Commonwealth of Massachusetts  
Town of Milton  
FIRST AMENDMENT of SPECIAL PERMIT  
For Cluster Development  
Governor Stoughton Lane  
Owner: Town of Milton, acting by its Board of Selectmen as Trustees under the Will of William Stoughton  
Applicant: Pulte Homes of New England, LLC

Pursuant to Section VI Subsection J of the Zoning Bylaws, 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 First Amendment of Special Permit for Cluster Development (the “First Amendment”) to Pulte Homes of New England, LLC (the “Applicant”) and its approved successors and assigns for a lot of land containing approximately 1,293,252 square feet (approximately 29.69 acres) located at the end of Governor Stoughton Land in Milton as shown on the Site Plan.

The Special Permit for Cluster Development (referenced as the “Special Permit” herein) was granted by the Planning Board in a decision dated April 13, 2017 and filed with the Town Clerk on April 14, 2017. The terms, conditions, requirements, duties and obligations imposed by the Special Permit, except as they are amended in this First Amendment, remain in full force and effect as provided in the Special Permit. The terms, conditions, requirements, duties and obligations imposed by this First Amendment become part of the Special Permit and are enforceable as provided therein and as may be further specified in this First Amendment.

Reason for Amendment. A revised design for the entry to the development from Uniquity Road has been required by the Department of Conservation and Recreation (DCR) which has granted a Construction Access Permit for the revised entry which is shown on certain revisions to the sheets in the Site Plan and an additional sheet in the Site Plan. The revised and additional sheets in the Site Plan also reflect updated engineering details, and certain revised landscaping at Infiltration Basin 6, a basin which abuts Lot 12. In addition to the revisions of the Site Plan, certain enforcement details regarding the Stormwater Pollution Prevention Plan (SWPPP) are specified.

Decision:

After hearing and due consideration the Planning Board finds that there is a reasonable need for amendment of the Special Permit and that the following provisions meet applicable standards pertaining to grant of an amendment.
A. Paragraph 1 of the Special Permit entitled “Site Plan” is stricken and the following new Paragraph 1 is substituted. The Site Plan described in the new Paragraph 1 shall constitute the Site Plan referenced in the Special Permit and this First Amendment. It shall control development and be enforceable as provided in the Special Permit.

1. Site Plan. The Site Plan which is incorporated into the Special Permit contains a plan set entitled “Definitive Subdivision Plan, Milton Woods in Milton, MA” prepared by Marchionda & Associates, L.P. with the following 23 sheets all dated November 9, 2016 and last revised October 18, 2017 (10/18/17) unless a later revision date is stated:

1. Cover Sheet
2. Existing Conditions
3. Existing Conditions
4. Subdivision Plan of Land
5. Subdivision Plan of Land
6. Subdivision Plan of Land
7. Subdivision Plan of Land
8. Roadway Profile Sta. 0+00-9+50
9. Roadway Profile Sta. 9+50-18+58.85
10. Off Road Sewer Profiles (last revised 11/8/17)
11. Grading and Drainage Plan
12. Grading and Drainage Plan (last revised 11/8/17)
13. Utility Plan
14. Utility Plan (last revised 11/8/17)
15. Sequencing Plan
16. Final Sequencing Plan
17. Road Details
18. Road Details
19. Drainage Details
20. Drainage Details
21. Water Details
22. Sewer Details
23. Erosion Control Details


- The Site Plan includes a sheet originally numbered Sheet 22 entitled:
  Neighborhood Buffer Tree Exhibit (last revised January 24, 2017)
• The Site Plan includes the following sheets, dated May 11, 2016 prepared by Marchionda Associates:

WR-1 Temporary Wetland Impact and Restoration Plan
WR-2 Wetland Restoration Plan, Details and Notes

• The Site Plan includes the following sheet, dated November 30, 2016, with the notation “Rev 2 DCR Row Planting Edits 10/18/17”:

L1 Preliminary Landscape Plan

• The Site Plan includes the following sheet dated 1/26/2017, revised 10/18/17 entitled “Native Landscape Planting Plan” and prepared by Marchionda & Associates, LP.

The Site Plan containing all of the above specified sheets is attached hereto as Exhibit A. The sheets may be recorded in a reduced size. However, the Site Plan with full-size sheets shall be on file in the Town’s Planning Office.

B. The foregoing new Paragraph 1 shall also be substituted for the existing Paragraph 1 entitled “Site Plan” on pages 1 and 2 of the Construction Management Plan (Exhibit D to the Special Permit) and shall control development and be enforceable as part of that plan.

C. The following paragraph is added to paragraph 7 of the Construction Management Plan (Exhibit D to the Special Permit) entitled “Enforcement”:

Following preparation of the Stormwater Pollution Prevention Plan (SWPPP), it shall be enforceable by the Town Engineer. The Town Engineer is authorized to hire at Applicant’s expense a qualified third party engineer to conduct on-site permit compliance inspections at least weekly or some other agreed-upon schedule deemed appropriate by the Town Engineer. In the event of any noncompliance with or violation of terms and requirements of the SWPPP the Town Engineer shall require prompt and effective corrective action by Applicant. Failure by Applicant to take such action shall be a material breach of the plan and the special permit, and the Building Commissioner may issue a stop-work order pending effective corrective action with suitable guarantees against any recurrence.
D. Recording. This First Amendment including the Site Plan shall be recorded with the Special Permit with the Norfolk County Registry of Deeds by the Applicant at its own expense within thirty days from the date when the First Amendment becomes final. A copy of the recorded documents with recording information shall be provided to the Town Planner. There shall be a marginal reference to the Special Permit and this First Amendment in any deed to or from the Applicant, Deeds from Applicant to lot owners shall have a specific reference to the Special Permit and First Amendment and the books and pages at which they are recorded.

Executed at Milton, Massachusetts this 21st day of November, 2017.

Planning Board of Milton

Alexander Whiteside, Chairman

April Lamoureux, Secretary

Cheryl Tougias, Member

Bryan Furze, Member

Denise Swenson, Member