

Background Materials for November 14, 2016

Agenda Items #1 through #12

Agenda Item #1 – Minutes

I plan to distribute the minutes of the October 17, 2016 Planning Board meeting prior to the meeting. Due to the circumstances, no public hearings were held that night.

ACTION NEEDED: Review, edit and approve the minutes.

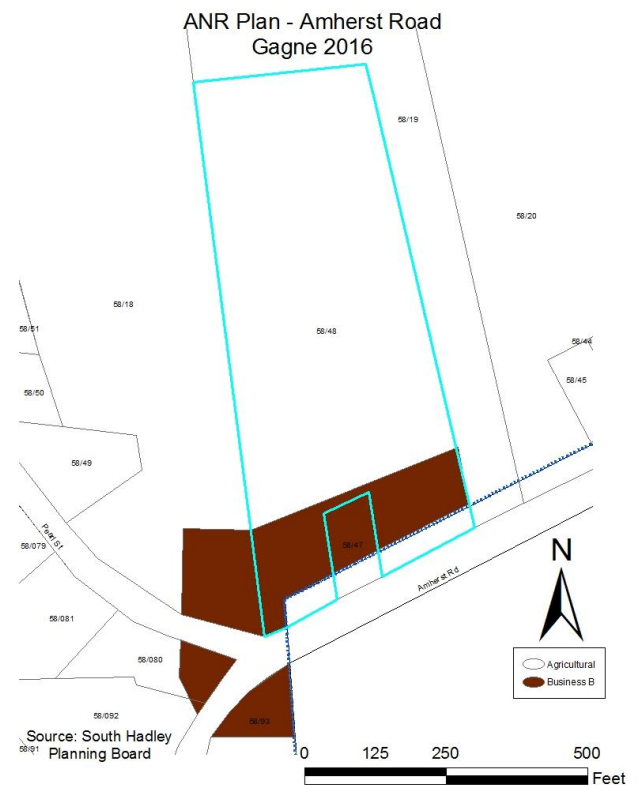
Agenda Item #2 – Bills and Correspondence

A list of the bills and correspondence is attached. A supplemental list, if needed, will be provided on Monday. No bills are currently due for payment.

ACTION NEEDED: Review the list of correspondence.

Agenda Item #3 – ANR Plan – 470-4 Amherst Road

Peter Gagne has submitted an ANR Plan which proposes to divide an existing 7.57 acre parcel into two parcels. The subject property is located on the northside of Amherst Road and is currently developed with an existing single-family residence and several outbuildings (barns). A The proposed smaller parcel is zoned Business B and the balance of the property is zoned Agriculture and Business B. Most of the frontage is located in the Town of Granby:



Zoning of the applicant's property allows single-family. However, the Business B portion of the property also allows many business uses and other residential uses – some by-right and others by Special Permit. Both lots depicted on the proposed ANR Plan will conform to lot area requirements. Amherst Road is a public maintained roadway. As to the required frontage, I would note that most of the frontage is located in Granby and will be subject to Granby's Zoning Bylaw provisions governing access to the property in regards to building on the lot. Based on the available information, I believe the ANR Plan is "entitled" to endorsement under the definitions and provisions of Chapter 41, Section 81L and Section 81P of MGL.

ACTION NEEDED: The Board must either endorse the plan or file a notice of denial with the Town Clerk. If the Board votes to endorse the ANR Plan, three members should sign the plan.

Agenda Item #4 – Public Hearing – Flag Lot – 108 College Street - WITHDRAWN

This matter was deferred from the September 12th and September 26th meetings at the request of the applicant's attorney. ***HOWEVER, the attorney has submitted a formal letter to withdraw the application. Therefore, the hearing will not take place.***

ACTION NEEDED: Accept the letter of withdrawal.

Agenda Item #5 – Quality Fleet Services Illuminated Signs

Chuck's Signs has submitted a request to reface 2 existing signs and install one new illuminated sign with opaque background and only illuminate copy "with fluorescent lamps" at the Dashing Divas facility at 2092 Memorial Drive. One of the signs to be "refaced" was previously illuminated and the other will not be illuminated. The new illuminated sign is to be atop the existing freestanding sign.

