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**TOWN OF MILLBURY, MASSACHUSETTS  
FORM C**

APPLICATION FOR APPROVAL OF A DEFINITIVE PLAN

Date 06/04/2020

1. NAME OF APPLICANT Next Grid Colton LLC  
Address P.O. Box 7775 #73069, San Francisco, CA 94120-7775  
Phone Number (559) 731-4645
2. NAME OF PROPERTY OWNER (if different than applicant) Ragnar W. Gustafson, III  
Address P.O. Box 226, Millbury, MA 01527  
Phone Number (774) 641-0124
3. The undersigned's title to said land is derived from Deborah A. Maturi, Successor Trustee of the Gustafson Real  
by deed dated 8/11/15 and recorded in the Worcester District Registry of Deeds Book Estate Trust  
54154, Page 8, or by Land Court, Certificate of Title No. \_\_\_\_\_; and said land is  
free of encumbrances except for the following:  
\_\_\_\_\_
4. NAME OF CONTACT PERSON Richard J. Tabaczynski, P.E., Atlantic Design Engineers, Inc.  
Address P.O. Box 1051, Sandwich, MA 02563  
Phone Number (508) 888-9282
5. PROJECT LOCATION 7 Colton Road ASSESSOR'S MAP, LOT # Map 31, Lot 40  
Access will be from the following streets Colton Road  
Number of lots proposed 1 Total acreage of tract 26.87 Ac
6. To the Planning Board of the Town of Millbury:

The undersigned, being the applicant/owner as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled Definitive Plan of Land for Colton Road Extension drawn by (Surv/Eng's Name) Atlantic Design Engineers, Inc., (Address) P.O. Box 1051, Sandwich, MA and dated June 6, 2020, being land bounded as follows: TO THE EAST, NORTH AND NORTHWEST BY LAND OF THE TOWN OF MILLBURY, TO THE WEST BY LAND OF DEBORAH H. MATURI REVOCABLE TRUST AND LAURA S. WACHS, AND TO THE SOUTH BY hereby submits said plan as a DEFINITIVE plan in accordance with the Rules and Regulations of the Millbury Planning Board and makes application to the Board for approval of said plan. COLTON ROAD.

Said plan has \_\_\_\_\_ has not X evolved from a preliminary plan submitted to the Board on \_\_\_\_\_ (date), and approved (with modifications) \_\_\_\_\_ disapproved \_\_\_\_\_ on \_\_\_\_\_ (date). This plan has \_\_\_\_\_ has not X evolved from a Special Permit # \_\_\_\_\_ granted on (date) \_\_\_\_\_ and recorded in Worcester District Registry of Deeds Book \_\_\_\_\_, Page \_\_\_\_\_.

The undersigned hereby applies for the approval of said DEFINITIVE plan by the Board, and in furtherance thereof hereby agrees to abide by the Board's Rules and Regulations.

[Signature]  
Applicant's Signature

\_\_\_\_\_  
Property Owner's Signature

7. Affidavit that all required items are submitted or waivers are requested in writing.

Town Planner/Planning Board Clerk Signature \_\_\_\_\_ Date \_\_\_\_\_

**Submit 15 copies of the plan and 1 copy of Form C, Form D, Form E, Surveyor's Certificate  
Plus the application fee (\$2,000 plus \$100/lot or \$2,500 plus \$150/lot) and the technical review fee (\$7,500)  
Also: submit 1 copy of this form & checklist to Town Clerk and 1 copy of this form, checklist & print to  
Board of Health**

**TOWN OF MILLBURY, MASSACHUSETTS  
FORM C**

APPLICATION FOR APPROVAL OF A DEFINITIVE PLAN

Date 06/04/2020

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Applicant's Signature

\_\_\_\_\_  
Property Owner's Signature

7. Affidavit that all required items are submitted or waivers are requested in writing.

Town Planner/Planning Board Clerk Signature \_\_\_\_\_ Date \_\_\_\_\_

**Submit 15 copies of the plan and 1 copy of Form C, Form D, Form E, Surveyor's Certificate  
Plus the application fee (\$2,000 plus \$100/lot or \$2,500 plus \$150/lot) and the technical review fee (\$7,500)  
Also: submit 1 copy of this form & checklist to Town Clerk and 1 copy of this form, checklist & print to  
Board of Health**

