June 17, 2016

To: Conservation Commission
Jack Fleming, Chair
Dennis Swartwout, Vice Chair
Brad Allen, Commissioner
William Bacis, Commissioner
James Canning, Commissioner
Kate Ballantine, Associate Member
Janice Stone, Conservation Administrator

From: Canal Park Committee
William Bacis, co-chair
Mitchell B. Resnick, co-chair
Richard Constant, member
Jack Fleming, member
Eleanor Klepacki, member

Dear Conservation Commission

The South Hadley Canal Park Committee presents this petition to the South Hadley Conservation Commission to modify DEP File 288-311 for the sole purpose of relocating an approved pruning vista at Bicentennial Canal Park from a more environmentally sensitive area of the park adjacent to the canal to a less sensitive area that is elevated and closer to the edge of the 200 foot setback. We believe that this requested relocation will have no negative environment impact but will in fact lessen the impact of pruning by relocating the vista to an area that is elevated and more distant from the water. Our intention is to erect viewing benches in the relocated pruning vista area in memory of Ted Belsky and Robert O'Malley. The details of the request are specified in pages 2 and 3 that follow this request.

Completing the paperwork necessary for your considered decision has been challenging. As a lay committee we have tried our best to satisfy the mandated standards that the Commission expects from applicants, in word and illustration. Our budget is not sufficient to engage a professional environmental consultant. We have used the 2003 NOI Form 3 as a template, but that form's official format is different and that original form has survived incomplete. The Conservation Administrator has been immensely generous with her time and expertise. We could not have come this far without her support.

We have appeared before the Town of South Hadley Selectboard, owners of the property. They unanimously support this application for your consideration and have authorized Mike Sullivan, Town Administrator to sign NOI Form 3 for the town. We understand that a municipal fee exemption applies to this application.

Thank you for your consideration.

Mitch Resnick, Co-chair, Canal Park Committee

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Re: **DEP File Number 288-311**

With this memo, the Canal Park Committee requests a modification to currently enforced WPA Form 5 - Order of Conditions for DEP File Number 288-311 dated September 17, 2003 and amended October 3, 2006. As provided for in Order of Conditions item #13, the Canal Park Committee requests that the Conservation Commissioners consider this application for modification as described below, to be within the spirit, intent, and performance of the original conditions and not to be significant enough to require the filing of a new Notice of Intent.

Background History

The now expired Order of Conditions for DEP File Number 288-125 dated June 24, 1991 provided for a total of eight (8) pruning vistas from the border of Canal Park that abuts the Red Cliff Canoe Club along the banks of the Connecticut River and the South Hadley Canal in a generally northward direction to an unspecified point at the terminus of the CPC property. Canal Park is bounded on the east by Canal Street and by private property on River Road; on the west by the Connecticut River, remnants of the South Hadley Canal, and Cove Island. The Committee believes these Orders of Condition were based on a Topographic and Property Line Survey Map dated November 1, 1979. Interestingly, the map does not show Bicentennial Park and its overlook, which were established in 1976. Pruning Vista #1 provided for, and labeled as such, is of particular interest to our Committee today, as we would like to erect granite memorial benches in memory of Ted Belsky and Robert O'Malley in that location and provide a view of the river from these benches. DEP File 288-125 and its Order of Conditions expired and has been superseded by a new Order.

Current Situation

Currently enforced WPA Form 5 - Order of Conditions DEP File Number 288-311 for Canal Park was adopted in 2003 and amended in 2006 and is currently in effect. Four Pruning Vistas along the river and canal banks were provided. In addition, a Pruning Vista was provided for that permitted riverside pruning at the Overlook at Bicentennial Park, making a total of five.

A partial map of Canal Park labeled "Bicentennial Canal Park Maintenance Plan" was drawn May 30, 2003 and appears to supplement Order of Conditions DEP File Number 288-311, although there appears to be no reference to this Maintenance Plan map in the Orders. As noted on the map, park trail maintenance was limited to 2,397 L.F. (0.454 mile). Although there is no note of a starting point for this stretch of trail, one could expect that the starting point would be where the trail begins as we note on the attached edited draft of the 2003 map, terminating at a point 2,397 L.F. in a northerly direction. This map does not provide numbered labels for the designated 2003 Pruning Vistas, so in this request for modification, we suggest for clarity that the Pruning Vista at the overlook be identified as Vista #1, and then proceeding northward with Vista # 2 Vista #3 Vista #4 and ending with Vista #5 at the labeled Canoe Launch Area as noted on the edited map.

Among those conditions noted in the map but not in WPA Form 5 is: "Total Area of Vista Maintenance: 32,644 S.F". A computation using map dimensions (scale 1" = 50') and measurement figures provided by the Conservation Administrator shows that Vista #1 at the Overlook is roughly 14,519 S.F.; Vista #2 is 45'X135', roughly 6,075 S.F; Vista #3 is 35'X95', roughly 3,325 S.F.; Vista #4 is 35'X95', roughly 3,325 S.F.; and Vista #5 is 40'X135', roughly 5,400 S.F.; for a total of roughly 32,644 S.F.

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Vista #2 (at the Canal Park Monument) is approximately 360 L.F. from Vista #1, measured from the corner of the paved parking lot at the Bicentennial Park Overlook.

Canal Park Committee respectfully requests that the center of Vista #3 (35'X95' or 3,325 S.F.) be relocated to a point approximately 25 L.F. northerly from the corner of the paved parking area at the Overlook and 335 L.F. southerly from Vista #2 (at the Park Monument); that there be no dimensional changes to any Vista in order to ensure that 32,644 S.F. is not exceeded; that the Vistas be re-labeled in sequence from #1 at the Overlook to #5 at the Canoe Launch; that newly re-labeled Vista #3 be re-oriented by 45 degrees to the north; that a reference to the newly edited Bicentennial Canal Park Maintenance Plan dated May 30, 2003 be inserted in WPA Form 5 - Order of Conditions.

We request no dimensional changes to the Order of Conditions, and as noted above, believe the requested Vista relocation will have a positive environmental because it will be at a distance further from the sensitive riverbank.

With guidance from the Conservation Administrator, the Committee was able to flag the requested position of newly labeled Vista #2. Newly labeled Visas #3 and #4 as noted on the revised Maintenance Plan map were flagged as well. All areas will be measured and flagged in the field and confirmed by the Conservation Administrator in advance of any clearing. All clearing will confirm to the Maintenance Plan map and the Orders of Condition attached to DEP File Number 288-311.

Newly positioned and labeled Vista #2 will provide views of the river from benches to be installed in memory of Ted Belsky and Dr. Robert O' Malley. Newly rotated Vista #3 will provide pleasant up-river views of Mt. Tom and Cove Island.

Thank you for your consideration.

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