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ADMITTED IN MASSACHUSETTS, CONNECTICUT AND RHODE ISLAND

September 27, 2016

Richard Harris
Town Planner
Planning Department
116 Main Street
South Hadley, MA 01075

RE: FLAG LOT - SPECIAL PERMIT APPLICATION - ROUNDELAY ROAD

Dear Mr. Harris:

Please accept on behalf of the **Bock Trust** the enclosed material in application for approval of a flag lot pursuant to the South Hadley Zoning By Law. The proposed is an aggregation of four previously configured adjacent lots along with the owned portion of an abutting paper street. The proposed lot will contain 185,940 square feet, or approximately 4.27 acres. Frontage on the approved portion of the easement containing the public way known as **Birch Hill Road** totals approximately 96.91 feet in an irregular line. The lot is shown in significant detail on the attached plan.

Should this application be approved, the new flag lot will be available to host a single residence in accord with the applicable zoning regulations. A building envelope is designated on the plan within the southeastern portion of the proposed lot. The current owner intends to market the lot and sell it to a developer able to build a residence appropriate to the location. Thus certain detail and compliance with potential conditions issued by the planning board and staff will be included within the ultimate building proposal. However, the current ambient conditions are such that the applicant is able to state definitively that eventual development of the proposed flag lot will have no historical or cultural impacts relative to properties listed on the National or State Register of Historic Places or as a Priority Heritage Landscape. Further, one additional residence in this residential neighborhood adjacent to Mt. Holyoke College will have no adverse impact to and will present no overburdening of resources such as sewer, water, traffic, schools, public safety or scenic roadways. As the above information illustrates, the proposed flag lot is consistent with applicable portions of the Master Plan.

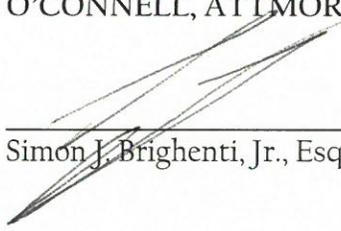
O'CONNELL, ATTMORE & MORRIS, LLC

September 28, 2016
Page 2

As indicated on the accompanying plan, the proposed driveway can meet the requirements within the bylaw regarding slope and topography. An eventual site plan and building permit application will address the requisite detail regarding the presence of any wetlands, the installation of utilities, the layout of the access drive and all other relevant information.

Thank you for your consideration of this application and I remain available to provide any further detail or documentation upon request.

Yours truly,
O'CONNELL, ATTMORE & MORRIS, LLC



Simon J. Brighenti, Jr., Esq.

SJB/ja

FORM SP

SOUTH HADLEY PLANNING BOARD

APPLICATION FOR SPECIAL PERMIT

Date September 6, 2016

Pursuant to the provisions of Chapter 40A of the General Laws of the Commonwealth of Massachusetts and the South Hadley Zoning By-Laws, the undersigned herewith submits the accompanying application for a Special Permit as described below and detailed in the supporting documentation which is incorporated into and made part of this application.

NATURE OF REQUEST (Check and Describe as Appropriate):

- a. Alteration/expansion/change of a nonconforming use and/or structure
- b. Home occupation
- c. Professional business
- d. New/second hand car dealer
- e. Flag lot
- f. Two-family dwelling/Three-family dwelling
- g. Multifamily dwellings for more than three families
- h. Flexible development
- i. Wireless communications facility
- j. Major earth removal, extraction, and/or fill activity
- k. Other (Describe _____)

GENERAL DESCRIPTION OF REQUEST:

Combine lots along paper street Roundelay Road with lot fronting on accepted way Birch Hill Road to create single flag lot

APPLICABLE SECTIONS OF THE ZONING BYLAW:

Section 5(E) and Section 7(O)

1. Applicant Warren D. Bock, Trustee of Chapel Hill Land Trust

Address 7 Cardinal Road, Worcester, MA 01602

Telephone c/o Simon J. Brighenti, Esq. (413) 747-1773 Ext. 13

Email Address: c/o sbrighenti@oamlaw.com

2. Owner (if not applicant) Same

Address _____

Email Address: _____

3. Site Plan Preparer Ronald R. Huot, Anderson Associates

Title or License MA Registered Land Surveyor Lic. # 31785

Address 375 Walnut Street Extension #4b Agawam, MA 01001

Telephone (413) 525-4145

Email Address: ronfrma@gmail.com

4. Deed of property recorded in the Hampshire County Registry of Deeds,
Book 12106 Page 137

5. Location and description of property (street and number if any) Roundelay Road / Birch Hill Road / College View Heights / Chapel Hill Drive

Assessors Map # 50 Parcel # 17,28,29,39

6. The subject property is presently in zoning district(s): Residence A-1

7. Is the subject property located within one or more of the Master Plan's Land Use Area Districts? No If so, in which of the districts or areas? _____

8. Is the subject property located in a National Historic District or listed as a Priority Heritage Landscape? No If so, which one? _____

9. Does the subject property abut a designated Scenic Roadway? No

10. Is the subject property within the designated South Hadley Falls Economic Opportunity Area? No

I, as applicant, certify that the application and all attachments are correct and complete.


