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AMESBURY CITY CLERK

PLANNING BOARD DECISION

Property Ownership: **Uphill Ventures LLC,
C/o Diesel Realty LLC
481 Hilldale Avenue, Haverhill MA 01832**

Applicant: **David Martin
Martin Development, LLC
481 Hilldale Avenue, Haverhill MA 01832**

Application Type: **SITE PLAN REVIEW**

Project: **Building Redevelopment & Parking Lot**

Location: **77 Elm Street & 11 Fruit Place, Amesbury, MA 01913**

Date: **May 02, 2016**

A. GENERAL

On or about 11/19/2015, the Amesbury Planning Board (the "Board") received an application Site Plan Review for proposed improvements to an existing building with 21,000 +/- sf (gross floor area) and a proposed parking lot along Fruit Place, passageway improvements, landscaping, utilities and stormwater management improvements ("Project") at 77 Elm Street in Amesbury MA. The application was submitted along with a Site Plan (the "Plan") drawn on 11/01/2015 by Horsley Witten Group, Inc., 90 Route 6A, Sandwich MA 02563 last revised on 03/17/2016 and submitted along with supporting documents by Brian Kutcher on behalf of David Martin (the "Applicant"). The set of plans consists of thirty six (36) sheets and includes civil, landscaping and building plans.

The Board also received supplemental plans and documents pertaining to stormwater and drainage, erosion control, building elevations, lighting and landscaping plans for review (see Exhibits). The following plans are attached as exhibits:

- Exhibit 1 - Approved Site Plan Set (Sheets 1-13), civil and landscape only;
- Exhibit 2 – List of Waivers

By mutual consent, the initial public hearing was held on 01/11/2016 and subsequent continued public hearings on 02/08/2016, 02/22/2016, 03/14/2016, and 04/11/2016. The public hearing was closed and a decision was rendered on 05/02/2016. This is the Final Action of the Board (“Decision”) on the application for Site Plan Review only.

B. FINDINGS:

1. **Subject Property:** The Property is located at 77 Elm Street and 11 Fruit Place. Lot 38 Map 53 consists of 18,008 sf and Lot 139A Map 40 consists of 8,734 sf with a combined total area of 26,742 sf. The parcels are zoned Central Industrial (IC).
2. **Existing Conditions:** The project area is located in downtown Amesbury at the intersection of Clark Street and Elm Street. The existing mill building, paved road and parking area is located on the 77 Elm Street parcel. The parcel on Fruit Place consists of an existing dwelling structure, paved driveway and lawn. An existing private passageway to the rear of the 77 Elm Street parcel connects Clarks Street and Fruit Place. The Back River crosses under the existing mill building via an existing brick/stone culvert. A portion of the southeast corner of this property is located within the 100 foot wetland buffer associated with the Back River. The surrounding properties are highly developed and are a mix of residential and commercial uses. The existing conditions are described in more detail in a project narrative revised in March 2016, included here by reference;
3. **Project Description and Proposed Use:** The Site Plan shows onsite improvements that include – demolition of existing accessory building and stairwell in the area of the courtyard and removal of the existing residential dwelling on Fruit Place; reconfiguration of the rear passageway and parking; new sidewalk and building entrance at the rear of the property at 77 Elm Street; construction of block retaining walls along the existing passageway to Fruit Place from Clark Street; construction of an approximately 6,700 sf parking lot with 18 car spaces and dumpster pad; landscape improvements along the passageway and in the new parking lot; lighting and other building improvements for conversion of the existing building into commercial and retail space. A more detailed project description is provided in the project narrative revised in March 2016, included here by reference;
4. **Site Layout, Grading and Building Location:** The existing mill building will be substantially renovated and includes the replacement of all windows and entrance doorways. The building will be made handicap accessible and an elevator will be added to

the rear of the building. The existing accessory building and stairwell in the area of the courtyard is proposed to be removed. A new stairway from the existing passageway in the rear of the property to this courtyard is being proposed. The new parking lot proposed on the Fruit Place parcel will provide pedestrian access to the rear entrance via steps leading down from the parking lot. The existing passageway will be improved and the existing width will be increased to 18+ feet with better truck turning radii at the intersection with Fruit Place. The increase in width will provide better vehicular circulation and sight lines to and from the parking lot. Short term loading space has also been provided along the passageway for deliveries. Public utilities, including stormwater management structures, are also proposed to be upgraded as per DPW recommendations. The Board finds that both, onsite and off-site, improvements will add value to these properties and be an improvement over current conditions. The adjoining properties in the downtown will benefit from more commercial foot traffic as well as better utilization of existing infrastructure and public resources;

5. **Off – Street Parking, Traffic and Vehicular Circulation:** A total of 73 parking spaces are required for the proposed uses. The improvements show 5 parking spaces along the rear of the building and 18 in the new parking lot along Fruit Place. According to the letter dated 03/29/2016, the Applicant provided an explanation for using public parking spaces available within 300 feet of the subject parcel. The Board finds that the availability of these public parking spaces along with the maximum number of on-site parking spaces is sufficient to meet the parking requirements. The Board finds the arrangement of parking spaces adequate to meet the needs of the proposed retail and office uses. The Board also finds that the improvements proposed to the existing passageway and Fruit Place will improve the current conditions substantially and further, that the additional traffic due to the parking spaces along Fruit Place will not cause undue burden or congestion on existing abutting public ways or intersections;

6. **Storm water Management:** A detailed Stormwater Analysis and Drainage Report was prepared dated November 2015 and revised in April 2016, included here by reference. The peer review consultants working for the Board reviewed the proposed stormwater

management system. A final Operation and Maintenance Plan will be prepared and presented to the Board. The runoff from the proposed parking area and access drives is captured and infiltrated to the ground using LID techniques along with traditional stormwater control measures. A NPDES Construction general permit will also be required. 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;

7. **Environmental Resource Protection:** The Applicant has made application and received approval from the Amesbury Conservation Commission for the proposed work. The Board finds that no additional assessment is needed for compliance with local environmental regulations provided the proposed work is done pursuant to the Order of Conditions;
8. **Architectural Design:** Detail elevation drawings were provided to the Board for the proposed improvements to the existing Building. The Board finds the architectural design satisfactory provided the final construction drawings are consistent with these drawings;
9. **Landscaping** A landscaping plan was submitted along with the Site Plan. The Board finds that the landscaping plan needs additional planting to comply with the requirements of the landscape buffers and screening along the building and some property lines. The Board will review the revised plan pursuant to this Decision prior to start of construction;
10. **Signage** – Conceptual signs and their locations were shown on the preliminary plans. The Board finds that the signage scheme needs to be further developed and submitted with more details before the Board can render an opinion on the scheme. At this time, no signage will be approved without further review by the Board;

11. **Lighting:** The proposed lighting plan shows different light fixtures depending on location. Twelve (12) feet high pole lights in the parking lot with dark sky compliant fixtures are being proposed. The Applicant has indicated that the lighting plan will be updated with some minor revisions to comply with the photometric standards along property lines and abutting properties;

Based on the findings noted above, the Board finds that the Project satisfies the Development and Performance Standards under Section XI.C.8 and the Site Plan Review Criteria under Section XI.C of the Amesbury Zoning Bylaw (the “Bylaw”).

