LAND PLANNING, INC.
Civil Engineers • Land Surveyors • Environmental Consultants

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DEC 16 2015
PLANNING BOARD
GRAFTON, MA

December 12, 2015

Grafton Planning Board
Grafton Municipal Center
Providence Road
Grafton, Ma 01519

Attention: Joseph Laydon, Town Planner
Subject: Requesting Permission to build a deck partially in the Flood Plain
Reference: Randy Gagne, 5 Hitchings Road, Grafton, MA

Dear Joe:

Our client, Randy Gagne, would like to build an elevated deck on the back of his home. The deck would be level with his first floor, which will be about six feet in elevation higher than the ground behind his home. Please refer to our attached Proposed Deck Plot Plan, dated December 14, 2015. It shows the location of proposed deck.

The issue in question is that a portion of the deck is proposed in the flood plain. The 100 year flood elevation is 307.20. We have surveyed the precise elevation of the ground behind Mr. Gagne's home and we have shown it on our Plot Plan.

The elevation of the proposed deck will be about elevation 313, or about six feet higher than the 100 year flood. The deck will be supported by techno metal posts. The flood will never reach the elevation of the deck, so technically speaking; the actual deck will not be built in the flood plain. Please allow this proposed deck to be built as proposed, as I do not see where it could be flooded, or be a problem.

Sincerely,
Land Planning Incorporated

Norman G. Hill

214 Worcester Street
Grafton, MA 01536
Tel: 508-839-9526
Fax: 508-839-9528

167 Hartford Avenue
Bellingham, MA 02019
Tel: 508-966-4130
Fax: 508-966-5054

P. O. Box 644
Holden, MA 01520
Tel: 508-829-3006
Fax: 508-839-9528

1115 Main Street
Hanson, MA 02341
Tel: 781-294-4144
Fax: 781-293-4111

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TOWN OF GRAFTON

GRAFTON MEMORIAL MUNICIPAL CENTER
30 PROVIDENCE ROAD
GRAFTON, MASSACHUSETTS 01519
(508) 839-5335 ext 1120 • FAX (508) 839-4602
www.grafton-ma.gov

APPLICATION FOR SPECIAL PERMIT

Application No. SP 2015-15

APPLICANT & PROPERTY OWNER INFORMATION

NAME Randy Gagne

STREET 5 Hitchings Rd. CITY/TOWN N. Grafton

STATE MA ZIP 01536 TELEPHONE 508-202-3348

NAME OF PROPERTY OWNER (if different from Applicant)

Deed recorded in the Worcester District Registry of Deeds Book 48064 Page 161

RECEIVED TOWN CLERK GRAFTON, MA 2015 DEC 17 AM 11 12

SITE INFORMATION:

STREET AND NUMBER 5 Hitchings Rd.

ZONING DISTRICT R20, Flood Plain ASSESSOR'S MAP 55 LOT #(S) 08

LOT SIZE 20,000 sq ft / .28 AC FRONTAGE 120'

CURRENT USE Single family dwelling

PROJECT/PLAN INFORMATION:

PLAN TITLE Proposed Deck plot plan

PREPARED BY (name/address of PE/Architect) Land Planning Inc. 214 Worcester St N. Grafton MA 01536

DATES 12/14/15

Use for which Special Permit is sought: (refer to § 3.2.3.1 of the Zoning Bylaw - Use Regulation Table):

Section 6.4 of ZBL for construction of deck in flood plain

Cite all appropriate sections of the Zoning By-Law which pertain to this Application, Use and Site:

TO THE GRAFTON PLANNING BOARD:

The undersigned, being the APPLICANT named above, hereby applies for a SPECIAL PERMIT to be granted by the Planning Board and certifies that, to the best of APPLICANT'S knowledge and belief, the information contained herein is correct and complete.

Applicant's Signature Randy Gagne Date: 12/15/15

Property Owner's Signature (if not Applicant) Date:

TOWN OF GRAFTON
GRAFTON MEMORIAL MUNICIPAL CENTER
30 PROVIDENCE ROAD
GRAFTON, MASSACHUSETTS 01519
Phone: (508) 839-5335 ext 1170 • FAX: (508) 839-4602
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TREASURER / COLLECTOR

Certificate of Good Standing

Applicants seeking permits with the Town of Grafton must submit this completed form at the time of application. When all obligations are paid to date, you must attach this "Certificate of Good Standing," with your application. Delinquent bills must be paid in full before the appropriate department accepts your application. Please make arrangements to pay these outstanding bills at the Collector's Office.

