Special Permit

Application, Narrative & Supporting Documents

Proposed Drive-Thru Restaurant

142 Main Street, Haydenville (Parcel ID: 340/011.K-0000-0192.0)

Applicant/Owner:

Sao Joao Reality, LLC c/o Emanuel Sardinha 475 Southampton Road Westfield, MA 01085

RLA Project File: 150407

R LEVESQUE ASSOCIATES, INC

A LAND PLANNING SERVICES COMPANY

40 School Street, P.O. BOX 640, Westfield, MA 01085 p 413.568.0985 · f 413.568.0986 · www.rlaland.com



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SPECIAL PERMIT PROPOSED DRIVE-THRU RESTAURANT 142 MAIN STREET HAYDENVILLE, MA 01039

HAYDENVILLE, MA 01039 (PARCEL ID: 340/011.K-0000-0192.0)

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APPENDIX I

SITE PLAN SET BY R LEVESQUE ASSOCIATES, INC., DATED JULY 30, 2015

SECTION 1 COVER LETTER

R LEVESQUE ASSOCIATES, INC.

40 School Street, P.O. BOX 640, Westfield, MA 01085 p 413.568.0985 f 413.568.0986 www.rlaland.com



July 30, 2015

Mr. Gerald Mann, Chairman Town of Williamsburg Zoning Board of Appeals 141 Main Street Williamsburg, MA 01039

RE: Special Permit Application

Proposed Drive-Thru Restaurant 142 Main Street, Haydenville

(Parcel ID: 340/011.K-0000-0192.0)

RLA Project File: 150407

Dear Chairman Locke & Commissioners:

On behalf of our client, Sao Joao Reality, LLC, our office is herein filing a Special Permit Application to allow for the construction of a drive-thru restaurant and associated site improvements at the above-referenced site.

Included herewith, you will find the original and requisite number of copies of the application form and supplement documents.

Should you have any questions regarding this application, please do not hesitate to contact our office at your convenience.

Sincerely, R LEVESQUE ASSOCIATES, INC

Robert M. Levesque, RLA, ASLA President

cc: Sao Joao Reality, LLC

SECTION 2

TOWN OF WILLIAMSBURG SPECIAL PERMIT APPLICATION AND COPY OF FILING FEE CHECK

The Commonwealth of Massachusetts Town of Williamsburg Office of the Board of Appeals

Application for an appeal, a Special Permit, or a Variance To the Town Clerk of Williamsburg, Massachusetts

	to the provisions of Chapter 40A of the Massachusetts General Laws and the Protective Bylaw wn of Williamsburg, application is hereby made to the Board of Appeals for:						
	_ An Appeal from a decision of an Official or Board of the Town or						
x	A Special Permit, as required by Section 3.2, paragraph or						
	A Variance, as required by Section, paragraph, of						
	ng Bylaw of the Town, to do the following: Allow for the construction of a drive-thru restaurant and ed site improvements.						
	(use another page if more room is needed) ses located at142 Main Street, Haydenville						
Owned by Deed reco	s Map and Parcel number 340/011.K-0000-0192.0 y Legacy Banks c/o Berkshire Bank orded Book – page Book 9743, Page 298						
	e Application includes Plans, List of Abutters and Map, Fees, narrative and other supportive materials						
	*** Administrative Use Only ***						
Complete	d application received by Town Clerk on at at						
	erk Stamp:						
Town Cle	ork Appeals Board						
Filing Fee	Signature Signature iling Fee Computation: x 1.50 = Certificate of Mailing Expense of \$						
	Expense of regular mail and publication in periodical \$						
Application	on No Administrative Expense \$100.00						
Date of H	learing Total Filing Fee Received \$						
A COM	IPLETE application must include documentation and plans as outlined on page 3 of this packet *						

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July 7,2015 # 245,50

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SECTION 3 NARRATIVE ADDENDUM TO APPLICATION

NARRATIVE ADDENDUM

as submitted to the
Town of Williamsburg Planning Board

for the

Proposed Drive-Thru Restaurant Map K, Parcel 192 142 Main Street, Haydenville, Massachusetts

RLA Project # 150407

INTRODUCTION

The applicant proposes to construct a drive-thru restaurant at the above-referenced location (hereinafter referred to as the "project site") on Main Street in the Town of Williamsburg. The project site lies within the Village Mixed Zone, and the applicant is submitting this application to the Planning Board under Section III "Use Table", Table 3.2 for a "Business with a drive-through."

