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TOWN CLERK

11/14/97

John Conroy, Chairman
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David Wyman, Clerk
Elizabeth Nashawaty
Clifton Snuffer
Floyd Forman, Town Planner

Mr. John Hasenjaeger
4 Fieldstone Path
Walpole, MA 02081

SUBJECT: Walpole Estates
Modification to a Definitive Subdivision Plan

Dear Mr. Hasenjaeger:

It is hereby certified by the Planning Board of the Town of Walpole, Massachusetts, that at a duly called and properly posted meeting of said Planning Board, held on November 6, 1997 it was voted to approve modifications as required by the Land Court to a Definitive Plan entitled "WALPOLE ESTATES", dated August 13, 1996 and revised on September 4, 1997 drawn by John R. Anderson & Associates, 281 Mylod Street, Owned by Custom Colonial Homes, Corp, 492 Walpole Street (Suite 11), Norwood, MA originally filed with the Planning Board on March 20, 1996 concerning the property located off Common Street.

Said approval is granted in accordance with M.G.L. Chapter 41, Sections 81K-81GG, and the Town of Walpole Planning Board Rules and Regulations Governing the Subdivision of Land and the Issuance of Certain Special Permits (hereinafter referred to as the "Subdivision Rules and Regulations") and is subject to the following conditions:

Standard Conditions

1. The design of all detention basins shall be subject to the approval of the Conservation Commission and the Town Engineer, and any revisions to the design of any detention basins shall henceforth be subject to the approval of the Planning Board. In accordance with Section III-8-(c) of the Subdivision Rules and Regulations, the construction of the detention basins may be subject to incorporation into any cost estimates for the construction of ways and installation of municipal services upon which a performance guarantee will be based for the entire subdivision.

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Walpole Estates, Decision

2. In accordance with Section IV-6-(d) -(7) and Section IV-6-(d)-(9) of the Subdivision Rules and Regulations, an Operation and Maintenance Plan and covenant for the detention basins shall be submitted to the Planning Board for approval prior to the execution of a Form I (Release of Covenant) for any of the lots within the subdivision. The applicant will make best efforts to submit this plan and covenant prior to endorsement of approval of the Definitive Plan.
3. In accordance with Section 9-I of the Zoning By Laws , the applicant has submitted to the Planning Board for approval a development schedule demonstrating to the reasonable satisfaction of the Planning Board the applicability of each design criteria for which the applicant seeks credit. The applicant will record the approved development schedule at the Norfolk County Registry of Deeds and file it with the Town Clerk prior to issuance of permits. A proper notation referencing the approved development schedule shall be inscribed on a plan showing a development as defined in The Zoning By Laws Section 9-I-(2). Proof of recording must be shown to the Planning Board.
4. Endorsement of approval of the Definitive Plan shall be sought within sixty (60) days of the expiration of the twenty-day appeal period or within sixty (60) days after the entry of a final decree by the court sustaining the approval of the plan if appeal has been taken. If endorsement of approval is not sought within this sixty-day period, the approval of the Definitive Plan is automatically void by virtue of this condition and by the provisions of Section III-10-(a) of the Subdivision Rules and Regulations, and the Planning Board shall so notify the Town Clerk and the applicant.
5. The applicant shall record with the Norfolk Registry of Deeds, and in the case of registered land, with the Recorder of the Land Court, a copy of said Plan and any covenants, and shall submit evidence of such recording to the Planning Board as required in Section III-10-(c) of the Subdivision Rules and Regulations.
6. Within thirty (30) days after the return of an approved Definitive Plan, the applicant shall obtain and deliver to the Board or its Clerk, four (4) prints of said Plan, as so completed, for the Board's files and for subsequent distribution to appropriate Town Agencies, and one copy on transparent cloth of the layout plans and profiles of each proposed street, for the files of the Engineering Department. The applicant shall also submit to the Board three (3) sets of microfilm aperture cards showing the Definitive plan as approved by the Planning Board.
7. The developer will be held responsible for any regulatory traffic warning signs which may be needed after the development becomes occupied as required by the police department and for providing and installing "No Salt Zone" signs on Darwin Lane and Queens Court.
8. The street name signs shall be posted prior to the clearing of trees and, or, actual start of work on this subdivision.

Special Condition

1. An easement from Anthony J. Ditomasso and Helen DiTomasso (attached and labeled exhibit A) is to be recorded and is incorporated into this subdivision approval.

Said approval hereby incorporates waivers of the following design standards of the Subdivision Rules and Regulations:

1. A waiver from Section V-6(a) of the Town of Walpole Rules and Regulations governing the Subdivision of Land to reduce the pavement width from 30 feet to 26 feet for all roads in the subdivision.
2. A waiver from Section V-8(a) of the Town of Walpole Rules and Regulations governing the Subdivision of Land to construct a sidewalk on one side only.
3. A waiver from Section IV-2-b of the Town of Walpole Rules and Regulations governing the Subdivision of Land to allow construction of a dead end street longer than 750 feet.

NOTE TO CLERK: The Planning Board should be notified immediately of any appeal to the Superior or Land court on this subdivision approval made within the statutory twenty (20) day appeal period. If no appeal is filed with your office, the Planning Board should be notified at the end of the twenty (20) day appeal period in order that the plans may be endorsed.

Very truly yours,

WALPOLE PLANNING BOARD



John Conroy
Chairman

JC:ff