**TOWN OF MILLBURY, MASSACHUSETTS  
FORM C**

**APPLICATION FOR APPROVAL OF A DEFINITIVE PLAN**

Date 6/8/2020

1. NAME OF APPLICANT Next Grid Colton LLC  
Address P.O. Box 7775 #73069, San Francisco, CA 94120-7775  
Phone Number (559) 731-4645
2. NAME OF PROPERTY OWNER (if different than applicant) Ragnar W. Gustafson, III  
Address P.O. Box 226, Millbury, MA 01527  
Phone Number (774) 641-0124
3. The undersigned's title to said land is derived from Deborah A. Maturi, Successor Trustee of the Gustafson Real  
by deed dated 8/11/15 and recorded in the Worcester District Registry of Deeds Book Estate Trust  
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Address P.O. Box 1051, Sandwich, MA 02563  
Phone Number (508) 888-9282
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The undersigned hereby applies for the approval of said DEFINITIVE plan by the Board, and in furtherance thereof hereby agrees to abide by the Board's Rules and Regulations.

\_\_\_\_\_  
Applicant's Signature

Ragnar W. Gustafson, III  
Property Owner's Signature

7. Affidavit that all required items are submitted or waivers are requested in writing.

Town Planner/Planning Board Clerk Signature [Signature]

Date 7/6/20

**Submit 15 copies of the plan and 1 copy of Form C, Form D, Form E, Surveyor's Certificate  
Plus the application fee (\$2,000 plus \$100/lot or \$2,500 plus \$150/lot) and the technical review fee (\$7,500)  
Also: submit 1 copy of this form & checklist to Town Clerk and 1 copy of this form, checklist & print to  
Board of Health**

**CHECKLIST**  
Millbury Planning Board  
Submission of Definitive Plan

Definitive Plan Name:

Property Address:

7 Colton Rd. Millbury

Assessor's Map

31

Lot

40

Applicant's Name:

Next Grid Colton LLC

Address:

P.O. Box 7775 #73069

SAN FRANCISCO, CA 94120

**Submission Checklist:**

- ☒ 1) Sixteen (16) prints of the definitive plan (11 large; 5 reduced) showing:
- ☐ a. Subdivision name, reference north point, legend, date, datum (NAD 83 and NAVD 88), annotation of revision dates and contents, and bar scale.
  - ☐ b. Names, addresses and telephone number of record owner and Applicant and the names, addresses, telephone numbers, stamps and signatures of the engineer, surveyor, and any other professionals engaged in the design, in each case certifying that elements of the plan for which they are responsible have been prepared in accordance with these Regulations.
  - ☐ c. Location, names and legal references of all abutters, consistent with Form E, as they appear on the most recent tax list, including property owners on the opposite side of any streets abutting the subdivision.
  - ☐ d. Sufficient data to readily determine the location, direction, and length of every existing and proposed street, way, easement, lot and boundary line, and to establish those lines on the ground. The purpose of easements shall be indicated.
  - ☐ e. The area of each lot and easement in-square feet and acres.
  - ☐ f. Lot numbers shown enclosed in a circle.
  - ☐ g. The following statement: "Street numbers are assigned by the Millbury Assessor's Office, for further information call (508) 865-4732".
  - ☐ h. Location of all permanent monuments identified as to whether existing or proposed.
  - ☐ i. Location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision, and designation as to whether public or private.
  - ☐ j. Existing and proposed wetlands as defined by the Wetlands Protection Act (MGL Chapter 131, Section 40) and confirmed by a certified wetlands scientist, watercourses and water bodies.
  - ☐ k. Reference identifying applicable Street Plans and Profiles, covenants, and/or relevant documents (recorded or not).
  - ☐ l. Precise boundaries of any zoning district insofar as the boundaries touch on the subdivision.
  - ☐ m. Existing and proposed drainage including drainage areas inside the subdivision, areas outside the subdivision which drain into it, and the route, for all existing and proposed drainage discharging from the subdivision, to the primary receiving water course or other body of water. The applicant shall provide documents establishing the owner's association, to be approved by the Board.
  - ☐ n. Size, location and types of existing and proposed water supplies and their appurtenances, hydrants, sewer pipes and their appurtenances and/or sewer disposal systems, storm drains and their appurtenances, and easements pertinent thereto, and curbs and curb dimensions, including data on borings and soil test pits, and methods of carrying water to the nearest watercourse or easements for drainage as needed, whether or not within the subdivision.
  - ☐ o. Suitable space for endorsement by the Town Clerk and by the Planning Board, with spaces for annotating date of approval and date of endorsement.
  - ☐ p. Location of Base Flood elevation if encountered within one hundred feet (100') of the subdivision.
  - ☐ q. At least three (3) boundary marker locations, remotely separated, shall be indicated with Massachusetts Grid Plane Coordinates.
  - ☐ r. Relative error of closure shall exceed CMR 250.6 requirement and signed statement to this effect shall appear on Plan.
  - ☐ s. Where the owner or Applicant also owns or controls unsubdivided land adjacent to or across the street from that shown on the definitive plan, the Applicant shall submit a sketch plan showing a possible or prospective street layout and the present drainage, natural and constructed, for such adjacent land, unless such a plan has already been submitted to the Board with a preliminary plan.
  - ☐ t. Reference to all plans, deeds and oral evidence used to create the subdivision plan.
- ☒ 2) Sixteen (16) copies of locus plan.
- ☒ 3) Sixteen (16) copies of index plan.
- ☒ 4) Two (2) copies of surveyor's certificate.
- ☒ 5) Drainage calculations.
- ☐ 6) Evidence of ownership, language of easements, covenants or deed restrictions, rights and easements obtained for utilities or drainage outside the subdivision, description of erosion control methods, cross sections of proposed streets.

*Missing copies of deeds.*

Millbury Planning Board  
Municipal Office Building  
127 Elm Street  
Millbury, MA 01527

***RE: Colton Road Extension Subdivision***

Dear Board Members:

As owners of the property at 7 Colton Road, the location of the proposed Colton Road Extension Subdivision, I hereby authorize the Planning Board and it's representatives to enter upon the property for site visits during the subdivision permitting process.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stephen W. Smith", written over a horizontal line. To the right of the signature, there are three small, stylized vertical marks.

6/8/2020  
Date

## APPLICATION REVIEW

I, Daniel Serber, Next Grid Colton LLC hereby request that my application for Definitive Subdivision Plan for Colton Road Extension be reviewed by the Millbury Planning Department whenever possible. I understand that I will be billed for review of said application at an hourly rate determined by the Town Treasurer for Planning and Secretarial support. Payments to the Town of Millbury, will be in accordance with Article 1, Section 14.6, 14.7 and 14.8 of the Town's Zoning Bylaws, and in accordance with the Town's Rules & Regulations Governing the Subdivision of Land.

Date: 06/04/2020 Signature: 

I, Daniel Serber, Next Grid Colton LLC hereby request that my application for Definitive Subdivision Plan for Colton Road Extension be reviewed by consultant(s) at my expense on behalf of the Town of Millbury Planning Board. I understand that the Planning Board shall hire the consultant of their choice in accordance with Section 53G, G.L. Chapter 44. Payments to the Town of Millbury will be in accordance with Article 1, Section 14.6, 14.7 and 14.8 of the Town's Zoning Bylaws, and in accordance with the Town's Rules & Regulations Governing the Subdivision of Land.

