

Minutes of Meeting
Grafton Planning Board
June 27, 2011

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A regular meeting of the Grafton Planning Board was held on Monday, June 27, 2011 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Bruce W. Spinney III, Vice-Chair Stephen Qualey, Clerk James Walsh III, Robert Hassinger and David Robbins. Staff present was Town Planner, Stephen Bishop. Absent was Assistant Planner Ann Morgan.

Chairman Spinney called the meeting to order at 7:00 p.m., stating he wished to congratulate Mr. Hassinger on his 2011 Community Service Award from Central Mass Regional Planning Commission, and recognizing him for his long time service commitment to CMRPC and the Town of Grafton.

ACTION ITEM 1-A - REQUEST FOR PLANNING BOARD DETERMINATION FOR MINOR MODIFICATION FOR NEW CINGULAR WIRELESS LLC, (D/B/A ATT MOBILITY) AT (1) 20 INDIAN PATH, (2) 160 R UPTON STREET, (3) 43 ESTABROOK AVENUE AND (4) 244 WORCESTER STREET; BRIAN ALLEN, KJK WIRELESS, PETITIONER.

Mr. Robbins recused himself to the audience, noting that the request affects the interest of a competitor of his employer (Verizon).

Brian Allen was present for the discussion item and gave a brief overview of the materials that had been presented to the Board, specifically informing them that ATT would be adding 3 antennas, 6 remote radio heads and a surge arrestor at the existing height of the 90-foot tower, to be connected by 3 cables (2 power and 1 fiber) to the equipment shelter on the ground. Mr. Allen also noted ATT will be adding an additional equipment rack and surge arrestor within the shelter. Mr. Allen remarked that these changes will be within the same area of the same locations established, but with different technology supporting a reduction with interference.

Mr. Hassinger questioned any height/visual changes at the Wyman Gordon site due to the rooftop location and was told that would remain the same. Mr. Hassinger also expressed concerns of the downward tilting of the antennas and any changes in RF exposure, prompting him to require a public hearing allowing the public an opportunity to have their concerns and questions addressed. Mr. Allen explained to the Board that he can provide a MPE report concerning RF exposure, but if the towers are within FCC guidelines, they are not subject to further review, and the information is placed in the file for the record. Mr. Allen noted that many of the surrounding towns require only a building permit filing.

MOTION by Mr. Walsh, **SECOND** by Mr. Qualey, to determine that the request is a minor modification.

DISCUSSION: Mr. Hassinger noted his concerns for everyone to be better served to speak their mind at a public hearing. Mr. Walsh stated he was concerned only of any public concerns of any danger.

MOTION carried 3 to 1 with Mr. Hassinger voting no and Mr. Robbins recused.

MOTION by Mr. Walsh to grant the minor modification request.

DISCUSSION: Chairman Spinney suggested the motion should be amended to condition the request that the MPE study, as discussed by Mr. Allen, be provided for the file.

AMENDED MOTION by Mr. Walsh, **SECOND** by Mr. Qualey, to grant the minor modification, conditioning the request upon the receipt of an MPE study for the file record. **MOTION** carried unanimously 4 to 0 with Mr. Robbins recused.

Mr. Robbins returned to the Board.

ACTION ITEM – 1-B – CONSIDER DECISION – SP 2011-3 CRAIG WILSON – 47 LELAND STREET – ACCESSORY APARTMENT

MOTION by Mr. Qualey, **SECOND** by Mr. Walsh, to make favorable findings for F-1 through F-27 as drafted. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Walsh, **SECOND** by Mr. Robbins to grant waivers W-1 & W-2 as drafted. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Qualey, **SECOND** by Mr. Robbins, to grant Special Permit SP 2011-3 with the findings and conditions as discussed and amended. **MOTION** carried unanimously 5 to 0.

ACTION ITEM 1-C – CONSIDER DECISION – “ABBY WOODS” SUBDIVISION – DEFINITIVE SUBDIVISION PLAN APPROVAL – 18 CARROLL ROAD

MOTION by Mr. Qualey, **SECOND** by Mr. Hassinger, to make favorable findings for F-1 through F-9 as drafted. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Hassinger, **SECOND** by Mr. Qualey, to make a favorable finding for F-10 as drafted. **MOTION** carried unanimously 5 to 0.

Mr. Hassinger stated he did not agree with the language in Finding F-11, pointing out that the language read as if it was the Board’s statement and not the applicant’s statement. Mr. Hassinger also noted that it was not conclusively shown that an easement could not be provided without significant wetland crossing. Mr. Hassinger added that he did not feel the Board could provide any evidence to support a decision to waive the easement requirement. Mr. Robbins added that the question is if there is an alternative to develop this property reasonably.

