

RECEIVED  
OFFICE OF TOWN CLERK  
MILTON, MA

**Town of Milton**  
**SPECIAL PERMIT**  
**For Cluster Development**  
**Ford Ranch Road and Hillside Street**  
**Owner and Applicant: Linda Hamilton, dba Hamilton Realty**

2017 JUN - 9 A 11:17

Pursuant to Section VI, Subsection J of the Zoning Bylaws of the Town of Milton, after hearing, the Planning Board of Milton, duly constituted as the special permit granting authority, subject to the requirements, terms and conditions set out herein, grants a Special Permit for Cluster Development to Linda Hamilton, dba Hamilton Realty (the "Applicant") and its approved successors and assigns for a lot of land containing approximately 554,418 +/- s.f. (approximately 12.7 acres) located on Ford Ranch Road and Hillside Street in Milton, Massachusetts, as shown on the Site Plan.

The Special Permit for Cluster Development shall be referenced as the "Special Permit" herein.

The requirements, terms and conditions of the Special Permit are obligations of the Applicant, subsequent owners, the homeowners association and its members as appropriate and shall be legally enforceable by the Town and by other persons and entities which have rights as provided herein. In the event of court proceedings initiated by the Town on account of breach or noncompliance, the defendant(s) shall be responsible for all costs of the suit, including the Town's reasonable attorneys' fees in the event the Town shall prevail. The obligations shall run with the land as obligations of the relevant owners and/or the homeowner's association as applicable. Prior to the sale of the last lot and the creation of the homeowner's association the obligations imposed on the lot owners and homeowners association shall be obligations of the Applicant.

1. Site Plan. The Site Plan which is incorporated into the Special Permit contains a plan set entitled "Wentworth Farm Estates Cluster Development Definitive Plans, Milton, Massachusetts" prepared by L.A.L Engineering Group with the following 22 sheets dated November 8, 2016 and last revised June 5, 2017 unless a later revision date is stated on the plans:

1. Cover sheet
2. Existing conditions - 1
3. Existing Conditions - 2
4. Lot Designation Plan – 1
5. Lot Designation Plan – 2
6. Site and Utility Plan
7. Grading and Drainage Plan
8. Profile
9. Roadway Geometry Plan
10. Erosion control Plan
11. Landscape Plan

- 12. Site Details and General Notes
- 13. Site Details
- 14. Site Details
- 15. Site Details
- 16. Site Details
- 17. Bridge Details
- 18. Bridge Details
- 19. Bridge Details
- 20. Bridge Details
- 21. Bridge Details
- 22. Bridge Details

The Site Plan is attached hereto as Exhibit A with sheets in reduced size. The Site Plan with full-sized sheets is on file with the Town Planner's Office.

2. Applicable Standards for Granting Permit and Grant of Permit. Standards for granting special permits are set forth in Section IX.C of the Milton Zoning Bylaws, which provides that, in addition to other requirements set forth in the Zoning Bylaws, a special permit may be granted provided that there is no substantial detriment to the public good and no substantial derogation from the intent and purpose of the Zoning Bylaws under the circumstances, including conditions and limitations which the Board finds necessary to safeguard other property in the neighborhood and the health and safety of the public. Section VI.J.18 provides that the Planning Board may grant a special permit for cluster development if it finds that an application satisfies the requirements set out in Paragraph 1-17 of Subsection J and that the proposed development is financially practical and will likely be completed. In granting a special permit for cluster development the Planning Board shall impose conditions and restrictions which are required by reports from the Board of Health and Conservation Commission or which the Planning Board finds are reasonably necessary to accomplish the purpose or satisfy the requirements of Subsection J. The Planning board is empowered in Paragraph 18 to permit modification of requirements in Paragraphs 1-17 if it finds that the modifications are needed to enable the application to go forward and that the modifications are reasonable, compliant with the law, consistent with the purpose of Subsection J and without any adverse or undesirable impacts.

Pursuant to the Subdivision Control Law (G.L.c.41, Subsection 81K to 81GG) Section 81U the Planning Board shall approve a definitive subdivision plan establishing a new street if the plan complies with the requirements in the law and with the Rules and Regulations of the Planning Board subject to waivers of one or more such rules or regulations as the Board finds to be in the public interest and not inconsistent with the purpose of the law.

In granting the Special Permit, subject to the requirements, terms and conditions set out herein the Planning Board finds compliance with the standards for decision in Section IX.C and Section VI.J. The applicable standards will be met by strict compliance with all

requirements, terms and conditions set out herein, and there may be no deviation without breach of the Special Permit.

The Planning Board also finds that the requirements of the Subdivision Control Law regarding new streets have been satisfied in consideration of certain waivers of its rules and regulations which the board finds are in the public interest and not inconsistent with the purpose of the Subdivision Control Law.

3. Authorized Development. This Special Permit authorizes the construction, maintenance and use of a Cluster Development containing ten (10) lots on each of which one single family house may be erected and any other accessory structures as may be allowed by zoning for the Residence AA District. The Cluster Development includes a new private way, infrastructure, Open Land, Restricted Land and other features. The development shall be constructed as shown or specified on the Site Plan, including notes and specifications contained therein and as specified in the various requirements, terms and conditions of the Special Permit. No construction shall deviate from what is shown or specified in the Site Plan, including notes and specifications contained therein, or from the requirements, terms and conditions of the Special Permit. Any future alterations to the Property which are not part of the single family lots shall be constructed and maintained in accordance with an amendment to this Special Permit which shall have been approved by the Planning Board. Construction on the single family lots and any future alterations to such construction shall be constructed and maintained in accordance with this Special Permit, all other issued permits and approvals, and in accordance with all otherwise applicable zoning bylaws for the Residence AA District.
4. Private Way; Name. This permit authorizes the construction and maintenance of one private way shown on the Site Plan as Wentworth Farm Road. This way is intended to be a private way for the use of lot owners, service providers, guests and invitees and emergency vehicles and is to be maintained by the lot owners through their homeowners association. The approved way varies in a number of respects from the specifications set out in the Rules and Regulations of the Planning Board governing the Subdivision of Land and the Laying Out of Ways. The Rules and Regulations relate to proposed streets and impose a number of requirements; the Planning Board has authority to waive strict compliance with the requirements when, in the judgment of the Board, such action is in the public interest and not inconsistent with the Subdivision Control Law which requires adequate access to new homes by ways which will be safe and convenient for travel and contain adequate infrastructure to serve these homes.

The development is located in the Scotts Woods Historic District. The district includes many historic homes as well as a number of newer large homes. Its history was as an area of small farms similar to what once was to be found throughout the nearby Blue Hills Reservation before the reservation land was acquired by the Commonwealth of Massachusetts in the 1890s. The town and the neighborhood value the history of the area including the history of farming and want to maintain a rural appearance as much as possible. There are no

sidewalks along the older roads in this neighborhood, although there is a sidewalk along Ford Ranch Road which was constructed in 1964. Older roads in the area are narrow.

This cluster development's access is designed as a "rural local street", a private way having a 30 foot ROW and an 18 foot paved width with two feet of gravel surface on each side, without paved sidewalks but with a 4'-0" reinforced grass sidewalk along the roadway on one side. The purpose of the design is to fit in with the surrounding neighborhood and to reduce impact on a nearby stream and wetlands while still providing adequate access for two cars moving in opposite directions, to provide a walking path, and to provide adequate access for emergency vehicles such as fire trucks. The 30 foot ROW is adequate for installation of water pipes and utility service to the 10 new homes.

The Milton Fire Chief has reviewed the roadway design and hydrant locations and found the design to be satisfactory for public safety access. There are to be two fire hydrants, one located at the high point of the land where the house lots begin and one located at the end of Wentworth Farm Road.

The roadway pavement width of 18'- 0" combined with a 4'- 0" reinforced grass sidewalk complies with the suggested rural street design criteria outlined in the Policy on Geometric Design of Highways by the American Association of State Highway and Transportation Officials. These are standards often used by federal and local agencies for designing roadways.

By using an 18'-0" impervious pavement width impact to the on-site wetlands is minimized. The footprint of fill necessary for the bridge approach construction over the stream will be reduced. The bridge abutments must be placed in wetland areas to allow for the bridging of the stream, so any reduction in fill width directly correlates to the reduction in wetland loss.

The 18'-0" roadway pavement design facilitates the project's adherence to the 2008 DEP Storm Water Policy by utilizing the "Low Impact Development (LID) Technique" of reducing impervious areas.

The roadway design will protect area wetlands, provide adequate room for two lanes of traffic and for public safety vehicles and allow for off-street pedestrian use on a reinforced grass path next to the roadway. The public school bus stop for this area is at the intersection of Ford Ranch Road and Hillside Street. Students from this development will be able to walk to Ford Ranch Road on the reinforced grass sidewalk and to use the sidewalk on Ford Ranch Road to walk to the bus stop on Hillside Street.

As a private way to ten homes, Wentworth Farm Road will have limited traffic. There will be a sign at the Ford Ranch Road entrance designating the road and area as private. This development must use private septic systems on each lot because there is no public sewer access at this location. The topography and wetlands constraints of the site are very likely to require that the septic systems of lots be in the front of the lot, between the house

and the road and that a significant part of each lot be set aside for a septic system. These site constraints limit the availability of area to increase the right of way width and pavement width or to create paved sidewalks.

The reinforced grass sidewalk shall be on one side of the pavement portion of the private way, outside the gravel edge and as shown on the Site Plan, it shall be a 4 foot wide grass sidewalk with a base of grass pavers, a permeable surface through which grass can grow, of the type shown in specifications filed with the Planning Board.

The roadway length measures 1,100 feet. Rule 6.1.12 limits streets to 650 feet in a Residence AA District. In cases where a proposed roadway exceeds the maximum permissible length the Board usually requires a secondary emergency access intersecting the roadway at a point less than the maximum distance from the end. Here such an access over Lot 10 is compromised by the presence of wetlands although such access is possible. Although a dedicated emergency access would be desirable, in the event of an emergency and Wentworth Farm Road were to be blocked, responders could also obtain reasonably convenient non-vehicular access through the backyard of a neighbor on Ford Ranch Road with such neighbor's consent. Under all the specific circumstances, including neighborhood support for the development, a waiver to allow a roadway in excess of 650 feet is warranted.

The waivers necessary to allow the construction of the roadway and its infrastructure as shown on the Site Plan also appear to be in public interest. The roadway will offer adequately safe and convenient access and egress, and the waivers necessary to permit its construction are not inconsistent with the purposes of the Subdivision Control Law.

The proposed name for the private way is "Wentworth Farm Road" and that name is approved by the Planning Board.

5. **Stormwater Maintenance Responsibilities.** The development is subject to a Stormwater Management Plan with an Operations and Maintenance Plan (O&M) which requires Best Management Practices (BMPs) that was approved by the Milton Conservation Commission on December 13, 2016 and to a Water Quality Certificate approved by the Massachusetts Department of Environmental Protection. The stormwater management design and features whether on private lots, Open Land or along the private road are to be maintained in good condition and working order by the Homeowners Association. Individual rooftop recharge infiltration systems required by the Order of Conditions issued on December 13, 2016 for this development shall be maintained by the individual lot owners. The long term O&M Plan shall be enforced by the Town of Milton through its Conservation Commission in accordance with the Order of Conditions. Compliance with the orders of the Conservation Commission is required by the Applicant and the homeowners association (including its enforcement of individual obligations of the homeowners) and is concurrently required by this Special Permit, and any breach of such orders shall also breach this Special Permit. The O&M Plan is attached as Exhibit D.

6. Open Land. The zoning, in Paragraph 8 of Subsection J, requires that cluster developments shall include Open Land. The Open Land shall be provided as shown on Sheets 4 and 5 of the Site Plan as Open Land Parcels A, B and C.

- a. Requirements. Consistent with the purposes stated in the zoning in Paragraph 8 of Subsection J, Open Land shall be maintained in its natural state, or if disturbed to construct drainage facilities, shall be landscaped to its natural state, respecting the terrain of the site and its other features as shown on the Site Plan, or in accordance with any requirements established by the Conservation Commission in its Order of Conditions dated December 13, 2016. Open Land may be used for utilities and storm drainage as shown on the Site Plan. There are to be no structures on the Open Land. The Open Land is to be subject to a Conservation Easement to the Town of Milton's Conservation Commission which is to be recorded after all approvals required for the easement have been obtained, but prior to sale of the last lot in this development. The care and management of the Open Land is the responsibility of the Applicant until the 10<sup>th</sup> lot is sold and then will become the responsibility of the homeowners association.
- b. Siting. The Open Land has been adequately sited. There are large areas of Open Land, one on the Ford Ranch Road side, one on the Harland Street side, and one on the side of the development site where a strip of land to Hillside Street is located. The Open Land includes much of a Ford Ranch Road lot created in a 1964 subdivision and which is a potentially buildable lot. By designating most of this lot as Open Land, it gains permanent protection against development and helps protect wetlands and a stream as open space, which benefits immediate neighbors on Ford Ranch Road and benefits the Town because it protects wetlands and the stream. On the Harland Street side, lots not directly abutting the Open Land abut wetland areas which cannot be developed. On the Town Forest side of the site lots abut a large area subject to a permanent flood control easement taken by the Town of Milton in 1970.

The Open Land is not contiguous to all the new lots; some are contiguous to wetlands or a flood control easement. Lot 4 is the only lot not contiguous to any of these types of land. However, it does include a portion of a ten foot wide strip of Restricted Land at the back of lots 2, 3, 4 and 5 which will be left in its natural state or landscaped for screening. See Paragraph 7. All lots are reasonably convenient to one or more parcels of Open Land.

The Planning Board finds that under all the relevant circumstances the requirement in Section Vi.J.8 that "Open Land shall be situated so that each buildable lot is adjacent to Open Land or has convenient access to Open Land" has been adequately satisfied. Since the definition of "Cluster Development" in Section VI.J.1 provides that the grouping of houses shall be separated from adjacent property by Open

Land, modification of this requirement is made so as to permit the configuration of roadway, lots and Open Land shown on the Site Plan.

- c. Inclusion of Hillside Street Strip in Open Land. The Open Land in Parcel C includes a strip of land 30 feet or more in width which extends to Hillside Street. This strip contains an existing unpaved 9-foot wide lightly used way over which certain abutters have rights of access and egress, but the majority of the strip is vegetated with trees, shrubs and other understory growth. The strip is attractive. It is used mostly for purposes consistent with the purposes for Open Land and is worthy of protection as Open Land notwithstanding the unpaved way. If such a way can be considered a "roadway" as the word is used in Section VI.J.8 a modification is made, so that this way can exist in Open Land. Parking shall not be permitted on this strip of Open Land. Insofar as this way is an "easement" which can be considered inconsistent with the use of Open Land, the provision in Section VI.J.8 prohibiting such easements over Open Land is modified to allow the existing way in the Open Land.
- d. Land Area Requirements for Open Land; Site Specifics. The site has a total area of 554,418 +/- s.f. The new street will have an area of 35,951 +/- s.f. Section VI.J.9 requires that 35% of the total area, exclusive of the land set aside for streets, shall be Open Land. Total area less the street area is 518,467 s.f. 35% of 519,049 is 181,463 s.f. The three lots of Open Land total 181,463 square feet (33.5 %). The Open Land area is less than 35% (Open Land) by 7810s.f.

The site has a non-wetland area (exclusive of the land set aside for streets) of 416,085 s.f. Section VI.J.9 has a second requirement that at least 35% of the non-wetland area, exclusive of the street area, shall be Open Land. 35% of 416,085 s.f. is 145,629 s.f. The three parcels of Open Land contain 94,597 s.f. of upland, 47,491 s.f. short of the zoning requirement.

In addition to the upland in the Open Land there are several other non-wetland areas of land which will be maintained in an open condition. On Lot 5 there is a drainage easement of 13,369 s.f. and there is a 10 foot lot wide band of Restricted Land (see Section 7) at the rear of lots 2-5 containing about 6,400 s.f. If this upland were considered the upland shortage would be 27,722 s.f.

If the soil characteristics of this site were different it is not unreasonable to assume that the shortage of Open Land would be met by designating certain areas to be used as septic fields as Open Land. Section VI.J.8 provides that this would be a permissible use for Open Land. However, here that is not possible because land conditions require that septic systems must be located at the front of the new houses. Although land for these systems must be kept open, it would be neither sensible nor practical to designate front yards as Open Land, even though such a designation would more than make up for the shortage of Open Land.

This has been a difficult development to structure. The Applicant and the neighborhood have worked long and hard to develop a plan reasonably acceptable to all interests. While the Planning Board believes that modifications to the zoning requirements should be sparingly granted only upon a showing of good cause which could not reasonably be avoided, under all the relevant circumstances here present, the Planning Board finds that it is appropriate to modify the requirement in Section VI.J.9 that 35% of the development site without the area of the roadway be Open Land so as to allow 33.5% of the development site to be Open Land and to modify the requirement for upland Open Land so as to allow the provision of a minimum of 94,597 s.f. of non-wetland Open Land.

- e. Ownership and Maintenance of the Open Land. All Open Land shall be owned by the Homeowners' Association (HOA) which shall be responsible for its proper care and maintenance in its natural state or, if disturbed, its restoration to its natural state in accordance with any requirements of the Conservation Commission and this Special Permit. Open Land C which includes a strip of land to Hillside Street which is not to be used for vehicular access to this development is subject to the access rights of certain abutters. A perpetual conservation restriction pursuant to G.L. c. 184 Section 31-33 for the Open Land shall be granted to the Town and recorded with the Norfolk County Registry of Deeds by deed in form and content approved by Town Counsel. The completion of the conservation restriction and recording shall occur prior to the sale of the lot for the final 10<sup>th</sup> dwelling unit to be constructed.  
The Homeowners Association shall have the right of access by designated employees or contractors to the Open Land for maintenance purposes, and may access the Open Land across one or more lots as may be reasonably necessary for this purpose after reasonable notice to the lot owner and with responsibility for prompt repair of any damage which may result.
- f. Access to Open Land. There is to be no daytime public access to the Open Land. The Planning Board modifies the requirement in Section VI.J.11. Public access is not permitted due to the presence of many sensitive areas of wetlands and a stream on the Open Land.

