

**Minutes of Meeting  
Grafton Planning Board  
May 21, 2012**

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GRAFTON, MA.

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A regular meeting of the Grafton Planning Board was held on, May 21, 2012 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Stephen Qualey, Vice-Chair David Robbins, Clerk James Walsh III, Robert Hassinger, Michael Scully and Associate Member Sargon Hanna. Staff present was Town Planner, Stephen Bishop and Assistant Planner Ann Morgan.

Vice-Chair Qualey called the meeting to order at 7:00 p.m., welcoming and congratulating Mr. Scully and Mr. Hassinger on their Planning Board seats. Vice-Chair Qualey also acknowledged Mr. Spinney's time on the Planning Board and other Town Boards.

**ACTION ITEM 1-A – REORGANIZATION**

**Election of Officers**

**Chairman**

Mr. Qualey stated he wished to be considered for the Chairman position.

**Nomination** by Mr. Robbins for Robert Hassinger as Chairman.

Mr. Hassinger accepted the nomination.

**Voted** as follows:      for Mr. Hassinger: 2 to 0.

Voted as follows:      for Mr. Qualey: 3 to 0.

**Mr. Qualey was elected Chairman.**

**Vice-Chairman**

Mr. Walsh stated he wished to be considered for the Vice-Chair position.

**Nomination** by Mr. Qualey, for Mr. Robbins as Vice-Chair.

Mr. Robbins accepted the nomination.

**Voted** as follows:      for Mr. Walsh: 2 to 0.

Voted as follows:      for Mr. Robbins: 3 to 0.

**Mr. Robbins was elected Vice-Chairman.**

**Clerk**

**Nomination** by Mr. Robbins, for Mr. Scully as Clerk.

Mr. Scully declined the nomination.

Mr. Walsh stated he wished to retain the position as Clerk.

**Voted** as follows: for Mr. Walsh: Unanimous 5 to 0.

**Mr. Walsh was re-elected Clerk.**

Chairman Qualey noted a request from the Board of Selectmen to designate a **Planning Board representative** to the **Capital Improvement Planning Committee**.

Mr. Robbins stated he wished to be considered for this position.

**Nomination** by Mr. Walsh for Mr. Scully to serve as representative.

Mr. Scully declined the nomination.

Mr. Robbins was unanimously designated to serve as **Planning Board representative** to the **Capital Improvement Planning Committee**.

## **2) Designate delegate to CMRPC**

**Nomination** by Mr. Qualey, for Robert Hassinger to serve as First Position **Planning Board Delegate** to the **Central Massachusetts Regional Planning Commission** for the upcoming year. **MOTION** carried unanimously 4 to 0.

**DISCUSSION:** Mr. Hassinger noted that he was unsure if Ms. Wood was filling the second position to the CMRPC.

Mr. Walsh wished to be considered for the second position to the CMRPC if Ms. Wood did not resume her status.

## **3) Designate member to Town Owned Land Committee**

Chairman Qualey stated he wished to be considered to serve as **Planning Board Representative** on the **Town Owned Land Committee** for the upcoming year. The Board unanimously agreed to have Chairman Qualey serve as **Planning Board Representative** on the **Town Owned Land Committee**.

## **4) Designate member to the Community Preservation Committee**

Chairman Qualey received unanimous consent for Michael Scully to serve as **Planning Board Representative** on the **Community Preservation Committee** for the upcoming year. **MOTION** carried unanimously 4 to 0.

**5) Designate member to Grafton Center Study Committee**

**Nomination** by Chairman Qualey, to re-appoint Robert Hassinger as Sub-Committee Chair of the **Grafton Center Study Committee** for the upcoming year, with an open membership for an additional Planning Board member as needed. **MOTION** carried unanimously 4 to 0.

**Designate member to Economic Development Committee**

Mr. Robbins stated he wished to be considered for this position.

Mr. Walsh nominated Mr. Scully for this position.

Mr. Scully was designated as **Planning Board Representative** to the **Economic Development Committee**.

**6) Authorize Town Planner to:**

- 1) **Sign payroll:**
- 2) **Sign ANR plans:**

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Scully, to authorize the **Town Planner** to sign the payroll on behalf of Planning Board and to sign ANR plans on behalf of Planning Board after Board approval. **MOTION** carried unanimously 5 to 0.