C. WAIVERS

The Applicant has requested specific waivers from the provisions of Amesbury’s Subdivision Rules and Regulations and the Zoning Bylaw (see list – Exhibit #2). The Board has endeavored to grant waivers from those rules and regulations, 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. TABLE 1 (Exhibit # 2) lists the waivers granted to the extent necessary to construct the approved plan as submitted and revised.

D. APPROVAL OF THE SITE PLAN AND CONDITIONS THERETO

Upon notice and after a public hearing 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 that a conditional Site Plan Approval is granted for the proposed Building and site improvements at 77 Elm Street and the proposed Parking Lot at 11 Fruit Place including the improvements to the existing passageway and Fruit Place in Amesbury as shown on the approved Plan further upon the conditions and hereinafter set forth, for the premises described in the application.

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. The Board notes that the following are some of the permits needed for this Project prior to start of any construction activity:

1. Compliance with the Massachusetts Wetlands Protection Act and related regulations, G. L. c. 131, § 40-40A, and the Amesbury Wetlands Ordinance and Regulations;
2. Compliance with DEP Stormwater Regulations, as needed; and
3. NPDES permit from Environmental Protection Agency.

II. 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. Order of Conditions - A copy of the recorded Order of Conditions;
 - b) Building Covenants and Restrictions - Recorded copies of all use restrictions, building and site design covenants for signage, building, lighting, utilities and landscaping maintenance shall be provided. Note, the approved light fixtures on the building and light poles in the parking areas, quantity and type of landscaping shrubs and plants, exterior building materials, property and dumpster fences, 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;

- c) Temporary and Permanent Construction Easements - A copy of legal documents and plans describing all temporary and permanent easements necessary for making the approved improvements to the subject property, including but not limited to, the retaining walls shall be submitted to the Board, said easements to be shown on the Plan to be recorded, and restrictions to be noted on such plan. The Applicant shall also submit to the Board any written or recorded instruments granting or agreeing to such easements and/or covenants;
- d) Public Access Easements - A plan, easement and legal description shall be submitted for public access and utility easements over the improved section of Fruit Place extension ("Passageway") starting at Clarks Road and upto the end Fruit Place as shown on the approved site plan. A copy of legal documents and plans describing all easements affecting the use of the subject property shall be submitted to the Board for review and approval, said easements to be shown on the Plan to be recorded, and restrictions to be noted on such plan. The Applicant shall also submit to the Board any written or recorded instruments granting or agreeing to such easements and/or covenants;
- e) Passageway Maintenance – The Applicant shall submit an acknowledgement stating the responsibility of the Applicant, heirs and assignees of maintenance and replacement of sidewalks, driveway, parking areas, landscaped areas and stormwater management system within the improved passageway connecting Clarks Street and Fruit Place as shown on the approved plan for acceptance by the Board; and,
- f) 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 an 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 on- or off-site improvements approved and shown on the Plan and will remain in place until the Applicant

completes all of the site work (including the installation of utilities) and off-site improvements as per Final Plans.

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. **Submission of Architectural Drawings:** A copy of the complete set of detailed architectural elevations and floor plans for the proposed Building shall be submitted to the Board. The final architectural drawings shall be sufficiently annotated to describe in detail the building materials, details and color scheme for the building. The Board shall review and approve the final drawings, which approval shall not unreasonably withheld, before making request for a building permit for said buildings.
4. **Revisions to the Final Site Plan and Supporting Documents:** The Final Site Plan shall be revised according to final comments issued by the Planning Office. Those comments are included here by reference and shall be addressed to the satisfaction of the Board prior to endorsement of plans. The Long Term Pollution Prevention Plan (LTPPP) and the Operation and Maintenance (OM) Plan shall be provided to the Board for review and approval. Further, if needed, the Applicant shall explicitly address, through the supplemental review and approval process and as part of submission of Final Plans to the Board any outstanding comments from the peer review consultants retained by the Board.
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. Additional test pits and accompanying data shall be supplied with the retaining wall design and details, if necessary and requested by the City for review by the Board's Agent to establish consistency with Final Plans;
6. **Sedimentation and Erosion Control (S & E.C.) 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;

7. **Performance Bond:** The Applicant shall be required to post a surety with the Board to ensure that all site stormwater systems and other improvements including landscape improvements are installed and completed as shown on the Final Plans. This bond is separate and in addition to the S & E.C. Bond. Prior to release of any Surety, the Board shall verify with its construction observation consultant that the work has been completed as per approved plans. The form and amount of surety shall be subject to final approval by the Board;
8. **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.
9. **Trash Removal/Recycling** - Dumpster location shall be identified on site and required fencing shall be wood stockade fence and final details shall be submitted for review and approval by Board. Chain link and vinyl fence shall not be allowed;
10. Prior to the commencement of any work at the site, an erosion control barrier (hay bales staked end to end and siltation fence firmly anchored with six (6) inches of soil on the uphill side) shall be installed in a location reasonably acceptable to the Commission or its representative. The erosion control barrier shall be inspected by the Commission or its representative prior to work commencing on the site and shall be maintained until all disturbed areas have been stabilized to the satisfaction of the Commission or its representative.
11. **Pre-Construction Conference** - 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. Copies of all other permits shall be provided to the Board in advance of this meeting; and

12. **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.

III. DURING CONSTRUCTION

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

1. **Stockpiles** -. 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. **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 and NPDES Permit as well as other requirements as stated in the Stormwater Report (April 2016), included here by reference.