7. Restricted Buffer Areas. There shall be a Restricted Area 10 feet wide at the back of lots 2-5 on the Site Plan. In accordance with the request of the owners of 132 Ford Ranch Road and 110 Ford Ranch Road, the Applicant shall be required to plant additional landscaping in the ten foot strip where the new lots abut 110 and 132 Ford Ranch Road. The owners of 110 Ford Ranch Road and 132 Ford Ranch Road and the applicant shall agree on the landscaping to be planted, and sign a plan for the landscaping to be planted for the required vegetation which agreement must be filed in the Office of the Town Planner.

The remaining ten foot wide area of Restricted Land in back of lots 2-5 shall be left in its natural state. By mutual agreement of the abutting lot owners, vegetation may be added to this restricted area in the future, which agreement must be in writing, signed by the abutting lot owners, and filed with the Town Planner.

The landscaping or area of natural existing vegetation in the restricted land must be in place on the 10 foot designated strip of land prior to issuance of an occupancy permit for lots 2-5. Should the parties be unable to agree on the landscaping plan for the strips of land behind 110 and 132 Ford Ranch Road, the Planning Board after hearing will decide. Landscaping cost shall be subject to reasonable limits. Reasonable options of lesser cost shall be deemed preferable to options that are more expensive and landscaping selected must be of a type that will be resistant to destruction by animals existing in this habitat, as future maintenance of the vegetation in each strip of land on each lot will be the responsibility of the owner of the lot.

Changes may be made to the landscaping on the restricted land in the future by mutual agreement of the abutting land owners. Any such changes, including vegetation to be added to the restricted land in back of lots 2 and 3, which is to be left in its natural state initially, must be described in writing and signed by the abutting land owners, and the signed document describing the changes must be filed with the Office of the Town Planner.

Restricted land shall be restricted by a good and legally sufficient deed restriction running in favor of the Homeowners Association with enforcement rights in the Homeowners Association and the Town. Maintenance of the restricted land on each lot shall be the responsibility of each lot owner. No structures may be placed on the restricted land. The deed restriction shall be substantially as follows:

"A ten foot wide strip of land at the back lot line of the lot is Restricted Land, as shown on the recorded plan of this lot. This restriction and any required maintenance of the Restricted Land is a condition of the Special Permit for the Wentworth Farm Estates Development recorded at Book XXX, Page XXX, Norfolk County Registry of Deeds. The restriction is in favor of the Wentworth Farm Homeowners Association and the Town of Milton. The restricted land is for use in its natural state or as a landscaped buffer between this lot and abutting lots on Ford Ranch Road as provided in the Special Permit. Landscaping may include stone walls, fencing, and vegetation but may not include structures. The owner of the lot is responsible for maintenance of the strip of land and is required to provide reasonable access for inspection to the Homeowners Association as described in the Wentworth Farm Declaration of Trust and Easements and Restrictions recorded at Book XXX, Page XXX at the Norfolk Registry of Deeds."

The owners of Lots 2-5 shall be required to provide a landscaping plan to the Town Planner prior to issuance of a building permit for each lot. The plan shall address the areas of the lot to the rear of the footprint of the house, accessory buildings and driveway, including the ten foot Restricted Area. The Plan shall comply with all requirements of the plan for the

septic system approved by the Board of Health. The Town Planner shall review the plan and shall issue a report to the Planning Board which within 60 days shall approve the plan providing that the landscaping does not change the topography of the lot so as to require relief from the Zoning Bylaws, and in particular, Section IV.A. "Earth materials Removal and Deposit of Fill." The landscaping shall be harmonious with the natural setting for this development and with the landscaping of abutting lots. There shall be no clear cutting of trees unnecessary for the landscape design.

Lots 2-5 shall have an approved landscaping plan or approved landscaping description on file prior to issuance of a building permit for the lot.

8. **Construction Management Plan.** Exhibit B is a Construction Management Plan "Construction Management Plan" which contains pertinent terms and conditions with respect to construction of the development. This Construction Management Plan is incorporated herein by reference and is made apart of this Special Permit, and is enforceable as part of this Special Permit. The provisions of the Construction Management Plan minimize as much as reasonably possible impacts to the community, abutting property owners and local resource areas, and are to be interpreted so as to be consistent with the Order of Conditions dated December 13, 2016, the Stormwater Pollution Prevention Plan (SWPP) and SDIP to be filed before the start of construction, and the rules and regulations of the Town of Milton Department of Public Works. The Applicant shall make all contractors familiar with these requirements. Violation of or noncompliance with the material requirements, terms and conditions of the Construction Management Plan whether by Applicant, contractors or subcontractors shall be a breach of this Special Permit.

9. **Drainage Systems.** The drainage system for this development is described in the Stormwater Management Plan approved by the Milton Conservation Commission and must conform to all requirements in the Order of Conditions issued by the Conservation Commission on December 13, 2016. Maintenance of the drainage system is the responsibility of the Homeowners Association once the tenth lot in the development is sold. Prior to that time maintenance is the responsibility of the applicant or Applicant's successors and assigns.

As shown on Sheets 4, 6, 7, 10, 11 and various detail sheets a drainage easement for a swale, basin and drainage infrastructure is provided. These are integral and important parts of the drainage system for the Cluster Development. Applicant shall impose a good and sufficient permanent drainage easement over lots 5 and 6 permitting the construction, use and maintenance of the swale, basin and associated infrastructure necessary for their intended uses. The Homeowners Association shall be responsible for maintenance and shall maintain the swale, basin and associated infrastructure in good, fully operational well-tended condition in accordance with the requirements of the Long Term Operation and Maintenance Plan (Exhibit D) and the orders of the Conservation Commission.

10. Water Service. The water pipes and fire hydrants for this development shall be installed as shown on the Site Plan and in accordance with rules and regulations of the Milton Department of Public Works. After installation, maintenance of the water pipes and hydrants shall be the responsibility of the Town of Milton. The applicant shall grant an easement for water pipe and hydrant maintenance to the Town of Milton and shall record the grant of easement after approval by Milton Town Counsel and prior to issuance of a building permit for the first lot in this development.

11. Utilities and Street Lights. Locations of utility systems shall be as shown on the Site Plan. Any gas main and service connections shall be installed to the specifications and requirements of the gas utility provider for this location. Electrical service and connections shall be installed to specifications and requirements of the electrical service provider for this location. There is one new street light to be installed at the entrance to Wentworth Farm Road, on Ford Ranch Road. This street light shall meet all Town of Milton requirements and specifications for street lights on public ways in the Town and shall become the property of the Town after installation. A second street light shall be on the private way near the bridge as shown on the Site Plan. Both lights shall be dark sky compliant, of minimal intensity and minimal height necessary for safety. The design of the lights shall be residential and shall be of a type and design approved by the Planning Board prior to completion of the roadway.

12. Affordable Housing. Section VI.J.6 requires a cluster development containing ten or more lots to make 10% of the lots available for affordable housing, rounded to the nearest whole number. This Special Permit authorizes 10 lots and therefore one affordable housing lot is required. The Planning Board hereby modifies this requirement so as to allow the applicant to make a payment into the Town's Affordable Housing Trust as hereafter provided for the reasons stated.

The development site is a portion of a thirty acre parcel known in the 1800's as the "Stephen Wentworth Farm" and at that time contained a house, barn, slaughterhouse, cider mill and outhouses. Part of the property was subdivided in the 1940's and sold as one acre lots on an unpaved way from Hillside Street which exists today and is part of this development site. A subdivision lot on Ford Ranch Road was thereafter added to the original farm property. This history of gradual conversion from small farm use is typical of this area of Milton and while this neighborhood is the site of many large newer homes, it also is the location of historic properties and is a neighborhood of single family homes officially designated as the "Scotts Woods Historic District".

In 2011 the previous owners attempted to develop the property, with an application for three four acre open space lots on an extension of the way from Hillside Street; this development was opposed by certain neighbors and failed to receive Planning Board approval after a lengthy hearing. Thereafter, Planning Board approval of a single ANR lot at this site was opposed by certain neighbors but was later upheld by the Massachusetts

Appeals Court. As a result of these lengthy and expensive litigation costs and the belief that any development acceptable to neighbors had to be from a new road from Ford Ranch Road and not from the existing way, the owner considered proposals to use the site for denser housing in a condominium design, which many neighbors also did not support. Many neighborhood residents instead proposed an 11 lot single family clustered housing design. Development constraints required the reduction to the 10 lot proposal that is the subject of this special permit. Creating eleven lots resulted in crowded lots that were too small to be readily marketable in this neighborhood. The ten lot proposal with a new access road from Ford Ranch Road was a better plan and received support from the neighborhood. However, there are substantial additional costs to site development using access from Ford Ranch Road. A bridge will be necessary to cross wetlands and a stream.

This development of 10 homes is in keeping with the existing historic single family characteristics of this neighborhood. There have been substantial litigation costs already incurred by the owners of this property. The neighborhood generally supports this development concept, which will impose substantial additional development costs to create a new access road bridging wetlands and a stream. The loss of the 11<sup>th</sup> lot as a consequence of good site design further tightened costs.

Production of an 11th lot to be marketed to buyers at or below 80% of area median income would not have likely resulted in affordable housing actually being produced. Affordable ownership housing in a subdivision is as a general rule required to be comparable to market housing in the subdivision so as to prevent affordable owners from being identified as such. This is likely to be a high end development with high construction costs. If an 11<sup>th</sup> lot were developed for sale to a moderate income buyer, with a restriction that, once developed, the lot can only be used for affordable housing with a capped resale price of \$225,000, the buyer of the house would unlikely have access to financing for the significant cost of building a house comparable to the market houses. The lot would likely remain unsold and unbuilt.

Under all the relevant circumstances the Planning Board finds that a modification of the requirement in Section VI.J.6 that one lot be suitably restricted so that any single family dwelling built thereon will count on the state's Subsidized Housing Inventory is warranted. The requirement is modified so as to require payment of \$100,000 to the town of Milton's Affordable Housing Trust. 50% of this payment shall be made upon sale of the 4<sup>th</sup> lot and 50% of the payment shall be made upon sale of the 6<sup>th</sup> lot.

13. Stone Walls. The existing conditions sheets of the site plan shows where stonewalls are located. Most of these are along lot lines and will be left as they are. Where any portion of a stone wall does have to be removed, the stones will be utilized elsewhere on site. Stone walls shall not be disturbed in the ten foot wide restricted area at the back of lots 2-5.

14. Setbacks. Residences on the lots shall be set back at least 20 feet from the street, at least 10 feet from any side lot line and at least 20 feet from the rear lot line as shown on the Site

Plan. For Lots 2, 3, 4 and 5 the Planning Board requires that the dwelling and accessory structures be set back at least 30 feet from the back lot line, as shown on the Site Plan. This setback on lots 2-5 helps provide a buffer to views of the new houses from neighbors on Ford Ranch Road, in addition to the provision of the 10 feet of Restricted Land. The setback requirements shall be noted on the Site Plan and shall be noted in the Declaration of Trust and Easements and Restrictions to be recorded for this development.

15. Lot Coverage. Each lot shall be restricted to coverage of the lot by house, driveway and accessory buildings of no more than 35%, which restriction shall be noted on the Site Plan and shall be described in the Declaration of Trust and Easements and Restrictions to be recorded for this development.
16. Height. Building heights shall conform to the requirements of the Zoning Bylaws.
17. Septic Systems. Each lot in this development shall receive approval of its septic system design from the Milton Board of Health.
18. Driveway Placement. Driveways shall be placed so that no driveway on Wentworth Farm Road is directly opposite another driveway on Wentworth Farm Road, so as to help ensure safe entry and exit from each driveway.
19. Parking. The needs of the residents of the development for parking shall be satisfied by parking available in garages and driveways on their lots. There are no parking areas provided on Open Land.
20. Signs. There shall be a sign conforming to Town of Milton street sign requirements at the entrance to Ford Ranch Road which sign shall say: "Wentworth Farm Road" and indicate that it is private.
21. Tree Protection and Site Mobilization. The Construction Management Plan in Appendix B and Tree Management Plan in Appendix C address protection of trees during construction and describe the method and timing for removal of trees. These plans are incorporated into and made part of this special permit.
22. Truck Traffic, Parking of Construction Vehicles and Employee Vehicles, Noise, Hours of Construction Activity, Notice of start of work and Construction Schedule Updates. These elements of Construction Management are addressed in the Construction Management Plan in Appendix B which is incorporated by reference into this Special Permit.
23. Reference to "Typical" Features and Items and Bridge Plans. The detail sheets in the Site Plan show a number of "typical" items. Such "typical" items shall be employed in all construction except where the Milton Department of Public Works permits a non-typical item to be substituted. DPW permission shall be in writing and a copy shall be sent to the Planning Board. Plan sheets describing the bridge design are conceptual and subject to

change by the Conservation Commission which must approve the final plans prior to the start of construction.

24. **Homeowners Association.** There shall be a "Homeowners Association" (HOA) of the owners of the ten lots making up this development. The obligations, rights and responsibilities of the lot owners and the Homeowners Association shall be described in a Declaration of Trust and Easements and Restrictions which shall be recorded after approval by the Planning Board and Town Counsel, but no later than prior to sale of the first lot in this development. The Town of Milton shall be the beneficiary of certain provisions in the Declaration of Trust. The lot owners through the Homeowners Association shall be responsible for meeting all relevant terms and conditions of the Special Permit upon sale of the last lot in the development, when the Homeowners Association shall assume its responsibilities. The Declaration of Trust shall take effect at that time and shall impose an unconditional legal obligation for each lot owner within the cluster development to be a member of the Association, pay a proportionate share of the expenses of the Association, including the costs of meeting applicable terms, conditions and requirements and performing the obligations imposed on the HOA by this Special Permit. The HOA documents shall specifically list these terms, conditions, responsibilities and obligations of the HOA and shall reference this Special Permit and the Book and Page at which this Special Permit is recorded with the Registry of Deeds.
25. **Enforcement.** The Town shall be entitled to enforce the terms, conditions and requirements of this Special Permit against the responsible persons or entities. The Town shall be entitled to enforce obligations and requirements imposed hereunder against the Applicant and the HOA and any relevant lot owner or owners on which such obligation rests. The Applicant and the HOA shall be entitled to enforce the conditions of this Special Permit against relevant persons and entities. Insofar as individuals and entities have rights hereunder, any such individual or entity shall be entitled to enforce such rights. In the event that the Town is obliged to bring suit to secure compliance by the HOA with the requirements, terms and conditions of this Special Permit, the HOA shall reimburse all costs of suit, including the Town's attorney's fees in the event the Town shall prevail. Relevant lot owners shall provide reimbursement if the suit for enforcement is brought directly by the Town against a lot or lot owners and the Town shall prevail. The HOA documents shall provide for the foregoing.
26. **Commencement and Completion of Construction.** Construction shall commence within two (2) years from the date when this Special Permit becomes final. Construction of the access roadway, drainage facilities and installation of utilities to the connection point with individual lots shall be completed within three (3) years of the commencement date; unless the Applicant for good cause requests the date be extended by the Planning Board, which extension shall not be unreasonably denied.
27. **Failure of Drainage Structures to Work as Intended.** If for any reason the drainage structures for this development, once in operation, fail to operate as intended with adverse effects on neighboring property, the applicant or the HOA shall take all reasonable

necessary measures forthwith at its own expense to modify those structures to provide for the intended operation, as directed and allowed by the Conservation Commission which has permitted the stormwater drainage system.

28. **Responsible Person during Construction.** As described in the Construction Management Plan, contact information for a person responsible for construction management while work on Phase 1, roadway, drainage and utility installation, is under way shall be provided to the Department of Public Works, the Police Department and the Town Planner. The designated person shall have authority to issue any necessary directives to construction workers regarding construction activities. Applicant's representatives shall provide monthly updates on work schedules during Phase 1 to the Department of Public Works and the Town Planner, which updates shall be posted on the Town's website so as to be available to members of the public and nearby property owners.
29. **Access to the Site.** The Building Commissioner, the Town Planner, the Town Engineer and the Conservation Commission or a designee of each shall have access to the site at any time during regular business hours in connection with their official duties.
30. **Bond.** A bond shall be posted prior to construction of Phase 1 to ensure that the private way, bridge, grass pathway, drainage structures, street lights, and utilities are completed in a good and workmanlike condition as shown on the Site Plan. The amount of the bond shall be determined by the Department of Public Works and its terms shall be specified by Town Counsel. In lieu of a bond the applicant may request permission to post a number of lots which shall not be saleable until the street and infrastructure have been completed. Town Counsel shall approve any such posting of lots in lieu of a bond.
31. **Construction Notice.** A minimum of two days notice shall be provided in advance of commencing construction activities at the site to the Department of Public Works, the Police Department and the Town Planner. The notice shall be posted on the town website to provide notice to abutters and other members of the public. All construction shall be conducted in accordance with all applicable terms and conditions of the Special Permit, including the exhibits.
32. **Assignment.** This Special Permit shall not be assigned by the applicant to another entity without the written consent of the Planning Board, which shall not withhold consent to assignment without good cause, provided that such consent shall not be required if the assignment is to a special purpose entity which is related to the Applicant so long as the applicant shall remain financially responsible for the development and its duties and obligations thereunder.
33. **Amendment.** This Special Permit may be amended by the Planning Board upon application by the Applicant or its assignee during construction and, following completion, upon application by the Homeowners Association. Applications for substantial amendment shall be subject to the usual requirement of notice, including advertising and a hearing.