**7) Authorize Planning Board Members to sign ANR plans**

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Robbins, to authorize the Chairman and Vice-Chairman to sign ANR plans on behalf of Planning Board after Board approval. **MOTION** carried unanimously 5 to 0.

Chairman Qualey received unanimous consent to table endorsing the annual Registry of Deeds authorized signature form until later in the meeting.

**ACTION ITEM 1-C – REQUEST FOR PLANNING BOARD DETERMINATION FOR MINOR MODIFICATION TO SPECIAL PERMIT SP 2003-9 SPRINT SPECTRUM L.P. – 20 INDIAN PATH – PETER FALES, AGENT TO SPRINT SPECTRUM LP, PETITIONER**

Mr. Robbins recused himself from the Board due to a conflict of interest.

Stephen Longton was present at the hearing representing Sprint Spectrum LLC.

Mr. Longton informed the Board that Sprint Spectrum LP proposes to replace three existing antennas with three new antennas of approximately the same size, to add six remote radio heads, to add three cables from the equipment to the antennas, replace one GPS antenna on the tower and replace an equipment cabinet.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Walsh, to make a determination that the proposed changes are a Minor Modification. **MOTION** carried unanimously 4 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Scully, to approve the Minor Modification as submitted. **MOTION** carried unanimously 4 to 0.

**ACTION ITEM 1-D – DETERMINATION OF ELIGIBILITY FOR ANR ENDORSEMENT – 218 WORCESTER STREET**

Norman Hill of Land Planning, Inc., representing Michael Noel of Noel Motors, requested the Board make a determination of eligibility for approval of an ANR plan to divide Mr. Noel's existing lot into two lots, specifically to add a second building consisting of five rental units. Mr. Hill explained that the issue requiring the determination is the fact that the frontage for the proposed lot is mostly on Donahue Lane, which is a private road. Mr. Hill added that the roadway has issues with width, its condition, its age and its ability to provide safe travel for vehicles. Mr. Hill additionally acknowledged that the plan will also require a side yard setback variance from the Zoning Board of Appeals before it can be approved by the Planning Board, but wished to ensure that the plan met the ANR eligibility requirements of the Board prior to proceeding further. Mr. Hill noted that he understood this will be a four step process between the ZBA and the Planning Board to resolve all of the issues.

The Board discussed the various issues and resolutions and agreed the request was an unusual situation. Mr. Hassinger asked Staff about mechanisms for imposing conditions on an ANR approval. Mr. Bishop stated the conditions should be on the plan in order to be enforceable after recording and suggested the best path would be an ANR plan approval with a deed restriction.

Mr. Hassinger suggested that the applicant might be better served by seeking a frontage variance from the ZBA.

**ACTION ITEM 1-E – APPROVAL NOT REQUIRED PLAN (ANR 2012-3) – THOMAS & VIRGINIA BAKER – 22 LELAND STREET**

Mr. Bishop informed the Board that the ANR plan conforms with lot area and frontage requirements and recommended approval.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Robbins, to approve ANR 2012-3 and to authorize the Town Planner to sign the plan on behalf of the Planning Board. **MOTION** carried unanimously 5 to 0.

**SP 2012-4 NORTHBRIDGE SOLAR, LLC, (APPLICANT) – HILLTOP PROPERTIES, LLC (OWNER) – 92 & 100 MILFORD ROAD – SOLAR FARM**

Mr. Walsh read the legal notice and Chairman Qualey opened the public hearing. Present for the hearing was Attorney Joseph Antonellis, representing Northbridge Solar, LLC, Steven O'Connell of Andrews Survey and owners Joseph Fitzpatrick and David Fenton.

Attorney Antonellis informed the Board that his clients were seeking the Board's approval to provide an access from Milford Road in Grafton to the solar facility located in the back land over the Town line in Northbridge.

Mr. O'Connell explained to the Board that the access road would begin either from the rear of the parking lot to the gate of the Solar Farm if the Hilltop Plaza project is constructed; or if the Hilltop Plaza project is not built at this time, the approved roadway base for the project would be constructed and used as the access roadway to the gate to the Solar Farm. Mr. O'Connell noted the roadway access plans will reflect the already accepted roadway plan approved for the Hilltop Plaza project, but will only be a compliant gravel base and not a paved road. Mr. O'Connell stated there are no visual impacts, no glare and minimal tree removal, and plans for screening & buffering as requested by the land owner.

