

January 14, 2019

Richard Harris, AICP  
Director of Planning & Conservation  
Town of South Hadley  
South Hadley, MA 01075

Dear Mr. Harris,

I am writing on behalf of Pamela and Jason Estes of 54 N. Main Street who have authorized me to withdrawal the special permit application dated December 10, 2019.

After further discussions with Building Commissioner David Gardner, we have determined that special permit for a change of use from single-family to three-family is not necessary at this time.

Per the Department Comments dated January 7, 2019, *"The building's current configuration and use as a single-family dwelling with rented rooms is a conforming use requiring no zoning relief."*

We will respond to the February 8, 2018 letter from the Department of Public Health separately.

Thank you for your assistance throughout the process.

Sincerely,



Lawson Wulsin, AIA  
Architect

Attachments:

Department Comments as of January 7, 2019  
Letter from David Gardner, Special Permit Application for Change of Use

Cc:

Jason & Pamela Estes, Homeowners  
54 N. Main Street  
South Hadley, MA 01075

**Department Comments as of January 7, 2019**  
**54 North Main Street**

Building Commissioner: December 16, 2018

This Special Permit request, in part, is for "change of use from single family dwelling to three-family dwelling". Under International Existing Building Code (IECC) Section 1012 Change of Occupancy Classification, 2015 International Building Code (IBC) Chapter 3 Use and Occupancy Classification, and IBC Section 903 Automatic Sprinkler Systems, it is my opinion and belief that the requested change of use would require the installation of an automatic sprinkler system to NFPA 13D standards or equivalent protection. The building's current configuration and use as a single-family dwelling with rented rooms is, in my opinion, a conforming use requiring no zoning relief.

Electrical Inspector: December 17, 2018

They will have to bring the wiring up to present standards. For example 2 20 amp circuits in the kitchens, 1 20 amp circuit in the bathroom

Fire District #1: January 7, 2019

Fire Dist #1 Fire is requesting a walk-through of the property before we can make further comments on the special permits.

Public Health: December 14, 2018

If the 1-family is being converted to a 3-family, I would like to see floor plans for the conversion. They would have to meet State Codes (i.e., building, plumbing, electrical, fire and health) ex. locate egresses for each apartment, sprinklers if necessary, etc.

January 7, 2019

Pamela and Jason Estes  
54 N. Main Street  
South Hadley, MA 01075

Re: Special Permit Application for Change of Use.

Dear Ms. and Mr. Estes,

Your recent special permit application to the Town of South Hadley Planning Board for "change of use from single-family to three-family dwelling" raises some issues which I feel need to be addressed at this time.

Currently, 54 N. Main Street is a single-family dwelling. On a walk-through of the home with you and Lawson Wulsin on September 20, 2018, we identified some items in your home that were lacking or needed improvement to make the building safer for the way it is currently being used. At some point during the walk-through, I became aware that it was your intention to secure a special permit from the Planning Board to convert the building's use to a three-family. At the end of the walk-through, I mentioned that, based on my observations and perceptions of the interior layout of the building, the current use was, in my opinion, within single-family use parameters. I did not understand your reason for wanting to change the use classification.

I did not know at that time that the building's current configuration was arrived at apparently without benefit of building permits. It was my distinct impression that the spaces we walked through had been created many years earlier. I did not learn until recently that the building's current configuration may have existed fewer than ten years. A search of Building Department files from November 28, 1973 to the present found no record of building permits for alterations ordinarily required to create some of the spaces we walked through.

In an email follow-up with Mr. Wulsin, I explained how current building code regulations require the installation of sprinklers in buildings converted from single-family use to a multi-family use. Mr. Wulsin and I discussed the topic of sprinklers again during a brief, unplanned, meeting at my office, the date of which I do not know. In an email communication sent October 12, 2018, Mr. Wulsin wrote "... per the direction of the Town Planner, the Estes are pursuing a Special Permit in order to maintain the R-2 use and comply with zoning requirements within the district" and "We do not anticipate installing sprinklers because we are not changing the use". Those two statements conflict with the premise of your special permit application. The application seeks "change of use from single-family to three-family dwelling". Per the premise of your special permit application, assessor's records, and building department records, 54 N. Main Street is a single-family dwelling.

As a required reviewer of your special permit application, I posted the following comment to the review site:

*"This Special Permit request, in part, is for "change of use from single-family to three-family dwelling". Under International Existing Building Code (IECC) Section 1012 Change of Occupancy Classification, 2015 International Building Code (IBC) Chapter 3 Use and Occupancy Classification, and IBC Section 903 Automatic Sprinkler Systems, it is my opinion and belief that the requested change of use would require the installation of an automatic sprinkler system to NFPA 13D standards or equivalent protection. The building's current configuration and use as a single-family dwelling with rented rooms is, in my opinion, a conforming use requiring no zoning relief."*

An item in your application states, "Upon approval of this Special Permit, the owner will make necessary life-safety changes to the building."

Please be advised that if a special permit is approved for 54 N. Main Street to change its use from single-family to multi-family dwelling, all necessary life-safety and design features required by building code for buildings converted from single-family to multi-family dwelling shall be met or the property will not receive a Certificate of Occupancy needed to legally use it as a multi-family dwelling.

Whatever the outcome of your special permit request, the issue of work performed at the property without required permits needs to be resolved.

Please contact me if you wish to discuss these issues further.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Gardner".

David Gardner, CBO  
Building Commissioner  
South Hadley, MA 01075