Applications for insubstantial amendment shall be subject to such notice as the Planning board deems reasonable. In the event that any board member or interested entity notifies the Board that an amendment is substantial, it shall be so treated.

34. Recording. This permit, including the Site Plan and exhibits and any amendment, shall be recorded with the Norfolk County Registry of Deeds by the Applicant at its own expense within thirty days from the date when such permit or amendment becomes final and a copy of the recorded document with the recording information shall be provided to the Town Planner. There shall be a marginal reference to this Permit in any deed to or from the Applicant, and deeds from the Applicant to lot owners shall have a specific reference to this Special Permit and the book and page at which it is recorded.

(rest of page intentionally left blank)

---

Alexander Whiteside

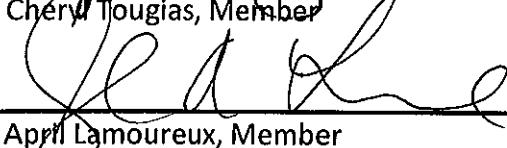
Alexander Whiteside, Chair



Bryan Furze, Member



Chery Tougias, Member



April Lamoureux, Member



Denise Swenson, Member

Date: June 8, 2017

# EXHIBIT A

WENWORTH FARM ESTATES,  
CLUSTER DEVELOPMENT  
DEFINITIVE PLANS

MILTON, MASSACHUSETTS

**REQUESTED MODIFICATIONS OF THE SPECIAL PERMIT REQUIREMENTS  
(FROM THE SECTION VI, SUBSECTION F, CLUSTER DEVELOPMENT OF THE TOWN OF MILTON ZONING BY-LAWS  
REGARDING THE USE OF LAND AND BUILDINGS)**

I CERTIFY THAT 20 DAYS HAVE PASSED SINCE PLANNING BOARD APPROVAL AND NO APPEAL HAS BEEN FILED IN THIS OFFICE.

The image contains two circular library stamp seals. The top seal is for 'The State Library of New South Wales' and the bottom seal is for 'The State Library of Victoria'. Both seals are circular with decorative borders and contain text in the center.

"WENTWORTH FARM" 223

**WENTWORTH FARM ESTATES**  
**CLUSTER DEVELOPMENT**  
**DEFINITIVE PLANS**  
**MILTON, MASSACHUSETTS**

SHEET NUMBER

DRAWING TITLE

1	COVER SHEET
2	EXISTING CONDITIONS PLAN -1
3	EXISTING CONDITIONS PLAN -2
4	LOT DESIGNATION PLAN-1
5	LOT DESIGNATION PLAN-1
6	SITE & UTILITY PLAN
7	GRAVING & DRAINAGE PLAN
8	PROFILE
9	GEOMETRY PLAN
10	EROSION CONTROL PLAN
11	LANDSCAPE PLAN
12	SITE DETAILS & GENERAL NOTES
13	SITE DETAILS
14	SITE DETAILS
15	SITE DETAILS
16	SITE DETAILS
17	BRIDGE DETAILS
18	BRIDGE DETAILS
19	BRIDGE DETAILS
20	BRIDGE DETAILS
21	BRIDGE DETAILS
22	BRIDGE DETAILS

**SITE OVERVIEW**

SCALE: 1" = 1000'

LOCUS NOTES :  
 WER SOL SURVEY 11  
 NATIONAL COOPERATIVE SOIL SURVEY

HSG ID : 10  
 SOILS ON SITE:  
 C WOODBURY FINE SANDY LOAM  
 C HEDGEBURY FINE SANDY LOAM  
 2-5% SLOPE

REQUESTED MODIFICATIONS OF THE SPECIAL

PERMIT REQUIREMENTS

(FROM THE SECTION VI, SUBSECTION J "CLUSTER DEVELOPMENT" OF THE TOWN OF MILTON ZONING BY-LAWES)

REQUERED : \_\_\_\_\_  
 AT LEAST 5% OF NONWETLAND AREAS SHALL BE OPENING

OPEN LAND AREAS BE INCLUDED IN THE  
 WETLAND AREA & BE INCLUDED IN THE  
 OPEN LAND CALCULATIONS

REQUERED : \_\_\_\_\_  
 REQUESTED : \_\_\_\_\_

I CERTIFY THAT 20 DAYS HAVE  
 PASSED SINCE PLANNING BOARD  
 APPROVAL AND NO APPEAL HAS  
 BEEN FILED IN THIS OFFICE.

APPROVED BY THE MILTON  
 PLANNING BOARD  
 DATE : \_\_\_\_\_

TOWN CLERK OF MILTON

DATE : \_\_\_\_\_

ASSESSOR'S REFERENCE  
 MAP 125, PARCEL 005  
 LOT 000  
 ZONING REFERENCE  
 RRA

NOTES:  
 1) ELEVATIONS BASED UPON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 AND THE HORIZONTAL ORIENTATION IS  
 BASED ON THE NORTH AMERICAN DATUM OF 1927.  
 2) THE PARCEL IS OUTSIDE THE ALL HAMPTON FELLA FLOOD PLANE PER THE FLOOD INSURANCE RATE MAP (FIRMs).  
 3) THE SITE IS NOT LOCATED IN THE TOWN OF MILTON, MASSACHUSETTS, NORBURY COUNTY, MASSACHUSETTS.  
 4) WATER SUPPLY: PROTECTION AREA  
 5) UTILITY SERVICES: GAS, WATER, SEWER, TELEPHONE, ELECTRIC, CABLE, AND DRINKING WATER SYSTEMS.  
 6) DRAINAGE: TO MEET MA DEP 2002 STORM SEWER & DRAINAGE REGULATIONS.  
 WATER - TO BE CONNECTED TO THE TOWN WATER SUPPLY LINE.

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

"WENTWORTH FARM ESTATES"

CLUSTER DEVELOPMENT

COVER SHEET

MILTON, MASSACHUSETTS

SHEET NO. 1

SCALE AS NOTED

JOB NO. 5332

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE

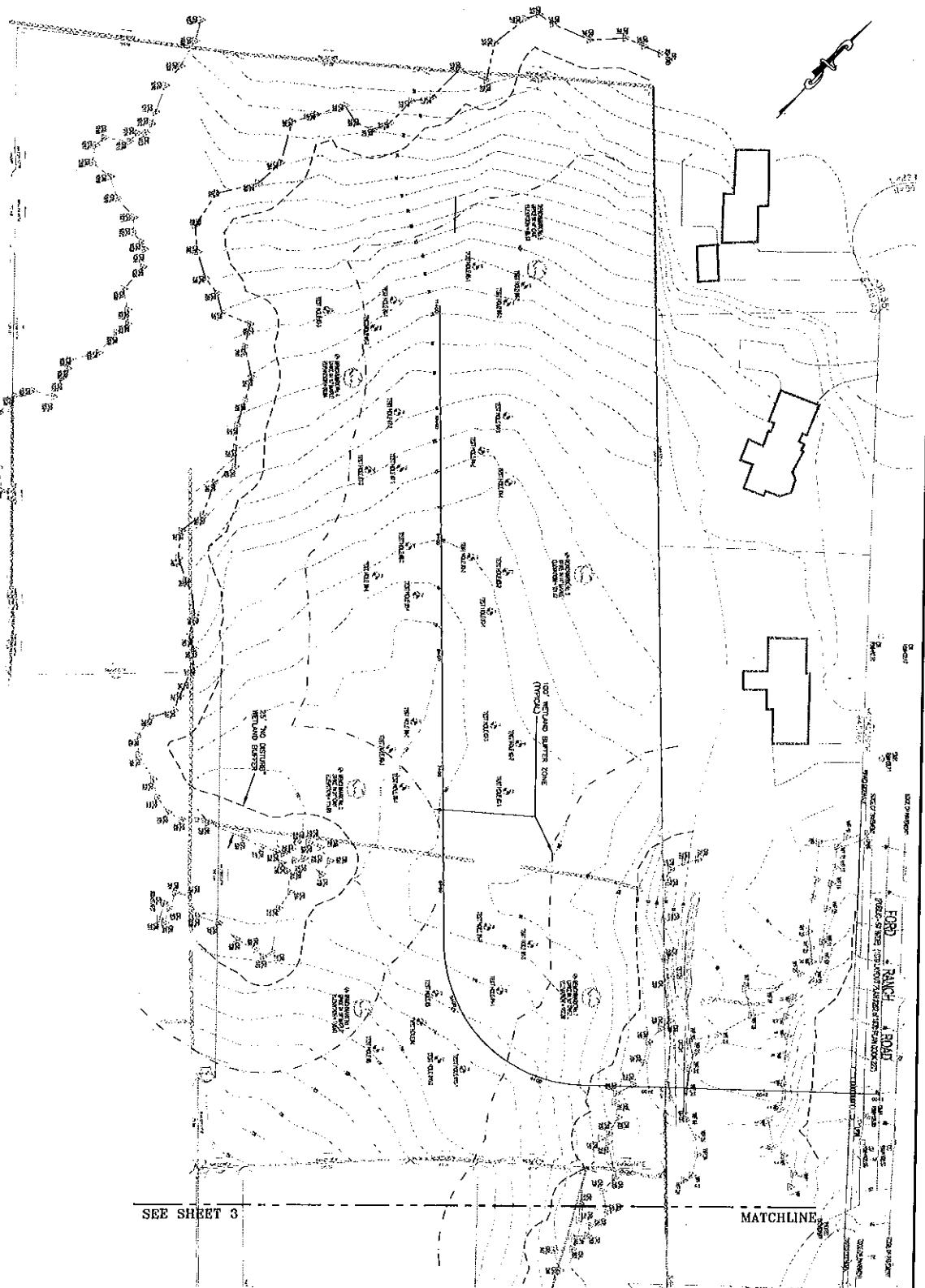
RRA

ASSESSOR'S REFERENCE

MAP 125, PARCEL 005

LOT 000

ZONING REFERENCE</

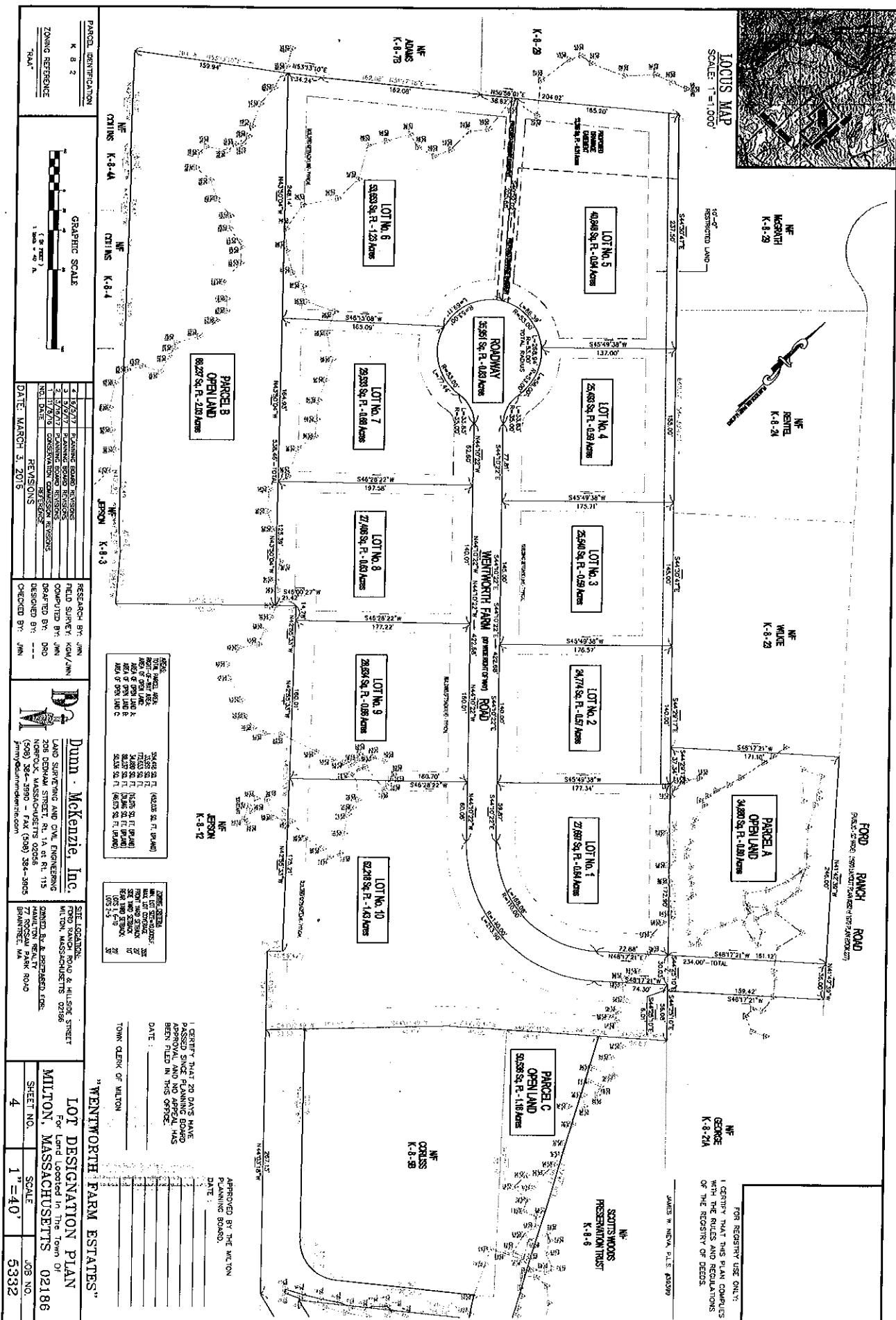


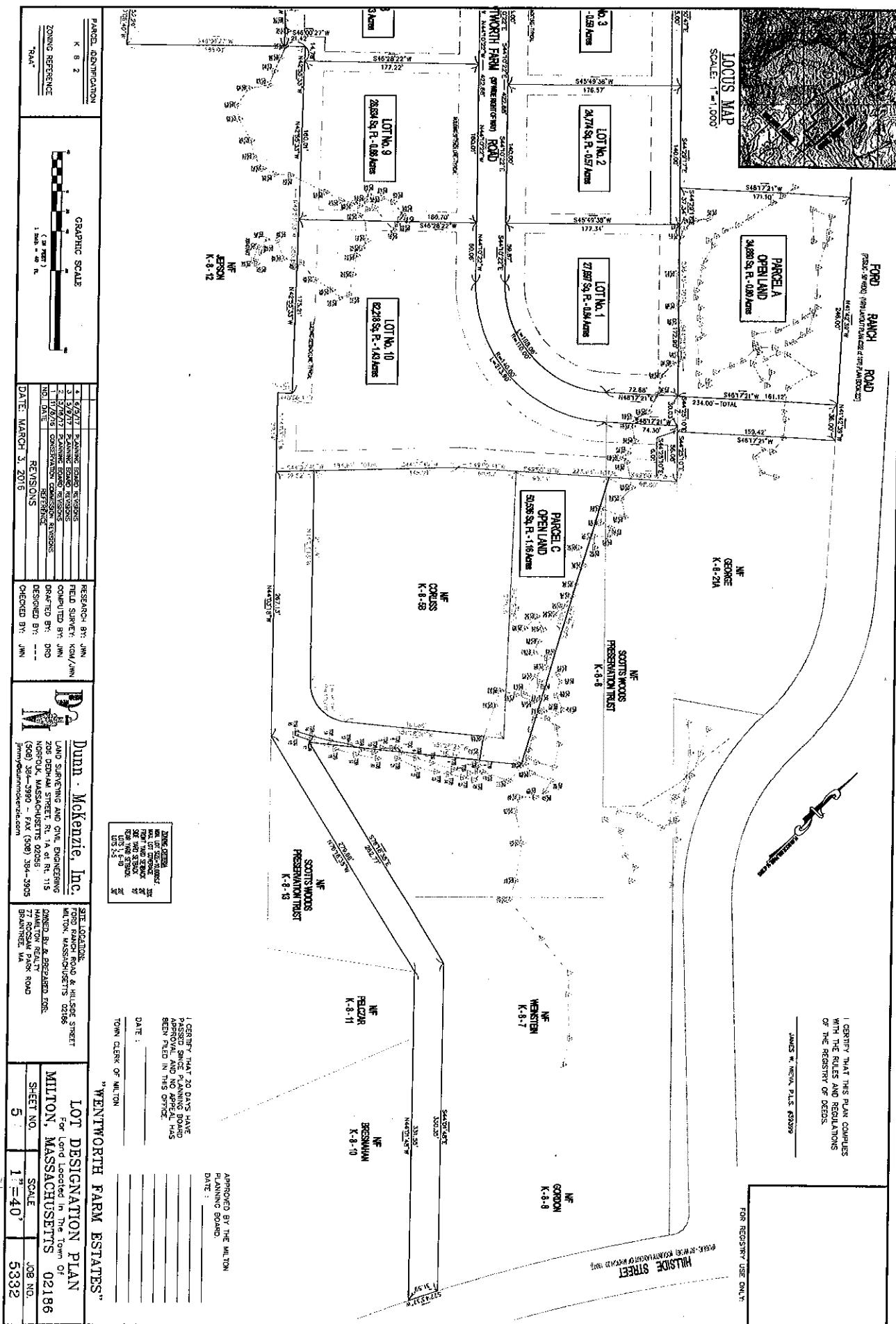
SEE SHEET 3

"WENTWORTH FARM ESTATES"

