



September 6, 2022

Ellen Agro, Town Clerk
Town of Mendon
20 Main Street
Mendon, MA 01756

Re: Application for Variance
Hastings Street Plaza, LLC
12 Washington Street (Parcel ID: 8-242-18-0)

Dear Board Members:

On behalf of Hastings Street Plaza, LLC (the Petitioner), Tetra Tech is pleased to submit a request for a Variance from the Town of Mendon Zoning Board of Appeals, pursuant to Massachusetts General Law Chapter 40A, Section 10. The Petitioner proposes to construct multiple age-restricted single-family dwellings on a lot located within the Rural Residential zoning district as part of a larger development comprised of two mutually compatible connected uses sharing critical infrastructure (the Project).

Enclosed please find the following documentation for the Board's consideration:

1. Application for Variance and Filing Fee Check
2. Existing Conditions Plan and Overall Site Plan
3. Certified Abutters List and Mailing Labels
4. Copy of the Deed for the Subject Property
5. Copy of MassDEP Correspondence
6. NRCS Soils Map
7. Thumb drive containing electronic copy of documentation listed above
8. Six (6) hard copies of entire submission

We respectfully request a public hearing be scheduled to present the Petition. In the meantime, please don't hesitate to contact us if you have any questions or require additional information.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Matthew Moyen'.

Matthew Moyen, PE
Senior Project Manager
508-786-2348
matthew.moyen@tetrattech.com

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APPLICATION FOR VARIANCE

PHOTOCOPY OF FILING FEE CHECK

LIST OF ATTACHMENTS

Attachment A – Existing Condition Plan and Overall Site Plan

Attachment B – Certified Abutters List and Mailing Labels

Attachment C – Deed for Subject Property

Attachment D – Copy of MassDEP Correspondence

Attachment E – NRCS Soils Map

TOWN OF MENDON
ZONING BOARD OF APPEALS
20 MAIN ST.
MENDON, MA 01756



APPLICATION FOR (check one)

In accordance with Mendon Zoning By-Laws

SPECIAL PERMIT (M.G.L. Ch. 40, § 9)

VARIANCE (M.G.L. CH. 40, § 10)

This application must be completed, signed, and submitted with the filing fee by the petitioner or their representative in accordance with the Board's rules and regulations which can be found at www.mendonma.gov or in the Town Clerk's office.

1. PETITIONER: Includes Equitable Owner (purchaser on a purchase and sales agreement)

Name: Hastings Street Plaza, LLC

Address: PO Box 444

Phone: 508-277-7558 Alt phone: 508-422-1050

Email: johnn@imperialcars.com

Petitioner is: (Check one) Tenant Agent Purchaser

2. OWNER: (If other than petitioner)

Name: _____

Address: _____

Phone: _____ Alt phone: _____

Email: _____

3. REPRESENTATIVE AUTHORIZATION:

If someone other than the owner or equitable owner is the petitioner, the owner or equitable owner must designate such representative below.

Name: Tetra Tech, Inc.

Address: 100 Nickerson Road

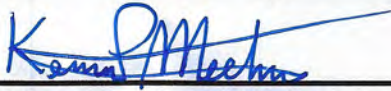
Phone: 508-786-2200 Alt phone: 508-786-2348

Email: matthew.moyen@tetrattech.com

Relationship of representative to owner or equitable owner:

Consultant

I/we hereby authorize Tetra Tech, Inc., to represent my/our interests before the Board of Appeals with regards to this petition.



Signature of Owner or Equitable Owner

4. SUBJECT PROPERTY

Street Address: 12 Washington Street

Assessor's Map 8 Lot # 242-18

Zoning District (Check one) RR GR GB HB

Registry of Deeds where deed, plan, or both are recorded:

Worcester Registry of Deeds

Book 62576 Page 72

This parcel was originally laid out and recorded on 4-4-46

5. NATURE OF RELIEF REQUESTED

Article/Section III / 3.01 (c) (xiv) of Mendon Zoning By-Laws

Which allows/requires :

Only one principal building shall be permitted on a lot.

The specific relief we/I request is as follows:

Multiple age-restricted single-family dwellings on a lot within the Rural Residential District

6. EVIDENCE TO SUPPORT GRANT OF VARIANCE

(ref. M.G.L. Ch. 40, § 10)

A. Describe/demonstrate *unique/peculiar* soil conditions, shape, or topography of subject property. Describe how these conditions especially affect only the land or structures in question, how they are unique to the subject property, and do not affect generally the zoning district in which it is located.


The subject property slopes relatively steeply from its frontage along Route 16 and Washington Street to the rear of the site where soil conditions consist of very deep and poorly drained organic Freetown Muck. These topographic and soil conditions are peculiar for Mendon's Route 16 corridor and directly affect how the site can be developed. These conditions also greatly influence the location of the new community public water system needed to serve the Project.


B. Describe how you believe a hardship is caused by the unique/peculiar attributes of the soil conditions, shape, or topography of this subject property under a literal enforcement of the Zoning By-Laws? The hardship you describe must be related to the unique or peculiar attributes you have described above.

A new community public water system (PWS) is required to support the Project due to the lack of municipal water infrastructure along the Route 16 corridor, with its location and orientation being largely dictated by the peculiar topographic and soil conditions of the subject property. The PWS is proposed to serve residential uses along with an adjoining commercial development and a related hardship has been created by virtue of MassDEP requiring the residential use be in complete control of the PWS and have full ownership of the Zone I and water supply facility land. Literal enforcement of the Zoning Bylaws would not allow enough residential density to support a PWS meeting MassDEP's requirement. (Refer to attached correspondence from MassDEP indicating the residential use requirement for the PWS).

I/we hereby certify under the pains and penalty of perjury that the information contained in this application is true and complete and the Town of Mendon will be held harmless by the undersigned from any claims or judgements resulting from any misinformation given herein.

