



THE PLANNING BOARD OF WEST BOYLSTON

140 WORCESTER STREET
WEST BOYLSTON, MASSACHUSETTS 01583

CERTIFICATE OF APPROVAL OF A DEFINITIVE SUBDIVISION PLAN And STORMWATER MANAGEMENT PERMIT

May 15, 2018

Elaine Novia, Town Clerk
Town of West Boylston
140 Worcester Street
West Boylston, MA 01583

Reference: Malden Brook Realty, LLC, Definitive Subdivision Plan
Westland Circle Extension

It is hereby certified by the Planning Board of West Boylston, Massachusetts, that at a duly called and properly posted meeting of said Planning Board, held on May 9, 2018, it was voted to **issue this Stormwater Management Permit and APPROVE the Definitive Subdivision Plan** entitled "Definitive Subdivision Plan, Westland Circle Extension, West Boylston, Massachusetts," prepared for Malden Brook Realty, LLC, Owner/Applicant, dated November 15, 2017 with revisions through May 15, 2018, prepared by Summit Engineering & Surveying, Inc., of Oxford, MA, stamped by Andrew R. Baum, P.E. and James Patrick Smith, P.L.S. The Applicant is Malden Brook Realty, LLC, 30 Eastbrook Road, Dedham, MA 02026. The Definitive Plan was originally filed with the Planning Board on December 13, 2017, concerning a 750' long proposed roadway, Westland Circle Extension, located off Westland Circle, showing eight (8) proposed single-family lots. The property contains approximately 11.2 acres and is noted as Assessor Map 164, Parcel 39.1. The public hearing was opened on January 24, 2018, continued to February 28, 2018 and March 28, 2018, and April 11, 2018, and was closed on May 9, 2018.

The following conditions shall apply to the construction of the subdivision:

1. The Applicant, Malden Brook Realty, LLC (herein referred to as "Applicant") shall be responsible for and maintain the stormwater treatment facilities located within the subdivision boundaries in accordance with the Stormwater Management Plan, and the associated maintenance documents within the Homeowners Association Maintenance Trust, Declaration of Covenants for Drainage Easements, and the Homeowners Association Operations and Maintenance Plan. The Town does not intend to accept the portion of the stormwater treatment facilities that are beyond the road right-of-way, including the piping, the hydrodynamic separator units, the stormwater treatment basin, and any other drainage. Therefore the

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applicant or Homeowners Association will be responsible for all future maintenance and repairs that may be required to keep the system functioning as designed in perpetuity.

2. The Applicant shall be responsible for and maintain the wastewater collection system located within the subdivision boundaries in accordance with the Wastewater Operation and Management Plan, and the associated maintenance documents within the Homeowners Association Maintenance Trust, Declaration of Covenants for Wastewater Collection System Easements, and the Homeowners Association Operations and Maintenance Plan. All work on the sewer system shall conform to the Town of West Boylston requirements and meet current industry standards. The Town does not intend to accept the portion of the Wastewater Collection facilities beyond the existing manhole connection at the intersection of Westland Circle and Davidson Road, and therefore the applicant or Homeowners Association will be responsible for all future maintenance and repairs that may be required to keep the system functioning as designed in perpetuity.
3. The Applicant shall install a STOP sign at the end of Davidson Road at the intersection with Westland Circle.
4. The shed, light pole and fence at 27 Westland Circle shall be relocated onto that property by the Applicant. Prior to issuing a building permit for Lot 1, a drawing shall be submitted to the Planning Board to insure reasonable accommodations are made to minimize impacts to 27 Westland Circle.
5. At least two soil tests shall be conducted at the site of the stormwater basin before any building permits are issued for the subdivision. The results shall be submitted to the Planning Board and its engineer to confirm that the basin will function as designed. If conditions differ from submitted information, a revised plan shall be submitted to the Planning Board and its engineer for review and approval before beginning construction on the basin and no building permits shall be issued for the subdivision until an approved drainage design is completed.
6. Any blasting necessary for construction shall conform to the use requirements in 527 CMR 1.00 as enforced through the Town of West Boylston Fire Department and the Massachusetts Executive Office of Public Safety and Security, Department of Fire Services, and any and all other applicable Blasting requirements and standards for blasting work in the Commonwealth of Massachusetts
7. The final grading of the lots shall not worsen any existing drainage flow onto abutting properties.
8. The applicant shall reimburse the Town for any professional Site Plan Application review fees in excess of the amount originally posted.
9. Prior to commencing any construction for the work shown on the approved plans, a pre-construction conference must be scheduled by the developer and held with the developer, the construction supervisor, and the Planning Board's Inspector, with invitations sent to the Planning Board, Conservation Commission, Board of Health, Building Inspector, and the Department of Public Works Director. Appropriate construction inspection fees shall be submitted to the Planning Board prior to this meeting in accordance with the Planning Board Fee Schedule.