Mr. Bishop suggested the findings can be modified with language to reflect exactly what the Board is trying to establish.

Mr. Qualey suggested that the first and third paragraphs of Finding F-11 be combined to become the new Finding F-11 and that the second and fourth paragraphs be combined to become the new Finding F-12.

Mr. Robbins stated that the applicant had provided some documentation as he could reasonably provide. Mr. Walsh added that in addition the Conservation Commission had agreed with the applicant on the wetland findings, that they provided correspondence stating they preferred the developer eliminate the easement, and that the abutter had been given adequate time to provide the Board with the requested documentation/information concerning any easements to his property, but had failed to submit any information.

The Board continued to discuss the easement issue, with Mr. Hassinger stating concerns that Mr. McInnis could appeal the Board's decision, leaving the Town open for a lawsuit.

Chairman Spinney received unanimous consent to direct Staff to present the Board with a new draft decision to be placed on the next Planning Board meeting agenda for consideration.

MINUTES OF PREVIOUS MEETINGS

MOTION by Mr. Walsh, SECOND by Mr. Qualey, to approve the open session minutes of June 13, 2011 as drafted. MOTION carried unanimously 5 to 0.

STAFF REPORT

Mr. Bishop stated he is continuing with the first part of the EPA Demonstration Grant.

Mr. Bishop noted that he is preparing a Power Point presentation regarding the mixed use zoning for South Grafton, which will be shown to the Board for their input before it is put before the Town in the not too distant future.

Mr. Qualey stated for the record that he will be absent for the July 25th Planning Board meeting. Mr. Robbins stated he would also not be present at the July 25th meeting.

Mr. Bishop informed the Board they had received correspondence from the Town Administrator, which was read by Mr. Walsh, concerning a Special Town Meeting to be held on August 2 at the Grafton Elementary School at 7:00 p.m.

Mr. Hassinger inquired about the results of the Board of Selectmen meeting discussion on June 21st regarding the Brigham Hill/Providence Road signalization.

Chairman Spinney stated the Board will need to consider the "Abby Woods" Definitive Plan Approval decision at the July 11th Planning Board meeting since there will be two members absent for the July 25th meeting

Mr. Walsh asked whether the Board of Selectmen had appointed anyone as a second representative to the Central Mass Regional Planning Commission.

Chairman Spinney reported that the Capital Planning Commission will be meeting with different Department Heads to gather information necessary to assemble a 5-year Capital Plan.

MOTION by Mr. Hassinger, **SECOND** by Mr. Walsh, to adjourn the meeting. **MOTION** carried unanimously 5 to 0.

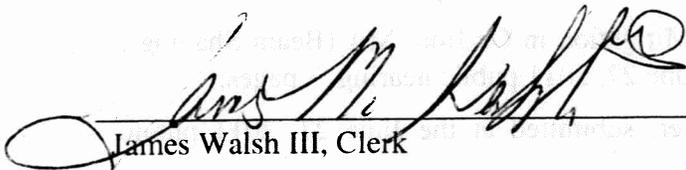
The meeting was adjourned at 8:30 p.m.

EXHIBITS

- **Action Item 1A – Request for Minor Modification for New Cingular Wireless LLC, (d/b/a ATT Mobility) at four (4) locations**
 - Project materials submitted by the Applicant pertaining to 20 Indian Path and the previously approved Special Permit SP 1997-8 including the following materials:
 - Correspondence from KJK Wireless, MA3132 – 20 Indian Path, dated June 9, 2011, received at the June 15, 2011, 1 page.
 - Plan Set, 11” x 17”, black & white, AT&T: Site Number MA3132, Site Name: Grafton; prepared by AT&T Mobility, dated March 29, 2011, 5 pages:
 - Drawing 01: Title Sheet
 - Drawing 02: Notes
 - Drawing 03: Site Plan & Equipment Plan
 - Drawing 04: Elevation View & Antenna Layout
 - Drawing 05: Grounding Details
 - Project materials submitted by the Applicant pertaining to 160 Read Upton Street and the previously approved Special Permit 2008-7 including the following materials:
 - Correspondence from KJK Wireless, MA3525 – 160 Rear Upton Street, dated June 9, 2011, received at the June 15, 2011, 1 page.
 - Plan Set, 11” x 17”, black & white, AT&T: Site Number MA3525, Site Name: Grafton-Upton Street; prepared by AT&T Mobility, dated April 4, 2011, 5 pages:
 - Drawing 01: Title Sheet
 - Drawing 02: Notes
 - Drawing 03: Site Plan & Equipment Plan
 - Drawing 04: Elevation View & Antenna Layout
 - Drawing 05: Grounding Details
 - Project materials submitted by the Applicant pertaining to 43 Estabrook Street and the previously approved Special Permit SP 1997-6 including the following materials:

- Correspondence from KJK Wireless, MA3418 – 43 Estabrook Street, dated June 9, 2011, received at the June 15, 2011, 1 page.
- Plan Set, 11” x 17”, black & white, AT&T: Site Number MA3418, Site Name: Grafton-Estabrook Street; prepared by AT&T Mobility, dated April 4, 2011, 5 pages:
 - Drawing 01: Title Sheet
 - Drawing 02: Notes
 - Drawing 03: Site Plan & Equipment Plan
 - Drawing 04: Elevation View & Antenna Layout
 - Drawing 05: Grounding Details
- o Project materials submitted by the Applicant pertaining to 244 Worcester Street and the previously approved Special Permit SP 1999-10 including the following materials:
 - Correspondence from KJK Wireless, MA3415 – 244 Worcester Street, dated June 9, 2011, received at the June 15, 2011, 1 page.
 - Plan Set, 11” x 17”, black & white, AT&T: Site Number MA3415, Site Name: Grafton-Worcester Street; prepared by AT&T Mobility, dated March 29, 2011, 5 pages:
 - Drawing 01: Title Sheet
 - Drawing 02: Notes
 - Drawing 03: Site Plan & Equipment Plan
 - Drawing 04: Elevation View & Antenna Layout
 - Drawing 05: Grounding Details
 - Project Location / Viewpoint images, color images, 8 ½” x 11”, 244 Worcester Street, prepared by Vertical Resources Group, not dated, submitted at the June 27, 2011 public hearing, 7 pages including the following:
 - Cover Sheet showing entire site.
 - Existing Conditions, From Creeper Hill Road in Front of “All Steel” Looking South West
 - Proposed Conditions, From Creeper Hill Road in Front of “All Steel” Looking South West
 - Existing Conditions, From Creeper Hill Road in Front of #109 Looking South East
 - Proposed Conditions, From Creeper Hill Road in Front of #109 Looking South East
 - Existing Conditions - From Worcester Road Looking North
 - Proposed Conditions - From Worcester Road Looking North
- o Radio Frequency Report, LTE Interference Mitigation in Grafton, MA (Beam Shaping), prepared by AT&T, dated and submitted at June 27, 2011 public hearing, 3 pages.
- o Resume, Kevin Breuer, FR Design Engineer, submitted at the June 27, 2011 public hearing, 3 pages.
- o Report of Radio Frequency Engineer, 43 Estabrook Street, Grafton, Massachusetts, dated May 17, 2011, submitted at the June 27, 2011 public hearing, 2 pages.

- Report of Radio Frequency Engineer, 160 Rear Upton Street, Grafton, Massachusetts, dated May 17, 2011, submitted at the June 27, 2011 public hearing, 2 pages.
- Report of Radio Frequency Engineer, 244 Worcester Street, Grafton, Massachusetts, dated May 17, 2011, submitted at the June 27, 2011 public hearing, 2 pages.
- Report of Radio Frequency Engineer, 20 Indian Path, Grafton, Massachusetts, dated May 17, 2011, submitted at the June 27, 2011 public hearing, 2 pages.
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 - Existing Conditions, From Creeper Hill Road in Front of #109 Looking South East
 - Proposed Conditions, From Creeper Hill Road in Front of #109 Looking South East
 - Existing Conditions - From Worcester Road Looking North
 - Proposed Conditions - From Worcester Road Looking North
- **Action Item 1B – SP 2011-3, Craig Wilson – 47 Leland Street, Accessory Apartment**
 - Draft Decision, draft dated June 21, 2011, 7 pages.
- **Action Item 1C – “Abby Woods” Subdivision, Definitive Plan Approval, 18 Carroll Road**
 - Draft Decision, draft dated June 22, 2011, 12 pages.
- **Item 5: Draft Meeting Minutes**
 - Grafton Planning Board, June 13, 2011, 5 pages.
- **Correspondence**
 - Memorandum from the Town Administrator, Warrant Articles – Special Town Meeting, dated June 20, 2011, received June 22, 2011, 1 page.


James Walsh III, Clerk