I/we have read the Rules and Regulations of the Mendon Zoning Board of Appeals





Signature of Applicant 

Date

Signature of Co-Applicant **Date**

Signature of Owner (if other than applicant) **Date**



Signature of Equitable Owner 

Date

Documents submitted

<input checked="" type="checkbox"/>	Completed variance application
<input checked="" type="checkbox"/>	Owner authorizations complete
<input checked="" type="checkbox"/>	Electronic copy of entire submission (via email or thumb drive)
<input checked="" type="checkbox"/>	6 collated copies of the entire submission and site plan(including uplands and abutters)
<input checked="" type="checkbox"/>	Certified abutters list from the Assessor's Office
<input checked="" type="checkbox"/>	4 sets of mailing labels
<input checked="" type="checkbox"/>	Copy of the Deed for the subject property
<input type="checkbox"/>	Copy of building permit application and/or any correspondence from the building department
<input type="checkbox"/>	Copy of any previous decisions on Special Permits or Variances for the subject property
<input checked="" type="checkbox"/>	Soil/geological studies, topographical maps, other support documentation

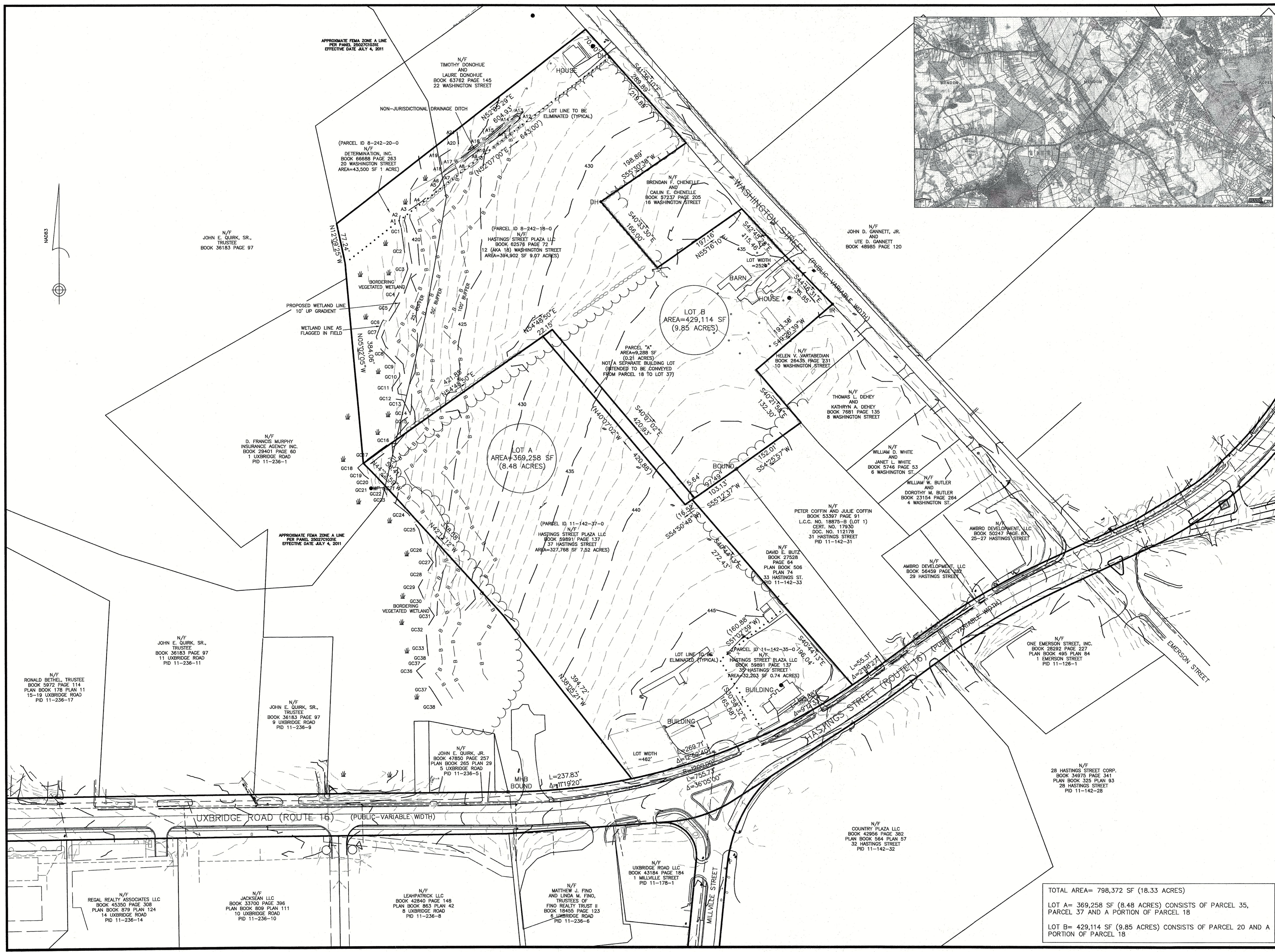
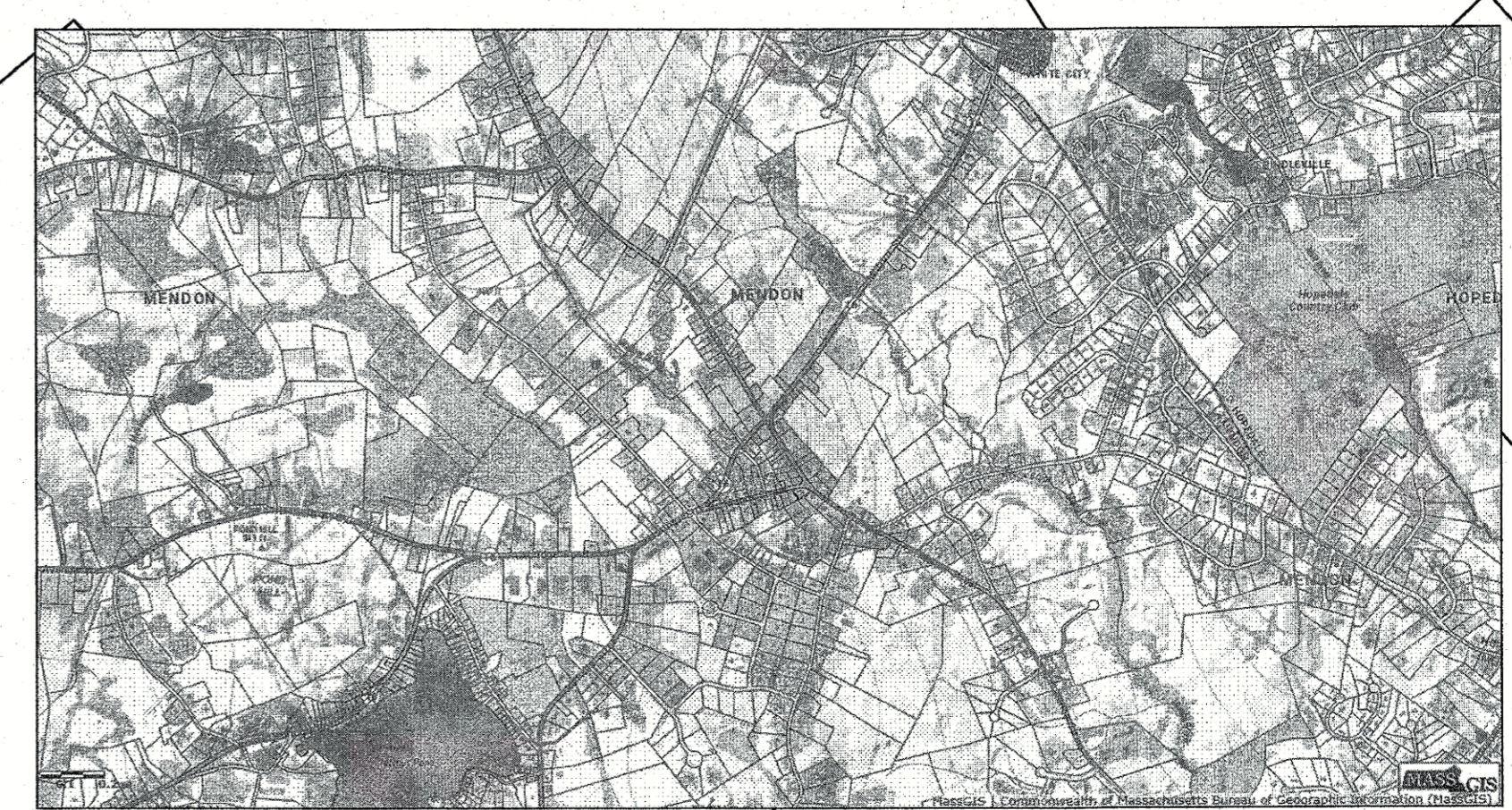
Petition, application, or appeal herein, including documents required listed under Rules and Regulations of the Mendon Zoning Board of Appeals, and filing fee of \$ _____ received this date.

