

Minutes of Meeting
Grafton Planning Board
February 10, 2014

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A regular meeting of the Grafton Planning Board was held on February 10, 2014 in the Finance Committee Meeting Room at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman David Robbins, Vice-Chair Michael Scully, Clerk Edward Prisby, Robert Hassinger, Sargon Hanna and Associate Member Mathew Often. Staff present was Assistant Planner Ann Morgan.

Chairman Robbins called the meeting to order at 7:00 p.m. and read a letter from the Fisherville & Farnumsville Streetscape Committee in recognition and appreciation for all the work done by recently retired Stephen Bishop on this project.

Chairman Robbins also updated the Board on the new Town Planner, Joe Laydon who will be present at the next Planning Board meeting on February 24th. Chairman Robbins noted that he has a great deal of experience in filling this position for the Town.

Mr. Scully joined the Board at 7:05 p.m.

ACTION ITEM 1-A – APPROVAL NOT REQUIRED PLAN (ANR 2014-3) – WILLIAM M. RYCHLIK – 80 WESSON STREET

Ms. Morgan informed the Board that the ANR plan had been reviewed by Mr. Bishop prior to his leaving and that it did meet all of the requirements.

William Rychlik of 80 Wesson Street stated that he was the owner of the land; that he had previously carved out a 40,000 square foot lot for his daughter to build a house on and was now doing the same for his son.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to endorse ANR 2014-3 and authorize Chairman Robbins to sign the plan on behalf of the Planning Board. **MOTION** carried unanimously 4 to 0.

Chairman Robbins received unanimous consent to table agenda Action Item 1-B to wait for the arrival of Mr. Prisby.

ACTION ITEM 1-C – REQUEST FOR BOND REDUCTION – “BROOKMEADOW VILLAGE” SUBDIVISION

Chairman Robbins noted Mr. Bishop had provided a memorandum regarding the recommended bond reduction. Chairman Robbins stated that Phase 1A, and 1B & 2 are presently at minimum required, and that Phase 4A be reduced by \$7,794.00, from \$74,794.00 to \$67,000.00, bringing this Phase also to the minimum required level.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to leave Phase 1A and 1B & 2 bonds currently being held as security unchanged; and to reduce the Phase 4A bond also currently

being held as security to \$67,000.00, based on correspondence from Graves Engineering and the requirements of the Subdivision Rules & Regulations. **MOTION** carried unanimously 4 to 0.

ACTION ITEM – 1-D – REQUEST FOR PLANNING BOARD DETERMINATION & APPROVAL FOR MINOR MODIFICATION TO SPECIAL PERMIT (SP 2007-4) VERIZON WIRELESS (“CELLCO PARTNERSHIP” & “BELL ATLANTIC OF MASSACHUSETTS CORP., LTD”),(APPLICANT) – CINGULAR WIRELESS (MONOPOLE OWNER) – CARLO & DIANE BRESCIA (PROPERTY OWNER)

Present at the meeting was Attorney Daniel Klasnick representing Verizon Wireless. Attorney Klasnik informed the Board that he was requesting the Board’s determination on and approval of a minor modification to Special Permit (SP 2007-4) to modify the installation on the telecommunications tower located at 20 Indian Path. Attorney Klasnick stated Verizon Wireless is proposing to remove six (6) antennas from its existing facility on the tower and install six (6) antennas with the addition of three (3) remote radio heads, a junction box and internal cabling. Attorney Klasnick noted that also included was a request for a waiver for the antenna height from 5 feet to 6 feet.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to determine the request is a minor modification and to grant the applicant’s request to modify Special Permit (SP 2007-4) as discussed. **MOTION** carried unanimously 4 to 0.

