

January 12, 2021

Planning Board
Town of Holden
1196 Main Street
Holden, MA 01520-1067

RE: Permittee/Applicant: Newell Road Realty, LLC (as successor in interest to prior developer, Fafard Real Estate and Development Corp.)
Project: Village at Westminster Place (f/k/a Sanctuary at Holden and Trulson Property Retirement Community)
Property: Newell Road, southeast of Chaffins Pond
Assessor Map 223, Parcel 1
Property Owner: Newell Road Realty, LLC
Case #: SPR-0207 as amended (SPR#219/520/118/901/607/207/516/317)
Relief Sought: Modification of Site Plan Review Special Permit issued pursuant to ZBL §§ XVIII and XI.J.3.g

Dear Members of the Planning Board:

I write on behalf of Newell Road Realty, LLC (“Permittee”) in connection with the Village at Westminster Place retirement community to request a modification of the Planning Board’s 2003 Site Plan Review Special Permit decision for this project, as subsequently extended/modified on several occasions (the “Special Permit”). Most recently, by decision dated August 21, 2020, the Planning Board approved a modification to the configuration of units on King Phillip Trail. A copy of that decision is included in Exhibit 5 and the approved modification is included in Exhibit 6.

I. OVERVIEW OF PROPOSED MODIFICATION

The Permittee is seeking to further modify the building configuration along King Phillip Trail and to also modify those in the vicinity of Settlers Lane. The building modifications can be summarized as follows:

	<u>Previously Approved</u>	<u>Current Proposal</u>
King Phillip	6 Duplexes (12) – as approved in 2020	4 Duplexes and 3 Singles (11)
Settlers Lane	3 Townhouse Bldgs – 8, 4 and 3 units (15)	1 Duplex and 13 Singles (15)

The proposal involves reducing the total number of units at the development from 125 to 124.

These modifications are being proposed to reflect the realities of the current market. The demand has been strong for the single-family units. The demand for townhomes and even the duplexes has been weak. Without these proposed modifications, the build-out of the project is likely to stall.

The existing stormwater management system, with only a few minor adjustments, can accommodate the revised building configuration. The proposed modifications and related calculations are being detailed and compiled in a report from Guerriere & Halnon (“G&H”), which will be submitted shortly.

II. ENCLOSURES

Enclosed with this letter are a check for the \$250 filing fee, 2 oversized versions of the Modification Plan referenced below, and an original and 8 copies of this letter with the following enclosures (including 11” x 17” versions of the Modification Plan). A set of stamped envelopes with abutter labels as provided by the Assessor’s office (with any redundant labels for the Petitioner or affiliates of the Petitioner excluded from the set) have been provided separately to the Planning Office.

1. Completed Application Form.
2. Proposed Modification Plan (5 sheets, 11 x 17).
3. 8/22/2020 Planning Board Approval – Extension/Modification.
4. 2020 Approved Modification Plans, rev. 7/29/2020 (King Phillip Trail).
5. 2003 Site Plan Review Special Permit Decision (SPR 207).
6. 2003 Approved Overall Site Plan.

III. BACKGROUND

The Village at Westminster Place development is a retirement community that the Planning Board approved in 2003 pursuant to its Site Plan Review Special Permit Decision under the Town’s Retirement Community Bylaw (Section XVIII). In approving this development, the Board found (Page 1 of Special Permit Decision) as follows:

- The development “meets the objective and intent of the Retirement Community Bylaw....”
- The development “is a development that meets the needs of the residents of Holden and is in the best interest of the Town.”

- The development “successfully protects environmentally sensitive areas and preserves open space by limiting the total area to be disturbed by the development.”
- The development “represents an enhancement to the tax base while minimally impacting Town Resources infrastructure and services.”
- The development “meets the objectives set forth in Section 1 and 5 of the Retirement Community Bylaw.”

IV. COMPLIANCE WITH STANDARDS

The Permittee’s modification request should be granted because, among other reasons:

1. The revised building layout and associated modifications will be an improvement to the project, with the proposed single-family and duplex units representing a building style that is more desirable to buyers in today’s market. As such, the project is likely to be constructed more quickly than the previously approved multi-plex townhome buildings.
2. The proposed modifications will result in one less unit than originally approved (reduced from 125 to 124). Otherwise, it involves the same roadway layout and essentially the same drainage layout as originally approved, with only minor adjustments.
3. The proposed modified building confirmation will result in a total of 61 single-family units out of the 124 total units, which is <50% of the total number of units. As such, no waiver is required to accommodate this modification request under Section XVIII.4 (which provides that no more than 50% of the units shall be in any one of certain referenced categories (including single-family) unless the Board grants a waiver based on its view that it would be in the best interests of the Town and its residents).
4. All of the findings made by the Planning Board in support of its Special Permit Decision in 2003 and Modification Decision in 2020 remain valid as applied to the project as proposed to be modified.

V. CONCLUSION

For the foregoing reasons, the Permittee respectfully requests that the Board grant the requested Modification.

The Permittee also requests that the Board place this request on its first available meeting for which required notices can be provided. In the meantime, the Permittee will coordinate with Pam Harding and the Town's Office of Planning and Development with respect to hearing notices and compiling any additional information relevant to this request.

Sincerely,



Jeffrey L. Roelofs

Enclosures

cc: Town Clerk (By Federal Express)

EXHIBIT 1



TOWN OF HOLDEN
MASSACHUSETTS

January 12, 2021

APPLICATION FOR MODIFICATION TO
SITE PLAN REVIEW SPECIAL PERMIT

MODIFICATION REQUEST
SPR#219/520/118/901/607/207/516/317

Name of Applicant: Newell Road Realty, LLC

Address: 120 Quarry Drive, 2nd Floor, Milford MA 01757

Telephone #: 508-881-1600

Location of Property: Village at Westminster Place (f.k.a. Sanctuary at Holden)
Newell Rd (Map 223, Parcel 1)

Applicants Interest in Property: Owner and Project Proponent

Zoning District: I-Q, R-20 & R-10

State in full what petitioner desires to do at said property:

Newell Road Realty, LLC is requesting a Modification of the Planning Board's Site Plan Review

Special Permit decision filed with the Town Clerk on September 17, 2003 (SPR 0207) and as subsequently

extended/modified (219/520/118/901/607/207/516/317) to allow a modified building and associated roadway/

utility configuration related to the units on and adjacent to King Phillip Trail and Settlers Lane. For details,

see the attached cover letter to this application form and referenced plans and exhibits.

WHEREFORE, the applicant hereby requests a hearing before the Planning Board and requests that it take such action as may be appropriate.

(Applicant's Signature)

By Jeffrey Roelofs, Applicant's Attorney

January 12, 2021

(Date)

ONE COPY OF THIS APPLICATION SHALL BE FILED WITH THE OFFICE OF THE TOWN CLERK.

FEE SCHEDULE - \$100.00 per application

EXHIBIT 2

G:\C3D\Milford\G-8928\DWG\G-8928 Site.dwg





DALE
MACKINNON
CIVIL
ENGINEER
No. 34575
STATE OF MASSACHUSETTS


DATE: 07/14/2021

CONSTRUCTION ON THIS LOT IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.


"WARNING" EXISTING UTILITY LINES INDICATED OR NOTED ON THESE DRAWINGS ARE SHOWN AS OBTAINED FROM EXISTING INFORMATION AND ARE ONLY APPROXIMATE IN LOCATION. THE CONTRACTOR SHALL TAKE CAUTION IN THESE AREAS TO AVOID DAMAGE TO EXISTING UTILITY LINES AND/OR HARM TO PERSONNEL ENGAGED IN WORKING IN THESE AREAS. CALL "DIG SAFE" 1-888-DIG-SAFE (1-888-344-7233). EXISTING LINES OTHER THAN THOSE INDICATED ON THESE DRAWINGS MAY BE ON THE SITE. THE CONTRACTOR IS WARNED TO PROCEED WITH CAUTION WITH ALL WORK, ESPECIALLY EXCAVATION WORK, AND TO MAKE ALL POSSIBLE INVESTIGATIONS AS TO POSSIBLE UNMARKED UTILITY LINES.

