

Background Materials for May 14, 2018

Agenda Items #1 through #7

Agenda Item #1 –Minutes

I hope to have some of the minutes from April 30th meeting and public hearings available on Monday.

ACTION NEEDED: Review, edit and approve the minutes.

Agenda Item #2 –Correspondence

A list of the correspondence is attached.

ACTION NEEDED: Review the list of correspondence.

Agenda Item #3 –Peer Review for Proposed Hadley Street Wireless Communications Tower

Following up on the public hearing on the proposal by ITW to construct and operate a wireless communications tower off Hadley Street, I proceeded to solicit proposals for a peer review. My first step was to solicit the names of possible firms through the massplanners listserv and use our prior experience with the tower that had been proposed for Carey's Florist property. These efforts identified three firms for possible consideration:

- Isotrope
- CityScape Consultants, Inc.
- IDK Communications

I prepared a 3-page information overview of the request and requirements which was emailed to three (3) firms. This overview noted that the review needed to get underway quickly and set May 11th at 3:30 p.m. as the deadline for responses.

As of Friday afternoon, I had received responses from all three firms. In a cursory review, they all seem to demonstrate the requisite qualifications and have similar scopes of work. One of the firms' proposal indicates they have done far more work in Massachusetts than the other two respondents. However, one of the other firms indicates they never do work for wireless companies, have at least one Massachusetts municipal client and many clients in other states. I plan to review all the proposals over the weekend and have a recommendation – pending reference checks – for you Monday night.

I will forward you the proposal responses as well. However, I would note that price is not a consideration on the Town's part in this process. It may be a factor for the applicant – however the stated fees are not substantially different.

ACTION NEEDED: Rank proposals with preferred consultant. The applicant will be notified of the Selection and the amount they will need to put up with the Town as a deposit. The applicant also could appeal the Board's selection to the Selectboard. I have notified the applicant that they will have the right to appeal the selection if they choose to do so.

Agenda Item #4 – Discussion of Town Meeting actions with focus on

- a) Solar Photovoltaic**
- b) Newton Street Smart Growth District**

As the Board is aware, Town Meeting approved all the Zoning Bylaw amendments that were on the warrant but did amend Articles 17 (Solar Photovoltaic) and Article 21 (Newton Street SGZD – Text).

I am presently working to prepare the materials for submittal of all the Bylaw and Map amendments to the Attorney General for approval. This material is anticipated to be ready May 18th or 21st – there are significant materials to prepare while also proceeding on other tasks. I wanted to be sure that we all understood the amendments to the articles that we made at Town Meeting.

Solar Photovoltaic. The amendment as passed by Town Meeting removed the proposed minimum acreage size requirement for location of large-scale installations and replaced it with a screening requirement that has a variety of methods for accomplishment in that the adopted by law requires in the Residence A-1 and Residence A-2 districts:

“every abutting property shall be visually screened from the large-scale photovoltaic installation through any one or combination of the following: Location, distance, plantings, existing vegetation and fencing (not to exceed 6 feet in height)”

However, the amendment left intact the proposed limitation that, in the Residence A-1 and Residence A-2 districts, the installation may not occupy more than 50% of the “site”. It also left intact the general provision that such large, ground-mounted installations (regardless of their zoning district) may not be located within 100 feet of any lot created as part of a Residential Subdivision. Thus, there are still substantial protections for the Residence A-1 and Residence A-2 districts and established subdivisions.

In a Residence A-1 or Residence A-2 district, any such installation would:

- 1) Need to meet all the standards adopted in the bylaw
- 2) Need to meet the Special Permit Standards
- 3) Need to be 100 feet from a Residential Subdivision lot
- 4) Not occupy more than 50% of the site
- 5) Be screened.