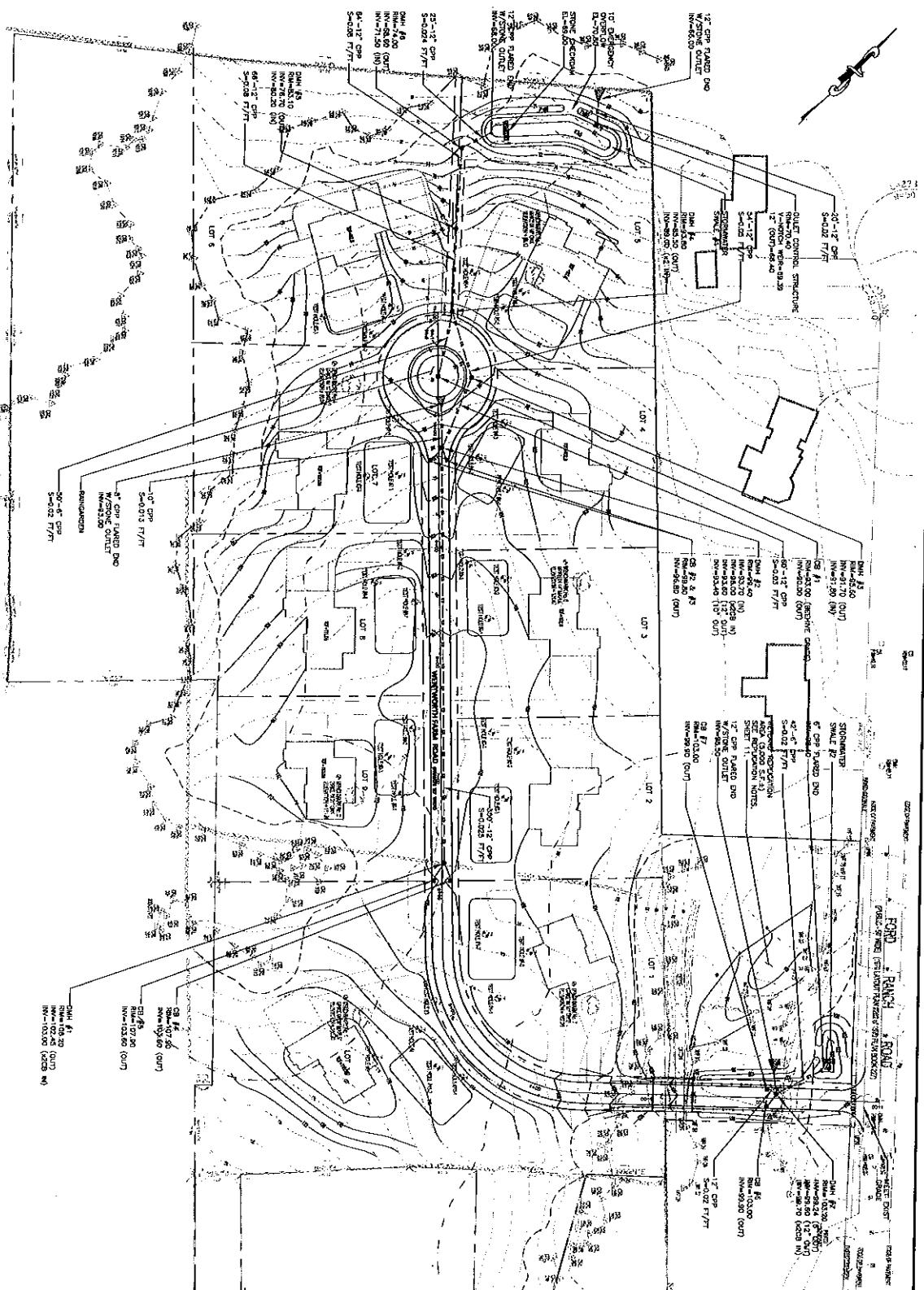
I CERTIFY THAT 20 DAYS HAVE PASSED SINCE PLANNING BOARD APPROVAL AND NO APPEAL HAS BEEN FILED IN THIS OFFICE.











"WENTWORTH FARM ESTATES"

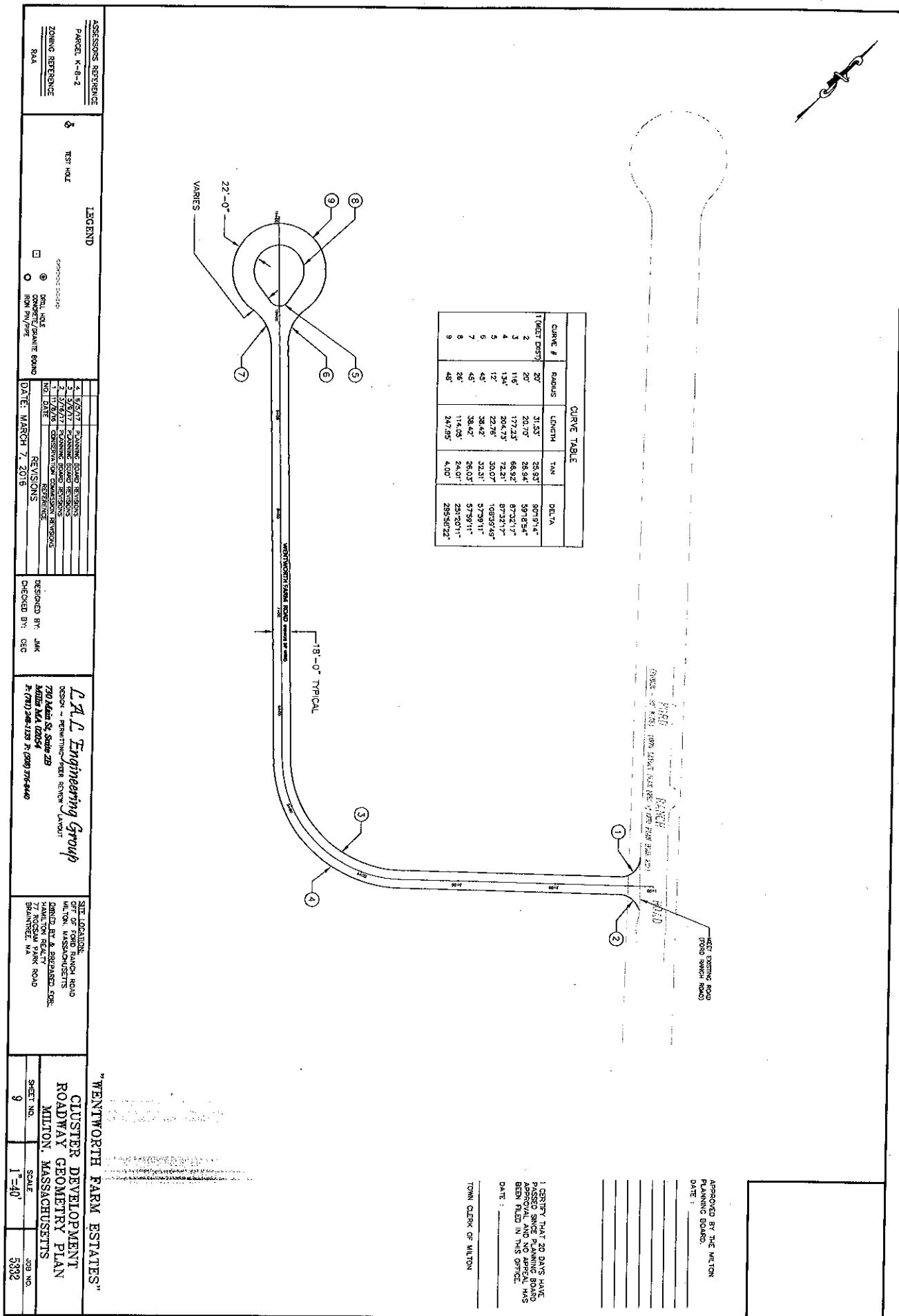
LAC Engineering Group  
DESIGN ~ PERMITTING ~ PEER REVIEW ~ LAYOUT

**TOWN CLERK OF MILTON**

SECTION 101, 25 U.S.C. 1911  
PASSED SINCE PLANNING BOARD  
APPROVAL AND NO APPEAL HAS  
BEEN FILED IN THIS OFFICE.

APPROVED BY THE MILTON  
PLANNING BOARD.  
DATE : \_\_\_\_\_









#### GENERAL NOTES

1. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR CONSTRUCTION PLANNING, TRAINING METHODS AND JOB SITE SAFETY.

2. REPAIRS AND/OR REPLACEMENT OF ANY EXISTING FEATURES DURING CONSTRUCTION THAT ARE NOT DESIGNATED FOR REPAIR OR REPLACEMENT ARE THE RESPONSIBILITY OF THE CONTRACTOR. REPAIRS SUCH DAMAGE TO THE SATISFACTION OF THE COMMISSION.

3. BILLOW A LICENSED PROFESSIONAL LAND SURVEYOR TO LAY OUT BUILDING AND SITE FOR CONSTRUCTION.

4. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR CONSTRUCTION PLANNING, TRAINING METHODS AND JOB SITE SAFETY.

5. REPAIRS AND/OR REPLACEMENT OF ANY EXISTING FEATURES DURING CONSTRUCTION THAT ARE NOT DESIGNATED FOR REPAIR OR REPLACEMENT ARE THE RESPONSIBILITY OF THE CONTRACTOR. REPAIRS SUCH DAMAGE TO THE SATISFACTION OF THE COMMISSION.

6. PRIOR TO IMPLEMENTATION, SEND ENGINEERS REPORT AND APPROVAL OF ANY INTENDED REVISED OR HORIZONTAL, MODIFIED VERTICAL DESIGN LOCATIONS OR IMPROVEMENTS SHOWN ON HERON.

7. PROTECT HERON'S PLANNING DEPARTMENT FROM COMMUNICATIONS OR CONSTRUCTION IN ORDER TO ENSURE THAT RELEVANT INFORMATION IS PERFORMED IN A timely AND EFFICIENT MANNER.

8. NOTIFY DESIGN ENGINEERS UPON DISCOVERY OF UNPREFERRED SURFACE OR SUBSTRATE CONDITIONS THAT MAY IMPACT SITE CONSTRUCTION, REGULATORY APPROVAL OR FUNCTION.

9. INSTALL FIRST ROW BATTENS TO MATCH FINISH PAVING, GRADING, OR LANDSCAPING SURFACE, UNLESS SPECIFICALLY INDICATED OTHERWISE.

10. PLUGGERS, BETING STUD, LINER/STRUCTURES THAT ARE TO BE ATTRIBUTED DOMESTICALLY IN ACCORDANCE WITH ITINERANT OWNER REQUIREMENTS.

11. INSTALL EROSION CONTROL MEASURES, SUCH AS SILT FENCE OR HAY BALES AS MAY BE SHOWN HEREIN, BEFORE EARTH DISTURBANCE OCCURS.

1. A QUALIFIED WETLAND SCIENTIST SHALL BE RETAINED TO MONITOR REPLICANT AND EARTHWORK. THE PERIODIC HAY BALES WILL SERVE AS WORK MASTERS SUCH THAT NO ACTIVITY CAN OCCUR ON THE WETLAND AND SIZE OF THE BALES AND SUCH THAT NO HAY IS STORED, BROKEN, OR OTHER MATERIALS ARE TO BE REPOSITED ON THE WETLAND SITE OF THE BALES.

2. PERMITTED HAY BALES SHALL BE INSTALLED PRIOR TO VEGETATION CLEARING AND EARTHWORK. THE PERIODIC HAY BALES WILL SERVE AS WORK MASTERS SUCH THAT NO ACTIVITY CAN OCCUR ON THE WETLAND AND SIZE OF THE BALES AND SUCH THAT NO HAY IS STORED, BROKEN, OR OTHER MATERIALS ARE TO BE REPOSITED ON THE WETLAND SITE OF THE BALES.

3. VEGETATION SHALL BE CLARED WITHIN THE LIMITS OF THE SUBJECT AREA. HAY BALES THAT ARE TIPPED SHALL BE REMOVED AND STORED FOR REUSE ON THE WETLAND REPLICATION SIDE SLOPES.

4. THE PROPOSED WETLAND/FLAT SLOPES SHALL BE OVERCROWNED TO ACCOMMODATE SETS OF EARTH-SPREAD ORGANIC MAT. ALL SLOPS EXCAVATED AS PART OF THE PROJECT SHALL BE EITHER REBROKEN OR SITE AS PART OF THE PROPOSED PROJECT OR PROBABLY RAILED OFF SITE AND DEPOSITED IN AN APPROVED UNLOADING LOCATION OUTSIDE OF WETLAND AREAS.

5. THE EXCAVATED MATERIAL AND EARTH-SPREAD ORGANIC MAT SHALL BE GRADED TO SLOPES FOLLOWING FINAL GRAVING.

6. UNSTRUCTURED WETLAND GROVES.

7. THE WETLAND/REPLICANT SOIL SHALL COM普RESS THE 70% HORIZONTAL SOIL STRIPES FROM THE WETLAND AREA. SHOULD THESE SOILS BE UNSTRUCTURED OR INSUFFICIENT IN COUNTRY, THE ORGANIC MAT SHALL BE USED AS A SOIL CEMENTER AND REBROKEN WITH HEAVY MACHINES AT A RATE OF ONE YARD CUBED PER CYCLE. THE EXCAVATED MATERIAL AND EARTH-SPREAD ORGANIC MAT SHALL BE GRADED ON THE WETLAND SLOPES AS STATED FOLLOWING FINAL GRAVING.

## SEQUENCING

2. PERIMETER METAL BALE SHELS SHALL BE INSTALLED IN A LINEAR FASHION TO RECREATE CLEARING AND EASTWARD, THE PERIMETER METAL BALE SHELS SHALL BE APPROXIMATELY 10 FEET IN LENGTH, SO THAT NO ACTIVITIES ARE TO OCCUR ON THE WETLAND SIDE OF THE BALES. METAL BALE SHELS SHALL BE APPROXIMATELY 10 FEET IN LENGTH, SO THAT NO ACTIVITIES ARE TO OCCUR ON THE WETLAND SIDE OF THE BALES.

3. VEGETATION SHALL BE CLIPPED WITHIN THE LIMITS OF THE SUBJECT AREA. THE CLIPPED MATERIALS SHALL BE TRAPPED AND STORED FOR REUSE ON THE FINAL REPLACEMENT SITE SITES.

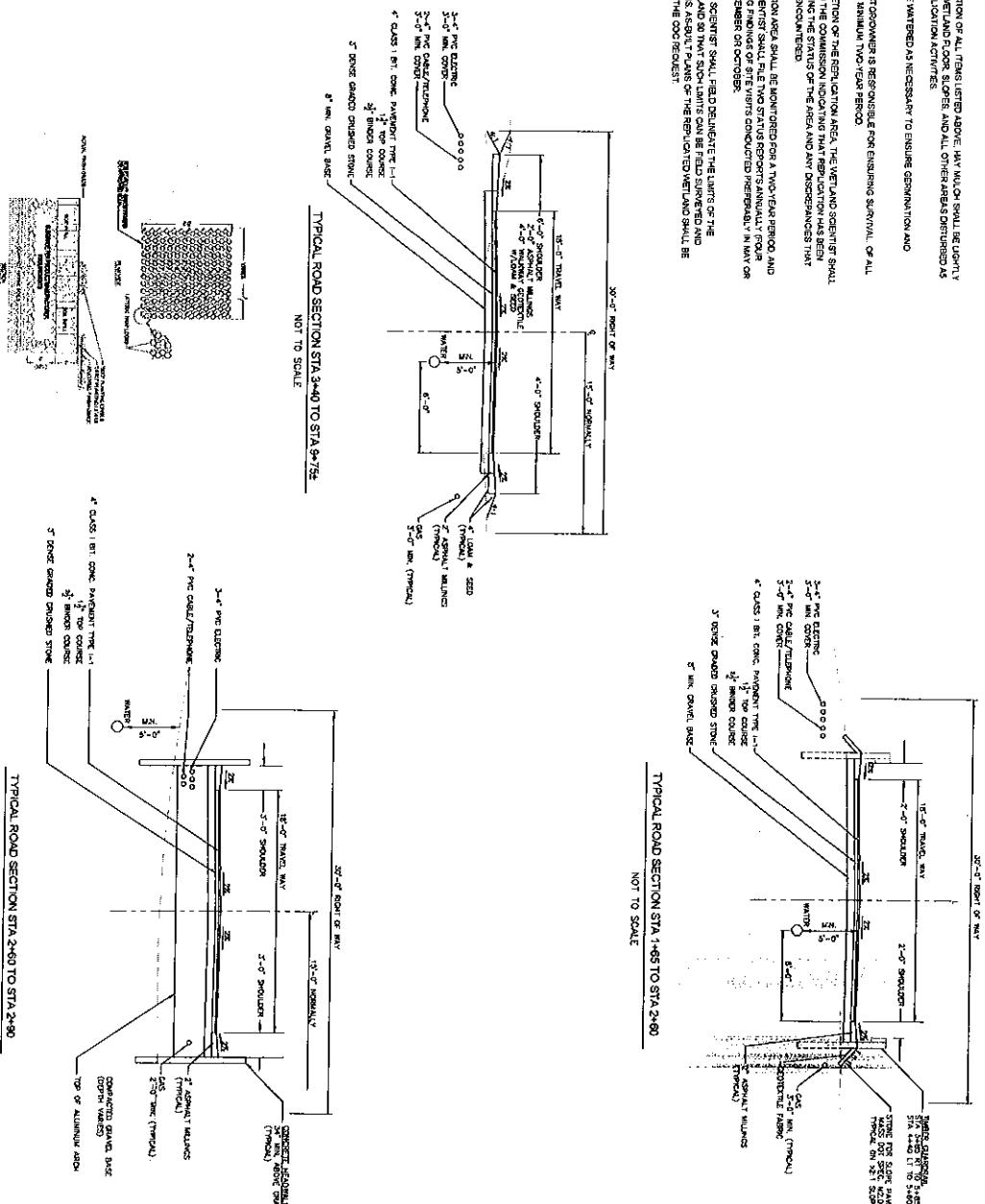
4. THE PROPOSED WETLAND AND FOREST SHALL BE PERMANENTLY TO ELEVATE A SLAUGHTER SITE ON THE PROPERTY, APPROXIMATELY 10 FEET IN LENGTH, SO THAT NO ACTIVITIES ARE TO OCCUR ON THE WETLAND SIDE OF THE BALES. METAL BALE SHELS SHALL BE APPROXIMATELY 10 FEET IN LENGTH, SO THAT NO ACTIVITIES ARE TO OCCUR ON THE WETLAND SIDE OF THE BALES.