- NOTES
1. PLAN PROPOSES MODIFICATION TO THE BUILDINGS AND ASSOCIATED ROADWAY/UTILITY CONFIGURATION FOR UNITS 576-590 ON SETTLERS LANE, AND UNITS 600-604 ON KING PHILLIP TRAIL.
 2. REFERENCE IS MADE TO PLANNING BOARD NOTICE OF DECISION SPECIAL PERMIT SP#0219 AND SP#0520 AUGUST 11, 2020, INCLUDING APPROVAL OF AMENDED PLANS ENTITLED "MODIFICATION PLAN FOR SITE PLAN SPECIAL PERMIT AT WESTMINSTER PLACE" WITH A REVISED DATE OF JULY 29, 2020.
 3. REFERENCE IS MADE TO PLANNING BOARD NOTICE OF DECISION SPR-0207 SITE PLAN REVIEW SPECIAL PERMIT AND PLAN REFERENCE SITE PLAN LAST REVISED DATE AUGUST 25, 2003, ENTITLED "THE TRULSON PROPERTY OF HOLDEN, MA, 25 SHEETS."
 4. REFERENCE IS MADE TO A PLAN ENTITLED: SEWER EXTENSION PERMIT PLAN FOR "SANCTUARY" AT HOLDEN IN HOLDEN, MASSACHUSETTS. OWNER: TRULSON REAL ESTATE CORP. APPLICANT: FAFARD REAL ESTATE AND DEVELOPMENT CORP. PREPARED BY: BENCHMARK ENGINEERING CORP. DATE: 17 SEPTEMBER 2003. REVISED: 20 FEBRUARY 2004.
 5. REFERENCE IS MADE TO THE FOLLOWING PLANS RECORDED AT THE WORCESTER DISTRICT REGISTRY OF DEEDS:
PLAN BOOK 904 PLAN 93
PLAN BOOK 885 PLAN 121
PLAN BOOK 884 PLAN 48
PLAN BOOK 878 PLAN 121
PLAN BOOK 847 PLAN 17
PLAN BOOK 829 PLAN 89
PLAN BOOK 808 PLAN 2


LEGEND




EXISTING BUILDING



PROPOSED BUILDING



EXISTING TREES



PROPOSED TREES

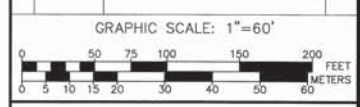
OWNER

NEWELL ROAD REALTY, LLC
120 QUARRY DRIVE
MILFORD, MA 01757

MODIFICATION PLAN FOR
SITE PLAN SPECIAL PERMIT
AT
WESTMINSTER PLACE
NEWELL ROAD

IN
HOLDEN, MA
DATE MARCH 31, 2020

00	DATE	INITIAL SUBMITTAL	INIT
01	5/6/2020	VISITOR PARKING SPACES	DMK
02	7/14/2020	REVISIONS REQUESTED BY TOWN	DMK
03	7/29/2020	REVISIONS REQUESTED BY TOWN	DMK
04	1/11/2021	PROPOSED BLDG & SITE CHANGES	DMK





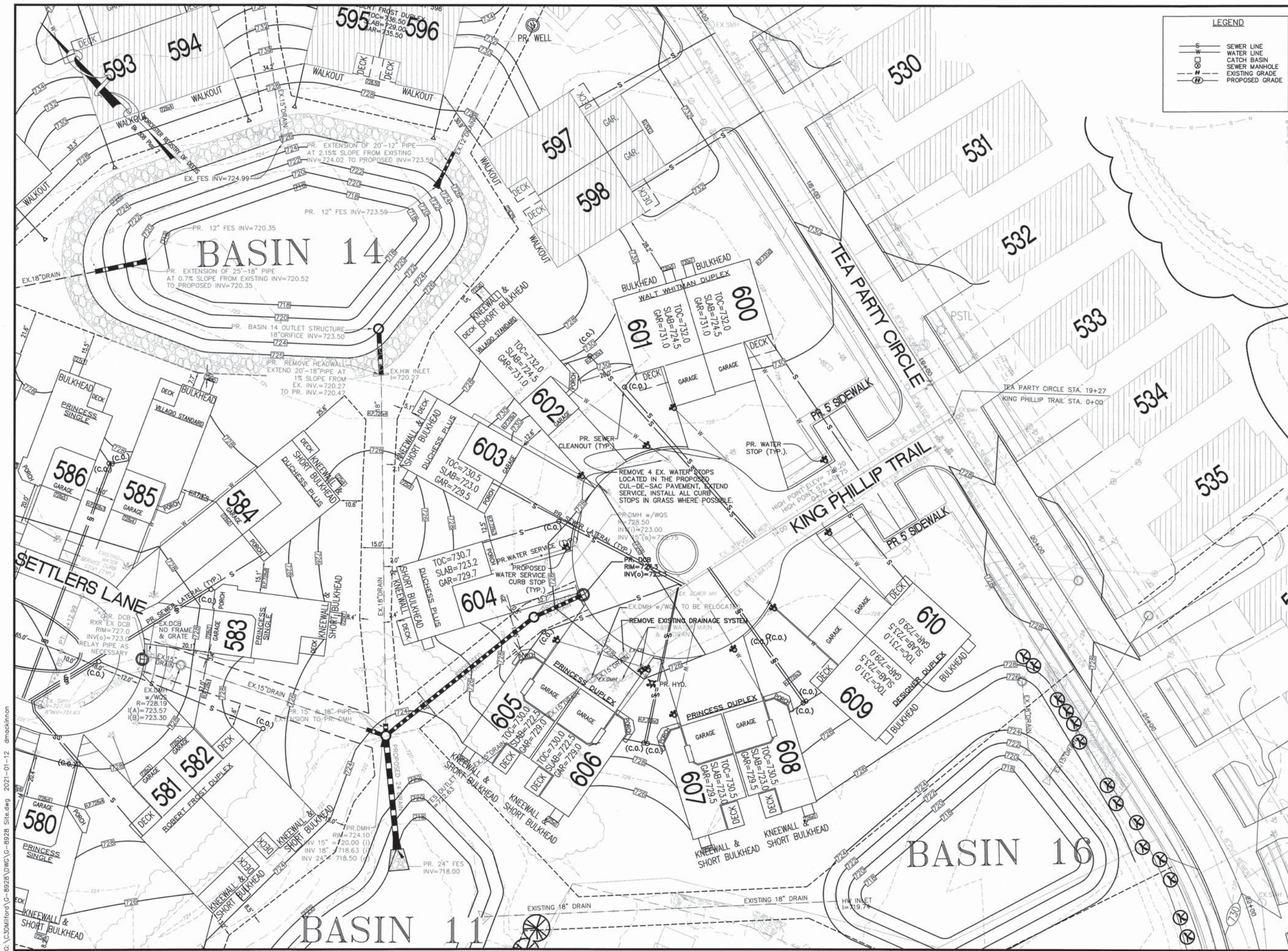
Guerriere
&
Halnon, Inc.

Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243
www.gandhengineering.com

BLDG UNIT COMPARISON - KING PHILLIP TRAIL AND SETTLERS LANE				
KING PHILLIP TRAIL	PREVIOUSLY APPROVED		PROPOSED MODIFICATION	
	UNITS	STYLE	UNITS	STYLE
	12	2003: 2 TOWNHOUSE BLDGS W/ 6 UNITS EA. 2020: 6 DUPLEX BLDGS	11	4 DUPLEX UNITS AND 3 SINGLE FAMILY UNITS
SETTLERS LANE	ORIGINAL APPROVAL		PROPOSED MODIFICATION	
	UNITS	STYLE	UNITS	STYLE
	15	3 TOWNHOUSE BLDGS WITH 8, 4 & 3 UNITS	15	1 DUPLEX AND 13 SINGLE FAMILY UNITS

UNIT #599 IS ELIMINATED IN THIS MODIFICATION.

