

**Minutes of Meeting  
Grafton Planning Board  
July 13, 2015**

A regular meeting of the Grafton Planning Board was held on , 2014 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Sargon Hanna, Vice-Chair Michael Scully, Clerk Robert Hassinger, David Robbins and Linda Hassinger. Staff present was Town Planner Joseph Laydon, Assistant Planner Ann Morgan, and Office Manager Nicole Larson.

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

**1: PUBLIC INPUT**

No public input at this time

**ACTION ITEM 2A: WDRD – ANNUAL FORM: SIGNATURES**

The annual form was circulated to collect signatures.

**ACTION ITEM 2B: DRAFT DECISION – SP 2015-7 – BRENNER – ACCESSORY APARTMENT**

The board reviewed the draft decision.

**MOTION** by Mr. Robbins, **SECOND** by Mrs. Hassinger, to find favorable the Findings F1-F22 with discussed edits. **MOTION** carried unanimously 5 to 0.

Mr. Robbins noted some slight numbering issues.

**MOTION** by Mr. Robbins, **SECOND** by Mr. Hassinger, to grant the waivers with discussed edits to numbering. **MOTION** carried unanimously 5 to 0.

The Board then discussed the need for edits to numbering of Conditions C1-C6.

**MOTION** by Mr. Robbins, **SECOND** by Mrs. Hassinger, to grant the special permit with Conditions C1-C6 as discussed with edits for proper numbering. **MOTION** carried unanimously 5 to 0.

**ACTION ITEM 2C: DRAFT DECISION – SP 2015-6 – 114 MERIAM RD. – COMMON DRIVE**

The Board discussed the waivers requested with this Special Permit. The final plan requested a waiver for the maximum road length as well as a waiver for the traffic study.

**MOTION** by Mr. Robbins, **SECOND** by Mr. Scully, to grant the waivers requested by the applicant. **MOTION** carried unanimously 5 to 0.

The Board discussed the Findings for the Common Drive Decision.

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**MOTION** by Mr. Robbins, **SECOND** by Mr. Scully, to grant the Findings F1-F29 with discussed edits. **MOTION** carried unanimously 5 to 0.

Small edits were discussed and slight changes to the days of operation were noted.

**MOTION** by Mr. Robbins, **SECOND** by Mr. Scully, to grant the special permit with Conditions C1-C18 as drafted with discussed edit. **MOTION** carried unanimously 5 to 0.

**ACTION ITEM 2D: DRAFT DECISION – SRP 2015-1 – 114 MERIAM RD. – SCENIC ROAD**

The Board discussed several nitpicks within the Findings of the Draft Decision.

**MOTION** by Mrs. Hassinger, **SECOND** by Mr. Robbins, to find favorably the Findings F1-F11. **MOTION** carried unanimously 5 to 0.

The Board then discussed several edits to the Conditions C1-C8.

**MOTION** by Mrs. Hassinger, **SECOND** by Mr. Robbins, to find favorably the Conditions C1-C8 with discussed edits and grant the Scenic Road Permit. **MOTION** carried unanimously 5 to 0.

**ACTION ITEM 2E: CMRPC – DELEGATE REAPPOINTMENT: MEMBER AT LARGE: MR. PERLA**

Mr. Perla, of 121 Providence Road spoke to the Board, expressing his desire to be reappointed to the position, and gave an update on the current on goings of the CMRPC.

**MOTION** by Mr. Robbins, **SECOND** by Mrs. Hassinger, to enthusiastically reappoint Mr. Perla to the CMRPC. **MOTION** carried unanimously 5 to 0.

**ACTION ITEM 2F: SITE PLAN REVIEW DETERMINATION – 198 WORCESTER STREET; DETERMINATION WHETHER SITE PLAN REVIEW IS NEEDED FOR RESTAURANT AT 198 WORCESTER STREET**

Material was not received for this agenda item in time enough to be dispersed to the Board. After a brief discussion about the parking situation at the location, the Board decided to postpone this Action Item until the next Planning Board Meeting on July 27, 2015.

**5: BILLS**

The bills were circulated and signed.

**8. REPORTS FROM PLANNING BOARD REPRESENTATIVES ON TOWN COMMITTEES AND CMRPC**

Mr. Perla spoke to the Board about the ongoing of the CMRPC. Most recently, the Governor has issued an executive order for a research and oversight committee, MA Great Lakes and Ponds Project. Flint Pond in Grafton qualifies as a Great Pond. Once information is received from the state in regards to commercial and economic development for Flint Pond, Mr. Perla will forward it to the Planning Board and the Economic Development Commission.

