



**Town of Grafton  
Zoning Board of Appeals  
30 Providence Road  
Grafton, MA. 01519**

RECEIVED TOWN CLERK  
GRAFTON, MA  
2019 FEB -6 AM 11:46

**508-839-5335 x 1154 - Fax: 508-839-4602  
E-mail: [koshivosk@graffton-ma.gov](mailto:koshivosk@graffton-ma.gov)  
Website: <http://graffton-ma.gov>**

**Zoning Board of Appeals**

**Revised Legal Notice**

The Grafton Board of Appeals has received a petition from TRUST CONSTRUCTION CORP.

for 3 HIGH POINT DRIVE requesting that the Zoning Board of Appeals grant a

**Overturn the decision of the Building Inspector**

to allow: TO OVERTURN THE DECISION OF THE BUILDING INSPECTOR AND HAVE HIM ISSUE BUILDING PERMITS ON 3 LOTS, LOT #S 48, 52, & 74 HIGH POINT DRIVE. BOOK: 43543 PAGE: 26

Map: 41 Lot: 276 Block: 0000

The Board will conduct a Public Hearing Thursday, February 28, 2019 at 7:45 PM in Conference Room F, at the Municipal Center, 30 Providence Road, Grafton, MA 01519 to consider this request and/or to take whatever action is necessary, including the granting of a finding, special permit, variance, or other necessary relief allowed under the Zoning By-Law.

Any person wishing to be heard in conjunction with this request should appear at the time and place designated or by letter to this Board in time to be read at the hearing.

\*Please note: Individuals requiring special accommodations should contact the Zoning Board of Appeals at (508) 839-5335, ext. 1154 at least seven (7) days prior to the hearing date in order to facilitate your request.

**ZONING BOARD OF APPEALS**

- William McCusker, Chairman
- William Yeomans, Vice Chairman
- Kay Reed, Clerk
- Elias Hanna
- Karl Chapin
- Marianne Desrosiers, Alternate
- Brian Waller, Alternate

Case Number # 858 / 2019 THE GRAFTON NEWS

Thursday, February 14, 2019 and Thursday, February 21, 2019

RECEIVED TOWN CLERK  
GRAFTON, MA

RECEIVED

2019 FEB -5 AM 8:41

FEB 05 2019

**PETITION TO THE ZONING BOARD OF APPEALS  
TOWN OF GRAFTON, MASSACHUSETTS**

Zoning Board of Appeals

DATE: 1-31-2019

I/We hereby petition your Board to conduct a public hearing and consider the granting of relief from under hardship resulting from literal enforcement of the protective Zoning Bylaw, by exercising your power to:

(Mark one)

- Review refusal of Selectman or others to grant a permit
- Grant a **VARIANCE** from the terms of the Zoning Bylaw, SECTION \_\_\_\_\_.
- Grant a **SPECIAL PERMIT** for a specific use which is subject to the approval of your Board.

**FOR LAND/BUILDINGS AT** 3 High Point Drive (AKA Lot #76)

**TO ALLOW:**

To allow Building permits on 3 lots.  
Lot # 74, 52, 48  
High Point Drive

Please complete this entire section:

Parcel ID: 41-0-276

Location of property: \_\_\_\_\_ Tax Plan # \_\_\_\_\_ Plot # \_\_\_\_\_  
 Zoning District in which the property is located: R4- Comprehensive Permit  
 Title of Property in name of: Picconi Nancie  
 Whose address is: 3 High Point Drive (AKA Lot 76)  
 Deed recorded in Book # 43543, Page # 26  
 Plan Book # \_\_\_\_\_, Plan # \_\_\_\_\_  
 Signature of Petitioner: [Signature]  
 Print Name P. L. Hingorani, Manager  
 Address of Petitioner: 51 Mount Joy Drive, Tewksbury, MA 01876  
 Phone Number of Petitioner: 978-851-3456

**INSTRUCTION CORP.**

3628

own of Grafton

Check Number 3628  
Check Date Jan 24, 2019

←  
**PAID**

Check Amount \$1,221.87

**Item to be Paid - Description**

Discount Take                      Amount Paid

Bill No. 2801, Lot 48	0.42
Bill No. 2805, Lot 52	0.42
Bill No. 2816, Lot 74	1,097.22
Bill No. 2818, 100 HP Dr. Open Space	114.18
Bill No. 2819, 2 HP Dr. Open Space	4.61
Bill No. 2820, 13 Rear HP Open Space	5.02