THIS MODIFICATION WOULD RESULT IN 61 SINGLE-FAMILY UNITS, 18 UNITS IN DUPLEX BLDGS, AND 45 UNITS IN MULTIFAMILY BLDGS.



LEGEND

- S — SEWER LINE
- W — WATER LINE
- CATCH BASIN
- SEWER MANHOLE
- - - EXISTING GRADE
- PROPOSED GRADE

DATE: 1/7/2021

PLANNING BOARD

APPROVED DATE:

SIGNATURE DATE:

BEING A MAJORITY

- NOTES**
- CONSTRUCTION ON THIS LOT IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.
 - "WARNING" EXISTING UTILITY LINES INDICATED OR NOTED ON THESE DRAWINGS ARE SHOWN AS OBTAINED FROM EXISTING INFORMATION AND ARE ONLY APPROXIMATE IN LOCATION. THE CONTRACTOR SHALL TAKE CAUTION IN THESE AREAS TO AVOID DAMAGE TO EXISTING UTILITY LINES AND/OR HARM TO PERSONNEL ENGAGED IN WORKING IN THESE AREAS. CALL "DIG SAFE" 1-888-DIG-SAFE (1-888-344-7233). EXISTING LINES OTHER THAN THOSE INDICATED ON THESE DRAWINGS MAY BE ON THE SITE. THE CONTRACTOR IS WARNED TO PROCEED WITH CAUTION WITH ALL WORK, ESPECIALLY EXCAVATION WORK, AND TO MAKE ALL POSSIBLE INVESTIGATIONS AS TO POSSIBLE UNMARKED UTILITY LINES.

- GENERAL NOTES**
- ELEVATIONS REFER TO NGVD DATUM OF 1929.
 - ALL UTILITIES SHOWN ARE PROPOSED UNLESS OTHERWISE NOTED.
 - ALL PROPOSED HYDRANT LOCATIONS SHALL BE APPROVED BY THE HOLDEN FIRE DEPARTMENT.

OWNER/APPLICANT

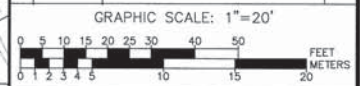
NEWELL ROAD REALTY, LLC
120 QUARRY DRIVE, MILFORD, MA 01757

SITE PLAN

MODIFICATION PLAN FOR
SITE PLAN SPECIAL PERMIT
AT
WESTMINSTER PLACE
NEWELL ROAD
IN
HOLDEN, MA

DATE MARCH 31, 2020

00	DATE	SUBMITTAL	INIT
01	5/6/2020	VISITOR PARKING SPACES	DMK
02	6/22/2020	REVISIONS REQUESTED BY DPW	DMK
03	7/14/2020	REVISIONS REQUESTED BY TOWN	DMK
04	7/29/2020	REVISIONS REQUESTED BY TOWN	DMK
05	1/11/2021	PROPOSED BLDG CHANGES & GRADING	DMK



Guerriere & Halnon, Inc.

ENGINEERING & LAND SURVEYING

333 WEST STREET PH. (508) 473-6630
MILFORD, MA 01757 FX. (508) 473-8243
www.gandhengineering.com

G:\3D\Milford\G-8928\DWG\G-8928 Site.dwg 2021-01-12 dmackinnon



LEGEND

- S SEWER LINE
- W WATER LINE
- CB CATCH BASIN
- SM SEWER MANHOLE
- EG EXISTING GRADE
- PG PROPOSED GRADE

DATE: 1/12/2021

APPROVED DATE: _____

PLANNING BOARD

SIGNATURE DATE: _____

BEING A MAJORITY

- NOTES**
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OWNER/APPLICANT

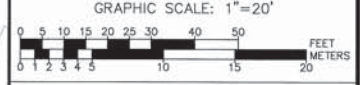
NEWELL ROAD REALTY, LLC
120 QUARRY DRIVE, MILFORD, MA 01757

SITE PLAN

MODIFICATION PLAN FOR
SITE PLAN SPECIAL PERMIT
AT
WESTMINSTER PLACE
NEWELL ROAD
IN
HOLDEN, MA

DATE JANUARY 11, 2021

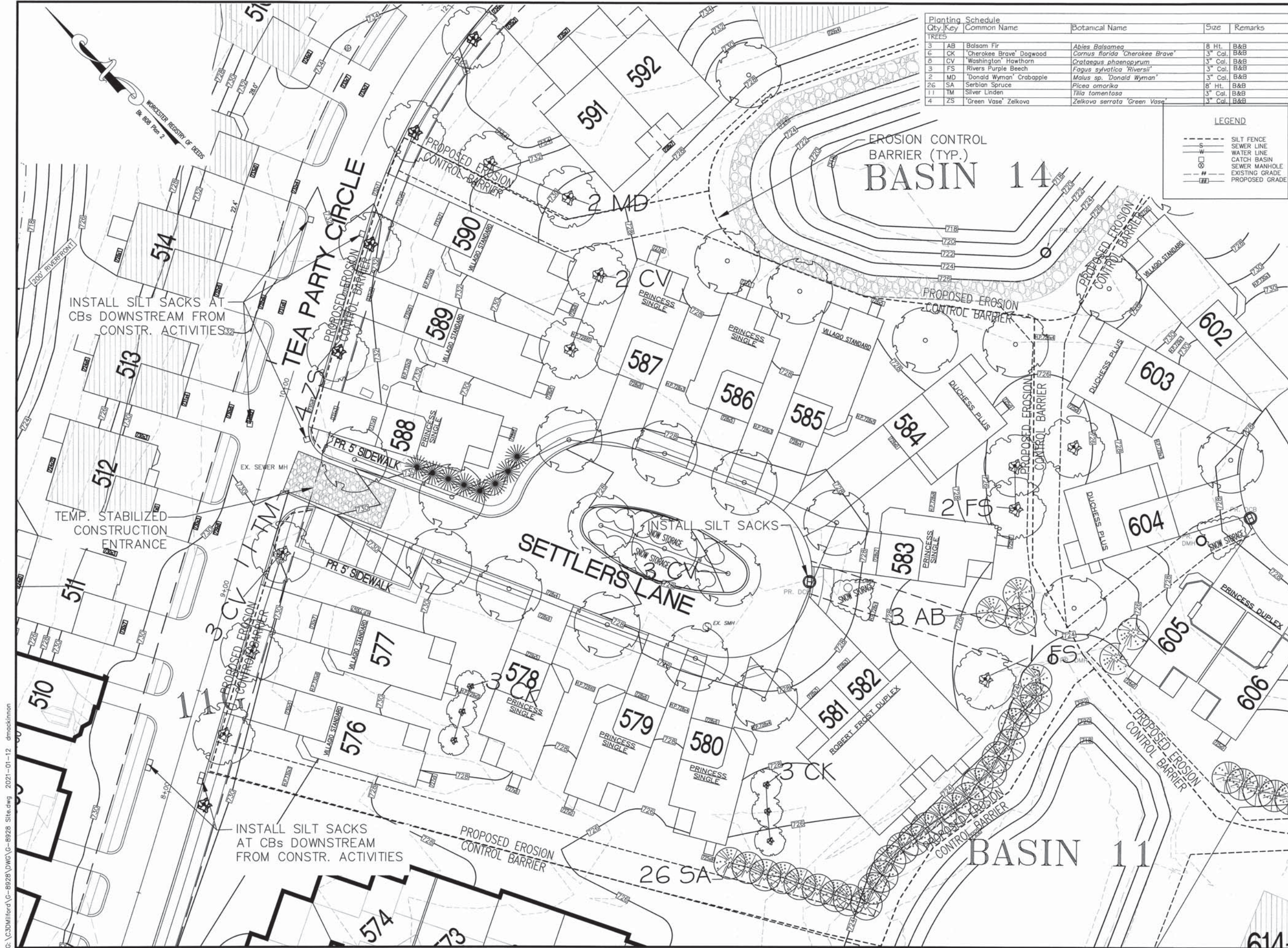
00	DATE	SUBMITTAL	INIT



Guerriere & Halnon, Inc.