No other news from other committee representatives at this time.

#### **4: STAFF REPORT**

Mr. Laydon informed the Board that the Planning Department Intern will give a presentation on solar bylaws, state regulations and a broad overview of solar development state wide on July 27 at the Planning Board Meeting. The intern has also been working to collect information on free standing signs and visibility for areas around signs.

Mr. Laydon has been working with the developers of Toll Brothers on certification of their site to determine project completion for the subdivision by the first August Board Meeting. Mr. Laydon is also working with Oakmont Farms for acceptance of roadways for that subdivision and aims to have their project complete by the same Board Meeting in August.

#### **PUBLIC HEARING 9A: MODIFICATION OF SPECIAL PERMIT (2014-6.1) – KNOWLTON FARMS SOLAR DEVELOPMENT – BLUEWAVE CAPITAL, LLC (APPLICANT) / PATRICIAL K. KNOWLTON – KNOWLTON FARMS NOMINEE TRUST (OWNER)**

Applicant is looking to extend the special permit by one year. Landscaping is being installed. Conservation is working with applicant for erosion control and control sediment runoff. Mr. Laydon informed the Board that this modification was being requested in anticipation of a project delay due to the interconnection infrastructure with National Grid. Intent is to start construction on that infrastructure this fall. Ann Reitmayer, representing BlueWave Capital, spoke to the Board concerning the work needing to be done and confirmed that the liaison in her office, as well as the investor for this project are actively working closely with National Grid to keep the project moving.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Robbins, to close the hearing. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Robbins, **SECOND** by Mrs. Hassinger, to find that this is a minor modification and approve the said minor modification. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hanna, **SECOND** by Mr. Hassinger, to instruct staff to draft a letter of approval for this minor modification. **MOTION** carried unanimously 5 to 0.

#### **PUBLIC HEARING 9B: SPECIAL PERMIT (2015-8) – GRAFTON WASTEWATER TREATMENT PLANT – CDM SMITH (APPLICANT) / TOWN OF GRAFTON DEPT. (OWNER)**

Dana Green and Sally Craiman from CDM Smith were both present for the public hearing, which began after brief instruction from Mr. Hanna describing the process in which he would like for the hearing to proceed.

The Board and the applicant discussed the purpose of the requested improvements. The Applicant stated that the U.S. Department of Environmental Protection (EPA) and the Massachusetts Department of Environmental Protection (MassDEP) had issued a new National Pollutant Discharge Elimination System (NPDES) permit to the Town in August 2013. The permit requires the Town to reduce nitrogen and phosphorus discharged from the facility to the Blackstone River. The permit and proposed upgrades to the existing plant will address the requirements to limit nutrient concentrations

discharge while protecting and improving water quality of the Blackstone River and other down-river receiving waters. Nutrient discharge limitation will be accomplished by implementing additional nutrient removal processes along with a number of baseline improvements to the existing facilities to meet the lower discharge concentrations. The existing facility, given its age and minimal improvements since constructed, cannot meet the new limits set by the NPDES permit. The EPA has issued an Administrative Consent order requiring the facility be able to meet the new limits by April 1, 2018.

The Board asked several questions pertaining to the future needs of the town and the how the proposed facility will accommodate future expansion if it were to require addition capacity beyond current permitted 2.4mgd. Paul Courmoyer spoke to the Board concerning the current daily load allowance for discharge into the Blackstone River. With a current daily limit of 2.4mgd in addition to 4lbs of phosphorous and 18 lbs. of nitrogen with a float load of 400,000 gallons per day, the current facility of almost 40 years old and is operating at a 1.69mgd existing flow but will not be able to keep up with the demands of the new NPDES regulations.

Mr. Laydon spoke to the point that planning for town's expansion can only be done so far into the future due to the need for documentation and demonstrated demand when obtaining a NIPDES permit for the facility. With several possible science park projects underway, and other planned development sites, it is challenging to anticipate the exact needs of the community beyond a certain capacity. Mr. Robbins pointed out that this proposal for a new facility to replace the existing facility does not include an increase in capacity since the capacity permit the town holds is suitable for our current needs along with the needs of the current projected growth of the town.

Mr. Dana also confirmed that this proposed design would also allow for the compliance with more strict regulations, a possible requirement from the EPA in the coming years, with few modifications. The building itself at the Wastewater treatment plan will require 13 feet for an additional screening channel. The proposal also includes a new phosphorous removal system, a secondary clarifier along with a new aeration tank and updated generator.

