

From: PAlphen_AlphenSantos <palphen@alphensantos.com>

Sent: Thursday, May 23, 2024 2:15 PM

To: Amanda Urmann <aurmann@grotonma.gov>

Cc: Judi Barrett <judi@barrettplanningllc.com>

Subject: RE: Heritage Landing: draft decision: applicant input

Responses in **BOLD** below:

C.3 on page 14 -- At Applicant's request, Board discussed phasing for every 4th unit so that there are not as built engineering requirements for every new unit built. Board seemed amenable but exact language not worked out. Interrelates with D17 where Building Commissioner has control of phased occupancy.

C.4.b. on page 15 -- Paul Alphen and Judi to work out language suitable for condo association to cover areas of septic, trash, conservation management plan, snow and ice removal, snow storage, snow windrows. **REVISION MADE IN MAY 16TH DRAFT:**

Submit to the Board all information relating to the Condominium Association and/or its management company being retained to act as the property manager that the Applicant submits to the Subsidizing Agency as part of the Final Approval process. Such property management agreement Condominium documents shall, at a minimum, address subsurface septic system maintenance, repair and replacement; storm water management and maintenance plans; roadway maintenance, repair and replacement; trash removal; snow and ice removal; and snow storage.

E.8. on page 18 -- Similar to C.4.b., Paul Alphen to suggest language to show that the after the Applicant, the future condo association will follow and assume the responsibility for meeting the condition language for snow windrows. **ITEMS LIKE THIS WERE ADDRESSED GLOBALLY IN NEW J.4:**

J.4. Conditions contained herein that survive the construction of the Project are to be the ongoing responsibility of the Condominium Association, and in such cases shall be the "Applicant" for purposes of such Conditions

E.10 on page 18 -- Paul Alphen to propose condo association language here. **SEE ABOVE**

H.1. on page 19 -- Paul Alphen will suggest language in hopes of assuring that the Town will have sufficient security at all times. **ADDRESSED IN REVISED H.1:**

H.1. The final infrastructure for the Project, including, but not limited to, final course of pavement meeting the Town's requirements, shall be installed prior to the issuance of the final Certificate of Occupancy for the Project, or secured by a deposit of money, a bank passbook or a tri-party agreement consistent with the procedures contained in MGL Ch 41 s 81U and in accordance with the cost estimates procedure contained in Section 381-8.1.E of the Groton Planning Board Subdivision Rules and Regulations ("Security"). The final infrastructure shall include, but not be limited to intermediate and final course of pavement, and any "punch list" items identified by the Board's engineer or the Building Commissioner (the "Final Infrastructure"). Alternatively, if

the Applicant desires to obtain one or more final Certificate of Occupancy for one or more dwelling units before the completion of said Final Infrastructure, it shall deposit monetary security with the Town securing the installation and construction of such Final Infrastructure. The amount of such security and any necessary contingency shall be determined by the Board, acting reasonably and upon the advice of its consulting engineer and in a manner consistent with Section 381-8.1.E of the Groton Planning Board Subdivision Rules and Regulations. The form of the security agreement binding such Security shall be subject to review by Town Counsel. Prior to the issuance of the final Certificate of Occupancy for the last dwelling unit in the Project, the Board may review the form of the security agreement and the value of the Security in relation to the then existing conditions of the Final Infrastructure and the then known costs of completion of same and may require adjustments to the form of the security agreement and/or the value of the Security to reflect such factors.

PAUL F. ALPHEN, ESQ

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Please check your stored phone number to be sure that it is 978-692-3107. Our new phone system uses that number exclusively and it will forward calls to my cell phone when I am out of the office and available. Thank you.

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From: Amanda Urmann

Sent: Thursday, May 23, 2024 12:58 PM

Cc: Judi Barrett <judi@barrettplanningllc.com>; PAlphen_AlphenSantos <palphen@alphensantos.com>

Subject: FW: Heritage Landing: draft decision: applicant input

Good afternoon, everyone,

Fran Stanley has sent some possible edits to look into on the draft decision.

Amanda Urmann

Land Use Administrative Assistant

aurmann@grotonma.gov

978-448-1109

From: Fran Stanley <fstanley@grotonma.gov>

Sent: Thursday, May 23, 2024 12:47 PM

To: Amanda Urmann <aurmann@grotonma.gov>

Cc: Takashi Tada <ttada@grotonma.gov>

Subject: Heritage Landing: draft decision: applicant input

Dear Amanda:

I looked at the current version of the draft decision. I see that there are some gaps for areas where Paul Alphen and Judi Barrett were going to cooperate on drafting some language.

Here are the areas where Paul Alphen may want to submit some suggested language while the public hearing is still open:

C.3 on page 14 -- At Applicant's request, Board discussed phasing for every 4th unit so that there are not as built engineering requirements for every new unit built. Board seemed amenable but exact language not worked out. Interrelates with D17 where Building Commissioner has control of phased occupancy.

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H.1. on page 19 -- Paul Alphen will suggest language in hopes of assuring that the Town will have sufficient security at all times.

Thanks.

-Fran

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