Town Clerk

Date

Attachment A
Existing Conditions Plan and Overall Site Plan

JEFFREY J. STEFANIK PLS DATE
JULY 29, 2022



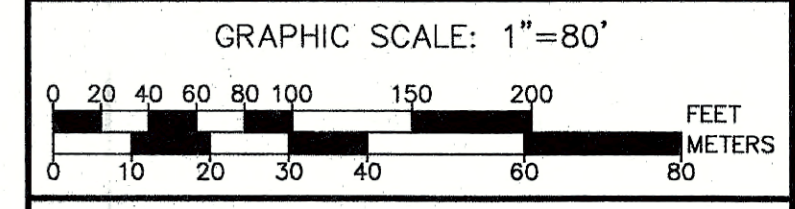
NOTES

- 1) SEE THE FOLLOWING PLANS RECORDED AT THE WORCESTER DISTRICT REGISTRY OF DEEDS-
PLAN BOOK 813 PLAN 29 AUGUST 2004
PLAN BOOK 340 PLAN 25 OCTOBER 1966
PLAN BOOK 303 PLAN 111 OCTOBER 1966
PLAN BOOK 164 PLAN 33 DECEMBER 1949
(ROUTE 16 LAYOUT)
LC PLAN 18875B APRIL 1951
LC PLAN 18875A FEBRUARY 1946
- 2) THE VERTICAL DATUM IS NAVD88
- 3) THE HORIZONTAL DATUM IS NAD83
- 4) THE WETLANDS DEPICTED HEREON WERE DELINEATED IN THE FIELD BY GODDARD CONSULTING, LLC NORTHBORO MA.
- 5) UNDERGROUND FEATURES DEPICTED HEREON HAVE BEEN COMPILED FROM VARIOUS SOURCES AND MUST BE CONSIDERED APPROXIMATE IN NATURE. CONTACT "DIG-SAFE" AT 811 BEFORE ANY EXCAVATION WORK.

OWNER:
HASTINGS STREET PLAZA LLC
BOOK 59891 PAGE 137 (35-37 HASTINGS ST)
BOOK 62576 PAGE 72 (12 WASHINGTON ST)

DETERMINATION, INC.
BOOK 66688 PAGE 263 (20 WASHINGTON ST)

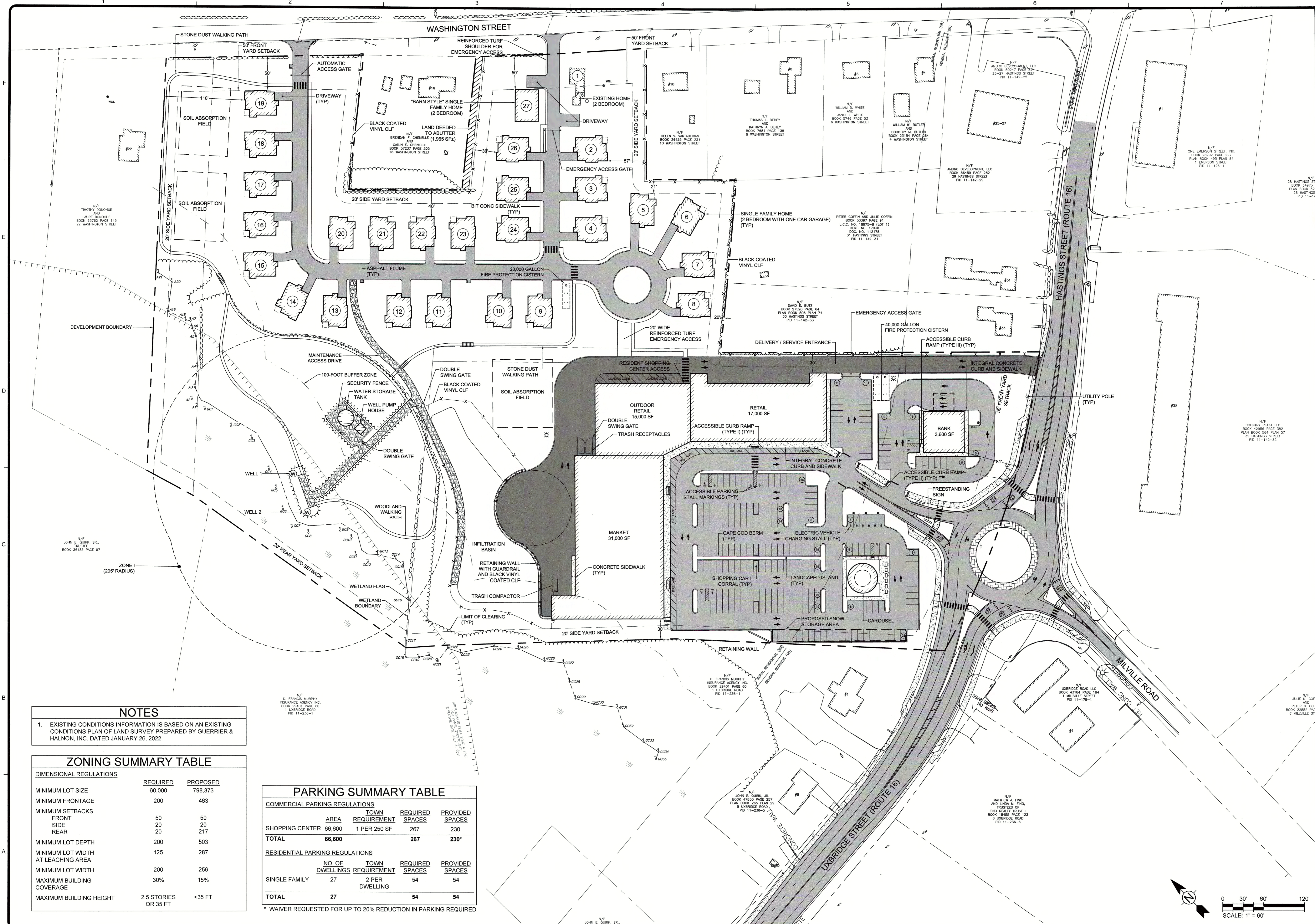
ANRAD PLAN OF LAND
HASTINGS STREET (ROUTE 16)
AND WASHINGTON STREET
MENDON, MASS.
SCALE: 1"=80'
DATE: MAY 23, 2022
REVISED: JULY 29, 2022



