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AMESBURY CITY CLERK

PLANNING BOARD DECISION

Property Ownership: **Hatter's Point Condominium Association, Inc.**

Applicant: **Hatter's Point Capital, LLC**

Application Type: **SPECIAL PERMITS (6) & MODIFICATION OF SITE PLAN REVIEW**

Project: **Hatter's Point Condominium – Phase II**

Location: **60 Merrimac Street, Amesbury, MA 01913**

Date: **April 27, 2015**

A. GENERAL

On or about October 14, 2014 the Amesbury Planning Board (the "Board") received application for a Major Modification to the Site Plan approved on April 2, 2008 for Hatter's Point Condominium – Phase II consisting of the addition of 45 over fifty five (55) residential units (the "Project") at 60 Merrimac Street in Amesbury MA (the "Subject Property"). On or about November 7, 2014 the Board received additional applications for seven (7) Special Permits related to the proposed Project. The Special Permits requested are listed in ***Exhibit A***. By letter dated March 9, 2015, the Applicant withdrew the Special Permit application for a Historic Preservation Special Permit under XI.J2.2.b of the Amesbury Zoning Bylaw. The application was submitted along with a Site Plan (the "Plan") drawn by Meridian Associates, 500 Cummings Center, Suite 5950, Beverly, MA 01915 on 10/02/2014 and last revised on 03/10/2015. The application and supporting documents were submitted by Charlie Wear, P.E. on behalf of Lawrence Smith, Manager, Hatter's Point Capital, LLC (the "Applicant"). The set of plans

includes thirteen (13) sheets- **Exhibit 1**. The Board also received supplemental plans and documents pertaining to stormwater and drainage, erosion control, water and sewer, elevations and landscaping plans for review. The Application also includes the following documents, plans, or reports prepared by JD LaGrasse & Associates, Inc, Andover, MA 01810:

- Concept Architectural Drawings & Exterior Elevations - **Exhibit 2**
- Phasing Narrative Outline dated 12/30/2014 - **Exhibit 3**
- Hatters Point Building Height and Configuration Narrative; Date: 1/12/15 - **Exhibit 4**
- Site Accessibility Report Cover Letter with Report by Cosentini; Date: 2/25/15 (Cover) 1/23/15 (Report); Shadow Study with Comparison Chart; Date: 1/12/15 ;
- High Rise Code Review; Date: 1/12/15;
- Hatters Point Comparisons to 2008 Approved Concept to 2014 Proposed Concept; Date: 1/12/15;
- Sheet Piling – Protection of Existing Structures – Prelim. Narrative; Date: 3/3/15 ;

Public Hearing – Site Plan Review

The Board held the initial public hearing for the Site Plan Review on 11/10/2014. Subsequent public hearings were held on 01/12/2015, and 2/23/2015. The public hearing was closed on 03/09/2015 and upon Applicant's request, a decision was rendered on the Site Plan at the same time as the Special Permits on April 27, 2015.

Public Hearing – Special Permits

The Board held the initial public hearing for the Special Permits on 12/08/2014. Subsequent public hearings were held on 01/12/2015, 2/23/2015, and 4/27/2015. The public hearing for the Special Permit was closed on and a decision was rendered on April 27, 2015.

This is the Final Action of the Board (“Decision”) on the applications for Special Permits and Site Plan Review.

B. FINDINGS: General Findings under Sections X.J and XI.C

1. **Applications received by Board** - Applications were received by the Board from the Applicant for Special Permits as listed in Exhibit A , along with a request for Modification of the April 2, 2008 Site Plan Review Approval;
2. **Project Site:** The Subject Property is located in the Waterfront sub-district (PUD-W) of Planned Unit Development (PUD) zoning district as shown on the Zoning Map and defined in Section XI.L. The application includes property located along Merrimac Street and identified as Map 99 Lot 23 on the City's Assessor's Map. The total land area in the Project is 5.3 acres and the portion of land affected by Phase II is approximately 3.1 acres;
3. **Existing Conditions:** The project site is currently developed as forty-two (42) condominium units for over fifty-five community. Also, slips related to the marina use are located on the property. The portion of the site on which Phase II is to be constructed is currently occupied by the remnants of the former Hat Factory, which are in an advanced state of disrepair. There has been only minor site work at the project since the earlier April 2, 2008 Site Plan Approval, due to the death of the prior developer and the subsequent lapse of the phasing rights, which the Board finds constituted good cause for the delay of construction under the prior Site Plan Approval. The Amesbury Historical Commission has issued a demolition permit for the remaining original buildings on the site on January 5, 2015 but Massachusetts Historical Commission (MHC) is still reviewing the proposed modification to the existing buildings and site;
4. **Project Description and Proposed Use:** The Project requests a modification of the existing 2008 Site Plan approval (which approved Phase II at a maximum 65 units) to reduce the Project scope to a total of 45 additional units of over 55 housing and associated parking and infrastructure as shown on the Site Plan.
5. **Site Layout, Grading and Building Location:** The Project site consists of 3.1 acres. Guard rails are being proposed as required by code and a decorative fence is proposed

along the retaining wall as shown on the site plan. The Proposed building design requires the following:

- a. An increase in the maximum allowed height of the proposed project from 35 feet to 62 feet and an increase in the maximum stories from three to six stories as shown on the Plans;
- b. A reduction in the minimum front yard requirements along Merrimac Street from 20 feet to 2 feet along Merrimac Street as shown on the Plans;
- c. More than four dwelling units per building in a Planned Neighborhood Development within the PUD-Waterfront Zone;
- d. Minimum lot area for the proposed project to be calculated to include approximately 65,674 sf. of land below the seasonal mean high water line as such land is currently dedicated to a marina and associated uses;
- e. Removal of approximately 10,500 cubic yards of fill in connection with the construction of the project; and
- f. Grading and filling within the portion of the Site within the Wetland and Floodplain Protection District.

6. **Off – Street Parking, Traffic and Vehicular Circulation:** A Traffic Impact and Access Memorandum was prepared by Transportation Engineering, Planning and Policy (TEPP) LLC. According to that memorandum, this Project has low calculated trip generation for the weekday AM and PM street peak hours, it is anticipated to have non-significant impact on area traffic operations and therefore does not require any further traffic impact analysis. The Board finds that no other traffic mitigation or improvements are needed due to reduction in the density of the Project from the prior approval as well as due to the findings of the traffic analysis;

7. **Storm water Management:** The peer review consultants working for the Board reviewed the proposed stormwater management system. The natural drainage patterns are being altered due to proposed grade changes and the extent of filling towards the rear of the property. The proposed stormwater design alters the flow and volume of water from existing conditions and directs peak flows into stormwater management structures. A

detailed Operation and Maintenance Plan has been presented to the Board. The applicant and their assignees will be required to follow the maintenance requirements to ensure proper functioning of the drainage structures. The Board finds that these design measures and maintenance requirements will reduce the likelihood of any detrimental impact on abutting properties due to stormwater runoff provided the stormwater management system is constructed as shown on approved plans;

8. **Environmental Resource Protection:** The Project is subject to the local wetlands ordinance and also requires a Chapter 91 License for proposed activity along the Merrimac River. The Applicant has also filed a modification to the original Environmental Notification Form (ENF) with the EOE and is being currently reviewed by the State Agencies;
9. **Architectural Design:** Preliminary elevation drawings were provided to the Board for the proposed new building in Phase II. The Applicant indicated that final details will be developed before requesting a building permit. During the review process, the Board required changes to be made to the proposed elevations and building materials. The Board reviewed the application on the basis that the detailed architectural elevations and floor plans will include those changes and will be submitted to the Board for final review before commencement of any construction related activity;
10. **Landscaping:** A landscaping plan has been submitted for review along with the site plan. The applicant has requested waiver from providing shade trees to allow unobstructed views to the Merrimac River;
11. **Lighting:** The proposed lighting plan shows different light fixtures depending on location. Medium height pole lights in the parking lot with dark sky compliant fixtures are being proposed. Bollards are being proposed along walkways. The Board finds this lighting proposal desirable as it reduces the amount of light spillage across property lines, glares and does not detract drivers.

12. **Neighborhood and Infrastructure Impacts:** Due to the reduction in the total number of units in Phase II from 65 units to 45 units, the projected impacts on water, sewer and drainage as well as traffic have all been reduced. Based on the peer review analysis conducted for the Board by BSC Group, which is incorporated herein by reference, the Board finds that existing infrastructure in the neighborhood is adequate to serve the needs of the proposed project. Furthermore, the reduction in units will also reduce the projected traffic impacts associated with the project. Completion of the project will change an existing blight within the neighborhood and will enhance public access opportunities. As such the project is in harmony with the general purposes and intents of the By-law, is desirable to the public convenience and welfare and will not pose a hazard to public health, safety or the general welfare.

Specific Findings under Section XI.B.1

13. **Incidental Use:** The proposed removal of 10,000 cubic yards of soil (reduced from the initial request of 13,500 cubic yards through design engineering) is incidental to and in connection with the redevelopment on the site including buildings, driveways, parking and associated infrastructure;
14. **Stormwater Management:** The stormwater management system design includes deep sump catchbasins, a stormceptor unit, and a subsurface infiltration facility for the treatment and recharge of the stormwater runoff. The stormwater management plan has been reviewed by the Board's peer review consultant and has been determined to adequately address stormwater run-off due to the proposed development on the site;
15. **Erosion control:** An erosion and sedimentation control plan has been submitted and was determined by the Board's peer review consultant to provide adequate measures to avoid sedimentation of nearby water bodies;
16. **Transportation of Soils from Site:** The Applicant presented an estimated time-frame for removal and an anticipated truck route. The Project Site is located in a dense and old neighborhood where the public ways have limited shoulders. The Board finds that

although the information presented does not indicate any extended period of disruption and impact on neighboring public ways, a detailed truck staging and trucking route plan needs to be approved by the Police and Fire departments to ensure that public safety and emergency vehicles have adequate accessibility to and from Merrimac Street, both to the site itself and the other residential properties in the tight neighborhood. The Board shall be provided with documentation of the final review and approval of the staging and trucking route plan by the Police and Fire Departments prior to issuance of any building permits for the Project;

17. **Potential Neighborhood Impact:** The Board finds that the neighborhood consists of several historic homes with old fieldstone foundations and aging public utility infrastructure that are structurally sensitive to vibrations caused by construction activities and heavy equipment movements. The Applicant has indicated that they are proposing a sheet pile structural system to retain the side of Merrimack Street adjacent to the area of soil removal. The Board finds that additional engineering details are needed to assess if the proposed retaining wall along the Merrimac Street will be structurally stable. Additionally, extensive monitoring will be required during the sheet-pile driving phase to ensure that the foundations of existing homes in the neighborhood are not damaged or structurally comprised during this phase of construction. The Board also finds that a detailed structural analysis and specific engineering details have to be prepared by the applicant before the City is satisfied that public infrastructure is adequately protected not only after construction is completed but also during heavy construction activity and truck movement along Merrimack Street.

Specific Findings under Section XI.L.3.A (More than 4 units per structure)

18. The Project provides for 45 additional attached units within a single building. The Board finds that such design is appropriate in order to have Phase II reflect the architectural and massing details of the existing Phase I units and that it would be impractical to limit buildings to a maximum of four units per building;

Specific Findings under Sections VI.F.10 and XI.L.4.a (Relief from dimensional controls listed under Section VI – Table of Dimensional & Density Regulations, including height, setbacks and lot area requirements)

19. The Board finds that the Project satisfies the eligibility requirements of Section XI.L.4 for grant of relief from the dimensional requirements for lot area, height, maximum number of stories and front setbacks as the existing buildings on site which are to be reconstructed are historic within the meaning of Section XI. J.2.3 as they are more than seventy five years old and are listed on the National Register of Historic Places as maintained by the Massachusetts Historical Commission. The Board further finds that the Project satisfies the requirements for public access under XI. L.4.a.4 as a permanent public access easement has been deeded along the waterfront for a continuous bike and pedestrian pathway which connects to Merrimack Street. The Project is consistent with the purposes set out in paragraph XI.L. 1 in that it encourages historic preservation by preserving and reflecting the existing historic architectural features of Phase I of the Project, removing the existing condemned and dilapidated buildings from the site and satisfying demand for over 55 housing options in the City. The Board finds that the proposed modification is more desirable for the following reasons:

- a. No. of Dwelling Units – The number of units in Phase II have been reduced from 65 to 45;
- b. No. of Levels – The number of residential levels have been reduced from 6 to 5 and the number of parking levels have been reduced from 5 to 1;
- c. Building Footprint – The footprint of the proposed alteration has been reduced from 41,100 square feet to 26,650 square feet;
- d. Total impervious area – The modified proposal reduces the total impervious surface from 130,680 square feet to 126,620 square feet even though 31 exterior parking spaces have been provided on the site plan;
- e. Building Height – The building height although has increased from the previous proposal, the building design allows variable heights overall, with the highest part of the building being setback further from the façade planes. A detailed description on the overall height and design objectives was provided by

the Applicant's design team via memo dated 01/12/2015. According to that memo, the maximum building height is sixty-two (62) feet above Average Finished Grade. The building design incorporates architectural design elements and details from the existing structures to create synergy between Phase I and Phase II.

20. The Board finds that it is appropriate to grant the Applicant a Special Permit to include within the definition of lot area for the site a total of 65,674 sf. of land below the seasonal mean high water line as such land is currently dedicated to a marina and associated uses.

Specific Findings under Section XII

21. The flood zone area proposed to be altered is associated with the public access walkway and parking required under the chapter 91 License. The flood zone area being altered is compensated on the site. The Project is subject to review by the Amesbury Conservation Commission under the local and state regulations. The Board has determined that it will incorporate the order of conditions and terms therein by reference here to ensure that the proposed development and improvements in the flood zone area are made with no detrimental to environmental resource areas or otherwise endanger public health.
22. The utility locations are shown as approximate and the plans indicate that others are responsible for a) verifying the location of existing utilities, and b) to coordinate with utility companies and the City departments for final location. The Board finds that the Final plans will have to be updated to indicate the current and proposed locations of the utilities before start of any construction activity within the public right of way.

Based on the findings noted above, the Board determines that Special Conditions are required before the Project would meet the relevant permit criteria as well as any and all Development and Performance Standards of the Amesbury Zoning Bylaw (the "Bylaw").

