

Def. file

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**DECISION
GRAFTON PLANNING BOARD**

Nov 13 3 07 PM '07

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**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, 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 837, Plan 77. The deadline for completion of the subdivision was previously extended to October 1, 2007, by Planning Board decision dated July 16, 2007.

S/B 248

I. BACKGROUND

The application for Modification of a Definitive Plan Approval (hereinafter Application) was filed with the Planning Board on September 19, 2007. A public hearing on the Application was held on November 5, 2007. Notice of the public hearing and the subject matter thereof was published in the Grafton News on October 17 and 24, 2007, 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 Peter Parsons, Vice Chairman Robert Hassinger and Clerk Keith Regan. 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 09/19/07.
2. 'Addendum A' – construction status, received 09/19/07.
3. Correspondence from Dennis M. Sullivan, Esq., Holland & Sullivan, P.C., received 09/19/07.
4. Correspondence from LBM Financial, LLC for authorized agent signature, received 09/19/07
5. License and/or Permit Continuance Bond, received 09/19/07.
6. Quitclaim Deed, received 09/19/07
7. Certified List of Abutters.
8. Public Hearing Legal Notice.
9. Return memo from Conservation Commission, received 09/21/07.
10. Return memo from Collector/Treasurer's Office, received 09/21/07.
11. Return memo from Clerk's Office, received 09/26/07.
12. Return memo from Sewer Dept, received 09/28/07.
13. Correspondence from South Grafton Water District, received 10/03/07.
14. Planning Board "Sign-In Sheet" for 10/22/07 Public Hearing.
15. Photos submitted by Roger Lemoine, received 10/22/07 Public Hearing
16. Request for Public Hearing continuance, dated 10/22/07
17. Correspondence dated 10/31/07, from Graves Engineering, received 11/02/07
18. Planning Board "Sign-In Sheet" for 11/05/07 Public Hearing
19. 2 - 11" x 17" sheets of signed (dated 6/27/05) Definitive approved drainage plan and post development revised drainage plan dated 11/05/07, submitted by Peter Lavoie, Guerriere & Halnon Engineering 11/05/07.
20. Information from Applied Polymer Systems, Inc. concerning Floc Log, submitted to the Board by Peter Lavoie, G & H Engineering, 11/05/07

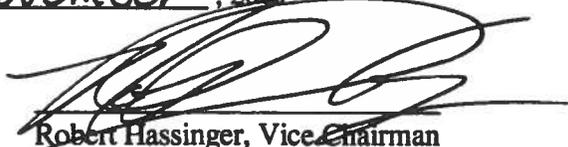
III. DECISION and CONDITIONS

At their meeting of November 5, 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. Regan, seconded by Mr. McCarthy) voted 5-0 to **APPROVE** the application for modification of Definitive Plan Approval decision with the following conditions:

- C1.** 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 **April 1, 2008**.
- C2.** 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.

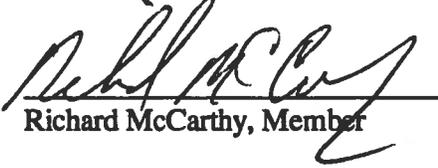
WITNESS our hands this 13th day of November, 2007

Peter Parsons, Chairman


Robert Hassinger, Vice Chairman


Keith Regan, Clerk

Donald Chouinard, Member


Richard McCarthy, Member

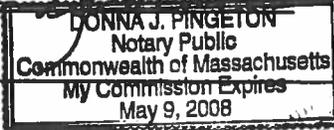
COMMONWEALTH OF MASSACHUSETTS

Worcester ss

November 13, 2007.

On this 13th day of November, 2007, personally appeared Keith A. Regan, a member of the Grafton Planning Board, and acknowledged the foregoing to be his free act and deed on behalf of said Board.


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