IV. PRIOR TO MAKING REQUEST FOR AN OCCUPANCY PERMIT

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 request the Board for a Certificate of Improvements and submit it 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. **Landscape Installation** - All site improvements, including landscaping and street trees shall be completed and installed as per Final Plans prior to making application for the occupancy permit for proposed uses in the building. Alternatively, the Board shall retain a landscape performance bond equivalent to twice the amount to make all approved landscape improvements at the time the first certificate of occupancy is officially issued for any use. 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;

3. **Infrastructure Improvements:** All infrastructure improvements, including utilities improvement, sidewalks, parking lot and the on-site stormwater drainage system shall be completed as per Final Plans. The Applicant shall submit a letter from the Board's construction observation consultant that these improvements have been completed in accordance with the approved stormwater management design and as approved by the Board. The Applicant shall request written confirmation from the City Engineer and DPW Director that the finished construction of all utilities that all municipal structures located within the public right of way or easement areas are adjusted to appropriate finished grade, and are adequately accessible for future maintenance;

4. **As-Built Plans and Repairs** - To ensure compliance with the terms and conditions of this Decision and any approval or order by any federal, state-agency, the Applicant shall submit plans with a certification from a Professional Engineer or Architect registered in the Commonwealth of Massachusetts that the Project "As-Built Plan" complies in all substantive respects with this Decision and any other approval or order by any federal, state or local agency. Any damage to public roads and walkways shall be repaired and/or replaced to the satisfaction of the DPW Director and City Engineer;

V. GENERAL AND IN PERPETUITY CONDITONS

1. **Allowed Uses:** This Decision allows the proposed Building and site improvements at 77 Elm Street and the proposed Parking Lot at 11 Fruit Place including the improvements to the existing passageway and Fruit Place. The approval is in conjunction to and conditioned upon the issuance of a special permit allowing retail and office uses in the existing building in the location shown on the approved plan. Other improvements include parking, access drives, landscaping, utilities and stormwater management structures as shown on the approved plan. No other additions, expansions or alteration of existing building except as shown on the approved plan set is allowed by this Decision. Changes to uses or other building additions shall only be allowed after approval by the Board;
2. **Inspections** - The Planning Board shall require the inspection of drainage, stormwater management structures, access drive, 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;
3. **Wetland Permitting:** 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 Amesbury Conservation Commission, shall also be carried out to the satisfaction of the Commission or its agents. Also,
 - a. Except as waived by this Decision or a decision of the Commission, the construction of this project shall comply with the Amesbury Wetlands Bylaw 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 as provided by law;
4. **Final Release of the Performance Bond** - Final release of performance bond shall be made when all the following conditions have been met:
- a) Upon completion of work as shown on the Final Plans, the Applicant shall furnish 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;
 - b) All City Department and the Board's inspectional engineer have recommended release of bond funds;
 - c) 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
 - d) all landscaping plant materials (trees, shrubs, etc) have survived two (2) growing season and that dead plants have been replaced as per Final Plans;
5. **Indemnification:** The Applicant agrees that the City of Amesbury shall be free of any liability for any negligent acts or omissions by or of the Applicant, its employees, agents, subcontractors, beneficiaries or trustees with relation to this Project. The Applicant, on behalf of itself and its successors and assigns, further agrees to indemnify and hold harmless the City of Amesbury, its employees and officials for any harm, damage, injury or

loss caused by negligent acts or omissions of the Applicant, its employees, agents, subcontractors, beneficiaries or trustees with regard to the construction of this Project.

6. **As-built Plans:** 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 the Project or the Building. Before release of the performance guarantee, the Applicant shall have prepared and submitted Final As-Built Plans, which shall indicate the actual locations of street line; traveled way edges; path locations; permanent monuments; inverts and location of required utilities and drainage; location of all underground utilities; and location of all permanent structures. The accuracy of such 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.

7. **Release of the Sedimentation and Erosion Control Bond:** Prior to release of any Surety, the Board shall verify with its construction observation Consultant 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. Partial releases shall be allowed in amounts not less than fifty percent (50%) of the total initial surety bond amount held by the Board;

8. **Post Construction Stormwater Maintenance:** There are several storm water management structures, including but not limited to, bio-retention area, sediment forebay, water quality inlet, drainage trench, that need particular attention and maintenance needs initially. 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 Commission. 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;

9. **Maintenance of roadways and infrastructure** – The Applicant, heirs or his assignees shall assume responsibility for maintaining and repairing all private ways and other site amenities and associated onsite infrastructure, including the stormwater management system, landscaping, ways, and other improvements within the Property. Unless otherwise authorized by the City Council, 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 Property;
10. **Signage** – This Decision implicitly or explicitly does not endorse or approve any proposed signs. All proposed building signs shall be mounted at the first floor level on the Elm Street side. Only wall mounted signs made with natural materials shall be allowed. Back lit signs shall not be allowed. Any new signs shall require the submission of separate sign application. Final sign details shall be submitted for the Board for review and approval;
11. **Site Plan Modifications:** Prior to expansion, addition or alteration of uses allowed by this Site Plan Approval, the Applicant shall provide detailed information and plans along with a formal written request for modification to the approved Site Plan 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 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 hold a new public hearing for review of the requested modifications; and

12. **Validity:** This permit is valid for only for the use and structure to the extent indicated in the application. Any changes to the site plan, uses or other improvements shown on the approved plan without the approval of the Board shall render those unauthorized improvements or changes null and void. 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 1) the recording of the Special Permit granted by the Board for retail use along with the Site Plan set (civil only); and 2) the issuance of all other 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.

Chair, Amesbury Planning Board

EXHIBITS:**Exhibit #1: Site Plan – Civil & Landscape**

All plans prepared for 77 Elm Street, Amesbury, MA. 01913

Prepared by: HWG, Inc., 90 Route 6A, Sandwich MA 02563 unless noted otherwise.

Sheet: 1 of 9	Sheet #: C-1	Title Sheet: Mill 77, 77 Elm Street, Amesbury, MA Date: November 2015; Last Revised: March 2016
Sheet: 2 of 9	Sheet #: C-2	Existing Conditions Date: November 2015; Last Revised: March 2016
Sheet: 3 of 9	Sheet #: C-3	Construction Notes Date: November 2015; Last Revised: March 2016
Sheet: 4 of 9	Sheet #: C-4	Overall Site Plan Date: November 2015; Last Revised: March 2016
Sheet: 5 of 9	Sheet #: C-5	Site Layout Plan Date: November 2015; Last Revised: March 2016
Sheet: 6 of 9	Sheet #: C-6	Grading and Utilities Plan Date: November 2015; Last Revised: March 2016
Sheet: 7 of 9	Sheet #: C-7	Construction Details (1) Date: November 2015; Last Revised: March 2016
Sheet: 8 of 9	Sheet #: C-8	Construction Details (2) Date: November 2015; Last Revised: March 2016
Sheet: 9 of 9	Sheet #: C-9	Construction Details (2) Date: November 2015; Last Revised: March 2016
Sheet: 1 of 3	Sheet #: L1.0	Landscape Plan Date: November 9, 2015, March 21, 2016 Amory land Design, LLC, 68 Prospect Street, Newburyport, MA
Sheet: 2 of 3	Sheet #: L1.1	Landscape Concept Date: November 9, 2015, March 21, 2016 Amory land Design, LLC, 68 Prospect Street, Newburyport, MA
Sheet: 3 of 3	Sheet #: L2.0	Landscape Details Date: November 9, 2015, March 21, 2016 Amory land Design, LLC, 68 Prospect Street, Newburyport, MA