Date: 06/01/2020 Signature: 

**TOWN OF MILLBURY, MASSACHUSETTS  
FORM D**

**DESIGNER'S CERTIFICATE**

Date June 10, 2020

To the Planning Board of the Town of Millbury, Massachusetts

In preparing the plan entitled: Definitive Subdivision Plan for Colton Road Extension

I hereby certify that the above named plan and accompanying data is true and correct to the accuracy required by the current Rules and Regulations Governing the Subdivision of Land in Millbury, Massachusetts, and my source of information about the location of boundaries shown on said plan were one or more of the following:

1. Deed from Deborah A. Maturi, Successor Trustee of the Gustafson Real Estate Trust  
to Ragnar W. Gustafson III dated 8/11/15  
and recorded in the Worcester District Registry of Deeds in Book 54145,  
Page 8, or by Land Court, Certificate of Title No. \_\_\_\_\_.
2. Other plans as follows BK518 PG 72; BK538 PG 67; BK550 PG 79; BK715 PG 3;  
BK893 PG 116
3. Details and topography have been established by aerial survey \_\_\_\_\_;  
on ground survey in February/March 2020; other Mass GIS Lidar
4. Actual measurement on the ground from a starting point established by GPS survey of  
several known drill holes along Colton Road tied to Mass State Plan Coordinates
5. Other sources Horizontal Datum NAD 83  
Vertical Datum NAVD 88

Signed \_\_\_\_\_

Richard J. Tabaczynski, P.E.

(Registered Professional Engineer or Registered Land Surveyor)

Address Atlantic Design Engineers, P.O. Box 1051, Sandwich, MA 02563

Phone Number (508) 888-9282

(Seal of Engineer  
or Surveyor)



**TOWN OF MILLBURY, MASSACHUSETTS  
FORM E**

**CERTIFIED LIST OF ABUTTERS**

To the Town of Millbury Planning Board:

The undersigned being an applicant for approval of a Special Permit and/or Definitive  
Plan of a Subdivision entitled: Colton Road Extension

requests the names and addresses of each abutter within a 300 foot radius of said property.

The list will have to include the abutters to Map 31, lot 40 as well as Colton Road all the way out to Riverlin St.

Applicant's Signature: Rebecca Peduzzi c/o Atlantic Design Engineers, Inc.  
Mailing Address: P.O. Box 1051, Sandwich, MA 02563  
Owner of Property: Ragnar W. Gustafson III  
Property Address: 7 Colton Road, Millbury, MA  
Assessor's Map #: 31  
Parcel #: 40  
Date of Public Hearing: \_\_\_\_\_

To the Town of Millbury Planning Board:

This is to certify that at the time of the last assessment for taxation made by the Town of Millbury, the names and addresses of the parties assessed as adjoining owners to the parcel of land shown above, where as above written, except as follows:

Assessor's Signature: \_\_\_\_\_  
Date: \_\_\_\_\_





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Millbury

City/Town

**F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

*[Handwritten Signature]*  
1. Signature of Applicant

*6/8/2020*  
2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

**For Conservation Commission:**

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

**For MassDEP:**

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

**Other:**

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

## NOTIFICATION TO ABUTTERS

Under the Massachusetts Wetland Protection Act (to be submitted to the Massachusetts Department of Environmental Protection and the Millbury Conservation Commission when filing a Notice of Intent)

In accordance with the Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. Name of Applicant Daniel Serber c/o Next Grid Colton, LLC
- B. The applicant has filed a Notice of Intent application with the Millbury Conservation Commission seeking approval for a wetland permit under the Wetland Protection Act (MGL chapter 131, Section 40 and its implementing regulations 310CMR10.00)
- C. The address of the project location is 7 Colton Road & Colton Right-of-Way, further identified as Map 31, Parcel 40.  
(and Colton Rd. Right-of-Way)
- D. Copies of the Notice of Intent application can be viewed at the Millbury Conservation Office, 127 Elm Street, Millbury, MA 01527 between the hours of 8:30 a.m. to 4:30 p.m., Monday through Friday.
- E. Information about the project and the date and time of the public hearing can be obtained by calling the Millbury Conservation Office at (508) 865-5411.
- F. Copies of the Notice of Intent application can be obtained from:  
Name and address: Atlantic Design Engineers, Inc.  
Phone: (508) 888-9282 Fax: (508) 888-5859

Notice of the date, time and location of the public hearing will be published in the Millbury-Sutton Chronicle at least five (5) days before the scheduled public hearing.