The application submittal has been posted on the Town's website at the following two links:

- Letter of application and 2 sketches:
<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2314>
- Sketch 3: Night time photo simulation:
<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2315>

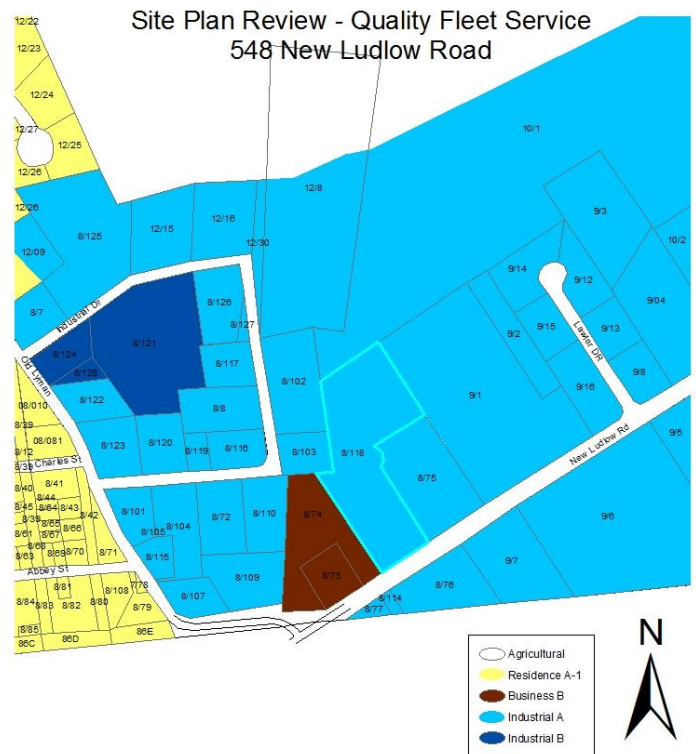
The subject property is zoned Industrial A which allows such signs but requires Planning Board approval of the illuminated signs. (See the map and aerial photo on next page)

In reviewing and acting upon illumination of signs, Section 8(F)7 of the Zoning Bylaw provides the following;

7. Illumination of Signs. No illuminated signs shall be permitted unless first approved by the Planning Board. Prior to approving an illuminated 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. The Planning Board shall notify, by mail, abutters of the date, time, and place of the Planning Board meeting at which the request for an illuminated sign is to be considered.

- a. Exception. Traffic control and directional signs by Municipal, State and Federal agencies shall be excepted from this requirement.

- b. Adverse to surrounding neighborhood or 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. Therefore, in determining whether to approve the illumination of a sign, the Planning Board shall:
 - 1). consider and minimize the illumination impact of the signage illumination on the surrounding properties; and,
 - 2). only approve internally-illuminated signs where only the lettering or logo of the enterprise or message being promoted are illuminated; and,
 - 3). 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,
 - 4). not approve exposed or illuminated neon signs; and,
 - 5). 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.



Source: South Hadley
Planning Board

0 300 600 1,200
Feet

During the Site Plan Review public hearings on this development, the Planning Board reviewed a photometric plan for the site. Additionally, the owner/developer is noted as stating that the signs will not be illuminated. There is no condition in the Board’s Site Plan Review decision limiting the signage to being non-illuminated.