Guerriere & Halnon, Inc.
ENGINEERING & LAND SURVEYING
333 WEST STREET PH. (508) 473-6630
MILFORD, MA 01757 FX. (508) 473-8243
www.gandhengineering.com

TOTAL AREA= 798,372 SF (18.33 ACRES)
LOT A= 369,258 SF (8.48 ACRES) CONSISTS OF PARCEL 35,
PARCEL 37 AND A PORTION OF PARCEL 18
LOT B= 429,114 SF (9.85 ACRES) CONSISTS OF PARCEL 20 AND A
PORTION OF PARCEL 18

8/10/2022 9:37:00 AM - P:\305225\143-305225-20004 (85-37 HASTINGS)CAD\SHSHEETFILES\SITE PLANS\BVAR\ANCEIC-120 OVERALL SITE PLAN DWG - MASON, CLAYTON



NOTES

1. EXISTING CONDITIONS INFORMATION IS BASED ON AN EXISTING CONDITIONS PLAN OF LAND SURVEY PREPARED BY GUERRIER & HALNON, INC. DATED JANUARY 26, 2022.

ZONING SUMMARY TABLE

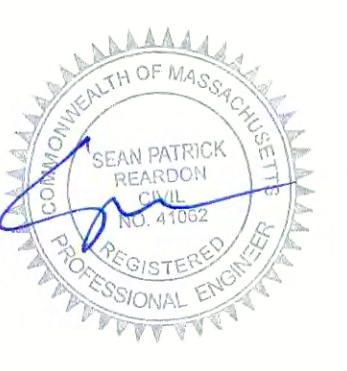
DIMENSIONAL REGULATIONS		
	REQUIRED	PROPOSED
MINIMUM LOT SIZE	60,000	798,373
MINIMUM FRONTAGE	200	463
MINIMUM SETBACKS		
FRONT	50	50
SIDE	20	20
REAR	20	217
MINIMUM LOT DEPTH	200	503
MINIMUM LOT WIDTH AT LEACHING AREA	125	287
MINIMUM LOT WIDTH	200	256
MAXIMUM BUILDING COVERAGE	30%	15%
MAXIMUM BUILDING HEIGHT	2.5 STORIES OR 35 FT	<35 FT

PARKING SUMMARY TABLE

COMMERCIAL PARKING REGULATIONS				
	AREA	TOWN REQUIREMENT	REQUIRED SPACES	PROVIDED SPACES
SHOPPING CENTER	66,600	1 PER 250 SF	267	230
TOTAL	66,600		267	230*
RESIDENTIAL PARKING REGULATIONS				
	NO. OF DWELLINGS	TOWN REQUIREMENT	REQUIRED SPACES	PROVIDED SPACES
SINGLE FAMILY	27	2 PER DWELLING	54	54
TOTAL	27		54	54

* WAIVER REQUESTED FOR UP TO 20% REDUCTION IN PARKING REQUIRED

TETRA TECH
www.tetrattech.com
100 Nickerson Road
Marlborough, Massachusetts 01752
Phone: (508) 786-2200 Fax: (508) 786-2201



BY	DESCRIPTION
CIVM	Zoning Board of Appeals Variance

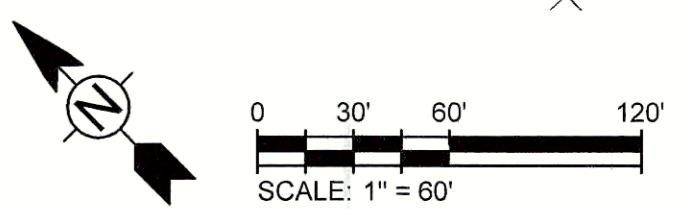
MARK	DATE	DESCRIPTION
	8/10/22	Zoning Board of Appeals Variance

Hastings Street Plaza LLC
Hastings Street and Washington Street
Mendon, Massachusetts

PROJ: 143-305225-20004
DESN: BMP
DRWN: BMP
CHKD: SPR

C-120

Copyright: Tetra Tech



Bar Measures 1 inch, otherwise drawing not to scale

Attachment B
Certified Abutters List and Mailing Labels



TOWN OF MENDON
BOARD OF ASSESSORS
20 MAIN STREET
MENDON, MA 01756
508-473-2738
508-478-8241 (Fax)
e-mail: assessor@mendonma.gov


September 7, 2022

*PROPERTY LOCATION(S): 18 Washington Street, Mendon, Massachusetts
Assessor's Map #8-242-18*
PROPERTY OWNER(S): Hastings Street Plaza LLC
OWNER(S) ADDRESS: P. O. Box 444, Mendon, MA 01756
*RECORDED: Worcester Registry of Deeds
June 12, 2020, Book #62576, Page #72*

AND

*PROPERTY LOCATION(S): 20 Washington Street, Mendon, Massachusetts
Assessor's Map #8-242-20*
PROPERTY OWNER(S): Determination Inc.
OWNER(S) ADDRESS: 8 Uxbridge Road, Mendon, MA 01756
*RECORDED: Worcester Registry of Deeds
December 7, 2021, Book #66688, Page #264*

The attached 300' abutter's list is true and accurate to the best of our knowledge.

