



Atlantic Engineering & Survey Consultants, Inc.
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978-352-7870 • 978-352-9940 (fax) • atlantic84@gmail.com

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PA, NJ
Scan file
M. Leach

John B. Paulson, P.L.S. President
George J. Zambouras, P.E.

May 24, 2016

City of Amesbury
Planning Board
62 Friend Street
Amesbury, MA 01913

Re: Special Permit - Map 59, Parcel 36
Site: 28 Lake Attitash Road
Applicant: George & Kelly Norwood

Response to Review Letter by Stantec Consulting Services, Inc.
Dated: May 9, 2016

The responses contained in this document will address the concerns in the referenced review letter and will be done in the same sequence contained in that letter.

A revised Plan Sheet 2, dated May 24, 2016 and revised drainage calculations date May 23, 2016 are hereby submitted as part of this response.

Water Resources Protection District-Section XIV:

- A. The applicant submits that this application does comply with the section XIV.E.7 of the bylaws. That section allows the "enlargement" of an existing structure. The applicant also received a Special Permit/Finding under Section IX of the bylaw from the Zoning Board of Appeals to extend/alter the preexisting nonconforming structure (copy attached).
- B. This comment is not correct. That section of the bylaw is being misread. Section XIV.E.7 prohibits impervious cover of more than 15% or 2,500 square feet, **whichever is greater**. Therefore, if you are either under the 15% or 2,500 square feet, the proposed project is allowed. However, under that section you can exceed the 15% or 2,500 square feet if you create a system for artificial recharge of precipitation that will not result in the degradation of ground water quality. The project will not exceed the allowed 2,500 square feet of impervious area on the lot. Consequently, artificial recharge is not required and the last sentence of that section is inapplicable. The proposed deck and front and rear stairs are to be constructed of wood. The rear deck had been noted as pervious wood on the plans. An additional note has been added that the front stairs are

- wood. The proposed wall was not indicated in the proposed impervious areas on the plan but it had been accounted for in the drainage analysis. The final total proposed impervious area will be 2,136 square feet as shown on the plan. The pervious paver walkways and driveway are shown in a detail on the plans. All walkways, patio and driveway have been accounted for in the drainage analysis.
- C. Under section XIV.H.8 the applicant is clearly allowed an impervious area on the lot of 15% of the lot area or 2,500 square feet providing recharge is provided. The proposed plans provide for recharge and with a proposed impervious area of 2,136 square feet we clearly meet the allowance of up to 2,500 square feet of impervious.
 - D. Hardscape features are allowed. This site is a small site. The maximum existing runoff volume for the 100 year storm is only 2,183 c.f. (16+/- gallons). The current conditions provide for no stormwater mitigation. The proposed site conditions only increase the impervious area by 277 square feet. The site design proposes both infiltration chambers and an infiltration trench to mitigate stormwater. The drainage summary shows that runoff reduction is significant for all storm events. The proposed plans comply with section XIV.A.2 of the bylaws.
 - E. Atlantic does not understand this comment. The existing grade at the rear patio is approximately 98.5+/- . The proposed grade of the patio is higher than the existing. The proposed plans are not lowering grades. The proposed plans comply with section XIV.G.2 of the bylaws.
 - F. The proposed plans comply with section XIV.I of the bylaws. If one is increasing the impervious area on a lot then by definition it is impossible to provide compensatory area that is natural vegetated area. If that was the case then the impervious area would be decreasing and the section would not apply at all. The wording of this section states independent clauses that are closely related in thought. With this in mind the compensatory area is simply a system of stormwater management to accomplish the required goal. This can be above ground, below ground or a combination to both. The proposed plan accomplishes this goal.
 - G. Conservation has approved the plans.

