Minutes of Meeting
Grafton Planning Board
August 24, 2015

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A regular meeting of the Grafton Planning Board was held on August 24, 2015 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 and 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: DRAFT DECISION: SPECIAL PERMIT (SP 2015-10) & SITE PLAN APPROVAL – ACCESSORY USE – HOME BASED AESTHETICS AND NAIL SPA – 7 SEAVER FARM LANE – ROBERTA MANDELLA (APPLICANT)

MOTION by Mr. Robbins, **SECOND** by Mrs. Hassinger, to find favorably the findings F1-F27. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Robbins, **SECOND** by Mrs. Hassinger, to grant waivers W1 and W2 as shown in the draft decision. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Robbins, **SECOND** by Mr. Hassinger, to approve the Special Permit and Site Plan Approval with conditions as discussed.

Discussion on the Motion included on-site parking at the location of the proposed spa and its effect on local traffic. The Board recognized the applicant's request for on-site parking as part of the site plan approval.

MOTION carried unanimously 5 to 0.

ACTION ITEM 2B: DRAFT DECISION: SCENIC ROAD PERMIT (SRP 2015-2) – REMOVAL OF FOUR (4) TREES – 42 GEORGE HILL ROAD – STEPHANIE WELIK (APPLICANT)

Mr. and Mrs. Hassinger recused themselves from the Board's deliberations in this draft decision review, as they are abutters to abutters of 42 George Hill Road.

MOTION by Mr. Robbins, **SECOND** by Mr. Scully, to find favorable Findings F1-F11, dated on page 1 as 8/24/2015, as discussed with suggested edits. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Robbins, **SECOND** by Mr. Scully, to approve Conditions C1-C6 and approve the decision as drafted with discussed edits. **MOTION** carried unanimously 5 to 0.

Mr. and Mrs. Hassinger rejoined the Board's deliberations for the duration of the meeting.

ACTION ITEM 2C: DETERMINATION OF COMPLETENESS – "NORTH GRAFTON PRESERVE" (A/K/A BRIGHAM HILL ESTATES)" SUBDIVISION– WHITE FLOWER LANE, PATRIOT WAY, BAY COLONY LANE - OFF BRIGHAM HILL ROAD AND BRIELLE ROAD

Following the meeting in April, there were 2 outstanding items needing completion in order for the determination of completeness to be filed, including the installation of an electric box, a grass swale that needed to be reestablished and work done to the detention basin. Letters received from Jeff Walsh, of Graves Engineering, as well as Dave Crouse, Tree Warden and Brian Szczurko, of the Department of Public Works, have confirmed that the finalization of these projects and recommended the Board reconsider the applicant's request for determination of completion for this subdivision.

Scott Miccile of Toll Brothers spoke to the Board pertaining to the release of the subdivision roadway with in the required 18 months allowance. Mr. Laydon confirmed the final acceptance plans and proper legal documentation have been accepted, however before the Planning Board is ready to forward the release request to the Board of Selectmen there are a few processes and final inspections for defects which must be complete, including the reconstruction of a cracked sidewalk panel and 3 trees to be planted in the fall. The Planning Board will further discuss their determination on September 14th, 2015 and notify the Board of Selectmen with a recommendation for the road's release.

MOTION by Mrs. Hassinger, **SECOND** by Mr. Robbins, to move to determine that the North Grafton Preserve has been complete. **MOTION** carried unanimously 5 to 0.

PUBLIC HEARING 10A: (7:30 P.M.) SPECIAL PERMIT FOR ACCESSORY APARTMENT (2015-12) – 53 PROVIDENCE ROAD – DEBORAH MICKET & KATRINA BREEN (APPLICANT/OWNER)

Mr. Hassinger opened the Public Hearing by reading the legal notice for the hearing. Katrina Breen of 53 Providence Road was present for the hearing. Katrina explained that the addition for the accessory apartment would be for her mother to reside and the addition, located on 2 floors of the residence, would be located in the rear of the house. Mr. Robbins reminded the applicant that the Special Permit, if approved, would not be available for future owners of the home and is only for the indicated family member. Mr. Laydon confirmed that the construction for the in-law apartment has been approved by the building inspector, Bob Berger.