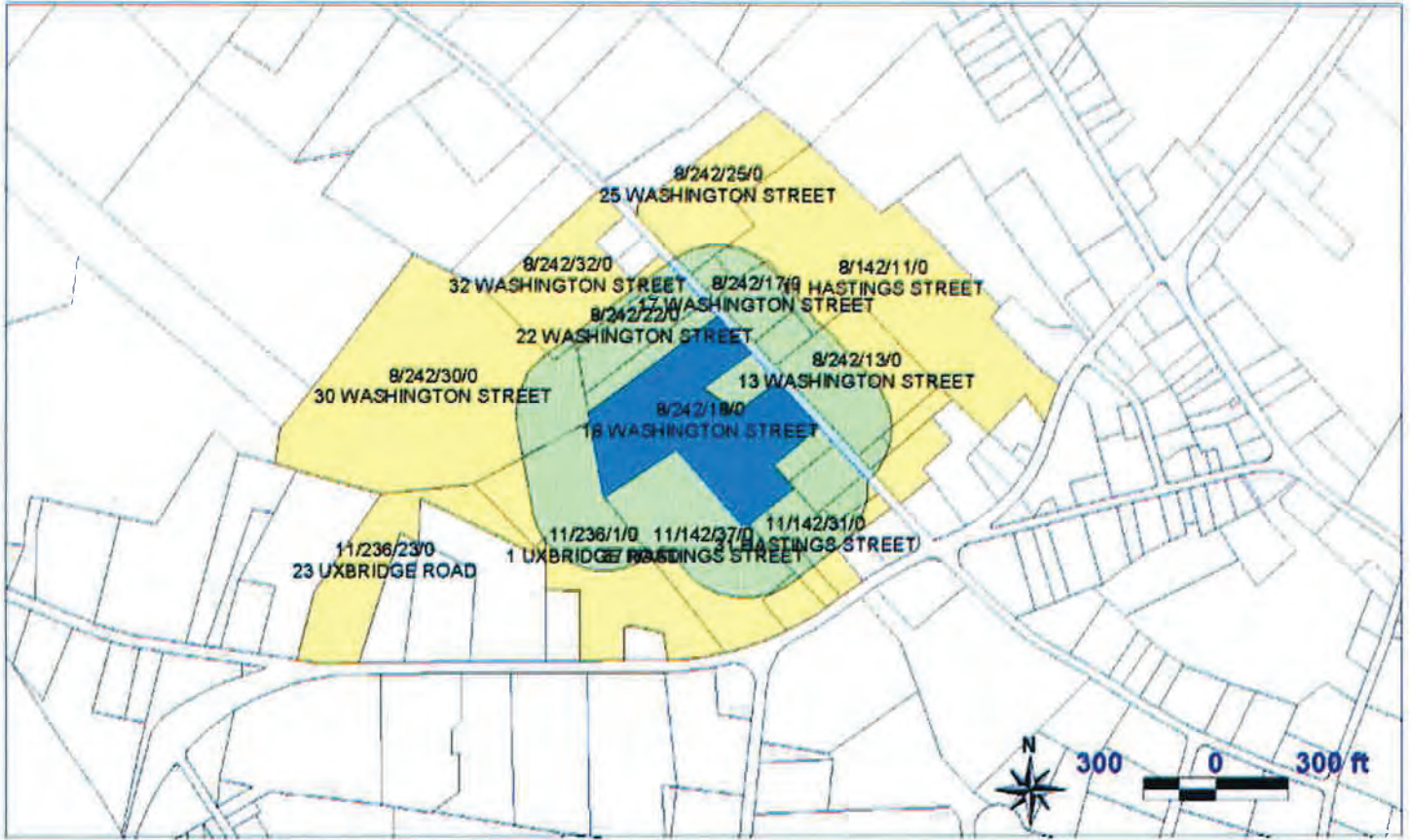
Sincerely,

Jean M. Berthold, MAA, CAA
Principal Assessor

Attachment

**This list is valid for 30 days from the date of certification.*

TOWN OF MENDON, MA
 BOARD OF ASSESSORS
 20 Main Street, Mendon, MA 01756

Abutters List Within 300 feet of Parcel 8/242/18/0

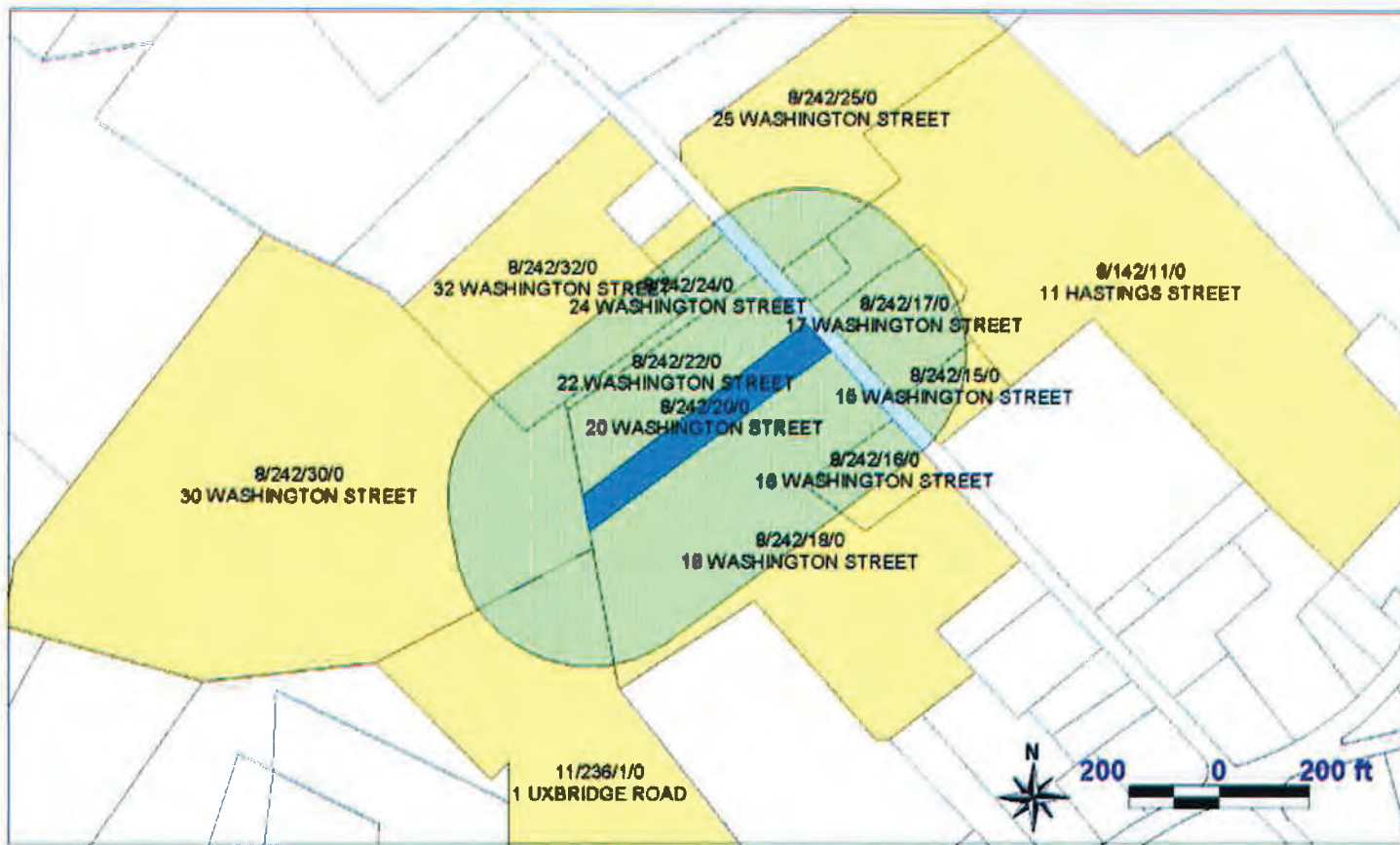


Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
298	8-142-11-0-R	PETERSON BRENNIA K TRUSTEE MCSHANE WASHINGTON ST LEG TRST	11 HASTINGS STREET	19 WASHINGTON STREET	MENDON	MA	01756
409	8-242-13-0-R	GANNETT JOHN D JR & UTE D	13 WASHINGTON STREET	60 WASHINGTON STREET	MENDON	MA	01756
410	8-242-15-0-R	FALCONE DANIEL JAMES & STACY LAUREN FALCONE	15 WASHINGTON STREET	15 WASHINGTON STREET	MENDON	MA	01756
411	8-242-16-0-R	CHENELLE BRENDAN F & CAILIN E	16 WASHINGTON STREET	16 WASHINGTON STREET	MENDON	MA	01756
412	8-242-17-0-R	KRAUSS JASON E & KARA J	17 WASHINGTON STREET	17 WASHINGTON STREET	MENDON	MA	01756
413	8-242-18-0-R	HASTINGS STREET PLAZA LLC	18 WASHINGTON STREET	P O BOX 444	MENDON	MA	01756-0444
414	8-242-20-0-R	DETERMINATION INC	20 WASHINGTON STREET	8 UXBRIDGE ROAD	MENDON	MA	01756
415	8-242-21-0-R	MYERS CHARLES H & MARCIA A.	21 WASHINGTON STREET	PO BOX 362	MENDON	MA	01756
416	8-242-22-0-R	DONOHUE TIMOTHY & LAURA	22 WASHINGTON STREET	22 WASHINGTON STREET	MENDON	MA	01756
418	8-242-24-0-R	SWAN BARBARA J	24 WASHINGTON STREET	24 WASHINGTON STREET	MENDON	MA	01756
417	8-242-25-0-R	HACKENSON THOMAS JR & KATHRYN	25 WASHINGTON STREET	25 WASHINGTON STREET	MENDON	MA	01756
422	8-242-30-0-R	QUIRK JOHN E SR TRUSTEE QUIRK FAMILY REALTY TRUST	30 WASHINGTON STREET	14 PARK STREET	MENDON	MA	01756
424	8-242-32-0-R	GOURIEV VICTOR & ANNA	32 WASHINGTON STREET	32 WASHINGTON STREET	MENDON	MA	01756
772	11-142-31-0-R	COFFIN PETER & JULIE N	31 HASTINGS STREET	3 OLD SAW MILL ROAD	MENDON	MA	01756
774	11-142-33-0-R	BUTZ DAVID E	33 HASTINGS STREET	33 HASTINGS STREET	MENDON	MA	01756

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
775	11-142-35-0-R	HASTINGS STREET PLAZA LLC	35 HASTINGS STREET	P O BOX 444	MENDON	MA	01756-0444
776	11-142-37-0-R	HASTINGS STREET PLAZA LLC	37 HASTINGS STREET	P O BOX 444	MENDON	MA	01756-0444
948	11-236-1-0-R	D FRANCIS MURPHY INSURANCE AGENCY INC	1 UXBRIDGE ROAD	50 MAIN STREET	HUDSON	MA	01749
957	11-236-23-0-R	QUIRK JAMES M & JOHN E JR.	23 UXBRIDGE ROAD	23 UXBRIDGE ROAD	MENDON	MA	01756