ENGINEERING & LAND SURVEYING

333 WEST STREET PH. (508) 473-6630
MILFORD, MA 01757 FX. (508) 473-8243
www.gandhengineering.com



Planting Schedule				
Qty./Key	Common Name	Botanical Name	Size	Remarks
TREES				
3	AB Balsam Fir	Abies Balsamea	8 Ht.	B&B
6	CK 'Cherokee Brave' Dogwood	Cornus florida 'Cherokee Brave'	3" Cal.	B&B
8	CV 'Washington' Hawthorn	Crataegus phaenopyrum	3" Cal.	B&B
3	FS Rivers Purple Beech	Fagus sylvatica 'Riversii'	3" Cal.	B&B
2	MD 'Donald Wyman' Crabapple	Malus sp. 'Donald Wyman'	3" Cal.	B&B
26	SA Serbian Spruce	Picea omorika	8' Ht.	B&B
11	TM Silver Linden	Tilia tomentosa	3" Cal.	B&B
4	ZS 'Green Vase' Zelkova	Zelkova serrata 'Green Vase'	3" Cal.	B&B

LEGEND

- SILT FENCE
- SEWER LINE
- WATER LINE
- CATCH BASIN
- SEWER MANHOLE
- EXISTING GRADE
- PROPOSED GRADE

DATE: 11/2/2021

APPROVED DATE: _____

PLANNING BOARD

SIGNATURE DATE: _____

BEING A MAJORITY

NOTES

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GENERAL NOTES:

1. ELEVATIONS REFER TO NGVD DATUM OF 1929.

2. ALL UTILITIES SHOWN ARE PROPOSED UNLESS OTHERWISE NOTED.

3. ALL PROPOSED HYDRANT LOCATIONS SHALL BE APPROVED BY THE HOLDEN FIRE DEPARTMENT.

OWNER/APPLICANT

NEWELL ROAD REALTY, LLC
120 QUARRY DRIVE, MILFORD, MA 01757

EROSION CONTROL & LANDSCAPING PLAN

MODIFICATION PLAN FOR SITE PLAN SPECIAL PERMIT AT WESTMINSTER PLACE NEWELL ROAD IN HOLDEN, MA

DATE JANUARY 11, 2021

00	DATE	SUBMITTAL	INIT

GRAPHIC SCALE: 1"=20'

Guerriere & Halnon, Inc.

ENGINEERING & LAND SURVEYING

333 WEST STREET PH. (508) 473-6630
MILFORD, MA 01757 FX. (508) 473-8243
www.gandhengineering.com

SHEET 5 OF 5

G-8928

EXHIBIT 3

Town Clerk Filing

**Holden Planning Board Notice of Decision
Special Permit
Extension of Time and Amendment
Village at Westminster Place**

RECEIVED

AUG 23 2020

Town Clerk's Office
Holden, Massachusetts

Project Description: 125 Unit Continuing Care Retirement Community
Applicant: Newell Road Realty, LLC
Owner: Newell Road Realty, LLC
 120 Quarry Drive 2nd Floor
 Milford, MA 01757
Location: Newell Road, southeast of Chaffins Pond
 Assessing Map 223 Parcel 1
Special Permit File: SP# 0219 and SP #0520 ((0118(0901)(0607)(0207)(0516)(0317))

Notice is hereby given that on August 11, 2020 following a duly called and properly posted Public Hearing on the matter, the Holden Planning Board unanimously voted 6-0, to grant an Extension of Time and approval of an Amendment for a Special Permit under the Continuing Care Retirement Community Bylaw for the Village at Westminster Place incorporating all findings and conditions from the August 19, 2003, October 10, 2006, January 8, 2008, April 14, 2009, October 25, 2016, November 28, 2017 and December 18, 2018 approvals with the following amendment and additional conditions;

GENERAL CONDITION #6 IS AMENDED AS FOLLOWS:

If construction is not completed by **March 30, 2022** the applicant must apply for an extension of time or approval will be automatically revoked. Construction shall refer to the completion of all common areas, utilities, drainage, and off-site improvements. Once construction is complete the applicant must notify the Holden Planning Board, the Board must issue a Certification of Completion ensuring that all conditions have been satisfied.

CONDITION #67 SHALL BE AMENDED: All roadway and infrastructure work associated with Phase 1 must be completed by November 15, 2020. Binder course shall be pulverized and replaced with new binder material prior to the installation of the top course. The replacement of binder shall begin at 98 Tea Party Circle and continue to the terminus of Phase 1. All sidewalks, berm, and street lighting in Phase 1 must be completed by November 15, 2020.

CONDITION #70 SHALL BE ADDED: Once the top coat is installed on the Phase 1 roadway all construction trucks must access the units on King Phillips Rd through Phase 2.

CONDITION #71 SHALL BE ADDED: This extension of time approves amended plans entitled Modification Plan for Site Plan Special Permit at Westminster Place with a date of March 31, 2020 with a revised date of July 29, 2020 consisting of three sheets. The plan was prepared for

Marginal Reference: Book 33316, Page 42

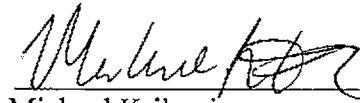
Village at Westminster Place (formerly the Sanctuary at Holden)
 Special Permit
 Extension of Time #7
 SP #0219 and SP #0520
 August 11, 2020

Newell Road, Holden, MA

Newell Road Realty, LLC by Guierriere and Halnon, Inc. This modification replaces the original approval for the construction of two buildings with six attached units with an amendment for 6 duplex units on King Phillip Trail, previously referred to as Driveway D.

CONDITION #72 SHALL BE ADDED: The 25 Green Giant Arborvitae and 18 Upright White Pine must be planted 8' on center and cover the same linear area represented on the approved plan.

I certify that this is a true and correct action of a motion made by John Michalak, seconded by Michael Krikonis, and affirmed by Scott Carlson, Otto Lies, Robert Ricker, and Nancy Kielinen, representing a 6-0 vote of the Holden Planning Board taken on August 11, 2020.



Michael Krikonis
Holden Planning Board

Date: 8/21/2020

cc: Newell Road Realty, LLC
Jeffrey Roeloffs, Applicant's Attorney
Ryan Mouradian, Water and Sewer Superintendent
Patrick Wood, DPW Civil Engineer, II
Isabel McCauley, Senior Civil Engineer
John Woodsmall, DPW Director
David Lindberg, Building Commissioner
Jane Parenteau, Municipal Light Department
Russ Hall, Fire Chief
Tim Sherblom, Police Chief
Rose Scully, Assessor
Stephanie King, Assistant Town Manager
Peter Lukes, Town Manager

Village at Westminster Place (formerly the Sanctuary at Holden)
Special Permit
Extension of Time #7
SP #0219 and SP #0520
August 11, 2020

CERTIFICATE BY THE TOWN CLERK FOR FILING OF THE DECISION IN THE REGISTRY

This is to certify that twenty (20) days have elapsed since filing of the decision of the Site Plan/Special Permit for the Extension of Time and Amendment for a Continuing Care Retirement Community referred to as the Village at Westminster Place with this office and:

☒ no appeal has been filed in this office,

or

☐ that the appeal of _____ Docket No. _____ filed with the
_____ court in the _____ registry of deeds,
book _____, page _____.

A True Copy, Attest



Jeanne Survell, Town Clerk

September 15, 2020



TOWN OF HOLDEN MASSACHUSETTS

HOLDEN PLANNING BOARD

Pamela Harding
Director

Pursuant to M.G.L. Chapter 40A the Holden Planning Board has conducted a Public Hearing remotely consistent with the Governor Baker's Executive Order, dated April 3, 2020 to amend the Open Meeting Law requirements in accordance with the State of Emergency restricting public gatherings as a result of the COVID-19 pandemic.

