

# TOWN OF SOUTH HADLEY

Received  
Town of South Hadley

OCT 31 2014  
PSK 10:10 AM  
Town Clerk

RICHARD L. HARRIS, AICP  
Town Planner



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**OFFICE OF THE PLANNING BOARD**  
116 Main Street, Room 204  
South Hadley, MA. 01075-2896  
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**NOTICE**  
**CERTIFICATE OF PLANNING BOARD DECISION**  
**APPROVING STORMWATER MANAGEMENT PERMIT FOR RIVERCREST**  
**CONDOMINIUMS**

**SUBMITTED BY:**

**APPLICANTS:**

Rivercrest Condominiums, LLC  
co Craig Authier; 1421 Granby Road  
Chicopee, MA 01020

**DEVELOPMENT NAME:**

Rivercrest Condominiums

**LOCATION:**

south side of Ferry Street with the frontage located  
approximately 700 feet from Brockway Lane  
South Hadley, MA 01075  
Assessor's Map #47-Parcel #76

**SURVEYORS & ENGINEERS:**

R Levesque Associates, Inc.  
40 School Street  
P. O. Box 640  
Westfield, MA 01085

**PUBLIC HEARING:** A public hearing was opened on July 29, 2014, continued on September 8, 2014 and October 6, 2014 and concluded on October 27, 2014 in accordance with the South Hadley Zoning By-Law and the Massachusetts General Laws.

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**Project Description:** Applicant requested a Stormwater Management Permit under Article XVI (the Stormwater Management Bylaw) of the South Hadley General By-Laws to allow development of the site for 29 multifamily dwellings on this 10.831-acre site in a mixture of single-family and duplex structures with ranch and townhouse style of construction. A Special Permit for this development was granted by the Planning Board on April 7, 2014 subject to various conditions. In addition to the conditions included herein and the plans approved as part

of this Stormwater Management Permit, the applicant will need to comply with the EPA Notice of Intent and the project's Stormwater Pollution Prevention Plan since the project involves disturbance of more than one acre of land.

The subject property is generally described as a 10.831 acre parcel located on the south side of Ferry Street with the frontage located approximately 700 feet from Brockway Lane.

Departmental Comments: The project plan and Stormwater Report were distributed to various departments/agencies for review. The materials were revised several times during this review process. The following comments were received regarding the last revisions prior to the October 27, 2014 Public Hearing:

- ***Janice Stone, Conservation Commission Administrator:***

In an email dated October 1, 2014, Janice Stone provided a copy of comments she had regarding the project plans. Subsequently, the applicant's consultant provided written responses to those and additional comments.

In an email dated October 27, 2014, Janice Stone noted that the Conservation Commission has a public hearing on this project scheduled for October 29, 2014 and conducted a site visit the previous week. She noted that the site visit was helpful to see where the units and stormwater structures would be in relation to the slope.

As of the time of the email, she stated that she did not think there were any particular features that she would expect to give the Conservation Commission cause to deny the project. The small increases in the peak discharge for the 2 and 100 year storms might be an issue (she noted that the Conservation Commission had not conducted a hearing to discuss the project since the joint Planning Board-Conservation Commission public hearing in July 2014). However, she added that she had a telephone conversation with the project consultant earlier in the afternoon and he had indicated that they were working on a solution to both increases, which would eliminate that concern.

- ***Sharon Hart, Director of Public Health:***

In an email dated October 27, 2014, Sharon Hart noted her concerns were that the stormwater drains in 72 hours and there is a satisfactory dust control plan. In response, the applicant's consultant provided a revised seed mix proposal which would address concerns regarding site stabilization.

- ***Town Engineer Dan Murphy and DPW Superintendent Jim Reidy:***

Early in the review process, Town Engineer Dan Murphy noted he had submitted – during the Special Permit review process - numerous comments regarding the project which needed to be addressed. Most of the comments were not related to the Stormwater Management Plan. Subsequently, the project consultant provided a written response to Dan Murphy's earlier comments. Dan Murphy left the Town's employment during this process and DPW Superintendent Jim Reidy took over the review process for the DPW. In an email dated October 7, 2014, Jim Reidy stated that he had no comments regarding the project.

**Project Reviews – Peer Review:**

The Planning Board retained GZA GeoEnvironmental, Inc. to conduct a Peer Review of the wetlands and stormwater management elements of the project. The stormwater management portion of the Peer Review included providing information to the Planning Board as to whether or not the proposed project, as planned, conformed to the Town's Stormwater Management Bylaw.

During the course of the public hearings, the applicant made revisions to the project plans which necessitated additional review by GZA GeoEnvironmental. The final report prior to the public hearing was in the form of a letter by GZA GeoEnvironmental, Inc. dated October 6, 2014, noted several deficiencies in the revised set of plans:

- 1) Need for a typical cross section of the proposed grass swales
- 2) Revision to the TSS Removal Form for Surface Infiltration Basin
- 3) A slightly higher Post-Peak Discharge Rate over the Pre-Peak Discharge Rate for 4 design points during the 100-year storm event and for 1 design point during the 2-year storm event. The discrepancies were in the order of hundredths of a cubic foot per second and they suggested that the Board could consider the standard met.