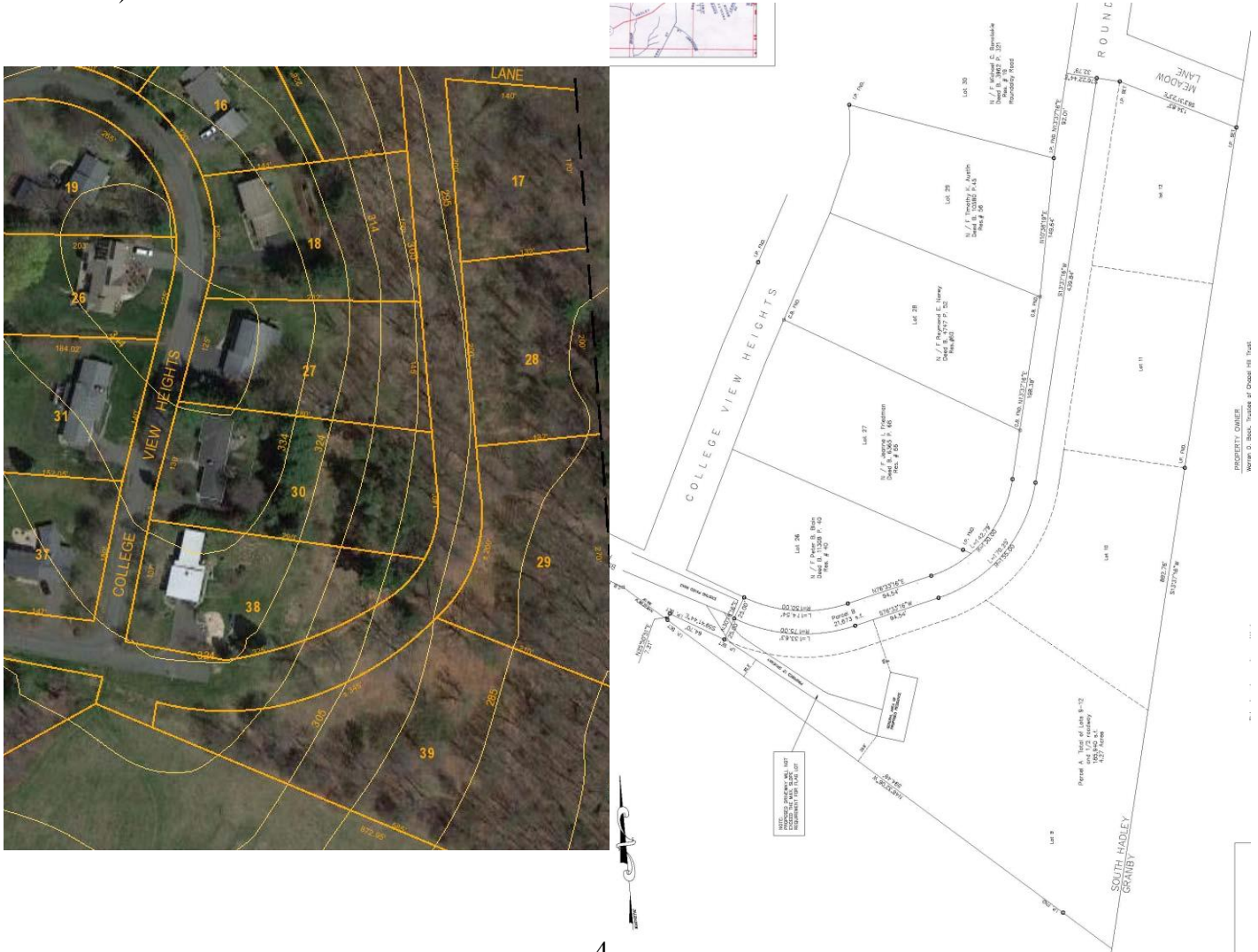
Therefore, the questions for the Planning Board are

- 1). does the sign illumination change the determination regarding the Site Plan and does the Site Plan Review decision need to be amended and
- 2). Will the illuminated signs proposed for Quality Fleet Services will be “adverse to the character of the surrounding neighborhood or community”. This determination is to include consideration of the 5 standards outlined in item 7b above.

ACTION NEEDED: Determine whether or not the new signs will be “adverse to the character of the surrounding neighborhood or community”.

Agenda Item #6 – Public Hearing – Flag Lot Special Permit – Chapel Hill Road & Roundelay Road

Warren Bock has submitted a Special Permit application to create a “Flag Lot” out of four lots and half of a paper street off Chapel Hill Road and Roundelay Road (see aerial photo and plan below):



The total site (the existing four lots and half of the paper street) is approximately 4.27 acres. This area was laid out as a subdivision many years ago. However, this portion of Roundelay Road was never constructed. Therefore, based on Massachusetts General Law, the owner's attorney is indicating that the adjoining owners own to the centerline of the right of way.