Mr. Walsh asked if there had been any response from Town Counsel regarding Allison Sanborn's letter of concerns. Mr. Fitzpatrick noted that they will be extending the sale of kilowatt hours also to the Town of Grafton in addition to the Town of Northbridge.

Mr. Hassinger asked whether the applicant was aware of the comments from the Board of Selectmen's office concerning the possible expenses incurred by the Town due to the only access roadway to the property. Mr. Hassinger also expressed concerns about a bond being in place with the Town of Grafton in addition to the Town of Northbridge, specifically with regard to the possible future dismantling of the site.

Mr. Walsh asked who would be held responsible if the project does not succeed to expectations and if the Town of Northbridge is agreeable with all of these issues.

Allison Sanborn of 38 Cherry Lane briefly questioned the location of the access roadway being directly opposite Violet Lane, a school bus pickup/drop-off spot for the area. Mr. Sanborn was told the location was the same one that has been previously approved for the Hilltop Plaza permit. Mr. Sanborn also expressed concerns for the dust that will be generated by the gravel roadway towards the Hilltop Farms subdivision homeowners and the use of effective screening and buffering to minimize the visual impact of the elevated solar panels where the ground level drops.

Mr. O'Connell stated the gravel that would be used would be more of an acceptable road base gravel rather than a fine texture which significantly reduces the amount of dust generated; and that the applicants were prepared to provide significant screening and buffering to minimize the visual impact to the solar farm.

Mr. Robbins suggested the Board coordinate the conditions of the Hilltop Plaza special permit with the Northbridge Solar LLC decision conditions.

Mr. Bishop pointed out the applicant will need to provide specifics of the gate proposed to the solar farm to ensure it meets with the preferences/satisfaction of the Fire & Police Departments.

The Board discussed the need for additional information to be submitted in order for them to make a determination of the effects of the solar farms on the area. The Board requested the

applicant provide specifics of the gate proposed, a profile of the screening sections through the property in order to make a judgment on what will be adequate due to the difference in height and placement of the panels. Mr. Bishop added that he would have a conversation with the Town Administrator regarding the Town's position on the project.

Mr. Hassinger stated he was concerned with the Town's specific road grading regulations and Mr. Scully expressed concerns for the maneuverability of fire apparatus within the panel area. Mr. O'Connell informed the Board that the Fire Department had stated they do not want to fight a fire of this nature and that they just allow a supervised burn.

Mr. Hassinger noted that he would additionally need clarification of lighting glare, security satisfaction sign off from the Police & Fire Departments, and signage in and around the fencing area surrounding the solar farm. Mr. O'Connell stated there was not anticipated sign at the access road entry.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Robbins, to grant the applicant's written request to continue the public hearing for Special Permit SP 2012-4 to Monday, June 11, 2012 at 7:30 p.m. **MOTION** carried unanimously 5 to 0.

### **STAFF REPORT**

Mr. Bishop noted he will need to reschedule the Village Mixed Use Workshop to June 21, 2012 due to a conflict of obligations.

Mr. Bishop added that the ribbon cutting ceremony for the Mill Villages Park is on schedule for June 14, 2012 from 5:00 to 6:00 p.m.

### **REPORTS FROM PLANNING BOARD REPRESENTATIVES ON TOWN COMMITTEE**

Mr. Walsh stated that there will be a Super Park Committee meeting on Tuesday, May 22 at 7:00 p.m. in the Finance Committee Room and an Agricultural Commission meeting on Wednesday, June 13 in Conference Room B.

### **MINUTES OF PREVIOUS MEETINGS**

**MOTION** by Mr. Walsh, **SECOND** by Mr. Robbins, to approve the open session minutes of April 23, 2012 with the corrections noted. **MOTION** carried 4 to 0 with Mr. Scully abstaining.