Mrs. Craiman reminded the board that since the current facility is located in a flood plain, the special permit and site plan does include compensatory flood storage. There is also a plan for water supply protection overlay and compliance for on-site chemical storage, which was found to be in compliance with the Grafton By-law in the Graves Engineering peer review. The proposal also covers a traffic study, with projections through to 2038.

Mr. Laydon confirmed that there will be an administrative update to the narrative for the special permit to reflect that this application refers to a municipal zoning use, not an industrial use, as initially proposed in the application.

At the hearing, Lisa Lion, of 319 Providence Road, asked the question of screening for the project and how the new additions will be viewed from the abutting properties. Mr. Dana confirmed that the only trees that will need to be cut will be on the south side of the main parking area, and in the stand of trees between a clarifier and the Blackstone River, as well as a few small pines on the eastern side of the facility that were planted for decorative purposes.

**MOTION** by Mr. Hassinger, **SECOND** by Mrs. Hassinger, to close the hearing.

Mr. Robbins then brought up the concept of screening the solar arrays in respect to the adjacent residential properties. After some discussion, the Board decided that there is no need for

extraordinary screening requirements given this proposal is for an accessory use, and the direction of the solar array will be facing away from the adjacent residential areas and placed at ground level.

**MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mrs. Hassinger, to direct staff to prepare a draft decision while taking in to account the material discussed. **MOTION** carried unanimously 5 to 0.

**PUBLIC HEARING 9C: DEFINITIVE PLAN APPROVAL (2015-5) – “GRISTMILL VILLAGE” SUBDIVISION – CASA BUILDERS AND DEVELOPERS CORP. (APPLICANT) / MAINTANIS REALTY TRUST; WILLIAM J. & MARTY J. MAINTANIS & STEPHEN A. WILSON (OWNERS)**

Present for the hearing was John Grenier, of J. M. Grenier Associates and Stephen Venincasa of Casa Builders and Developers Corp. Mr. Grenier introduced the latest 10-lot plan for the development. The majority of the work that would take place would be in the existing field which is accessed by the right of way between 94 & 96 Pleasant Street. In the new proposal, the road way would require a 99 foot waiver, the detention basin would decrease in size and an additional 30 foot area of screening to adjacent property on Barbara Jean Road would be enhanced with additional evergreens also put in place for additional screening for 6 & 8 Gristmill Road properties. The heritage trees in the area near the detention basin would not be cut.

Mr. Grenier explained the need for a 99 foot waiver for the Common Drive on this property, which is directly due to the requirements of joining up to town water and sewer utilities for this site. Because of cost acquired with this plan, anything less than a 10 lot division for this development would not allow for profitable construction.

Mr. Grenier discussed the proposal for vertical curbing at the roundings of the entrance with Cape Cod berm throughout the site along with a continuous 24 foot wide road which would be marked with a bike lane on the shoulder of the roadway. This plan would allow for compliance with fire safety needs, as well as allow for easier and more cost effective maintenance by the town for future years to come, though the Board did take issue with the safety aspects of ultimately eliminating a divider between the roadway and the sidewalk. Mr. Venincasa spoke to the Board concerning the bike path and the viability of a plan which reflect a constructible development. He reiterated the points that the marked roadway would make the development friendlier to pedestrians and bicyclists as well as allowing for less maintenance by the town and easier clearing in snowy situations. He also reassured the Board that any of the discussed curb types will direct run off as needed and pointed out the benefits of some types of curbing over others.

The Board held a discussion on the option of giving consideration to determining waivers for a site plan and special permit earlier on in the application process. Due to the process of collecting new information throughout the public hearing, the Board determined that there is no way to expedite the process in which it reaches a decision for granting waivers. Mr. Laydon pointed out that this process does at times create difficulties when Planning Department staff have drafted decisions in the past. He also reminded the Board that opening Public Hearing after they have been closed due to new collected information is indeed an option.

Beverly Berube, of 9 Barbara Jean Street spoke to the Board and proposed the question of ownership for the green space which acts as screening for the houses on Barbara Jean Street. Mr. Laydon

informed her that it would be up to the Planning Board to determine restrictions on removing any tree cover by way of a drainage easement, as well as construct and structures and put up fences, etc.

Tracy Wood of 8 Grist Mill Road addressed the applicant concerning the size, screening and location of the detention basin. Mr. Grenier indicated that the basin was reduced by 30 feet along Barbara Jean Road abutters and set back 5-6 feet to allow room for screening between those abutters and the basin. In order to install utilities and drainage, the right of way on to Grist Mill Road will require some work between the detention basin and the Grist Mill Road abutters necessary to meet the drainage requirements. He indicated that the screening will likely consist of 4-6 foot white pines, which tend to have a fast growth rate, and added that this location was determined to be the best location for the detention basin due to it being the lowest natural point for drainage in relation to the proposed development area. The Board notes that setting conditions to preserve vegetation and heritage trees will provide screening for properties on Grist Mill Road.