PROPERTY DESCRIPTION

The project site is currently the site of a Berkshire Bank. Three curb cuts currently serve the site, providing access to the drive-through lane and associated parking areas. The project site has one address assigned to it (142 Main Street) as identified on the Town Assessor's property card.

PROJECT DESCRIPTION

Overview

The applicant proposes to demolish the existing 2,000 square-foot building along with existing site improvements and construct a 2,200± square-foot Dunkin' Donuts drive-through restaurant and associated site improvements in its place. In conjunction with the proposed restaurant construction, the applicant proposes to maintain two of the existing curb cuts, however, minor changes to the location and geometry associated with the curb cuts will be made. The third curb cut will be moved, as reflected on the project plans. This is being done to better define and control vehicular circulation.

A total of eighteen (18) parking spaces will be provided within the renovated parking lot. The vehicular circulation within the site will generally move in a counter-clockwise direction allowing for, clear, safe turning movements into and out of the site. A fenced dumpster location will be located at the western corner of the site. Pedestrian walkways, handicapped spaces and landscaping will be installed per the site plans provided.

Grading & Stormwater Management

The existing site topography will be kept at its present level where possible. Portions of the site will be graded to accommodate vehicular and pedestrian traffic, as well as the site's stormwater management. Please refer to the project plans for the proposed grading. Stormwater runoff will be collected in deep-sump catch basins run through proprietary water-runaway units and into a subsurface infiltration system with an emergency overflow.

Site Illumination

The site illumination plan shows the proposed location of vehicular area lighting and wall packs for the drive-through restaurant. The proposed lighting housings are to be contemporary polemounted "box" fixtures for a downward cast of light and tight control of the light pattern. Where necessary, the housings are to be equipped with shields to prevent the scatter of light across property lines. In addition to the wall pack shown on the plan, architectural features will incorporate aesthetic façade and entry lighting.

Site Landscaping

The site landscaping is designed to enhance aesthetics, provide shade where available, and meet the requirements of the Zoning Ordinance for buffering and screening. The majority of the existing vegetation will be left in place to the rear of the site. Additional plants will be placed near the existing tree line to further extend the vegetated area adjacent to Mill River and restore riverfront area. The proposed planting palette includes evergreen and deciduous plantings and groundcover elements. Site landscaping also includes a 6'-tall stockade fence around the dumpster enclosure.

Traffic

The vehicular traffic entering and exiting will continue to utilize the two remaining existing curb cuts. The relocated third curb cut will function as an exit. The improved turning movements, parking layout enhancements, drive-thru stacking space and bypass lane will improve traffic within the site and on the surrounding roadways. A traffic impact study has been provided for the proposed use.

Signage

The proposed restaurant will be operated as a Dunkin' Donuts restaurant. An existing pylon sign at the Main Street frontage will remain. The sign panel will be updated per the Town signage regulations and will reflect current Dunkin Donuts branding. Wall signage will also be installed. Typical signage content and presentation is shown on the architectural elevations submitted herewith.

Proposed Building

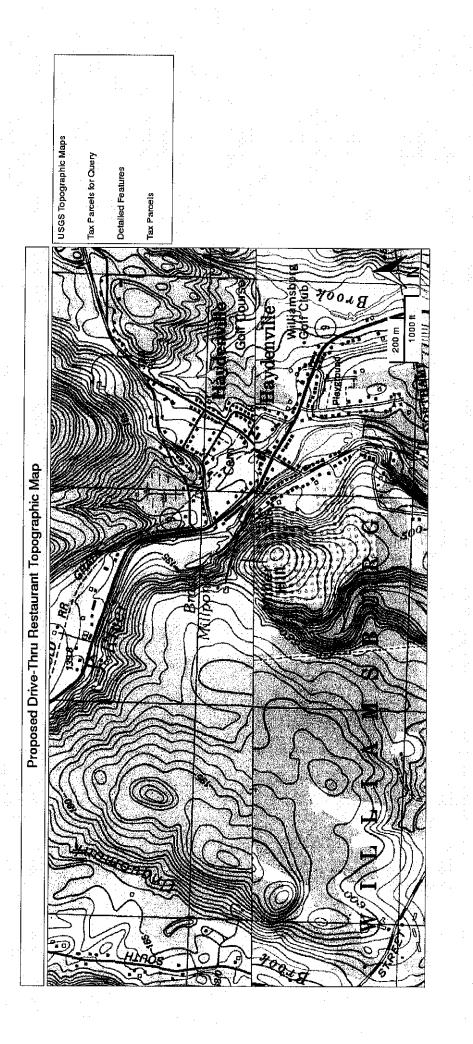
The proposed building will be consistent with the building shown on the schematic building elevations provided herewith. The exterior of the building is consistent with the Dunkin Brands "Fresh Brew" exterior. The elevations are consistent with the mixed-village district within which the subject property falls.