C. WAIVERS

By application dated October 14, 2014 the Applicant requested the Board to grant waivers from specific provisions of Amesbury's Zoning Bylaw (see list below in Table 1). The Board has endeavored to grant waivers from those provisions, only to the extent necessary, where the waivers are consistent with the purpose and intent of the regulations and would not threaten public health, safety or welfare and to minimize harm and disruption to the locus and real property abutting the locus. In the event that further waivers are required, the Applicant shall submit a written request for such waiver(s) to the Board and the Board may grant or deny such additional waivers in accordance with applicable rules and regulations in effect at that time. The following waivers are granted to the extent necessary to construct the approved plan as submitted and revised:

TABLE 1:

Section(s) of Amesbury Zoning Bylaw	Requested Waiver	Decision of the Board
Section XI.C.8.a.3 - will exceed the 24 foot maximum	To allow curb cut width of 26 feet	Granted to the extent necessary and as per approved Final Plans
Section XI.C.8.c.3 -	retaining walls will exceed the height limitation along Merrimac Street and on the east side of the building	Granted subject to final approval of retaining wall design and as per approved Final Plans
Section VIII.G.16 -	To waive any shade trees required near the parking areas between the building	Granted subject to final approval of landscaping plan showing alternative flowering trees

D. APPROVAL OF THE SITE PLAN, SPECIAL PERMITS AND CONDITIONS THERETO

After public hearing, upon notice in accordance with the statute (General Laws, Chapter 40A, section 11) and the Amesbury Zoning Bylaw, and after full consideration of the evidence presented, and upon the findings made in Section B of this Decision, the Board determined to grant the Applicant (i) Site Plan Approval with conditions (which modifies and supersedes the prior April 2, 2008 Site Plan Approval); and (ii) the six Special Permits listed in Exhibit A in each case for proposed 45 units of plus 55 housing and related infrastructure as shown on the approved Plan is granted for the premises described in the application, further upon the conditions that follow:

I. COMPLIANCE WITH LOCAL, STATE AND FEDERAL REQUIREMENTS:

The Project and all construction, utilities, roads, drainage, earth removal and filling and all related appurtenances with respect to the Project, shall comply with all applicable local, state and federal regulations except as waived specifically by this Decision. The Applicant shall be responsible for acquiring all other local, state and federal permits and approvals as necessary to construct the Project as approved by the Board. Final action on all other permits shall be submitted to the Board for record prior to start of any construction activity on the site. The Board notes that the following are some of the permits needed for this Project prior to start of any construction activity:

1. Massachusetts Endangered Species Act, G. L. c. 131, § 23, 321 CMR 10.00.
2. Massachusetts Wetlands Protection Act and related regulations, G. L. c. 131, § 40-40A, 310 CMR 10.00, and the Amesbury Wetlands Ordinance and Regulations;
3. Department of Environmental Protection with respect to wastewater disposal, storm water disposal, resource protection, and water supply;
4. Environmental Notification Form or Notice of Project Change with Executive Office of Environmental Affairs under the Massachusetts Environmental Policy Act (G. L. c. 30, § 61-62H);

5. Commonwealth of Massachusetts MassHighway Department;
6. Commonwealth of Massachusetts State Sanitary Code.
7. U.S. Army Corps of Engineers, Section 404 of the Clean Water Act and, as applicable, Section 404(b)(1) guidelines that are established by the U.S. EPA;
8. NPDES Notice of Intent addressing NPDES Storm Water Pollution Prevention Plan, erosion control plan and stormwater management systems operations and maintenance plan under 310 CMR 10.00;
9. Massachusetts Public Shade Tree Act (G. L. c. 87);
10. Massachusetts Scenic Roads Act as adopted by the City of Amesbury, G. L. c. 40, §15c.
11. Massachusetts Historical Commission.

II. GENERAL AND IN PERPETUITY CONDITONS

1. **A. Allowed Use:** This Decision allows the extension and alteration of the existing structure in the location shown on the approved plan. The Board has allowed the following:
 - a. Multi-family dwelling units in one single building. The total number of residential units in the new structure shall not exceed forty-five (45). No additional units shall be allowed in the existing portion – Phase I;
 - b. Removal of 10,500 cubic yards of fill in connection with the proposed Project;
 - c. Grading and filling with portion of the site within the Wetlands and Floodplain Protection District only to the extent as shown on the Site Plan approved by the Board;
 - d. References to the Marina building that may have remained on the revised Site Plans shall be removed as this Decision of the Board does not implicitly or explicitly authorize or approve any structure, temporary or permanent not previously approved, associated with the use of the property for marina purposes. Any alteration, expansion or addition to the existing marina use shall require separate application by the relevant parties.

- B. Dimensional Regulations:** This Decision also grants the following relief from the applicable dimensional controls as follows:

- a. The new building shall not exceed 62 feet in height from average finished grade and shall not exceed specifically 63'-4" (North-West corner – Merrimac Street side); 58'-4" (North-East corner – Merrimac Street side); 71'-10" (South-West corner – River side); 58'-4" (South-East corner – River side). All dimensions are from grade;
 - b. The building shall be setback from Merrimac Street as shown on the revised plans along the front yard;
 - c. To allow a maximum of six (6) stories in Phase II;
 - d. To allow more than four (4) units in a multi-family residential structure in the PUD-Waterfront zoning district.
2. **Transfer of Permits:** The Special Permits and Site Plan Approval granted herein shall be exercisable only by the Applicant and or the Owner and shall not be assignable or transferrable to any third party, including without limitation, any successor in title to the premises, without the express written approval of the Board;
3. **Project Phasing:** The Project is proposed to be developed in three Phases and as outlined in the Phasing Narrative Outline dated 12/23/2014 (Exhibit 3). Any changes to the sequence of activities that impact the completion of off-site improvements and the improvements along Merrimac River pursuant to the Order of Conditions issued by ACC shall require further review and approval by the Board. For the purpose of this Decision, the Project Phases shall be referred as Phase II – A, Phase II-B and Phase II-C. Final Plans and relevant documents shall be amended to reflect the phase nomenclature as listed in this Decision. All off-site infrastructure improvements along and within the Merrimac Street right of way shall be completed prior to start of any construction activity in Phase II-B. All on-site improvements shall be completed prior to issuance of any occupancy permits for units in Phase II-C.
4. **Affordable Unit:** Under Section V.F. 3(b) of the Zoning Bylaw, the Applicant is required to designate a single unit within the Project as an affordable unit (as the prior approvals of this Board had allowed 40 units within Phase II). The Applicant shall designate such unit prior to issuance of any building permits for Phase II-C of the Project and shall obtain the approval of the Planning Board as to such designation at that time.

5. **Wetlands/Riverfront Construction Activity & Approvals:** This approval is contingent upon the issuance of an Order of Conditions by the Amesbury Conservation Commission (ACC or “the Commission”) and its continuous validity until all improvements are complete per the Final Plans. The Decision of the ACC and all the conditions stated therein shall be included in this Decision by reference. In order to effectively coordinate and integrate the required observation and inspection reports for this project, the Board recognizes that the Plan(s) shown under the Notice of Intent Application (as revised) and the Order of Conditions, issued by the ACC, shall also be carried out to the satisfaction of the Commission or its agents. Also,
- a. Except as waived by a decision of the Commission, the construction of this project shall comply with the Amesbury Wetlands Ordinance and Amesbury Conservation Commission Regulations in effect at the time any building permit is sought for the project or for any jurisdiction for roadway-associated construction, and with all rules, regulations, filing and permit requirements and certifications of the Commission with respect to natural resource protection, construction of storm water management structures within the Buffer zone and their disposal, construction of other structures including retaining walls within the Buffer Zone, and wastewater disposal;
 - b. Any request for alteration to the Order of Conditions made by the Applicant to the Commission (or to Massachusetts Department of Environmental Protection (Mass DEP), upon appeal) shall be simultaneously provided to the Board. The proposed work shall comply with the “Order of Conditions” issued by the Commission upon the said premises;
 - c. The Order of Conditions from the Commission shall be carried out to the satisfaction of the Commission. Any violation of the Order of Conditions issued by the Commission shall be deemed to be a violation of this Approval, with all remedies to the City of Amesbury or the Board as provided by law;

6. **Environmental Compliance:** The Applicant shall submit a copy of the recorded Certificate of Compliance as issued by the Commission within two (2) years of issuance of final Certificate of Occupancy or completion of all work included in the Order of Conditions, whichever is earlier;
7. **Waterline Agreement:** The Project is subject to the waterline agreement on record. Any amendments to the existing waterline agreement shall be recorded prior to endorsement of Final Plans and recording thereof at the Registry of Deeds;
8. **Inspections** - The Board shall require the inspection of drainage, stormwater management structures, roadway, parking and other site improvements to ensure that the work is carried out in accordance with the Final Plans and to ensure that all improvements are in compliance with the conditions stated in this Decision. The Board shall require the establishment of a construction observation account and the Applicant shall provide the funds necessary for inspection by the Board's consultant prior to start of any construction activity. To the extent feasible, the Board will coordinate with the Commission to retain the same consultant;
9. **As-Built Plans and Repairs:** To ensure compliance with the terms and conditions of this Decision and any approval or order by any federal or state agency, the Applicant shall submit to the Board complete and detailed Progress "As-Built" Plans with its request for a Certificate of Occupancy for any of the structures approved in this Decision, for the extent of roadway and associated infrastructure serving those dwellings for which certificates of occupancy are sought. Before release of any portion of the performance guarantee, the Applicant shall have prepared and submitted Progress or Final As-Built Plans, which shall indicate the actual locations of building, retaining walls and parking areas; access driveway edges; path locations; permanent monuments; inverts and location of required utilities and drainage; location of all underground utilities - onsite and within the Merrimac Street right of way; and locations of all permanent structures. The accuracy of such Progress or Final As-Built Plans shall be certified by a Land Surveyor or a Professional Engineer, Registered in the Commonwealth of Massachusetts, retained by the Applicant. Any damage to public

roads and walkways shall be repaired and/or replaced to the satisfaction of the Director of Public Works.

10. **Final Release of the Performance Surety** - Final release of performance surety shall be made when all the following conditions have been met. The request for final release of funds shall be submitted along with a report from the Board's construction observation consultant indicating that all work has been completed as per the Board's Decision and as shown on the Final Plans;
 - a) Memo from DPW that all off-site infrastructure improvements have been completed to the satisfaction of the City;
 - b) All City Department and the Board's inspectional engineer have recommended release of bond funds;
 - c) A copy of the Final Certificate of Compliance (CoC) from the Commission has been provided to the Board along with a final As-Built plan;
 - d) Upon completion of all off-site improvements and stormwater management system, submission of an "As-Built Plan" to the Board along with a written confirmation from a Registered Professional Engineer (P.E.), indicating that construction complies with the approved site plans and conditions of approval, including drainage and utility plans; and
 - e) All landscaping plant materials (trees, shrubs, etc) have survived two (2) growing season and that dead plants have been replaced as per Final Plans;

11. **Release of the Sedimentation and Erosion Control Surety:** Prior to release of any Surety, the Board shall verify with its construction observation Consultant and the Commission that the soils and slopes have stabilized and that there is evidence of healthy mature grass growing on slopes and lawns, and that all planting materials have survived two (2) growing season. Additionally, the Applicant shall request the Board's consulting engineer to verify that all work associated with the mitigation plan approved by the ACC has been complied on site to the satisfaction of the ACC. Partial releases shall be allowed in amounts not less than fifty percent (50%) of the total initial surety bond amount held by the Board only after completion of all on and off-site improvements, except interior fit-out of units, as shown on the Final Plan;

12. **Post Construction Stormwater Maintenance:** There are several storm water management structures that need to function properly during construction and post construction phases. The operator of the stormwater management system shall submit monitoring and maintenance logs and reports for a period of two (2) years after issuance of Certificate of Compliance (CoC) from the ACC. The submission of these reports shall be made as per schedule identified in the final OM plan or at a minimum of two times in any twelve month period. The reports shall be submitted to the Board and the Commission within 10 days of the issuance of the inspection report by the operator or their agents;
13. **Signage** – Only one sign shall be allowed on the property pursuant to the grant of these Special Permits. If the Applicant chooses to install said sign as a freestanding sign, it shall meet the allowable area as per current zoning regulations. The sign proposed in the current application will be formally reviewed upon receipt of Final Plans for endorsement. The existing historic wall sign may also be allowed in addition to the one allowed sign provided it is preserved or recreated exactly as it exists and incorporated into the building design along Merrimac Street. The final design, materials and location shall be reviewed and approved at the time of endorsement of Final Plans. Lighting if proposed shall only be allowed for the freestanding sign and in the form of ground mounted lights. Only natural materials shall be allowed for the construction of the freestanding sign.
14. **Lighting:** The final lighting plan and exterior light fixtures shall be revised to comply with the 0.2 foot candle requirement along Merrimac Street and all other property lines, including the Merrimack River. All light fixtures, pole mounted as well as building mounted, shall be dark sky compliant;
15. **Final Landscaping Plan:** The general scheme of landscaping arrangement shown shall be used as a framework to review the final landscaping plan. The Planning Board shall identify the final plant list, including flowering trees and other vegetative buffers required under the zoning requirements.

16. **Police Detail** - The Applicant shall, if needed, pay for any police details along Merrimac Street for truck traffic and other activities associated with construction on the site and off-site improvements that require detours or re-direction of traffic for public safety. All detour plans shall be reviewed by the Police and Fire Department;
17. **Public Safety and Access along Merrimac Street:** Prior to any soil removal or start of excavation activities on the site, the Applicant shall provide to the Board for review and approval of existing conditions survey of public infrastructure within the Merrimac Street right of way affected by the approved off-site infrastructure work, detailed engineering plans and details of improvements, geo-tech and soils test for back fill, detail methodology of sheet piling operations and retaining wall construction as shown on the approved site plan. Any repairs required due to damage caused by proposed work within the Merrimac Street right of way shall be done at the sole expense of the Applicant;
18. **Maintenance of roadways and infrastructure** - The City of Amesbury or its agents shall never have any legal or financial responsibility for operation or maintenance of driveways, parking areas, storm water management systems, snow plowing, landscaping, trash disposal or pick up, street lighting or other illumination, or other street infrastructure (excluding the connection to the water system and connection to the wastewater treatment system). This shall be noted in the Management documents as well as other legal documents associated with the project.
19. **Changes in Project Density or Design** - No further extension of the structures or change in the footprint or creation of any new dwelling units shall be allowed without further review and approval by the Board. Any change to the site plan or any of these conditions of approval, including, but not limited to, the building location, driveway locations, landscaping plans, architectural design criteria and the approved building construction materials, site improvements and finishes or to any recorded legal documents shall only be allowed after review and approval by the Board. Request for substantive revisions to the Final Plans shall be made as required under conditions pertaining to Site Plan Modifications in this Decision.

20. **Site Plan Modifications:** Prior to expansion, addition or alteration of uses allowed by this Decision, the Applicant shall provide detailed information and plans along with a formal written request for modification to the approved Site Plan and/or Special Permit(s) for determination of minor or major modification and approval by the Board. Any substantial modifications to the approved Site Plan or changes that impact the Performance Standards under XI.C.8 or pertinent sections of the Amesbury Zoning Bylaw applicable to this Project or conditions of approval of this Decision shall be subject to review and approval of the Board. The Board shall, if it so determines, require the applicant to submit a new application for modification to the approved Site Plan and/or Special Permit(s) and hold a new public hearing for review of the requested modifications; and

21. **Validity:** This permit is contingent upon the issuance of an Order of Conditions from the Amesbury Conservation Commission in compliance with the Massachusetts Wetlands Protection Act and related regulations, G. L. c. 131, § 40-40A, and the Amesbury Wetlands Ordinance and Regulations or if said permit(s) is appealed, a subsequent issuance of a Super-ceding Order of Conditions from the Massachusetts Department of Environmental Protection (Mass DEP). This permit shall become final only upon the issuance of all state and federal permits required to start any construction activity allowed per this permit. The Site Plan Approval shall expire upon the expiration of the final environmental permit, unless said permit(s) is extended by the permit granting authority. The Special Permits are individually and collectively valid for a period of two years from the date of this Decision, unless extended by the Board as allowed by law.

