buffer to a wetland and intermittent stream. Increased runoff in this area could have downstream flooding impacts. *This needs clarification.*
- Detention Basin – given the location of the detention basin in the outer Buffer Zone, and adjacent to NHESP Priority Habitat, the Conservation Administrator has requested the basin be seeded with a native grass and wildflower mix.

Additional Questions

1. Determination of the number of parking spaces and whether the proposed additional 11 need to be incorporated into the plans now.
2. Buildout phasing – Stormwater Report p.3 states that only one of the buildings may be constructed in a phase I. Which building would that be, and would construction of the second building at a later date impact/damage the detention basin?

Proposed Conditions

1. Permitted uses under Site Plan Review approval include: 1) Retail sales; 2) personal, business, and professional services; and, 3) offices as defined within Chapter 255-10 Definitions.

Retail; Retail Sales - An establishment selling goods directly to the general public for personal and household consumption, including but not limited to an appliance store, bakery, delicatessen, drugstore, florist, grocer, hardware store, liquor store, newsstand, shoe store, stationery store, convenience store, and variety store, excluding a restaurant.

Personal Service Establishment – Any building wherein the primary occupation is the repair, care of, maintenance or customizing of personal properties that are worn or carried about the person or are a physical component of the person. Personal service establishments shall include, but not be limited to: barber shops; beauty shops; pet grooming establishments; laundering, cleaning and other garment servicing establishments; tailors; dressmaking shops; shoe cleaning or repair shops; eyeglass shops; health clubs; and other similar places of business, but not including offices of physicians, dentists and veterinarians, or any other recognized professional.

Business Service - Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, including but not limited to the following: advertising and mailing; building maintenance; employment service; management and consulting services; protective services; equipment rental and leasing; commercial research, printing and duplication services, computer repair, etc.

Professional Service - An establishment primarily engaged in rendering services by professional persons on a fee or contract basis, including, but not limited to, the following: accounting, auditing, and bookkeeping; medical, dental or health; planning, engineering and architectural; education and science; attorneys and notary publics; finance, insurance and real estate (FIRE); travel agencies; etc.

2. Any other uses explicitly identified herein, including but not limited to automotive repairs and service as well as warehousing and wholesale sales, are not approved under this SPR and require a Special Permit by the business owner.
3. A native seed mix is to be used in the detention basin, with 95% vegetative cover two-years after construction.

Action Needed: Review application. Responses to questions about plan details are needed. Revised plans may be required, and if so, continue public hearing until 9/19 or when the applicant's consultant can provide them.

AGENDA ITEM #5

501 Newton Street – 60-unit Apartment Building – Request for Plan Approval and Stormwater Management Plan Extension

Original approved plans are online here: [Newton Street \(501\) - Woodlawn Plaza Housing Development | South Hadley, MA - Official Website](#)

In October 2020, the Planning Board issued Plan Approval and a Stormwater Management Permit for the above referenced project, located at the former Big Y site at Woodlawn Plaza. The apartment complex project has come to be known as The Park at Woodlawn. The permits are due to expire two years from the date of issuance if construction has not commenced. The applicant, South Hadley Plaza LLC, is requesting a two-year extension on both permits. Per the Notice of Decision dated October 19, 2020, condition #21, the Board may grant a two-year extension for “good cause for failure to commence”. Such “good cause” is defined as “actively pursuing the required financing”. As noted in the applicant’s request for an extension, they have identified a substantial gap in the needed construction funding due to “material price escalation”. The applicant states that Way Finders and South Hadley Plaza are working with DHCD and other financial partners to identify the needed funding to close the gap. Thus, these efforts would appear to meet the standards for good cause and granting of a two-year extension to commence construction.

Action Needed: Review request for the Plan Approval and Stormwater Management Permit two-year extension.

Recommended Motion: Move to grant a two-year extension for the commencement of construction under the Plan Approval and Stormwater Management Permit, extending the date to October 20, 2024.