END OF NARRATIVE ADDENDUM

SECTION 4

STORMWATER DRAINAGE REPORT BY R LEVESQUE ASSOCIATES, INC. (UNDER SEPARATE COVER)

SECTION 5 LOCUS MAP BASED ON MASSGIS OLIVER



SECTION 6 DEED

Bk: 09743 Pg: 298



Bk: 9743Pg: 298 Page: 1 of 3 Recorded: 03/20/2009 10:10 AM

MASSACHUSETTS EXCISE TAX Hampshire District FIOD #13 001 Date: 03/20/2009 10:10 AM otri# 021753 01511 Doo# 00005659 Fee: \$1,844.52 Cons: \$404,096.85

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that PEOPLE'S UNITED BANK operating under the name THE BANK OF WESTERN MASSACHUSETTS, A DIVISION OF PEOPLE'S UNITED BANK, a federal savings bank organized under the laws of the United States and having its principal place of business located at 850 Main Street, Bridgeport, Connecticut, for consideration of FOUR HUNDRED FOUR THOUSAND NINETY SIX DOLLARS AND 85/100 (\$404,096.85), grants to LEGACY BANKS, a Massachusetts chartered savings bank having its principal place of business at 99 North Street, Pittsfield, Massachusetts, with quitclaim covenants, the land together with the buildings and other improvements located thereon known as 142 Main Street, Haydenville, Massachusetts more particularly described as:

That certain tract or parcel of land, with the buildings thereon situated in that part of Williamsburg know as Haydenville, Massachusetts on the westerly side of North Main Street in said Haydenville and at the northerly side of Bridge Street in said Haydenville, bounded and described as follows:

Beginning at a point in the westerly side line of said North Main Street four and sixty six one hundredths (4.66) feet more or less northeasterly from an iron pin set near the northeasterly corner of land now or formerly on one Walter Jones; thence south 50° 2′ 20" east along the westerly side of said North Main Street two hundred thirty six and fifty seven one hundredths (236.57) feet more or less to an iron pin at the northerly side of the intersection of said North Main Street with said Bridge Street; thence south 38° 56' west along the northerly side of said Bridge Street two hundred ninety six and five tenths (296.5) feet more or less to a point in the middle of Mill River; thence north 25° 5′ 40" west along the line of the center of said Mill River two hundred seventy seven and thirty eight one hundredths (277.38) feet more or less to a point at the southwesterly comer of land of the said Walter Jones; thence north 43° 51' 10" east along said land of Walter Jones one hundred eighty six and eighty seven one hundredths (186.87) feet more or less to the point of beginning; containing 1.2 acres, more or less.

Bk: 09743 Pg: 299

Subject to a Taking by the Town of Williamsburg for sewer easements dated November 8, 1978, and recorded with the Hampshire County Registry of Deeds, in Book 2068, Page 16 and shown as "Parcel BS-3" on Plans 109, Page 99.

Being the same premises conveyed to the United Savings Bank by deed of Haydenville Savings Bank, dated April 28, 1978, and recorded with the Hampshire County Registry of Deeds, in Book 2019, Page 75.

See Name Change Certificate (from United Savings Bank to United Bank) dated May 18, 1995, and recorded with the Hampshire County Registry of Deeds, in Book 4674, Page 329.

See Certificate of Merger (United Bank to The Bank of Western Massachusetts) dated August 1, 1999, and recorded with the Hampshire County Registry of Deeds, in Book 5825, Page 195.