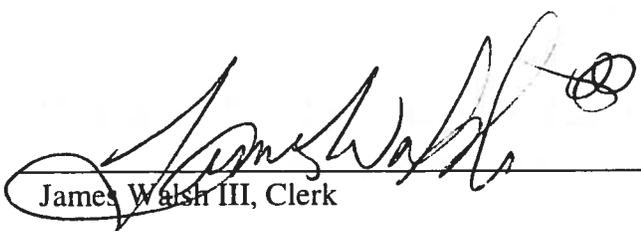
**MOTION** by Mr. Robbins, **SECOND** by Mr. Scully, to adjourn the meeting. **MOTION** carried unanimously 5 to 0.

The meeting was adjourned at 9:27 p.m.

## **EXHIBITS**

- **Action Item 1A: Reorganization**
  - Memorandum from the Planning Office, Reorganization –May 21, 2012, aged May 4, 2012, 2 pages.
  - Memorandum from the Town Administrator, Capital Improvement Planning Committee, dated May 17, 2012, received May 21, 2012, 1 page.
  
- **Action Item 1C: Request for Planning Board Determination for Minor Modification to Special Permit SP 2003-9, Sprint Spectrum L.P. – 20 Indian Path – Peter Fales, agent to Sprint Spectrum LP, petitioner**
  - Correspondence from CDavis Associates, SP 2003-9 // BS54XC985 – 20 Indian Path, Grafton, MA; dated April 20, 2012, received April 27, 2012, 1 page.
  - Plan set, 11” x 17”, Site Number: BS54XC985, Site Name: AT&T Tower / MA1939, Site Address: 20 Indian Path, Grafton, MA 01519; prepared for Sprint Vision, revised through April 12, 2012, including the following sheets:
    - T-1: Title Sheet
    - GN-1: General Notes
    - GN-2: General Notes
    - A-1: Site Plan
    - A-2: Elevation & Equipment Layout
    - A-3: Antenna Scenario and RF System Schedule
    - A-4: Typical Details
    - A-5: Cabinet & Antenna Wiring Diagram
    - S-1: Structural Details
    - E-1: Electrical, Grounding Plan & Details
    - E-2: Typical Power & Grounding One Line Diagram
  
- **Action Item 1D: Determination of Eligibility for ANR Endorsement – 218 Worcester Street**
  - Correspondence from Land Planning, Inc., 218 Worcester Street, Grafton, MA, dated March 12, 2012, 3 pages.
  - Correspondence from Graves Engineering, Noel Motors (Donahue Lane) Site Visit re: ANR Plan Submittal, dated May 16, 2012, 2 pages.
  - Plan sheet, 11” x 17”, ANR Plan located at 218 Worcester Street, Grafton, Massachusetts, prepared by Land Planning, Inc., dated March 21, 2012, 1 page.
  
- **Item 5: Draft Meeting Minutes**
  - Grafton Planning Board, April 23, 2012, 10 pages.

- **Public Hearing 9A: SP 2012-4 Northbridge Solar, LLC, (Applicant) – Hilltop Properties LLC (Owner) – Application for Special Permit / site Plan approval to allow for an access road through property located at 92 & 100 Milford Road, South Grafton.**
  - Application for Special Permit, 1 page, dated and received April 23, 2012.
  - Narrative to Special Permit Application of Northbridge Solar, LLC, 1 page, not dated.
  - Plan set, 11” x 17”, Solar Electric Generating Facility off 216 Milford Road, Northbridge & Grafton Massachusetts; prepared by Andrews Survey & Engineering, Inc., dated March 15, 2012, including the following sheets:
    - C00: Cover Sheet
    - C-01: Sheet Index Plan
    - C-2.1: Existing Conditions Plan
    - C-2.2: Existing Conditions Plan
    - C-2.3: Existing Conditions Plan
    - C-2.4: Existing Conditions Plan
    - C-3.1: Site Plan
    - C-3.2: Site Plan
    - C-3.3: Site Plan
    - C-3.4: Site Plan
    - C-4.1: Construction Details
    - C-4.2: Construction Details
    - C-4.3: Construction Details
    - C-5.1: Alternative Access Site Plan
  - Product specification sheet, STP275-24/Vd, STP280-24/Vd, 280 Watt Polycrystalline Solar Module, Suntech Power, EN-NA-AZ-Vd-NO.01 – Rev 2011, 2 pages, submitted by the Applicant during the May 21, 2012 Planning Board meeting.



James Walsh III, Clerk