Please note: it can take up to three (3) business days to process each request.

Please check all that apply and indicate if permit(s) have been issued.

	Permit Issued? Yes	Permit Issued? No		Permit Issued? Yes	Permit Issued? No
❑Building – Inspection(s)			❑Septic System		
❑Building – Electric			❑Conservation		
❑Building – Plumbing			☑Planning		✓
❑Board of Health			❑Other		

Other Permit: _____

Randy Gaong
Petitioner Name

Petitioner Address

City, State, Zip

508-202-3348
Phone

Sano
Property Owner / Company Name

5 Hitchings Rd.
Property Address

N Grafton, MA 01536
City, State, Zip

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GRAFTON, MA

Date:	Current	Delinquent	N/A
Real Estate	✓		
Personal Property			✓
Motor Vehicle Excise	✓		
Disposal	✓		
General Billing			✓

Monique Murray
Treasurer / Collector Name (please print)

Monique Murray
Treasurer / Collector Signature

12.15.15
Date

Updated: 8/25/09

TOWN OF GRAFTON
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BOARD OF ASSESSORS

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GRAFTON ASSESSORS

Request for Abutters List

Date of Request: 12/15/15 Date List Needed: ASAP

Requested by: Randy Gagne Phone: 508-202-3348

Name of Property Owner: Randy Gagne

Street Address of Property: 5 Hitchings Rd. N. Grafton 01536

Map: 55 Block: _____ Lot: 08

REASON FOR LIST:

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GRAFTON, MA

Hearing before Zoning Board of Appeals	Yes	No
Hearing before Planning Board	(Yes)	No
Hearing before Conservation Commission	Yes	No

Other: _____

REASON FOR HEARING - (please circle)

Variance Scenic Road Title 5 (Special Permit) Subdivision

Other: Flood Plain

RADIUS FOR ABUTTERS - (please check one)

Immediate _____ 300 Feet ✓ Upon, along, across or under: _____

LABELS

Two Sets of Labels will be provided if needed: Yes ✓ No _____
(Planning Board requires 2 sets of Labels)