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10. The applicant shall submit documentation of recording of the Declaration of Homeowner's Maintenance Trust, Declaration of Trust along with the complete set of the subdivision plans depicting all property lines and easements at the Worcester Registry of Deeds to the Planning Board before the issuance of any building permits.
11. A copy of the Stormwater Pollution Prevention Plan and the EPA National Pollution Discharge Elimination System Construction General Permit (CGP) shall be submitted to the Planning Board and Building Inspector before the start of construction. Weekly reports AND reports following storm events of greater than 0.25 inches, as required under the CGP, shall be transmitted electronically to the Planning Board within the week of their completion.
12. Construction of any temporary stormwater sediment basin is to be completed prior to grubbing the section of the site contributing runoff to the referenced basin.
13. The Applicant has agreed to provide 1.5" surface course and 2.5" binder course for proposed pavement for the entire length of the proposed subdivision.
14. The Board of Health approval of this project is confirmed by failure of the board to report within the required 45 days.
15. The Water District has approved connection of the proposed subdivision to the Municipal Water system, with a loop to the existing line in Lawrence Street, above which will be a public pedestrian/bicycle path. A deeded easement shall be provided to the Water District and the town to allow public pedestrian passage. The Applicant or Homeowners Association shall maintain the pathway in a safe and attractive manner in perpetuity.
16. Permanent underground lawn irrigation systems, connected to the public water supply, are prohibited within this development without the specific written approval by the Water District.
17. The Applicant must comply with the Rules and Regulations of the West Boylston Water District.
18. A formal street lighting plan shall be proposed by the West Boylston Lighting Plant and submitted for approval to the Planning Board prior to installation. All lighting fixtures must be agreed upon between the Planning Board and the West Boylston Lighting Plant prior to installation.
19. The contractor shall create and maintain adequate access with at least a 22' wide road surface satisfactory to the Fire Department, prior to the issuance of any building permit.
20. All work associated with this approval shall be completed within five (5) years of issuance.
21. Any changes to the Approved Subdivision Plans are subject to M.G. L. Chapter 41, Section 81-W review procedures.
22. These conditions are an integral part of the Approved Plan. Accordingly, the applicant shall record these conditions together with the Definitive Subdivision Plans and the Declaration of Homeowner's Maintenance Trust, Declaration of Trust at the Worcester District Registry of Deeds. Confirmation of this recording shall be submitted to the Planning Board before the pre-construction conference.

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23. The Applicant shall provide copies of the Homeowners Association Agreement and construction surety for approval by Town Counsel, the DPW Director, and the Planning Board before construction can commence.

The Applicant requested the following four waivers from the Rules and Regulations Governing the Subdivision of Land in West Boylston, MA. The decision of the Planning Board is noted following each item:

1. Section VI. (B)(6): *"Where site conditions are favorable, cul-de-sac islands shall be used to treat & infiltrate runoff through bioretention"*
The Planning Board APPROVED this request to allow the island area to NOT function as an infiltration basin.
2. Section VI. (C): *"Sidewalks shall be constructed on one side of all subdivision streets and ways:"*
The Planning Board APPROVED waiving the requirement for a sidewalk.
3. Section VI(I): *"Before approval of a preliminary plan or definitive plan. The Planning Board shall, in proper cases, require the plan to show a park or parks suitably located for playground or recreation purposed or for providing light and air."*
The Planning Board APPROVED the request to waive the requirement for a park within the subdivision.
4. Section VI. (B)(10): *"Roadways shall conform to the typical roadway section (See Plate 1)"*
The Planning Board APPROVED the reduction of the 50' Right of Way requirement for the transition (about 6 feet) between the existing 40' wide Town-owned land area to the point where a 50' wide Right of Way can be achieved on the subject property.

VOTED As Follows:

Vincent P. Vignaly, Chair

Paul R. Anderson

Cheryl Carlson

Marc S. Frieden

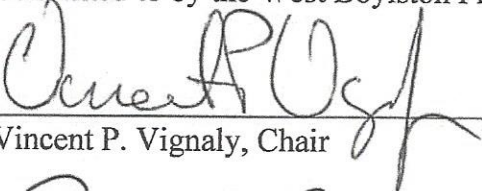
Barur R. Rajeshkumar

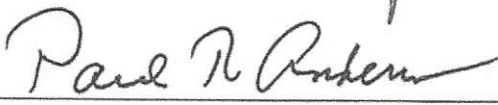
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YES
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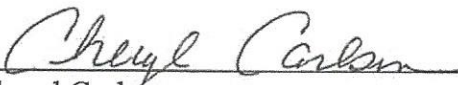
Endorsement of the approval is conditional upon the provision of a performance guarantee, in the form of an agreement, duly executed and approved. This performance guarantee shall be noted on the plan and recorded with the plans at the Worcester County Registry of Deeds. Said form of guarantee may be changed from time to time by the applicant subject to approval of the Planning Board of the form, the adequacy and/or amount of said guarantee by the Board.

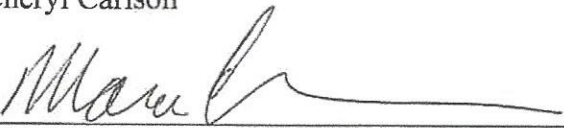
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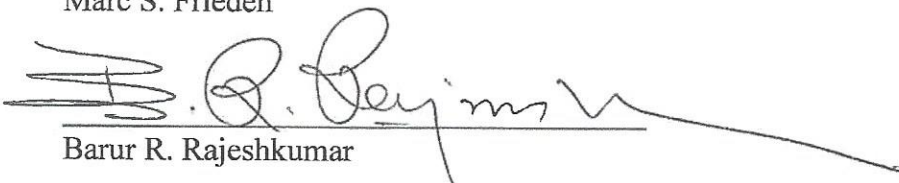
Consented to by the West Boylston Planning Board:


Vincent P. Vignaly, Chair

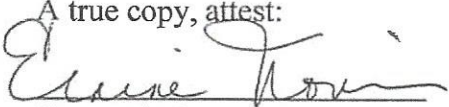

Paul R. Anderson

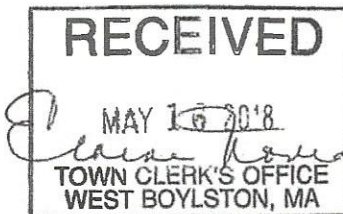

Cheryl Carlson


Marc S. Frieden


Barur R. Rajeshkumar

Filed with the Town Clerk on 5/16/18

A true copy, attest:

Town Clerk, West Boylston, MA



I hereby certify that a duplicate copy of this letter was sent to the applicant on _____.

Clerk