The requirements for a flag lot under Section 7(O) of the Zoning Bylaw are as follows:

1. access strip frontage on an existing public way of at least fifty (50) feet;
2. access strip width from the front lot line to the principal structure of at least fifty (50) feet;
3. at least double the minimum lot area normally required for that district, exclusive of the access strip;
4. an access strip that is accessible having a maximum length not exceeding four hundred (400) feet;
5. a minimum distance between two flag lot right-of-ways that is equal to or greater than the minimum lot frontage in that zoning district;
6. an appropriate easement delineated on the plot plan and on the deeds to the lots, including a clear provision for the responsibility for the maintenance of the access strip, utilities (if any) and snow removal, running with the land. Said easements shall:
 - a. become part of the deeds; and,
 - b. be recorded at the Hampshire County Registry of Deeds (proof of the latter to be submitted to the Building Commissioner prior to the issuance of any building permits);
7. in the opinion of the Planning Board acceptable design grade, length and location of the access drive shall be of suitable construction for the access and, where applicable, the turn-around for vehicles, including moving vans, ambulances, fire and police;
8. an access driveway within the privately owned access strip that is so drained as to prevent damage or hazard to abutting properties or public trees and shall be paved with bituminous asphalt, concrete, compacted gravel or similar paving material;
9. been created from one lot which was in existence at the time of the adoption of this flag lot By-Law amendment, which conforms to all of the provisions of the Zoning By-Law, and which does not have sufficient frontage to create an additional lot with the normal frontage requirements;
10. an access drive that is located, constructed and maintained a distance of no closer than ten (10) feet to any abutting property line;
11. no parking areas or above ground structures within the access strip;
12. a conifer buffer zone between any flag lot and abutting lots sufficient to provide privacy between the two lots when required by the Planning Board;
13. plans submitted to the Board that have been prepared by a registered land surveyor or engineer and may be subject to Section 5.00 Subdivision Regulations submission standards. The plans shall also contain the statement "Lot [fill in lot number] is a flag lot; building is permitted only in accordance with the Special Permit flag lot provisions of the South Hadley Zoning By-Law";
14. the flag lot frontage (see Appendix A) that is a minimum of 150 feet in the Agricultural district and 125 feet in both the Residence A-1 and A-2 districts measured parallel to the

existing street line from which access is derived. The flag lot building front setback line is to be measured from the point where the flag lot frontage has been satisfied. The side and rear setbacks are as listed in Section 6 (B) Dimensional Regulations for the district the flag lot is permitted in; and,

15. an access strip that begins at the existing street line and ends where the flag lot frontage width has been satisfied. Acceptable examples are shown as Illustrations Type 1-4 in Appendix A.

Since the subject property is zoned Residence A-1, the minimum lot size for a conventional lot is 22,500 square feet (just over ½ acre). The “flag” portion of the flag lot must be 45,000 square (slightly over 1 acre). With 4.27 acres, the proposed lot far exceeds the minimum area required. The plan indicates the access drive will be over 10 feet from any lot line.

The “access strip” is nonconventional due to the configuration of Chapel Hill Road at Roundelay Road. In the application, the applicant has stated that they will conform to the specifications for a flag lot which are not reflected in the plan.

The application and plan have been posted on the Town’s website at the following link:

<http://ma-southhadley.civicplus.com/DocumentCenter/Home/View/2294>

The public hearing was duly posted, advertised, and noticed for Monday October 17th at 7:30 p.m. At that time, the Vice-Chair deferred the public hearing to Monday, November 14th at 7:00 p.m. due to the lack of a quorum and other issues that arose on October 17th.

ACTION NEEDED: Conduct the public hearing. If more information is needed or revisions required, specify what additional information or materials are needed from the applicant and from staff and other departments and continue the public hearing to a date and time certain. If no further information is required, the public hearing should be closed.

Agenda Item #7 – DECISION – Flag Lot Special Permit – Chapel Hill Road & Roundelay Road

If the public hearing under agenda item #6 is closed, the Board may take action on the application. A copy of the Special Permit Standards/Criteria is attached to this packet.

ACTION NEEDED: If the public hearing is closed, the Board needs to make and file a decision within 90 calendar days.

