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Town of Milton

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**AMENDMENT OF
SPECIAL PERMIT, SITE PLAN APPROVAL AND SCENIC ROAD PERMIT**

**For Planned Unit Townhouse Development
865 Brush Hill Road
Milton NRC, LLC, Owner and Applicant**

Pursuant to Section III, Subsection L of Chapter 10 of the General Bylaws known as the Zoning Bylaws, after hearing, the Planning Board of Milton, duly constituted as special permit granting authority, subject to the terms and conditions hereinafter listed, grants an amendment of Special Permit for planned unit townhouse development to Milton NRC, LLC (hereinafter the "Owner/Applicant") and its successors and/or assigns for a lot of land containing approximately 373,745 square feet known and numbered as 865 Brush Hill Road (the "Property"). Concurrent with the grant of an amendment of Special Permit pursuant to Section VIII.D., the Planning Board grants amendment of Site Plan Approval for the planned unit townhouse development and a Scenic Road Permit for the removal of a portion of the stone wall at the main site entrance. The requirements of the Special Permit, Site Plan Approval and Scenic Road Permit are set out and specified in the "Special Permit, Site Plan Approval and Scenic Road Permit for Planned Unit Townhouse Development, 865 Brush Hill Road, Milton NRC, LLC, Owner and Applicant", recorded on September 11, 2015 with the Norfolk County Registry of Deeds in Book 33474 beginning at Page 226. The Special Permit, Site Plan Approval and Scenic Road Permit recorded on September 11, 2015 are herein referenced as the "Special Permit" and this Amendment of Special Permit is herein referenced as the "Amendment". Except as provided in this Amendment, the terms and conditions of the Special Permit remain in force and enforceable.

Reason for Amendment: Paragraph 12 of the Special Permit provides specifications for a fence to be installed along the rear property line that is shared with the Boston Housing Authority, which fence is to be extended along an abutter's property line from the northerly corner of the site to Dana Avenue. In particular, Paragraph 12 provides that the fence will be a dark green fence made of a composite material manufactured by the Trex Company. Subsequent to the issuance of the Special Permit, the Owner/Applicant discovered that the Trex Company has discontinued the manufacture of dark green composite fences. In that regard, the Owner/Applicant has proposed to replace the dark green fence with a Trex Company composite fence of a different color.

Decision: After due consideration, the Planning Board hereby approves a modification to Paragraph 12 changing the color of the fence from dark green to "Woodland Brown", which color is readily available. The fence will remain 8' tall along the common property line with the Boston Housing Authority, and will be 6' between the northerly corner of the site and Dana Avenue.

Recording and Enforcement: This Amendment shall be recorded with the Norfolk County Registry of Deeds by the Owner/Applicant at its own expense within thirty days from the date when this Amendment becomes final and a copy of the recorded document with recording information shall be provided to the Town Planner. There shall be a marginal reference in the deed of the Owner/Applicant to this Amendment. Following approval and recording of this Amendment, it shall become a part of the Special Permit and enforceable as provided in the Special Permit.

Executed at Milton, Massachusetts this 9th day of JUNE, 2016.

Planning Board of Milton



Alexander Kiteside