**Applicant Responses:**

The applicant's consultant provided written responses to the departmental comments and to the Peer Review Final Report. In regards to the three items noted in the Peer Review Report, the applicant:

- 1) Provided a typical cross section of the proposed grass swales
- 2) Revised the TSS Removal Form for Surface Infiltration Basins
- 3) Made changes to the plans to bring the Post-Peak Discharge Rates down to or below the Pre-Peak Discharge Rates. These changes were provided at the October 27, 2014 Public Hearing but had been undertaken in consultation with the Peer Review Engineer.

**Public Comments:**

The Planning Board conducted three sessions of public hearings. Most of the comments were in opposition to the application. During these public hearings, the Board received numerous verbal comments. Generally, the relevant comments were expressing concern about potential storm drainage issues downstream of the project, noting the high water table, existing flooding issues, and questioning the validity of some of the information and analysis provided by the applicant's consultant.

The Planning Board reviewed and considered all of the comments made during the public hearings. In their considerations, the Board noted that the plans had been prepared by professional engineers and reviewed by several independent engineers including the Town Engineer and the Peer Review Engineer working for the Town.

**Decision:**

At a meeting held on October 27, 2014, by a vote of Five (5) out of Five (5) members present, the Planning Board voted to make the findings stated below and approve the above described application subject to the following conditions:

1. ***Findings.*** The Planning Board has evaluated the proposed project in relation to the Standards for Stormwater Management Permits provided in Section 16-4 of Article XVI of the South Hadley General Bylaws (the Stormwater Management Bylaw). Based on their review of the applicant's plans and the comments from the departments, the Board found that:
  - A. The Stormwater Management and Erosion and Sediment Control Plan are consistent with the Purposes and Objectives of Section 16-1 of the Bylaw;
  - B. Provisions for stormwater management meet the Performance Standards described in Section 16-6;
  - C. Provisions for erosion and sediment control meet the Design Requirements in Section 16-7.
  
2. ***Conditions.*** The Planning Board approval is subject to the following conditions:
  - A. Receipt of a confirmation from the Peer Review Engineer that the revisions to the Stormwater Plan and Stormwater Report presented at the October 27, 2014 Public Hearing demonstrate that the Post-Peak discharge rates do not exceed the Pre-Peak discharge rates as represented by the applicant's representative. This confirmation must be received by the Planning Board prior to endorsement of the Form H plan to satisfy the condition #17 of the Special Permit.
  - B. Conservation Commission Order of Conditions for this project including any revisions required by said Order of Conditions.
  - C. The Project Plans and related materials as revised and submitted to the Planning Board through October 27, 2014 and as may need to be revised pursuant to condition 2A and 2B of this Decision.
  
3. ***Incorporated Materials***

The following materials are incorporate into and made a part of this Decision:

  - A. Minutes. Minutes of the July 29, 2014, October 6, 2014, and October 27, 2014 public hearings and October 27, 2014 Planning Board meeting relative to the Stormwater Management Permit application.
  - B. Application Materials and Revisions Incorporated. All application materials (including subsequent revisions thereto) submitted to, and received by the Planning Board as part of the applicant's application for a Stormwater Management Permit received by the Town on or about June 19, 2014 and other materials referenced herein are hereby incorporated

into and made part of this Decision. Said application and related materials specifically include, but are not limited to, the following:

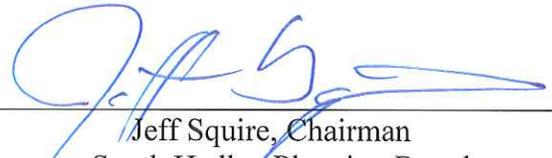
- 1). Form SWP – Application for Stormwater Permit
  - 2). Stormwater Drainage Report – Rivercrest Condominiums dated June 18, 2014 as revised through October 27, 2014
  - 3). Site Plans titled “Rivercrest Condominium Community – Ferry Street, South Hadley, MA Site Plans” prepared by R Levesque Associates, Inc. dated June 18, 2014 as revised through October 27, 2014
- C. Peer Review Report Letter from GZA GeoEnvironmental, Inc. dated October 6, 2014  
D. Emails from R Levesque Associates, Inc. and GZA GeoEnvironmental, Inc. regarding the Stormwater Permit application through October 27, 2014.

This decision shall constitute an approved Stormwater Management Permit for the above described project with conditions set forth above. Copies of this decision have been filed with the Town Clerk, Town Engineer, Building Commissioner, and Selectboard.

Failure of the applicant to adhere to the provision of this Permit shall constitute a violation of Article XVI of the General By-Law, and is punishable as provided in said Article XVI for each violation. Each day that such violation continues shall constitute a separate offense.

ATTESTED AND AFFIRMED

S/

  
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Jeff Squire, Chairman  
South Hadley Planning Board

October 31, 2014

Date

Received  
Town of South Hadley

OCT 31 2014

Cc: Town Clerk (Date Filed: \_\_\_\_\_)  
Selectboard  
Building Commissioner **Town Clerk**  
DPW Superintendent  
Board of Health  
Conservation Commission  
Rivercrest Condominiums LLC  
Conservation Commission  
Joel Bard, Esq. – Special Counsel  
R Levesque Associates