As a result, the Planning Board member signature on the decision represents the Board's vote

BUILDING INSPECTION/ZONING
(508) 210-5538

HEALTH
(508) 210-5542

PLANNING/CONSERVATION
(508) 210-5539

TOWN HALL • 1196 MAIN STREET • HOLDEN, MA 01520-1067 • FAX (508) 829-0252
ATTEST: WORC Kathryn A. Toomey, Register

EXHIBIT 4

G:\CDM\Hilford\G-8928\DWG\G-8928 Site.dwg



DATE: August 3, 2020
CONSTRUCTION ON THIS LOT IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

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- NOTES
1. PLAN PROPOSES MODIFICATION TO THE BUILDING AND ASSOCIATED ROADWAY/UTILITY CONFIGURATION FOR UNITS 597-610 ONLY.
 2. REFERENCE IS MADE TO PLANNING BOARD NOTICE OF DECISION SPR-0207 SITE PLAN REVIEW SPECIAL PERMIT AND PLAN REFERENCE SITE PLAN LAST REVISED DATE AUGUST 25, 2003, ENTITLED "THE TRULSON PROPERTY OF HOLDEN, MA, 25 SHEETS.
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LEGEND

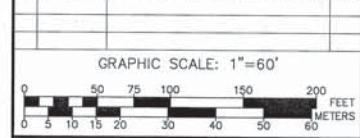
	EXISTING BUILDING		PROPOSED BUILDING
	EXISTING TREES		PROPOSED TREES

OWNER

NEWELL ROAD REALTY, LLC
120 QUARRY DRIVE
MILFORD, MA 01757

MODIFICATION PLAN FOR
SITE PLAN SPECIAL PERMIT
AT
WESTMINSTER PLACE
NEWELL ROAD
IN
HOLDEN, MA
DATE MARCH 31, 2020

00	DATE	INITIAL SUBMITTAL	INIT
01	5/6/2020	VISITOR PARKING SPACES	DMK
02	7/14/2020	REVISIONS REQUESTED BY TOWN	DMK
03	7/29/2020	REVISIONS REQUESTED BY TOWN	DMK



Guerriere & Halnon, Inc.
Engineering & Land Surveying
333 WEST STREET, MILFORD, MASS. 01757
(508) 473-6630 FAX: (508) 473-8243
www.gandhengineering.com



DATE: August 3, 2020
APPROVED DATE: _____
PLANNING BOARD

SIGNATURE DATE: _____
BEING A MAJORITY
NOTES

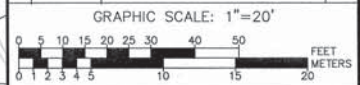
- CONSTRUCTION ON THIS LOT IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.
- "WARNING" EXISTING UTILITY LINES INDICATED OR NOTED ON THESE DRAWINGS ARE SHOWN AS OBTAINED FROM EXISTING INFORMATION AND ARE ONLY APPROXIMATE IN LOCATION. THE CONTRACTOR SHALL TAKE CAUTION IN THESE AREAS TO AVOID DAMAGE TO EXISTING UTILITY LINES AND/OR HARM TO PERSONNEL ENGAGED IN WORKING IN THESE AREAS. CALL "DIG SAFE" 1-888-DIG-SAFE (1-888-344-7233). EXISTING LINES OTHER THAN THOSE INDICATED ON THESE DRAWINGS MAY BE ON THE SITE. THE CONTRACTOR IS WARNED TO PROCEED WITH CAUTION WITH ALL WORK, ESPECIALLY EXCAVATION WORK, AND TO MAKE ALL POSSIBLE INVESTIGATIONS AS TO POSSIBLE UNMARKED UTILITY LINES.

- GENERAL NOTES**
- ELEVATIONS REFER TO NGVD DATUM OF 1929.
 - ALL UTILITIES SHOWN ARE PROPOSED UNLESS OTHERWISE NOTED.
 - ALL PROPOSED HYDRANT LOCATIONS SHALL BE APPROVED BY THE HOLDEN FIRE DEPARTMENT.

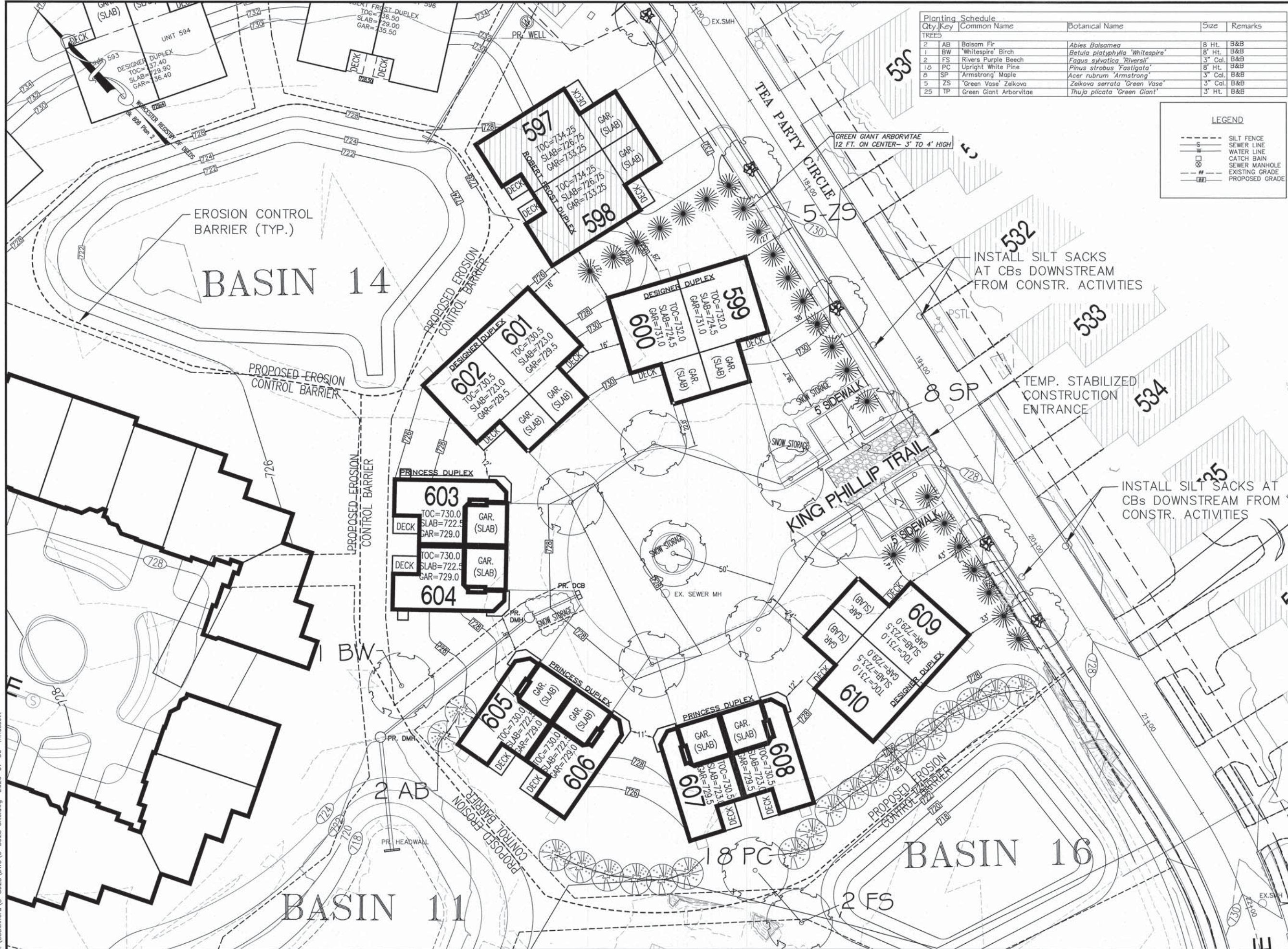
OWNER/APPLICANT
NEWELL ROAD REALTY, LLC
120 QUARRY DRIVE, MILFORD, MA 01757

SITE PLAN
MODIFICATION PLAN FOR
SITE PLAN SPECIAL PERMIT
AT
WESTMINSTER PLACE
NEWELL ROAD
IN
HOLDEN, MA
DATE MARCH 31, 2020

