

**Minutes of Meeting
Grafton Planning Board
October 27, 2008**

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A regular meeting of the Grafton Planning Board was held on Monday, October 27, 2008 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Christophe Courchesne, Vice-Chairman, Keith Regan, Clerk Peter Parsons, Robert Hassinger and Richard McCarthy. Staff present was Town Planner, Stephen Bishop and Assistant Planner Ann Morgan.

Chairman Courchesne called the meeting to order at 7:00 p.m.

ACTION ITEM 1-A – REQUEST FOR RELEASE OF LANDSCAPING IMPROVEMENTS CASH WARRANTY BOND – “MAPLEVALE ESTATES” SUBDIVISION – PULTE HOMES OF NEW ENGLAND, LLC (PETITIONER)

Chairman Courchesne recused himself to the audience due to a conflict of interest.

Mr. Bishop informed the Board that a bond had been put in place as a requirement for the “Maplevale Estates” subdivision Determination of Completeness submission. Mr. Bishop added that he and Ms. Morgan had visited the site to inspect the landscaping condition and found some of the vegetation to be problematic. Mr. Bishop noted he had arranged a meeting on site with Mark Mastroianni, Land Entitlement Associate for Pulte Homes of New England LLC, who had asked that the October 27th Planning Board agenda request be moved to the November 10th agenda, in order to allow them to report on the results of the landscaping inspection.

MOTION by Mr. McCarthy, **SECOND** by Mr. Hassinger, to grant the petitioner’s written request to place this request on the Planning Board agenda for November 10, 2008. **MOTION** carried unanimously 4 to 0.

ACTION ITEM 1-B – PUBLIC HEARING DETERMINATION – CHENG DU RESTAURANT

Mr. Bishop informed the Board that the owner/petitioner, Mr. Tang, was present and requesting the Board’s determination on whether a public hearing process will be required for the restaurant. Mr. Bishop noted that the letter from the Building Inspector states that project comes before the Planning Board as a Site Plan review process and the Board needs to determine whether they want to hold a public hearing using the same procedures as for a special permit. Mr. Bishop stated the restaurant has been reviewed as the former Klondike Restaurant and has been granted a couple of ZBA variances in order for the site to conform to current regulations and setbacks, has reduced curb cuts from four to two and made improvements to the stormwater control. Mr. Bishop also noted there is a sewer easement that serves the adjacent condominiums.

Mr. Hassinger stated he thought there was a South Grafton Water District well in the area also.

MOTION by Mr. McCarthy, **SECOND** by Mr. Regan, to determine that the Planning Board will require a Special Permit public hearing process for this Site Plan review, without any required abutter notification other than the required two-week legal advertisement in the Grafton News, due to the volume of activity that will be coming about in the proposed area. **MOTION** carried unanimously 5 to 0.

ACTION ITEM 1-C – REQUEST FOR MINOR MODIFICATION – INSTALL STORAGE SILO – 81 CREEPER HILL ROAD – DIMITRIA DELIGHTS, PETITIONER

Mr. Bishop informed the Board that the owner, John Colorio, was out of the country and unable to be present. Mr. Bishop stated that Mr. Colorio has been given the opportunity to purchase a silo for flour storage for his baking business located at 81 Creeper Hill Road. Mr. Bishop noted that Mr. Colorio was requesting the Board determine the addition of the silo to be a minor modification to the approved Site Plan.

MOTION by Mr. Regan, **SECOND** by Mr. Parsons, to grant the petitioner's written request to determine the addition of the flour silo to be a minor modification to the approved site plan. **MOTION** carried unanimously.

DISCUSSION: Mr. Hassinger noted clarification detail would be needed on the size of the silo. Mr. Regan added that the detail information would fall under the Zoning By-laws and the Building Inspector's jurisdiction.

MOTION carried unanimously 5 to 0.

MOTION by Mr. Regan, **SECOND** by Mr. Parsons, to approve the applicant's written request for the modification to the site plan. **MOTION** carried unanimously 5 to 0.

ACTION ITEM 1-D – REQUEST FOR WAIVER ON WETLAND FLAGGING/PELL PROPERTY

Mr. Hassinger recused himself to the audience as an abutter.

Mr. McCarthy expressed concerns of there being any direct benefits to the Town by waiving the wetland flagging and suggested the flagging costs should be built into the total sale price in order for the Town to recoup any benefit.

MOTION by Mr. Parsons, **SECOND** by Mr. Regan, to grant the petitioner's written request for a waiver on wetland flagging for the Pell property purchase.

DISCUSSION: Mr. Regan noted that the flagging is required to determine frontage and access and that under a Conservation restriction, no residential property is allowed and no access determination is needed.

MOTION carried 3 to 1 by roll call vote: Parsons-aye; Courchesne-aye; Regan-aye; McCarthy-no.

STAFF REPORT

Mr. Bishop informed the Board that there were two points he wanted to note: He still has not been able to track down David Calarese with regard to his co-signature required to release the funds associated with the Subdivision erosion control bond being held for the “Ferry Ridge Estates” subdivision.

Secondly, the “Magnolia Farms” subdivision has had significant improvement progress in the last month. Mr. Bishop noted that 7 of the 9 street lights are working, the granite curbing is installed, the fencing is installed, the street has been raised to the finished grade level, and the top coat should be down before the mid-November deadline. Mr. Bishop added that the work has gone far better than his expectations and he is pleased with the progress.

Mr. Bishop stated he also wished to make the Planning Board aware of the additional work being passed to the Planning Office regarding monitoring Brownfields.

Chairman Courchesne reminded everyone of the Affordable Housing Meeting on Monday, November 17, 2008, which is open to the public and will be serving light refreshments.

MINUTES OF PREVIOUS MEETINGS

MOTION by Mr. Regan, **SECOND** by Mr. McCarthy, to approve the open session minutes of September 22, 2008 as drafted. **MOTION** carried unanimously.

MOTION by Mr. McCarthy, **SECOND** by Mr. Regan, to approve the open session minutes of October 6, 2008 as drafted. **MOTION** carried unanimously.

SP 2008-14 VERIZON WIRELESS (BELL ATLANTIC MOBILE OF MASSACHUSETTS CORPORATION LTD., & CELLCO PARTNERSHIP) (APPLICANTS/CO-APPLICANTS) – LEROY E. KNOWLTON, TRUSTEE, KNOWLTON FARMS NOMINEE TRUST, (OWNER) – WIRELESS COMMUNICATIONS FACILITY CO-LOCATION

Chairman Courchesne recused himself to the audience due to a conflict of interest.

Mr. Parsons read the legal notice and Vice Chair Regan opened the public hearing at 7:30 p.m.

Attorney James Valeriani was present representing Verizon Wireless.

Mr. Regan began by informing Attorney Valeriani of a procedural matter regarding Mr. Parsons being an abutter, but also needed to complete a Board of four members to vote on a special permit application decision. Mr. Regan stated the rule of necessity can be used and the abutter asked to stay on the Board as a voting member. Attorney Valeriani requested Mr. Parsons remain on the Board as a voting member and Mr. Regan stated that the request be noted for the written record.

Attorney Valeriani reviewed the application with the Board, stating Verizon Wireless would be co-locating a 12-panel antenna array at a height of 70-feet on a previously approved 90-foot monopole and adding a ground equipment/shelter area at the base of the tower. Attorney Valeriani noted there would be a diesel generator on a concrete basin as a backup power system

MOTION by Mr. McCarthy, **SECOND** by Mr. Hassinger, to close the public hearing. **MOTION** carried unanimously 4 to 0.

MOTION by Mr. McCarthy, **SECOND** by Mr. Hassinger, to direct Staff to draft a decision, taking into consideration all the information received and the findings discussed. **MOTION** carried unanimously 4 to 0.

SP 2008-15 METRO PCS MASSACHUSETTS LLC (APPLICANT) CARLO V. BRESCIA (OWNER) – 20 INDIAN PATH – WIRELESS COMMUNICATIONS FACILITY CO-LOCATION

Chairman Courchesne recused himself to the audience due to a conflict of interest.

Mr. Parsons read the legal notice and Vice-Chair Regan opened the public hearing at 7:44 p.m.

Present for the hearing was Terry Feuersanger, Site Acquisition Specialist for Metro PCS.

Ms. Feuersanger informed the Board they were adding 6 antennas at a height of 72.6 feet on a previously approved 90-foot monopole and a shelter compound located at 20 Indian Path.

Mr. Parsons asked about the generator fuel source. Ms Feuersanger stated they do not use generators as a back-up, but only keep one battery back-up in a cell cabinet in the case of a power outage, as they receive power off the power lines.

MOTION by Mr. McCarthy, **SECOND** by Mr. Parsons, to close the public hearing. **MOTION** carried 4 to 0.

MOTION by Mr. McCarthy, **SECOND** by Mr. Hassinger, to direct Staff to draft a decision, taking into consideration all the information received and the findings discussed. **MOTION** carried unanimously 4 to 0.

**“BRIGHAM HILL ESTATES” SUBDIVISION – BRIGHAM HILL LLC,
(APPLICANT/OWNER) – OFF 15 BRIELLE ROAD & 153 BRIGHAM HILL
ROAD – 20-LOT FLEXIBLE DEVELOPMENT**

Chairman Courchesne opened the public hearing at 7:53 p.m. Present for the hearing was Attorney Timothy Brodeur for Attorney Mark Donahue, representing Brigham Hill LLC.

Attorney Brodeur stated the Board should have received fax correspondence requesting the public hearing be continued to November 24, 2008 and to extend the decision deadline to January 28, 2009. Attorney Brodeur informed the Board that there were more revisions needed on the plans and that they continue to work with Graves Engineering on responding to the review comments.

Chairman Courchesne noted hearing the same feedback comment at the last public hearing and added that the Board does not typically like to extend the decision deadline for definitive projects for this length of time.

Mr. Hassinger stated the Board prefers the applicant withdrawing the plan and returning to the Board when they are ready with a fresh start to the project.

MOTION by Mr. Regan, **SECOND** by Mr. Hassinger, to grant the applicant’s written request to continue the public hearing to November 24, 2008 at 8:30 p.m. and to extend the decision deadline to January 28, 2009. **MOTION** carried unanimously 5 to 0.

**SP 2008-16 METROWEST GROUP (BURGER KING) (APPLICANT) – FRANK
GROCCIA JR. (OWNER) – WORK WITHIN THE FLOOD PLAIN TO
RESTORE & MAKE IMPROVEMENTS TO A PORTION OF THE EXISTING
PARKING LOT**

Chairman Courchesne recused himself due to a conflict of interest and stated that since this was the last agenda item, he would be leaving the meeting.

Mr. Parsons read the legal notice and Vice-Chair opened the public hearing at 8:00 p.m. Present for the meeting were Kevin Quinn of Quinn Engineering and applicant Frederick Morin of Metrowest Group.

Mr. Bishop informed the Board the current application is a result of a few site visits by Staff, Kevin Quinn and the property owner, in coordinating a satisfactory restoration of

an area of the parking lot with severe flooding problems. Mr. Bishop noted that Graves has reviewed the restorative/corrective work to be performed for the Conservation Commission and an Order of Conditions will be issued to the applicant.

Mr. Hassinger noted there has been an application submitted in the past for this project which ended up being withdrawn due to the lack of satisfactory and effective corrective measures being proposed.

Mr. Quinn explained to the Board they have submitted two applications: a Special Permit for work within the Flood Plain as required in the Zoning By-Laws and a Modification of the Site Plan which proposes the restoration/improvements to a deteriorated portion of the existing parking area; additionally creating a water quality swale and constructed wetland which will control and treat stormwater currently untreated. Mr. Quinn also noted they were requesting waivers for section 4.2.4.5 regarding acceptance of the existing landscaping; and section 8.2 to waive the traffic study requirement since the changes will not affect or alter the existing traffic patterns.

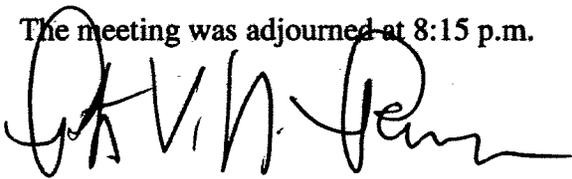
Mr. Hassinger asked about the dumpster present and Mr. Quinn stated it will be moved out of the remedial site.

MOTION by Mr. McCarthy, **SECOND** by Mr. Hassinger, to close the public hearing. **MOTION** carried unanimously 4 to 0.

MOTION by Mr. McCarthy, **SECOND** by M. Hassinger, to direct Staff to draft a decision, taking into consideration all the information received and the findings and conditions discussed. **MOTION** carried unanimously 4 to 0.

MOTION by Mr. McCarthy, **SECOND** by Mr. Hassinger, to adjourn the meeting. **MOTION** carried unanimously 4 to 0.

The meeting was adjourned at 8:15 p.m.



Peter Parsons, Clerk