I analyzed a couple of tracts in the Residence A-1 and Residence A-2 districts. Based on this analysis, it would appear near impossible to locate a half MW Installation on less than a 5-acre parcel. If the parcel has any topographic or wetland issues within the “buildable” portion of the site, then the size of the installation would be less. The 100-foot setback renders any site that is surrounded by a Residential subdivision impractical if it is less than 4 acres – and then it would appear likely that the installation would be on the low side of the “large-scale” category.

Where the 100-foot buffer does not apply, a half megawatt installation becomes more feasible – purely from a zoning site limitation perspective. And outside of the Residence A-1 and Residence A-2 districts, the 50% limitation would not apply; thus, if the 100-foot buffer does not apply as well, then smaller parcels with larger installations would be more viable for siting.

Newton Street SGZD. The amendment as passed by Town Meeting lowered the maximum height to 55 feet – anywhere in the SGZD - and imposed a limitation of 3 stories or 50 feet within 150 feet of either Newton Street or Lyman Street. It left intact a requirement that any portion of a building exceeding 2 stories and adjacent to a parcel with an existing single-family dwelling must be setback 50 feet.

In corresponding with DHCD staff, they have indicated that they doubt that the changes will affect the density. They also indicated a desire to “view any concept plans, schematics, studies or other analysis [we] may have used during the course of the public process that would help to conclusively document that” conclusion. Obviously, we don’t have any concept plans or schematics. I will provide them with a “conceptual analysis” as to what the maximum “reasonable” build out could be with the adopted limits. Beyond that aspect, they will basically need the copy of the change passed by Town Meeting and any changes the Attorney General Office might require.

To begin an analysis of the “maximum reasonable” build out, I have mapped out the various setback limits imposed by the amendment passed at Town Meeting as well as the limits already contained in the proposed bylaw. This mapping is depicted on the map accompanying this document. In terms of the color coding of the lines, I offer these explanations:

- 1) Blue – 150 feet from Newton Street and Lyman Street. Between the blue line and the street, buildings may generally be approved up to 3 stories; but beyond the blue line, they may be approved up to 4 stories. The amendment made at Town Meeting is unclear as to whether that is the “edge of the street” or “curb” or the front property line. The Design Guidelines should address this issue. It generally should not make a significant difference, but I am suggesting that the right of way line would be the point of measurement.
- 2) Yellow – 50 feet from the lot containing a single-family residence. Between the yellow line and the adjoining residential lot, buildings may not exceed 2 stories.
- 3) White – Similar to the Yellow line but the adjacent property is developed as condominiums; however, some of the buildings are single-units. I think the single-unit condominiums should be treated similar to the single-family dwelling on a single-lot. However, I think this should be addressed in the Design Guidelines.

The next step in the process (beyond the administrative tasks which I will handle with the AG and DHCD) is development of the Design Guidelines. We can use the guidelines developed for the Falls SGZD as a starting point. A copy of the adopted guidelines are on the Town’s website at the following link:

<http://southhadley.org/776/SH-Falls-Smart-Growth-District-Design-Gu>

However, I am also researching guidelines developed for “suburban” shopping area SGZDs.

I think the Board needs to establish a timeframe for the development of the guidelines taking into consideration the following:

- AG approval of the Bylaw amendment is unlikely to occur before August 20
- DHCD Final approval of the district is likely to take until early to mid-September
- DHCD will need to approve the Design Guidelines

ACTION NEEDED: No definite action is “needed” but I think the Board should begin discussing the concept of the Design Guidelines and the timeframe for such guidelines – including scheduling meetings on the guidelines. We should be able to have our first substantive discussion at the June 4th meeting – whether the hearing is actually held on the proposed Wireless Communications Tower application.