AGENDA ITEM #6

Hadley Street Cell Tower – Industrial Wireless – Performance Guarantee Release Request

Industrial Tower and Wireless LLC was issued a Special Permit on August 8, 2018 for approval of a wireless communications tower on the west side of Hadley Street (Assessor’s Map 56, Parcel 119). The Special Permit included the requirement for a performance guarantee for the proposed landscaping and screening. Landscaping requirements included the installation of a fence (Condition #12) and planting Easter Red Cedars (Condition #11). The original guarantee amount was set at \$5,000 cash, with the fencing installed immediately upon construction of the tower. Release of the guarantee was to be upon two years after the cedars were planted and in healthy condition.

Michael Umamo, President of Industrial Communications submitted a request for the performance guarantee release on 8/23/22, certifying that the plantings had been installed in July 2020. I conducted a site visit on 9/1/22 with a representative of Industrial Communications and took the pictures included herein. All of the Eastern Red Cedars are alive and in good condition, two of which had bird nests in them. Given that the two-year period has expired, I recommend release of the guarantee. The current balance for which, with interest is in the amount of \$5,074.10



Action Needed: *Vote to release the performance guarantee with interest.*

Recommended Motion: *Move to release the performance guarantee, with interest, for the establishment of vegetative screening in the form of Eastern Red Cedar shrubs.*

AGENDA ITEM #7

Discussion on Developing a Short Term Rentals Bylaw

I have been gathering additional feedback from communities with STR Bylaws about how their approach to implementation. Additional information is also being sought from town Counsel, as well as coordination and feedback from the Public Health Director and Building Commissioner. I would like to reschedule this discussion until our meeting on 9/19.

AGENDA ITEM #8

Master Plan Implementation Discussion

Master Plan Annual Forum – Friday, 11/4 @ 8:30am – 1pm

I am working with MPIC on planning for the first annual Master Plan forum for all “responsible entities” identified in the Master Plan Implementation Plan. Save the date! More information to come...

Master Plan Implementation Coordination

The first joint meeting of the Planning Board, Selectboard and MPIC was held on 9/7/22, in line with MPIC tri-annual status report. The Board should discuss this event and determine if they have any recommendations for future coordination between the three entities.

MPIC prepares implementation update spreadsheets for/from each responsible entity identified in the Action Plan based on feedback gathered at their tri-annual check ins with each entity. I will be posting these spreadsheets on MPIC’s webpage so that these can be viewed by all easily.

AGENDA ITEM #9

Planning & Conservation Department Report on Planning Projects and Development Updates

Housing Production Plan Update

The first Advisory Committee was held on 9/7, and two focus groups were held for Developers and Housing Professionals – 9/2; and, Government Officials – 9/8. The Advisory Committee presentation will be posted online this week, with the launch of the HPP website.

Agricultural Uses under Chapter 255 Zoning

Chapter 255 Use Regulations Schedule: [Schedule A \(ecode360.com\)](https://www.ecode360.com)

15 Berwyn Street – RA2 Zoning District – Request for Farm Stand/Sale of Vegetables

The property owner inquired about the ability to have a farm stand at their property to sell vegetables grown on their property. This is the third similar inquiry I have received this year from residents around town which is why I’m bring this to the Board for discussion.

Within the RA-2 District, the following zoning regulations exist:

- Agriculture under 5 acres - SPR
- Sale of farm products - prohibited
- Home Occupation II - SPR
- Retail Sales and Drive-in services – prohibited

Both the Master Plan and the Open Space and Recreation Plan make mention of supporting/protecting agricultural land and uses within South Hadley. However, the Zoning Code is fairly restrictive in terms of allowing such uses in Residential Zoning Districts. Is this a topic the Planning Board would like to explore further to determine if there are potential changes to the Zoning Code that could facilitate agricultural uses in Residential, as well as the Agricultural, Zoning Districts?



Next Meetings

- 9/19
- 10/3
- 10/17
- 11/7
- 11/21
- 12/5
- 12/19

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.