PRODUCT DLM108

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1/24



**TOWN OF GRAFTON**  
 GRAFTON MEMORIAL MUNICIPAL CENTER  
 30 PROVIDENCE ROAD  
 GRAFTON, MASSACHUSETTS 01519  
 (508) 839-5335 ext 1170 • FAX: (508) 839-4602  
 www.grafton-ma.gov



**RECEIVED**  
 FEB 05 2019

TREASURER / COLLECTOR

Zoning Board of Appeals

## Certificate of Good Standing

*AC*

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?			Permit Issued?	
	Yes	No		Yes	No
<input type="checkbox"/> Building - Inspection(s)	_____	_____	<input type="checkbox"/> Septic System	_____	_____
<input type="checkbox"/> Building - Electric	_____	_____	<input type="checkbox"/> Conservation	_____	_____
<input type="checkbox"/> Building - Plumbing	_____	_____	<input type="checkbox"/> Planning	_____	_____
<input type="checkbox"/> Board of Health	_____	_____	<input type="checkbox"/> Other	_____	_____

Other Permit: \_\_\_\_\_

Peter Hingorani, Manager  
 Petitioner Name

Adams Road Company LLC  
 Property Owner / Applicant

51 Mount Jay Drive  
 Petitioner Address

See attached (6 lots)  
 Property Address

Tewksbury, MA - 01876  
 City, State, Zip

Grafton, MA  
 City, State, Zip

978-851-3456  
 Phone

Date:	Current	Delinquent	NA
Real Estate			
Personal Property			
Motor Vehicle Excise			
Disposal			
General Billing			

*[Signature]*  
 Treasurer / Collector Signature

2/5/19  
 Date

**Lots owned by Adams Road Company LLC- 1-31-2019**

Bill #	Lot #	
2801	48	<i>ok/PA</i>
2805	52	<i>ok/PA</i>
2816	74	<i>ok/PA</i>
2818	100 HP Dr. open space	<i>ok/PA</i>
2819	2HP Dr. Open space	<i>ok/PA</i>
2820	13 Rear HP Open space	<i>ok/PA</i>

**Maurice P. Mason Jr.  
Attorney at Law  
147 E. Merrimack St. Suite 101  
Lowell, MA 01852  
978 453 8624**

RECEIVED TOWN CLERK  
GRAFTON, MA  
2019 JAN 24 AM 11:15

*Handwritten initials*

**January 24, 2019**

**Zoning Board of Appeals  
Town of Grafton  
30 Providence Rd.  
Grafton, MA 01519**

RECEIVED  
JAN 24 2019  
Zoning Board of Appeals

**RE: Building Inspector Notice dated January 15, 2019, regarding High Point Estates**

**Dear Mr. Chairman:**

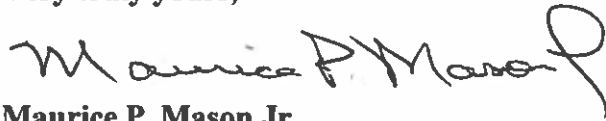
**Please be advised this office represents Adams Road Company LLC, 51 Mt. Joy Drive, Tewksbury MA, developer of High Point Estates Grafton MA. Please let this correspondence act as notice of an appeal from the Building Inspectors Order of January 15, 2019 in accordance with Massachusetts General Law Chapter 40A section 15. My clients allege the Building Inspector has acted arbitrarily, capriciously, and without a factual basis in his Order of January 15<sup>th</sup>. Further my clients state his Order is extreme and excessive in withholding permits, and occupancy permits in view of the history of compliance on this project over the history of the project. Further my client state that the findings of the Building Inspector disregards the actions of others, not under the control of the developer in creating the issues on lot 76.**

**My client therefore appeals that Order and requests a hearing before the Board of Appeals at its earliest convenience.**

**If you have any questions please feel free to contact my office.**

**Thank you for your cooperation.**

**Very truly yours,**

A handwritten signature in black ink that reads "Maurice P. Mason Jr." with a stylized flourish at the end.