Richard Berube, of 9 Barbara Jean Street, then spoke to the Board about his concerns on drainage. Mr. Grenier explained the specifics of the drainage proposal and clarified how the State and Federal regulations have played a part in its design.

Moving forward, the Board will be looking for the revised plans from J. M. Grenier Associates. The Board will work to confirming the road way width of 24 feet and collect comments from the DPW, Police and Fire Departments on the proposed bike path and sidewalk configurations.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Robbins, to continue the current meeting beyond 10:00 PM. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Robbins, **SECOND** by Mrs. Hassinger, to continue the hearing on August 10, 2015. **MOTION** carried unanimously 5 to 0.

**MINUTES OF PREVIOUS MEETING: ITEM 6C: EXECUTIVE SESSION MINUTES OF MONDAY, JUNE 8, 2015**

The Board discussed the practice with approving Executive Session Meeting Minutes.

**MOTION** by Mrs. Hassinger, **SECOND** by Mr. Hassinger, to approve the minutes form the Executive Session held on June 8, 2015.

The Board discussed briefly their ability to vote on Open Session Meeting Minutes.  
**MOTION** carried unanimously 5 to 0.

**MINUTES OF PREVIOUS MEETING: ITEM 6A: OPEN SESSION MINUTES OF MONDAY, JUNE 08, 2015**

After some discussion on the meeting minutes, several edits where suggested along with clarification on funding for Mill Village model bylaw.

**MOTION** by Mrs. Hassinger, **SECOND** by Mr. Robbins, to accept the minutes from June 8, 2015 with any edits discussed and necessary. **MOTION** carried unanimously 5 to 0.

**MINUTES OF PREVIOUS MEETING: ITEM 6B: OPEN SESSION MINUTES OF MONDAY, JUNE 22, 2015**

**MOTION** by Mr. Scully, **SECOND** by Mrs. Hassinger, to approve the minutes from June 22, 2015 with any necessary edits. **MOTION** carried unanimously 5 to 0.

**3: DISCUSSION ITEMS**

Mr. Laydon informed the board of the latest on goings with the Troiano Trucking Special Permit and Site Plan located on Creeper Hill Road in Grafton. At the July 13, 2015 hearing with the Department Environmental Protection (DEP) there were certain guidelines of the permit that were determined to have potential impact the Grafton Community, including the following:

- The frequency and timing of materials being trucked to and from the facility
- The frequency of which wastewater is shipped from the facility

Mr. Laydon is concerned particularly with the truck restriction on the access road to this plant. Due to the hours of operation set out by the DEP, it would be extremely difficult to enforce the town regulations. The Board determined that they would like to be informed by the DEP if any violations have been issued filed with Troiano Trucking or any changes to the Special Permit take place in the future. The Board also instructed staff to locate a copy of the current conditions set out by the DEP which outline the operational guidelines for the facility.

**MOTION** by Mr. Robbins, **SECOND** by Mrs. Hassinger, to direct staff to draft a comment letter to DEP expressing the consensus of the Board, as discussed. **MOTION** carried Unanimously 5 to 0.

**ITEM 7: CORRESPONDENCE**

No correspondence at this time.

**ADJOURNMENT**

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

The meeting was adjourned at 10:29 p.m.