Hydrologic Report:

- A. This is a very small site with very low flows. The pre and post drainage areas have been refined. There is no impact from our site to the abutter on the south side of the property. The design is not blocking any existing flow onto our property and the design is not sending any flow towards this abutter. The majority of the site flows ends up at a design point on the property of the northerly abutter. The design point is about 55 feet north of our boundary line. As previously stated above the current site conditions have no stormwater mitigation measures. With only a small increase in impervious area added The plan provides 100% of the roof area being infiltrated and also the provision of a drainage trench to help mitigate stormwater going to the northerly abutter. The

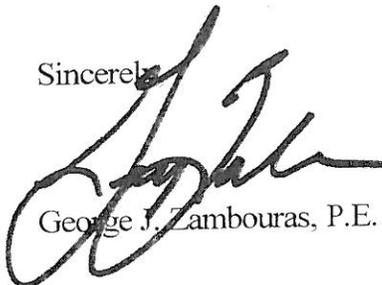
drainage summary show that this has been accomplished.

- B. The call for Walpole soils on the soil maps is clearly wrong. Three test pits were dug as shown on the plans. The soil logs are also shown on the plans. The plans and drainage analysis have been revised where needed to reflect the information provided by the site testing.
- C. Based on the field soil testing and some revisions to the plans the 2 foot separation is met with the current revision.
- D. The infiltration trench is allowed under DEP regulations. There is an exception from the setback requirement when abutting surface drinking water supplies. Lake Attitash is a surface water supply for Amesbury.
- E. Pervious pavers have been addressed in the current drainage analysis. A detail has also been added to the plans.
- F. The 4 inch overflow is the gutter overflow already shown on the plan by detail. No change has been made.
- G. The prior version of the plan showed 4 chambers of the garage and 8 chambers for the house. No change has been made to the number of chambers with this revision, however the surrounding stone has been increased to allow for more storage.

It is our opinion that the current plan and hydraulic revisions meet the requirements of the review comments.

Please feel free to contact us with any questions.

Sincerely,



George J. Lambouras, P.E.

The Commonwealth of Massachusetts
AMESBURY
BOARD OF APPEALS



SO.ESSEX #89 Bk:34862 Pg:397
04/22/2016 09:45 AM DCSN Pg 1/4
eRecorded

April 1, 2016

NOTICE OF FINDING
Conditional or Limited Variance or Special Permit
(General Laws Chapter 40A, Section 18 as amended)

Notice is hereby given that a Conditional or Limited Variance or Special Permit has been granted

To: George K. Norwood Jr. and Kelly A. Norwood

Address: 18 Campion Road

Owner or Petitioner

City or Town: North Andover MA 01845

28 Lake Attitash Road, Amesbury, MA

Identify land affected

By the City of.... AMESBURY....Board of Appeals affecting the rights of the owner with respect to the use of premises on:

28 Lake Attitash Road

Street

Amesbury

City/Town

The record title standing in the name of

George K. Norwood Jr. and Kelly A. Norwood

Whose address is 18 Campion Road

Street

North Andover

City/Town

MA

State

Be a deed duly recorded in the Essex County Registry of Deeds in Book: 34282 Page: 3

Registry District of the Land Court, Certificate No: _____ Book: _____ Page: _____

The decision of said Board is on file with the papers in Decision or Case No: _____
In the office of the City Clerk, Amesbury.

Signed this 1st day of April

Board of Appeals:

Matthew Shumway
Chairman

Board of Appeals:

Clerk

Received and entered with the Register of Deeds in the County of Essex, Book _____ Page _____

APPROVED: March 24, 2016

Attest: _____

EXPIRES: March 24, 2018

Finding to raze existing structure and construct new residence on nonconforming lot at 28 Lake Attitash Road.

RECEIVED



16 APR -1 AM 8:24
AMESBURY CITY CLERK

Amesbury

Zoning Board of Appeals
62 Friend Street
Amesbury, MA 01913

28 LAKE ATTITASH ROAD, AMESBURY

FINDING – APPROVED

FINDING AND DECISION

Application of **George & Kelly Norwood, 18 Campion Road, North Andover MA** for a **FINDING** under Amesbury Zoning Bylaws Section IX.B: Extension and Alteration to raze an existing nonconforming structure on a nonconforming lot and construct a new residential structure which will also have nonconformities at **28 Lake Attitash Road, Amesbury** in an R-20 Zoning District.

Procedural History

1. Application for Special Permit/Finding to raze an existing nonconforming structure on a nonconforming lot and construct a new residential structure which will also have nonconformities at 28 Lake Attitash Road, Amesbury pursuant to Sections IX.B of the Amesbury Zoning Bylaws was made by the above-referenced Applicant/Owner and filed with the Zoning Board of Appeals on December 29, 2015.
2. A public hearing on the application was scheduled and unopened on January 28, 2016 and requested by the applicant's attorney to continue to March 24, 2016 at which time the Public Hearing was opened.
3. It was determined by the Zoning Board of Appeals that the item should be heard as a Finding.
4. The Application was accompanied by Assessor Records (Map 59, Lot 36), Certified List of Abutters, proposed plans, certified site plan drawn by Atlantic Engineering & Survey Consultants, 97 Tenney Street, Georgetown MA 01833 dated December 28, 2015, revised February 10, 2016, and Quitclaim deed recorded at the South Essex Registry of Deeds Book 34282 Page 3 dated August 7, 2015.
5. The plans and other submission material were reviewed by the Zoning Board of Appeals. Throughout its deliberations, the Zoning Board of Appeals has been mindful of the statements of the applicant, and the comments of the general public, all as made at the public hearing.

Findings

1. The subject property is located at 28 Lake Attitash Road, Amesbury, MA.
2. The property is located in an R-20 Zoning District. The current use at the subject property is a pre-existing, non-conforming use, and therefore a Finding is required under Amesbury Zoning Bylaws Section IX, Non-confirming Uses, Structures, and Lots.

Decision

In view of the foregoing, the Zoning Board of Appeals hereby considers the Applicant's proposal to raze an existing structure to construct a new single family residence at 28 Lake Attitash Road, Amesbury. The lot and structure pre-date zoning (1910). It is a pre-existing, non-conforming structure and lot. It is nonconforming in regards to area, frontage, left side yard and right side yard setbacks. If allowed would be less detrimental from the existing use and will not create any new nonconformity all of which are stated purposes and intent of the Amesbury Zoning Bylaws.

Record of Vote

Based on its findings the Board voted 5 to 0 and APPROVED the FINDING as requested.

Board members considering and voting on the application were:

<u>Name</u>	<u>Vote</u>
Bill Lavoie	yes
Donna Collins	yes
Matt Sherrill	yes
Sharon McDermot	yes
David Haraske	yes

The undersigned certifies that the copies of this decision (and plans referred to above) have been filed with the Amesbury Planning Board and City Clerk. Any Appeal of this decision shall be made pursuant to Section 17 of the Zoning Act (M.G.L. Chapter 40A) and must be filed within twenty (20) days after the Notice of Decision is filed with the City Clerk.

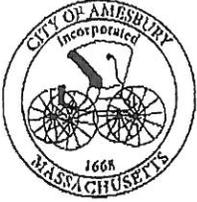
AMESBURY ZONING BOARD OF APPEALS

Matthew Sherrill 4/1/16
 _____ DATE
 Matthew Sherrill
 Chairman

A TRUE COPY ATTEST

Bonnyo Kitchin

 CLERK



CITY OF AMESBURY

Bonnijo Kitchin
City Clerk

City Hall, 62 Friend Street
Amesbury, MA 01913-2886
Tel: (978) 388-8100
Fax: (978) 388-8150

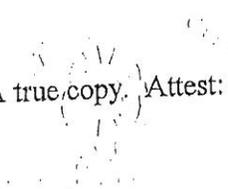
APPEAL CERTIFICATION

Applicant: George K. Norwood Jr. & Kelly A. Norwood
18 Campion Rd
North Andover, MA 01845

Property: 28 Lake Attitash Road
Amesbury, MA

I hereby certify that 20 days have elapsed from the date this certification was issued and no appeal has been filed in this office.

A true copy. Attest:


Bonnijo Kitchin
City Clerk,
Amesbury, MA.

April 22, 2016
Date