

TOWN OF SOUTH HADLEY

Received
Town of South Hadley

OCT 31 2014

Town Clerk

RICHARD L. HARRIS, AICP
Town Planner

JEFF SQUIRE
Chairman

MARK CAVANAUGH
Vice-Chairman

HELEN FANTINI
Clerk

JOAN ROSNER
Member

MELISSA O'BRIEN
Member

DAN DODGE
Associate Member



OFFICE OF THE PLANNING BOARD

116 Main Street, Room 204
South Hadley, MA. 01075-2896
Telephone: (413) 538-5017 ext. 206 * Fax: (413) 538-7565
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NOTICE

CERTIFICATE OF PLANNING BOARD DECISION APPROVING APPLICATION FOR AMENDMENT TO SPECIAL PERMIT

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 August 4, 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.

This Certificate is filed in accordance with the provisions of Chapter 40A, Section 9 of the
Massachusetts General Laws and Section 9 of the South Hadley Zoning Bylaw to show that the
Planning Board at its regular meeting on October 27, 2014 by a vote of **Five (5)** out of **Five (5)**
members present **APPROVED** the above-referenced Amendment to the Special Permit subject
to the following conditions specified herein.

Background Description:

The applicant proposes to construct 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. The written decision was signed and filed with the South Hadley Town Clerk on April 10, 2014 and no appeal was filed.

Among the conditions of the April 2014 Special Permit decision were requirements for a Stormwater Management Plan and various vegetated buffers and compliance with the site plan submitted during the Special Permit process. In the course of developing the stormwater management plan, the applicant determined that the project grading would require alteration of some of the proposed “undisturbed” buffers and a detention basin needed to be installed beyond the original “limits of work” depicted on the approved Site Plan. Therefore, the applicant’s representative submitted a request to amend the Special Permit Decision to allow for the minor modifications affected on the site plan as a result of the detailed stormwater design.

Status of April 2014 Findings – Special Permit:

Nothing in this decision alters the findings in the April 2014 Special Permit decision.

Amendments to April 2014 Conditions of Approval:

The Conditions of Approval specified in the April 2014 decision remain as filed EXCEPT as amended below:

2. Limits on Usage including Maximum Number of Dwellings and Principal Structures. This condition remains intact as filed in April 2014 except 1) the phrase “of Work and” are inserted into the heading immediately following the word “Limits” and 2) the following sentence is added to this condition:

The limits of work shall be as depicted on the landscaping plan presented at the October 27, 2014 Planning Board meeting. Said plan, prepared by R Levesque Associates, Inc. and with a revision date of October 24, 2014.

6. Buffers – northerly property line (northerly portion). This condition remains intact as filed in April 2014 except that the reference 1) to “undisturbed, vegetated” buffer is changed to read “planted vegetated” buffer and 2) in 6a to the buffer being “eighteen (18) feet in depth” is changed to “sixteen (16) feet in depth”.
7. Buffers – adjoining 34 Ferry Street. This condition remains intact as filed in April 2014 except that the reference to 1) “undisturbed, vegetated” buffer is changed to read “planted vegetated” buffer and 2) “six (6) feet in height” is changed to “eight (8) feet in height”.
10. Purpose and Character of Buffers – Condition #6, #7, and #8. This condition remains intact as filed in April 2014 except that 1) the reference to “undisturbed vegetated” is to be replaced by “planted vegetated” and 2) the phrase “removed or cleared due to the grading work associated with the development and/or is” is to be inserted into the last sentence such that the last sentence is to now read as follows:

Where the vegetation is removed or cleared due to the grading work associated with the development and/or is not sufficiently deep or of a sufficient character to meet this purpose, the vegetation is to be supplemented by additional diverse vegetation in accordance with the landscape plan which is to be prepared by a licensed landscape architect and approved by the Planning Board as part of the Form H endorsement process.

19. *Stormwater Management System – Performance Guarantee.* This condition remains intact as filed in April 2014 except that the reference to the timing for setting of the Performance Guarantee in paragraph 19a is revised by replacing the word “prior” with the word “after”.

Incorporated Materials:

The following materials are incorporated into this Decision:

Minutes. Minutes of the following hearings and meetings regarding this project are also incorporated into and made part of this Decision:

- a. Planning Board public hearings on the Amendment to the Special Permit held on August 4, 2014, October 6, 2014, and October 27, 2014.
- b. Planning Board meeting held October 27, 2014 as they relate to the Special Permit Amendment.

Application Materials and Revisions Incorporated. Application Materials and Revisions Incorporated. The application for amendment submitted to, and received by the Town Clerk and Planning Board on July 14, 2014 including the following:

- a. Letter from Robert Levesque dated July 11, 2014 which accompanied the application
- b. Landscaping Plan for Rivercrest Condominiums, LLC presented at the October 27, 2014 Public Hearing

Decision Appeal Period: This Special Permit shall not take effect until:

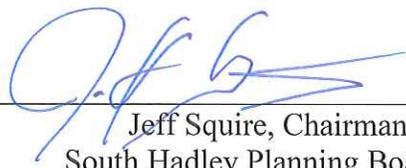
- a. a copy of the decision bearing certification of the Town Clerk that twenty (20) days have elapsed is recorded in the Hampshire County Registry of Deeds within twenty (20) days following this certification of the Town Clerk.

Proof of Filing: Proof of the filing with the Hampshire County Registry of Deeds must be submitted (1) to the Planning Board prior to Form H Plan Endorsement and (2) to the Building Commissioner prior to obtaining a Certification of Occupancy.

This decision shall constitute an approved Amendment to the April 2014 Special Permit for the above-described project with conditions set forth above. Copies of this decision have been filed with the Town Clerk, Building Commissioner, and Selectboard. Appeals, if any, shall be made pursuant to Massachusetts General Law, Chapter 40A, Section 17, and shall be filed within twenty (20) days after the date of filing of this NOTICE in the office of the Town Clerk.

Failure of the applicant to adhere to the provision of the Special Permit as amended herein shall constitute a violation of the Zoning By-Law, and is punishable by a fine of up to \$200.00 for each violation. Each day that such violation continues shall constitute a separate offense.

ATTESTED AND AFFIRMED

S/ 
Jeff Squire, Chairman
South Hadley Planning Board

October 31, 2014
Date

Received
Town of South Hadley

Cc: Town Clerk (Date Filed: **OCT 31 2014**)
Selectboard
Building Commissioner **Town Clerk**
Rivercrest Condominiums LLC
Conservation Commission
DPW Superintendent
Town Engineer
Fire District #2 Fire Chief
Fire District #2 Water Superintendent
Joel Bard, Esq. - Special Counsel