994	11-242-4-0-R	BUTLER DOROTHY M (LE) & TRUDY A BUTLER	4 WASHINGTON STREET	4 WASHINGTON STREET	MENDON	MA	01756
995	11-242-5-0-R	KLEIN TIMOTHY J & VOACH C	5 WASHINGTON STREET	5 WASHINGTON STREET	MENDON	MA	01756
996	11-242-6-0-R	WHITE WILLIAM D & JANET L	6 WASHINGTON STREET	6 WASHINGTON STREET	MENDON	MA	01756
997	11-242-7-0-R	MURPHY MARTHA	7 WASHINGTON STREET	101 ADIN STREET	HOPEDALE	MA	01747
998	11-242-8-0-R	DEHEY KATHRYN A	8 WASHINGTON STREET	8 WASHINGTON STREET	MENDON	MA	01756
999	11-242-9-0-R	MURPHY MARTHA	9 WASHINGTON STREET	10 ADIN STREET	HOPEDALE	MA	01747
1000	11-242-10-0-R	VARTABEDIAN HELEN V TRUSTEE VARTABEDIAN FAMILY TRUST	10 WASHINGTON STREET	10 WASHINGTON STREET	MENDON	MA	01756

TOWN OF MENDON, MA
 BOARD OF ASSESSORS
 20 Main Street, Mendon, MA 01756

Abutters List Within 300 feet of Parcel 8/242/20/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
298	8-142-11-0-R	PETERSON BRENNIA K TRUSTEE MCSHANE WASHINGTON ST LEG TRST	11 HASTINGS STREET	19 WASHINGTON STREET	MENDON	MA	01756
410	8-242-15-0-R	FALCONE DANIEL JAMES & STACY LAUREN FALCONE	15 WASHINGTON STREET	15 WASHINGTON STREET	MENDON	MA	01756
411	8-242-16-0-R	CHENELLE BRENDAN F & CAILIN E	16 WASHINGTON STREET	16 WASHINGTON STREET	MENDON	MA	01756
412	8-242-17-0-R	KRAUSS JASON E & KARA J	17 WASHINGTON STREET	17 WASHINGTON STREET	MENDON	MA	01756
413	8-242-18-0-R	HASTINGS STREET PLAZA LLC	18 WASHINGTON STREET	P O BOX 444	MENDON	MA	01756-0444
414	8-242-20-0-R	DETERMINATION INC	20 WASHINGTON STREET	8 UXBRIDGE ROAD	MENDON	MA	01756
415	8-242-21-0-R	MYERS CHARLES H & MARCIA A	21 WASHINGTON STREET	PO BOX 362	MENDON	MA	01756
416	8-242-22-0-R	DONOHUE TIMOTHY & LAURA	22 WASHINGTON STREET	22 WASHINGTON STREET	MENDON	MA	01756
418	8-242-24-0-R	SWAN BARBARA J	24 WASHINGTON STREET	24 WASHINGTON STREET	MENDON	MA	01756
417	8-242-25-0-R	HACKENSON THOMAS JR & KATHRYN	25 WASHINGTON STREET	25 WASHINGTON STREET	MENDON	MA	01756
420	8-242-26-0-R	MALNATI PAULA J	26 WASHINGTON STREET	117 HIGHLAND STREET	MILFORD	MA	01757
422	8-242-30-0-R	QUIRK JOHN E SR TRUSTEE QUIRK FAMILY REALTY TRUST	30 WASHINGTON STREET	14 PARK STREET	MENDON	MA	01756
424	8-242-32-0-R	GOURIEV VICTOR & ANNA	32 WASHINGTON STREET	32 WASHINGTON STREET	MENDON	MA	01756
948	11-236-1-0-R	D FRANCIS MURPHY INSURANCE AGENCY INC	1 UXBRIDGE ROAD	50 MAIN STREET	HUDSON	MA	01749