III. PRIOR TO ENDORSEMENT OF PLANS

The Applicant shall file with the Board and all other relevant public agencies for review and for consistency with this Decision any documents and shall have completed the following actions:

1. **Environmental Permitting Compliance:** The Applicant shall submit a copy of the recorded Certificate of Compliance as issued by the Amesbury Conservation Commission for prior Orders of Conditions on subject parcel(s) and the final Order of Conditions issued for activities proposed on the Final Plans as approved by the Board pursuant to this

Decision. Copies of all other state and federal approvals shall also be submitted for the Board's record; and

2. **Other Non-local Permits:** Final action on all other non-local permits, approvals, extensions, as necessary, shall be complete and authorize/allow the proposed activity and associated improvements as shown on the approved Plans. If modifications were made to the approved Plans by other Agencies, these modifications shall be clearly indicated on plans and described in detail for the Board's review and approval.

IV. PRIOR TO START OF ANY CONSTRUCTION ACTIVITY ON SITE

The Applicant shall file with the Board and all other relevant public agencies for review and for consistency with this Decision any documents and shall have completed the following actions:

1. **Legal Documents:** The following documents shall be submitted to the Board and the Building Inspector:
 - a) **Documents Recorded at the Southern Essex Registry of Deeds:**
 - i. Planning Board Decision and Plan Set - A copy of this Decision and Approved Plan Set;
 - ii. Copy of the Order of Conditions issued by Amesbury Conservation Commission;
 - b) **Covenants and Restrictions:** Legal Documents describing the following shall be submitted for review and approval. All legal documents required by this Decision shall only be recorded upon written approval by the Board:
 - i) **On-site improvements:** The approved light fixtures on the building and light poles in the parking areas, quantity and type of landscaping shrubs and plants, benches, fences along Merrimac Street and the public walkway along the River, property and dumpster fences, street furniture and other on-site improvements shall be maintained in perpetuity and no changes shall be made without prior written approval of the Board. Repairs and replacement of any of these

components shall be made in accordance with approved plans and as per the Board's Decision.

- ii) **Easements:** - Any changes to the existing easements and proposed easements consistent with the approved plans shall be submitted. The maintenance responsibilities of various parties shall be clearly stated along with allowed activities within these easement areas.
 - c) **Covenant:** A covenant shall be placed on the development or building(s) or other structures erected or placed on, or application for a building permit made with respect to any building/structure, until a Performance Guarantee and the Erosion Control and Sedimentation Bond have been established with the Board. This covenant is to be received by the Board prior to the commencement of any of the improvements approved and shown on the Plan and will remain in place until the Applicant posts a Performance Guarantee, which will be reviewed and approved by the Board, in order to complete all of the improvements as per Final Plans. The form of the Performance Guarantee, adequacy and or amount shall be reviewed and approved by the Board;
2. **CAD Drawings** - Three copies of all drawings and site plans as approved by Board shall be provided as Computer Assisted Drawings (CAD) on Compact Disks to the Board;
 3. **Final Plans:** The final plans shall be amended to show the fifteen (15) foot wide public access easement. The lighting plan shall be amended to include cut off- shield or use different light fixtures to maintain the photometric performance standard of 0.2 foot candles at the property line of this parcel along Merrimack Street. Also a detail shall be added to the plan set showing that the pole height is no greater than fifteen (15) feet from the finished grade of the parking lot;
 4. **Submission of Architectural Drawings:** A copy of the complete set of Final architectural elevations and floor plans shall be submitted to the Board for review and approval for consistency with the plans referenced in this decision;

5. **Retaining Walls:** All retaining walls over four (4) feet shall be designed by a structural engineer and accompanied by supporting documentation indicating that the existing soils and fill are appropriate for the proposed design. Prior to installation, additional test pits and accompanying data shall be supplied with the retaining wall design and details for review and approval by the Board;
6. **Other Permit Approvals** – The Applicant shall submit copies of the final approvals from Massachusetts Historical Commission to demolish the buildings listed on the National Register of Historic Buildings and the MAAAB to construct the pedestrian walkway/sidewalk from Merrimac Street to the public access easement area along Merrimac River as required under Chapter 91 License. Any utility improvements requiring Sewer Extension Permit and NPDES shall only be allowed after those non-local approvals have been granted;
7. **Utility and Infrastructure Improvements along Merrimac Street** – The Applicant shall provide detailed engineering drawings and details for work within the Merrimac Street right of way to the Board for review and approval before start of any construction activity. Existing conditions shall be documented and provided as a baseline for these improvements for confirmation with the DPW. Final utility layout, design and details shall require approval by the Board’s representatives and city officials;
8. **Detailed Construction Schedule:** The Applicant shall submit a detailed construction schedule identifying the sequence and timetable of all key stages of construction to the Board. This submission will include:
 - a. Identification of all contractors, field engineers, construction managers, surveyors, wetland and biology specialists, and other professionals that will be involved in the implementation of the Project;
 - b. Soil Removal and sheet piling operations;
 - c. Staking of driveways, dwelling foundations, parking areas, drainage basins and other drainage structures, and location(s) of connections to public infrastructure;
 - d. Placement of sediment and erosion controls and limit of construction fencing;

- e. Removal of structures, vegetation and top soil;
 - f. Environmental Resources mitigation installation;
 - g. Drainage system construction;
 - h. Major stages of roadway construction;
 - i. Excavating dates for building foundations;
 - j. Sewer line, water line and private utility installation;
 - k. Landscape installation and other site amenities; and
 - l. Proposed Inspection dates.
9. **Soil Removal and Trucking Route** – The Applicant shall provide a detailed plan and timeline for removal of demolition materials and soils from the site. The Board shall be provided with documentation of the final review and approval of the staging and trucking route plan by the Police and Fire Departments;
10. **Sheet Piling Operations** – The Applicant shall submit to the Board for review and approval of the formal “Protection of Existing Structures Plan” to be prepared in conjunction with the sheet piling operations along Merrimack Street. The specifications and details of such plan shall include, but not limited to, detailed existing conditions survey, means and methods of sheeting operations, detailed engineering design analysis and calculations, monitoring during sheeting operations, reporting during construction and potential remedial action for damage to affected structures;
11. **Temporary Construction Easements**: The Applicant shall have requested and received from the City and adjoining property owners temporary construction easements, as necessary, to construct and install improvements along Merrimack Street and to monitor vibrations during the sheet piling operations;
12. **Final Private Utility Layout**: The Applicant shall obtain all necessary private utility permits, including but not limited to gas pipeline, electric, telephone and cable service required by the respective utilities prior to the commencement of building construction. Documentation of all Permits/approvals issued by private utilities pertaining to the

development of the Project shall be provided to the Board prior to any building construction.

13. **Sedimentation and Erosion Control Bond** – The Applicant shall be required to post Surety with the Board for Sedimentation and Erosion to ensure that stormwater runoff management and erosion control measures are implemented on site as per Final Plans and other engineering drawings and to ensure that remedial actions can be taken to address any detrimental impacts from erosion and sedimentation during construction and until the stormwater management system is fully operational;
14. **Pre-Construction Conference** – Upon authorization by the Board and at least five (5) business days prior to any initial site work, a Pre-Construction conference shall be held with the Applicant, Applicant's contractor, a representative of the Board, its consulting engineer, and representatives of the City Departments having an interest in the Plan. Said meeting shall be for the purpose of familiarization with the project, the conditions of approval, and the project's construction sequence and timetable; and
15. **Request for Pre-construction Conference:** The request for a Pre-construction Conference shall be acted upon by the Board only AFTER the Board has received and reviewed ALL of the documents required per this Decision before start of construction and has determined that the Project is ready to proceed to the construction phase. Upon authorization by the Board, its representatives shall schedule the Pre-construction Conference.

V. PRIOR TO MAKING REQUEST FOR A BUILDING PERMIT

The Building Department shall not issue any Building Permit until receipt of an affirmative report from the Board stating that all conditions precedent to making application for Building Permit have been fulfilled, as per this Decision and to the satisfaction of the Board. Not later than the date on which the first request for a building permit is filed, and before any building permit is issued, the Applicant shall file the following documents with the Board for review and consistency with this Decision:

1. The Applicant shall submit to the Board, the Building Department and the Fire Department, for review and final acknowledgement of consistency with this Decision, a complete set of final and detailed scaled architectural drawings (“Building Plans”), mechanical engineering drawings, plans and specifications, for all structures as approved by this Decision, including interior floor plans, current and finished elevations, construction type and exterior finishes to the detail required for use as on-site construction drawings and/or to obtain a building permit in accordance with the State Building Code. No structures (as defined by the Amesbury Zoning Bylaw) other than those shown on the Final Plans and approved by the Board are allowed on the Site. A Registered Architect or Professional Engineer shall stamp the Building Plans, as appropriate, licensed in the Commonwealth of Massachusetts;
2. The Building Plans shall include a Building Code Review prepared by a qualified third-party consultant who may be the Project Architect or a professional architect licensed in Commonwealth of Massachusetts to confirm the Building Plans meet the State Building Code; and
3. The Applicant shall submit letter from Massachusetts Architectural Access Board (MAAAB) granting waivers to construct the sidewalk along the entry drive or submit a revised plan showing alternative site accessibility from the entry drive.

VI. DURING CONSTRUCTION

The following shall apply to all construction activity as per approved Site Plan:

1. **Stockpiles** - All earth stockpiles shall be established in locations as approved by the ACC or at a distance no less than fifty (50’) feet from the edge of flagged jurisdictional resource areas, whichever is greater. Earth material stockpiles shall not be allowed immediately adjacent to perimeter siltation barriers or drain inlets. Long term stockpiles over 30 days shall be shaped stabilized and circled by siltation fence and haybales and shall be stabilized by temporary seeding, sheeting or netting;

2. **Utility Trenches** - Utility trenches within the public Right of Way shall be saw-cut prior to excavation. Open trenches shall be backfilled with bank gravel and compacted to 95%. Trenches shall be paved with asphalt binder to a minimum depth of three (3) inches and overlaid curb to curb on Merrimack Street to a minimum depth of one and half (1.5) inches. Water service trenches shall be infrared joint paved. The Director of DPW and the Town Engineer shall have the final signoff on the right of way improvements and any change to these standards or those shown on approved plans shall be subject to their review and approval;

3. **Erosion Control and Stormwater Maintenance Requirement:** The Applicant's designee or assignee shall on a quarterly basis submit interim reports and supporting documents to the Board showing that requirements for stormwater system maintenance are being adhered according to the approved SWPPP. Submissions shall be made no later than 10 days from the date of issuance of said reports.

4. **Construction Activities** - During construction, the following conditions shall be met:
 - a. Construction, once commenced, shall progress through to completion as continuously and expeditiously as possible and in accordance with the construction sequence and timetable approved subject to delay incurred as a result of conditions beyond the control of the Applicant or acts of God and force majeure.
 - b. The Applicant shall keep the site and the adjoining existing roadway area clean during construction. Upon completion of all work on the Site and prior to Final As-Built approval, all debris and construction materials shall be removed and disposed of in accordance with state laws and regulations.
 - c. During construction, except within the building envelope, the Applicant and its agents and employees shall conform to all local, state and federal laws regarding noise, vibration, dust and use of public roads and utilities. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area and maintain safe and adequate vehicular access on Merrimack Street. Construction shall not commence on any day Monday through Saturday before 7:00 AM. Construction activities shall cease by 6:00 PM Monday through Friday and by

Noon on Saturday. No construction or activity whatsoever (except for interior finishing) shall take place on Sunday;

VII. PRIOR TO MAKING REQUEST FOR AN OCCUPANCY PERMIT

The Building Department shall require the applicant to submit a letter from the Board and as-built plans along with a request for Certificate of Occupancy for any unit stating that all conditions precedent to making application for Occupancy Permit have been met. The Building Department shall not issue any Occupancy Permit for any unit or structure shown on the plan until receipt of an affirmative report from the Board stating that all conditions have been fulfilled as per this Decision and to the satisfaction of the Board. The Applicant shall file with the Board and all other relevant public agencies for review and for consistency with this Decision any documents and shall have completed the following actions:

1. **Certification of Improvements** - The Applicant shall submit a letter to the Building Inspector from the Board verifying that conditions of approval have been met and that construction to date is per the approved plans;
2. **Fire Protection and adequacy of improvements:** No certificate of occupancy for any unit shall be issued until the improvements specified in this Decision and set forth in the plans of record are constructed and installed as per this Decision and to adequately serve said unit, or adequate security has been provided, reasonably acceptable to the Board, to ensure such completion.
3. **Landscape Installation** - All site improvements, including landscaping and street trees shall be completed and installed as per Final Plans. The Landscaped Architect for the project shall submit a certification that the trees, shrubs and screening plants have been installed as per approved Final plans. All proposed trees shall be placed in position or staked out for approval by the Board prior to digging; and
4. **Certificate of Occupancy Permits:** Provided all applicable conditions stated in the Decision are satisfied, the first request for an occupancy permit shall only be accepted after

the off-site Infrastructure Improvements as approved and required by the City have been substantially completed. Occupancy Permit requests for units only in Phase – IIA may be issued as these off-site improvements are being made. No further occupancy permit requests shall be accepted or issued until written evidence is provided by the Applicant that all off-site improvements required by City have been completed and to the satisfaction of City officials and the Board's representative. Temporary certificates of occupancy will not be permitted. The Fire Department will not accept requests for the occupancy permit until all required fire prevention and detection systems are installed and operating, carbon monoxide detectors are installed and operating, and unit numbers are in place and all required inspections have been completed by the Amesbury Building Inspections and Fire Departments.