NO.	DATE	SUBMITTAL	INIT
01	5/6/2020	VISITOR PARKING SPACES	DMK
02	6/22/2020	REVISIONS REQUESTED BY DPW	DMK
03	7/14/2020	REVISIONS REQUESTED BY TOWN	DMK
03	7/29/2020	REVISIONS REQUESTED BY TOWN	DMK



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Planting Schedule		Botanical Name	Size	Remarks
Qty	Common Name			
TREES				
2	AB Balsam Fir	<i>Abies Balsamea</i>	8 Ht.	B&B
1	BW 'Whitespire' Birch	<i>Betula platyphyllo 'Whitespire'</i>	8' Ht.	B&B
2	FS Rivers Purple Beech	<i>Fagus sylvatica 'Riversii'</i>	3" Cal.	B&B
10	PC Upright White Pine	<i>Pinus strobus 'Fastigata'</i>	8' Ht.	B&B
8	SP 'Armstrong' Maple	<i>Acer rubrum 'Armstrong'</i>	3" Cal.	B&B
5	ZS 'Green Vase' Zelkova	<i>Zelkova serrata 'Green Vase'</i>	3" Cal.	B&B
25	TP Green Giant Arborvitae	<i>Thuja plicata 'Green Giant'</i>	3' Ht.	B&B

LEGEND

- SILT FENCE
- S- SEWER LINE
- W- WATER LINE
- ⊗ CATCH BAIN
- ⊙ SEWER MANHOLE
- #- EXISTING GRADE
- ##- PROPOSED GRADE

DATE: August 13, 2020

APPROVED DATE: _____

PLANNING BOARD

SIGNATURE DATE: _____

BEING A MAJORITY

NOTES

1. CONSTRUCTION ON THIS LOT IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE. "WARNING" EXISTING UTILITY LINES INDICATED OR NOTED ON THESE DRAWINGS ARE SHOWN AS OBTAINED FROM EXISTING INFORMATION AND ARE ONLY APPROXIMATE IN LOCATION. THE CONTRACTOR SHALL TAKE CAUTION IN THESE AREAS TO AVOID DAMAGE TO EXISTING UTILITY LINES AND/OR HARM TO PERSONNEL ENGAGED IN WORKING IN THESE AREAS. CALL "DIG SAFE" 1-888-DIG-SAFE (1-888-344-7233). EXISTING LINES OTHER THAN THOSE INDICATED ON THESE DRAWINGS MAY BE ON THE SITE. THE CONTRACTOR IS WARNED TO PROCEED WITH CAUTION WITH ALL WORK, ESPECIALLY EXCAVATION WORK, AND TO MAKE ALL POSSIBLE INVESTIGATIONS AS TO POSSIBLE UNMARKED UTILITY LINES.

GENERAL NOTES

1. ELEVATIONS REFER TO NGVD DATUM OF 1929.

2. ALL UTILITIES SHOWN ARE PROPOSED UNLESS OTHERWISE NOTED.

3. ALL PROPOSED HYDRANT LOCATIONS SHALL BE APPROVED BY THE HOLDEN FIRE DEPARTMENT.

OWNER/APPLICANT

NEWELL ROAD REALTY, LLC
120 QUARRY DRIVE, MILFORD, MA 01757

EROSION CONTROL & LANDSCAPING PLAN

MODIFICATION PLAN FOR
SITE PLAN SPECIAL PERMIT
AT
WESTMINSTER PLACE
NEWELL ROAD
IN
HOLDEN, MA

DATE MARCH 31, 2020

00	DATE	SUBMITTAL	INIT
01	5/6/2020	SNOW STORAGE & VISITOR PARKING SPACES	DMK
02	6/22/2020	REVISIONS REQUESTED BY DPW	DMK
03	7/14/2020	REVISIONS REQUESTED BY TOWN	DMK
03	7/29/2020	REVISIONS REQUESTED BY TOWN	DMK

GRAPHIC SCALE: 1"=20'

ENGINEERING & LAND SURVEYING

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MILFORD, MA 01757 FX. (508) 473-8243
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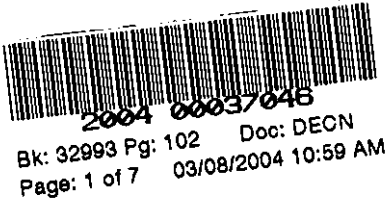
SHEET 3 OF 3 G-8928

EXHIBIT 5



TOWN OF HOLDEN
MASSACHUSETTS
OFFICE OF THE TOWN CLERK

Kathleen M. Peterson, C.M.C.
 TOWN CLERK

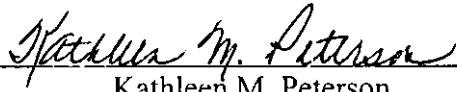


October 8, 2003

CERTIFICATE BY THE TOWN CLERK
 FOR FILING OF THE DECISION IN THE REGISTRY

This is to certify that twenty (20) days have elapsed since filing of the attached decision with this office and no appeal concerning said decision has been filed or that any appeal that has been filed has been dismissed or denied.

A true copy.
 Attest:


 Kathleen M. Peterson
 Town Clerk

Permit Granting Authority: Planning Board

Case No.: SPR 0207: Site Plan Review Special Permit

Applicant(s): Fafard Realty

Premises Affected: Newell road, southeast of Chaffins Pond, Assessing Map 223 Parcel
 1

return:
 Paul J. Beattie, Esq
 290 Eliot Street
 Ashland, MA 01721

TITLE REFERENCE: BOOK 16407 PAGE 351
 PLAN BOOK 763 PLAN 33

NEWELL ROAD, S/E of CHAFFINS POND
 HOLDEN, MASS.

75/K

M

SEP 17 10 25 AM '03

Town Clerk FilingRECEIVED
TOWN CLERK'S OFFICE
HOLDEN, MA.**Planning Board Notice of Decision
Site Plan Review Special Permit**

Project Description: 125 Unit Retirement Community
 Applicant: Fafard Realty
 290 Eliot St, Ashland, MA 01721
 Owner: Trulson Real Estate Corp. 186 Pilgrim Drive, Holden, MA 01520
 Location: Newell Road, southeast of Chaffins Pond
 Assessing Map 223 Parcel 1
 Special Permit File SPR - 0207

Notice is hereby given that on August 19, 2003 following a duly called and properly posted Public Hearing on the matter, the Holden Planning Board unanimously voted 6-0 to grant a Special Permit and Site Plan Approval with the following:

FINDINGS OF FACT

1. In the opinion of the Planning Board the "Trulson Property" meets the objective and intent of the Retirement Community Bylaw as established by the Town of Holden.
2. In the opinion of the Planning Board, the "Trulson Property Retirement Community is a development that meets the needs of the residents of Holden and is in the best interest of the Town.
3. In the opinion of the Planning Board, the "Trulson Property" of Holden successfully protects environmentally sensitive areas and preserves open space by limiting the total area to be disturbed by the development.
4. In the opinion of the Planning Board the "Trulson Property" represents an enhancement to the tax base while minimally impacting Town Resources infrastructure and services.
5. In the opinion of the Planning Board the "Trulson Property" meets the objectives set forth in Sections 1 and 5 of the Retirement Community By law.