8-142-11-0	PETERSON BRENNIA K TRUSTEE MCSHANE WASHINGTON ST LEG TRST 19 WASHINGTON STREET MENDON, MA 01756	8-242-13-0	GANNETT JOHN D JR & UTE D 60 WASHINGTON STREET MENDON, MA 01756	8-242-15-0	FALCONE DANIEL JAMES & STACY LAUREN FALCONE 15 WASHINGTON STREET MENDON, MA 01756
8-242-16-0	CHENELLE BRENDAN F & CAILIN E 16 WASHINGTON STREET MENDON, MA 01756	8-242-17-0	KRAUSS JASON E & KARA J 17 WASHINGTON STREET MENDON, MA 01756	8-242-18-0	HASTINGS STREET PLAZA LLC P O BOX 444 MENDON, MA 01756-0444
8-242-20-0	DETERMINATION INC 8 UXBRIDGE ROAD MENDON, MA 01756	8-242-21-0	MYERS CHARLES H & MARCIA A PO BOX 362 MENDON, MA 01756	8-242-22-0	DONOHUE TIMOTHY & LAURA 22 WASHINGTON STREET MENDON, MA 01756
8-242-24-0	SWAN BARBARA J 24 WASHINGTON STREET MENDON, MA 01756	8-242-25-0	HACKENSON THOMAS JR & KATHRYN 25 WASHINGTON STREET MENDON, MA 01756	8-242-26-0	MALNATI PAULA J 117 HIGHLAND STREET MILFORD, MA 01757
8-242-30-0	QUIRK JOHN E SR TRUSTEE QUIRK FAMILY REALTY TRUST 14 PARK STREET MENDON, MA 01756	8-242-32-0	GOURIEV VICTOR & ANNA 32 WASHINGTON STREET MENDON, MA 01756	11-142-31-0	COFFIN PETER & JULIE N 3 OLD SAW MILL ROAD MENDON, MA 01756
11-142-33-0	BUTZ DAVID E 33 HASTINGS STREET MENDON, MA 01756	11-142-35-0	HASTINGS STREET PLAZA LLC P O BOX 444 MENDON, MA 01756-0444	11-236-1-0	D FRANCIS MURPHY INSURANCE AGENCY INC 50 MAIN STREET HUDSON, MA 01749
11-242-4-0	BUTLER DOROTHY M (LE) & TRUDY A BUTLER 4 WASHINGTON STREET MENDON, MA 01756	11-242-5-0	KLEIN TIMOTHY J & VOACH C 5 WASHINGTON STREET MENDON, MA 01756	11-242-6-0	WHITE WILLIAM D & JANET L 6 WASHINGTON STREET MENDON, MA 01756
11-242-7-0	MURPHY MARTHA 101 ADIN STREET HOPEDALE, MA 01747	11-242-8-0	DEHEY KATHRYN A 8 WASHINGTON STREET MENDON, MA 01756	11-242-10-0	VARTABEDIAN HELEN V TRUSTEE VARTABEDIAN FAMILY TRUST 10 WASHINGTON STREET MENDON, MA 01756

Attachment C
Deed for Subject Property

Worcester South District Registry of Deeds Electronically Recorded Document

This is the first page of the document – Do not remove

Recording Information

Document Number	: 61269
Document Type	: DEED
Recorded Date	: June 12, 2020
Recorded Time	: 09:15:28 AM
Recorded Book and Page	: 62576 / 72
Number of Pages(including cover sheet)	: 3
Receipt Number	: 1233682
Recording Fee (including excise)	: \$2,868.20

 MASSACHUSETTS EXCISE TAX
 Worcester District ROD #20 001
 Date: 06/12/2020 09:15 AM
 Ctrl# 209914 27220 Doc# 00061269
 Fee: \$2,713.20 Cons: \$595,000.00

Worcester South District Registry of Deeds
 Kathryn A. Toomey, Register
 90 Front St
 Worcester, MA 01608
 (508) 798-7717

Property Address: 12 Washington Street, Mendon, Massachusetts

QUITCLAIM DEED

I, **Dawn M. Lefrancois**, Trustee of the **Congdon II Nominee Trust**, under Indenture of Trust dated May 15, 2008 and recorded with Worcester District Registry of Deeds in Deed Book 42841, Page 129, with an address of 218 Mill Street, Uxbridge, Massachusetts 01569, for consideration paid, and in full consideration of **Five Hundred Ninety-Five Thousand and 00/100 (\$595,000.00) Dollars**, grant to **Hastings Street Plaza LLC**, a Massachusetts limited liability company with an address of 8 Uxbridge Road, P.O. Box 444, Mendon, Massachusetts 01756,

with QUITCLAIM COVENANTS

A certain tract or parcel of land situated on the south-westerly side of Washington Street, so called, in said Mendon described as Map 8, Lot 18 on a plan by Andrews Survey and Engineering, Inc., 104 Mendon Street, Uxbridge, Massachusetts 01569 entitled "Plan of Land in Mendon, Massachusetts 12 Washington Street Owned by Robert P. & Helen A. Congdon Scale: 1" = 60' 07-26-04" said plan recorded with Worcester District Registry of Deeds on August 5, 2004 as Plan 29 in Plan Book 813. Said lot containing 9.06 +/- acres according to said plan.

This conveyance is made subject to and with the benefit of all restrictions, easements, rights, agreements, and stipulations of record, if any there be, insofar as the same are now in force and applicable.

Subject to real estate taxes assessed by the Town of Mendon for the fiscal year beginning July 1, 2020 but not yet due and payable.

I further state that neither I nor any of the beneficiaries of the aforesaid trust nor our spouses have the right to make any claim of homestead in the above

described premises.

For title, see deed of Helen A. Congdon dated June 9, 2016, and recorded with Worcester District Registry of Deeds in Deed Book 55455, Page 103.


Witness my hand and seal this 11th day of June, 2020.

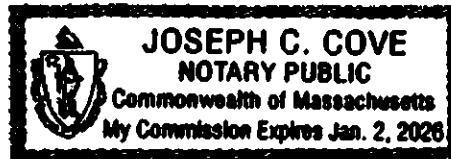

Dawn M. Lefrancois

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

On this 11th day of June, 2020, before me, the undersigned notary public, personally appeared Dawn M. Lefrancois, who proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose as her free act and deed as trustee as aforesaid.


