



**TOWN OF GRAFTON**  
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**PLANNING DEPARTMENT**

## **M E M O R A N D U M**

TO: Town of Grafton Planning Board  
FROM: Fiona Coughlan, Town Planner  
CC: Natalia Alward, Planning Assistant (via email)  
DATE: January 4, 2023  
SUBJECT: 11 Wheeler Road Subdivision a/k/a Stillwater Estates;  
Grafton Land Trust Modification Permit

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*This memorandum has been prepared in response to a request by the Grafton Land Trust's legal counsel, Mr. Sowyrda. Mr. Sowyrda requests the Planning Board determine if the public interest is adversely affected by the development conditions of 11 Wheeler Road and its alleged effect on flooding the abutting trail (belonging to the Grafton Land Trust). This was a request made following submission of a letter from Peters and Sowyrda Attorneys at Law on December 30, 2022, withdrawing their 81W Modification Petition.*

### STAFF ANALYSIS AND RECOMMENDATIONS

On January 3, 2023, the Town of Grafton's legal counsel advised Town staff and/or consultants to determine whether it is their professional opinion that the public interest is being adversely affected by deficiency in the site plans and in plan execution, in response to Mr. Sowyrda's December 30, 2022, letter to the Board.

Upon consultation with the Town's engineering consultant, Graves Engineering, the site was deemed satisfactory and compliant with the submitted plans, including stormwater management. He is not aware of there being a deficiency in the plans and reports the state of construction is not unlike similar projects.

Graves Engineering visited the site at least three separate times; each time noting no issues with erosion, hydrology, sediment deposit, or the stormwater basin and its discharge point. Therefore, findings from the previous site visits remain accurate and no action is needed from the Board. As the project is still in the construction phase, there are portions of the site that are not permanently stabilized. The developer is obligated to install, monitor, maintain and supplement erosion and sediment control measures until the site is permanently stabilized.

Thank you.

Fiona Coughlan