**Maurice P. Mason Jr.**

**Enc:**

**Cc: client**



**OFFICE OF THE BUILDING DEPARTMENT**

30 Providence Road  
Grafton, Massachusetts 01519  
Phone: (508) 839-5335 ext 1190 • FAX: (508) 839-4602  
Inspector of Buildings: *Robert S. Berger C.B.O.*  
bergerr@grafton-ma.gov  
www.grafton-ma.gov

RECEIVED TOWN CLERK  
GRAFTON, MA

2019 JAN 25 AM 11:28

**COPY** *HC*

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January 15, 2019

Peter Hingorani, Manager  
Adams Road Company, LLC  
51 Mount Joy Drive  
Tewksbury, MA 01876

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED  
7011 3500 0002 9367 2497

**RECEIVED**

**JAN 25 2019**

Re: High Point Estates, Grafton, MA – Enforcement Order

Zoning Board of Appeals

Dear Mr. Hingorani:

This office has received a complaint from the owner of 3 High Point Drive (aka, Lot 76) concerning flooding that is occurring on her property. Specifically, stormwater runoff from adjacent, upgradient property is collecting on Lot 76 and damaging that property. Erosion and sediment control issues have plagued this Lot since at least 2016, and you have been on notice to correct these concerns. These problems constitute violations of the Chapter 40B comprehensive permit issued by the Grafton Zoning Board of Appeals (“ZBA”), as modified by the Housing Appeals Committee. Since the flooding and erosion control issues have not been voluntarily corrected, I am formally ordering you to correct these conditions forthwith, and I will withhold any further building permits and certificates of occupancy until these violations have been satisfactorily addressed.

**Summary of Facts and Investigations**

1. A written request for enforcement was received by this office on July 24, 2018 from Nancie Piccone, the owner of 3 High Point Drive, identified as Lot 76 on the recorded site plans approved by the ZBA in connection with the issuance of the comprehensive permit for High Point Estates (the “Project” and “Project Site”). Lot 76 was part of the Project, although the house on the Lot pre-dated the Project. Ms. Piccone reported a “growing water problem” on her property, characterized by flooding from adjacent properties.

2. The Town Planner Joseph Laydon has visited the Project Site numerous times and has observed the conditions on Lot 76. In a Memorandum dated August 15,



2018 address to my office, Mr. Laydon stated that grading has occurred on the Site that does not conform to the approved plans, and that has resulted in flooding on residential properties. A copy of Mr. Laydon's memo is attached.

3. The Town's peer review engineer, Jeff Walsh of Graves Engineering, Inc., filed a report with my office on August 15, 2018, responding to the Piccone Complaint. He noted that he had previously visited Lot 76 on November 21, 2016 in response to a complaint of flooding, and observed sediment deposition that was likely inhibiting stormwater flow, and likely causing ponding on Lot 76. He opined that the likely source of the sediment on Lot 76 was erosion from Lot 58, and possible Lot 55. A copy of Mr. Walsh's August 15, 2018 report and his November 21, 2016 site inspection report are attached.

4. A conceptual plan showing proposed topographical changes on the Site to address the erosion and flooding issues was prepared by Patrick C. Garner Co., Inc. on December 18, 2018 and filed with my office. Hydrology calculations in the form of an output sheet from the HydroCAD software program was also provided. These documents were provided as a proposal to remediate the erosion and flooding on Lot 76. I forwarded this plan to Mr. Walsh to review. Mr. Walsh has requested additional details and explanations. A copy of Mr. Walsh's current review memorandum is attached.

### **The Comprehensive Permit**

5. Development of the Project Site is governed by a Comprehensive Permit issued by the ZBA and filed on December 24, 2002, as modified by a decision of the Housing Appeals Committee dated December 4, 2004, and an amended Comprehensive Permit filed on December 14, 2005.

6. The original Comprehensive Permit contains at least three provisions regulating stormwater runoff on the Site. Condition 8 requires compliance with all local rules and regulations unless waived. Section 4.7.8.1 of the Grafton Subdivision Rules and Regulations require the installation of adequate drainage facilities. Section 4.6.1 provides:

"Lots shall be prepared and graded in such a manner that development of one lot shall not cause detrimental drainage on another lot (either within or outside the subdivision) or onto streets either during construction or upon completion..."