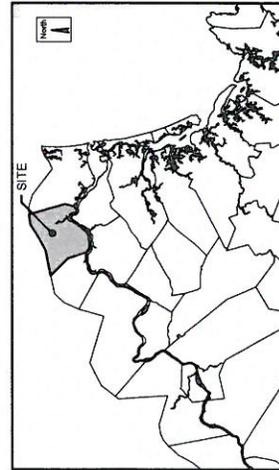
MILL 77 77 ELM STREET AMESBURY MASSACHUSETTS

November 2015
Revised March 2016
Revised May 2016



MASSACHUSETTS

Graphic Scale
1 inch = 100 miles
SCALE IN FEET
1:12000



AMESBURY

Graphic Scale
1 inch = 500 feet
SCALE IN FEET
1:12000



VICINITY MAP

Graphic Scale
1 inch = 500 feet

PERMITTING SET ONLY
NOT FOR CONSTRUCTION

PLANNING BOARD ENDORSEMENT

*APPROVED: _____ 20____ SUBJECT TO TERMS AND CONDITIONS OF A COVENANT DATED: _____ 20____

_____ DATE _____ 20____

AMESBURY PLANNING BOARD

Sheet Number	Sheet Title
1	COVER SHEET
2	EXISTING CONDITIONS PLAN
3	CONSTRUCTION NOTES
4	OVERALL SITE PLAN
5	SITE LAYOUT PLAN
6	GRADING AND UTILITIES PLAN
7	CONSTRUCTION DETAILS (1)
8	CONSTRUCTION DETAILS (2)
9	CONSTRUCTION DETAILS (3)

GENERAL NOTES:
1. THE PROPERTY IS LOCATED AT 77 ELM STREET AND IS ZONED IC.

MILL 77
77 ELM STREET
AMESBURY MASSACHUSETTS

Prepared For:
Martin Development LLC,
77 Elm Street
Amesbury, MA 01913
(978) 834-0066 x 101

Prepared By:
Horsley Witten Group, Inc.
Sustainable Environmental Solutions
www.horsleywitten.com

370 New Street
Providence, RI 02906
(401) 853-6900 ext 100
(401) 424-2395 fax

Head Office:
27 Pleasant Street, Suite 216
Amesbury, MA 01920
(978) 834-0066
(978) 834-0062 fax

November 2015
Date Issued

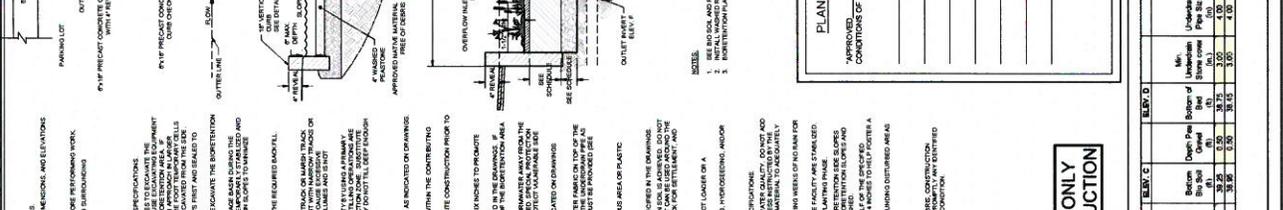
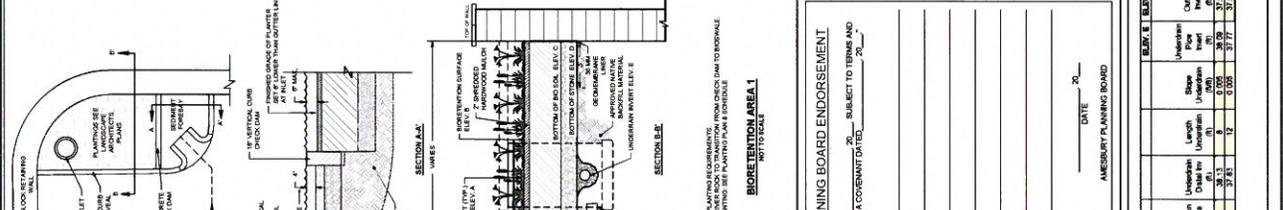
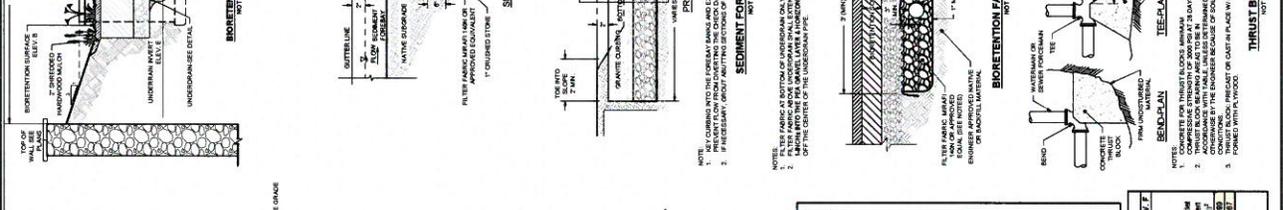
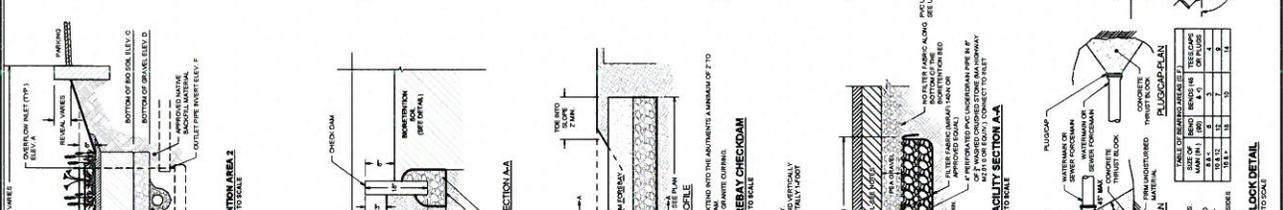
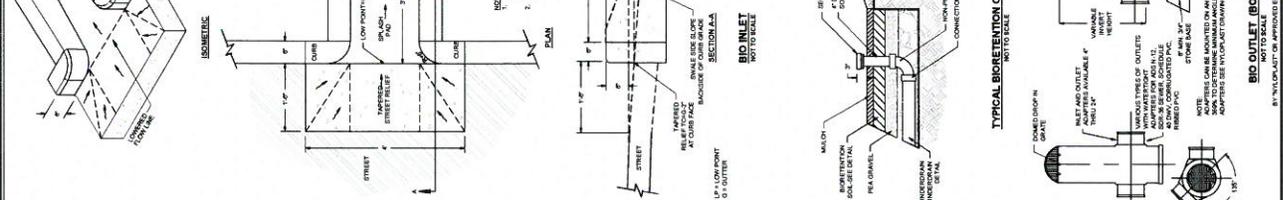
15123
Drawing Number