MOTION by Mr. Robbins, **SECOND** by Mr. Hassinger, to close the public hearing and direct staff to draft a decision based on the discussion of the public hearing. **MOTION** carried unanimously 5 to 0.

PUBLIC HEARING 10B: (7:30 P.M.) MAJOR RESIDENTIAL SPECIAL PERMIT (MRSP 2014-10) – "VILLAGE AT INSTITUTE ROAD" SUBDIVISION – D. & F. AFONSO BUILDERS (APPLICANT/OWNER)

The applicant has submitted a written request to continue the public hearing.

MOTION by Mr. Robbins, **SECOND** by Mrs. Hassinger, to accept the applicant's written request to continue the hearing to Monday, September 14, 2015 at 7:30 pm. **MOTION** carried unanimously 5 to 0.

PUBLIC HEARING 10C: (7:30 P.M.) DEFINITIVE PLAN APPROVAL (2015-5) – "GRISTMILL VILLAGE" SUBDIVISION – CASA BUILDERS AND DEVELOPERS CORP. (APPLICANT) / MAINTANIS REALTY TRUST; WILLIAM J. & MARY J. MAINTANIS & STEPHEN A. WILSON (OWNERS)

Mr. Grenier and Mr. Venincasa from Casa Builders and Developers were present for the hearing. Mr. Grenier distributed copies of the revised drainage easement on the property of the abutter, Mr. Kaufman's property. The plan has been revised to reconfigure the sub-surface drainage location to run parallel with Millstone Drive, as to not disturb the septic and pear trees on Mr. Kaufman's yard. The drainage basin was made slightly larger in order to round out the square footage of the area. Mr. Grenier proposed that the existing drainage easement be removed from Mr. Kaufman's property and added to the 35 foot construction easement along Millstone Drive.

Mr. Venincasa spoke to the board concerning tree preference and the previously proposed bike lane. Mr. Kaufman of 96 Pleasant Street requested specific details regarding the location of the tree plantings along Millstone Drive, as it directly abuts his property. Mr. Kaufman also asked the Board if approval for plantings is needed from the abutter in this case. Mr. Grenier and the Board determined the best location for the street trees would be along the development entrance. Mr. Venincasa requested that the Board required approval from abutters when choosing location and species of the street trees along with the consultation from the tree warden and subject to the satisfaction of the Board. Mr. Grenier confirmed with the Board that single sided sidewalks were suitable, as well as 24 foot wide asphalt roadways, sloped granite curbing with vertical curbing at the throat of the catch basins and entrance roundings. The Board decided to postpone their preference for asphalt vs. concrete sidewalks until the decision process is underway.

MOTION by Mr. Hassinger, **SECOND** by Mr. Robbins, to close the public hearing and direct staff to draft a decision taking into consideration all the information discussed. **MOTION** carried unanimously 5 to 0.

DISCUSSION ITEM 3A: OAKMONT FARMS – COMPLETION AND ACCEPTANCE OF ROAD

Mr. Laydon is looking into past cases to follow suit with how the town should handle the acceptance of the road for Oakmont Farms. He will make further recommendations at the September 14th Planning Board meeting. This may or may not need to be removed from the Fall Town Meeting. Highway and Engineering Departments are ready for the road to become part of town's maintained roadways.

DISCUSSION ITEM 3B: ZONING AMENDMENT WORKSHOP SCHEDULING

Mr. Laydon informed the Board that the hydrologist consultant from Geosphere Environmental Management, Inc. with whom he has had corresponded, will attend the Planning Board Meeting on September 14, 2015 to discuss the proposed revisions to the Water Supply Protection Overlay

District (WSPOD) map. Mr. Laydon also proposed that we hold another meeting in September and October for longer discussion on the proposed changes.

4: STAFF REPORT

Correspondence from Spectra Energy Partners was received from a resident in town to inform the Department on the intent to modify and expand the interstate pipeline for natural gas in the area by Algonquin Gas Transmission, LLC. The project, referred to as the Access Northeast Project is still in the early proposal process. The Board believes the project will follow the high tension transmission lines from Upton to Grafton, then through Millbury and Worcester and that there will likely be more information coming from Spectra Energy Partners with in the year.

Mr. Laydon informed the Board that the summer internship will be ending on August 24, 2015. Mrs. Morgan briefed the Board on the assets offered by the new website software. She gave the Board an update on the launch status which is currently set for September 10, 2015. Benefits of the software change will make for a more mobile friendly site which will include the ability to hold more content, usability will be easier and materials uploaded will be more accessible.

5: BILLS

The bills were circulated and signed.

ACTION ITEM 2D: REQUEST FOR MINOR MODIFICATION TO SP 2009-10.1 – 244 WORCESTER STREET – CELL TOWER

* After initial submission, Mr. Morgan discovered a flaw in the application submission pertaining to location address, as well as case reference identification. Issues with the Special Permit are irrelevant per this request to replace antenna infrastructure. The Planning Department has conferred with the Building Department as well as with Ginny Sinkel Kremer, Town Council, due to absence of a building permit for the current infrastructure present at the site. Mr. Laydon presented the board with the Federal Communication Commission's wireless 'collocation' rules which preempt local authority. However, due to the change in the original foot print of the structure, Mr. Laydon has requested Mrs. Sinkel Kremer's presence at the following Planning Board Meeting on September 14, 2015. The Board decided to defer action on this request until later notice.

ITEM 6A: OPEN SESSION MINUTES OF AUGUST 3, 2015:

The Board mentioned a few edits to the draft.

MOTION by Mrs. Hassinger, **SECOND** by Mr. Robbins, to approve the drafted meeting minutes with discussed edits. **MOTION** carried unanimously 5 to 0.

ITEM 6B: OPEN SESSION MINUTES OF AUGUST 10, 2015:

The Board noted several small edits. Mr. Scully suggested edits to his comments within the Public Hearing 10C: 7 Seaver Farm Lane discussion. In order to make the adequate revisions, the Planning Department staff will revise that section of the minutes to reflect the changes suggested and resubmit the drafted minutes for approval on September 14, 2015.

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

CMRPC reps are available to come in and discuss development issues in September. Mr. Laydon will put together a draft agenda for the workshop on September 21, 2015 pertaining to discussion points for developing a Masterplan and sign bylaws.

Mr. Laydon informed the Board that the department received a letter of resignation from Mr. Perla. The Planning Department hopes to find another candidate to fill the position soon.

7. CORRESPONDENCE

Several notices were received from the Department of Environmental Protection (DEP) concerning the Troiano Trucking Permit for Recycling, Composting or Conversion Operation located at 109 Creeper Hill Road. Mr. Laydon informed the Board that any changes to the permit will require notification to be summited to the Town.

Following the discussion, Mr. Hanna requested a two (2) minute break at 9:10pm.

The Board reconvened its regular session at 9:12pm.

ITEM 12: ANY OTHER ITEMS WHICH MAY LAWFULLY COME BEFORE THE BOARD

No other items at this time.

ITEM 11: EXECUTIVE SESSION

Mr. Hanna stated that an executive session meeting of the Planning Board is being convened on August 24, 2015 for the sole purpose of discussing strategy with respect to the litigation as authorized by Massachusetts Law Chapter 38 Section 21.

Mr. Robbins **MOVED**, Mr. Scully **SECONDED** that the Board enter executive session for the sole purpose of discussing the strategy with the respect to litigation and concurrently adjourn the meeting from executive session. Mr. Scully: Aye, Mr. Hassinger: Aye, Mr. Robbins: Aye, Mr. Hanna: Aye, Mrs. Hassinger: Aye.

Present for this executive session will be Planning Board members Mr. Hanna, Mrs. Hassinger, Mr. Robbins, Mr. Hassinger, Mr. Scully, Town Planner Joe Laydon, Assistant Town Planner Ann Morgan, and Office Manager Nicole Larson.

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Robert Hassinger, Clerk

EXHIBITS

- Item 2A: Draft Decision: Special Permit (SP 2015 -10) & Site Plan Approval – Accessory Use – 7 Seaver Farm Lane; dated August 20, 2015; no received date; 8 pages.
- Item 2 B: Draft Decision: Scenic Road Permit (SRP 2015-2) – Removal of Four (4) Trees – 42 George Hill Road
  - 1ST Draft; dated August 21, 2015; no received date; 5 pages.
  - 2ND Draft; dated August 24, 2015; no received date; 5 pages.
- Letter to the Planning Board; Re: Brigham Hill Estates; sent by Brian Szczerko; Department of Public Works; dated August 14, 2015; received date August 14, 2015; 1 page.
- Public Hearing 10A: Special Permit (SEP 2015-12) & Site Plan Approval for an Accessory Apartment at 53 Providence Road, Deborah Micket (Applicant / Owner)
  - Unbound application materials submitted by the Applicant, received July 30, 2015; includes the following:
    - Application for Special Permit dated July 30, 2015, 1 page.
    - Application for Site Plan Approval dated July 30, 2015, 1 page.
    - Certificate of Good Standing, signed by the Treasurer / Collector's office on May 26, 2015; 1 page.
    - Request for Abutters List; Stamped by the Assessor's Office on May 26, 2015; received on June 30, 2015; 1 page.
    - Certified Abutters List, signed by the Assessor's Office on May 26, 2015; 1 page.
    - Correspondence from the Applicant, project description and waiver requests; dated July 8, 2015; 1 page.
    - Town of Grafton GIS color map, 8 ½ " x 11"; showing site and abutters – 53 Providence Road; dated July 15, 2015; 1 page.
    - Town of Grafton GIS color map, 8 ½ " x 11"; showing site locust (sic) – 53 Providence Road; dated July 15, 2015; 1 page.
    - Town of Grafton GIS color map, 8 ½ " x 11"; showing plot plan – 53 Providence Road; dated July 29, 2015; 1 page.
    - Town of Grafton GIS aerial photograph, 8 ½ " x 11"; showing plot plan – 53 Providence Road; dated July 29, 2015, 1 page.
    - Plan of Addition, 53 Providence Road; 8 ½" x 11", black & white; no date; 1 page.
    - Photograph of existing structure; 8 ½" x 11", color; no date; 1 page.
  - Department Comment Form, Police Department, received August 13, 2015; 1 page.
  - Department Comment Form, Building Department, received August 13, 2015; 1 page.
  - Department Comment Form, Health Department, received August 13, 2015; 1 page.
  - Department Comment Form, Treasurer / Collector, received August 14, 2015; 1 page.
  - Department Comment Form, Conservation Commission, received August 20, 2015; 1 page.
  - Public Hearing Sign in Sheet for the August 24, 2015 hearing, 1 page.

- Correspondence with attachment, Building Department, 53 Providence Road; dated and received August 24, 2015; 3 pages.

- Public Hearing 10B: Major Residential Special Permit (MRSP 2014-10) – "Village At Institute Road" Subdivision – D. & F. Afonso Builders (Applicant/Owner): Email Correspondence; Norm Gamache, Subject: Monday hearing for the Village at Institute Road; dated August 19, 2015; received August 20, 2015; 1 page.

