

121573

TOWN OF GRAFTON
GRAFTON MEMORIAL MUNICIPAL CENTER
30 PROVIDENCE ROAD
GRAFTON, MASSACHUSETTS 01519
(508) 839-5335 ext. 195

7/5/20
GT

TOWN CLERK

CERTIFICATE OF NO APPEAL

APPROVAL: PLANNING BOARD
Modification of MRSP 2002-1
Ferry Ridge Estates

PETITIONER: Ferry Ridge, LLC
896 Boston Post Road, Marlborough, MA

OWNER: Same

DEED REFERENCE: 60 Ferry Street
Assessor's Map; 122, Lot 1
Worcester District Registry of Deeds Book 25384, Page 2 .

03 MAY - 9 AM 10:59

This is to certify that a copy of the Decision of the Planning Board of the Town of Grafton for a Special Permit allowing a Modification of the Special Permit dated July 23, 2002 for property located at the above mentioned site was received and filed in the Office of the Town Clerk on February 4, 2003 at 10:43 a.m.

No Notice of Appeal of the Decision was filed within the twenty days next, the appeal period ending on February 24, 2003.

A true copy, Attest:

(Seal)

Maura A. Clark
Town Clerk - Grafton, Massachusetts

STAN GORDON
C/O AGM
896 BOSTON POST RD
MARLBOROUGH, MA
01759

A true copy,
Attest:

BK29974PG134

Maureen A. Clark
Maureen A. Clark, Town Clerk
Grafton, MA

RECEIVED-TOWN CLERK
GRAFTON, MA.

DECISION
GRAFTON PLANNING BOARD

FEB 4 10 43 AM '03

MODIFICATION OF MAJOR RESIDENTIAL SPECIAL PERMIT
MODIFICATION OF MRSP 2002-1
"FERRY RIDGE ESTATES"
Ferry Street, Grafton, MA

Decision of the Planning Board of the Town of Grafton, Massachusetts (hereinafter the BOARD) on the petition of Ferry Ridge LLC, 896 Boston Post Road, Marlborough, MA (hereinafter the APPLICANT) for a Modification of Special Permit for property located at 60 Ferry Street, Grafton, MA and shown as Grafton Assessor's Map 122, Lot 1 (hereinafter the Site), and owned by the Applicant by deed recorded in the Worcester District Registry of Deeds: Book 25384, Page 2. This petition specifically seeks to waive Condition # 12 of MRSP 2002-1 (dated July 23, 2002), to allow said Special Permit to be recorded at the Worcester District Registry of Deeds after the time specified in MRSP 2002-1. The Applicant is not seeking any other change to the previously issued Special Permit (MRSP 2002-1).

I. BACKGROUND

The Application for a Modification of Special Permit (hereinafter Application) was filed with the Planning Board and the Town Clerk's Office on November 18, 2002. A public hearing on the Application was held on January 13, 2003. Notice of the public hearing and the subject matter thereof was published in the Grafton News on December 18 and 25, 2002, and posted with the Town Clerk's Office. Abutters were notified by First Class Mail. At the public hearing, all those wishing to speak to the petition were heard.

The following Board members were present throughout the public hearing: Chairman Robert Hassinger, Vice Chairman Martin Temple, Robert Mitchell, Keith Regan, and Associate Member Virgil Gray. At the hearing, Stan Gordon represented the Applicant. The record of the proceedings and submissions upon which this decision is based may be referred to in the Office of the Town Clerk or in the Office of the Planning Board.

II. SUBMITTALS

The following items were submitted to the Board for its consideration of this application:

- EXHIBIT 1: Application for Modification of Special Permit MRSP 2002-1.
- EXHIBIT 2: Copy of Worcester District Registry of Deeds recording information for Special Permit (MRSP 2002-1).
- EXHIBIT 3: Certified List of Abutters.
- EXHIBIT 4: Public Hearing Legal Notice
- EXHIBIT 5: Correspondence from Treasurer/Collector, received by Planning Office on 12/17/02.
- EXHIBIT 6: Return memo from Grafton Sewer Department, received by Planning Office on 12/19/02.

