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OF COUNSEL

February 16, 2018

VIA FIRST CLASS MAIL
and ELECTRONIC MAIL

Richard Harris, Planner
Town of South Hadley
116 Main St., Rm. 204
South Hadley, MA 01075

RE: Canal Street Condominiums- Special Permit Amendment

Dear Mr. Harris:

By way of this correspondence I am seeking to amend the enclosed special permit to substitute "AAD, LLC" as the "applicant" in place of "Orange Park Management, LLC." No changes have been made to the original plans as submitted. No other amendments are being requested. We are requesting a hearing date of March 12, 2018 before the Planning Board and have enclosed a check in the amount of \$50.00 for the application fee. Orange Park Management has executed this letter evidencing its approval of this submission.

Sincerely,

Stephen M. Reilly, Jr.

Approved:

Orange Park Management, LLC
By: Patrick C. Gottschlicht *by Stephen M. Reilly*
Its Manager

TOWN OF SOUTH HADLEY

JEFF SQUIRE
Chairman

MARK CAVANAUGH
Vice-Chairman

JOAN ROSNER
Clerk

MELISSA O'BRIEN
Member

BRAD HUTCHISON
Member

LARRY BUTLER
Associate Member



RICHARD L. HARRIS, AICP
Town Planner

OFFICE OF THE PLANNING BOARD

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South Hadley, MA. 01075-2896
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NOTICE

CERTIFICATE OF PLANNING BOARD DECISION APPROVING SPECIAL PERMIT APPLICATION

SUBMITTED BY:

APPLICANTS:

Orange Park Management, LLC
13 Center Street
Chicopee, MA 01014

DEVELOPMENT NAME:

Canal Street Condominiums

LOCATION:

Canal Street, Main Street, & High Street
South Hadley, MA 01075
Assessor's Map #4D-Parcel #15

SURVEYORS & ENGINEERS:

Anderson Associates
375 Walnut Street Extension
Agawam, MA 01001

STORMWATER CONSULTANT:

Michael Mocko Environmental Consultant
36 Hampton Road; Stafford Springs, CT 06076
AND
Ward Engineering Associates
1200 Converse Street; Longmeadow, MA 01106

ARCHITECTS:

Hervieux Design
116 Arcadia Blvd.
Springfield, MA 01118

PUBLIC HEARING: A public hearing was opened on September 12, 2016, continued on September 26, 2016; October 17, 2016; November 28, 2016; and January 23, 2017 and concluded on March 20, 2017 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 March 20, 2017 by a vote of **Five (5)** out of **Five (5)** members present **APPROVED** the above-referenced Special Permit subject to the following conditions based on the findings specified herein.

Project Proposal Description:

The applicant proposed to construct 3 buildings housing a total of 12 multifamily dwellings units (four per building) on this 0.96 acre site

Project Reviews – Departments/Agencies

The application and related materials were distributed to various municipal departments and agencies. Comments/responses were received from the following departments:

- Fire District 1 Fire Lieutenant Jason Houle
- Fire District 1 Water Superintendent Jeff Cyr
- Building Commissioner Charlene Baiardi
- DPW Superintendent Jim Reidy
- Conservation Commission Administrator Janice Stone
- Police Chief Steve Parentela
- Public Health Director Sharon Hart
- SHELD Engineer
- Tree Warden Chris Ryan

The following comments/questions were received from the various reviewing departments/agencies:

- ***Fire District 1 Fire Department – approved the plans without comments***
- ***Fire District 1 Water Superintendent Jeff Cyr – approved the plans without comment***
- ***Building Commissioner Charlene Baiardi – approved with comments/questions***
 - 1). Noted she would wait for a full set of the Construction Drawings before conducting the Plan Review; however, she noted that the limited information suggests that egress out of units is adequate, minimal room measurements are met, and the requirement of sprinkler/fire suppression system is listed.
 - 2). Raised questions as to the building heights, fit with the neighborhood, parking space dimensions, number of parking spaces, and the visibility of vehicles exiting onto and off of adjoining streets.
- ***SHELD Engineer Mark Gilmore – approved with comments/questions***
 - 1). The electric meter locations and the secondary/service design, as shown on S-001, is not acceptable to SHELD. The meter locations must be grouped by building, 4 locations per building. The secondary/service design will consist of 1 secondary riser from 1 pole, and 1 handhold, centrally located to service the 3 buildings.