Office Use Only

Date List Prepared: 12-16-15 Address Labels Prepared: 12-16-15

Fee Charged: $ 25.00 Amt. Paid: 25.00 $ Date: 12-15-15

Check: # 263 Cash: $ _____ Money Order: $ _____

12/16/2015

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PLANNING BOARD
GRAFTON, MA

Tammy Kalinowski, Office Manager

5 Hitchings Road
Map 55, Lot 8

PARCEL ID	LOCATION	OWNER 1	OWNER 2	ADDRESS	CITY	ST	ZIP	BK	PG
110/055.0-0000-0004.0	85 WORCESTER STREET	FITZGERALD BRIAN D		8 GRAFTON ROAD	UPTON	MA	01568	23362	343
110/055.0-0000-0005.0	1 HITCHINGS ROAD	CAROLINO JULIA L		1 HITCHINGS ROAD	N GRAFTON	MA	01536	36433	297
110/055.0-0000-0007.0	3 HITCHINGS ROAD	WILSON JOHN D		4 HITCHINGS ROAD	N GRAFTON	MA	01536	50094	30
110/055.0-0000-0008.0	5 HITCHINGS ROAD	GAGNE RANDY J		5 HITCHINGS ROAD	N GRAFTON	MA	01536	48064	161
110/055.0-0000-0009.0	7 HITCHINGS ROAD	DICKEY LINA A	WASHBURN LEIGHTON A	7 HITCHINGS ROAD	N GRAFTON	MA	01536	46487	344
110/055.0-0000-0010.0	9 HITCHINGS ROAD	HENAULT BRUCE W		11 HITCHINGS ROAD	N GRAFTON	MA	01536	16562	15
110/055.0-0000-0011.0	7 LOGAN PATH	TOWLE DENNIS J	ARAKELIAN STACEY J	87 STONE SCHOOL ROAD	SUTTON	MA	01590	18686	105
110/055.0-0000-0011.A	3 LOGAN PATH	FOX KATHLEEN T		24 TRILLIUM RISE	PLYMOUTH	MA	01536	45387	238
110/055.0-0000-0026.0	4 LOGAN PATH	HACKETT LUCIA K		4 LOGAN PATH	N GRAFTON	MA	01536	15800	85
110/055.0-0000-0027.0	14 LOGAN ROAD	JIA YIE		410 SANDRINGHAM COURT	WINTER SPRINGS	FL	32708	32239	346
110/055.0-0000-0028.0	12 LOGAN ROAD	CARTER ROBERT H	CIVITA CARTER DAWN	12 LOGAN ROAD	N GRAFTON	MA	01536	14703	366
110/055.0-0000-0029.0	10 LOGAN ROAD	GRAFTON LAND TRUST INC		PO BOX 114	GRAFTON	MA	01519	23370	340
110/055.0-0000-0030.0	8 LOGAN ROAD	HACHMEISTER DAMON R		8 LOGAN ROAD	N GRAFTON	MA	01536	33906	77
110/055.0-0000-0084.0	89 WORCESTER STREET	89 WORCESTER STREET LLC		49 CHURCH STREET	WHITINSVILLE	MA	01588	48400	201
110/055.0-0000-0085.0	5 USHER ROAD	STOLL JAMES L		5 USHER ROAD	N GRAFTON	MA	01536	40643	110
110/055.0-0000-0086.0	7 USHER ROAD	SHEEHAN KEVIN N	SHEEHAN DONNA M	7 USHER ROAD	N GRAFTON	MA	01536	22912	329
110/055.0-0000-0087.0	11 USHER ROAD	LIZOTTE DONALD E	LIZOTTE CELINE	11 USHER ROAD	N GRAFTON	MA	01536	43022	90
110/055.0-0000-0087.A	9 LOGAN ROAD	LIZOTTE ALAN D	LIZOTTE LAURIE J	9 LOGAN ROAD	N GRAFTON	MA	01536	18412	400
110/055.0-0000-0088.0	7 LOGAN ROAD	VAN ETTEN SANDRA G		7 LOGAN ROAD	N GRAFTON	MA	01536	48872	330
110/055.0-0000-0089.0	8 HITCHINGS ROAD	KEENAN EDWARD B	KEENAN CAROL J	8 HITCHINGS ROAD	N GRAFTON	MA	01536	4857	98
110/055.0-0000-0090.0	6 HITCHINGS ROAD	ERICSON STANLEY E & MARJORIE L	ERICSON KENNETH E & LINDBLAD S	6 HITCHINGS ROAD	N GRAFTON	MA	01536	22063	193
110/055.0-0000-0091.0	4 HITCHINGS ROAD	WILSON JOHN D		4 HITCHINGS ROAD	N GRAFTON	MA	01536	34957	170
110/055.0-0000-0092.0	2 HITCHINGS ROAD	WILSON JOHN D		2 HITCHINGS ROAD	N GRAFTON	MA	01536	34957	150
110/055.0-0000-0093.0	87 WORCESTER STREET	DRAKE PETROLEUM COMPANY INC	ATTENTION: TREASURER	211 QUINEBAUG ROAD	NO GROSVENORDALE	CT	06255	5726	228
110/055.0-0000-0094.0	88 WORCESTER STREET	LEEMILT'S PETROLEUM INC	GETTY PETROLEUM MARKETING IN	125 JERICHO TURNPIKE	JERICHO	NY	11753	30031	198
110/055.0-0000-0095.0	86 WORCESTER STREET	GRAFTON SUBURBAN CREDIT UNIO		86 WORCESTER STREET	N GRAFTON	MA	01536	17023	192
110/055.0-0000-0097.0	82 WORCESTER STREET	HOPE PROPERTIES LLC		665 CHURCH STREET	WHITINSVILLE	MA	01588	27344	200

Grafton Conservation Commission

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PLANNING BOARD
GRAFTON, MA

August 5, 2015

Randy Gagne
5 Hitchings Road
North Grafton, MA 01536

SUBJECT: Determination of Applicability – 5 Hitchings Road

Dear Mr. Gagne:

At their August 4, 2015 meeting, the Conservation Commission reviewed your request to construct a 16' x 32' deck in the back of your house. At that time, the Commission voted to issue a negative determination for the proposed work at the above referenced location. There are conditions attached to this Determination which must be met.