Chair, Amesbury Planning Board

EXHIBITS:

- Site Plan Set including thirteen (13) sheets- ***Exhibit 1***.
- Concept Architectural Drawings & Exterior Elevations - ***Exhibit 2***
- Phasing Narrative Outline dated 12/30/2014 - ***Exhibit 3***
- Hatters Point Building Height and Configuration Narrative; Date: 1/12/15 - ***Exhibit 4***

EXHIBIT - 1

All plans prepared by Meridian Associates 500 Cummings Center, Suite 5950, Beverly, MA 01915 for Hatters Point, 60 Merrimac Street, Amesbury, MA 01913

Cover Sheet Sheet 1 of 13 October 2, 2014 Last revised: December 31, 2014	Roadway Profile Plan Sheet 9 of 13 October 2, 2014 Last revised: December 31, 2014
Record Conditions Plan Sheet 2 of 13 October 2, 2014 Last revised: December 31, 2014	Details Sheet 10 of 13 October 2, 2014 Last revised: December 31, 2014
Record Conditions Plan Sheet 3 of 13 October 2, 2014 Last revised: December 31, 2014	Details Sheet 11 of 13 October 2, 2014 Last revised: December 31, 2014
Master Site Plan Sheet 4 of 13 December 31, 2014 Last revised: January 22, 2015	Landscape Plan Sheet 12 of 13 October 2, 2014 Last revised: December 30, 2014
Layout Plan Sheet 5 of 13 October 2, 2014; Last revised: January 22, 2015	Landscape Details Sheet 13 of 13 October 2, 2014; Last revised: January 22, 2015
Parking Layout Plan Sheet 6 of 13 December 31, 2014 Last revised: February 24, 2015	Cross Section Site Plan Sheet 1 of 3 January 5, 2015
Grading/Storm Drainage Plan Sheet 7 of 13 October 2, 2014 Last revised: January 22, 2015	Cross Section Profiles Sheet 2 of 3 January 5, 2015
Utility Plan Sheet 8 of 13 October 2, 2014 Last revised: January 22, 2015	Cross Section Profiles Sheet 3 of 3 January 5, 2015

EXHIBIT - 2

Architectural Drawings Prepared by: JD LaGrasse & Associates, Inc, Andover, MA 01810

- 1) **AS1 – Site Details:** Sheet 1 of 10; Date: 1/22/15;

- | | |
|---|--------------------------------|
| 2) AS2 – Site Details: | Sheet 2 of 10; Date: 1/22/15; |
| 3) A0.1 – Massing From Street (Perspective): | Sheet 3 of 10; Date: 1/22/15; |
| 4) A0.2 – Massing From Street (Perspective): | Sheet 4 of 10; Date: 1/22/15; |
| 5) A1.0 – Floor Plans: | Sheet 5 of 10; Date: 1/22/15; |
| 6) A4.0 – Merrimac Street Elevation | Sheet 6 of 10; Date: 1/22/15; |
| 7) A4.1 – Building Elevations | Sheet 7 of 10; Date: 1/22/15; |
| 8) A4.2 – Detailed Elevation | Sheet 8 of 10; Date: 1/22/15; |
| 9) A4.3 – Detailed Elevation (Continued) | Sheet 9 of 10; Date: 1/22/15; |
| 10) A5.0 – Building Sections | Sheet 10 of 10; Date: 1/22/15; |

EXHIBIT – 3 Phasing Narrative Outline dated 12/30/2014

EXHIBIT – 4 Hatters Point Building Height and Configuration Narrative; Date: 1/12/15;

Exhibit A The applicant has requested Special Permits seeking the following relief under the Amesbury Zoning Ordinance:

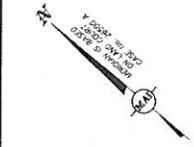
Section(s) of Zoning Bylaw	Proposed Work/Use
Section VI.F.10 and Section XI.L.4.a	to authorize an increase in the maximum height of the proposed project from 35 feet to 64 feet and an increase in the maximum stories from three to six stories as shown on the Plans
Section VI.F.10 and Section XI.L.4.a	to authorize a reduction in the minimum front yard requirements along Merrimac Street from 20 feet to 2 feet along Merrimac Street as shown on the Plans.
Section XI.L. 3. A	to allow more than four dwelling units per building in a Planned Neighborhood Development within the PUD-Waterfront Zone.
Section XI.L.4.a	to allow the minimum lot area for the proposed project to be calculated to include approximately 65.674 s.f. of land below the seasonal mean high water line as such land is currently dedicated to a marina and associated uses.
Section XI. B.1	for removal of approximately 10,500 c.y of fill in connection with the construction of the project.
Section XII F	to allow grading and filling within the portion of the Site within the Wetland and Floodplain Protection District

ALL UNDERGROUND UTILITY DATA REPRESENTS RECORD INFORMATION RECOVERED THROUGH RESEARCH WITHOUT SURFACE DEMARCATION NOR SUBSURFACE VERIFICATION.

TEMPORARY BENCHMARK CHART

TBM#	DESCRIPTION	ELEVATION
1	TOP OF METEORIC COLUMN MARKER 3.5' AS BUILT	16.93'

(SEE NOTE 6 - SHEET 2)



LOCUS MAC
(NOT TO SCALE)

RECORD OWNER
HATTER'S POINT CONDOMINIUM ASSOCIATION
50 MERRIMAC STREET
AMESBURY, MASSACHUSETTS 01923
DOCUMENT NO. 402235

- REFERENCES**
- LAND TITLE PLAN NO. 2000049
 - DEED BOOK 1880, PAGE 172
 - DEED BOOK 1880, PAGE 174
 - DEED BOOK 1880, PAGE 177
 - DEED BOOK 1880, PAGE 178
 - DOCUMENT NO. 402235

DEMOLITION NOTES

- DEMOLITION SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EXISTING WATER, SEWER, GAS, AND SERVICE BUILDINGS. CONTRACTOR SHALL COORDINATE ALL UTILITIES PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL OF EXISTING STAIRS, WALLS, FLOORS, CEILING, AND/OR BALDING. CONTRACTOR SHALL COORDINATE WITH ALL LOCAL, STATE, AND FEDERAL AGENCIES.
- TO BE DEMOLISHED STRUCTURES SHALL BE IDENTIFIED BY THE CONTRACTOR AND SHALL BE DEMOLISHED WITHIN THE SPECIFIED AREA OR SHALL BE PART OF THE SCOPE OF WORK.
- FOR MAINTENANCE OF SITE SAFETY, PUBLIC SAFETY THROUGHOUT THE PROJECT, ALL SAFETY MEASURES SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL REGULATIONS.
- CONTRACTOR SHALL INSTALL TEMPORARY CONSTRUCTION SITE FENCING OR WALLS TO BE RESPONSIBLE FOR THE PROTECTION OF THE SITE. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC WAYS.
- CONTRACTOR IS RESPONSIBLE FOR CLEAN AND FREE OF OBSTRUCTION THROUGHOUT THE DURATION OF THE PROJECT.
- CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO MINIMIZE DUST, OIL, AND NOISE THROUGHOUT CONSTRUCTION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

REFER TO SHEET 2 FOR NOTES AND LEGEND

HATTER'S POINT
RECORD CONDITIONS/DEMOLITION PLAN
LOCATED IN
AMESBURY, MASSACHUSETTS
(ESSEX COUNTY)

PREPARED FOR
HATTER'S POINT CAPITAL, LLC
SCALE: 1" = 20'
DATE: OCTOBER 2, 2014

MERIDIAN ASSOCIATES
REGISTERED PROFESSIONAL ENGINEER
STATE OF MASSACHUSETTS
LICENSE NO. 10000
TELEPHONE: 978-226-1111
FAX: 978-226-1112
WWW.MERIDIANASSOCIATES.COM

SHEET NO. 3 OF 13
PROJECT NO. 30866

DATE: 10/2/14
BY: GMD

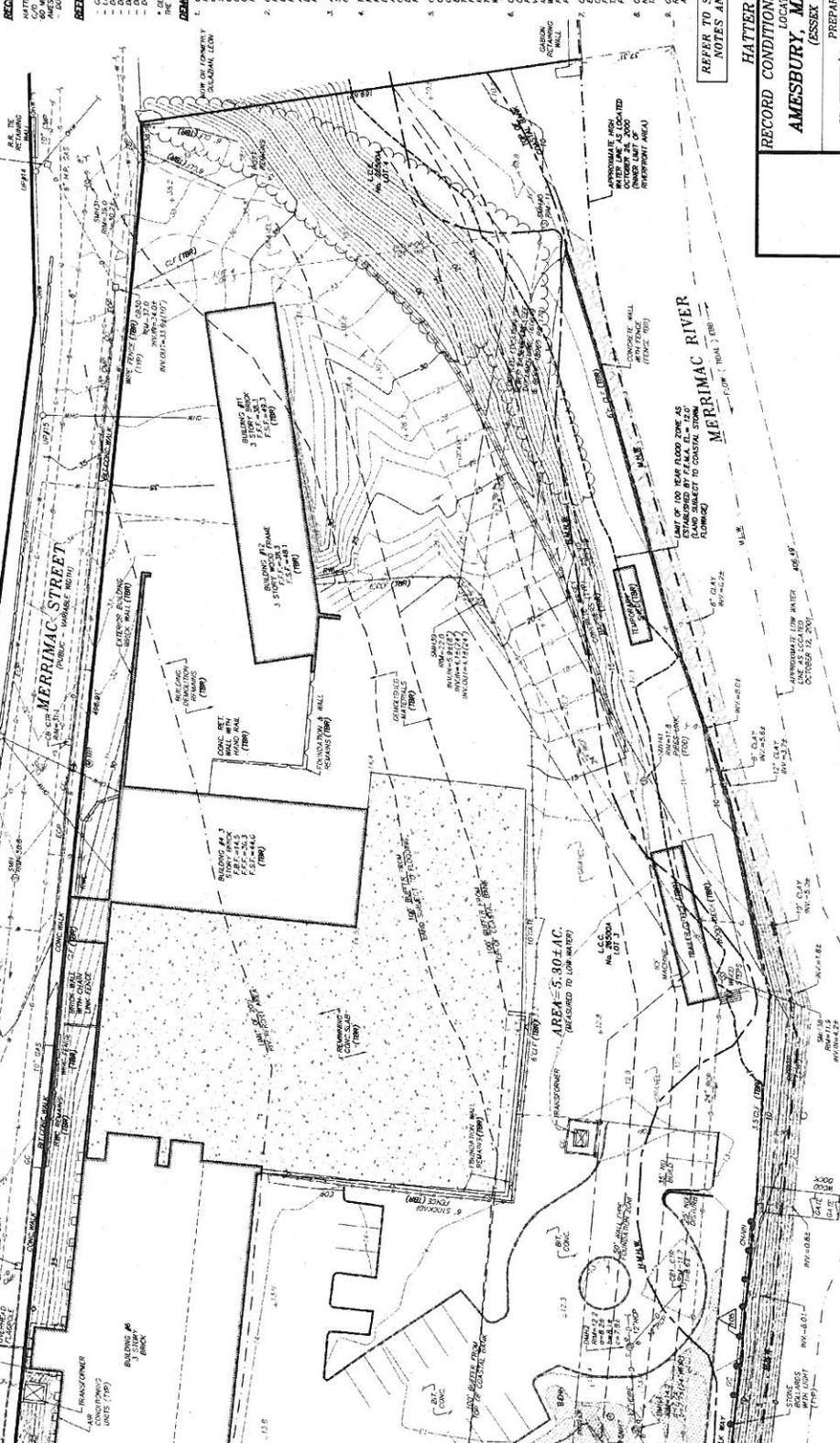
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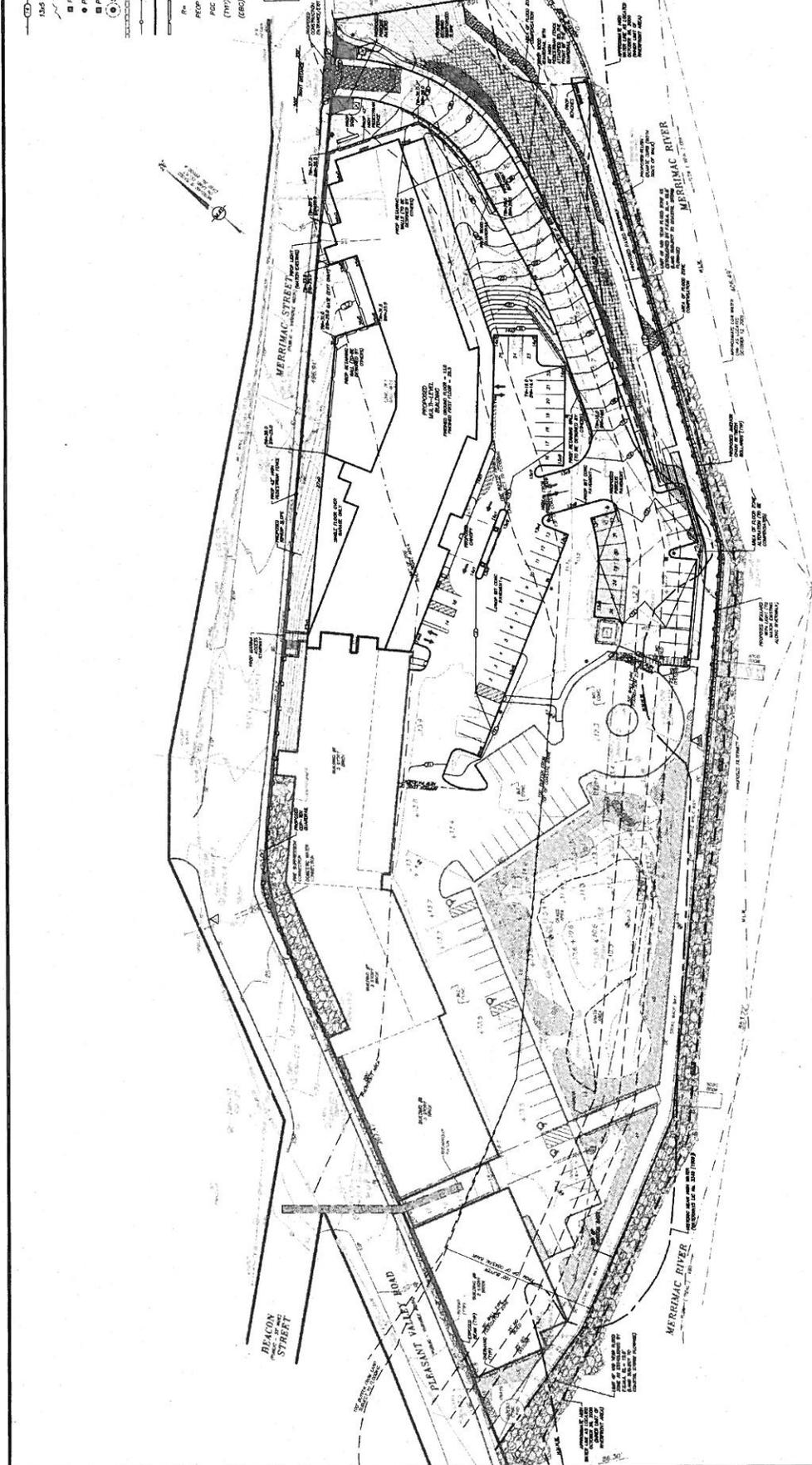


GRAPHIC SCALE
SCALE: 1" = 20'
0 10 20 30 40 50
FEET
0 5 10 15 20 25 30
METERS

DATE: 10/2/14
BY: GMD

- LEGEND**
- PROPOSED CONTOUR
 - 13.5 PROPOSED SPOT ELEVATION
 - PROPOSED GRADE DIRECTION
 - PROPOSED CATCH BASIN
 - PROPOSED 4" DRAIN MANHOLE
 - PROPOSED 18" DRAIN MANHOLE
 - PROPOSED STORMWATER UNIT
 - PROPOSED EROSION CONTROL
 - PROPOSED FENCE/SPAN FENCE
 - PROPOSED GRANITE CURB
 - PROPOSED WALL
 - PROPOSED SIDE OF PAVEMENT
 - PROPOSED GRANITE CURB
 - (TW) TYPICAL
 - (660) DESIGNED BY OTHERS

REFER TO SHEET 2 FOR NOTES AND LEGEND



**HATTER'S POINT
MASTER SITE PLAN**
LOCATED IN
AMESBURY, MASSACHUSETTS
(ESSEX COUNTY)

PREPARED FOR
HATTER'S POINT CAPITAL, LLC
SCALE: 1" = 30' DATE: DECEMBER 31, 2014

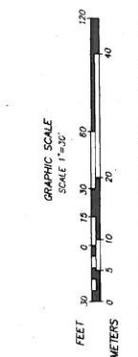
PREPARED BY
MERIDIANS ASSOCIATES
380 COMMERCIAL CENTER, SUITE 2000
WESTBOROUGH, MASSACHUSETTS 01581
TEL: 978.366.1000 FAX: 978.366.1001
WWW.MERIDIANSASSOCIATES.COM