5. THE EXCAVATED WETLAND FLOOR SHALL BE GRADED TO ENDOWMENT, UNDERSTOOD WETLAND FLOOR.

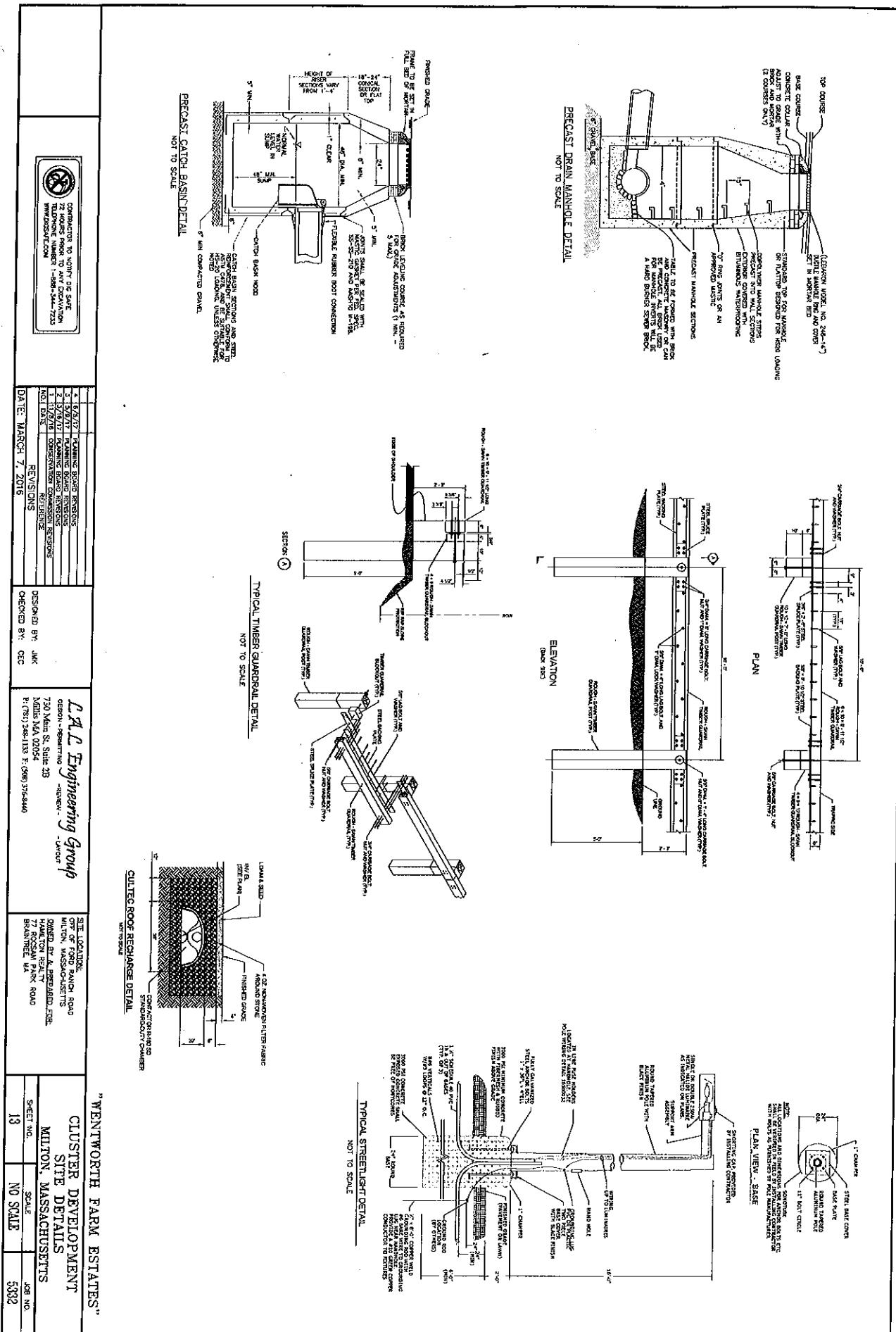
6. THE WETLAND/FOREST COMBINATION SOIL MIX SHALL COM普ING THE 40 AND 50 HORIZON SOIL STRIPS FROM THE WETLAND AREA. SHOULD THESE SOILS BE INSUFFICIENT OR INSUFFICIENT IN QUANTITY, THE ORGANIC SOIL MIX SHALL BE APPROXIMATELY 10 FEET IN LENGTH, SO THAT NO ACTIVITIES ARE TO OCCUR ON THE WETLAND SIDE OF THE BALES. METAL BALE SHELS SHALL BE APPROXIMATELY 10 FEET IN LENGTH, SO THAT NO ACTIVITIES ARE TO OCCUR ON THE WETLAND SIDE OF THE BALES.

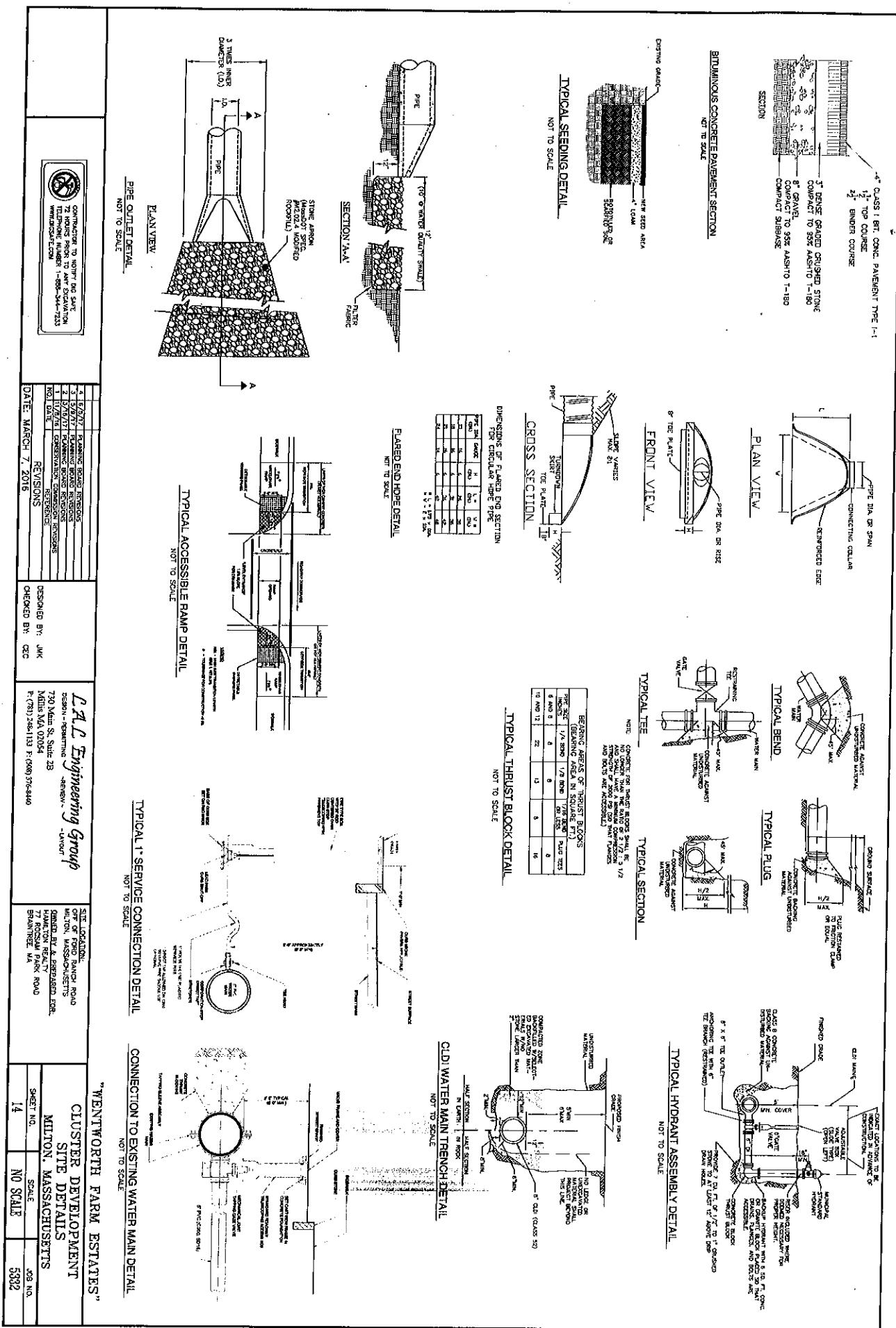
7. THE EXCAVATED WETLAND FLOOR SHALL BE GRADED ON THE WETLAND SIDE, SLOPES LOOKING FINAL GRADED.

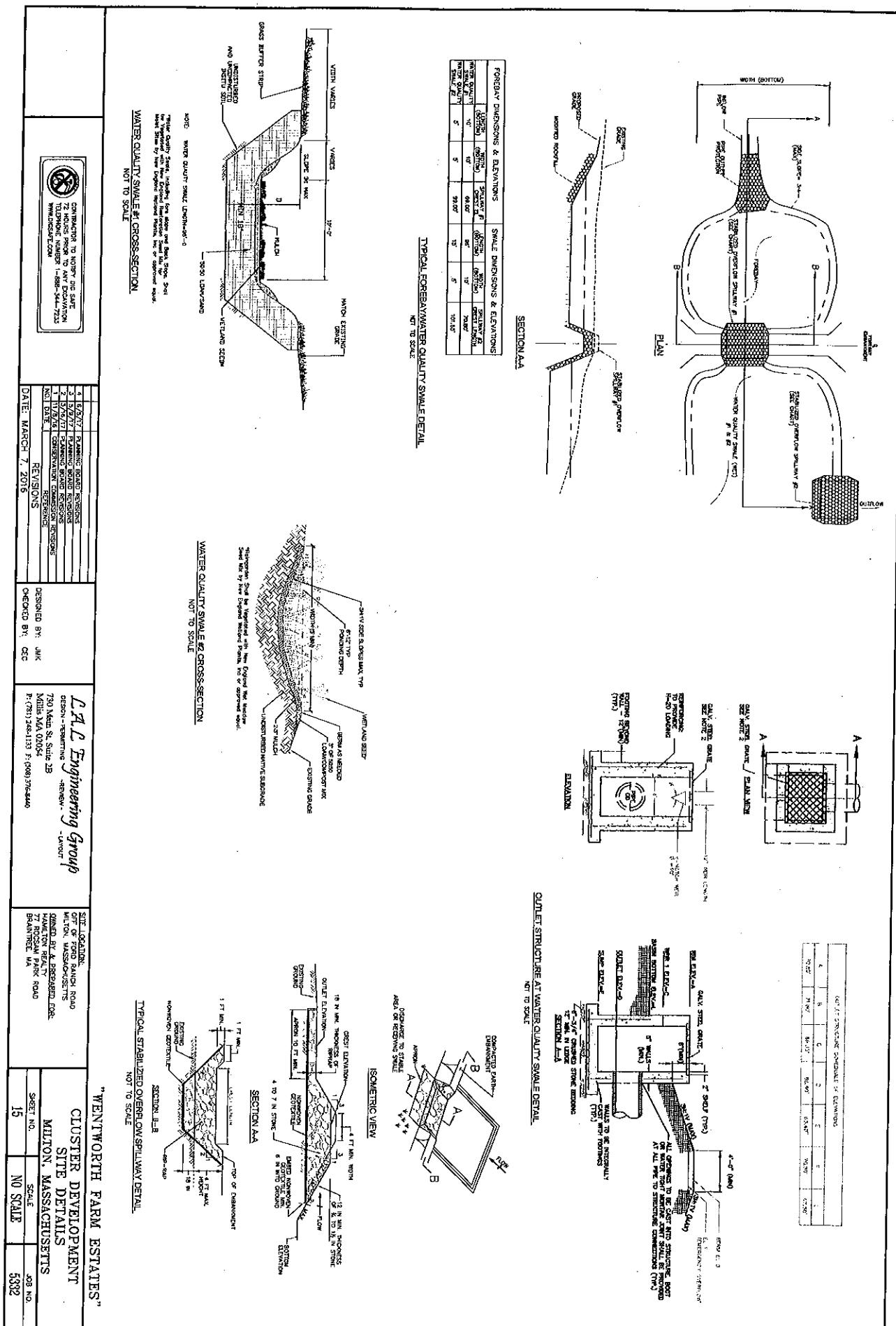
NOT TO SCALE



"WENTWORTH FARM ESTATES





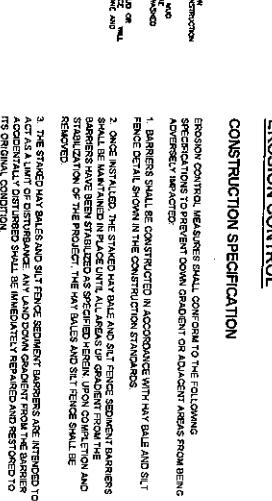
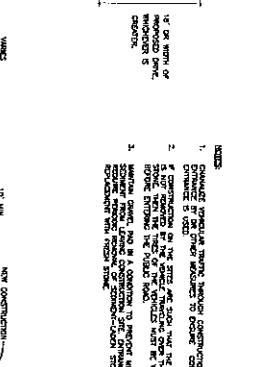
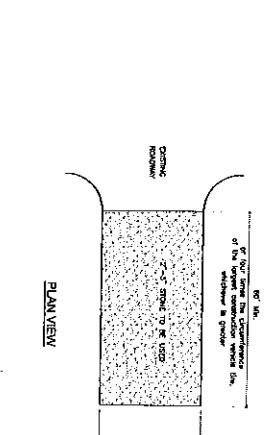
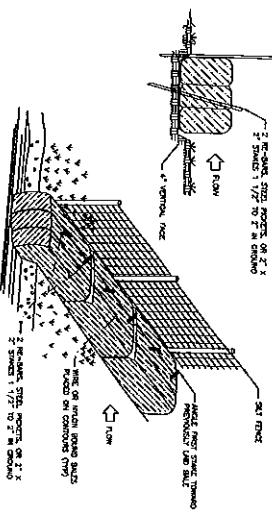


## EROSION CONTROL

### CONSTRUCTION SPECIFICATION

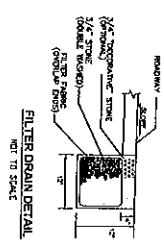
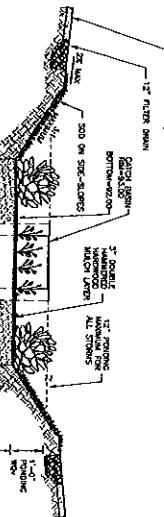
**NOTES:**

1. EROSION CONTROL MEASURES SHALL CONFORM TO THE FOLLOWING STANDARDS OR OTHER WORKS TO ENSURE CONSTRUCTION GRADIENTS DO NOT EXCEED 6:1.
2. A 6:1 MAXIMUM GRADE IS REQUIRED FOR THE CONSTRUCTION OF THE EROSION CONTROL MEASURES. GRADES OF 4:1 OR 3:1 ARE ALLOWED FOR THE CONSTRUCTION OF THE EROSION CONTROL MEASURES. GRADES OF 4:1 OR 3:1 ARE ALLOWED FOR THE CONSTRUCTION OF THE EROSION CONTROL MEASURES.
3. THE STAKED MAX BALES AND SILT FENCE SEGMENT BARRIERS ARE INTENDED TO ACT AS A LINE OF DISTURBANCE. ANY UNDOWNSLOPING FROM THE BARRIER MUST BE CORRECTED IMMEDIATELY AND RESTORED TO ITS ORIGINAL CONDITION.
4. ALL DISTURBED AREAS ARE NOT OTHERWISE DEVELOPED OR INCORPORATED SPECIAL EROSION CONTROL MEASURES SHALL BE PROVIDED AND SEEDED NO LESS THAN 4 MONTHS OF THE CONSTRUCTION DATE. THE AREA SHALL BE SEEDED WITH CONSERVATION SEEDS.
5. ALL STAKED MAX BALES AND SILT FENCE SEGMENT BARRIERS SHALL BE REMOVED FROM THE WORK AREA AS SOON AS POSSIBLE. SMALL EROSION ANHYDRIAL EQUIPMENT SHALL BE PROVIDED TO ENSURE VEGETATION SHALL BE PRESERVED.
6. ALL SLIDES CAUSED BY EXCAVATION OF EXISTING GROUND CONDITIONS OR PLACEMENT OVER EXISTING GROUND TO CREATE BERM OR EARTH MATERIALS FOR RESULT FROM RELOCATING LAND OR PROPOSED HOUSE LOCATIONS SHALL BE NO GREATER THAN 2:1 HORIZONTAL TO VERTICAL.
7. CONTRACTOR SHALL ENSURE ANY ALL EQUIPMENT TRAVELED ONTO ADJACENT ROADS/WAYS IS SUITABLY REMOVED PRIOR TO THE END OF THE WORK DAY.
8. PRIOR TO START OF CONSTRUCTION, CONTRACTOR SHALL SUBMIT NATIONAL POLLUTION DISCHARGE ELIMINATION (NPDES) NOTICE OF INTENT (NOI) AS APPLICABLE.