See Certificate of Corporate Secretary of People's United Bank dated March 13, 2009, and recorded with the Hampshire County Registry of Deeds in Book <u>9743</u>, Page <u>286</u> (The Bank of Western Massachusetts having consolidated with Western Massachusetts Interim, FSB on January 1, 2008 to form The Bank of Western Massachusetts, a federal savings bank, which combined with People's United Bank on January 1, 2009 and branch offices of the former The Bank of Western Massachusetts now operate under the name The Bank of Western Massachusetts, a division of People's United Bank).

See Certificate of Authority authorizing Peter M. Brestovan Senior Vice President to execute, acknowledge and deliver this Deed on behalf of People's United Bank and its divisions, including The Bank of Western Massachusetts, a division of People's United Bank to Legacy Banks dated March 13, 2009, and recorded with the Hampshire County Registry of Deeds in Book 9743 ____, Page 297_.

This conveyance does not constitute a transfer of substantially all of the assets of People's United Bank or The Bank of Western Massachusetts, a division of People's United Bank.

WITNESS its hand and seal this 13th day of March, 2009.

Signed, Sealed and Delivered in the presence of or Attested by:

PEOPLE'S UNITED BANK, operating under the name THE BANK OF WESTERN MASSACHUSETTS A DIVISION OF PEOPLE'S UNITED BANK

By: Peter M./Brestovan, Senior Vice President Bk: 09743 Pg: 300

State of Connecticut)		
County of Fairfield)	ss. Bridgeport	March 13, 2009

PERSONALLY APPEARED, Peter M. Brestovan, in his capacity as Senior Vice President of PEOPLE'S UNITED BANK, proved to me through satisfactory evidence of identity, which was a Connecticut driver's license, to be the person whose name is signed on the preceding or attached document in my presence, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of PEOPLE'S UNITED BANK operating under the name THE BANK OF WESTERN MASSACHUSETTS, A DIVISION OF PEOPLE'S UNITED BANK.

Notary Public:

My Commission Expires:

LYNDA LEWIS NOTARY PUBLIC MYCOMMISSION EXPIRES MAR. 31, 2011

SECTION 7

LIST OF ABUTTERS WITHIN 300' OF PROPERTY (SOURCE: TOWN OF WILLIAMSBURG ASSESSORS)

Board of Assessors Town of Williamsburg 141 Main Street Haydenville, Ma 01039 Phone # 413-268-8403 Fax # 413-268-8409

Fax Cover Sheet # of Pages (including cover sheet) 1+7=8 to the
To: Kerry @ R Levesque Assoc.
Fax = 413 568 0986
From:
Fax # 413-268-8409
Re:
Abutters List
142 Main St. Haydenialle MA
·

June 30, 2015

The following are abutters located at 142 Main St., Williamsburg; further identified as Map 11K-Lot 192.0. This property is owned by Legacy Bank, Berkshire Bank with a mailing address of PO Box 1308, Pittsfield, MA 01202,

Within 100 feet of the property

K-190

144 MAIN ST

Owner Name: HAYDENVILLE GAS & ELECTRIC, LLC

Owner Address: 146 MAIN ST

City: HAYDENVILLE State: MA Zip: 01039

K-277

Location: 3 BRIDGE ST Owner Name: CLARK, MARY T Owner Address: PO BOX 252

City: HAYDENVILLE State: MA Zip: 01039

K190

Location: 5 BRIDGE ST

Owner Name: ZZGERALD LARKIN POST #236 INC

Owner Address: P O BOX 199

City: HAYDENVILLE State: MA Zip: 01039-0199

K237

Location: 7 BRIDGE ST

Owner Name: MCCREA, SUSANNE M. Owner Address: 7 BRIDGE ST

City: HAYDENVILLE State: MA Zip: 01039

K236

Location: 13 S MAIN ST

Owner Name: HILLTOWN COMMUNITY DEVELOPMENT CORP

HOME CITY HOUSING DEVELOPMENT CORP

Owner Address: POBOX 17

City: CHESTERFIELD State: MA Zip: 01012

K232

Location: 11 S MAIN ST

Owner Name: VILLAGE CENTER APARTMENTS, LLC @HCDC

Owner Address: PO BOX 17

City: CHESTERFIELD State: MA Zip: 01012

K231

Location:

9 S MAIN ST

Owner Name: VERSON ALAN

Owner Address: 56 MAIN ST

City: NORTHAMPTON State: MA Zip: 01060

K228

Location:

7 S MAIN ST

Owner Name: LAMERE, MELANIE C & ROBERT H PACKARD

C/O ELIZABETH J BISHOP

Owner Address: 148 MAIN ST

City: HAYDENVILLE State: MA Zip: 01039

K226

Location: 3 S MAIN ST

Owner Name: PASTERNAK JOSEPH F III INC

City: CHICOPEE State: MA Zip: 01020

Owner Address: 200 BEAUCHAMP TERRACE

K194

Location: 138 MAIN ST

Owner Name: DEXTRAZE LEONEL

ARLENE DEXTRAZE

Owner Address: P O BOX 273

City: HAYDENVILLE State: MA Zip: 01039-0273

K193

Location: 140 MAIN ST

Owner Name: DENISON CORPORATION

Owner Address: 15A PRAY ST

City: AMHERST · State: MA Zip: 01002

K202

Location:

139 MAIN ST

Owner Name: DAVIS CAROL D

Owner Address: P O BOX 461

City: HAYDENVILLE State: MA Zip: 01039-0461

K201

Location:

141 MAIN ST

Owner Name: ZZHAYDENVILLE CENTER SCHOOL

Owner Address: 141 MAIN ST

K200

Location: 143 MAIN ST

Owner Name: ZZHAYDENVILLE CONG CHURCH

Owner Address: 143 MAIN ST

City: HAYDENVILLE State: MA Zip: 01039

K199

Location:

145 MAIN ST

MAIN ST

ROBINSON, MARY R

GERYK, MICHAELE

Owner Address: 145 MAIN ST PO BOX 215

City: HAYDENVILLE State: MA Zip: 01039-0215

K203

Location: 137A MAIN ST

PERI, ROSALIE J

Owner Address 137A MAIN ST

City: HAYDENVILLE State: MA Zip: 01039

K203B

COYNE, DANIEL R

Location:

137B MAIN ST

Owner Address 137B MAIN ST

City: HAYDENVILLE State: MA Zip: 01039

K203C

VANGUILDER, LAURA J

Location: 137C MAIN ST

Owner Address PO BOX

City: HAYDENVILLE State: MA Zip: 01039

More than 100 'AND less than 200

K204 Location:

135 MAIN ST

Owner Name: LENEY PAUL KATHRYN MCGINLEY

Owner Address: 135 MAIN ST

K196 Location:

136 MAIN ST

Owner Name: ZZHAYDENVILLE LIBRARY

Owner Address:

136 MAIN ST

City: HAYDENVILLE State: MA Zip. 01039

K224 Location:

1 S MAIN ST

Owner Name: ZZMASONIC LODGE

Owner Address:

S MAIN STP O BOX 302

City: HAYDENVILLE State: MA Zip: 01039-0302

K295 Location:

4 S MAIN ST

Owner Name: MORAN JR MICHAEL J

LYNN M. MORAN

Owner Address:

20 R S MAIN ST

City: HAYDENVILLE State: MA Zip: 01039

K227 Location:

6 S MAIN ST

Owner Name: MORAN MICHAEL J JR, TR MJM NOMINEE TRU

Owner Address: POBOX 278

City: HAYDENVILLE State: MA Zip: 01039-0278

K229 Location:

8 S MAIN ST

Owner Name: FITZGERALD CONSTANCE

Owner Address:

P O BOX 208

City: HAYDENVILLE State: MA Zip: 01039-0208

K230 Location:

10 S MAIN ST

Owner Name: BAKER, LAURAK

Owner Address: PO BOX 311

City: HAYDENVILLE State: MA Zip: 01039

K230 Location:

2 DANSEREAU RD

Owner Name: KOPEC WILLIAM

Owner Address:

2 DANSEREAU RD

City: HAYDENVILLE State: MA Zip: 01039

K233 Location:

12 S MAIN ST

Owner Name: SMITH FRANK A

GERALDINE M SMITH Owner Address:

7405 CEDAR AVE

City: TAKOMA PARK State: MD Zip: 20912

K235 Location:

16 S MAIN ST

Owner Name: ZZHAYDENVILLE FIRE HOUSE

Owner Address:

16 S MAIN ST

K236 Location:

13 S MAIN ST

Owner Name: HILLTOWN COMMUNITY DEVELOPMENT CORP

HOME CITY HOUSING DEVELOPMENT CORP

Owner Address:

POBOX 17

City: CHESTERFIELD State: MA Zip: 01012

K237 Location:

7 BRIDGE ST

Owner Name: MCCREA, SUSANNE M.