Notice of the date, time and location of the public hearing will be posted in the Town Hall not less than forty-eight (48) hours before the scheduled public hearing.

You may also contact the Department of Environmental Protection, Central Regional Office at (508) 792-7621.



DESIGN ENGINEERS, INC.



June 15, 2020

Laurie Connors, Director  
Department of Planning and Development  
Town of Millbury  
Municipal Office Building  
127 Elm Street  
Millbury, MA 01527

**RE:   *Centerline Stationing Stakes Certification Letter***  
***Definitive Subdivision Plan for Colton Road Extension - Millbury, MA***  
***ADE Project #3085.00***

Dear Ms. Connors:

Please accept this letter as certification that the centerline stationing stakes have been set and marked and the centerline has been cleared sufficiently for walking.

If you have any questions or require further information, please do not hesitate to contact me at (508) 888-9282.

Sincerely,

Tim Callahan, PLS #35022

cc:     Stantec

P.O. Box 1051  
Sandwich, MA 02563  
(508) 888-9282 · FAX 888-5859  
email: [ade@atlanticcompanies.com](mailto:ade@atlanticcompanies.com)  
[www.atlanticcompanies.com](http://www.atlanticcompanies.com)



June 10, 2020

Millbury Planning Board  
Municipal Office Building  
127 Elm Street  
Millbury, MA 01527

**RE:   *List of Requested Waivers  
Definitive Subdivision Plan for Colton Road Extension  
7 Colton Road – Millbury, MA***

Dear Board Members:

We respectfully request on behalf of the applicant (Next Grid Colton, LLC) the following list of waivers to the requirements of the Rules and Regulations governing the Subdivision of Land relative to the Definitive Subdivision Plan for Colton Road Extension:

**-Section 7.2.4 and 7.2.5 – Preparation and Surfacing of Streets**

Request waiver to allow Colton Road Extension to be constructed with 8" of compacted gravel per MassDOT Specification M1.03.0 Type B. This is consistent with the existing unpaved portions of Colton Road leading up to Colton Road Extension.

**-Section 6.5.2 – Street Trees**

Request waiver of the requirement for Street Trees. Colton Road Extension is surrounded by existing wooded/treed areas that will remain natural/uncleared.

**-Section 6.5 – Cul-de-Sac Plantings**

Request waiver of the requirement of Cul-de-Sac Plantings. There is no island proposed in the center of the cul-de-sac.

**-Section 6.7.6 – Width**

Request waiver to allow a travelled way width of 18'. This is consistent with the existing unpaved portions of Colton Road leading up to Colton Road Extension, and is the width deemed adequate by the Fire Department.

**-Section 6.10 – Curbing**

Request waiver of the requirement to install curbing. This is consistent with the existing unpaved portions of Colton Road leading up to Colton Road Extension.



**-Section 6.13 – Sidewalk**

Request waiver of the requirement to install sidewalks. This is consistent with the existing unpaved portions of Colton Road leading up to Colton Road Extension.

**-Section 5.3 – Definitive Plan Submission Requirements - Environmental Analysis**

Request waiver of the requirement to prepare an Environmental Analysis. Colton Road Extension is a short, 150' long 18' wide gravel road that is simply providing legal frontage for only one, single existing lot, on which a solar array has already been reviewed and approved by the Planning Board and Conservation Commission. Therefore, we feel the environmental impacts are negligible and preparation of an Environmental Analysis is an unnecessary expense.

**-Section 5.3 – Definitive Plan Submission Requirements – Test Pits/Borings**

Request waiver of the requirement to provide test pits or borings. We feel that test pits/borings for a short 150' gravel road extension is an unnecessary expense and will not have any affect on the design.

Please call me at (508) 888-9282 if you should have any questions.

Sincerely,

**ATLANTIC DESIGN ENGINEERS, INC.**

A handwritten signature in black ink, appearing to read 'Richard L. Tabaczynski'.

Richard L. Tabaczynski, P.E.  
Vice President