And with the following conditions and amendments:

GENERAL CONDITIONS

1. This special permit/site plan approval is given based upon the site plan dated August 25, 2003 entitled "the Trulson Property" with the following conditions:

2. This Special Permit is for a Retirement Community entitled "the Trulson Property" which shall be limited to person at least one of whom in each household shall have attained the age of fifty-five (55) as restricted under the Retirement Community By law, Chapter 7.3 Section XVIII. Each and every deed must contain a provision stating that each unit shall be limited to persons at least one of whom shall have attained the age of fifty-five (55). A copy of this deed shall be provided to the Department of Growth Management and must obtain final approval from Town Counsel.
3. The proponent has not requested any waivers from the Holden Subdivision Control Regulations or the Retirement Community By law, therefore, none are granted. The Planning Board will only consider future waivers of the Holden Subdivision Control Regulations or the Retirement Community By law following a formal plan submittal and after a new public hearing.
4. The plan is approved subject to receipt of proper and acceptable security for the installation of all municipal services which shall be completed in accordance with the Holden Subdivision Control Regulations.
5. In lie of inspection fees the applicant is responsible for hiring a third party inspector for the installation of the roadway and infrastructure. The Applicant shall submit a list of three qualified parties that are based in the general area of the Town of Holden. The Department of Public Works Engineering Department will then pick a consultant from this list. Inspections and findings shall be provided on a weekly basis to DPW Engineering, or as the DPW Engineering Department finds necessary.
6. Failure to complete construction within thirty-six (36) months from the day of approval shall result in an automatic rescission of approval by the Planning Board.
7. During construction all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The proponent shall at all times use all reasonable means to minimize inconvenience to residents in the general area. Hours of operation for all construction activities are 7:00 a.m. - 7:00 p.m., Monday to Friday and 7:00 a.m. - 5:00 p.m. on Saturday.
8. An as-built for the entire development (including roadway locations, elevations and all utility locations and elevations) Shall be provided to the DPW/Engineering office within 6 months of the completion of the project and/or final paving.
9. Lots 2,3,4,and 5 as shown on a plan dated August 8, 2003 have been incorporated in the project parcel as shown on a revised plan dated August 25, 2003. These lots serve an important buffering purpose and must remain part of the Trulson Retirement Community in perpetuity in the current natural forested condition.

WATER/SEWER

10. The water mains may be built in phases. No building permit shall be issued for a particular lot until there is a water main in front of said lot and it has been acceptably tested.
11. There must a minimum of a 10 foot separation between the water and sewer services.
12. All water mains and water services lines shall be entirely within the edge of pavement (including private drives) for ease of maintenance.
13. Approval of this Special Permit/Site Plan shall not be treated as, nor deemed to be, approval by the Director of Public Works, the Town Manager, or the Board of Selectmen for a permit to connect to the Town of Holden Water System. Water connections will be handled by the Department of Public Works under the Rules of the Board of Selectmen.
14. All pressure sewer are under the supervision of the Director of Public Works and shall be reviewed and approved by said Director prior to definitive approval.
15. Sewer Extension Permits are required for this development.
16. The water main and the MDC trunk sewer main must be concrete encased where they cross.
17. Details of the proposed sewer pump station must be provided and approved by the Department of Public Works prior to the start of construction.
18. Any private ejector pumps and forced mains must be deeded to the property owners of the lots they serve. The Town of Holden will, under no circumstances, accept this responsibility.

ROADS/SIDEWALKS

19. The developer is responsible for maintaining all roads (including sweeping, snow plowing, sanding, etc.) in passable condition at his own at his own expense a approval of completion is given by the DPW Engineering Department. The roadway maintenance will then become the responsibility of the homeowners in the development.

CONSTRUCTION DETAIL

20. A minimum depth of burial for the drain line shall be 36 inches. The detail shall be submitted on revised plans to show the minimum depth.
21. A plan for structural fill in roadway utility and building locations must be submitted. Compaction density testing must be conducted by an independent party to be approved by the Building Inspector and DPW Engineering. The results must be provided to the Department of Growth Management Building Inspector as well as the Town Engineer.

LIGHTING

22. Street lighting shall be purchased by the developer and installed by a licensed electrician. Lighting fixtures shall be placed a maximum of two hundred (200) feet apart, less on curves and other areas where safety requires, as determined by the Holden Municipal Light Department. Street lighting shall be 70 watt High Pressure Sodium bulbs. The lighting poles shall be 14 feet in height and consist of a minimum fiber glass Town and Country style lighting fixtures, a style upgrade is permissible with approval from the Light Department. The final lighting plan and fixtures shall be subject to the approval of the Holden Municipal Light Department.

FIRE PROTECTION

23. Any fire hydrants which must be relocated as a result of the Newell Road upgrades must have the new location coordinated and approved by the Town of Holden Water Department, Engineering Department, and the Fire Chief.

DRAINAGE

24. This approval is contingent upon the formation of a Homeownership Association and Maintenance Trust. A final document representing this Association must be submitted and approved by Town Counsel and DPW Engineering and Recorded at the Registry of Deeds. This document must represent the maintenance of the roadways, utilities, stormwater management facilities, including the pumping station. The retention ponds must be maintained in accordance with *The Stormwater Management Handbook* published by the Department of Environmental Protection, dated March 1997. Evidence of the completion of this maintenance must be submitted to the Town of Holden on a yearly basis, or as needed, determined by the DPW Engineering Department. Proof of the recording of this document must be provided within 30 days of Town Counsels final approval.
25. The Town of Holden will not accept easements, ownership nor responsibility for maintenance of the pumping station, detention/retention ponds, underground vaults, or downstream defender systems.
26. Fencing must be placed around the perimeter of retention ponds. The opening of the fencing shall be kept locked. The gate opening shall remain free of plantings
27. The Developer must sweep the streets and clean the catch basins twice per year during construction. More frequent sweepings and cleaning may be required at the request of the DPW if conditions warrant.
28. Catch basin hoods shall not be installed based on the recommendation of the Holden Department of Public Works.
29. The designs of the perimeter drain connection into the drainage infrastructure must be submitted to the DPW for approval prior to construction.

30. The Applicant must provide the final calculations (sizing requirements) for the structural BMP's used (downstream Defender Stormceptor, etc.). A minimum of 80% Total Suspended Solids (TSS) is required to be removed prior to discharging to any retention facility.
31. A copy of the Stormwater Management Report shall be kept on-site with the Site Contractor/General Contractor for reference.

EASEMENTS

32. The developer shall keep all easements as shown on the site plan in a condition passable to Town of Holden Department of Public Works vehicles. Section V. Subsection B. 1. requires that all easements shall be graded such that they are passable to DPW vehicles. Grades must meet DPW guidelines not to exceed a maximum grade of 10%.
33. Easements for all utilities shall be provided as required by Section V.B.1 of the Town of Holden Subdivision Control Regulations.
34. An easement shall be provided as shown on a plan dated August 25, 2003, for the purposes of providing access to a culvert that crosses Newell Road just north of the intersection of Cranbrook Drive. A legal document reflecting the easement must be submitted to Town Counsel for Review and recorded at the Registry of Deeds prior to the start of construction.
35. Approval from the MDC allowing earthwork (both cuts and fills) over their easement will be required. A copy of which must be submitted to the DPW/Engineering office.

CONSERVATION ISSUES

36. The applicant must file an application for a NPDES Permit , ENF and MEPA and any other state or federal permits which are necessary. Any revisions that are not in accordance with the approved special permit are subject to review and a public hearing before the Planning Board.
37. Vegetation shall be preserved to the greatest extent possible as may be necessary or appropriate for the purposes of water conservation, decreasing erosion, preserving water quality, buffering and aesthetics.
38. Stockpiling of material is not anticipated however, all stockpile on-site material must have proper erosion and sedimentation controls to prevent any migration of soils or sediments.

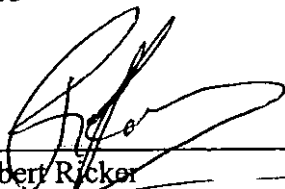
NEWELL ROAD

39. Care must be taken to ensure positive drainage on Newell Road. Any locations of ponding or the improper redirecting of stormwater runoff that causes ponding or erosion of abutters

property is the sole responsibility of the applicant as part of the upgrades to Newell Road. Drain structures and/or drain systems may be required as determined by the DPW to eliminate potential ponding problems. A catch basin shall be installed in the location of the existing leaching catch basin in the vicinity of 106 Newell Road. This new catch basin shall discharge to a point approved by the DPW/Engineering Department.