A true copy,
Attest:

8K 29974 PG 135

DECISION - GRAFTON PLANNING BOARD
Modification of Special Permit (Modification of MRSP 2002-1)
"FERRY RIDGE ESTATES" (Ferry Street, Grafton, MA)
Page 2 of 3

Maureen A. Clark
Maureen A. Clark, Town Clerk
Grafton, MA

- EXHIBIT 7: Correspondence from Grafton DPW, received by Planning Office on 12/20/02.
- EXHIBIT 8: Return memo from Town Clerk's Office, received by Planning Office on 12/26/02.
- EXHIBIT 9: Correspondence from Grafton Conservation Commission, received by Planning Office on 1/8/03.
- EXHIBIT 10: Correspondence from Town Administrator/Board of Selectmen, received by Planning Office on 1/13/03.
- EXHIBIT 11: Planning Board "Sign-In Sheet" for 1/13/03 Public Hearing.

III. FINDINGS

At their meeting of January 27, 2003, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Mr. Temple, seconded by Mr. Gray) voted 4 - 0 in favor (roll call vote: Regan-aye; Gray-aye; Hassinger-aye; Temple-aye; Mitchell-absent) to make the following finding:

That the purpose of the modification proposed by this Application only is to waive the time requirement for recording the previously issued Special Permit (MRSP 2002-1) in the Worcester District Registry of Deeds (WDRD), as specified in Condition # 12 of said Permit. The Board also finds that the Applicant submitted relevant documentation (copy of Special Permit recording information) demonstrating that MRSP 2002-1 was recorded in the WDRD on November 18, 2002, in Book 28120, Page 175. The Planning Board further finds that since the Applicant does not propose any changes to the project as approved under MRSP 2002-1, the findings of fact required by Sections 1.5 and 5.3 of the Grafton Zoning By-law and M.G.L. c.40A, Section 9 with regard to this Special Permit application remain unchanged from the previous Special Permit and are therefore incorporated by reference as part of this Decision.

IV. DECISION and CONDITIONS

At their meeting of January 27, 2003, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, and based on the Findings stated within this Decision, the Grafton Planning Board (motion by Mr. Temple, seconded by Mr. Gray) voted 4 - 0 in favor (roll call vote: Regan-aye; Gray-aye; Hassinger-aye; Temple-aye; Mitchell-absent) to GRANT the Modification of Special Permit with the following conditions:

- 1.) This approval is specifically to waive Condition # 12 of the previously issued Special Permit (MRSP 2002-1) regarding the time requirements for recording said Permit at the Worcester District Registry of Deeds, and to accept the recording date of November 18, 2002.
- 2.) All other conditions of the previously issued Special Permit (MRSP 2002-1, recorded in WDRD Book 28120, Page 175) remain in full force and effect.
- 3.) This Special Permit Decision shall be recorded at the Worcester District Registry of Deeds following the expiration of the appeal period, and a copy of such recorded Special Permit Decision, including Registry of Deeds Book and Page numbers, shall be submitted forthwith to the Planning Board Office.

A true copy,
Attest:

BK 29974 PG 136

DECISION - GRAFTON PLANNING BOARD
Modification of Special Permit (Modification of MRSP 2002-1)
"FERRY RIDGE ESTATES" (Ferry Street, Grafton, MA)
Page 3 of 3

Maureen A. Clark
Maureen A. Clark, Town Clerk
Grafton, MA

WITNESS our hands this 4th day of February, 2003.

[Signature]
Robert Hassinger, Chairman

[Signature]
Keith Regan, Member

[Signature]
Martin Temple, Vice Chairman

[Signature]
Virgil Gray, Associate Member

COMMONWEALTH OF MASSACHUSETTS

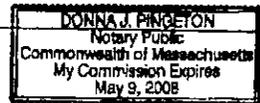
Worcester ss

February 4, 2003.

On this 4th day of February, 2003, personally appeared Keith Regan, a member of the Grafton Planning Board, and acknowledged the foregoing to be his free act and deed on behalf of said Board.

[Signature]
Notary Public

My commission expires



cc: Applicant
Board of Selectmen
Board of Health
Conservation Commission
Board of Appeals

Town Engineer
Building Inspector
Highway Supervisor
Water District
Board of Sewer Commissioners

To Whom It May Concern: This is to certify that the 20 day appeal period has passed and there have been no appeals made to this office.

[Signature]
Maureen Clark, Town Clerk

February 25, 2003
Date

ATTEST: WORC. Anthony J. Vigliotti, Register