Agenda Item #8 – Topics for November 15th Joint Meeting with the Selectboard

This item was included on the agenda to provide the Board with an opportunity to discuss questions members may have regarding the applicants for the Associate Member position as well as the draft Redevelopment Plan.

ACTION NEEDED: No action is required on this item.

Agenda Item #9 –Bylaw Amendments for Special Town Meeting

This is a follow up to the previous discussions regarding Zoning Bylaw amendments. I understand that the Selectboard has decided not to have a Special Town Meeting this Fall. Rather, a Special Town Meeting is likely to be held on January 11th. One of the topics which may be on that warrant is adoption of the General Code. I will be advertising a public hearing on the Zoning Bylaw portions of the draft General Code for the December meeting. Regarding Zoning Bylaw amendments, given the proposal to have the General Code acted on at the January STM, I don't think the Board should proposed Zoning Bylaw amendments for the January STM.

ACTION NEEDED: No action required; however, the Board should decide whether or not to propose amendments for the January 11th STM.

Agenda Item #10 - Development Update and Planner's Report

I will provide a report on the following items:

a. Development Report

- ***Newton Street Duplex (383 Newton Street)*** – (no change – no application has been submitted).
- ***Mountainbrook Street Acceptances*** (no change)
- ***Rivercrest Condominiums*** – (no change)

b. Other Projects

- ***Urban Renewal Plan and Redevelopment Authority.*** (To be discussed November 28th)
- ***Housing Studies.*** (To be discussed November 28th)
- ***Complete Streets Program Participation.*** .
- Participating in the Regional Valley Bike Share planning process with the Town Administrator
- Participating with the Bike/Ped planning process.
- Participating in the “Team Hampshire” economic development coordinating effort – an informal process among several of the cities and towns in Hampshire County
- Permitting Guide.
- General Code. (Note under Item #9 above.)
- ***Health Impact Assessment.*** To be discussed at a future meeting)
- Submitted a Letter of intent to submit a Mass Historical Grant application to undertake an archaeological research project in the Falls.

c. Workshops/Training Opportunities

I attended the September 29th Transportation Conference, participated in the October 3rd tour of HAP developments in Amherst and an October 5th visit and tour of Montague. I plan to attend the following:

- “Complete Streets 201 Training Course” scheduled for November 15, 2016

Agenda Item #12 – 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.

SOUTH HADLEY PLANNING BOARD

BILLS & CORRESPONDENCE

November 14, 2016

BILLS PAYABLE

- None
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Letters & Memos

- Letter from Sign Techniques dated November 7, 2016 regarding signage description and measurements

Town Department Comments on Pending Projects

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Town Department Agendas & Minutes

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Legal Notices

Amherst

- Town of Amherst Zoning Board of Appeals Notice of Public Hearing on ZBA FY2017-00006 on a Special Permit to create a flag lot at 310 South East Street

Chicopee

- City of Chicopee Planning Board Notice of Public Hearing on Site Plan with Waiver for a proposed 4,320 +/- dog daycare and grooming facility on Grove Street
- City of Chicopee Zoning Board of Appeals Variance from maximum business size form 3,000 square foot to 3,659 +/- to allow existing building to be used as a single business at 1421 Granby Road; Variance to construct a single-family house to replace one that was destroyed by fire at 34 Myrtle Street; Variance to create a new single-family building lot with frontage from 100' to 65' area from 10,000 square feet to 5,000 square feet and depth from 100' to 77' +/- on Grace Street

Granby

- Town of Granby Planning Board Notice of Decision to approve Site Plan Review to allow for the demolishing of the existing single-family dwelling and construction of an approximately 3500 square foot addition with associated parking and site improvements onto the northerly side of the existing Children First pre-School at 40 Pleasant Street
- Town of Granby Planning Board and Tree Warden Notice of Public Hearing for the removal of trees located at 126 Batchelor

Hadley

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Holyoke

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News Articles

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Publications

- Journal of the American Planning Association, JAPA. Autumn 2016
- Tufts University Graduate School of Arts & Sciences, Urban Justice and Sustainability.
- American Planning Association, Planning. November 2016