Enclosed is the original Determination of Applicability for your records. This determination is valid for three years from the date issued.

If you have any questions or concerns, please call the office at 508-839-5335, extension 1138 or via e-mail at: concom@grafton-ma.gov

Sincerely,

Leah Cameron

Leah Cameron
Conservation Assistant

30 Providence Road, Grafton, MA 01519 • Tel: 508-839-5335 ext. 1138 • Fax: 508-839-4602
e-mail: concom@grafton-ma.gov

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.

From:

Grafton
Conservation Commission

To: Applicant

Randy Gagne
Name

5 Hitchings Road
Mailing Address

North Grafton | MA | 01536
City/Town | State | Zip Code

Property Owner (if different from applicant):

Name

Mailing Address

City/Town | State | Zip Code

1. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Title	Date
Exhibit A - owner's sketch	06/30/2015
Exhibit B - owner's photograph/sketch	06/30/2015

2. Date Request Filed:

07/06/2015

B. Determination

Pursuant to the authority of M.G.L. c. 131, § 40, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

Construction of a 16' x 32' deck in the back of the house

Project Location:

5 Hitchings Road
Street Address

North Grafton
City/Town

55
Assessors Map/Plat Number

8
Parcel/Lot Number

B. Determination (cont.)

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Wetlands Protection Act and regulations:

Positive Determination
Note: No work within the jurisdiction of the Wetlands Protection Act may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) or Order of Resource Area Delineation (issued following submittal of Simplified Review ANRAD) has been received from the issuing authority (i.e., Conservation Commission or the Department of Environmental Protection).

☐ 1. The area described on the referenced plan(s) is an area subject to protection under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.

☐ 2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid.

_____

_____

_____

☐ 2b. The boundaries of resource areas listed below are <u>not</u> confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.

_____

_____

_____

☐ 3. The work described on referenced plan(s) and document(s) is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.

☐ 4. The work described on referenced plan(s) and document(s) is within the Buffer Zone and will alter an Area subject to protection under the Act. Therefore, said work requires the filing of a Notice of Intent or ANRAD Simplified Review (if work is limited to the Buffer Zone).

☐ 5. The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by:

_____
Name of Municipality

Pursuant to the following municipal wetland ordinance or bylaw:

_____ _____
Name Ordinance or Bylaw Citation

B. Determination (cont.)

☐ 6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:

☐ 7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)c. for more information about the scope of alternatives requirements):

- ☐ Alternatives limited to the lot on which the project is located.
- ☐ Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
- ☐ Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
- ☐ Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

Negative Determination

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

☐ 1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.

☐ 2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.

☒ 3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).
See attached Exhibit 'A'

☐ 4. The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act.

B. Determination (cont.)

☐ 5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statuatory/regulatory provisions)

☐ 6. The area and/or work described in the Request is not subject to review and approval by:

Name of Municipality

Pursuant to a municipal wetlands ordinance or bylaw.

Name | Ordinance or Bylaw Citation

C. Authorization

This Determination is issued to the applicant and delivered as follows:

☐ by hand delivery on

Date

☑ by certified mail, return receipt requested on 8-5-15

Date

This Determination is valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

This Determination must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office (see http://www.mass.gov/eea/agencies/massdep/about/contacts/) and the property owner (if different from the applicant).

Signatures:

8-5-15

Date

D. Appeals

The applicant, owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate Department of Environmental Protection Regional Office (see http://www.mass.gov/eea/agencies/massdep/about/contacts/) to issue a Superseding Determination of Applicability. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form (see Request for Departmental Action Fee Transmittal Form) as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant if he/she is not the appellant. The request shall state clearly and concisely the objections to the Determination which is being appealed. To the extent that the Determination is based on a municipal ordinance or bylaw and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

EXHIBIT 'A'

This Determination of Applicability is issued with the following special conditions:

SP1. The work shall be completed as shown on the documents titled "Exhibit A – owner's sketch" and "Exhibit B – owner's photograph/sketch" dated 06/30/2015.