1 of 9
Sheet Number

Surveyed by: Survey Assoc., Inc.
 104 Lamb Street
 Amherst, MA 01003
 Phone: (413) 253-1150
 Fax: (413) 253-1151

Engineered by: Earth Development LLC
 77 Elm Street
 Amherst, MA 01003
 Phone: (413) 253-4881
 Fax: (413) 253-4881

CONSTRUCTION DETAILS (2)
 AMESBURY MASSACHUSETTS
 MILL 77
 77 ELM STREET





STORMTECH GENERAL NOTES

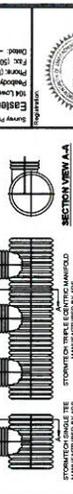
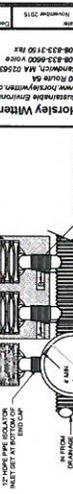
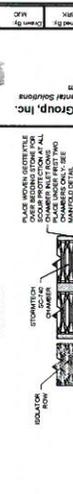
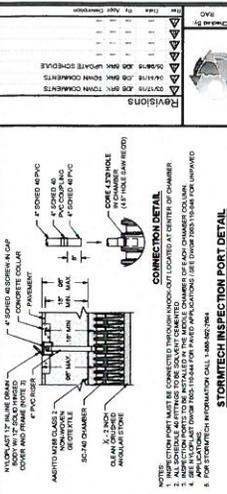
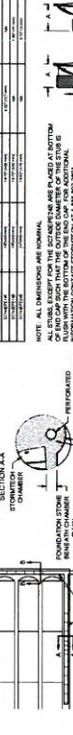
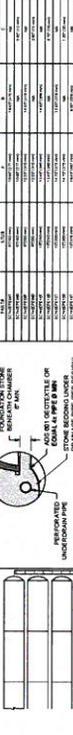
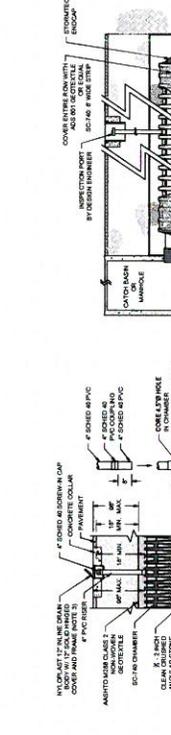
- STORMTECH LLC (STORMTECH) PROVIDES INSTALLATION CONTRACTORS TO USE TWO DIMENSIONAL (2D) AND THREE DIMENSIONAL (3D) SOFTWARE TO DESIGN AND CONSTRUCT STORMTECH SYSTEMS. STORMTECH PROVIDES THE DESIGN AND CONSTRUCTION OF STORMTECH SYSTEMS. STORMTECH PROVIDES THE DESIGN AND CONSTRUCTION OF STORMTECH SYSTEMS. STORMTECH PROVIDES THE DESIGN AND CONSTRUCTION OF STORMTECH SYSTEMS.
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STORMTECH ACCEPTABLE FILL MATERIALS

FILL MATERIAL LOCATION	DESCRIPTION	ASPHALT MAT DESTINATION	COMPACTION/REQUIREMENT
(C) FILL MATERIAL FOR LAYER C STARTS FROM THE TOP OF THE C LAYER TO THE BOTTOM OF THE B LAYER. FILL MATERIAL FOR LAYER B STARTS FROM THE BOTTOM OF THE B LAYER TO THE TOP OF THE B LAYER. FILL MATERIAL FOR LAYER A STARTS FROM THE TOP OF THE A LAYER TO THE BOTTOM OF THE A LAYER. NOTE THAT PAVEMENT SUBBASE MAY BE PART OF THIS LAYER.	ANY SOIL ROCK MATERIALS, NATIVE SOILS OR PER ENHANCER PLANS. CHECK PLANS FOR PAVEMENT SUBGRADE REQUIREMENTS.	10A	PREPARE PER ENHANCER PLANS. RAISED INSTALLATIONS MAY HAVE STRONGER MATERIAL AND PREPARATION REQUIREMENTS.
(D) GRANULAR WELL-GRADED SOFT-PASTURE TO 1.5% MOISTURE. 3.5% MOISTURE. 8% TO 10% MOISTURE. NOTE THAT PAVEMENT SUBBASE MAY BE PART OF THIS LAYER.	3.5% TO 4.5% MOISTURE. 5% TO 6% MOISTURE. 8% TO 10% MOISTURE.	3.5% TO 4.5% MOISTURE. 5% TO 6% MOISTURE. 8% TO 10% MOISTURE.	BEIGN COMPACTION AFTER 17,000 SFG OF LIFTS TO A MIN. 90% STANDARD PROCTOR TO EXCEED 1.00 IN. (25.4 MM) DYNAMIC FORCE. NO EXCEED 20,000 SFG (89 kN).
(E) CLEAN, CLEARED, ANGULAR STONE, NOMINAL SIZE DISTRIBUTION BETWEEN 3/4" & 2" INCHES. 51 mm.	3.5% TO 4.5% MOISTURE. 5% TO 6% MOISTURE. 8% TO 10% MOISTURE.	3.5% TO 4.5% MOISTURE. 5% TO 6% MOISTURE. 8% TO 10% MOISTURE.	PLATE COMPACTION 50 SFG. TO EXCEED 80% STANDARD PROCTOR DENSITY.
(F) CLEAN, CLEARED, ANGULAR STONE, NOMINAL SIZE DISTRIBUTION BETWEEN 3/4" & 2" INCHES. 51 mm.	3.5% TO 4.5% MOISTURE. 5% TO 6% MOISTURE. 8% TO 10% MOISTURE.	3.5% TO 4.5% MOISTURE. 5% TO 6% MOISTURE. 8% TO 10% MOISTURE.	PLATE COMPACTION 50 SFG. TO EXCEED 80% STANDARD PROCTOR DENSITY.