7. Condition 32 requires the developer to abate any nuisances during construction of the Project. Condition 46 requires that stormwater systems be operational and fully constructed prior to the issuance of occupancy permits for a particular phase. All of these conditions survived the HAC appeal and decision.

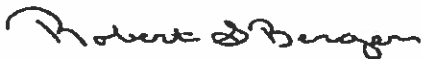
## Order

8. It is my ruling that the documented erosion and flooding that is occurring on Lot 76 constitutes a violation of the Comprehensive Permit, and must be abated. I am therefore withholding any further building and occupancy permits for residential housing units in the Project until these conditions are abated. Further, I am ordering that you take the following corrective actions:

- a. submit a revised proposal to remediate the erosion and flooding issues on Lot 76, addressing Mr. Walsh's comments, and signed and stamped by a registered professional engineer in the Commonwealth of Massachusetts no later than January 31, 2019.
- b. once this office, in consultation with Graves Engineering, approves your remediation proposal, you shall immediately implement the plan, and complete it within thirty days. If unique weather conditions justify a delay in the completion of the plan, you may request an extension.
- c. submit a plan for temporary abatement of flooding on Lot 76 no later than January 21, 2019, and upon the approval of that temporary plan, implement that temporary plan forthwith.

Pursuant to G.L. c. 40A, ss. 8, 15, you may appeal this Order within thirty days.

Sincerely,



Robert Berger

cc: Town Administrator  
Town Counsel



100 GROVE ST. | WORCESTER, MA 01605

August 15, 2018

Robert Berger  
Inspector of Buildings/Zoning Enforcement Officer  
Grafton Municipal Center  
30 Providence Road  
Grafton, MA 01519

T 508-856-0321  
F 508-856-0357  
gravesengineering.com

**Subject: High Point Estates  
Complaint, 3 High Point Drive (aka Lot 76)**

Dear Bob:

On July 24, 2018 I received the e-mailed complaint and photographs issued by Nancy Picconi of 3 High Point Drive. Ms. Picconi's email was also dated July 24, 2018. Graves Engineering, Inc. (GEI) has been requested to review the complaint and to provide engineering support to your office as appropriate.

The complaint began with discussion of "the growing water problem", mentioned flooding of electrical boxes then went on to mention the "driveway in the wrong place, a clogged drain and no water stub. Other than the photos and the allegation of a growing water problem, little specific information was presented in the letter. Nevertheless, I will attempt to assist your office.

**1. Growing water problem**

Three points should be evaluated, and each point is independent of the other: flow paths, flow rates and construction-phase erosion and sediment controls. I do not possess sufficient data that would allow me to evaluate flow paths and flow rates.

*Flow paths*

The dwelling existed before construction of the subdivision started. The lot is located down-gradient of other land within the subdivision. An analysis could be done to identify flow paths toward and away from 3 High Point Drive prior to and after subdivision construction. Such an analysis should be prepared by the developer's design team and could be reviewed by our office if you desire.

*Flow rates*

Whereas the property is located down-gradient of other subdivision land, an analysis could be performed to compare as-constructed conditions with existing conditions prior to subdivision construction similar to how a project-wide pre-development versus post-development hydrology analysis is commonly done during project permitting. Such an analysis should be prepared by the developer's design team and could be reviewed by our office if you desire.

*Construction-phase erosion and sediment controls*

Erosion and sediment control issues occurred at the southeast corner of the dating back to at least 2016. The developer has been advised of these concerns and has expressed that corrective action would be taken. Nevertheless, I have not seen any

x:\shared\projects\graftonzba\adamsrdtrust(highpoint)\docs\construction\bb081518.ltr.docx

corrective actions taken that I would consider a permanent solution. Please see my attached site visit report dated November 21, 2016.

**2. Flooding of electrical boxes**

Whereas this is an electric utility issue, I am unable to assist with this matter. It is my understanding that the electric utility company would have jurisdiction over the electric boxes that supply electrical power to the dwellings. As for the backfeeding (I interpret the complaint to mean backfeeding of water), any impounded water that is the source of water into the conduit serving the dwelling would have to be higher in elevation than the electric meter (commonly affixed to a dwelling). I believe that the house is higher in elevation than the electric box and the conduit in the electric box.