- 2). Relocation of the 2 poles is possible. However, the pole closest to the library is a 3 phase primary riser, and will be costly to relocate, and will likely involve a new road crossing from the new pole location to the pad mount transformer at the library. Furthermore, the new poles will need to be set by Verizon.
 - 3). Plans conditionally approved pending re-design of the secondary/service system, and acknowledgment that the pole relocations need to be set by Verizon, and will likely involve 1 new road crossing on Canal Street.
- **Police Chief Steve Parentela – approved with comments**
 - 1). “The plans look good. This new plan will give vehicles a better view of the sidewalk when they are pulling out of the garages onto Canal Street. This is much safer. These plans for the Canal Street Project look good”. He added that his “concerns have been eliminated with these new drawing”.
 - **Director of Public Health Sharon Hart – approved the plans without comment**
 - **Conservation Commission Administrator Janice Stone – the project is not applicable**
 - **DPW Superintendent Jim Reidy – Indicated that he would defer review of the drainage issues to the Town’s consulting engineering firm, Fuss & O’Neill.**
 - **Tree Warden Chris Ryan – Offer the following comments on the initial landscaping plan:**
 - 1). Canal St.: The sweetgums will have a conflict with the overhead utilities, the smoke trees will have a conflict with vehicular and pedestrian vision and the redbud has marginal success in this climate. High St.: The public planting area is covered in asphalt, however the plant selection is acceptable.
 - 2). The Town should not accept the present planting plan until the designer can meet with the Tree Warden to discuss alternative plant selections.

Subsequently, the applicant revised the landscaping plan. Tree Warden Chris Ryan indicated that the January 9, 2017 revised plan was acceptable.

As a result of the comments, the applicant’s consultants made some plan revisions to address the departmental concerns and issues raised by the Board. They also provided a written response to some of the comments. These responses were made part of the public hearing record.

As a result of these responses and the revised plans, all of the departments/agencies raising questions or comments indicated their concerns had been addressed to the extent appropriate at this stage. Some of the comments/issues are addressed during the building permit process.

Public Comments

The Planning Board conducted six (6) sessions of public hearings lasting over 3 hours. Most of the comments were in opposition to the application or expressing concern about the project

impact. During these public hearings, the Board received numerous verbal comments. The Planning Board considered all of the comments made during the public hearings.

Revised Plans

During the course of the public hearings, the applicants revised the plans.

Findings – Special Permit

As required by Section 9(C) of the South Hadley Zoning Bylaw, the Planning Board made the following findings in regard to the first twelve (the “Mandatory”) standards as well as two of the subsequent (the “optional”) standards.

A. Mandatory Standards

Standard 1 - Comply with all applicable land use district, overlay district, and other specific requirements of this and other bylaws and regulations, and be consistent with the purpose and intent of this bylaw and of the land use district in which it is located;

The Board determined that the Zoning Bylaw provides that the purpose of the zoning districts applicable to this property is to provide for residential uses. The proposed use is a form of residential land use which is allowed by Special Permit. The proposed development will comply with the Zoning Bylaw dimensional requirements, parking, fencing, and other requirements. Therefore, the Board found that the proposal as revised meets Special Permit Standard 1.

Standard 2 - Be suitable to the surrounding neighborhood and the “Land Use Area” in which it is located. Land Use Areas are identified and described in the section of South Hadley’s Master Plan entitled “Land Use Area Vision Statements” (pages 1-10 through 1-19). In making this determination the Planning Board shall take into consideration any guidance provided by the Land Use Goals articulated in South Hadley’s Master Plan, goals articulated in South Hadley’s Open Space and Recreation Plan, and input from relevant Boards, town officials, and the public.