Owner Address: 7 BRIDGE ST

City: HAYDENVILLE State: MA Zip: 01039

K238 Location:

9 BRIDGE ST

Owner Name: FINCH DARYLE

Owner Address:

9 BRIDGE ST

City: HAYDENVILLE State: MA Zip: 01039

K239 Location:

15 S MAIN ST

Owner Name: SCHNEIDER ROBERT B

LESLIE A LEBLANC

Owner Address:

131 MAIN ST

City: HAYDENVILLE State: MA Zip: 01039

K188 Location:

5R BRIDGE ST

Owner Name: ZZGERALD LARKIN POST #236 INC

Owner Address: POBOX 199

City: HAYDENVILLE State: MA Zip: 01039

K189 Location:

146 MAIN ST

Owner Name: HAYDENVILLE GAS & ELECTRIC, LLC

Owner Address: 146 MAIN ST

City: HAYDENVILLE State: MA Zip: 01039

K198 Location:

147 MAIN ST

Owner Name: EISEMAN, TEDRIC F

Owner Address:

BOX 282

City: HAYDENVILLE State: MA Zip; 01039

More than 200' and less than 300'

K197 Location:

149 MAIN ST

Owner Name: POVERTY MOUNTAIN, LLP

Owner Address: POBOX 231

City: WILLIAMSBURG State: MA Zip: 01096

K115 Location: 2 HIGH ST

Owner Name: IMMERMAN, GABRIELLE P IMMERMAN, MINNA L & ROBERT M

Owner Address:

2 HIGH ST

City: HAYDENVILLE State: MA Zip: 01039

K205 Location:

133 MAIN ST Owner Name: ZIMMER RICHARD W

NANCY A ZIMMER

Owner Address: P O BOX 455

City: HAYDENVILLE State: MA Zip: 01039-0455

K213 Location:

132 MAIN ST

Owner Name: THE BRASSWORKS ASSOCIATES

MOUNT HOLYOKE MANAGEMENT LLC

Owner Address: 667 MAIN ST

City: HOLYOKE State: MA Zip: 01040

K214 Location:

9 WALPOLE RD

Owner Name: MARKEN PROPERTIES INC

C/O H BEREZIN

Owner Address:

667 MAIN ST

City: HOLYOKE State: MA Zip: 01040

K223 Location:

2 S MAIN ST

Owner Name: QUINLAN, PATRICK J

KROUK, LAUREN

Owner Address:

8 COMINS RD

City: HADLEY State: MA Zip: 01035

K234 Location:

14 S MAIN ST

Owner Name: EDON CATHERINE A

C/O PATRICIA RICHARDSON

Owner Address:

14 S MAIN ST

City: HAYDENVILLE State: MA Zip: 01039

K240 Location:

18 S MAIN ST

Owner Name: MORAN LYNN M, TR LMM NOMINEE TR

Owner Address:

20R S MAIN ST

City: HAYDENVILLE State: MA Zip: 01039

K241 Location:

20 S MAIN ST

Owner Name: MORAN LYNN M, TR LMM NOMINEE TR

Owner Address:

20 R S MAIN ST

K242 Location:

17 S MAIN ST

Owner Name: BREEN MADELYN A

Owner Address;

POBOX 51

City: HAYDENVILLE State: MA Zip: 01039-0051

K225 Location:

148 MAIN ST

Owner Name: HILLTOWN COMMUNITY DEVELOPMENT CORP

HOME CITY HOUSING DEVELOPMENT CORP

Owner Address:

POBOX17

City: CHESTERFIELD State: MA Zip: 01012

G58.7 Location:

141R MAIN ST

Owner Name: GOLDMAN, RICHARD

LYNN CLEARE GOLDMAN & MAUREEN A. BARCOMB

Owner Address:

POBOX 1969

City: HONOKAA State: HI Zip: 96727-1969

We certify, to the best of our abilities, that this is a list of all the abutters to the above described property within our municipality.

Merisa & Ban

Williamsburg Board of Assessors

APPENDIX I

SITE PLAN SET BY R LEVESQUE ASSOCIATES, INC., DATED JULY 30, 2015