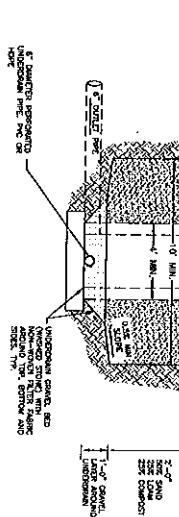
### EROSION CONTROL BARRIER DETAIL

NOT TO SCALE



### RAINGARDEN DETAIL

NOT TO SCALE



### STABILIZED CONSTRUCTION ENTRANCE DETAIL

NOT TO SCALE

### SECTION

NOT TO SCALE

### PLAN VIEW

NOT TO SCALE

### ASPHALT PAVEMENT

NOT TO SCALE



### TYPICAL STONE CHECK DAM DETAIL

NOT TO SCALE

### CROSS SECTION

NOT TO SCALE

### PROFILE

NOT TO SCALE

### SECTION

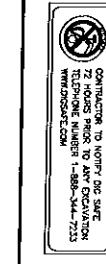
NOT TO SCALE

### WENTWORTH FARM ESTATES'

#### CLUSTER DEVELOPMENT

#### SITE DETAILS

CONTRACTOR TO NOTIFY OF DATE	7/14/17
7/14/17	NOTIFICATION



CONTRACTOR TO NOTIFY OF DATE	7/14/17
7/14/17	NOTIFICATION

DESIGNER BY:	JMK
REVISIONS	
DATE:	MARCH 7, 2016
CHECKED BY:	CEC
PT (781) 248-1133 F (800) 376-6440	

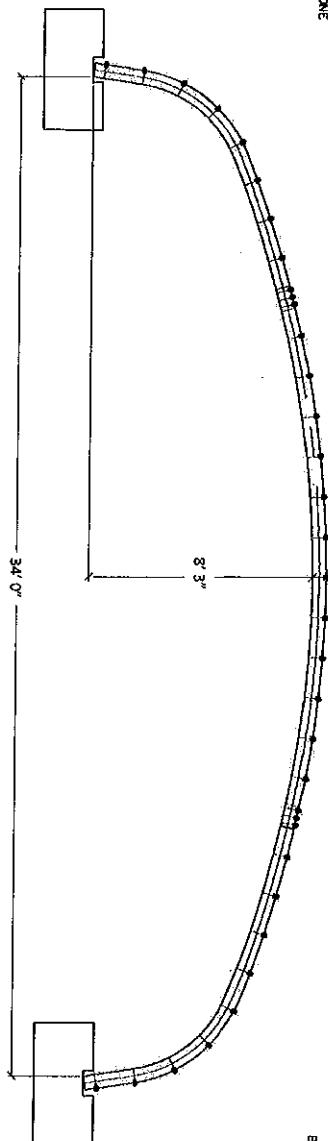


BIG T BRIDGE  
SUPER COR BOX  
305 PERCENT END AREA ~ 201.9 ft<sup>2</sup>

GRADE

ENGINEERED  
BACKFILL ZONE

8' 3"



## STRUCTURE GEOMETRY &amp; BACKFILL ZONE

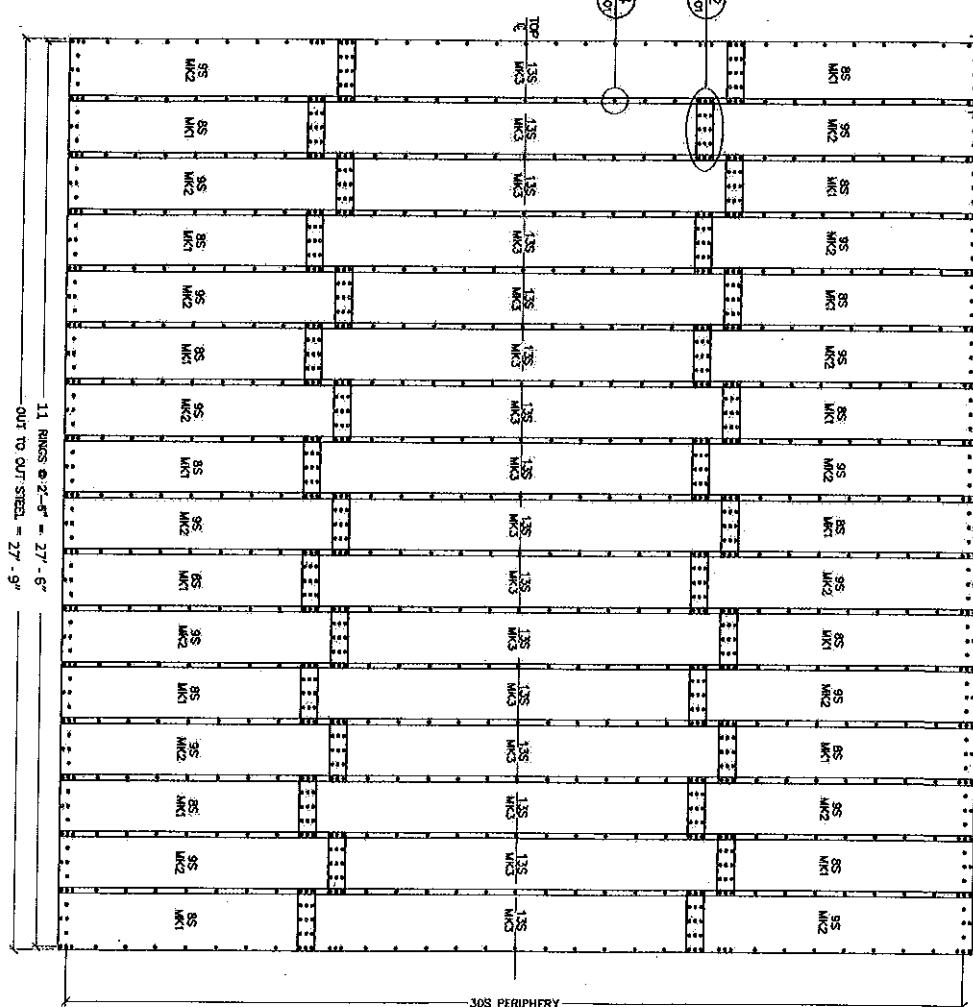
REF. STATUS:	BY	DATE:
PRELIMINARY DRAWING	MAILED	07/27/2017
<u>PROPRIETARY AND CONFIDENTIAL</u>		
NOTICE: THIS DOCUMENT IS THE SOLE PROPERTY OF		
B.R.I.D.G.E. INC. AND IS PROPRIETARY INFORMATION		
NOT TO BE COPIED, REPRODUCED, OR OTHERWISE MADE		
AVAILABLE TO OTHERS WITHOUT THE EXPRESS WRITTEN		
CONSENT OF B.R.I.D.G.E. INC.		
B.R.I.D.G.E. INC. 19770 35th Street, Golden, Colorado 80432-1990		
P.O. Box 1200 • Golden, Colorado 80432-1990		
Fax: (303) 555-6521 • <a href="http://www.bridgetech.com">www.bridgetech.com</a>		
SUPER COR BOX		
 <b>BIG T BRIDGE</b> P.O. Box 1200 • Golden, Colorado 80432-1990 Fax: (303) 555-6521 • <a href="http://www.bridgetech.com">www.bridgetech.com</a>		
B.R.I.D.G.E. 19770 35th Street, Golden, Colorado 80432-1990		
P.O. Box 1200 • Golden, Colorado 80432-1990		
Fax: (303) 555-6521 • <a href="http://www.bridgetech.com">www.bridgetech.com</a>		

## BRIDGE DETAILS

SP17-00143/1

DESIGN BY	
DRAWN BY	
CHECKED BY	
REVIEWED BY	
SHEET NO.	

18

3  
ONE

SAMPLE STRUCTURE LAYOUT - OUTSIDE FLAT VIEW

REF ID:	SP17-00143/1
PERMIT NUMBER:	MA0033/07/2017
PERMIT STATUS:	PERMIT ISSUED
PERMIT ISSUED BY:	MAA
PERMIT ISSUED DATE:	07/07/2017
PERMIT ISSUED BY:	MAA
PERMIT ISSUED DATE:	07/07/2017
NOTICE: REPRODUCTION OR ANY PART OF THIS DRAWING IS THE SOLE PROPERTY OF BIGE BRIDGE. ANY REPRODUCTION OR PART OF THIS DRAWING IS PROHIBITED.	
BIGE BRIDGE • P.O. Box 1200 • Greely, Colorado 80542-1200	
BRIDGE • (970) 366-9000 • FAX: (970) 366-9621 • <a href="http://www.bigebridge.com">www.bigebridge.com</a>	

## WENTWORTH FARMS ESTATES

MILTON, MA

SUPER COR. BOX

### BRIDGE DETAILS

SP17-00143/1

ISSUED BY

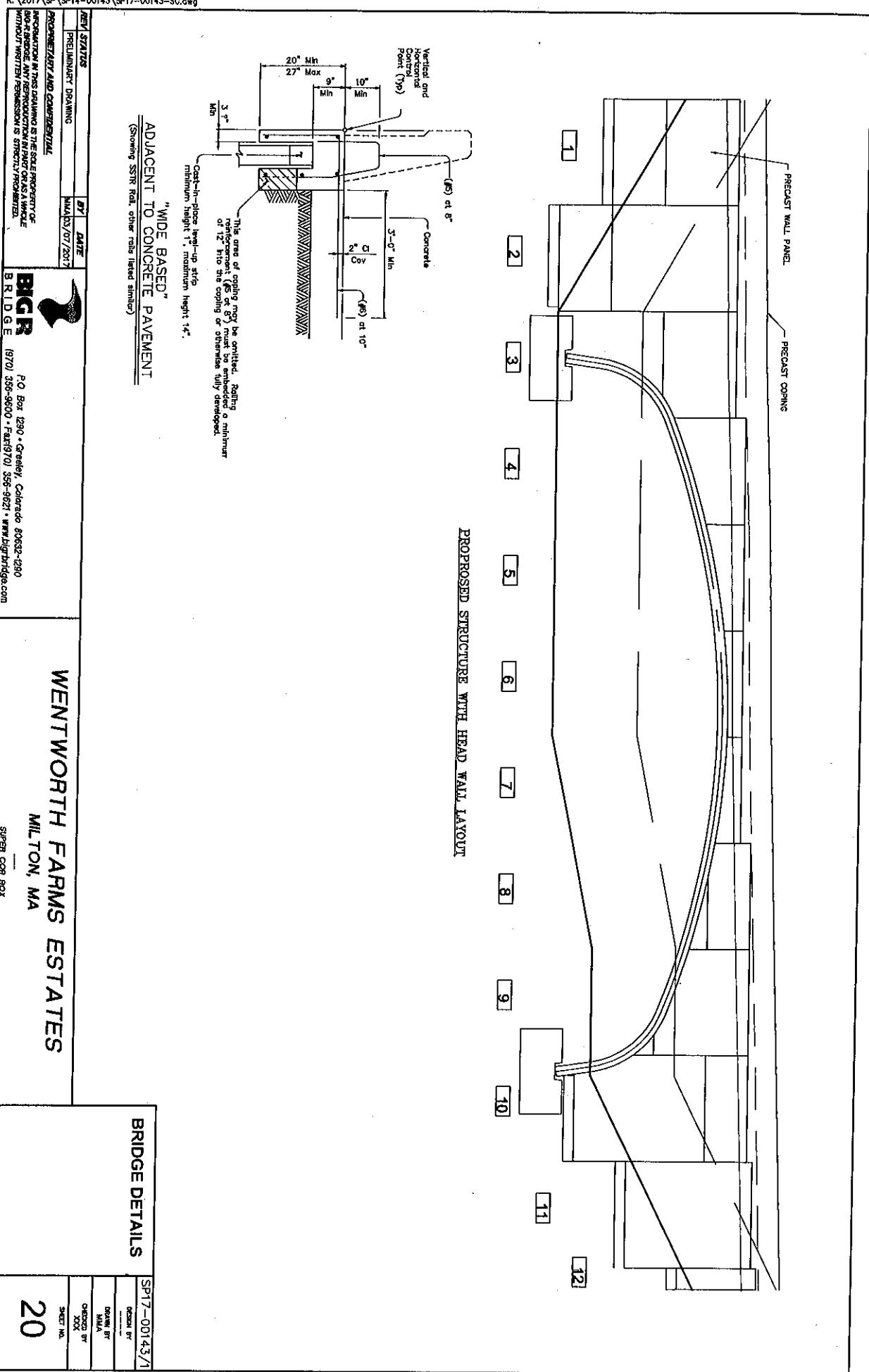
MAA

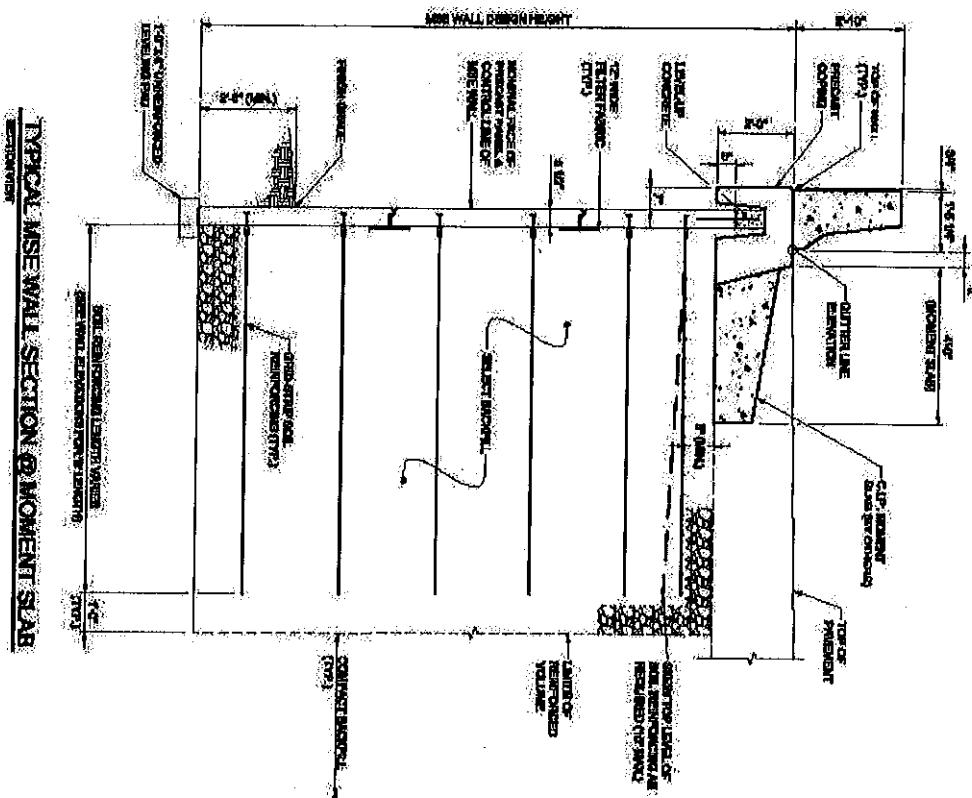
BY

MAA

DRAWN BY  
CHECKED BY  
SHEET NO.

19

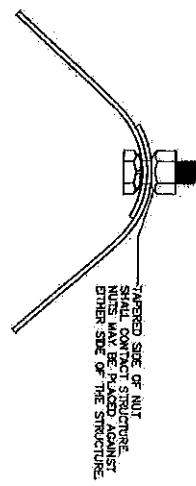
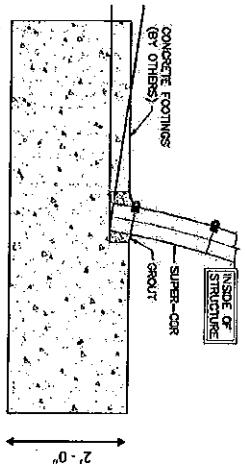
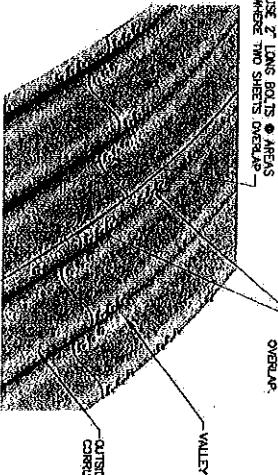
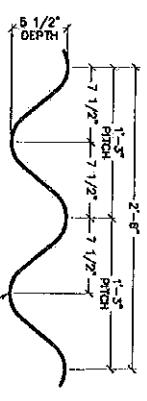




## MSE Panel Form Liner Finish

Scott Systems 167C



 <p><b>4. TYPICAL BOLTING DETAIL</b></p>	<p><b>1. DETAIL</b></p> <p>Reinforcing:</p> <p>(2) Layers #6 @ 6" c/w top and bottom, 3" cover to steel - uncoated</p>  <p>USE 2" LONG BOLTS @ AREAS WHERE TWO SHEETS OVERLAP</p>								
 <p><b>2. PLATE LAP DETAIL</b></p> <p>USE 3" LONG BOLTS @ AREAS WHERE THREE OR FOUR SHEETS OVERLAP</p>	<p><b>3. SUPER-COR BARREL PLATE CORRUGATION</b></p>  <p>5 1/2" DEPTH</p> <p>1-5/8" Pitch</p> <p>7 1/2"</p> <p>1-5/8" Pitch</p> <p>INSIDE OF STRUCTURE</p> <p>INSIDE CREST</p> <p>OUTSIDE CREST OF CORRUGATION</p>								
<p><b>BRIDGE DETAILS</b></p> <table border="1"> <tr> <td>SP17-00143</td> <td>DESIGN BY</td> </tr> <tr> <td>DR. M. A. MA</td> <td>PROPOSED BY</td> </tr> <tr> <td>2000</td> <td>PROPOSED BY</td> </tr> <tr> <td>SHEET NO.</td> <td>22</td> </tr> </table> <p><b>WENTWORTH FARMS ESTATES</b> MILTON, MA</p> <p><b>BIG E</b> P.O. Box 1200 • Greely, Colorado 80632-1200 870-356-9600 • Fax 870-356-9221 • <a href="http://www.bigrbridge.com">www.bigrbridge.com</a></p>	SP17-00143	DESIGN BY	DR. M. A. MA	PROPOSED BY	2000	PROPOSED BY	SHEET NO.	22	
SP17-00143	DESIGN BY								
DR. M. A. MA	PROPOSED BY								
2000	PROPOSED BY								
SHEET NO.	22								

## EXHIBIT B

# **Construction Management Plan**

**for**

**Wentworth Farm  
Cluster Development**

**Ford Ranch Road and Hillside Street  
Milton, MA 02186**

**Prepared for:  
Milton Planning Board**

**Date: June 8, 2017**

## **General**

This Construction Management Plan (“CMP”) has been prepared for the construction of a new road (“Wentworth Farm Road”) and the creation of 10 new residential lots in a clustered subdivision off of Ford Ranch Road and Hillside Street in Milton. New dwellings will be constructed on each of the ten lots by buyers. The plan is divided into two phases: 1) road construction and 2) lot development.

The site contains 12+ acres and is located in a Residence AA District. It abuts two lots on Harland Street, next to wetlands at the rear of these lots, two lots at the end of a right of way from Hillside Street, and three lots on Ford Ranch Road. There are no existing structures as this site was once a pasture for a farm.

Phase 1 consists of the construction of a new road, Wentworth Farm Road, from Ford Ranch Road into the development, drainage facilities and the installation of utilities. The road will have an 18' paved surface, two feet of gravel surface on each side and a 4 foot grass walking path supported by grass pavers, specifications for which have been provided to the Planning Board at the hearing for this development. There is a bridge which will cross wetlands and a stream near Ford Ranch Road. The drainage structures will manage stormwater runoff from the road and will not be connected to Town storm drains. Utilities will be installed in the right of way for the roadway.

Phase 2 will begin with the sale of lots to new owners and conclude when the tenth lot is developed. Each lot will have a septic system and will not be connected to the Town's sewer. Each lot is required to have an individual rooftop recharge infiltration system. As each lot is sold and developed additional conditions will be issued pursuant to Notices of Intent applications for most lots, relating to work on the site including tree removal and related mitigation as well as construction management.

The applicant and any successors in interest, the site contractor and individual building contractor(s) for each new lot shall be required to adhere to the following requirements as they pertain to all aspects of construction activities to be performed at the site. These requirements shall be implemented for the duration of site construction and building.

Construction of this project shall be managed so as to minimize as much as reasonably possible impacts to the community, abutting property owners and local resource areas. The project will be subject to and adhere to the requirements of the EPA Construction General Permit (CGP), the Special Permit, the approved Stormwater Management Plan and the DEP Water Quality Permit. Notice of the CGP will be provided to the Planning Board prior to the commencement of construction. Best Management Practices (BMPs) shall be followed in managing this construction.

This Construction Management Plan "Construction Management Plan" contains pertinent terms and conditions with respect to construction of the development. This Construction Management Plan has been incorporated and made a part of the Special Permit. The terms and conditions in the Construction Management Plan are terms and conditions of the Special Permit and enforceable both as part of the Construction Management Plan and of the Special Permit. Violation of or noncompliance with the material requirements, terms and conditions of the Construction Management Plan whether by Applicant, contractors or subcontractors shall be a breach of the Plan and of the Special Permit.

**1. Responsible Person.** While construction on Phase 1 is underway Applicant shall designate an agent or employee with authority to issue any necessary directives to construction workers regarding construction activities. The Town's Building Commissioner shall have contact information with respect to that responsible person. That representative shall be generally responsible for all construction activities, whether underway, or contemplated and shall be Applicant's liaison to the Town and to abutting property owners. The name and contact information of the representative shall be made available to the Building Commissioner, to the Town Planner, to the Conservation Agent, to the Town's DPW director and to the Town Engineer. The representative shall deal promptly with any complaints with respect to construction activities. Applicant's representative shall provide electronic monthly reports on the progress of construction and on impending construction activities to the Building Commissioner and Town Planner.

During Phase 2 the individual lot owners shall have the responsibility and obligation to designate a responsible person with respect to construction on their respective lots.

The applicant or his successors in interest shall provide the Town with 24-hour contact information for the site manager during Phase 1. The individual lot owners will be responsible for providing 24-hour contact information during construction on each lot.

During Phase 1, the applicant will provide monthly updates on construction progress and prospective activities to the Planning Department and Department of Public Works suitable for posting on the Town's website.

## **2. Start Work Notice**

48 hours prior to the commencement of construction, the contractor shall provide written notice of the approximate start date to the Town's Building Department, Engineering and Public Works Departments, Conservation Commission, and Town Planner and such notice shall be posted on the Town website so as to provide notice to abutters and other members of the public.

### **3. Construction Hours**

Hours of construction shall be Monday – Friday, 7:00 am – 6:00 pm and Saturday 8:00 am – 5:00 pm. Work is prohibited on Sundays and legal holidays excepting holidays on which the stock market is open. Work is also prohibited within the Ford Ranch Road right of way during weekends and legal holidays. There shall be no idling of construction vehicles before 7 a.m.

Construction truck traffic during peak traffic times shall be minimized. Queuing and idling trucks shall not occur off-site unless unavoidable, and any on-site queuing or idling shall be only for good cause.

There shall be no construction truck traffic before 7 a.m. Reasonable effective steps shall be taken to concentrate construction truck traffic during late morning/early afternoon hours on weekdays.

### **4. Parking**

Construction parking during Phase 1 shall be on site under the control of Applicant. No workers, contractors or other subcontractors shall be permitted to park on public roadways surrounding the Cluster Development or other than on-site once site access has been established. Satellite parking at a private parking facility shall be permissible. Effective measures shall be taken to maintain employee parking areas and the parking access route in as dust-free a condition as reasonably possible during dry conditions and in conveniently passable condition in wet and snow conditions. Parking areas shall be remote from dwellings of abutters. Any exceptions to these parking rules shall be only for good cause with the approval of the Building Commissioner.

Prior to construction of the roadway into the site so as to provide on-site parking, construction vehicles and employee vehicles may park on Ford Ranch Road in a reasonably quiet and orderly manner. Overnight parking shall not be allowed without permission from the Town given in accordance with usual procedures. Construction vehicles not in use shall be turned off. Workers shall not congregate or loiter on Ford Ranch Road.

### **5. Controllable Noise and Pollution**

Applicant shall institute effective measures to control unnecessary noise and pollution during construction activities. Workers, contractors and subcontractors shall be prohibited from playing music or third party talk at levels not reasonably necessary for individual use. Noisy construction equipment used on-site shall be turned off when not in use or about to be used. Loud speakers shall not be used on site. Traffic controls shall be established to eliminate unnecessary backing movements and use of back-up horns. Priority shall be given to respecting residents' rights to the quiet enjoyment of their properties.

Although construction will unavoidably increase noise levels in the area, the contractors shall use all reasonable efforts to minimize the impact of noise during construction, including the following.

- a. When feasible, equipment that is not in use shall be turned off.
- b. Noise-creating equipment shall be located as far as possible from occupied residences.
- c. Engine housing panels on all equipment shall be kept closed.
- d. Electricity shall be obtained from the electric grid as soon as feasible to reduce the use of portable generators.
- e. Construction vehicles and equipment shall not be turned on for the purpose of being warmed up until their use is imminent.

## **6. Street Closings/Construction within Public Right of Way**

Ford Ranch Road shall remain open and operational at all times during construction. The contractor shall secure a street opening permit before commencing any work within the Ford Ranch Road right of way. If temporary closures are required, the contractor shall obtain prior approval from the Town in accordance with usual procedures and shall comply with all conditions imposed by the Town with respect to the closing, including the use of police details/flagmen, as appropriate. Trench excavations associated with tie-ins to water or utility lines shall be patched with bituminous pavement. Roadway plates shall be used when trenches must remain open either overnight or over a weekend before trenches are able to be filled.

## **7. Site Safety/Access**

Prior to the start of construction activities, the contractor shall install and maintain construction fencing for roadway access points. Access to the site shall be through the new roadway. At the end of each day, access gates in the fences around these areas shall be closed and secured with lock and chain at least until the binder coat is installed on the roadway.

To the extent practical, trench excavations shall be backfilled and compacted at the end of each work day. For excavations that cannot be backfilled, the contractor shall stabilize their slopes and install temporary barricades or road plates around their perimeters. All earthwork activities shall be performed in accordance with local, state and federal regulations.

## **8. Erosion and Sediment Control Measures**

The construction activities associated with the new roadway and with new buildings will require the implementation of erosion controls designed to remove sediment from storm water runoff during construction and prevent sediment transport onto adjacent properties/roadways. The type and approximate location of Erosion Control Best Management Practices (BMPs) are depicted on the submitted plans. Contractors shall be required to minimize the area of exposed soils, control rainfall discharge runoff rate and direction and provide for the stabilization of exposed earthwork. Erosion controls shall be in accordance with the EPA NPDES

General Permit and shall, accordingly, be inspected and maintained regularly until the site has been stabilized with permanent ground cover.

Prior to the commencement of construction activities, straw wattles shall be installed around the perimeter of the proposed work area(s). These erosion control barriers shall act to both prevent off-site sediment transport and to delineate the Limit of Work of the current construction phase.

For the duration of construction, the contractor shall inspect and replace straw wattles that become damaged or have deteriorated. Any sediment control measure that, upon inspection, is found to be damaged, deteriorated or no longer functional shall be repaired, replaced or otherwise corrected immediately following such inspection.

A crushed stone tracking pad shall be installed at the site entrance. The tracking pad shall insure the removal of mud and dirt from trucks prior to leaving the site and from being deposited on Ford Ranch Road and the surrounding street network. At the end of each work day, the contractor shall sweep any mud and or dirt sediments that may be present on/adjacent to the Ford Ranch Road site access.

## **9. Dust and Wind Controls**

Dust control shall be implemented on site as necessary. Repetitive treatment shall be applied when needed to accomplish control when dust conditions exist. If field observations by Applicant or the Building Commissioner indicate that additional protection from wind erosion (in addition to, or in place of watering) is necessary, additional dust suppressant measures shall be implemented forthwith. The following list of control measures may be implemented on site to limit the generation of dust as needed:

- Watering
- Establishment of Vegetative Cover
- Mulch or Spray-On Soil Treatments
- Tillage – Stone

Street cleaning shall also be used as necessary to control dust. Paved areas that have soil or dust on them from the construction site shall be cleaned as needed.

## **10. Materials Storage**

BMPs shall be followed for material storage during construction, including neat orderly storage and maintaining only so much material storage on site as reasonably necessary to do the job.

## **11. Tree Removal**

The construction of the project will require the removal of trees, particularly along the area of work for the road and in areas for houses, driveways and septic systems on individual lots. Where tree removal is required within the area of jurisdiction of the Conservation Commission, 100 feet from wetlands' lines, including areas created to receive drainage, a tree removal and mitigation plan must be approved by the Commission as required by the Order of Conditions for this project issued by the Commission on December 13, 2016. Otherwise, there will be no disturbance of trees in the designated Open Land for this development, as no improvements are proposed for these areas. Tree removal associated with the development of the lots is largely under the jurisdiction of the Conservation Commission except for certain of the lots along the Ford Ranch Road edge of the development.

On Lots 2-5, there is a 10 foot wide strip along the back lot line which is to be a permanently restricted area. Trees or landscaping may be added as agreed upon by the applicant and the owners of 132 Ford Ranch Road and 110 Ford Ranch Road and shown in plans, one by the applicant with each owner; the plans shall be filed with the Town Planner, reviewed and submitted to the Planning Board for final approval. Conditions for the use and maintenance of the restricted areas of lots 2-5 are described in the Special Permit and in the Tree Management Plan.

For the duration of construction and before final installation of any additional vegetation in the restricted areas is required, the ten foot restricted areas on lots 2-5 shall be marked on the lots by the installation of straw wattles or some other adequate method of clearly indicating that these are areas to be left undisturbed during construction. Protection of existing trees in these areas is described in the Tree Management Plan, Section X. "Tree Protection".

On each lot, where houses are to be constructed, driveways to be installed and septic systems are to be constructed, many trees will have to be removed. If the area of work is under Commission jurisdiction, the Commission will approve a tree removal and mitigation plan.

General guidelines for tree protection and tree cutting shall be: 1) wetland areas and areas within 25 feet of wetlands shall not be altered except as allowed by the Conservation Commission; 2) in areas within 100 feet of wetlands the applicant or successors in interest shall submit a Notice of Intent Application to the Conservation Commission prior to tree removal; 3) outside the 100 foot setback from wetlands, and outside the house footprint, driveway footprint and areas which must be maintained free of trees for septic systems on each lot, there shall be no unnecessary tree removal or clear cutting of lots and landscaping shall be completed that is in harmony with the natural setting for this development and with the landscaping on abutting lots.

During Phase 1 of the construction, the construction of the road, the area to be cleared will be limited to the area shown on Plan Sheet 10 as the "Limit of Work-Road". Clearing of the lots

will not begin until Phase 2 when each lot is to be developed, except for the two equipment storage and parking areas and area of work around the road as shown on Sheet 10 of the Plan.

## **12. Construction Period Solid Waste and Recycling**

Any demolition activity shall comply with local, state and federal permit requirements. There are no existing buildings on this site. To the extent that excavated materials such as trees and roots require disposal off site, these materials shall be segregated on site for disposal.

Materials that can be recycled will be placed in dumpsters and removed to a recycling facility for processing. Other materials shall be placed in dumpsters and transported and disposed of at an approved solid waste facility.

The stones from any existing stone walls that must be removed will be relocated and re-used on site. Wherever practical, earth materials will be re-utilized on site. Excess material that cannot be used will be transported off-site. Such removal shall be scheduled during non-commuter times wherever possible.

## **13. Utilities**

Site utilities, including any temporary service connections, shall be constructed in a coordinated fashion so as not to impede or interrupt services, including storm drainage to residents.

Applicant's representative shall coordinate the efficient installation of all water installations as well as all private utility services (gas, telephone, cable, electric, etc.).

## **14. Schedule**

The following is a tentative schedule, which is subject to change based on weather and other conditions:

Mobilization: June 2017

Set up erosion control and temporary fencing: June 2017

Tree Clearing: June-July 2017

Bridge construction: August – September 2017

Construct roadway and install utilities: June to October 2017

Install roadway binder: October/November 2017

Construct single family houses: As lots are sold, once site is prepared, December 2017 through 2019

Expected completion: 2019

## EXHIBIT C

# **Tree Management Plan**

**for**

**Wentworth Farm  
Cluster Development**

**Ford Ranch Road and Hillside Street  
Milton, MA 02186**

**Prepared for:  
Milton Planning Board**

**Date: June 8, 2017**

## **Introduction**

This Tree Removal Management Plan (“TRMP”) has been prepared for the construction of a new road (“Wentworth Farm Road”) and the creation of 10 new residential lots in a clustered subdivision off of Ford Ranch Road and Hillside Street in Milton. New dwellings will be constructed on each of the ten lots by buyers.

The site contains 12+ acres and is located in a Residence AA District. It abuts two lots on Harland Street, next to wetlands at the rear of these lots, two lots at the end of an unpaved way from Hillside Street which is part of the site, and three lots on Ford Ranch Road. There are no existing structures as this site was once a pasture for a farm. The site is in the area of the Scotts Wood Historic District and was once a neighborhood of small farms which encompassed other areas of Milton and the area which is now the Blue Hills Reservation.

Construction on the site includes the construction of a new road from Ford Ranch Road with an 18' wide paved surface, a two foot gravel surface on each edge of the pavement and a 4 foot reinforced grass walking path on one side, located in a 30 foot wide right of way. The road will cross a stream and will be located close to wetlands.

Stormwater drainage from the roadway and on the lots will not be connected to the Town’s storm drains. Each lot will have a septic system and will not be connected to the Town’s sewer. Utilities will be placed under the new roadway. As each lot is sold and developed additional conditions will be issued pursuant to Notices of Intent applications for most lots, relating to work on the site including construction conditions, tree removal and related mitigation. Tree removal guidelines in this plan are intended to supplement any conditions issued for notices of intent, including the existing Order of Conditions issued by the Conservation Commission on December 13, 2016 and any future orders of condition issued by the Conservation Commission for any of the ten lots in the development.

The applicant and successors in interest as well as the site contractor and individual building contractor(s) shall be required to adhere to the following guidelines as they pertain to all aspects of tree removal and landscape design at the site. These guidelines shall be implemented for the duration of building and site construction.