The Board determined this standard is specific to the “Land Use Area” defined in the Master Plan and the “Land Use Area Vision” statement applicable is for the Falls area. This is a mixed used area and the applicant is proposing to redevelop a former industrial site into a medium density residential use. This will help strengthen the revitalization of the Falls neighborhood, The proposal’s density is in line with the overall density of the abutting properties and far less than what would be allowed under the Smart Growth District. Revitalization of the Falls and the density is compatible with the Land Use Area Vision statement for the Falls. Therefore, the Board found that the proposal meets Special Permit Standard 2.

Standard 3 - Be compatible with existing uses and uses allowed by-right in the neighborhood, Land Use Area, and zoning district.

The recently adopted Smart Growth District would allow the property to have a much higher density by right. The surrounding properties are predominantly residential but not exclusive as the property opposite the site has been developed into a public library of a comparable height and scale as is proposed for the subject site. Therefore, the Board found that the proposal meets Special Permit Standard 3.

Standard 4 - Be compatible with the existing character of the neighborhood and Land Use Area, and/or zoning district. "Character" shall be understood to include prevalent patterns of: site design; setbacks from property lines; amount and location of parking; amount, type, location and quality of open spaces and landscaped areas; amount, type, and location of impervious surfaces; distances and relationships between buildings; density of building(s) relative to land area; building massing; architectural style and detailing; materials; buffering from adjacent uses; traffic volume and timing; noise; odors; and light.

The Falls neighborhood is a mixed use area with a range of medium to high density residential. The proposal involves redeveloping a former industrial site into a medium density residential use. The site plan demonstrates that all building setbacks conform to the Town's Zoning Bylaw and are consistent with a proposed "sight easement" along Main Street. The proposal involves landscaping and other means of buffering as well as providing for the required amount of off-street parking. Given the previous use of the property, the traffic resulting from the proposed redevelopment of the site is likely to be less than previously experienced. The Police Chief and Fire Department have indicated that the design of the site will alleviate their previous concerns about traffic safety arising from vehicles entering and exiting the proposed buildings. Therefore, the Board found that the proposal meets Special Permit Standard 4.

Standard 5 - Be suitable for the property on which it is proposed, considering the property's, scenic, cultural and historic significance, and its ability to be buffered or screened from neighboring properties and public roads.

The site, as it exists, does not have any "historical or cultural significance". The proposed building uses and designs are in keeping with the character of the area and the Zoning Bylaw. Screening will be provided from neighboring properties to the extent appropriate and viable. Therefore, the Board found that the proposal meets Special Permit Standard 5.

Standard 6 - Provide safe access for fire, police, and other emergency vehicles.

The Police Chief indicated no public safety concerns. District One Fire Department has indicated approval of the proposed redevelopment. The buildings will be fully sprinkled. Thus, there no apparent public safety issues and the property will be readily accessible for emergency vehicles and personnel. Therefore, the Board found that the proposal meets Special Permit Standard 6.

Standard 7 - Provide adequate water, drainage and waste disposal systems without causing significant harm to any natural water system or overloading any public water, drainage, or sewer system, or any other municipal facility.

The applicant has designed the water services to meet the District One requirements as demonstrated by the fact that the Water Superintendent for Fire District #1 has approved the site plan without any comments. Minimal alteration of the natural site is being proposed. The DPW and District One Water Departments have signed off on the proposed site plan – including the sewer and water systems, respectively. Therefore, the Board found that the proposal meets Special Permit Standard 7.

Standard 8 - Not cause significant traffic congestion, impair pedestrian or bicycle safety, or overload existing roads, sidewalks and trails, considering their current width, surfacing, and condition, and any improvements proposed to be made to them by the applicant.

The proposed redevelopment of this site can reasonably be anticipated to generate no more – and possibly less – traffic than the previous use of the property. Thus, the proposal is unlikely to cause any traffic congestion, impair pedestrian or bicycle traffic, or overload any of the existing transportation network. Therefore, the Board found that the proposal meets Special Permit Standard 8.

Standard 9 - Not result in excessive air, water, noise, or light pollution, or create any other public or private nuisance;

Given the proposal's redevelopment plans which include screening of HVAC systems and limit outside lighting to standard residential lighting fixtures, the Board found no reason to believe that it would result in any nuisance. Therefore, the Board found that the proposal meets Special Permit Standard 9.

Standard 10 - Not degrade the scenic, rural, or historic character of the town with structures or other lot features which are deemed visually objectionable in light of prevailing community as reflected in the goals articulated in South Hadley's Master Plan;

The proposal conforms to the Master Plan policies and will redevelop a previous industrial site into a residential development which supports the revitalization of the neighborhood by making the largest residential investment in a long time. Therefore, the Board found that the proposal meets Special Permit Standard 10.

Standard 11 - Be consistent with the South Hadley Master Plan, provided that the Comprehensive Plan provides legally sufficient guidance and that the applicable provision of the Master Plan is not inconsistent with any specific provision of this Bylaw;

The Board noted that the proposal furthers various recommendations in the Master Plan and will be consistent with the Land Use Area Vision for the Falls as provided in the Master Plan. Therefore, the Board found that the proposal meets Special Permit Standard 11.

Standard 12 - Comply with applicable criteria for site plans under Section 12E.

The plan conforms to the applicable criteria for site plans with particular reference to the screening, placement of HVAC, location of trash bins, etc. being compliant with the applicable criteria. Therefore, the Board found that the proposal meets Special Permit Standard 12.

B. Optional Standards

While Section 9(C) of the Zoning Bylaw does not require the Board to make any findings in regard to the seven (7) optional standards, the Board made the following findings in regards to the following four standards:

Standard 14 - Not have an overall off-site impact that is significantly greater than the overall off-site impact that would be caused by full development of the property with uses permitted by right, considering relevant environmental, social, visual, and economic impacts.

Under the Smart Growth District provisions, this site could be developed with 19-23 dwelling units by right. Such a development would likely result in a taller structure, more vehicles and; therefore, significantly greater impacts – off-site and on-site - than the proposal. Therefore, the Board found that the proposal meets Special Permit Standard 14.

Standard 15 - The adequacy and configuration of off-street parking and loading areas, including their nuisance impact on adjoining properties and on properties generally in the district.

The proposal involves constructing off-street parking spaces and the applicant has proposed to landscape and screen such areas to the extent reasonable. The Police Chief has specifically noted that the egress and ingress, as designed, is acceptable. Therefore, the Board found that the proposal meets Special Permit Standard 15.

Standard 16 - Harmony of signs and exterior lighting, if any, with surrounding properties.

The proposal involves only entrance/exit signs and residential lighting typical of residential properties in the area. Therefore, the Board found that the proposal meets Special Permit Standard 16.

Standard 18 - The absence of any other characteristic of the proposed use that will be hazardous, harmful, offensive or will otherwise adversely affect the environment or the value of the neighborhood or the community.

There are not characteristics of the proposed use that give reason to believe they would be hazardous, harmful, offensive, or otherwise adversely affect the environment nor the neighborhood or community. Therefore, the Board found that the proposal meets Special Permit Standard 18.

Based on these findings, the Planning Board voted to grant a Special Permit for the redevelopment of the subject property into 12 multifamily dwellings with conditions consistent with the Board's findings and discussion.

Conditions of Approval

In its vote to APPROVE the Special Permit for the above-referenced project, the Planning Board attached the following conditions:

1. **Area Included in Plans and Limit on Number of Dwellings.** The Condominium Development includes approximately 0.96 acres depicted and described on the Plans submitted with the application and as subsequently revised. The property is generally described as the property identified on Assessor's Map #4D as Parcel #15. The Plan is approved for no more than **TWELVE (12)** dwelling units to be located on the subject property.
2. **Limits on Usage including Maximum Number of Dwellings and Principal Structures.** This Special Permit is to allow for the redevelopment of the industrial site into and use of, the subject project location, for no more than **TWELVE (12)** dwellings (subject to further conditions of this decision).
3. **Exterior Lighting.** As described by the applicant and depicted on the final plans, all exterior lighting shall be of a typical residential character and shall be cut off fixtures which do not illuminate the sky. Further, the fixtures shall be positioned as to not illuminate adjoining residential properties nor shine into vehicles traveling on adjoining streets..
4. **Buffer – North.** As described by the applicant and depicted on the final plans, the developer shall install and maintain a vegetated buffer along the north property line of the subject

- property. If suitable arrangements are made to maintain and the Tree Warden concurs that introduction of the fence and its maintenance will not impair the vegetation, the applicant may supplement the buffer with a fence (but not reduce any of the proposed landscaping without prior Planning Board approval).
5. Landscaping. The landscaping plan as presented to the Board is to be implemented prior to occupancy of any of the dwellings and is to be maintained by the owner(s) of the property.
 - a. Modification/Substitution. The Board may approve modifications to the landscaping plan where the applicant demonstrates a reasonable justification and the Board determines that the modification will not result in a diminishment of the benefits of the landscaping for the public or the abutters.
 6. Snow Removal Plan. As stated by the applicant and/or the applicant's representative during the public hearings, snow removal plans entail removal of the snow from the premises. The snow shall be stockpiled on those portions of the site identified on the Site Plan and not in the parking spaces, driveways, or sidewalks and shall not be plowed or deposited in any public way. Additionally, the responsible party for managing the snow shall ensure that pile of snow does not impede the effective movement of emergency apparatus and personnel to all of the residences on the property. It is a specific requirement that the snow NOT be stockpiled above the grade of the adjoining public way into the area delineated by the Town as the "sight clearance easement" (or similar such referenced area) abutting the intersections of Canal, Main, and High Streets or abutting any portion of Main Street. Therefore, the applicant is to take measures to implement the snow removal plans and to provide that their successor entity (the Condo Association) is aware of their ongoing responsibility to follow the snow removal plan.
 7. Rubbish/Trash storage/removal. As stated by the applicant during the public hearings, trash removal is to be curbside along High and Canal Streets. The applicant may provide a trash/recycling bin storage area for each building provided such trash and recycling containers are screened from public view along the public roadway and nearby residences.
 8. Definition of 'unsuitable material' and use of unsuitable material. To clarify and set the standard for the soils appropriate for use on the site, especially in the area of the proposed rain garden, as recommended by the Town's consulting engineer, Fuss & O'Neill, "unsuitable material" is defined for this project and this site as soil that does not meet the Coarse Free Draining Gravel specification as identified the General Notes on the Site Plan. The developer is to ensure that, in accordance with the general notes, no "unsuitable material" is to be used on this site, in particular in the area of the proposed rain garden.
 9. Modifications of Special Permit Site Plan. The Planning Board may customarily approve minor modifications of a Special Permit Site Plan. However, such modifications shall not entail reductions in the extent of screening proposed for the benefit of the abutters nor reductions in the amount of parking to be provided.
 10. Changes in the Plans. If changes in the Plans become necessary, the applicant must submit the revised plans to the Town Planner to determine if further Board review is warranted. Generally, the change will require further Planning Board review; however, if it does not

substantively impact any of the buffers, building, or landscaping conditions or plans, the Board may determine that it is minor and not require a public hearing to modify or amend the Special Permit Decision.

11. Stamped Plans. A final set of Site Plans, inclusive of the Landscape Plan and Site Drainage Plan, shall be stamped by the appropriate professional registered in the State of Massachusetts and submitted to the Planning Board office prior to endorsement of the Form H Plan. Prior to the receipt of any building permits or commencement of any site disturbance, the Town Planner or Planning Board must verify that the stamped plans are consistent with the final plans referenced in this Decision.
12. O&M Plan. The applicant must provide to the Planning Board a plan for Operation & Maintenance of the Stormwater Management System. This plan is to outline the schedule and details of the maintenance required of the Stormwater Management System components and identify who is responsible for the maintenance. It is to include reporting requirements consistent with the Town's Stormwater Management Bylaw. The plan must be approved by the Planning Board prior to the Planning Board's endorsement of the Form H Plan. The Form H Plan must be endorsed prior to the initiation of any onsite disturbance.
13. Form H Plan Revision. Prior to endorsement of the Form H plan, said plan must be revised to a.) conform to the conditions of this Special Permit and b.) meet all of the content requirements specified in Section 6.03 of the Subdivision Regulations of the Town of South Hadley.
14. Form H Plan Endorsement. In addition to the requirements of Section 6.04 of the Subdivision Regulations of the Town of South Hadley, prior to endorsement of the Form H Plan by the Planning Board, the applicant shall submit documentation to demonstrate conformity with the requirements of this Special Permit Decision including, but not limited to, the submittal of the Stormwater Management System Performance Guarantee.
15. Stormwater Management System – Performance Guarantee. While the engineering analysis of and for this development indicates the stormwater management system as planned will not result in increased rates of stormwater runoff or sedimentation down gradient, the potential for down gradient harm may be substantial if the system does not function as designed. Accordingly, it is determined that a Performance Guarantee to remedy any such failures is appropriate. Therefore, pursuant to Section 9(D)3 of the Zoning Bylaw, the developer is required to maintain a Performance Guarantee in a form and of an amount approved by the Planning Board to cover the event that the stormwater management system or parts thereof (i.e., detention basins and all related elements of the stormwater management system) fail to function as designed.
 - a. Amount. The Planning Board, prior to endorsement of the Form H Plan, shall set the amount of the Performance Guarantee.
 - b. Time of Deposit. The initial deposit of the Performance Guarantee shall be deposited with the Town prior to the Planning Board endorsing the Form H Plan.
 - c. Maintenance of Amount. If at any time the Planning Board utilizes a portion of the Performance Guarantee, the developer shall make a subsequent deposit within 30 days of notification of such usage to maintain the Performance Guarantee at the amount

originally determined appropriate by the Planning Board. If the developer fails to maintain the amount of the Performance Guarantee, the Board may place a freeze on any and all building permits and Certificates of Occupancy and freeze other work on the development.

- d. *Purposes.* The Performance Guarantee is intended to be used for ensuring that the stormwater management system functions as designed as approved in the Stormwater Management Permit. In the event the Planning Board determines (based on input from the Town Engineer and/or a consultant engineer retained by the Planning Board) that the system is not functioning as designed (such as, not infiltrating as anticipated and resulting in increased run off onto adjoining properties) the Board may utilize proceeds of the Performance Guarantee to have work undertaken to remedy the deficiencies. Terms of the Performance Guarantee shall be spelled out in a Performance Guarantee Agreement based on Form D in the Subdivision Regulation Forms. If the Planning Board determines that a third party engineer should review the site and make recommendations as to whether the system needs to be modified and/or identify modifications needed to achieve the stormwater management system's goals, the Board may utilize portions of the Performance Guarantee for employment of such an engineer.
 - e. *Duration.* The Performance Guarantee requirement shall not be released until Certificates of Occupancy have been issued for seventy-five percent (75%) of the dwellings and 100% of the building foundations and the roadway have been installed.
 - f. *Cooperation.* The developer and their successors in title are required to cooperate with any third party engineer hired by the Planning Board or the Town pursuant to this provision. Failure to cooperate may result in revocation of the Special Permit and any other penalties allowed by law.
 - g. *Conservation Commission Performance Guarantee.* In the event that the Conservation Commission requires a Performance Guarantee for this project regarding the stormwater drainage system, the Planning Board may i.) allow the applicant/developer to submit a single Performance Guarantee with the Planning Board and the Conservation Commission as the joint holders of the Performance Guarantee or ii.) waive the requirement for the Performance Guarantee under this condition as long as a satisfactory Performance Guarantee remains in effect with the Conservation Commission.
 - h. *Town Access.* The applicant, by accepting this Special Permit, ascents to the Town and its agents entering the subject property to remedy any above described deficiencies.
16. *Departmental Comments.* All comments received from the various departments by the Planning Board as noted elsewhere in this Decision are incorporated into and made a part of this decision.
17. *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 Special Permit held on September 12, 2016, September 26, 2016; October 17, 2016; November 28, 2016; January 23, 2017 and March 20, 2017.
 - b. Planning Board meeting March 29, 2017.
18. *Application Materials and Revisions Incorporated.* 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 "Special Permit Request – Canal Street Condominiums" received by the Town Clerk October 19, 2016 and other materials submitted with the application as well as those 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:

- a. Application Packet Submittal received October 19, 2016.
- b. Plan Sheets S-001 and A-001 through A-002, titled "Canal Street Condominiums Schematic Design" (Proposed Site Plan, Apartment Floor Plans, and Building Elevations) prepared by Hervieux Design dated 8-18-2016 and 8-16-2016 (and revised through March 13, 2017).
- c. Plan Sheet S-001, titled Revised Proposed Site Plan prepared by Hervieux Design dated 9-25-2016
- d. Plan Sheet S-002, titled Planting Plan prepared by Hervieux Design dated 1-19-2017 (and revised through March 20, 2017)
- e. Plan Sheet S-003 prepared by Hervieux Design showing the location of exterior wall sconces on the building
- f. Plan Sheet S-004, titled Sediment & Erosion Control Plan prepared by Hervieux Design dated 10-6-2016 (and revised through March 20, 2017)
- g. Plan Sheet S-005, titled "Canal Street Condominiums Schematic Design" (Proposed Site Drainage Plan) prepared by Hervieux Design dated 2-19-2017 as revised 3-18-2017
- h. Exterior Lighting Plan prepared by Lighting Group, Inc. dated October 5, 2016
- i. Stormwater Management Report: Canal Street Condominiums, 1 Canal Street, South Hadley, MA prepared by Richard Misiaszek and dated December 2016.
- j. Letter dated September 26, 2016 from Hervieux Design regarding responses to comments of the 9/12/16 hearing
- k. Letter dated October 5, 2016 from Hervieux Design regarding changes to the Special Permit application for the Canal Street Condominiums project
- l. Letter dated October 6, 2016 from Ward Engineering Associates regarding the soils conditions related to the Canal Street Condominiums project
- m. Document prepared by Ray Hervieux dated January 13, 2016 responding to departmental and Planning Board comments.
- n. Letter dated March 16, 2017 from Fuss & O'Neill regarding the Peer Review of the Stormwater Management - Canal Street Condominium Schematic Design

19. 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.

20. Proof of Filing. Proof of this filing (Condition #12) must be submitted (1) to the Building Commissioner prior to obtaining a Certification of Occupancy, and (2) to the Planning Board.

This decision shall constitute an approved 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 Board of Selectmen. 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.

The Special Permit shall expire if the work or change involved is not commenced within one (1) year of its taking effect, and if the work or change is not substantially completed within two (2) years. The Planning Board acting as the Special Permit Granting Authority may grant an extension of time for good cause.

Failure of the applicant to adhere to the provision of this Special Permit 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

March 20, 2017

Date

Cc: Town Clerk (Date Filed: _____)
Selectboard
Building Commissioner
Orange Park Management, LLC