Notary Public
My commission expires:



Attachment D
Copy of MassDEP Correspondence

From: [Connors, Susan \(DEP\)](#)
To: [Moyen, Matthew](#); [OKeefe, Timothy \(DEP\)](#)
Cc: [johnn](#); [Reardon, Sean](#); [Phelps, William](#)
Subject: RE: Mendon - BRP WS-13 - Request for Site Exam and Pumping Test Proposal
Date: Wednesday, September 1, 2021 12:11:13 PM

Hi Matt,

What we need clarification on is the residential portion described previously as residents owning their unit, but only leasing the land. Condominium associations usually own the land through a trust and each unit owner has a percentage of ownership in the land. **For a community water system, MassDEP requires that the residential owners have full ownership of the Zone I and facility land and are in complete control of the water system.** The lease proposal is not acceptable.

Basically, the developer can build this entire project and then transfer it to a Condo Association that will own the water system and bill for the water use. But if he wants a long-term investment project, then the residential part needs to be rentals. In that scenario, the entire project remains under one corporation that charges rents to the residential and commercial properties. In the corporation example, the corporation is the residential owner and the supplier of water. In the condo example, the condo owners are the supplier of water. In both cases, the supplier of water must own the land.

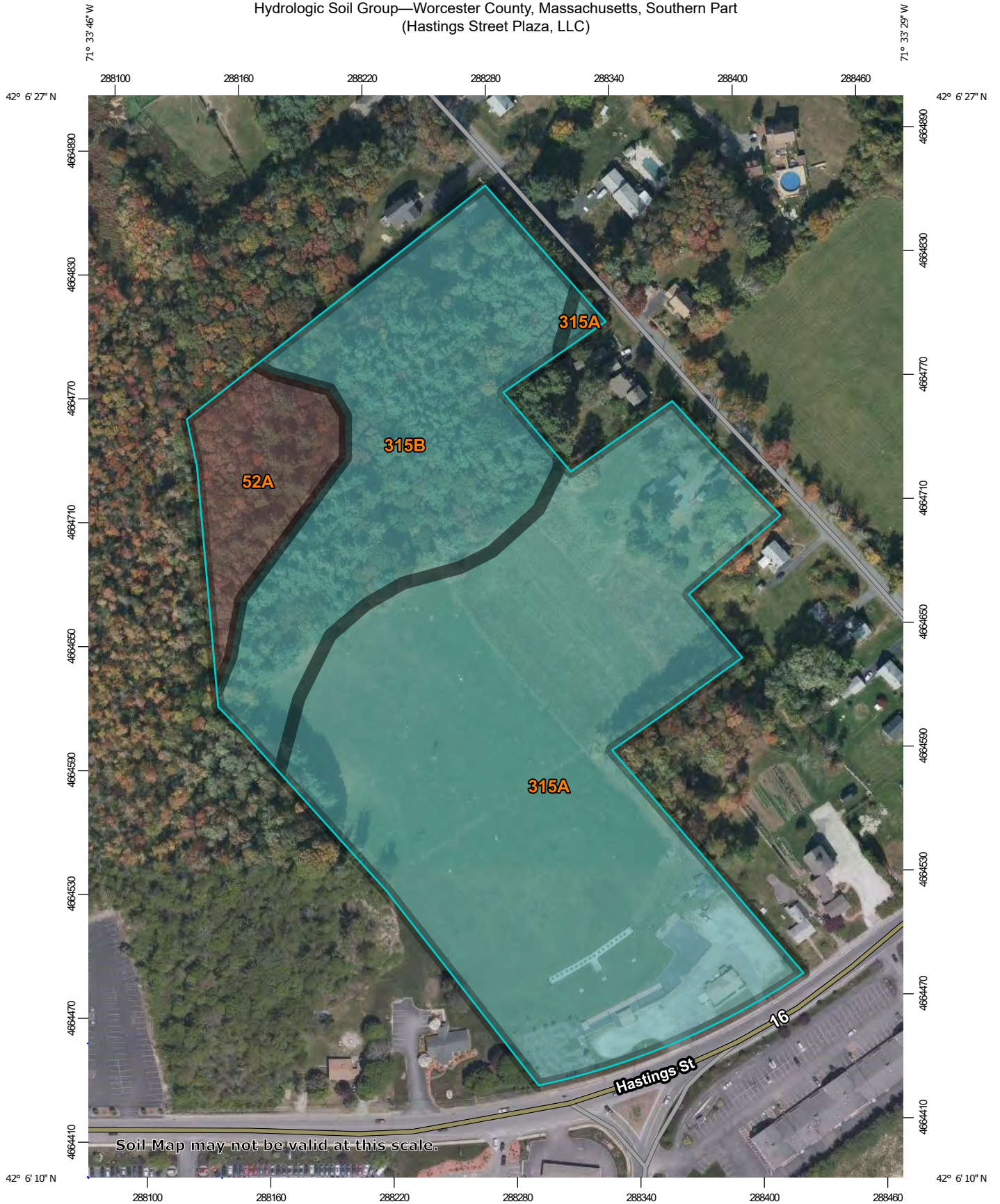
Please explain that to your client and let us know his response. If needed, we can have his attorney speak with the MassDEP attorney assigned to this review.

Thank you,
Susan

Susan Connors
MassDEP-CERO
Drinking Water and Water Management Programs
8 New Bond Street, Worcester, MA 01606
Work Cell 857-248-1594
susan.connors@mass.gov

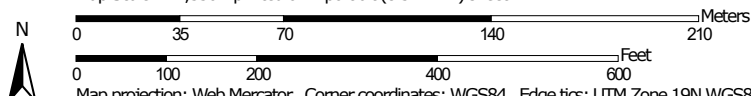
Attachment E
NRCS Soils Map

Hydrologic Soil Group—Worcester County, Massachusetts, Southern Part
(Hastings Street Plaza, LLC)



Soil Map may not be valid at this scale.


Map Scale: 1:2,550 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84

MAP LEGEND

Area of Interest (AOI)









 Area of Interest (AOI)

Soils

Soil Rating Polygons





 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Lines

 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Points


 A
 A/D
 B
 B/D

 C
 C/D
 D
 Not rated or not available


Water Features

 Streams and Canals

Transportation

 Rails
 Interstate Highways
 US Routes
 Major Roads
 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:25,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Worcester County, Massachusetts, Southern Part
 Survey Area Data: Version 14, Sep 3, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 24, 2020—Oct 15, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
52A	Freetown muck, 0 to 1 percent slopes	B/D	1.5	8.2%
315A	Scituate fine sandy loam, 0 to 3 percent slopes	C	11.4	62.5%
315B	Scituate fine sandy loam, 3 to 8 percent slopes	C	5.4	29.4%
Totals for Area of Interest			18.3	100.0%

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher