PLANNING BOARD TOWN OF BOLTON, MASSACHUSETTS CERTIFICATE OF APPROVAL OF DEFINITIVE SUBDIVISION APPROVAL

Town of Bolton 663 Main Street Bolton, MA 01740 Bolton, Worcester County, Massachusetts

It is hereby certified by the Planning Board of the Town of Bolton (hereinafter, the "Board") that a duly called and properly posted meeting of the Board was opened and held on January 10, 2018, continued to February 14, 2018 and closed on February 28, 2018. The Board voted unanimously on February 28, 2018 to approve a Definitive Subdivision of Land entitled "Keyes Farm", dated October 25, 2017 with revisions February 5, 2018 and February 20, 2018 (hereinafter, the "Plan"), prepared by Ducharme and Dillis Civil Design Group, Inc., submitted by WD Bolton, LLC, 33 Lyman Street, Suite 300, Westborough, MA 01581 (hereinafter, the "Applicant") as the representative for the property owners listed in Exhibit "A" attached hereto and incorporated herein (hereinafter, the "Property Owners"), filed with the Board on November 20, 2017 (hereinafter, the "Application"), encompassing the land located off of Hudson Road and Danforth Lane identified by the Assessors as Map 3.D Parcels 9 and 9A (54.3 acres) and showing a total of eighteen (18) lots (hereinafter, the "Site").

Members of the Board attending all sessions of the public hearing, deliberating and voting on the Petition were Erik Neyland, Danielle Spicer, Michael Gorr, and Peter Driscoll.

On February 28, 2018, pursuant to M.G.L. c.39, Section 23.D, Danielle Spicer, a member of the Board, certified in writing that she examined all of the evidence received by the Board including a video recording of the hearing held on February 14, 2018 which she had failed to attend.

Throughout its deliberations, the Board was mindful of the statements of the Applicant and the comments of the general public, all as made or received at the public hearing.

FINDINGS

The Board, with four (4) members present, unanimously made the following findings:

- 1. The Plan protects the safety, convenience and welfare of the inhabitants of the Town of Bolton and complies with the Bylaws of the Town of Bolton and with The Town of Bolton's Rules and Regulations for the Subdivision of Land.
- 2. The proposed Keyes Farm subdivision exercises due respect for:
 - a. Town of Bolton's Bylaws:
 - b. The safety of Hudson Road as designed for normal use;
 - c. The safety of the intersection with the existing town right of way;
 - d. The adequacy of the proposed roadway to provide access to vehicles carrying materials which are potentially hazardous if spilled, such as heating oil; and
 - e. The environmental impact on wetlands and water resource areas.
- 3. The Application was filed with the Planning Board, Town Clerk, Board of Health and Conservation Commission on November 20, 2017 and was a complete and proper submission.

- 4. The hearing regarding the Application was properly noticed and opened at a properly posted meeting on January 10, 2018 which was properly continued to February 14, 2018 and February 28, 2018.
- 5. The Applicant, as representative for the Property Owners, filed with the Board an application for a Special Permit pursuant to Section 250-14 *et. seq* "Farmland and Open Space Planned Residential Development" and Section 250-15 *et. seq* "Major Residential Development" (the "FOSPRD Application") on November 20, 2017.
- 6. By letter dated February 14, 2018, the Board and the Applicant agreed to extend the 90 day period for the Board to render its decision pursuant to M.G.L. Chapter 41, Section 81U through February 28, 2018.

WAIVERS

As part of this Certificate of Approval, the Board grants the following waivers from the Town of Bolton Planning Board's Rules and Regulations for the Subdivision of Land. The Planning Board finds that the following waivers are in the public interest and are not inconsistent with the intent and purpose of the Subdivision Control Law:

- 1. Section 4230(b) (Street Plan and Profile)
 - a. The Subdivision Regulations require a drainage pipe and structure table. The Board approved a waiver of this Subdivision Regulation to allow all required information to be shown on the street plan and profile.
- 2. Section 4250 (Soil Survey Plan)
 - a. The Subdivision Regulations require borings to be conducted every 200 feet in alternate lanes. The Board approved a waiver of this Subdivision Regulation given the extensive soil testing that was completed for the on-site sewage disposal systems.
- 3. Section 4280 (Traffic Study)
 - a. The Subdivision Regulations require a traffic study of a scope specified by the Board in all applications where the proposed subdivision will, in the opinion of the Board, be likely to produce an additional 100 ADT (Average Daily Traffic) per weekday, based on the Trip Generation Manual. The Board approved a waiver of this Subdivision Regulation where the proposed subdivision will be likely to produce an additional 170 ADT per weekday.
- 4. Section 5220.1(e) (Location)
 - a. The Subdivision Regulations require streets to be laid out so as to intersect at intervals which permit the block size to be in the range of 600 to 1,200 feet in length. The Board approved a waiver for this Subdivision Regulation to allow a reduced block size of approximately 390 feet from Danforth Lane.
- 5. Section 5220.2(d) (Horizontal Alignment)
 - a. The Subdivision Regulations require, wherever possible, centerline horizontal curve (beginning and end of curve) points coincide with centerline vertical curve (beginning and end of curve) points. The Board approved a waiver of this Subdivision Regulation to allow the proposed road alignment as shown on the Plan.

6. Section 5220.3(a)4 (Lane Width)

a. The Subdivision Regulations require twenty-four (24) foot pavement width for lanes. The Board approved a waiver of this Subdivision Regulation to allow the respective traveled way to be twenty-two (22) feet wide as shown on the Plan.

7. Section 5220.5(a) (Dead End Streets (Cul-de-Sac))

a. The Subdivision Regulations require that dead end streets (or streets connected to a throughway at only a single point, whether temporary or permanent) shall not be longer than 500 feet and not shorter than 250 feet measured from the centerline of the intersecting street, along the actual centerline of the cul-de-sac, to the center point of the cul-de-sac. The Board approved a waiver of this Subdivision Regulation to increase the length of the cul-de-sac to 1,577.50 feet.

8. Section 5220.5(b) (Dead End Streets (Cul-de-Sac))

a. The Subdivision Regulations require that the cul-de-sac provide (at the closed end) a turnaround having an outside roadway diameter of at least one hundred and twenty (120) feet. The Board approved a waiver of this Subdivision Regulation to reduce the outside roadway diameter to one hundred (100) feet as a result of eliminating the landscape island within the cul-de-sac.

9. Section 5220.5(c) (Dead End Streets (Cul-de-Sac))

a. The Subdivision Regulations require that the unpaved portion of a cul-de-sac have a diameter of fifty (50) feet and shall be landscaped except where trees or shrubs exist, or where desirable natural features exist to be preserved. The Board approved a waiver of this Subdivision Regulation to eliminate the landscape island within the cul-de-sac at the recommendation of the Bolton DPW and Fire Department for the ease of maneuvering of town plows and emergency vehicles.

10. Section 5230.2 (Lighting)

a. The Subdivision Regulations require that lighting be located at each intersection and at the closed end of each cul-de-sac. The Board approved a waiver of this Subdivision Regulation to eliminate a street light at the closed end of the cul-de-sac.

11. Section 5230.3(b)9.f (Stormwater Management)

a. The Subdivision Regulations require all drain lines to be reinforced concrete Class III or stronger and a minimum of twelve (12) inches in diameter. The Board approved a waiver of this Subdivision Regulation to allow for an eight (8) inch diameter ductile iron for drain pipe DP-5A.

12. Section 5230.3(b)9.g (Stormwater Management)

a. The Subdivision Regulations require the minimum earth cover on top of drain lines and culvert pipes to be three (3) feet. The Board approved a waiver of this Subdivision Regulation to allow for approximately one (1) foot of cover over drain pipe DP-5A.

13. Section 5310(i) (Criteria for Open Space)

a. The Subdivision Regulations require monuments to be five (5) inches by five (5) inches granite or concrete, embedded 3.75 feet below finished grade. The Board approved a waiver of this Subdivision Regulation to allow for iron rods with caps after consultation with the Bolton Conservation Commission.

CONDITIONS

This Certificate of Approval is subject to the following conditions:

- 1. The name of the road shall be Moderator Way. The endorsement of approval of the definitive plan does not constitute the laying out or Town acceptance of ways within a subdivision. Prior to the Town considering acceptance of the road all improvements must be made in accordance with the plans and in pursuant to Section 7000 of the Subdivision Rules and Regulations. The Applicant shall execute an instrument transferring to the Town, without cost to the Town, title to all utilities, drainage, trail, access, fire cistern, and open space easements.
- 2. The endorsement of approval of the definitive plan by the Board shall not be construed as authorizing the removal of earth material from the Site, even though the approval is in connection with the construction of a street shown on the Plan. All earth removal within a subdivision shall be in accordance Section 205 of the Code of the Town of Bolton.
- 3. Prior to endorsement of the Plan, the Board will require provisions for the completion of construction of ways and the installation of Town Services and any of the improvements approved in the Plan in accordance with the rules and regulations of the Board shall be secured by a Performance Guarantee satisfactory to and reviewed by the Board and Town Counsel as outlined in the Town of Bolton Subdivision Rules and Regulations, Section 4340. This Performance Guarantee shall be recorded with the Worcester Registry of Deeds prior to the commencement of any of the improvements approved in the Plan, and a copy of the recorded Performance Guarantee shall be delivered to the Board. The form of the Performance Guarantee, adequacy and or amount may be varied from time to time by the Applicant subject to an agreement satisfactory to the Board and reviewed by Town Counsel. If approved by the Board, any such amended Performance Guarantee must be recorded with the Worcester Registry of Deeds.
- 4. Approval is conditioned upon the receipt of a Performance Guarantee satisfactory to and reviewed by the Board and Town Counsel to insure that any construction related damage to Hudson Road is repaired by the Applicant in a manner satisfactory to the Board pursuant to Section 4340.4 of the Subdivision Rules and Regulations. This Performance Guarantee is to be received by the Board prior to the commencement of any of the improvements approved in the Plan and shall be required until the Board votes that the Applicant has completed all of the improvements approved in Plan.
- 5. The Board shall require, at the expense of the Applicant, reasonable construction inspection services by its Consultant Engineer to assist the Board in its determination as to the adequacy of the subdivision construction. This does not include inspection of the sewer lines and septic systems or private utilities. The Applicant shall provide an initial deposit in the amount of \$7,000 made payable to the Town of Bolton for its deposit into its reserve account. The deposit shall be required prior to the commencement of any of the improvements and/or work shown on the Plan. The Applicant shall be responsible for replenishing these funds on an as-needed basis during the course of construction.
- 6. Approval is conditioned upon the Applicant delivering to the Board a Quitclaim Deed, in a form satisfactory to the Board and to Town Counsel, granting to the Town of Bolton and under the care and custody of the Bolton Conservation Commission areas totaling 26.24 acres designated on the Plans as "Open Space 1" and "Open Space 2". The deed must be written to include the following three restrictions:

- a. No buildings may be constructed on the OSR land. No dwellings are allowed to be developed in the OSR area.
- b. The OSR Land shall be granted to the Town of Bolton and under the care and custody of the Bolton Conservation Commission. In no event may the OSR in any manner be combined, included or joined with or considered as part of the individual dwelling lot area(s). No portion of the OSR land may be included in determining the minimum dwelling lot areas(s) as prescribed in Section 250-13 or Subsection G(1) of the Bolton Bylaws.
- c. The OSR land can be used for passive or active recreation. Active recreation uses cannot cover more than ten (10%) percent of the OSR land.
- 7. All recordable instruments and any supporting agreements shall be submitted to the Board for review and approval by Town Counsel prior to the issuance of any building permits for any of Lots 1 through 18 (with the goal that such review and approval shall be accomplished within 30 days of submittal). No certificates of occupancy for Lots 1 through 18 shall be issued until the original, executed and acknowledged instruments necessary to comply with this decision, as approved by Town Counsel, have been delivered to Town Counsel.
- 8. Lots 1 through 18 created pursuant to this decision shall not be subsequently divided to create new building lots not shown on the Plans (provided that the lot lines of Lots 1 through 18 may be revised), and the initial deeds to Lots 1 through 18 shall include a restriction, or shall be subject to a restrictive covenant, (i) prohibiting any subsequent division of the lots to create new building lots not shown on the Plans, and (ii) prohibiting any future use of the Site to provide a right-of-way, common driveway, single or shared driveway, or other means of access to any lots or parcels not shown on the Plans, said restriction or restrictive covenant to be submitted to the Board and for review and approval by Town Counsel prior to the recording of said deeds or other related instruments (with the goal that such review and approval shall be accomplished within 30 days of submittal).
- 9. The Applicant shall contribute to Bolton's affordable housing pursuant to Section 250-27 of the Bolton Zoning Bylaws. The Applicant shall construct two (2) affordable housing units (duplex style) within the existing historical dwelling located at 258 Hudson Road (Lot 17). The affordable units shall be integrated with the rest of the development and shall be externally indistinguishable from the market-rate units and compatible in construction and quality of materials with other units. The Applicant shall provide to the Board a marketing plan for the affordable units which describes how said units will be marketed to potential homebuyers and shall include a description of the lottery or other process to be used for selected buyers. The plan shall be in conformance with DHCD rules and regulations. The affordable units shall be constructed and the marketing plan submitted to the Board prior to the issuance of the 9th building permit. If the renovation of the historical dwelling into two (2) affordable housing units proves to be economically infeasible, the Applicant may request from the Board to pay a fee-in-lieu of the units in accordance with Section 250-27 of the Bolton Zoning Bylaws. The Applicant shall provide an accurate cost breakdown showing the fee-in-lieu is less than the cost to construct the units.
- 10. The Applicant shall provide a donation to Bolton's Pedestrian Mobility Fund in the amount of \$15,000 prior to the issuance of building permits for Lots 1 through 18. The donation shall be provided in lieu of constructing a sidewalk along the frontage of the development.

- 11. The Applicant shall install boundary markers, obtained through the Conservation Commission, on all corners and every 100 feet of the open space property boundary.
- 12. Trail easements shall be shown on the Plan prior to the endorsement. Trail easements shall provide access to Open Space 1 as well as access to Open Space Danforth Brook (Map 2.D Parcel 48). All trail easements shall be 15 feet wide. The final location of the trail easements shall be approved by the Conservation Commission.
- 13. The Applicant shall provide an entry sign at all proposed trail heads prior to the issuance of building permits for Lots 1 through 18. The design and appearance of the entry sign shall be consistent with other trail entry signs located throughout Town. The design and location of the entry signs shall be approved by the Conservation Commission and shown on the Plan prior to endorsement.
- 14. The Applicant shall provide a cleared trail through Open Space 1 prior to the issuance of building permits for Lots 1 through 18. The final location of the trail shall be approved by the Conservation Commission and Trails Committee and shown on the Plan prior to the endorsement of the Plan.
- 15. The Applicant shall provide a firefighting water source in accordance with Section 250-19.1 of the Bolton Zoning Bylaws. The design of the cistern shall be reviewed and approved by the Bolton Fire Department prior to the commencement of any of the improvements and/or work shown on the Plan.
- 16. The Applicant shall submit a Stormwater Pollution Prevention Plan prior to the commencement of any of the improvements and/or work shown on the Plan.
- 17. Prior to a pre-construction meeting with the Board, the staking of the Site and placement of sediment and erosion controls and construction fencing shall be permitted.
- 18. Prior to the commencement of construction, a pre-construction meeting with the Board shall be required to review the following:
 - a. a timeline and phasing plan if necessary:
 - b. schedule for inspections;
 - c. measures to control erosion and sedimentation;
 - d. limitations on hours of work:
 - e. description of proposed earth removal;
 - f. types and numbers of vehicles and vehicle trips involved with construction;
 - g. staking of the natural woodland buffer between the Site and its frontage on Main Street;
 - h. tree and brush clearing:
 - i. grading and general site mitigation measures;
 - j. identification of all contractors, field engineers and all other professionals that will be involved in the implementation of the project;
 - k. removal of vegetation and top soil;
 - 1. drainage system construction;
 - m. major stages of roadway construction;
 - n. well(s) drilling;
 - o. excavation dates for building foundations; and
 - p. septic system installation.

- 19. Construction activities shall be conducted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m., and on Saturdays only at the prior approval of the Board in its sole discretion. Construction activities shall not occur on Sundays or on federal holidays. For purposes of this condition, construction activities shall include, but not be limited to each of the following: start-up of equipment or machinery, delivery of building materials and supplies, removal of trees, grubbing, clearing, grading, filling, excavating, import or export of earth materials, installation of utilities both on and off the site, demolition of existing structures, removal of stumps and debris and erection of new structures.
- 20. All erosion and sedimentation control measures shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediment be deposited in a wetland or waterbody. During construction, the Applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediment as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Town.
- 21. No building shall be occupied until the improvements specified in this decision and set forth on the plans of record are constructed and installed so as to adequately serve said building or adequate security has been provided, acceptable to the Planning Board to ensure such completion.
- 22. A copy of this Certificate of Decision shall be filed with the Town Clerk, and a copy of this Certificate of Decision together with copies of all plans referred to in the Certificate of Decision shall be filed with the Planning Board.
- Note to Board: Final approval, if granted, shall be endorsed on the original drawing of the definitive plan by the signatures of a majority of the Planning Board but not until the statutory 20 day appeal period has elapsed following the filing of this decision with the Town Clerk and said Clerk has notified the Board that no appeal has been filed. After the definitive plan has been approved and endorsed, the Planning Board shall return the original to the applicant. The decision which includes the waivers and conditions along with the endorsed plan is to be recorded at the Worcester Registry of Deeds. The plans should reference the decision.

Notice to Clerk: The Board should be notified immediately of any appeal to the Superior Court or Land Court of this Special Permit made within the statutory twenty (20) day appeal period. If no appeal is filed with your office, the Board should be notified at the end of the twenty (20) day appeal period in order that the plans may be endorsed.

RECORD OF VOTE
Date of Motion:
Motion made by <u>Danielle Spicer</u> to approve Keyes Farm Definitive Plan with the conditions as outlined above.
Motion seconded by Michael Corr.
Motion Carried
The following members of the Planning Board vote to grant a special permit subject to the above-stated terms and conditions: Danielle Spicer Michael Gorr Danielle Spicer Peter Driscoll
Date: Malch 6, 2018 By: Town Clerk Title: Town Clerk
CERTIFICATE OF NO APPEAL
The undersigned, being the Town Clerk of the Town of Bolton, certifies that the 20-day appeal period on this decision has passed and there have been no appeals made to this office. Date: Mach 27 2018 By: Land Clerk Title: Talk Clerk
Copies sent to: Applicant Abutters Abutting Towns Bolton Boards and Committees

Ducharme & Dillis Civil Design Group, Inc.

Exhibit "A"

PROPERTY OWNERS

Parcel 9 WD Bolton, LLC 33 Lyman Street, Suite 300 Westborough, MA 01581

Parcel 9A Matthew Jackson 21 Wellington Drive Hudson, MA 01749

Exhibit "B"

LIST OF RECORD DOCUMENTS

Original Application Documents

- 1. Application package including all documents, forms and data required under the Town of Bolton Subdivision Rules and Regulations in effect at the time of application. This package includes the following:
 - a. Application for Approval of a Definitive Plan.
 - b. Application for Special Permit: Farmland & Open Space Planned Residential Development.
 - c. Calculation and Filing Fee.
 - d. Impact Analysis which includes Physical Environment, Surface Water and Soils, Traffic Analysis, and Land Use Analysis.
 - e. Requested Waivers.
 - f. Certified List of Abutters.
 - g. Deed of Locus.
 - h. Soil Map for Worcester County, Massachusetts Northeast Part.
 - i. Attachments and Plans:
 - Site Plans entitled "Definitive Subdivision of Land in Bolton, Keyes Farm, Bolton, Massachusetts", drawn by Ducharme and Dillis Civil Design Group, Inc., 1092 Main Street, Bolton, MA for WD Bolton, LLC and dated October 25, 2017.
 - Stormwater Report Keyes Farm, Hudson Road, Map 3D Parcel 9 and 9A, Bolton, Massachusetts prepared by Ducharme & Dillis Civil Design Group, Inc., 1092 Main Street, Bolton, MA for WD Bolton, LLC dated October 25, 2017.
- 2. Notice of Public Hearing advertised in the Clinton Item on 12/22/17 and 12/29/17.

January 10, 2018 Hearing Documents

- 1. Preliminary Subdivision Decision dated July 12, 2017
- 2. Email from Jenny Jacobsen Bolton Board of Health Assistant, Subject: Keyes Farm, dated December 20, 2017.
- 3. Email from Warren Nelson Bolton Police Chief, Subject: RE: Definitive Subdivision Hearing for Keyes Farm Hudson Road, dated December 15, 2017.
- 4. Peer Review Letter from Hamwey Engineering, Inc. to Patrick Wood of Ducharme & Dillis Civil Design Group, Inc., Re: Keyes Farm Definitive Subdivision, Hudson Road, Bolton, MA (HEI File no. 17002.00), dated December 26, 2018.
- 5. Peer Review Letter from Hamwey Engineering, Inc. to Patrick Wood of Ducharme & Dillis Civil Design Group, Inc., Re: Keyes Farm Definitive Subdivision, Hudson Road, Bolton, MA (HEI File no. 17002.00), dated January 10, 2018.

February 14, 2018 Hearing Documents

- 1. Time Extension dated February 14, 2018
- Peer Review Letter from Hamwey Engineering, Inc. to Patrick Wood of Ducharme & Dillis Civil Design Group, Inc., Re: Keyes Farm Definitive Subdivision, Hudson Road, Bolton, MA (HEI File no. 17002.00), dated January 31, 2018.

- 3. Letter with response to comments from Ducharme & Dillis Civil Design Group, Inc. to the Bolton Planning Board, Re: Keyes Farm Definitive Subdivision, Moderator Way, Bolton, MA 01740, dated February 5, 2018.
- 4. Peer Review Letter from Hamwey Engineering, Inc. to Patrick Wood of Ducharme & Dillis Civil Design Group, Inc., Re: Keyes Farm Definitive Subdivision, Hudson Road, Bolton, MA (HEI File no. 17002.00), dated February 11, 2018.
- 5. Revised Application dated February 5, 2018.
- 6. Revised Site Plans entitled "Definitive Subdivision of Land in Bolton, Keyes Farm, Bolton, Massachusetts", drawn by Ducharme and Dillis Civil Design Group, Inc., 1092 Main Street, Bolton, MA for WD Bolton, LLC and dated February 5, 2018.
- 7. Stormwater Report Keyes Farm, Hudson Road, Map 3D Parcels 9 and 9A, Bolton, Massachusetts prepared by Ducharme & Dillis Civil Design Group, Inc. for WD Bolton, LLC revised February 5, 2018.
- 8. Email from Joseph Lynch Bolton DPW Director, Subject: Keyes Farm Subdivision, dated February 14, 2018.
- Email from Rebecca Longvall Bolton Conservation Administrator, Subject: Trails?, dated February 14, 2018.

February 28, 2018 Hearing Documents

- 1. Email from John Mentzer Bolton Fire Chief, Subject: Keyes Farm Cistern, Attachment: BFD Cistern Guidelines, dated February 15, 2018.
- 2. Email from Rebecca Longvall Bolton Conservation Administrator, Subject: Trails and Schedule, dated February 21, 2018.
- 3. Peer Review Letter from Hamwey Engineering, Inc. to Patrick Wood of Ducharme & Dillis Civil Design Group, Inc., Re: Keyes Farm Definitive Subdivision, Hudson Road, Bolton, MA (HEI File no. 17002.00), dated February 19, 2018.
- 4. Letter with response to comments from Ducharme & Dillis Civil Design Group, Inc. to the Bolton Planning Board, Re: Keyes Farm Definitive Subdivision, Moderator Way, Bolton, MA 01740, dated February 20, 2018.
- 5. Revised Application dated February 20, 2018.
- 6. Revised Site Plans entitled "Definitive Subdivision of Land in Bolton, Keyes Farm, Bolton, Massachusetts", drawn by Ducharme and Dillis Civil Design Group, Inc., 1092 Main Street, Bolton, MA for WD Bolton, LLC and dated February 20, 2018.
- 7. Stormwater Report Keyes Farm, Hudson Road, Map 3D Parcels 9 and 9A, Bolton, Massachusetts prepared by Ducharme & Dillis Civil Design Group, Inc. for WD Bolton, LLC revised February 20, 2018.
- 8. Peer Review Letter from Hamwey Engineering, Inc. to Patrick Wood of Ducharme & Dillis Civil Design Group, Inc., Re: Keyes Farm Definitive Subdivision, Hudson Road, Bolton, MA (HEI File no. 17002.00), dated February 23, 2018.