- NOTES:**
- INSTALL ASBESTOS CEMENT BARS FOR GRANITIZATION ONLY. THE STONE MUST ALSO BE CLEAN, CLEARED, ANGULAR. FOR EXAMPLE, A SPECIFICATION FOR #4 STONE WOULD BE: "CLEAN, CLEARED, ANGULAR NO. 4 (ASBESTOS) STONE".
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FIELD #	COVER TYPE	CHAMBER NUMBER	CHAMBER MODEL	STONE CHAMBER HEIGHT (IN.)	STONE CHAMBER WIDTH (IN.)	STONE CHAMBER DEPTH (IN.)	STONE CHAMBER INLET (IN.)	STONE CHAMBER OUTLET (IN.)	STONE CHAMBER TOP (FT)	STONE CHAMBER BOTTOM (FT)	STONE CHAMBER INLET (FT)	STONE CHAMBER OUTLET (FT)	STONE CHAMBER TOP (IN)	STONE CHAMBER BOTTOM (IN)	STONE CHAMBER INLET (IN)	STONE CHAMBER OUTLET (IN)
US-1	ASPHALT	24	SS2-A2	18.75	24	24	1	1	3.25	3.25	3.25	3.25	36.75	36.75	36.75	36.75



CONSTRUCTION DETAILS (3)

AMESBURY MASSACHUSETTS

MILL 77

77 ELM STREET

AMESBURY MASSACHUSETTS

Horsey Witten Group, Inc.

15123

9 of 9

15123

C - 9

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

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Author: [Name]

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Reviewer: [Name]

Approved: [Name]

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

PLANNING BOARD ENDORSEMENT

APPROVED _____ DATE _____

SUBJECT TO TERMS AND CONDITIONS OF A COVENANT DATED _____

AMESBURY PLANNING BOARD

PERMITTING SET ONLY

NOT FOR CONSTRUCTION

Project Name: Mill 77

Project No: 15123

Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

Project Name: Mill 77

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Client: Amesbury Mass

Scale: 1/8" = 1'-0"

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Reviewer: [Name]

Approved: [Name]

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Client: Amesbury Mass

Scale: 1/8" = 1'-0"

Date: 05/06/16

Author: [Name]

Checker: [Name]

Reviewer: [Name]

Approved: [Name]

AMON LAND DESIGN, LLC
 48 PROSPECT STREET
 NEWBURYPORT, MA
 01951-2824

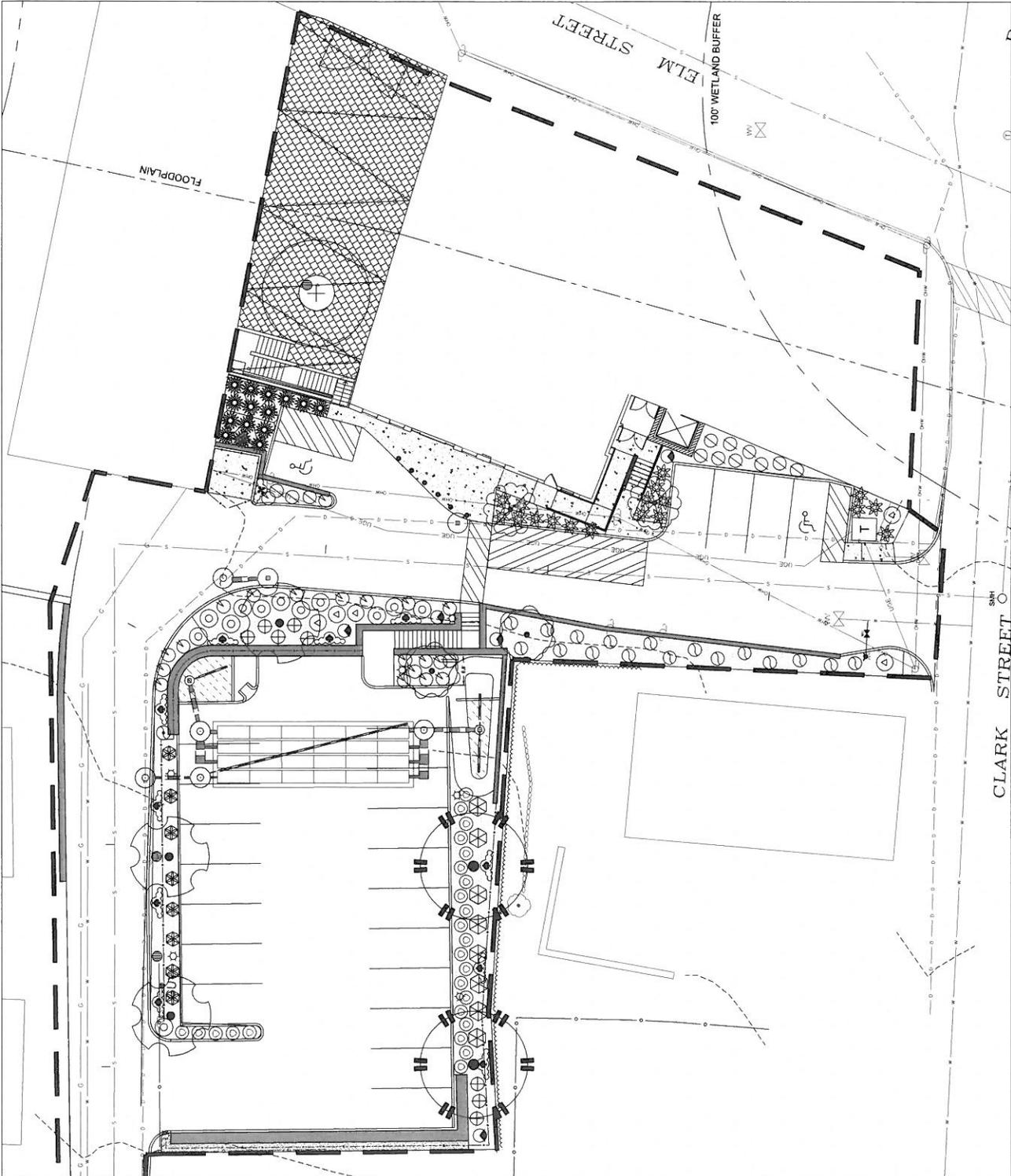
PLANT LEGEND	SIZE	NOTES	QTY
SHRUBS			
Small Shrub	18" x 18" x 18"	Plant in 1/2" soil	1
Medium Shrub	24" x 24" x 24"	Plant in 1/2" soil	1
Large Shrub	36" x 36" x 36"	Plant in 1/2" soil	1
ORNAMENTAL TREES			
Small Tree	12" DBH	Plant in 1/2" soil	1
Medium Tree	18" DBH	Plant in 1/2" soil	1
Large Tree	24" DBH	Plant in 1/2" soil	1
PERENNIALS			
Perennial	12" x 12" x 12"	Plant in 1/2" soil	1
GRASSES			
Grass	12" x 12" x 12"	Plant in 1/2" soil	1
ROCKS			
Rock	12" x 12" x 12"	Plant in 1/2" soil	1
LANDSCAPE MATERIALS			
Material	12" x 12" x 12"	Plant in 1/2" soil	1