**3. Driveway in the wrong place**

I don't understand what "in the wrong place" means. The subdivision plans show the frontage for Lot 76 (3 High Point Drive) being at the intersection of High Point Drive and High Point Drive. It is my understanding that when the driveway entrance was constructed, it was done so with the intention of moving the driveway onto the lot which it serves.

**4. Clogged drain**

In the photo that shows water impounded on the road at the catch basin located at the intersection of High Point Drive and High Point Drive (no stop sign in the photograph), I call your attention to the three pieces of material protruding above the water surface. This material appears to be part of a "silt sack" that was installed in the catch basin for construction-phase erosion control. The silt sack captures sediment but in doing so it temporarily impedes the flow of water into the catch basin. It is not uncommon for temporary ponding conditions to occur when the flow of water to a catch basin exceeds the capacity of the water to flow through the silt sack.

**5. No water stub**

I assume reference is being made to a water service stub that would originate at the water main and terminate at a curb stop at the edge of the right-of-way. For a dwelling to be supplied with public water, a water service would have to be installed from the curb stop to the dwelling. I do not know if a water service stub was installed. Such a matter falls under the jurisdiction of the Grafton Water District.

We trust this letter addresses your review requirements. Feel free to contact this office if you have any questions or comments, or if you would like further assistance in this matter.

Very truly yours,  
Graves Engineering, Inc.



Jeffrey M. Walsh, P.E.  
Vice President

Attachment

cc: Katrina Koshivos, Grafton ZBA Administrative Assistant  
Maria Mast, Grafton Conservation Agent  
Joe Laydon, Grafton Town Planner  
Daniel Hill, Esq., Hill Law

# Site Visit Report



100 Grove Street  
Worcester, MA 01605  
T 508-856-0321  
F 508-856-0357  
gravesengineering.com

<b>Date:</b>	November 21, 2016	<b>Prepared By:</b>	Jeffrey Walsh
<b>Client:</b>	Grafton Zoning Board of Appeals	<b>Arrived on site:</b>	9:05 AM
<b>Project:</b>	High Point Estates	<b>Left site:</b>	10:35 AM
<b>Contractor:</b>	Barlow Construction	<b>Site Conditions:</b>	Damp
<b>Contractor Contact:</b>	Tim Barlow	<b>Weather:</b>	35 - 40° Windy

Transmitted by:	
<input checked="" type="checkbox"/> Mail	<input type="checkbox"/> E-mail
<input type="checkbox"/> Hand	<input type="checkbox"/> Other:
<input type="checkbox"/> Fax	

## Comments:

Graves Engineering, Inc. (GEI) was on-site to observe site conditions associated with a complaint received by the Grafton Building Inspector from the owner of Lot 76 (the only house located on the High Point Estates project property at the time of 40B permitting). The complaint had to do with stormwater runoff and/or sedimentation from the development going onto existing Lot 76. I understood that the person filing the (verbal) complaint would be following-up with a written complaint. As of January 16, 2017, GEI still haven't received a written complaint which would clearly identify their concern(s). Maria Mast, Grafton Conservation Agent, was also present during this site visit.

We viewed conditions along the up-gradient (eastern) lot line of Lot 76. Sediment deposition was observed at the southeastern-most corner of the lot, directly behind an accessory building on the lot. Please see Photos 1 and 2. Based upon visual observations, it appeared that the accumulated sediment now inhibits westerly stormwater flow and may even direct stormwater northerly toward the swimming pool on Lot 76 instead of allowing the stormwater to flow westerly and northwesterly to the lot lines separating Lot 76 from Lots 52, 53 and 54.

We also viewed conditions up-gradient of Lot 76. Immediately up-gradient of Lot 76 is a portion of the project's Open Space. Other than the limited cutting of vegetation along a walking trail, no signs of construction activity were observed on the Open Space.