40. The DPW reserves the right to adjust the length and location of the roadway transitions from the upgraded 24' width to the existing edge of pavement
41. The truck entrances will be limited to accessing the site from the Main Street intersection. The applicant must document the condition of Newell Road prior to the start of construction with the Department of Public Works Engineering and be responsible for repairing this area after completion of the project to the satisfaction of the DPW Engineering.
42. Improvements to the intersection of Main Street and Newell Road are required as submitted in a plan dated August 8, 2003. The final details must be approved by the Department of Public Works Town Engineer and must then be submitted to and approved by the Massachusetts Highway Department. No occupancy permits may be issued until a final plan is approved by all parties.
43. The applicant shall provide emergency contact information during construction activity to the Department of Public Works Engineering.
44. The applicant may be required to provide a police detail to direct traffic during construction as the Department of Public Works and/or the Town of Holden Police Department find necessary.

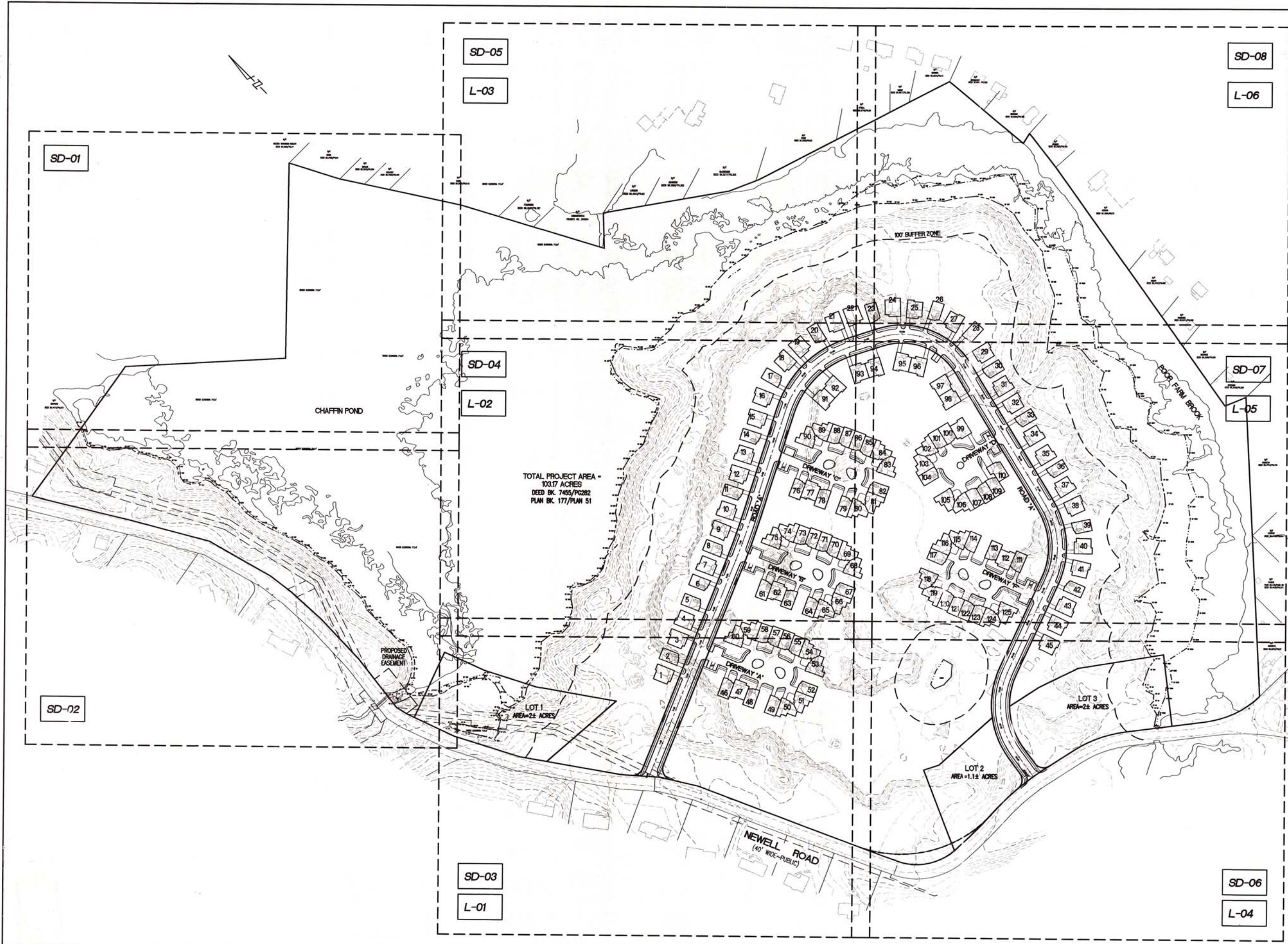
I certify that this is the true and correct action taken by the Holden Planning Board on August 19, 2003


 Robert Ricker
 Holden Planning Board

Date: Sept 11, 2003

Cc: Fafard Realty
 Town Manager
 DPW Director
 Board of Health
 Fire Chief
 Police Chief

EXHIBIT 6



APPROVED
HOLDEN PLANNING BOARD

DATE: 25 AUG 03

DATE: 25 AUG 03

GENERAL NOTES:

USE SCHEDULE

ZONING: INDUSTRIAL QUARRYING (I-Q)
RETIREMENT COMMUNITY USE* / AQUIFER PROTECTION DISTRICT**

	REQUIRED	PROPOSED
LOT AREA	MIN. 20 ACRES	55± ACRES
FRONTAGE	150 FT	2,400± FT
WIDTH	200 FT	1,400± FT
FRONT YARD	50 FT	257± FT
SIDE YARD	50 FT	55± FT
REAR YARD	50 FT	400± FT
LOT COVERAGE*	25% OR LESS	18±%
LOT COVERAGE**	40% OR LESS	18±%
OPEN SPACE	25% (14±AC)	82% (45.1±AC)
PARKING	1.5 PER UNIT (185)	2 PER UNIT (246)

* RETIREMENT COMMUNITY, SECTION 4C.
** AQUIFER PROTECTION DISTRICT, SECTION 4.12C

DENSITY SCHEDULE

STYLE	NO. OF BLDGS.	NO. OF UNITS	% OF TOTAL	REQUIRED AREA (SF)	TOTAL AREA (SF)
SINGLE FAMILY	45	45	36%	10,000	450,000
DUPLEX	4	8	6%	15,000	60,000
TRIPLEX	4	12	10%	22,500	90,000
MULTI FAMILY	10	60	48%	2 @ 15,000	30,000
TOTAL	63	125	100%	58 @ 6,000	978,000 OR 22.5 ACRES

LEGEND:

SD-06

SHEET NUMBER

REVISIONS:

NO.	DATE	DESCRIPTION	BY
1	21MAR03	COMMENTS BY TOWN ENGINEER	EDH
2	07APR03	COMMENTS BY FIRE CHIEF	JK
3	27MAY03	REVIEW COMMENTS	JK
4	08AUG03	REVIEW COMMENTS	JK
5	25AUG03	REVIEW COMMENTS	JK

KEY SHEET
FOR
"THE TRULSON PROPERTY"
IN
HOLDEN, MASSACHUSETTS
SCALE: 1" = 120' DATE: 24 FEBRUARY 2003
OWNER: TRULSON REAL ESTATE CORP.
APPLICANT: FAFARD REAL ESTATE AND DEVELOPMENT CORP.
PREPARED BY:
BENCHMARK ENGINEERING CORP.
Planning, Engineering and Surveying
296 Eliot Street
Ashland, Massachusetts 01721
Telephone: 508 881-0601
Facsimile: 508 881-0625

GRAPHIC SCALE
1" = 120'
1 inch = 120 ft

SHEET KS-01 JOB 1144-00