SHEET No. 4 OF 13 PROJECT No. 3066



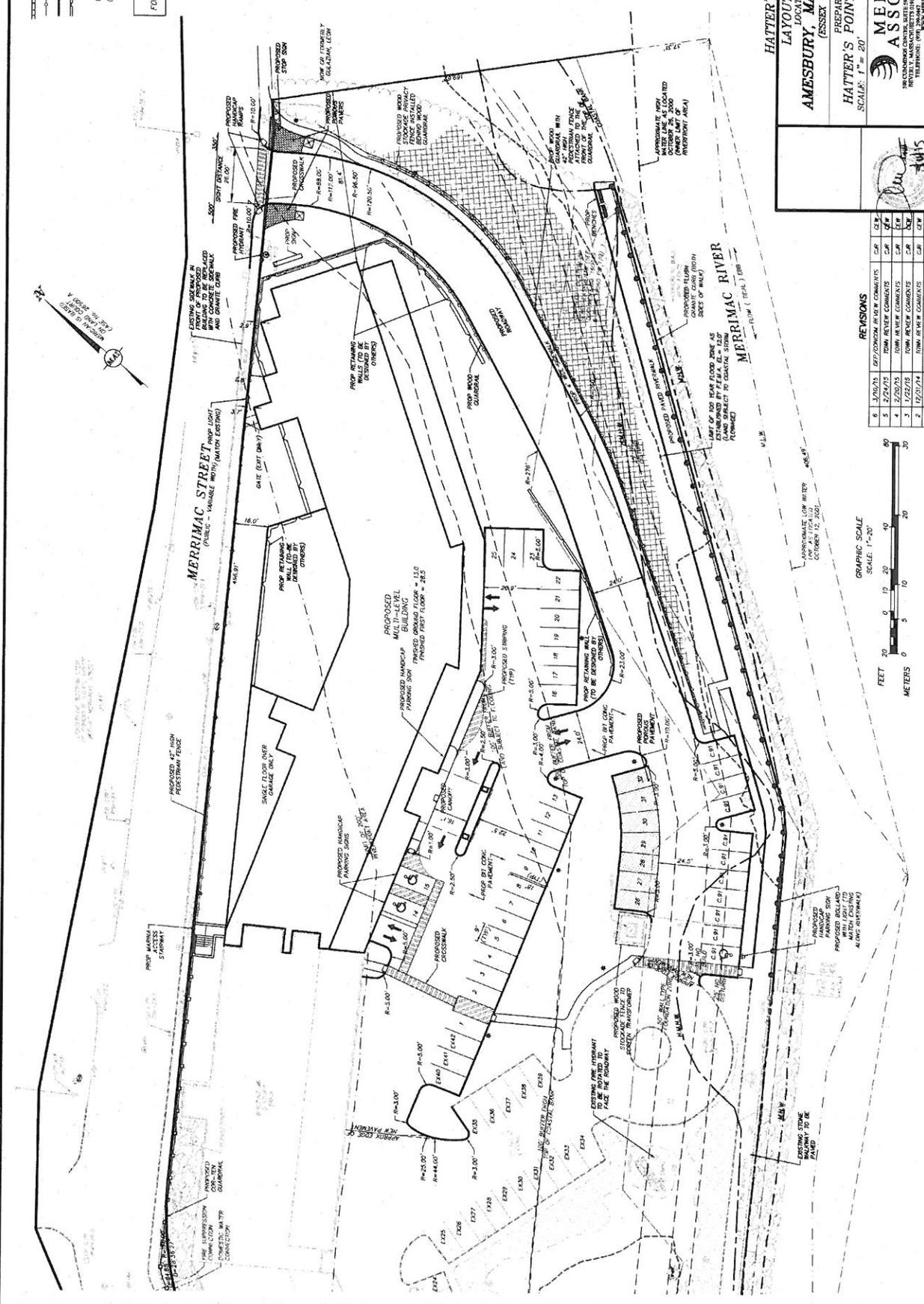
REVISIONS

NO.	DATE	DESCRIPTION	BY	CHK'D
1	1/10/15	DEF/CONCOM REVIEW COMMENTS	C.R.	C.W.
2	1/27/15	TOWN REVIEW COMMENTS	C.R.	C.W.
3	2/20/15	TOWN REVIEW COMMENTS	C.R.	C.W.
4	3/10/15	TOWN REVIEW COMMENTS	C.R.	C.W.
5	3/10/15	TOWN REVIEW COMMENTS	C.R.	C.W.
6	3/10/15	TOWN REVIEW COMMENTS	C.R.	C.W.
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49	3/10/15	TOWN REVIEW COMMENTS	C.R.	C.W.
50	3/10/15	TOWN REVIEW COMMENTS	C.R.	C.W.



- LEGEND**
- PROPOSED GRASSY CORNER
 - PROPOSED PEDESTRIAN FENCE
 - PROPOSED GRANITE CURB
 - R= RADIUS
 - (114) TYPICAL
 - (099) DESIGNED BY OTHERS

REFER TO SHEET 2 FOR NOTES AND LEGEND

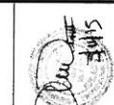


HATTERS POINT LAYOUT PLAN
 LOCATED IN AMESBURY, MASSACHUSETTS (ESSEX COUNTY)

PREPARED FOR HATTERS POINT CAPITAL, LLC
 SCALE: 1" = 20'
 DATE: OCTOBER 2, 2014

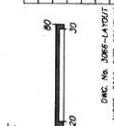
MERIDIAN ASSOCIATES
 100 WEST MAIN STREET, SUITE 200
 WESTPORT, MASSACHUSETTS 01881
 TELEPHONE: (978) 335-2222 FAX: (978) 335-2222

SHEET No. 5 OF 13 PROJECT No. 3066



REVISIONS

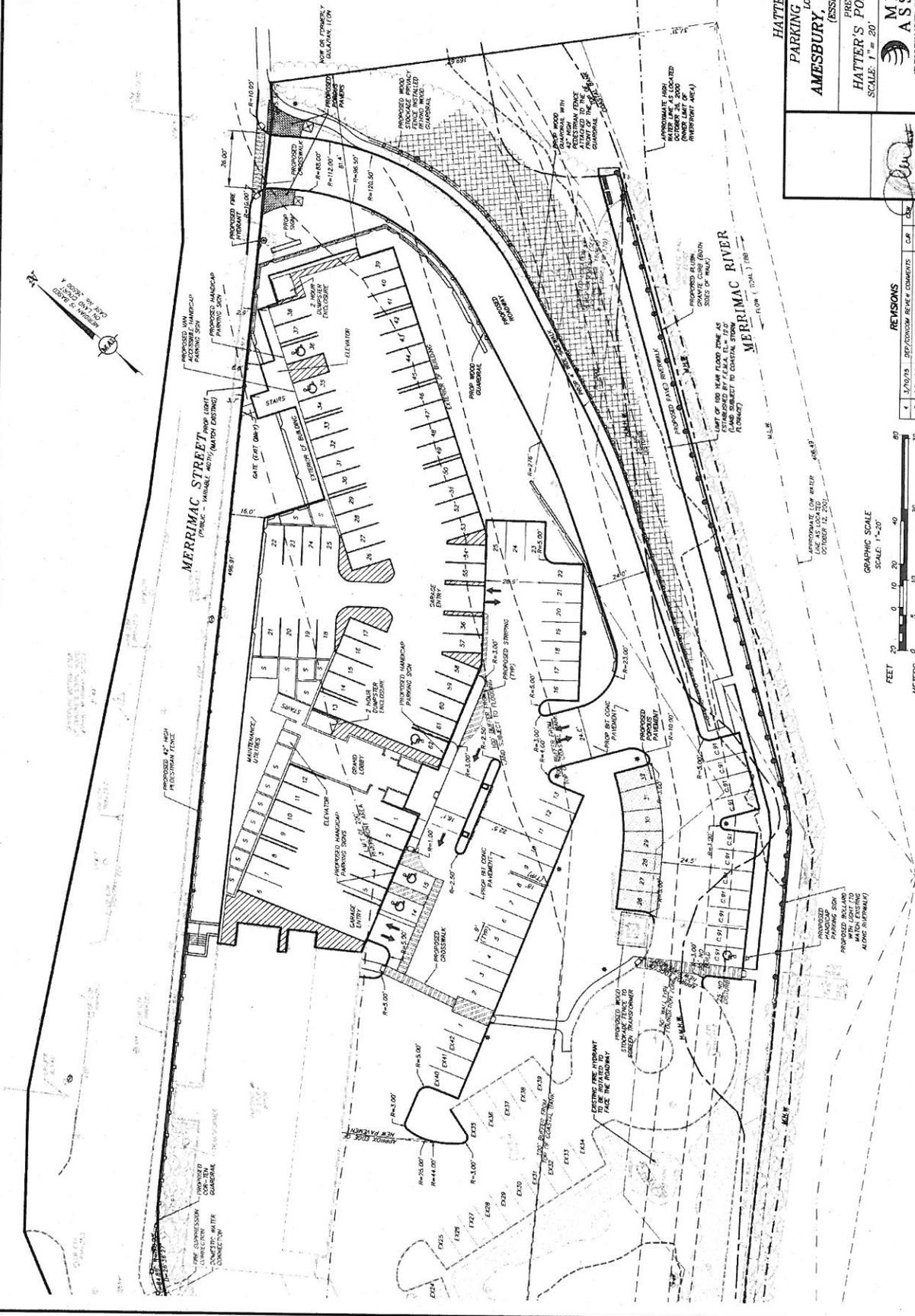
NO.	DATE	BY	DESCRIPTION
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2	10/2/14	AW	ISSUE FOR PERMITS
3	10/2/14	AW	ISSUE FOR PERMITS
4	10/2/14	AW	ISSUE FOR PERMITS
5	10/2/14	AW	ISSUE FOR PERMITS
6	10/2/14	AW	ISSUE FOR PERMITS



DATE: 10/2/14
 (DATE: 10/2/14)

- LEGEND**
- PROPOSED EXISTING CURBLINE
 - PROPOSED PERIMETER FENCE
 - PROPOSED GRANITE CURB
 - PROPOSED MALL
 - R= RADIUS
 - (TYP) TYPICAL
 - (REV) DESIGNED BY OTHERS
 - S STORAGE

REFERS TO SHEET 2 FOR NOTES AND LEGEND



**HATTER'S POINT
PARKING LAYOUT PLAN**
LOCATED IN
AMBSBURY, MASSACHUSETTS
(ESSEX COUNTY)

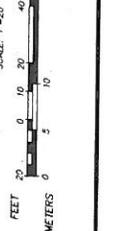
PREPARED FOR
HATTER'S POINT CAPITAL, LLC
SCALE: 1" = 20' DATE: DECEMBER 31, 2014

MERIDIAN ASSOCIATES
380 COMMERCIAL CENTER, SUITE 200
1000 WASHINGTON STREET, AMBSBURY, MASSACHUSETTS 01920
TELEPHONE: (978) 253-8800 FAX: (978) 253-8801
WWW.MERIDIANASSOCIATES.COM (978) 253-8801

SHEET No. 6 OF 13 PROJECT No. 30066



NO.	DATE	DESCRIPTION	BY	CHKD
1	1/7/15	REVISED COMMENTS	CAF	LDW
2	2/2/15	TOWN REVIEW COMMENTS	CAF	LDW
3	2/2/15	TOWN REVIEW COMMENTS	CAF	LDW
4	1/7/15	REVISED COMMENTS	CAF	LDW



APPROXIMATE LOW WATER
OCTOBER 12, 2000

APPROXIMATE HIGH WATER
OCTOBER 24, 2000

APPROXIMATE 100 YEAR FLOOD LINE AS
ESTABLISHED BY FEMA. ELEVATION
SUBJECT TO CHANGING SURFACE
ELEVATIONS

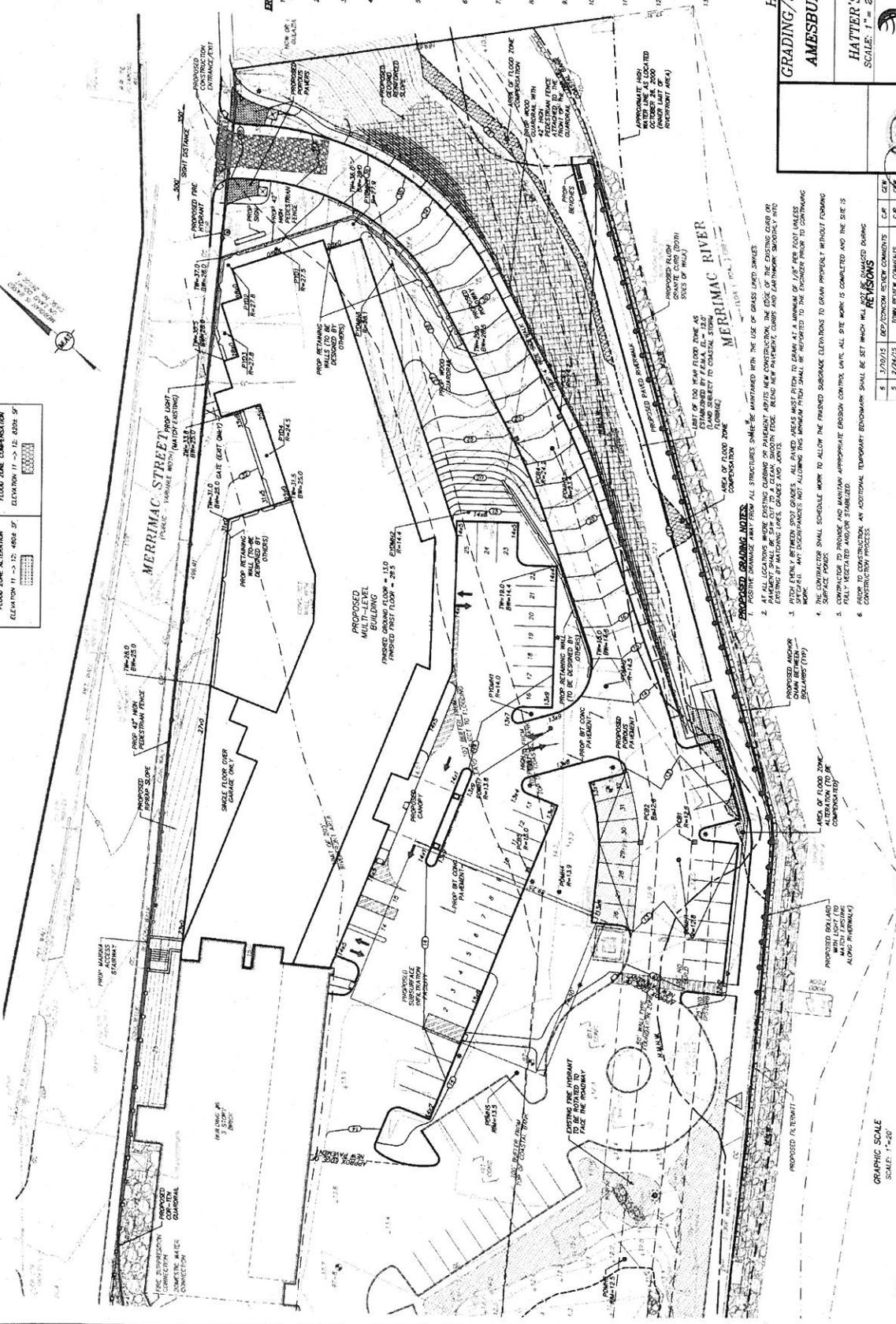
PROPOSED FLOOD AREAS

FLOOD ZONE ALTERNATION ELEVATION 11 → 12: 4804 SF	FLOOD ZONE COMPENSATION ELEVATION 11 → 12: 8204 SF
--	---

- LEGEND**
- PROPOSED CONTOUR
 - PROPOSED SPOT ELEVATION
 - PROPOSED DRAIN DIRECTION
 - PROPOSED CURB
 - PROPOSED 4" DRAIN MANHOLE
 - PROPOSED 18" DRAIN
 - PROPOSED STORMWATER GUT
 - PROPOSED EROSION CONTROL
 - PROPOSED PEDESTRIAN FENCE
 - PROPOSED GRANITE CURB
 - PROPOSED WALL
 - FIN ELEVATION
 - PROPOSED EDGE OF PAVEMENT
 - PROPOSED GRANITE CURB
 - TYPICAL
 - DESIGNED BY OTHERS

EROSION CONTROL AND SEDIMENTATION NOTES

- EROSION CONTROL & SEDIMENTATION MEASURES SHALL BE INSTALLED ALONG THE EDGE OF PROPOSED GRASS TO BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
- ALL STOCKPILED AREAS SHALL BE STABILIZED TO PREVENT EROSION AND SEDIMENTATION. ALL STOCKPILED AREAS SHALL BE LEGALLY DISPOSED OF AT THE END OF THE PROJECT.
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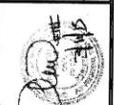


- PROPOSED GRADING NOTES**
- POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES SHALL BE MAINTAINED WITH THE USE OF GRASS LINED SWALES.
 - PAVEMENT SHALL BE SLOPED TO A GRADE SWALE. SWALES SHALL BE MAINTAINED WITH THE USE OF GRASS LINED SWALES.
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HATTER'S POINT
GRADING/STORM DRAINAGE PLAN
 LOCATION IN
AMESBURY, MASSACHUSETTS
 (ESSEX COUNTY)

PREPARED FOR
HATTER'S POINT CAPITAL, LLC
 SCALE: 1" = 20'
 DATE: OCTOBER 2, 2014

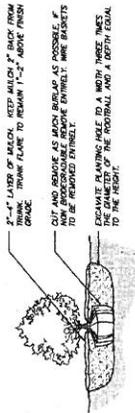
MERIDIAN ASSOCIATES
 100 WASHINGTON STREET, SUITE 200
 AMESBURY, MASSACHUSETTS 01821
 TEL: 978.253.8888 FAX: 978.253.8899
 WWW.MERIDIANASSOCIATES.COM



NO.	DATE	DESCRIPTION	BY	CHKD
1	1/20/15	ISSUE FOR PERMIT	CEW	CEW
2	2/26/15	ISSUE FOR PERMIT	CEW	CEW
3	1/22/15	ISSUE FOR PERMIT	CEW	CEW
4	1/22/14	ISSUE FOR PERMIT	CEW	CEW
5	1/22/14	ISSUE FOR PERMIT	CEW	CEW
6	1/22/14	ISSUE FOR PERMIT	CEW	CEW

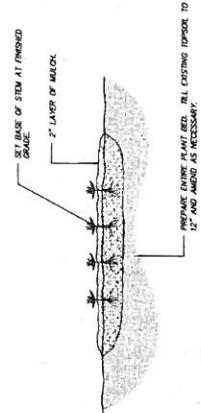
DATE: 10/02/14
 DRAWN BY: CEW
 CHECKED BY: CEW
 PROJECT NO.: 3066

GRAPHIC SCALE
 SCALE: 1" = 20'
 FEET: 0, 10, 20, 30
 METERS: 0, 5, 10, 15, 20, 30



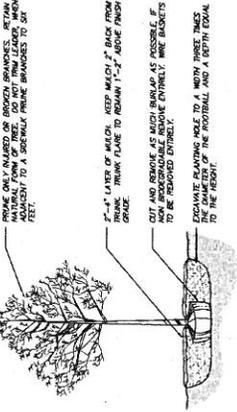
NOTES:
 BUCKET PLANTING HOLE WITH EXISTING SOIL AMENDED AS NECESSARY.
 BUCKET HOLE THE SOIL AND MULCH TO SETTLE OUT AIR POCKETS. COMPLETE BACKFILLING AND RETRAIT IN 1-2 WEEKS.
 IF ROOTS ARE CIRCULAR THE FOOTBALL EXTERIOR. CUT ROOTS VERTICALLY IN SEVERAL PLACES PRIOR TO PLANTING.

SHRUB PLANTING
 (NOT TO SCALE)



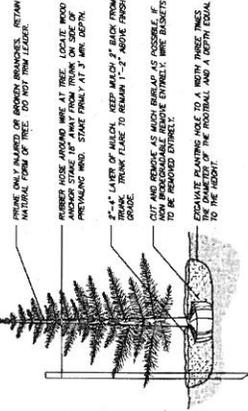
NOTE:
 SHADE PLANTS EQUALLY TO PROVIDE CONSISTENT COVER OVER REVEALED PLANTING BED.

GROUNDCOVER PLANTING
 (NOT TO SCALE)



NOTES:
 BUCKET PLANTING HOLE WITH EXISTING SOIL AMENDED AS NECESSARY.
 BUCKET HOLE THE SOIL AND MULCH TO SETTLE OUT AIR POCKETS. COMPLETE BACKFILLING AND RETRAIT IN 1-2 WEEKS.
 IF ROOTS ARE CIRCULAR THE FOOTBALL EXTERIOR. CUT ROOTS VERTICALLY IN SEVERAL PLACES PRIOR TO PLANTING.
 ONLY SHADE TREES SITUATED ON WINDY SITES OR EXPOSED TO SUBSTANTIAL POSTPLANTING WINDS.

TREE PLANTING
 (NOT TO SCALE)



NOTES:
 BUCKET PLANTING HOLE WITH EXISTING SOIL AMENDED AS NECESSARY.
 BUCKET HOLE THE SOIL AND MULCH TO SETTLE OUT AIR POCKETS. COMPLETE BACKFILLING AND RETRAIT IN 1-2 WEEKS.
 IF ROOTS ARE CIRCULAR THE FOOTBALL EXTERIOR. CUT ROOTS VERTICALLY IN SEVERAL PLACES PRIOR TO PLANTING.
 ONLY SHADE TREES SITUATED ON WINDY SITES OR EXPOSED TO SUBSTANTIAL POSTPLANTING WINDS.

EVERGREEN TREE PLANTING
 (NOT TO SCALE)



LANDSCAPE DETAILS
 LOCATED IN
AMESBURY, MASSACHUSETTS
 (ESSEX COUNTY)

PREPARED FOR
HATTER'S POINT CAPITAL, LLC
 DATE: OCTOBER 2, 2014
 SCALE: 1" = 20'

MERIDIAN ASSOCIATES
 60 WILSON STREET, SUITE 202
 WESTPORT, MASSACHUSETTS 01886
 TELEPHONE: (978) 234-0000
 FAX: (978) 234-0001

SHEET No. 13 OF 13 PROJECT No. 3066

NO.	DATE	DESCRIPTION	BY	CHKD.
6	1/10/14	ISSUE ONLY	JAT	AKS
5	10/24/13	DATE ONLY	JAT	JAT
4	10/20/13	DATE ONLY	JAT	JAT
3	01/22/13	OMIT STONE PIER DETAIL	JAT	JAT
2	12/20/14	SHEET NUMBERS	LM	JAT
1	12/12/14	SITE PLAN UPDATE	LM	JAT

DWG No. 3066-LAND-05.dwg

JD LaGrasse & Associates, Inc.
 Architects, Engineers & Land Planners
 One Elm Street
 Providence, RI 02903
 Tel: 401.843.1234
 Fax: 401.843.1235
 www.lagrassengrass.com

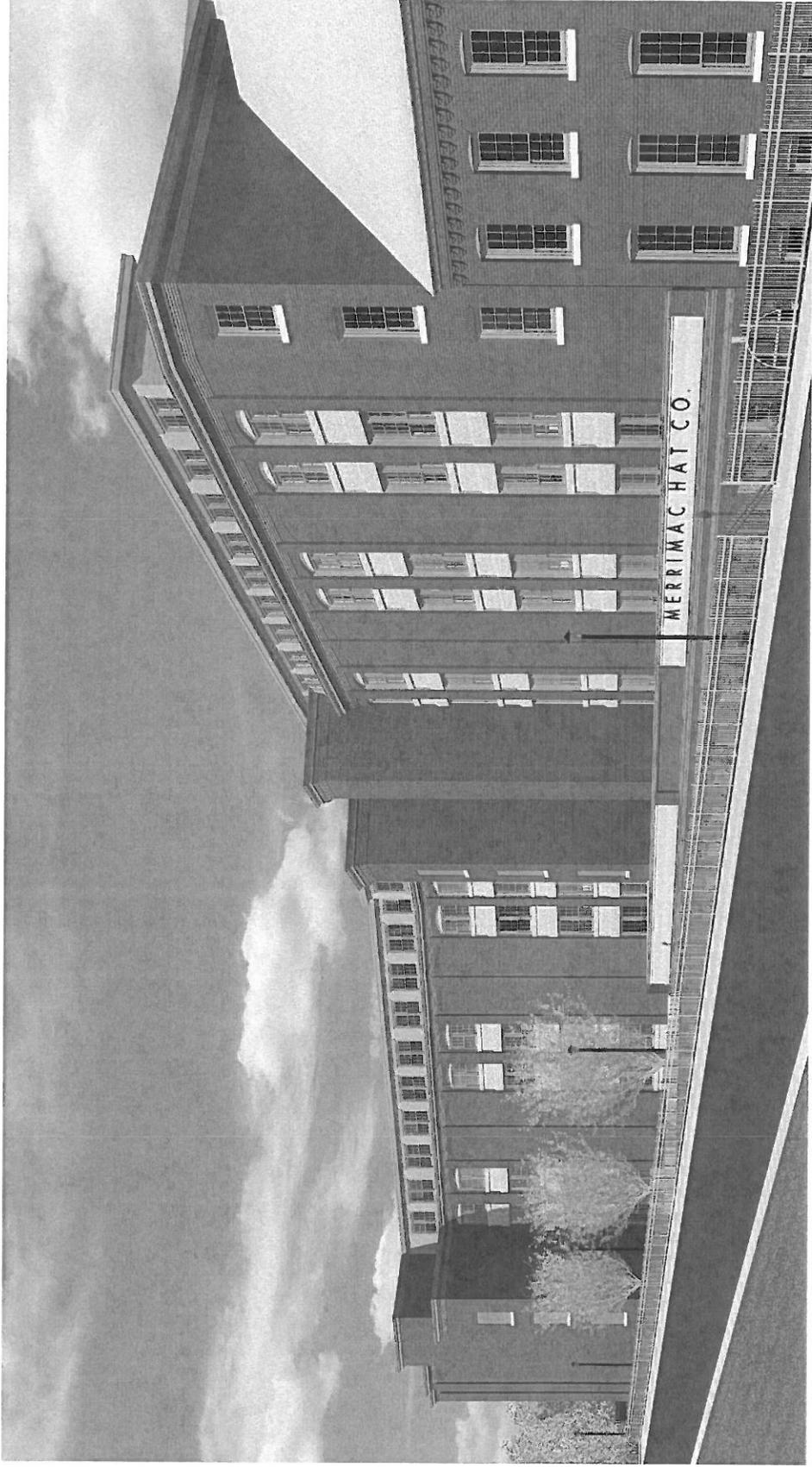
HATTERS POINT
 AMESBURY, MA

MASSING FROM STREET
 PREPARED FOR: RESTORATION CAPITAL
 100 ROCKY HILL ROAD
 STURBRIDGE, MA 01570

JD LA 14
 01/21/14
 DATE: 01/21/14
 DRAWING NO: 01/21/14
 PROJECT NO: 01/21/14
 SHEET NO: 01/21/14

NO.	DATE	DESCRIPTION
1	01/21/14	ISSUED FOR PERMITTING
2	01/21/14	ISSUED FOR PERMITTING
3	01/21/14	ISSUED FOR PERMITTING
4	01/21/14	ISSUED FOR PERMITTING
5	01/21/14	ISSUED FOR PERMITTING
6	01/21/14	ISSUED FOR PERMITTING
7	01/21/14	ISSUED FOR PERMITTING
8	01/21/14	ISSUED FOR PERMITTING
9	01/21/14	ISSUED FOR PERMITTING
10	01/21/14	ISSUED FOR PERMITTING

A0.1



① MASSING FROM STREET 2
 1/2" = 1'-0"

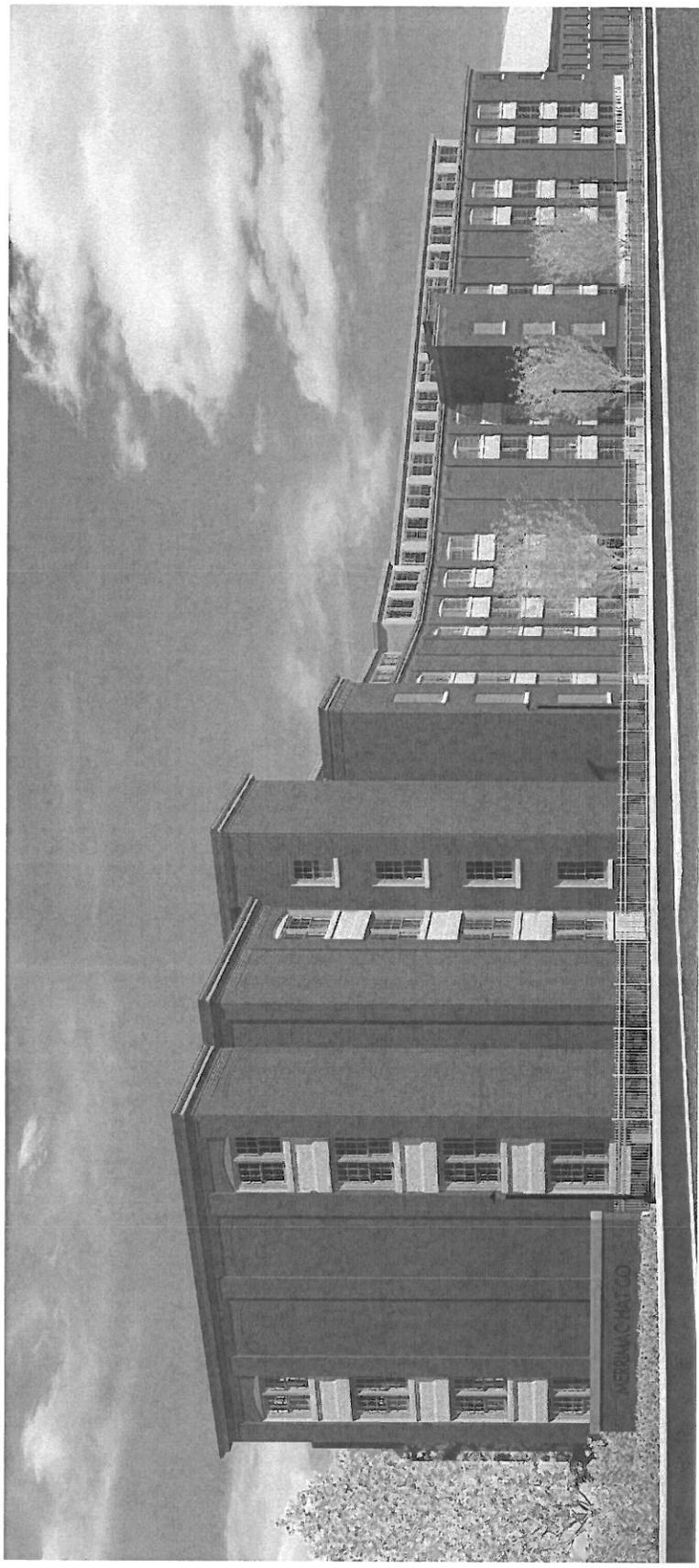
DATE	22 JAN 2015
SCALE	1/2" = 1'-0"
PROJECT	25th
CLIENT	
DESIGNER	
REVISION	