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Robert Hassinger, Clerk

**EXHIBITS**

- **Action Item 2A: WDRD – Annual Form: Signatures**
- **Action Item 2B: Draft Decision – SP 2015-7 – Brenner – Accessory Apartment**
  - Draft Decision; Special Permit 2015-7 & Site Plan Approval; Accessory Apartment; 8 Nantucket Place; dated June 29, 2015; no received date; 6 pages
- **Action Item 2C: Draft Decision – SP 2015-6 – 114 Merriam Rd. – Common Drive**
  - Draft Decision; Special Permit 2015-6; Common Drive for 114 Merriam Rd.; no date; no received date; 12 pages
- **Action Item 2D: Draft Decision – SRP 2015-1 – 114 Merriam Rd. – Scenic Road Permit**
  - Draft Decision; Scenic Road Permit 2015-6 to Removal of two (2) +/-6” pine trees, Removal and Reuse of Approximately Thirty Eight (38) Feet of Stone Wall, Reconstruction of Stone Wall; dated July 6, 2015; no received date; 3 pages
- **Action Item 2E: CMRPC – Delegate Reappointment: Appointed Delegate: Mr. Perla**
  - Email Correspondence for reappointment; Robert Perla; dated June 26 2015; no received date; 2 pages
- **Agenda Item 3: Special Permit for Mark Troiano d/b/a Troiano Trucking – 109 Creeper Hill Road, North Grafton, MA**
  - Correspondence / DEP Permit for Recycling Composting or Conversion – Feedback request from Office of the Town Administrator’s office; dated July 10, 2015; no received date:
    - Memorandum from Tech Environmental; from Michael T. Lannan, P. E.; dated July 9, 2015; no received date; 1 page.
    - DEP Permit Information for Recycling Composting or Conversion; no date; received by Grafton Health Department on May 11, 2015; 20 pages.
  - Certificate of No Appeal – Special Permit 1996-6 and Site Plan Approval; from the Grafton Planning Board; June 19, 2014; no received date; 8 pages
  - Certificate of No Appeal – Special Permit and Site Plan Approval (1996-6); from the Grafton Planning Board; December 16, 2014; no received date; 8 pages
  - Decision, Grafton Planning Board – SP 96-6 – Troiano Trucking – 103 Creeper Hill Road; dated May 21, 2011; no received dated; 4 pages.
  - Informational packet from Joseph Laydon, Town Planner to Planning Department; Department Environmental Protection (DEP) hearing information; dated July 13, 2015; received July 13, 2015; 6 pages
- **Agenda Item 6A: Open Session Minutes DRAFT of Monday June 08, 2015; no date; no received date; 9 pages**
- **Agenda Item 6B: Open Session Minutes DRAFT of Monday June 22, 2015; no date; no received date; 6 pages**
- **Public Hearing 9A: Modification of Special Permit (2014-6.1) – Knowlton Farms Solar Development – BlueWave Capital, LLC**
  - Memorandum from Brian Szczerko, Engineering Department; dated June 17, 2015; received on July 2, 2015; 2 pages
  - Memorandum from Katrina Koshivos, Zoning Board; dated June 17, 2015; received on June 19, 2015; 2 pages
  - Memorandum from Jessica Gomez, Treasurer and Collector; dated June 17, 2015; received on June 18, 2015; 2 pages
  - Memorandum from Normand Crepeau, Police Department; dated June 17, 2015; received on June 18, 2015; 2 pages

- Memorandum from David Crouse, Department of Public Works; dated June 17, 2015; received on June 18, 2015; 2 pages
- Application for Modification of Special Permit; dated May 19, 2015; received May 27, 2015; 1 page
- Project Narrative from BlueWave Capital; no date; received on May 27, 2015; 1 page
- Certificate of Good Standing; signed by Treasurer / Collector; dated May 21, 15; received May 27, 2015
- Request for Abutters List: Requested by Laura McPherson; dated May 27, 2015; received May 27, 2015; 2 pages
- ***Public Hearing 9B: Special Permit (2015-8) & Site Plan Approval – Grafton Wastewater Treatment Plant – CDM Smith:***
  - Memorandum from Brian Szczurko, Engineering Department; dated June 23, 2015; received on July 9, 2015; 1 pages
  - Memorandum from Stephen Charest, Grafton Fire Department; dated June 23, 2015; received on June 29, 2015; 1 pages
  - Memorandum from Jessica Gomez, Treasurer / Collector; dated June 23, 2015; received on June 29, 2015; 1 pages
  - Peer Review; Graves Engineering, Inc.; dated July 8, 2015; received on July 8, 2015; 2 pages
  - Request for Abutters List; Requested by Alexandra Kleyman, CDM Smith; dated June 17, 2015; received June 18, 2015; 1 page.
  - Request for Abutters List; Requested by Conor Veeneman; dated March 31, 2015; no received date; 2 pages.
  - Correspondence from Matt Pearson, Grafton Water District; dated June 23, 2015; received June 23, 2015; 2 pages.
  - Memorandum to Joseph Laydon from Alexandra Kleyman, Planner, CDM Smith; dated July 13, 2015; received July 13, 2015; 2 pages
  - Slide Show Presentation Print-out from CDM Smith; no date; received at July 13, 2015 Planning Board Meeting @ 7:40pm; 4 pages
- ***Public Hearing 9C: Definitive Plan Approval (2015-5) – “Gristmill Village” Subdivision – Casa Builders and Developers Corp. (Applicant)***
  - Image of proposed bike path replacement of sidewalks; no date; received at the July 13, 2015 Planning Board Meeting @ 8:45pm; 1 page.