ACTION ITEM – 1-E - REQUEST FOR PLANNING BOARD DETERMINATION & APPROVAL FOR MINOR MODIFICATION TO SPECIAL PERMIT (SP 2008-14) VERIZON WIRELESS (“BELL ATLANTIC MOBILE OF MASSACHUSETTS CORP., LTD.” & “CELLCO PARTNERSHIP”),(APPLICANT) – LEEROY KNOWLTON, TRUSTEE, KNOWLTON FARMS NOMINEE TRUST (OWNER / LAND) – AT & T WIRELESS SERVICES OF MASSACHUSETTS, INC. (OWNER / EXISTING TOWER)

Attorney Klasnik informed the Board that he was requesting the Board’s determination on and approval of a minor modification to Special Permit (SP 2008-14) to modify the installation on the telecommunications tower located at 43 Estabrook Avenue. Attorney Klasnick added the request was basically the same as stated for the 20 Indian Path location for Verizon Wireless proposing to remove six (6) antennas from its existing facility on the tower and install six (6) antennas with the addition of three (3) remote radio heads, a junction box and internal cabling. Attorney Klasnick noted that also included was a request for a waiver for the antenna height from 5 feet to 6 feet.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to determine the request is a minor modification and to grant the applicant’s request to modify Special Permit (SP 2008-14) as discussed. **MOTION** carried unanimously 4 to 0.

Chairman Robbins received unanimous consent to return to Action Item 1-B without Mr. Prisby being present.

ACTION ITEM 1-B – CONSIDER DECISION – SPECIAL PERMIT (SP 2013-11) – WESTBOROUGH

Chairman Robbins appointed Mr. Often as a voting member in the absence of Mr. Prisby.

Ms. Morgan informed the Board that she had the opportunity to speak to Attorney Trudell to clarify the number of directional signs were to be permitted. Attorney Trudell had spoken of 5 directional signs during her presentation, but there were actually 6 directional signs shown on the plan submitted. Attorney Trudell stated they were looking to have 6 directional signs approved.

Mr. Hassinger expressed concerns that the Board needs to have a good enough reason as to why we are granting all that relief.

Ms. Morgan remarked that the applicant had stated the number of directional signs was needed due to a safety concern with the on-site circulation patterns, the amount of activity on the site and the traffic patterns on Worcester Street. Ms. Morgan also cited the applicant's rationale for hardship in not being able to use standard Dunkin' Donuts corporate office signage. The Board did not recognize corporate office signage as a reasonable hardship for granting the relief requested. Mr. Scully expressed concerns that the increase in the size of the directional signs was not justified and that he did not see enough criteria to go against the By-Law. Chairman Robbins stated the number of directional signs were appropriate for the new site design. Mr. Hanna pointed out that the new directional signs are smaller than the previous signs that were on the site, and that the safety concerns warranted the size relief request. Mr. Often remarked that given the fairly confusing traffic situation, granting relief is very beneficial to the safety situation; and that he sympathizes with the applicant's request for corporate hardship. Mr. Hassinger stated he would be inclined to vote for the relief if the decision reflected adequate rationalization including language stating that the Planning Board rationalized this because of a unique circumstance. Chairman Robbins remarked that statements in the draft decision about safety due to unique traffic patterns within the site rationalized the relief, but corporate hardship did not warrant granting relief.

Mr. Hassinger suggested Finding F-8 state that the Board finds that given the unique circumstances of the on-site traffic patterns, the amount of additional square footage requested is warranted for the purpose of public safety.

Mr. Prisby joined the Board at 7:55 p.m.

The Board continued to discuss the documentation of granting relief for the six directional signs.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to make favorable Findings for F-1 through F-24 including the revised language to Finding F-8 as discussed. **MOTION** carried 4 to 1 by roll call vote: Mr. Scully-nay, Mr. Hassinger-aye, Mr. Robbins-aye, Mr. Hanna-aye, Mr. Often-aye.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to make a favorable Finding for F-25. **MOTION** carried 4 to 1 by roll call vote: Mr. Scully-nay, Mr. Hassinger-aye, Mr. Robbins-aye, Mr. Hanna-aye, Mr. Often-aye.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to make favorable Findings for F-26 to F-33. **MOTION** carried unanimously 5 to 0 by roll call vote.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to make a favorable Finding for F-34. **MOTION** carried 4 to 1 by roll call vote: Mr. Scully-nay, Mr. Hassinger-aye, Mr. Robbins-aye, Mr. Hanna-aye, Mr. Often-aye.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to approve Conditions C-1 to C-8, as drafted. **MOTION** carried 4 to 1 by roll call vote: Mr. Scully-nay, Mr. Hassinger-aye, Mr. Robbins-aye, Mr. Hanna-aye, Mr. Often-aye.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to grant Special Permit (SP 2013-11) with the Findings and Conditions as discussed and amended. **MOTION** carried 4 to 1 by roll call vote: Mr. Scully-nay, Mr. Hassinger-aye, Mr. Robbins-aye, Mr. Hanna-aye, Mr. Often-aye.

Chairman Robbins left the Board to sign the plans for ANR 2014-3 – William Rychlik.

STAFF REPORT

Ms. Morgan informed the Board that Joseph Laydon has been sent the FY 2015 Budget information and will be present, along with Chairman Robbins, for the Finance Committee yearly departmental budget review.

Ms. Morgan also informed the Board that regarding the February 11 gathering with Undersecretary Bialecki at the South Grafton Community House, the CMRPC has suggested the meeting be posted as a Special meeting since there will be three members of the Planning Board present. Mr. Hassinger expressed concerns for the posting, noting he was not noticed of the meeting in time to attend, and the meeting was not called by the Chairman.

MOTION by Mr. Hassinger, **SECOND** by Mr. Hanna, to post a cancellation of the Special meeting for February 11, 2014.

DISCUSSION: Mr. Hanna asked if there would be discussion of Planning Board information discussed. Ms. Morgan stated the purpose of the gathering was a site visit by Undersecretary Bialecki and that the Planning Board members attending were actually representing three separate groups. Mr. Hassinger added that it was not required to post a site visit.

MOTION carried unanimously 5 to 0.

Ms. Morgan pointed out that Tufts University had submitted an application for the Modification of the Grafton Campus Master Plan scheduled for March 10, 2014. Ms. Morgan added that they had submitted a check for peer review and asked for direction if they wanted Graves Engineering to submit a Scope of Services.

Ms. Morgan also stated she was in the process of finishing up the Town Report for submission to the Town Administrator's office by the end of the week. Ms. Morgan asked if the Board wished to see the draft. The Board requested the draft be emailed to them before submission.

BILLS

The bills were circulated and signed.

MINUTES OF PREVIOUS MEETINGS

MOTION by Mr. Hassinger, **SECOND** by Mr. Scully, to approve the open session minutes of January 27, 2014 with the corrections noted. **MOTION** carried unanimously 5 to 0.

CORRESPONDENCE

Ms. Morgan also pointed out that a memo had been received from Kristen Wood that she had resigned from her position as CMRPC representative, and that the Board of Selectmen will need to reappoint a new representative.

Mr. Hassinger stated that project proposals should be submitted to the CMRPC as soon as possible, as the DLTA second round funding is being allocated quickly. Ms. Morgan noted that the Conservation agent has planned to use some of the funding to update the Open Space & Recreation Plan.

DISCUSSION ITEM 2-A – ZONING BY-LAW POTENTIAL CHANGES

The Board discussed the success of their informative meeting on February 3 regarding resident and business community input on Temporary and Portable signs. The Board agreed they had some interesting conversation regarding the signs, particularly the “sandwich board” type signs. Ms. Morgan noted she had received a phone call from Savers Bank stating their support for the efforts being done to update the By-Law. Mr. Hassinger remarked that there is a lot of work to accomplish on this part of the By-Law, especially considering the many inconsistencies he discovered within the Temporary/Portable sign By-Law. The Board acknowledged they needed to come up with clear definitions of the terminology used within the By-Law and delineate between uses for temporary and portable signs. Mr. Scully added that there is a real need for enforcement of the By-Law which should be discussed with the Town Administrator. Mr. Prisby noted the Board needs to come up with a By-Law to reflect what we want. The Board continued a discussion on the issues needing to be clarified for the By-Law. Chairman Robbins cautioned that the Board does not want to be creating more problems than we are solving.

