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February 5, 2024

Groton Zoning Board of Appeals
c/o Mr. Takashi Tada
Town of Groton
173 Main Street
Groton, MA 01450

RE: Heritage Landing 40B/ Waivers from Local Requirements and Regulations

Dear Members of the Board:

In response to some questions raised by Nitsch Engineering in their letter dated January 24, 2024, below please find additional requests for Waivers from Local Requirements and Regulations:

1. Rosie Lane is proposed as a Private Way that will be part of the Common Area of the Condominium and owned and maintained by the Condominium Association. We do not anticipate that it will be considered to be a "shared driveway" whereas the regulations limit a shared driveway as access to three (3) lots. As such, it would likely fit the definition of a "Lane" or "Minor Street". As provided by Section 381-10. D. of the Subdivision Rules and Regulations (to the degree that they are applicable to the subject project which, technically, is not a subdivision) the maximum grade of a Lane or Minor Street is 10%. The current plans show a grade of 10% at a point. To the degree that waivers are required, the applicant is requesting a waiver of Section 381.10. D (2) to allow a maximum grade of 12%, and a waiver from Section 318.10.D(4) to allow a leveling area for not more than 4% at a distance of 20 feet from the nearest edge of the intersecting traveled way.

2. The applicant is also requesting a waiver from Section 381.10.D (5), to the degree that a waiver from the Subdivision Rules and Regulations are applicable, to permit the grades within the right-of-way to exceed seven feet above or below existing grade, because of the unusual existing topographic conditions of the site.

Both waivers are warranted to reduce the amount of fill required at the site.

Thank you for your attention to this matter.

Very truly yours,
Alphen & Santos, P.C.


Paul F. Alphen, Esq.