MARTIN DEVELOPMENT, LLC
 AMESBURY, MA 01913



LANDSCAPE DESIGN DEVELOPMENT

LANDSCAPE PLAN
 Not For Construction
 L1.0



Shade Trees



Celtis occidentalis
Common Hackberry

Liquidambar styraciflua
Sweetgum



Nysa sylvatica
Black Gum

Syrax americanus
American Snowball

Ornamental Trees



Cercis canadensis
Eastern Redbud

Linacris benzoin
Spicebush

PLANT LEGEND

EXISTING TREES	SIZE	NOTES	QTY.
Circle with 'X'	24" DBH	See Schedule	1
Circle with 'O'	18" DBH	See Schedule	1
Circle with '1'	12" DBH	See Schedule	1
Circle with '2'	8" DBH	See Schedule	1
Circle with '3'	6" DBH	See Schedule	1
Circle with '4'	4" DBH	See Schedule	1
Circle with '5'	3" DBH	See Schedule	1
Circle with '6'	2" DBH	See Schedule	1
Circle with '7'	1" DBH	See Schedule	1
Circle with '8'	1" DBH	See Schedule	1
Circle with '9'	1" DBH	See Schedule	1
Circle with '10'	1" DBH	See Schedule	1
Circle with '11'	1" DBH	See Schedule	1
Circle with '12'	1" DBH	See Schedule	1
Circle with '13'	1" DBH	See Schedule	1
Circle with '14'	1" DBH	See Schedule	1
Circle with '15'	1" DBH	See Schedule	1
Circle with '16'	1" DBH	See Schedule	1
Circle with '17'	1" DBH	See Schedule	1
Circle with '18'	1" DBH	See Schedule	1
Circle with '19'	1" DBH	See Schedule	1
Circle with '20'	1" DBH	See Schedule	1
Circle with '21'	1" DBH	See Schedule	1
Circle with '22'	1" DBH	See Schedule	1
Circle with '23'	1" DBH	See Schedule	1
Circle with '24'	1" DBH	See Schedule	1
Circle with '25'	1" DBH	See Schedule	1
Circle with '26'	1" DBH	See Schedule	1
Circle with '27'	1" DBH	See Schedule	1
Circle with '28'	1" DBH	See Schedule	1
Circle with '29'	1" DBH	See Schedule	1
Circle with '30'	1" DBH	See Schedule	1
Circle with '31'	1" DBH	See Schedule	1
Circle with '32'	1" DBH	See Schedule	1
Circle with '33'	1" DBH	See Schedule	1
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Circle with '35'	1" DBH	See Schedule	1
Circle with '36'	1" DBH	See Schedule	1
Circle with '37'	1" DBH	See Schedule	1
Circle with '38'	1" DBH	See Schedule	1
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Circle with '40'	1" DBH	See Schedule	1
Circle with '41'	1" DBH	See Schedule	1
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Circle with '44'	1" DBH	See Schedule	1
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Circle with '46'	1" DBH	See Schedule	1
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Circle with '51'	1" DBH	See Schedule	1
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Circle with '57'	1" DBH	See Schedule	1
Circle with '58'	1" DBH	See Schedule	1
Circle with '59'	1" DBH	See Schedule	1
Circle with '60'	1" DBH	See Schedule	1
Circle with '61'	1" DBH	See Schedule	1
Circle with '62'	1" DBH	See Schedule	1
Circle with '63'	1" DBH	See Schedule	1
Circle with '64'	1" DBH	See Schedule	1
Circle with '65'	1" DBH	See Schedule	1
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Circle with '69'	1" DBH	See Schedule	1
Circle with '70'	1" DBH	See Schedule	1
Circle with '71'	1" DBH	See Schedule	1
Circle with '72'	1" DBH	See Schedule	1
Circle with '73'	1" DBH	See Schedule	1
Circle with '74'	1" DBH	See Schedule	1
Circle with '75'	1" DBH	See Schedule	1
Circle with '76'	1" DBH	See Schedule	1
Circle with '77'	1" DBH	See Schedule	1
Circle with '78'	1" DBH	See Schedule	1
Circle with '79'	1" DBH	See Schedule	1
Circle with '80'	1" DBH	See Schedule	1
Circle with '81'	1" DBH	See Schedule	1
Circle with '82'	1" DBH	See Schedule	1
Circle with '83'	1" DBH	See Schedule	1
Circle with '84'	1" DBH	See Schedule	1
Circle with '85'	1" DBH	See Schedule	1
Circle with '86'	1" DBH	See Schedule	1
Circle with '87'	1" DBH	See Schedule	1
Circle with '88'	1" DBH	See Schedule	1
Circle with '89'	1" DBH	See Schedule	1
Circle with '90'	1" DBH	See Schedule	1
Circle with '91'	1" DBH	See Schedule	1
Circle with '92'	1" DBH	See Schedule	1
Circle with '93'	1" DBH	See Schedule	1
Circle with '94'	1" DBH	See Schedule	1
Circle with '95'	1" DBH	See Schedule	1
Circle with '96'	1" DBH	See Schedule	1
Circle with '97'	1" DBH	See Schedule	1
Circle with '98'	1" DBH	See Schedule	1
Circle with '99'	1" DBH	See Schedule	1
Circle with '100'	1" DBH	See Schedule	1