SP2. All excavated material shall be removed from the site.

SP3. Upon completion of the work described herein, the applicant shall contact the Conservation Commission office at 508-839-5335 x1138 or concom@grafton-ma.gov to schedule a site visit with the Conservation Agent.

Land Planning, Inc.
Civil Engineers • Land Surveyors
Environmental Consultants

Bellingham
167 Hartford Ave.
Bellingham, MA 02019
508-966-4130

North Grafton
214 Worcester St.
N. Grafton, MA 01536
508-839-9526

Hanson
1115 Main Street
Hanson, MA 02341
781-294-4144

Proposed Deck Plot Plan

located at

5 Hitchings Road
North Grafton, Massachusetts

owned by

Randy J. Gagne

Dec. 1, 2015 scale:1"=20'
Revised Dec. 14, 2015

ZONING DISTRICT: R-20

	REQUIRED
AREA	20,000 S.F.
FRONTAGE	120 FT.
FRONT YARD	30 FT.
SIDE YARD	15 FT.
REAR YARD	15 FT.

proposed lot coverage 1,484 s.f. (12%)
impervious area pre and post 3,312 s.f.

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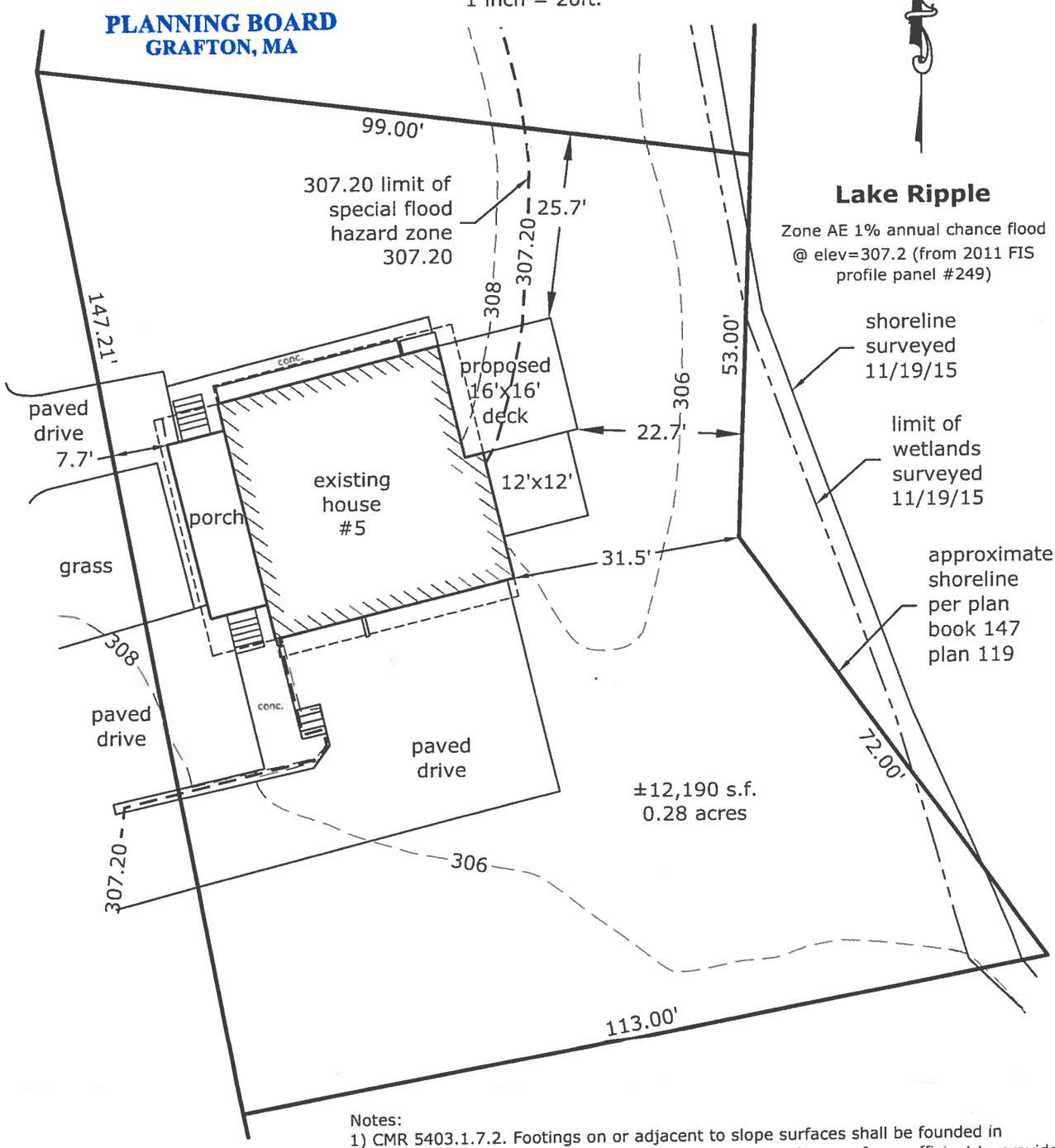
GRAFTON, MA

0 10 20 40
Graphic Scale
1 inch = 20ft.



Notes:
1) CMR 5403.1.7.2. Footings on or adjacent to slope surfaces shall be founded in material with an embedment and setback from the slope surface sufficient to provide vertical and lateral support for the footing without detrimental settlement.
2) The contractor must contact all utility companies and "Dig Safe" before excavation begins. We assume no responsibility for damages incurred as a result of utilities omitted or inaccurately shown.
3) The lot is entirely within the water supply protection overlay.
4) The lot is service by town water and sewer.
5) The only structures located within the flood plane are the posts supporting the new deck. These posts are not subject to damage from flooding or velocity.

I certify that the structures are located on the lot as shown on this plan. I further certify that the structures are located within a Federal Flood Zone per FIRM Map #25027C0829E dated 07/04/2011.

COMMONWEALTH OF MASSACHUSETTS
NORMAN G. HILL No. 41786
PROFESSIONAL LAND SURVEYOR

12-14-15

Norman G. Hill P.L.S. #41786

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planningdept@grafton-ma.gov
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Departmental Comment Form

Project Information		
Case Number	SP 2015-15	Public Hearing Opens: January 11, 2015
Project Name	Construction of an Elevated Deck in a Flood Plain	
Project Location	5 Hitchings Road, North Grafton, MA 01536	
Applicant/ Owner	Randy Gagne	

To be entered into the official record as part of the Planning Board Decision, comments must be received before the Thursday before the Public Hearing. All comments are part of the public record. Please mail or email this form to the Planning Department. We appreciate your interest and value your input.

Your Contact Information		
Name	Nancy Connors	Date: 12/22/15
Department	Health	Respond by: January 07, 2015
Address		
City, State, Zip		
Phone		Email:

Comments

No comments.....

Please contact the office if you have any questions. Thank you.

PLANNING BOARD

TOWN OF GRAFTON
GRAFTON MEMORIAL MUNICIPAL CENTER
30 PROVIDENCE ROAD
GRAFTON, MASSACHUSETTS 01519
(508) 839-5335 ext. 1120 • FAX (508) 839-4602
planningdept@grafton-ma.gov
www.grafton-ma.gov

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GRAFTON, MA

Departmental Comment Form

Project Information		
Case Number	SP 2015-15	Public Hearing Opens: January 11, 2015
Project Name	Construction of an Elevated Deck in a Flood Plain	
Project Location	5 Hitchings Road, North Grafton, MA 01536	
Applicant/ Owner	Randy Gagne	

To be entered into the official record as part of the Planning Board Decision, comments must be received before the Thursday before the Public Hearing. All comments are part of the public record. Please mail or email this form to the Planning Department. We appreciate your interest and value your input.

Your Contact Information		
Name	Katrina Koshivos	Date: 1/4/2016
Department	ZBA	Respond by: January 07, 2015
Address		
City, State, Zip		
Phone		Email:

Comments

ZBA has only one comment that the property is located in the Water Supply Protection Overlay District.

Please contact the office if you have any questions. Thank you.