### **I. Schedule of Tree Removal**

The majority of this site will be under Conservation Commission Control. 30 % of the site is designated Open Land which will be subject to a Conservation Restriction granted to the Conservation Commission on behalf of the Town of Milton. 22% of the site is wetlands. Land within 25 feet of wetlands cannot be altered without permission from the Conservation Commission. All land within 100 feet of wetlands is under the jurisdiction of the Conservation Commission. In those areas, any tree removal must be approved by the Conservation Commission which will require a tree mitigation plan for such removal.

The recorded Order of Conditions, dated December 13, 2016, requires that a tree removal and mitigation plan be approved by the Conservation Commission prior to beginning work. All lots except lots 3, 4 and 5 have substantial areas of wetlands or areas within 100 feet of wetlands that will be under Conservation Commission jurisdiction or are bordered by designated areas of Open Land.

On Lots 2-5 there is a ten foot wide restricted area at the back lot lines which will be left with natural vegetation or will be provided with additional vegetation as a buffer. Vegetation will be planted in the ten foot restricted area, outside any areas requiring Conservation Commission approval, according to agreements required between the applicant and the owners of 132 Ford Ranch Road (McGrath), which is in back of lot 5 and 110 Ford Ranch Road (Rental) which is in back of lot 4. An agreed landscaping plan or description of vegetation to be planted must be signed by the applicant and the abutting lot owners or if the parties cannot agree after hearing the Planning board will determine the vegetation plan. Removal of existing trees is allowed in order to create a vegetated buffer. To obtain a building permit for lots 4 or 5 the new owner must have an approved plan for a vegetation buffer along this ten foot strip.

The restricted land in back of Lots 2 and 3 will be maintained in its natural state and no trees will be removed. In the future if abutting lot owners agree on a plan for new vegetation existing trees can be removed.

Installation of required buffer vegetation, as agreed with abutters or specified by the Planning Board, in back of lots 4 and 5 is the responsibility of the Applicant. If new plantings or trees are to be installed after construction on the lot by the new owner (unless otherwise agreed), the applicant's responsibility for the cost of this landscaping shall be addressed by the applicant with the new buyer, at the time of conveyance.

As described in the special permit a permanent deed restriction will be required in the deeds for lots 2-5 addressing the Restricted Area.

On each of the ten lots trees will have to be removed for the construction of a septic system, house, driveway and accessory buildings. The cluster design, the designated Open Land, the presence of extensive wetlands and the 100' wetland jurisdiction of the Conservation Commission as well as the ten foot buffer area described in previous paragraphs ensure that generally there will be no unnecessary tree removal.

The owners of lots 2-5 shall be required to file landscaping plans with the Office of the Town Planner for their respective lots. Criteria for approval of plans for these lots is described in the Special Permit. In order to receive an occupancy permit for lots 2-5 the lot owner must have an approved landscaping plan.

In general, landscaping in areas of lots not required for septic systems, houses, accessory buildings or driveways and not within an area under the jurisdiction of the Conservation

Commission shall be designed to be harmonious with the natural setting for this development and with any abutting developed lots and there shall be no unnecessary clear cutting of such areas.

In this development each lot must have a septic system. The area where the septic system is located will be landscaped to be an attractive part of the yard, but how it can be landscaped will be determined by conditions of the septic system permit from the Milton Board of Health as well as where the Board of Health allows the septic system to be located. While a conceptual house and septic location is shown on the site plan, these may have to be in different locations once the final plans are developed for each lot and once the lot has an approved design for a septic system. Until the building permit is granted, which will require an approved septic system plan, it is not known where it will be possible to plant any trees along Wentworth Farm Road. Therefore, street tree planting along Wentworth Farm Road is not specified on the Site Plan; however once appropriate locations for street trees are determined, street trees of a size and type approved by the Tree Warden shall be installed in accordance with Rules and Regulations 7.4.6.3. Appropriate provisions shall be made by Applicant for installation of these trees and for their care.

## **II. General Tree Removal Restrictions**

On each lot, although trees will have to be removed to allow for the construction of a house, driveway, accessory buildings and septic system, there shall be no unnecessary clear cutting of lots. There shall be no clearing of trees on lots until each lot is developed except to provide storage and parking areas. The area of work for tree removal for the road is shown on Plan Sheet 10. This Plan Sheet shows two areas of work for equipment storage and parking, each located on the side of Wentworth Farm Road away from Ford Ranch Road. Any tree removal within 100 feet of wetlands will be under the jurisdiction of the Conservation Commission.

## **III. Protection of Trees during Construction**

To ensure the protection of both tree trunk and Critical Root Zone (CRZ), the limit of work barriers (erosion control) shall be placed so as not to encroach on the CRZ of any significant tree to remain. The critical root zone shall be based on a 1' diameter radius from the tree trunk for every 1" of trunk diameter, measured at 4.5' above grade.

## **IV. Possible Tree or Bushes to be Planted in front of 71 Ford Ranch Road**

The applicant or successors in interest will plant a tree or bushes opposite the entrance to Wentworth Farm Road, in the front yard of 71 Ford Ranch Road, if so requested by the owners of 71 Ford Ranch Road, but only if, after construction of Wentworth Farm Road with the binder coat, it can be demonstrated clearly and convincingly that there would otherwise be a substantial intrusion of car headlights into the bedroom at the front right side of the residence at 71 Ford Ranch Road from vehicles exiting Wentworth Farm Road.

## EXHIBIT D

**Attachment D**

**Long Term Operation & Maintenance Plan**

## **Drainage Operations and Maintenance Plan**

### **Wentworth Farms Estates Cluster Development Milton, Ma**

This long-term Drainage Operations and Maintenance (O&M) Plan shall be implemented at Wentworth Farm Road to ensure that the Stormwater management system functions as designed and in accordance with DEP Stormwater Management Standard No. 9. This Operations and Maintenance Plan is intended to cover all on-site drainage structures, conveyances and outfalls. The Property Owner, Hamilton Realty, possesses the primary responsibility for overseeing and implementing the O&M Plan and designating a person who will be responsible for the proper operation and maintenance of the Stormwater structures. In case of transfer of property ownership, future property owners shall be notified of the presence of the Stormwater management system and the requirements for proper implementation of the O&M Plan.

#### **O&M Plan Implementation Manager Contact Information:**

Hamilton Realty  
77 Rocsam Park Rd  
Braintree, Ma 02184  
(781) 849-0981

#### **Components of the Operations and Maintenance Plan include:**

- Removal of all trash and litter debris from entire site, particularly roadway gutters, wooded areas, Water Quality Swales, sediment forebays and Raingardens.
- Pavement sweeping of paved roadway.
- Removal of sediment and pollutants trapped in swales, water quality treatment units, Raingardens and forebays.
- Prohibition on high-phosphorous content fertilizers.

#### **Stormwater Runoff Quality**

The Stormwater management system protects and enhances the Stormwater runoff water quality through the removal of sediment and pollutants, and source control significantly reduces the amount of pollutants entering the system. Preventive

maintenance of the system will include a comprehensive source reduction program of regular sweeping and litter removal, and maintenance of the roadway area. These measures are described below.

### **Drainage System**

Stormwater runoff is collected, via roadside gutter flow, through a closed drain pipe network to water quality swales/raingardens. These structural Best Management Practices (BMP's) provide water quality treatment by removing large sediment particulate, absorbed pollutants and floating contaminants from runoff prior to discharge to into existing forested ground adjacent to wetland resource areas. Maintenance and cleaning of catch basins, drain manholes, water quality swales, and forebay areas will assure adequate performance.

### **Maintenance Program**

The Property Owner and any maintenance staff will conduct the operation and maintenance program set forth in this document. The Manager will ensure that inspections and record keeping are timely and accurate and that cleaning and maintenance are performed at least on a bi-annual basis. Inspection & Maintenance Log Forms (attached) shall include the date and the amount of the last significant storm event in excess of 1" of rain in a 24-hour period, physical conditions of the structures, depth of sediment in structures, evidence of overtopping or debris blockage and maintenance required of each structure. *Records of maintenance will be kept on file at the Property Manager's office and copies of Inspection & Maintenance Log sheets indicating all work and inspections will be available to the Town upon request.*

All Stormwater management structures will be inspected two times per year, with cleaning typically occurring in April and October and possibly more often, as site conditions warrant. Concurrent with inspection and cleaning, all litter shall be picked up and removed from the roadway areas, grass, landscaped and wooded areas within the Right-of-Way and drainage easements.

### **Quarterly Inspections**

1. Inspect inlet grates and remove any debris monthly or as determined to be reasonable based on experience with the installed systems to ensure that the inlet grates are working in their intended fashion and that they are free of debris.

### Bi-Annual Inspections (performed in April and October)

1. Inspect for sediment near discharge pipes once per year or more frequently if sediment is found to be present. Accumulated sediment must be removed. Excessive sediment shall be removed and properly disposed by a licensed drainage cleaning company;
2. Inspect Catch Basins. Accumulated sediment must be removed if depth of sediment exceeds 15% of the unit's storage capacity during either of the bi-annual inspections and at least once per year;
3. Inspect constructed Water Quality Swales / Raingardens and remove wind-blown trash and debris. Inspect vegetation twice per year during both the growing and non-growing seasons. Remove accumulated sediment once every ten years or more often as necessary;
4. Inspect Water Quality Swales / Raingardens standing water. If standing water is observed for longer than 72 hours, a pump should be placed in the swale and discharged through the outlet pipe. After a system is dewatered, it should be observed by a Professional Engineer. A Professional Engineer should provide an opinion as to why the swale is not draining and provide recommendations to restore the capacity to the system. **Note: When the swale systems are first constructed, this inspection should occur after every major storm for the first 3 months. A major storm shall be any storm that produces 1" or more of rain.** Thereafter, inspect based on the Maintenance Plan frequency and as necessary to ensure that the swales are functioning properly. Clean and reseed as required and remove accumulated sediment if it exceeds a depth of 2 inches;
5. Inspect Flared End Sections and remove any litter, sediment or debris;
7. Inspect all vegetated areas and remove litter and debris as necessary. Inspect slopes and embankments early in the growing season to identify active or potential erosion problems. Replant bare areas or areas with sparse growth. Where rill erosion is evident, armor the area with an appropriate lining or divert the erosive flows to on-site areas able to withstand the concentrated flows;

### **Pavement Sweeping Program**

Long-term management practices include monthly sweeping of the roadway areas during Spring-Fall months. The sweeping program will remove sand and contaminants directly from paved surfaces before they become mobilized during rain events and transported to the drainage system. Pavement sweeping is a highly effective source control measure for reducing pollutant loading in Stormwater. A regenerative air type street sweeper will be utilized to sweep the roadway. All sweepings will be disposed of in a legal manner.

### **Winter Maintenance Program**

Ensure that drainage structures are not blocked by ice, snow, debris or trash during winter months. No deicing materials shall be stored on site.

### **Fertilizer Use**

Only slow-release organic low-phosphorous fertilizers will be used in any seeded areas in order to limit the amount of nutrients that could enter the Stormwater system.

## Maintenance Schedule

The following is a general maintenance schedule that can be used as a reference by the Property Owner. This schedule includes the maintenance action to be taken and when the action is to occur.

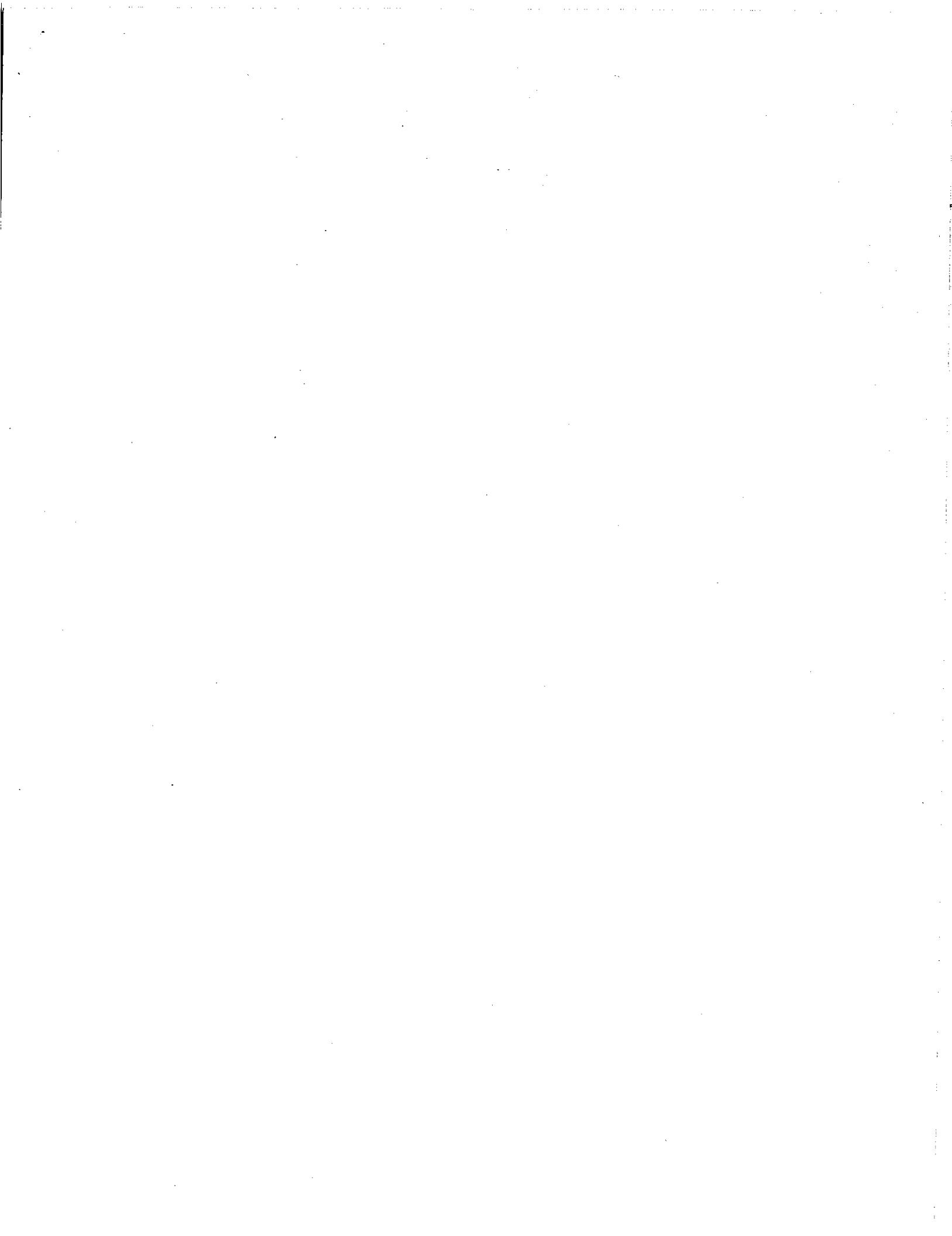
Site Component	Action to be Taken	Timeline of Completion
Catch Basins/Manholes	Quarterly Inspections/cleaning, removal of sediments, oils, and floatables	Quarterly
Pavement Areas	Sweeping of paved areas (Annual), disposal of sweepings in a legal manner; removal of trash and litter from pavement	Monthly Spring-Fall
Swales, Outfall Areas	Removal of wind-blown trash and litter from entire property	April October
Drainage Inlet/ Outlet Pipes	Removal of trash and sediment from drainage outlets	April October
Roadway	Sweeping	Quarterly

## Illicit Discharge Compliance Statement

Per Standard No. 10 of the MassDEP Stormwater Management Standards, there shall be no illicit discharges to the Stormwater management system. The Property Owner, Hamilton Realty, is responsible for implementing the Operation and Maintenance Plan and overseeing activities at the facility to prevent illicit discharges to the drainage system from occurring.

It is strictly prohibited to discharge any products or substances onto the ground surface or into any drainage structures, such as catch basin inlets, manholes, water quality units, swales or drainage outlets.

Should a spill occur, immediate action steps must be implemented to contain the spill, cordon off the area, clean it up immediately and dispose of it properly to prevent an illicit discharge to the Stormwater management system.



## Drainage Operation and Maintenance Log

Maintenance Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_\_\_ Routine \_\_\_\_\_ Response to Rainfall Event \_\_\_\_\_ in \_\_\_\_\_ Other \_\_\_\_\_

BMP	Frequency	Date Performed	Comments
Catch Basins and Drain Manholes	Quarterly		
	Maintenance Quarterly and as necessary		
Pavement Areas	Monthly Sweeping		
	Trash & Litter Removal as necessary		
Landscaped & Vegetated Areas	Maintenance as necessary		
Swales, Forebays, Raingarden and Outfall Areas	Bi-Annual Inspections Clean when sediment depth reaches 2"		
	Maintenance as necessary		
	Bi-Annual Mowing		
Inlet/Outlet Pipes	Bi-Annual Inspections		
Street Sweeping	Maintenance as necessary		
	Quarterly		

\*Inspect swales, Raingarden and discharge areas after each 1" rainfall for the first 3 months after construction.

## Annual Budget

The following is an estimated annual budget for the Operation and Maintenance of the drainage system:

Site Component	Rate	Annual Total
Street Sweeping	\$.55/lf x 1000 lf of roadway X 9 Quarters	\$4,900
Drainage Structures	(6 CB +7DMH) x (4/Year)x\$75	\$3,900
Pavement Areas	4 Cleanings x \$300/Cleaning	\$1,200
Swales, Forebays, Outfall Areas	2x 4 /Year (Mow/Trash Removal) @\$150	\$1,200
Drainage Inlet/Outlet Pipes	2x4 x \$100 (Removal of trash and sediment from drainage outlets)	\$800

**Estimated Annual Total      \$12,000.00**