AMORY LAND DESIGN, LLC
48 PROSPECT STREET
NEWBURY, MA
01960-2664

Deciduous Shrubs



Aronia melanocarpa
Black Chokeberry

Cornus sericea
Red Osier Dogwood



Myrica pennsylvanica
Northern Bayberry

Sambucus canadensis
American elder



Ilex verticillata 'Nana'
Dwarf Winterberry

Viburnum trilobum
American Cranberrybush



Syracus europaeus
Eurasian Spindle Tree

Spiraea alba
White Spirea

Evergreen Shrubs



Kalmia latifolia
Mountain Laurel

Taxus canadensis
Canadian Yew



Juniperus horizontalis
Creeping Juniper

Juniperus procumbens
Ground Juniper



Enargis spectabilis
Purple Loragras

Scilla maritima
Sea Squill

Vines



Campsis radicans
Trumpet Creeper

Lonicera sempervirens
Coral Honeysuckle

Grasses



Pennisetum setaceum
Fountain Grass

Panicum virgatum
Switchgrass



Solidago canadensis
Canada Goldenrod

Solidago serotina
Late Goldenrod

AMORY LAND DESIGN, LLC
48 PROSPECT STREET
NEWBURY, MA 01960-2664

LOTS AT 77 ELM STREET

LANDSCAPE CONCEPT
1000 WASHINGTON STREET
NEWBURY, MA 01960
TEL: 978-533-1111
WWW.AMORYLANDDESIGN.COM

LANDSCAPE CONCEPT
IMAGES
No. 1.1
For Duplex Construction

Groundcovers



Arctostaphylos uva-ursi
Bearberry



Cornus canadensis
Bunchberry Dogwood



Juniperus chinensis sargentii
Sargent Juniper



Vaccinium angustifolium
Lowbush Blueberry



Vinca Minor
Vinca

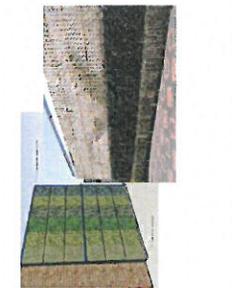
Hardscape Elements



Wire Trellis



Patio Pavers



Living Wall Systems

LANDSCAPE CONCEPT

Project Address: 77 Elm Street, Amesbury, MA
Project Number: 14-0108
Drawing Number: 14-0108-01
Drawing Title: Landscape Concept
Date: 08/14/14

Exhibit #2: Table 1: List of Waivers

Section(s) of Subdivision Rules and Regulations/Zoning Bylaw	Requested Waiver	Decision of the Board
<p><u>7.09.G (Subdivision Regulations) – Curbing</u></p> <p>Curbing shall be required to be installed on all streets. Curbing shall be constructed of granite. Slanted curbing shall be provided on sidewalks at pedestrian crosswalks and all crosswalks shall be wheelchair accessible. Curbing shall be sealed to the road pavement.</p>	<p>Granite curb is provided along Fruit place and Fruit place Extension. Concrete curb is provided in the parking lot</p>	<p>Granted to the extent necessary to construct the plan as approved.</p>
<p><u>7.09. J (Subdivision Regulations) - retaining Wall-</u></p> <p>Except where existing sound ledge is available, all proposed retaining walls shall be constructed of natural fieldstone or fieldstone veneer and shall not exceed a maximum height of five (5) feet.</p>	<p>Concrete block wall is proposed with a maximum height of 15'-6"</p>	<p>Granted to the extent necessary to construct the plan as approved.</p>
<p><u>8.04.A.1 (Subdivision Regulations) - Stormwater Pipe</u></p> <p>All drain pipes shall be at least twelve (12) inches inside diameter, made of reinforced concrete conforming to Massachusetts DPW specifications for Class III pipe, or such higher class as may be required by depth of cover, which shall be not less than thirty-six (36) inches.</p>	<p>HDPE is provided and acceptable to the Department of Public Works (DPW)</p>	<p>Granted to the extent approved by DPW</p>
<p><u>Section VIII – Loading</u></p> <p>An off-street space used for loading or unloading not less than 14 feet in width, 45 feet in length,</p>	<p>As a mill redevelopment project space is very limited. A shared 9'x35' loading zone within Fruit Place extension has been proposed</p>	<p>Granted to the extent necessary to construct the plan as approved.</p>
<p><u>Section XI.C.a. - Roadway Design</u></p> <p>Pavement widths for traveled ways (that is, not including parallel or perpendicular on-street parking) shall not be less than twenty (20) feet for two-way traffic or</p>	<p>A waiver is requested from the 24' aisle width.</p> <p>Due to the limited space available, an 18' – 20' wide</p>	<p>Granted to the extent necessary to construct the plan as approved</p>

twelve (12) feet for one-way traffic;	travel-way is proposed. Based upon the traffic report and analysis, this is an acceptable distance for two-way low volume traffic. The proposed layout and dimensions are an overall improvement to the current access drive and unorganized rear parking.	
<u>Section XI.C.8.b - Off-Street Parking;</u> <u>Section VIII- On site Parking Spaces</u> The proposed use of the building is either: 1) office uses on all three floors or; 2) ground floor retail use and upper floor office use.	A total of 25 spaces are provided on site. The waiver is request to allow the use of public parking spaces within 300 feet of the project site (Letter dated 3/29/16)	Granted to the extent necessary to construct the plan as approved.
<u>Section XI.C.8.b.2 - Parking</u> Parking within the front yard setbacks-	Due to the limited space typical of urban mill re-development projects, a waiver is requested to allow parking within the setbacks.	Granted to the extent necessary to construct the plan as approved.
<u>Section XI.C.8.c - Retaining wall and landscape design</u> Retaining wall design and landscaping requirements	Fewer street trees are proposed and the retaining walls exceed the maximum height requirements due to the urban location and size of the mill building and its required parking	Granted to the extent necessary to construct the plan as approved.
<u>Section XI.C.8.h,j,k &o - Hazardous Material, EIA, Noise, and Marina-Related activities</u> The Board may request information regarding hazardous materials, environmental performance standards, noise and marina-related activities is requested.	This is a mill re-development project and does not include these components	Granted to the extent necessary to construct the plan as approved.

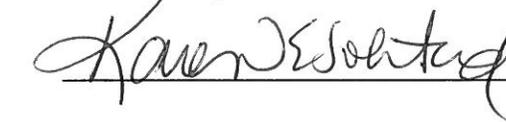
TO:
David Martin
Martin Development, LLC
481 Hildale Avenue
Haverhill MA 01832

PLANNING BOARD VOTE:

On 05/02/2016, the Amesbury Planning Board voted in favor of the approval of the Site Plan, as amended, for the proposed Improvements to the existing Mill Building at 77 Elm Street and the proposed Parking Lot at 11 Fruit Place in Amesbury MA for David Martin Development, LLC., subject to the findings, waivers and conditions noted in this Decision.









Filed with the City Clerk on June 3, 2016



City Clerk

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 _____