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

The meeting was adjourned at 9:12 p.m.

EXHIBITS

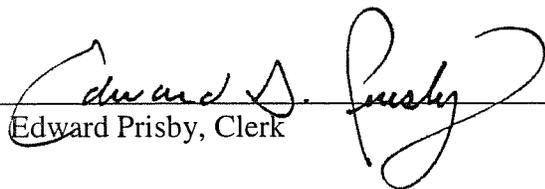
- **Action Item 1B: Consider Decision – Special Permit (SP 2013-11) – Westborough Realty Trust, Michael Marino & Brian Marino, Trustees, d/b/a Dunkin’ Donuts – 72 Worcester Street**

- Draft Decision, dated January 30, 2014, 8 pages.
- **Action Item 1C: Request for Bond Reduction – “Brookmeadow Village” Subdivision**
 - Memorandum from Planning Department, Bond Reduction Recommendation for the Brookmeadow Village Subdivision, dated February 7, 2014, 1 page.
- **Action Item 1D: Request for Planning Board Determination & Approval for Minor Modification to Special Permit (SP 2007-4) Verizon Wireless (“Cellco Partnership” & “Bell Atlantic of Massachusetts Corp., Ltd”), (applicant) – Cingular Wireless (Monopole owner) – Carlo & Diane Brescia (property owner)**
 - List of Wireless Communication Facilities, Sorted by Year & Special Permit; prepared by the Planning Department; Updated January 15, 2013; 6 pages.
 - Unbound Application Material submitted by Attorney Daniel Klasnick on behalf of the Applicant; received February 2, 2014; includes the following:
 - Correspondence from Duval & Klasnick LLC; Application for Minor Modification of Special Permit, Applicant: Bell Atlantic Mobile of Massachusetts Corporation, Ltd., d/b/a Verizon Wireless; 2 pages.
 - Application for Modification of Special Permit, dated February 3, 2014, 1 page.
 - Statement in Support of Application for Minor Modification of Special Permit, 20 Indian Path, Grafton Massachusetts; 13 pages.
 - Decision of the Grafton Planning Board, Wireless Communications Special Permit (SP2007-4) and Site Plan Approval, 20 Indian Path, Grafton, Massachusetts; stamped by the Town Clerk on May 29, 2007; 12 pages.
 - Correspondence from Bruce Nicholson; Letter of Authorization – AT&T FA#10130921; dated January 27, 2014; 1 page.
 - Site Plan and Elevation, 20 Indian Path, Grafton MA; Sheet L-1; 11” x 17” black & white; prepared by Hudson Design Group; dated December 20, 2013; 1 page.
 - Specifications: AXP18; Vendor – CSS Antenna; published 10/14/11; 1 page.
 - Specifications: X7C-680; Vendor – CSS Antenna; published 12/4/12; 1 page.
 - Specifications: Alcatel-Lucent RRH2x40-AWS Remote Radio Head; Vendor Alcatel-Lucent; copyright 2010; 2 pages.
 - Federal Communications Commission Wireless Telecommunications Bureau, Radio Station Authorization, Licensee: Cellco Partnership; Call Sign – KNKA201; FCC Registration Number 0003290673; Effective Date: 12/16/2010; Expiration Date: 10/01/2014; 1 page.
 - Federal Communications Commission Wireless Telecommunications Bureau, Radio Station Authorization, Licensee: Cellco Partnership; Call Number – WQJQ689; FCC Registration Number 0003290673; Effective Date: 5/4/2012; Expiration Date: 6/13/2019; 1 page.
 - Federal Communications Commission Wireless Telecommunications Bureau, Radio Station Authorization, Licensee: Cellco Partnership; Call Number – WQJX455; FCC

Registration Number 0003290673; Effective Date: 1/4/2014; Expiration Date: 11/29/2021; 1 page.