JULIAN 2014 ©
 THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

PREPARED FOR: BOSTON/ROCK CAPITAL
 100 ROCK STREET
 STURBEY, MA 01776
 TITLE: MASSING FROM STREET

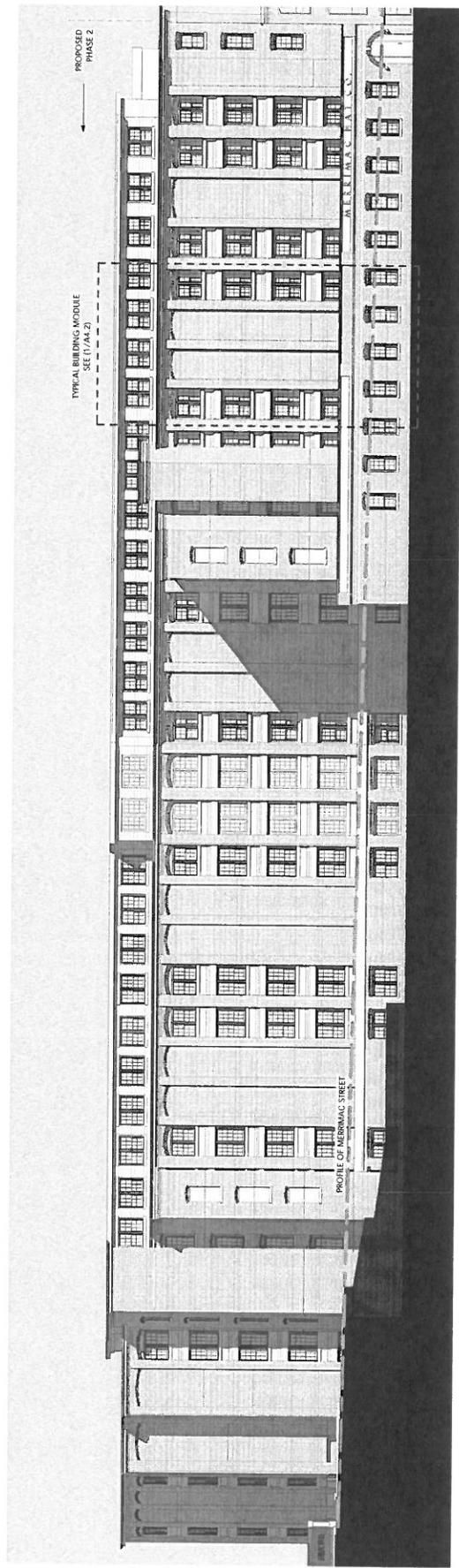
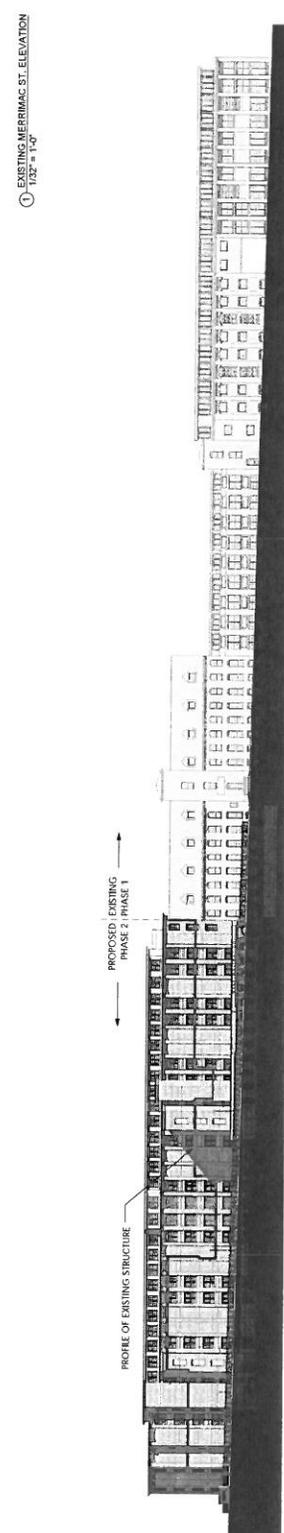
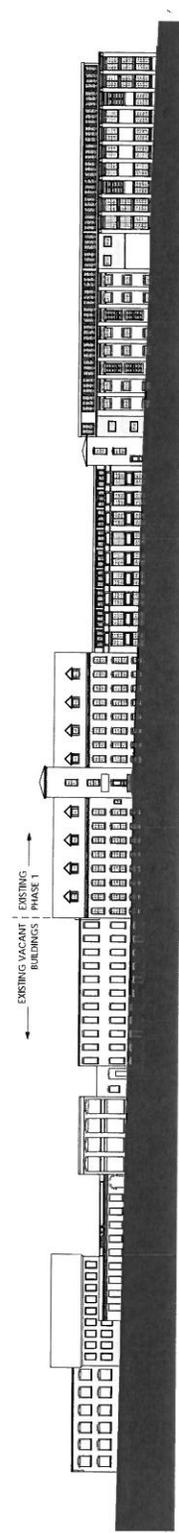
HATTERS
 POINT
 AMESBURY, MA

J.D. LaGrasse & Associates, Inc.
 Architects, Engineers & Land Planners
 One Park Square
 Amesbury, MA 01810
 T 978.737.9025
 F 978.737.9020
 C 978.737.9020
 www.jdla.com



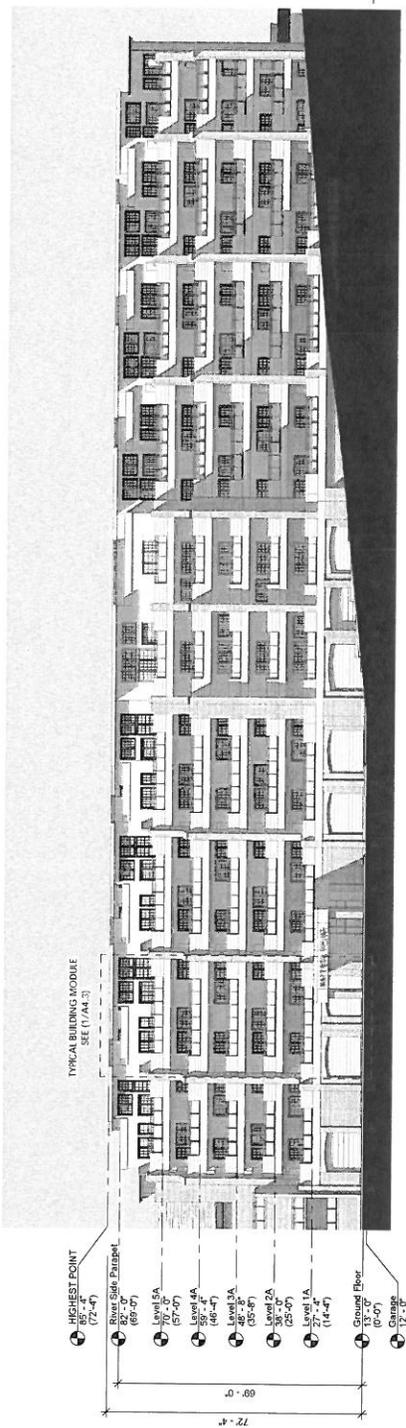
① MASSING FROM STREET 1
 1/2" = 1'-0"

NO.	DATE	REVISION
1	22 JAN 2015	As indicated
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③ ENLARGED MERRIMAC ST. ELEVATION
 3/32" = 1'-0"

#	DATE	REVISION
1	22 JAN 2015	As indicated
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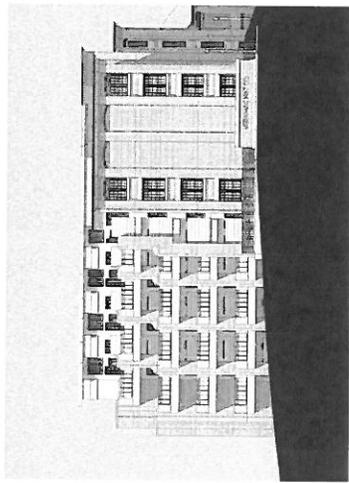


1 South 1/16" = 1'-0"

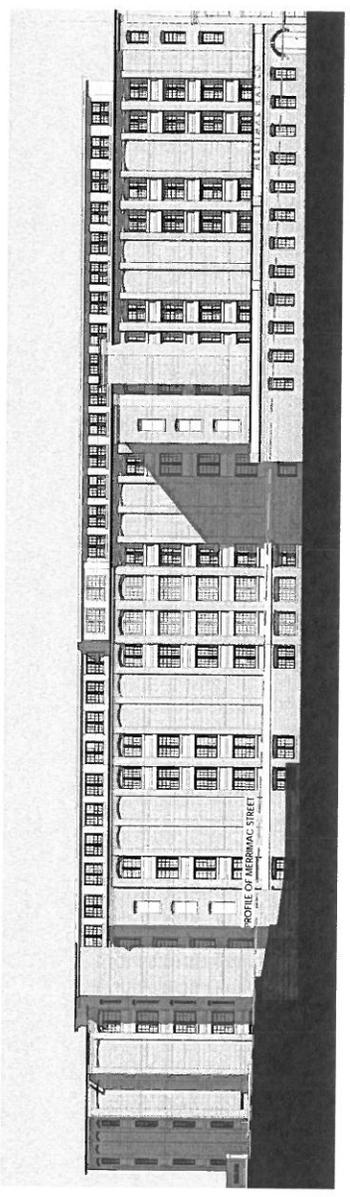
Legend

Level 1 → Level
 Elevation from sea level
 (coordinates with civil drawings)

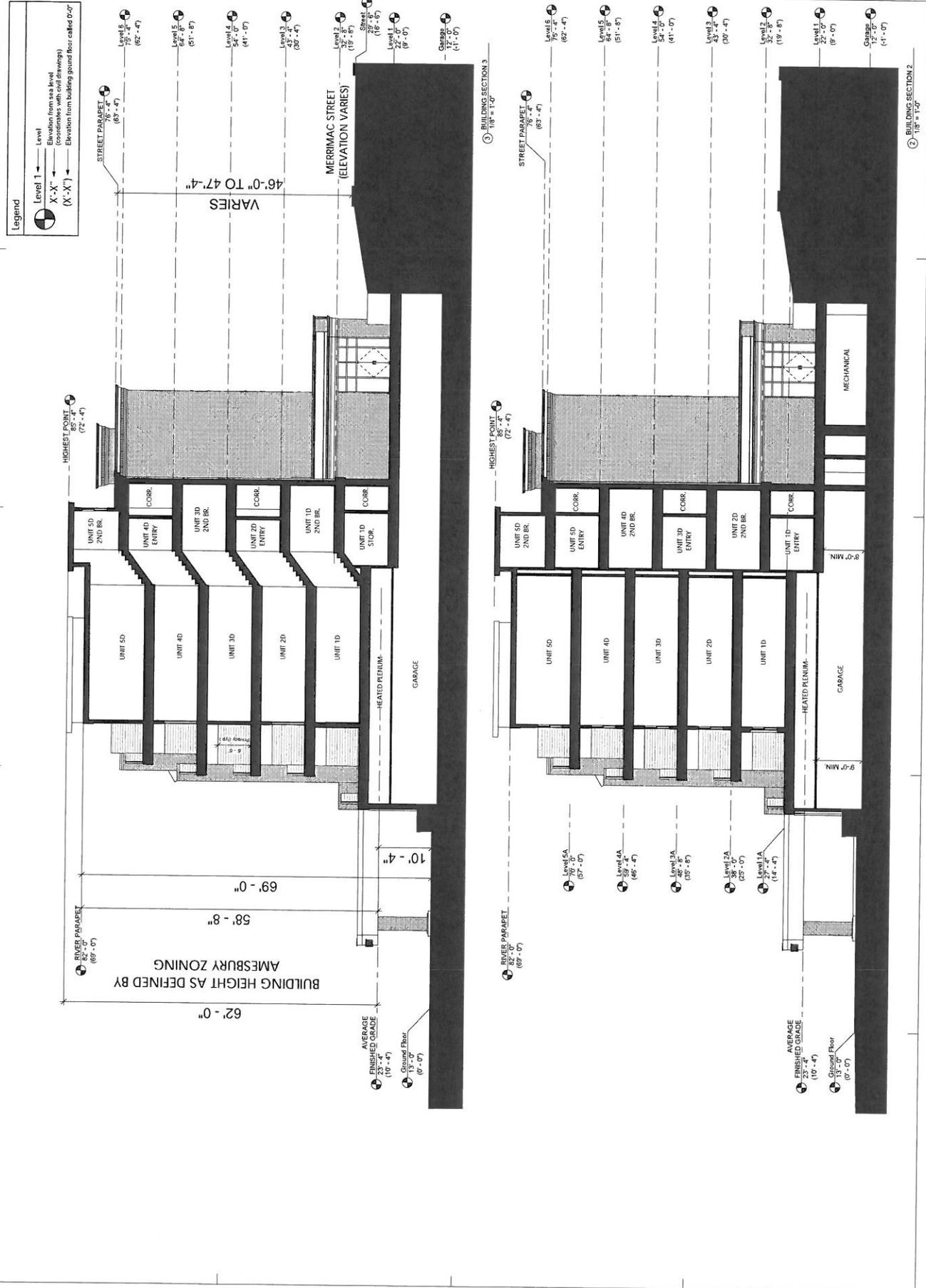
X'-X" → Elevation from building ground floor called G'-0"



3 East 1/16" = 1'-0"



DATE	22 JAN 2015
BY	AS INCORPORATED
PROJECT	2384



Project:

Hatters Point
60 Merrimack Street
Amesbury, MA 01913
Date: 30 December 2014

Re: Hatters Point Site and Building Phasing Narrative Outline

Phase I

Site

1. Complete installation of storm water system for entire site
2. Complete sidewalk along entry driveway and landscaping on East side of entry drive
3. Complete demo of remaining building on site and remove debris
4. Complete removal of required excavated soil
5. Complete installation of retaining walls
6. Complete site grading to sub-grade level
7. Complete paving binder course at entry drive and parking areas
8. Complete installation of underground utilities for building (including under building foot print)
9. Complete installation of Light Poles along Entry Driveway
10. Complete pedestrian walkway through existing building for Marina parking across Merrimack Street
11. Complete installation of Entry Monument Sign and signage lighting
12. Complete installation of Entry "Portal" at entry driveway
13. Off Site Improvements (Merrimack Street):
 - A. Complete infrastructure improvements in Merrimack Street (8" water line to be replaced by 12" water line)
 - B. Complete Installation of Fire Hydrant
 - C. Complete replacement of (2) catch basins on Merrimack Street
 - D. Complete pavement top finish coat along Merrimack Street at locations of offsite improvements

Building

14. Complete installation of concrete foundations for entire building
15. Complete installation of structural concrete slab at Phase I Building garage level between column lines 1-5
16. Complete building from garage through roof between column lines 1-5
 - A. Initially 17 shell units complete, one furnished model complete and two spec units complete. Additional units completed based on sales absorption.
 - B. Model unit on 4th Floor
 - C. Elevator and Stair
 - D. Complete and furnish lobby
17. Complete installation of all life safety systems between columns lines 1-5
18. After 7 units under agreement – release of capital to start Phase II
19. Expected timeframe: 12 months approximately from foundation installation to 1st unit occupied

Phase II

Site

20. No work

Building

21. Complete installation of structural concrete slab at Phase II Building garage level between column lines 5-7
22. Complete building from garage through roof between column lines 5-7
 - A. 10 shell units – complete, fully finished units completed as sales absorption demands.
 - B. Elevator and Stair
 - C. Provide temporary egress stair at column line 7
23. After 5 units under agreement – release of capital to start Phase III
24. Expected timeframe: 8 months approximately from foundation installation to units completed

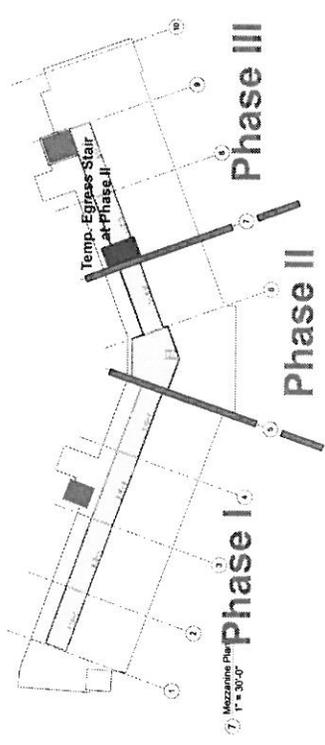
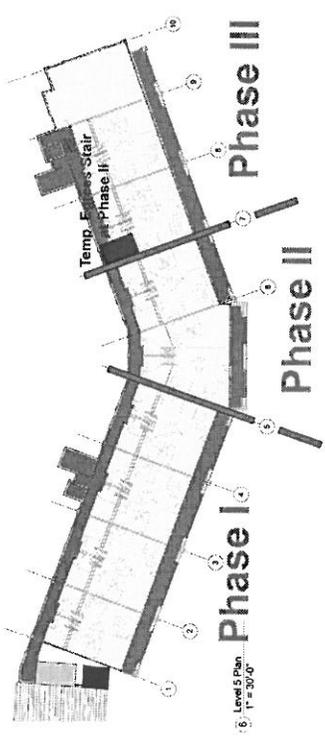
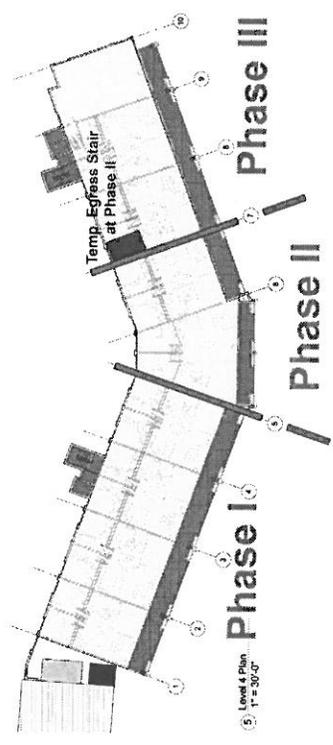
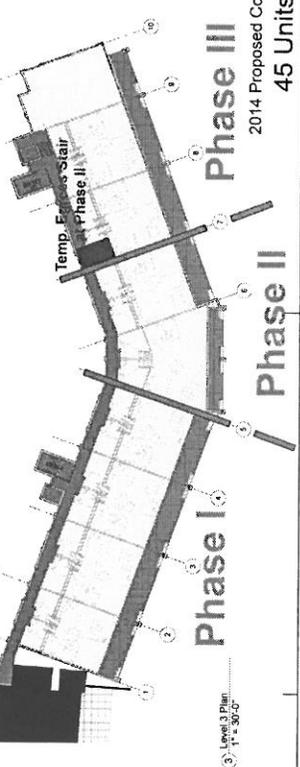
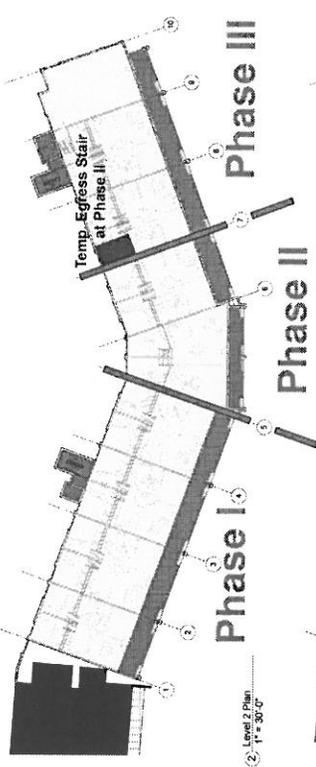
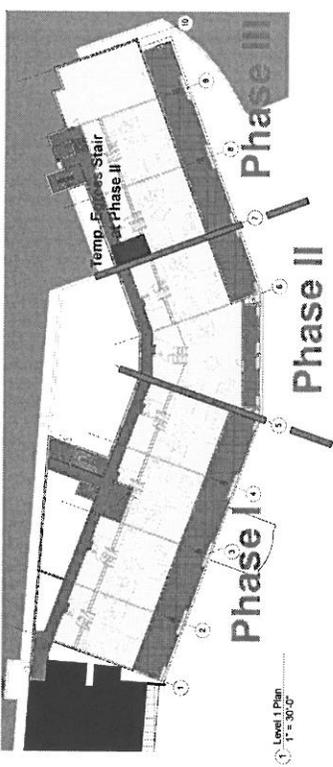
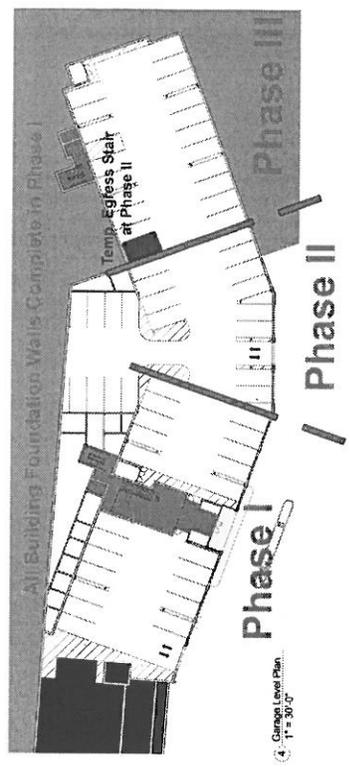
Phase III

Building

25. Complete installation of structural concrete slab at Phase III Building garage level between column lines 7-10
26. Complete building from garage through roof between column lines 7-10
27. 15 Units – complete
28. Elevator and Stair
29. Expected timeframe: 8 months approximately from foundation installation to units completed

Site

30. Complete installation of extension of Marina boardwalk/riverwalk
31. Complete installation of all curbing
32. Complete installation of finish landscaping
33. Complete installation of Merrimack Street sidewalk, fencing and lighting
34. Complete final paving of all required surfaces



Project:

Hatters Point
60 Merrimac Street
Amesbury, MA 01913

Date: 12 January 2015

Re: Hatters Point Building Height and Configuration Narrative

The building heights were determined through several factors:

- A. Structural System Considerations
- B. Market Factors determining the sales absorption viability of the project
- C. Maximize Water Views

The first residential Floor at Elevation 9'-0" is 10'-0" above the finished floor of the garage (noted at (-)1'-0"). The floor structure of this first residential floor will be a 3hr rated steel and concrete structure. All structural steel will be fireproofed with a UL rated assembly. An exterior and fire rated insulated acoustical ceiling tile system will be hung 8'-4" above the finished floor elevation of the garage (required height for HC Vans Access) located at (-) 1'-0" which will contain the heated plenum for plumbing serving the building in this interstitial space.

Above this 3hr rated structured floor assembly will be 5 floors + Mezzanine of Type IIIA wood construction, fully sprinklered with a floor to floor height of 10'-8" between floors. The floor/ceiling assembly will be a 1hr rated assembly that will be 1'-8" in depth for a market rate driven 9'-0" clear ceiling height. This truss space also allows ductwork to run in this floor/ceiling assembly. The 10'-8" floor to floor height and floor/ceiling assembly is typical multifamily construction. The units are also then split to help provide the needed 2 bedroom unit with living rooms facing the water and allow a single loaded corridor on the Merrimac Street side of the building. The fifth floor (top level) has 10'-4" clear ceiling height driven by market rate forces for water view penthouse units. There is an additional "pop up" at the living room locations that give a 13'-8" clear ceiling height again responding to market rate demand for high clear ceiling dimensions in penthouse living spaces. There are multiple roof heights to provide a varied and more interesting building design and lessen the perceived overall building heights by setting higher portions of the building back from the building edges so it is not perceived from the road.

The previously approved project in 2008 had a typical floor to floor height of 9'-4". This floor to floor height can only be achieved assuming the structure was concrete block masonry units with precast concrete plank flooring (typical hotel construction). This type of construction poses sound transmission issues between units as well as having to build a series of soffits to accommodate all mechanical, electrical, plumbing and fire protection system distribution which would lower the ceiling heights even more. Furthermore this type of construction would only leave clear ceiling height of 8'-4" (only 7'-6" at soffit locations) which is well under the 9'-0" clear ceiling heights that are driven by current market conditions. In summary the previously approved building does not become market feasible with the approved floor to floor height.

Our team firmly believes that to be successful in selling unit dwelling at a price necessary to make this project financially viable we need to take advantage of the water views, address the market driven room dimensions for two bedroom units while being constrained by the elevations at the entry driveway down from Merrimac Street. The proposed building geometry maximizes the linear footage of building for unobstructed views of the water for all units and increases the setbacks from Merrimac Street. This building configuration also allows for a less obtrusive building mass on the site while still maximizing the imperative market driven need to sell 2 bedroom units. Therefore, in order to address these various design and marketing constraints, the maximum height of the building needs to be 63'-4" (North west corner) and 58'-4" (North East Corner) on the Merrimac Street side and 71'-10" (South West corner) and 58'-4" (South East Corner) on the water side of the building – from grade. The maximum building height is 62'-0" above Average Finished Grade (Grade Plane).

TO:

Hatter's Point Capital LLC

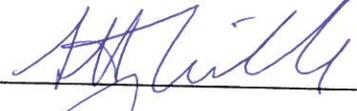
112 Barton Road, Stow, MA 01775

PLANNING BOARD VOTE:

On 04/27/2015, the Amesbury Planning Board voted ALL in favor of the approval of the Site Plan, as amended, and the following Special Permits:

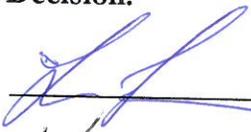
- 1) Section VI.F.10 and Section XI.L.4.a (*Height & No. of Stories*);
- 2) Section VI.F.10 and Section XI.L.4.a (*Dimensional Regulations*);
- 3) Section XI.L. 3. A (*No. of dwelling units/building*);
- 4) Section XI.L.4.a (*Minimum Lot Area calculations*);
- 5) Section XI. B.1 (*Soil Removal*); and 6) Section XII F (*Wetlands & Floodplain District*);

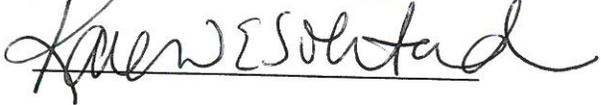
These permits are hereby granted for the proposed Phase II redevelopment for Hatter's Point Condominiums located at 60 Merrimac Street, Amesbury MA subject to the findings, waivers and conditions stated in this Decision.



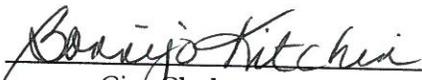








Filed with the City Clerk on May 20, 2015



 City Clerk

A Building Permit is required for any construction or remodeling. It is your responsibility to file this Special Permit Decision with the Registry of Deeds and to record the plans after endorsement; forms may be obtained from the City Clerk's Office.

Any appeal shall be made pursuant to Mass. General Laws, Section 17, Chapter 40A, and shall be filed within twenty (20) days after the date of filing of such notice in the City Clerk's Office.

Compliance with Conditions Set Forth by the Amesbury Planning Board Decision prior to Issuance of a Building Permit

SIGN-OFF FORM (PB200601-BUILDING)

(IMPORTANT: IT IS THE RESPONSIBILITY OF THE PERSON SEEKING BUILDING PERMIT TO GET THE SIGN OFF FROM EACH OF THE DEPARTMENTS LISTED BELOW. THE TOWN WILL NOT BE HELD RESPONSIBLE FOR LACK OF ACTION ON THE APPLICANT'S BEHALF. BEFORE SIGNOFF, COPIES OF THE RECORDED DECISION AND THE APPROVED PLAN SET SHOULD BE SUBMITTED TO THE PLANNING OFFICE.)

By signing below, the following Town Department/Town Officials, agree that the conditions of this permit prior to making application for building permit have been completed and recommend that an application for a building permit for the units indicated below may be granted:

Engineering Department/Town Engineer _____

Department of Public Works/DPW Director _____

Planning Office/City Planner _____

Conservation Commission/Agent _____

Police Department _____

Fire Department _____

Compliance with Conditions of the Amesbury Planning Board Decision prior to Issue of Certificate of Occupancy

SIGN-OFF FORM (PB200602-OCCUPANCY)

(IMPORTANT: IT IS THE RESPONSIBILITY OF THE PERSON SEEKING CERTIFICATE OF OCCUPANCY TO GET THE SIGN OFF FROM EACH OF THESE DEPARTMENTS. THE TOWN WILL NOT BE HELD RESPONSIBLE FOR LACK OF ACTION ON THAT PERSON'S BEHALF)

The following Town Department/Town Officials, by signing below, agree that the conditions of this permit from the start of construction to prior to issue of occupancy permit have been completed and recommend that the Certificate of Occupancy be granted for the units indicated on this form.

Engineering Department/Town Engineer _____

Department of Public Works/DPW Director _____

Planning Office/City Planner _____

Conservation Commission/Agent _____

Police Department _____

Fire Department _____