Signature of Applicant

FOR PLANNING BOARD OFFICE USE:

11. Amount of Application Fee: _____

12. Fee Paid? Yes ___ No ___

FOR TOWN CLERK (indicate date and time received):

Submission received on (Date) _____
at (time) _____

Signature _____

**SUPPLEMENTARY INFORMATION
FLAG LOT APPLICATION
CHAPEL HILL LAND TRUST**

The Planning Board may issue a Special Permit allowing for the reduction of the frontage requirement for lots in Residence A-1, Residence A-2 and Agricultural districts when such lot having less than the required frontage can substitute increase square footage and is to be used for a single dwelling unit only, provided said lot has:

1. access strip frontage on an existing public way of at least fifty (50) feet;

RESPONSE: The proposed lot fronts on the right of way containing the public way known as College View Heights a total distance of approximately 96.91 feet.

2. access strip width from the front lot line to the principal structure of at least fifty (50) feet;

RESPONSE: The proposed lot contains width sufficient to meet this requirement upon the eventual establishment of the building envelope.

3. at least double the minimum lot area normally required for that district, exclusive of the access strip;

RESPONSE: Pursuant to Table 6(B) Dimensional Regulations Schedule for Buildings and Structures of the South Hadley Zoning Bylaws, the minimum lot area required for the applicable RA-1 zoning district is 22,500 square feet and for a “Flag Lot Special Permit – Principal Use” is 45,000 square feet, i.e. double the minimum lot area. The proposed lot contains a total of 185, 940 square feet.

4. an access strip that is accessible having a maximum length not exceeding four hundred (400) feet;

RESPONSE: The proposed lot is of configuration sufficient to meet this requirement upon the eventual establishment of the building envelope.

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;

RESPONSE: There are no flag lot rights-of-way located within the proscribed area.

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);

RESPONSE: Applicant herein agrees to include the requisite binding language on the associated site plan and deed, or to require same to be so included in any sale of the proposed lot.

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;

RESPONSE: Applicant herein agrees to work with the Planning Board and all appropriate town departments, agencies and officials in the furtherance of this requirement.

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;

RESPONSE: Applicant herein agrees to work with the Planning Board and all appropriate town departments, agencies and officials in the furtherance of this requirement.

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;

RESPONSE: The lots identified in the South Hadley Assessor's Database as Lots 50/39, 50/29, 50/28, and 50/17.

10. an access drive that is located, constructed and maintained a distance of no closer than ten (10) feet to any abutting property line;

RESPONSE: The configuration of the proposed lot will allow applicant to comply with this requirement.

11. no parking areas or above ground structures within the access strip;

RESPONSE: Applicant will comply with this requirement in the creation of the proposed lot and in the establishment of the building envelope.

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;

RESPONSE: Applicant agrees to comply with all reasonable requirements and conditions imposed in this regard.

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";

RESPONSE: Applicant will comply with this requirement in the creation of the proposed lot and in the establishment of the building envelope.