Agenda Item #5 - RFQ/RFP for Open Space & Recreation Plan and Master Plan Update

I have completed a draft of the RFP for this project. This draft is currently being reviewed by several members of MPIC and the Town’s Chief Procurement Officer. One aspect of the RFP I was uncertain about was the extent to which it needed to detail the “comparative criteria” since several of the RFP’s I used as references did not do so. However, on further review of over a dozen similar RFP’s issued by Massachusetts communities over the past 5-6 years, it seems that the overwhelming majority do detail their comparative criteria. At the same time, I noted that I have nearly twice many such criteria as the other RFP’s. Therefore, I am looking to reduce the comparative criteria down to 3-5 instead of the current 8 – any suggestions would be welcome.

I will email the draft RFP to you under separate email.

ACTION NEEDED: Comments on the draft RFP.

Agenda Item #6 - Development Update and Planner’s Report

I will provide a report on the following items:

a. Development Report

- Mountainbrook Development – Phase 2 – (No change)
- Rivercrest Condominiums – (No change)
- Ethan Circle Subdivision – (no change)
- Canal Street Condominiums – (No change)
- Bardwell Street Condominiums – (No change)
- Potential Flexible Development on Amherst Road by Thomas Spring – (no change)
- Potential Professional Business Application on Willimansett Street – (no change)
- Potential Cell Tower Special Permit Application off Hadley Street – (To be discussed under Agenda Item #3 above)
- Potential Expansion of the Leo Concrete sand/gravel pit of Hadley Street (Route 47) – (No change)
- Converting the “Castle” into a catering business – (No change)
- Flag Lot Special Permit – Morgan Street – (Decision has been signed and filed with the Town Clerk’s office.)

- Opportunity Zone Designation. (No change – as noted in the last report, the Governor has nominated the South Hadley Opportunity Zone along with two in Holyoke – as well as others in the region and the State. The US Treasury Department will determine the designation but we are optimistic that they will accept the State’s nomination).

b. Bylaw Amendments

- Proposed 40R District: (To be discussed under Agenda Item #4 above)
- Infill Development/Lot Averaging Bylaw Amendment: No change
- Design Review Bylaw: No change
- Chapter 43D Expedited Permitting: No change
- Solar Photovoltaic Zoning Bylaw amendment: (To be discussed under Agenda Item #4 above)

c. Other Projects

- Urban Renewal Plan and Redevelopment Authority: (No change - The revised plan was submitted by the consultant to DHCD for review.)
- MassWorks Grant: (Fuss & O’Neill has completed a revised conceptual plan and cost estimate)
- Land & Water Conservation Fund Grant Applications: (No change)
- Complete Streets Program Participation: (I submitted an application for a \$385,000.60 grant on April 30th. Jim Reidy, PVPC staff, and Fuss & O'Neill staff were instrumental in providing input for the application – a truly collaborative, team effort.)
- Regional Valley Bike Share program: (The pads for two of the South Hadley stations are to be installed this month. The BikeShare website should be up and operational this month and people can begin purchasing memberships as soon as the website is operational.)
- Participating in the “Team Hampshire” economic development coordinating effort – an informal process among several of the cities and towns in Hampshire County
- Permitting Guide: No change
- Green Communities: No change
- Westover Air Reserve Base Joint Land Use Study: No change. I have been attending the Steering Committee meetings and met with the PVPC staff regarding the land uses in the Approach Zones in South Hadley. These uses include the Plains School, Big Y, etc.
- Regional Housing Committee: (No change)
- River to Range Trails. The contractor has continued to work on the project. Eversource has also indicated that they are planning to do work on the Transmission Lines through the area which may impact a portion of the accessible trail. This work is being coordinated by the Conservation Administrator/Planner.
- Open Space & Recreation Plan and Master Plan Updates: (To be discussed under Agenda Item #5 above.)
- PVPC DLTA: (The PVPC staff has provided a proposed scope of work.
- LUCA. I am working with the Town Clerk and Associate Assessor on the Local Update of Census Addresses (LUCA) program in preparation for the 2020 Census.

d. Workshops/Training Opportunities

I am planning to attend the Massachusetts Association of Planning Directors Annual Conference May 25-26, 2018.

Agenda Item #7 – 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.