- Federal Communications Commission Wireless Telecommunications Bureau, Radio Station Authorization, Licensee: Cellco Partnership; Call Number – WQGA900; FCC Registration Number 0003290673; Effective Date: 12/28/2013; Expiration Date: 11/29/2021; 1 page.
- **Action Item 1E: Request for Planning Board Determination & Approval for Minor Modification to Special Permit (SP 2008-14) Verizon Wireless (“Bell Atlantic Mobile of Massachusetts Corp., Ltd.” & “Cellco Partnership”),(applicant) – Leroy Knowlton, Trustee, Knowlton Farms Nominee Trust (owner / land) – AT & T Wireless Services of Massachusetts, Inc. (owner / existing tower)**
 - List of Wireless Communication Facilities, Sorted by Year & Special Permit; prepared by the Planning Department; Updated January 15, 2013; 6 pages.
 - Unbound Application Material submitted by Attorney Daniel Klasnick on behalf of the Applicant; received February 2, 2014; includes the following:
 - Correspondence from Duval & Klasnick LLC; Application for Minor Modification of Special Permit, Applicant: Bell Atlantic Mobile of Massachusetts Corporation, Ltd., d/b/a Verizon Wireless; 2 pages.
 - Application for Modification of Special Permit, dated February 3, 2014, 1 page.
 - Statement in Support of Application for Minor Modification of Special Permit, 43 Estabrook Avenue, Grafton Massachusetts; 13 pages.
 - Decision of the Grafton Planning Board, Wireless Communications Special Permit (SP2008-14) and Site Plan Approval, 43 Estabrook Avenue, Grafton, Massachusetts; stamped by the Town Clerk on November 13, 2008; 10 pages.
 - Correspondence from Bruce Nicholson; Letter of Authorization – AT&T FA#10071790; dated January 27, 2014; 1 page.
 - Site Plan and Elevation, 43 Estabrook Street, Grafton, MA; Sheet L-1; 11” x 17” black & white; prepared by Hudson Design Group; dated December 20, 2013; 1 page.
 - Specifications: AXP18-60; Vendor – CSS Antenna; published 10/14/11; 1 page.
 - Specifications: X7C-665-V; Vendor – CSS Antenna; published 9/10/2013; 1 page.
 - Specifications: Alcatel-Lucent RRH2x40-AWS Remote Radio Head; Vendor Alcatel-Lucent; copyright 2010; 2 pages.
 - Federal Communications Commission Wireless Telecommunications Bureau, Radio Station Authorization, Licensee: Cellco Partnership; Call Sign – KNKA201; FCC Registration Number 0003290673; Effective Date: 12/16/2010; Expiration Date: 10/01/2014; 1 page.
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- **Item 3: Staff Report**
 - Planning Board Special Meeting and Site Visit Notice for Tuesday, February 11, 2014; stamped by Town Clerk on February 7, 2014; 1 page.
- **Item 5: Minutes of Previous Meeting**
 - Open session minutes of January 27, 2014; 6 pages.
- **Item 6: Correspondence**
 - Email correspondence from Kristin Wood, Resignation as Delegate to the CMRPC; dated and received on February 10, 2014; 1 page.
 - Email correspondence from Stephen Burke, Sidewalk Signs, received February 10, 2014, 1 page.
 - Correspondence from Phil Gauthier, Skip Michniewicz, Theresa Michniewicz and Walter Wojnar to Stephen Bishop, dated January 30, 2014; 1 page.


Edward Prisby, Clerk