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,

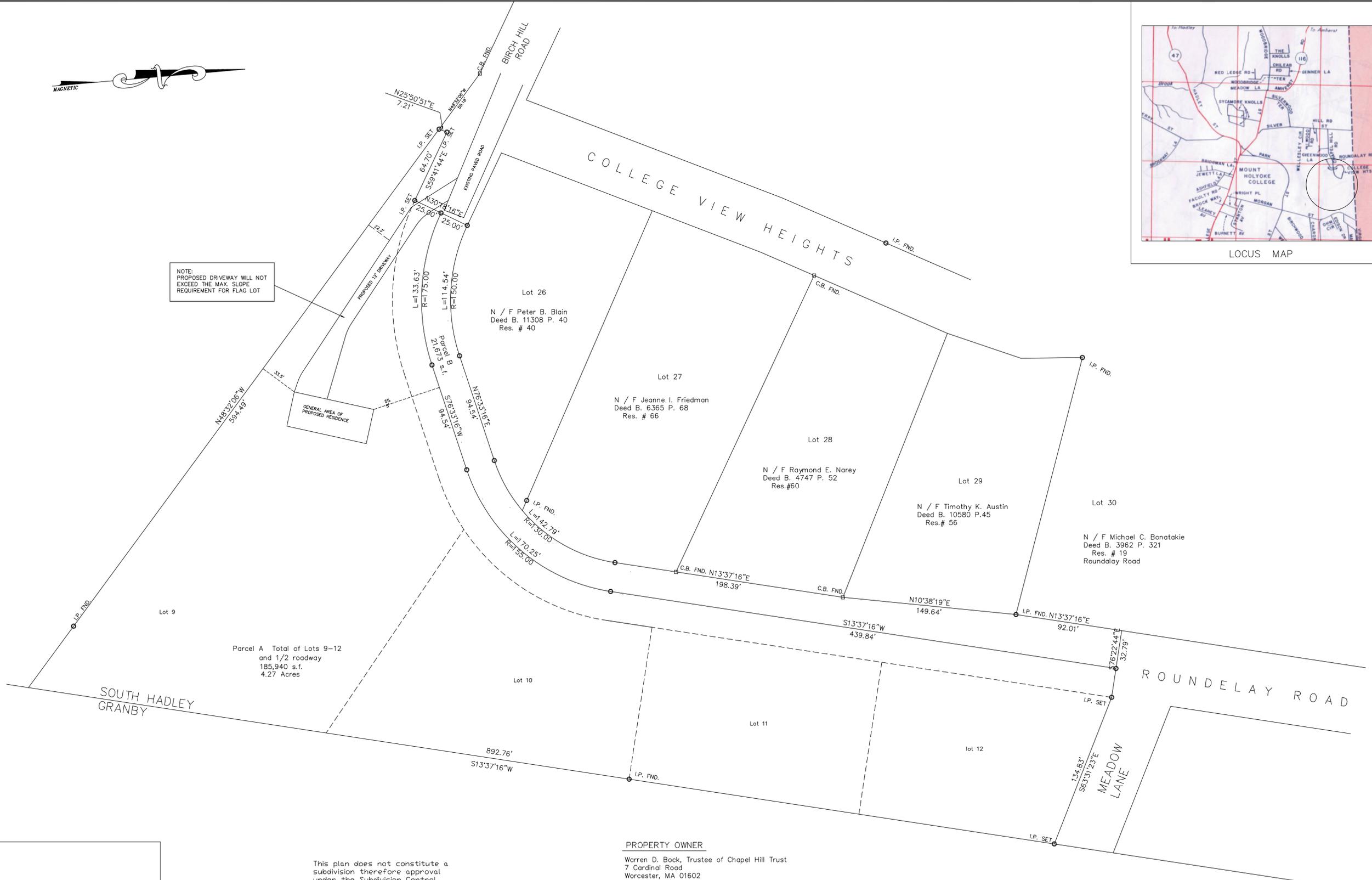
RESPONSE: Applicant agrees to comply with this requirement.

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.

RESPONSE: Applicant agrees to comply with this requirement.



NOTE:
PROPOSED DRIVEWAY WILL NOT
EXCEED THE MAX. SLOPE
REQUIREMENT FOR FLAG LOT



Parcel A Total of Lots 9-12
and 1/2 roadway
185,940 s.f.
4.27 Acres

This plan does not constitute a
subdivision therefore approval
under the Subdivision Control
Law is not required.

Date: _____

South Hadley Planning Board

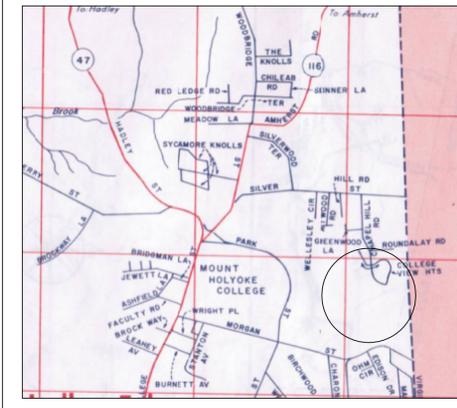
PROPERTY OWNER
Warren D. Bock, Trustee of Chapel Hill Trust
7 Cardinal Road
Worcester, MA 01602

APPLICANT
Warren D. Bock, Trustee of Chapel Hill Trust
7 Cardinal Road
Worcester, MA 01602

ZONING
RESIDENCE A-1
ASSESSORS MAP #50
PARCELS 17, 28, 29, 39

NOTE:
ACCESS TO FLAG LOT IS PRIVATE. MAINTENANCE
(TO INCLUDE SNOW REMOVAL AND UTILITIES) IS
THE RESPONSIBILITY OF THE OWNER OF THE
FLAG LOT.

ALL NEW UTILITIES TO BE CONNECTED FROM
STREET TO NEW LOT THROUGH ACCESS STRIP.



LOCUS MAP



ANDERSON ASSOCIATES
LAND SURVEYOR, LAND
PLANNING CONSULTANT,
SITE DESIGN

375 WALNUT STREET EXTENTION
P.O. BOX 382
AGAWAM, MASSACHUSETTS 01001

Tel. 413 525-4145
Fax 413 273-1776

FLAG LOT SPECIAL PERMIT
SOUTH HADLEY, MA

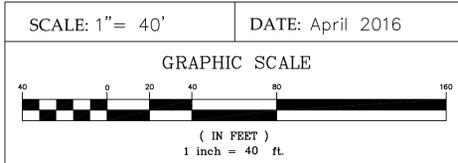
PREPARED FOR:

Warren D. Bock, Trustee of
Chapel Hill Trust
7 Cardinal Road
Worcester, MA 01602

NO.	DATE	DESCRIPTION
1	4/10/16	PROP. DRIVEWAY

This plan prepared in accordance
with the rules and regulations of
the Registry of Deeds.

Date: _____



DRAWING NO.