

Def. file

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**DECISION
GRAFTON PLANNING BOARD**

**MODIFICATION OF DEFINITIVE SUBDIVISION PLAN APPROVAL
(EXTENSION OF CONSTRUCTION DEADLINE)**

**"Ferry Ridge Estates" Subdivision
(Camelot Drive)
Off Ferry Street, Grafton, MA**

Individual Lot, LLC. (applicant / owner)

Decision of the Grafton Planning Board (hereinafter the Board) on the petition of Individual Lot, LLC, 50 Birch Street, Milford, MA (hereinafter the Applicant), for a modification of a Definitive Subdivision Plan Approval decision to extend the construction deadline (as specified in the Definitive Plan Approval decision) for a 9 lot flexible development subdivision on property located off Ferry Street, and including property previously shown as Grafton Assessor's Map 122, Lot 1. Said property is owned by Individual Lot LLC by deed recorded in the Worcester District Registry of Deeds: Book 38442, Page 260. Said subdivision includes the road known as Camelot Drive.

The Definitive Plan Approval decision, dated June 29, 2004, ^{*5/13 248*} is recorded in the Worcester District Registry of Deeds (WDRD) in Book 35948, Page ~~263~~ Condition # 37 of said Approval decision requires the subdivision to be completed within two (2) years of the date of plan endorsement or thirty (30) months from the date of the Decision, whichever occurs sooner. Said Definitive Plan Approval decision is for the definitive subdivision plan recorded in the WDRD in Plan Book 437, Plan 77.

I. BACKGROUND

The application for Modification of a Definitive Plan Approval (hereinafter Application) was filed with the Planning Board on December 7, 2006. A public hearing on the Application was opened on January 8, 2007, and continued to January 22, and February 26, 2007. Notice of the public hearing and the subject matter thereof was published in the Grafton News on December 13 and 20, 2006, 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 Keith Regan, Vice Chairman Donald Chouinard, and Robert Hassinger. At the hearing, the Applicant presented the proposal. 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:

1. Application for Modification of Definitive Plan, received 12/07/06.
2. Certified List of Abutters.

3. Public Hearing Legal Notice.
4. Return memo from Town Clerk, received 12/13/06.
5. Return memo from Treasurer/Collector, received 12/15/06.
6. Return memo from Board of Health, received 12/15/06.
7. Return memo from Police Dept, received 12/15/06.
8. Return memo from Sewer Dept, received 12/15/06.
9. Return memo from Assessors Dept, received 12/19/06.
10. Correspondence from Town Administrator/Board of Selectmen, received 12/20/06.
11. Correspondence from Graves Engineering, re: Erosion & Sediment Control, received 12/20/06.
12. Site visit report from Graves Engineering, re: Erosion Control, received 01/04/07.
13. Copy receipt for payment of taxes, paid 01/04/07.
14. Correspondence from abutters, received 01/04/07.
15. Return memo from Recreation Dept, received 01/05/07.
16. Planning Board “Sign-In Sheet” for 01/08/07 Public Hearing.
17. Applicant’s written request for continuance of Public Hearing to 02/26/07.
18. Planning Board “Sign-In Sheet” for 01/22/07 Public Hearing.
19. Planning Board “Sign-In Sheet” for 02/26/07 Public Hearing.

III. DECISION and CONDITIONS

At their meeting of February 26, 2007, 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 McCarthy, seconded by Mr Hassinger) voted 3-0 to **APPROVE** the application for Modification of Definitive Plan Approval decision with the following conditions:

1. This approval specifically modifies Condition # 37 of the Conditions of Approval contained within the Definitive Plan Approval decision, dated June 29, 2004, and recorded in the Worcester District Registry of Deeds (WDRD) in Book 35948, Page 263, only with respect to the construction deadline (as specified in said Decision) for completion of the road and associated infrastructure for the “Ferry Ridge Estates” subdivision. This approval specifically allows an extension of the time period in which to complete the Subdivision (as specified in the above referenced Decision and Conditions of Approval), extending the deadline for completion to **June 29, 2007**.
2. Unless modified by this Decision, all conditions of the previous Definitive Plan Approval decision for the “Ferry Ridge Estates” Subdivision recorded in the WDRD and referenced herein, remain in full force and effect.

WITNESS our hands this 8th day of Thursday, 2007.

Keith Regan, Chairman

[Signature]
Robert Hassinger, Member

[Signature]
Donald Chouinard, Vice Chairman

Peter Parsons, Member

[Signature]
Richard McCarthy, Clerk

COMMONWEALTH OF MASSACHUSETTS

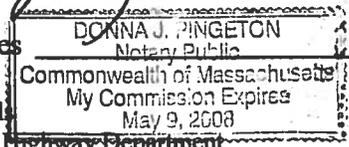
Worcester ss

March 8, 2007.

On this 8th day of March, 2007, personally appeared Richard McCarthy 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
- Owner
- Board of Selectmen
- Board of Health
- Conservation Commission
- Board of Assessors
- Graves Engineering

- Board of Appeals
- DPW Director / Highway Department
- Town Engineer
- Building Inspector
- Grafton Water District
- South Grafton 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.

Maureen Clark, Town Clerk

Date