Finally, we viewed conditions on the project's developed lots located up-gradient of Lot 76. Based upon visual observations, portions or all of the following building lots are tributary to the southeast corner of Lot 76: Lots 55, 56, 57, 58 and 59. Concerning the sediment deposition, erosion on Lot 58 appeared to be the primary source of sediment deposition on Lot 76. Please see Photos 4 and 5. There was also erosion noted at the rear of Lot 55 that may be contributing to sediment deposition on Lot 76. Please see the eroded channels in Photo 2. Temporary erosion controls in place had been displaced and were no longer effective in capturing sediment. Please refer to Photo 3. In my opinion, the accumulated sediment should be removed from Lot 76 and up-gradient erosion control measures repaired, replaced and supplemented as necessary in order to capture sediment on the project property and to direct stormwater along the westerly and northwesterly Lot 76 lot lines that separate Lot 76 from Lots 52, 53 and 54. This work should occur as soon as possible.

## Action to be Taken:

The CLIENT will be notified of this site visit by way of this report.

The developer of High Point Estates should remove the accumulated sediment from Lot 76 and repair, replace and supplement the up-gradient erosion control measures as necessary in order to capture sediment on the project property and to direct stormwater along the westerly and northwesterly Lot 76 lot lines that separate Lot 76 from Lots 52, 53 and 54. Once spring growing conditions occur, the up-gradient tributary areas not yet permanently stabilized must be re-worked and vegetated to ensure the vigorous growth of permanent vegetative cover. Until such time as permanent stabilization is achieved, the developer should also maintain the erosion control measures and should periodically remove sediment located at and around the southeast corner of Lot 76.

**Copies:**

Robert Berger, Grafton Building Commissioner  
Maria Mast, Grafton Conservation Agent  
Tim Barlow, Barlow Construction

**Photos:**



**Photo 1: Looking down-gradient toward Lot #76 on right.**



**Photo 2: Close-up of sediment deposition on Lot 76. It appears that the deposited sediment is now inhibiting the flow of stormwater around the left (south) side of the building.**





**Photo 3: Displaced erosion control barriers and accumulated sediment.**



**Photo 4: Signs of erosion on Lot 58 (The fence located at the rear of Lot 56).**



**Photo 5: Looking up-gradient from the Open Space to Lot 58. There are signs of erosion on the left (north) side of the slope and accumulated sediment in the lower left of the photo.**





100 GROVE ST. | WORCESTER, MA 01605

January 2, 2019

Robert Berger  
Inspector of Buildings/Zoning Enforcement Officer  
Grafton Municipal Center  
30 Providence Road  
Grafton, MA 01519

T 508-856-0321  
F 508-856-0357  
gravesengineering.com

**Subject: High Point Estates  
3 High Point Drive (aka Lot 76)  
Review of Proposed Modifications**

Dear Bob:

We received the following document on December 20, 2018 via e-mail:

- Plan entitled Stormwater Swale Detail, Lot 76 High Point Estates, Adams Rd., Grafton, Mass. dated December 18, 2018, prepared by Patrick C. Garner Co., Inc. (1 sheet)

We also received the following document on December 28, 2018 via e-mail:

- HydroCAD® hydrology calculations entitled Grafton Lot 76 Swale dated December 24, 2018, prepared by Lala Associates Engineers, LLC. with attached catchment plan dated December 21, 2018.

Graves Engineering, Inc. (GEI) has been requested to review and comment on the documents' consistency with standard engineering practices and with the approved subdivision construction plans and approved modifications.

**Our comments follow:**

**Plan entitled Stormwater Swale Detail...**

1. The plan proposes construction improvements associated with erosion and sedimentation near the pool house on 3 High Point Drive (Lot 76) and surrounding area. GEI understands that the documents submitted are in response to complaints from the owner(s) of 3 High Point Drive and from discussions during a meeting held on August 1, 2018 that was attended by Town staff and a representative of GEI.
2. The plan is missing standard information such as a professional engineer's stamp and signature, a scale bar, a legend and a north arrow.
3. The plan needs to distinguish between existing features and proposed features; the line-work on the plan does not distinguish between existing and proposed features. For example, spot elevations and some topographic contours are shown on the plan, but it is not clear whether they are existing or proposed.

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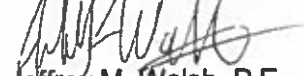
4. A sufficient amount of existing conditions information (e.g. topographic contours) needs to be provided along with a sufficient amount of proposed-conditions information to demonstrate how the proposed work will tie into existing conditions. For example, the plan calls for an existing swale to be deepened by 18", widened to four feet and straightened; the existing topography needs to be shown by way of topographic contour lines and supplemented with spot elevations as necessary (spot elevations have been provided) and proposed topography needs to be designed and represented by topographic contours (and supplemented with spot elevations as necessary). The existing conditions information needs to extend outside the limits of the proposed work.
5. The plan needs to be prepared at a reasonable scale for detailed work within the limited area consisting of the rear of Lot 55. For example, 1" = 20" scale would be reasonable. A scale of 1" = 40' would make it difficult to read this level of detail on the plan. An insert with a scale of 1" = 20' would be satisfactory if the plan is also intended to show other features outside the work area at a scale of 1" = 40'.
6. The plan identifies by labels existing swales on Lots 52 and 54, and proposes a straightened swale on Lot 76 and the Open Space. The plan is silent concerning a swale or other conveyance at or near the property line separating Lot 53 and Lot 76. It is not clear whether runoff from the swale on Lot 54 will flow to the swale on Lot 52.
7. As appropriate, construction details and/or notes need to be provided. For example, a cross-section construction detail of the swale would be helpful. The plan does not identify how disturbed surfaces are to be permanently stabilized.

#### **Hydrology Calculations**

8. The computations need to be accompanied by a narrative or explanation of their purpose.
9. The catchment plan needs to identify the locations of the swales. It is not clear where Swale 4-R is located. The hydrology computations label the swale as "...Lot 76 Rear" but the Routing Diagram suggests the swale is along the Lot 76 sideline (along the lot line with Lots 53 and 54).
10. The Routing Diagram may need to bring runoff from Reach 1R to Reach 2-R instead of to Reach 4-R. Identifying the swales on the catchment plan will clarify whether this is necessary.
11. The modeling of Pond 3P contains three notes at the top of the page that are irrelevant ("Primary pond...", "If the underground...", "Pond outflow is primarily...") These notes should be deleted to eliminate confusion.

We trust this letter addresses your review requirements. Feel free to contact this office if you have any questions or comments.

Very truly yours,  
**Graves Engineering, Inc.**



Jeffrey M. Walsh, P.E.  
Vice President


cc: Grafton Zoning Board of Appeals  
Dan Hill, Law Offices of Daniel C. Hill  
Joe Laydon, Grafton Town Planner  
Grafton Conservation Commission  
Paul Cournoyer, Grafton DPW  
Brian Szczurko, Grafton Engineering Department  
Neil Rybicki, Barlow Construction  
Patrick Garner, Patrick C. Garner Co., Inc.



**TOWN OF GRAFTON**  
MASSACHUSETTS  
01519  
**PLANNING DEPARTMENT**

Joseph Laydon  
Grafton Town Planner

Grafton Memorial Municipal Center  
30 Providence Road  
TELEPHONE: (508) 839-5335 x1144

**Date:** August 15, 2018  
**To:** Robert Berger, Inspector of Buildings  
**From:** Joe Laydon, Town Planner   
**Re:** October 2018 Annual Town Meeting Warrant Submission

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The Planning Department over the last few months has received emails and telephone calls regarding runoff and silt entering onto 3 High Point Drive. In visiting the site on numerous occasions, including a site walk with the Conservation Administrator and the ZBA's Engineering Consultant, and in the review of the approved comprehensive plans and septic systems plans, I am of the opinion that the grading that has occurred in locations within the development is not consistent with approved plans and is contributing to runoff issues on the site. I would like to draw your attention to Section 4.6 of the Grafton Subdivision Rules and Regulations, which were in effect at the time the Comprehensive Permit were issued, that stated the following:

*4.6 Lot Drainage*

*4.6.1 Lots shall be prepared and graded in such a manner that development of one lot shall not cause detrimental drainage on another lot (either within or outside the subdivision) or onto streets either during construction or upon completion...*

Since the Developer had not requested a waiver from the subdivision rules and regulations as it relates to construction standards, Section 4.6 is applicable and therefore enforceable.

Thank you.