- Public Hearing 10C: Definitive Plan Approval (2015-5) – "Gristmill Village" Subdivision – Casa Builders And Developers Corp. (Applicant) / Maintanis Realty Trust; William J. & Mary J. Maintanis & Stephen A. Wilson (Owners); Plan Set; 8 1/2" X 11"; black and white; dated March 13, 2015; received August 20, 2015; includes the following:
  - Sheet 8 of 17.....Grading and Drainage Plan
  - Drainage Easement Plan
  - Sheet 9 of 17.....Utility Plan

- Discussion Item 3A: Oakmont Farms – Completion and Acceptance Of Road; Correspondence; re: Oakmont Farms; Sent by Brian Szczurko, Department of Public Works; dated August 14, 2015; received August 14, 2015; 1 page

- Item 4: Staff Report; Information Packet submitted by Spectra Energy Partners; no received date; includes the following:
  - Correspondence; re: Algonquin Gas Transmission, LLC, Proposed Access Northeast Project Map/Block/Lot(s): 097-025; dated August 20, 2015; 2 pages.
  - Correspondence; Access Northeast Project: Frequently Asked Question; no date; 4 pages.
  - Map; Access Northeast Project Overview Massachusetts; color; 8 ½" X 11"; dated July 9, 2015; 1 page
  - Map; Access Northeast Project Overview; color; 8 ½" X 11"; dated July 9, 2015; 1 page
  - Map; Access Northeast Project Overview New York; color; 8 ½" X 11"; dated July 9, 2015; 1 page
  - Map; Access Northeast Project Overview Connecticut; color; 8 ½" X 11"; dated July 9, 2015; 1 page
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- Action Item 2d: Request For Minor Modification To SP 2009-10.1 – 244 Worcester Street – Cell Tower; Submitted by Amber Debole; Includes the following:
  - Project Narrative; Re: Request for Minor Modification at 244 Worcester, Grafton, MA (T-Mobile Site #4WLI903B); written by Amber Debole, Site Acquisition Specialist; dated July 17, 2015; received July 20, 2015; 1 page.
  - Ericsson Data-Sheet for AIR 21, 1.3 M, B2A B4P; 8 ½" X 11", black and white, no date; received on July 20, 2015; 3 pages.
  - Commscope Product Specifications; 8 ½" X 11", black and white, no dated; received on July 20, 2015; 2 pages.
  - Plan Set; WL903/Wyman Gordon RT; dated May 22, 2015; prepared by Advanced Engineering Group, P. C.; 11" X 17", black and white; received July 20, 2015; includes the following:
    - T-1.....Title Sheet
    - GN-1.....General Notes
    - A-1.....Roof Plan & Equipment Plan
    - A-2.....Elevation & Antenna Plan

    - A-3.....Details
    - G-1.....Grounding, One-Line Diagram & Details
  - Email Correspondence; Ann Morgan, 2 Bruce Street; Subject: Request for Minor Modification – 244 Worcester Street; dated July 23, 2015; 1 page
  - Wireless Facility – Permitting History, 244 Worcester Street; dated July 23, 2015; 8 ½" X 11", color; 2 pages.
  - Project Narrative; Re: Request for Minor Modification at 244 Worcester, Grafton, MA (T-Mobile Site #4WLI903B); written by Amber Debole, Site Acquisition Specialist; dated August 8, 2015; received August 11, 2015; 1 page.
  - Correspondence; Amber Debole, Site Acquisition Specialist; Re: Eligible Facilities Request to Modify Transmission Equipment at an Existing Base Station located at 244 Worcester Street Grafton, MA 01536; dated August 8, 2015; received August 11, 2015; 3 pages.
  - Ericsson Data-Sheet for AIR 21, 1.3 M, B2A B4P; 8 ½" X 11", black and white; no date; received August 11, 2015; 3 pages.
  - Commscope Product Specifications; 8 ½" X 11", black and white, no date; received August 11, 2015; 2 pages.
  - Plan Set; WL903/Wyman Gordon RT; prepared by Advanced Engineering Group, P. C.; 11" X 17", black and white; dated May 22, 2015; received August 11, 2015; includes the following:
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    - A-2.....Elevation & Antenna Plan
    - A-3.....Details
    - G-1.....Grounding, One-Line Diagram & Details
- Item 6A: Open Session Draft Meeting Minutes Of August 3, 2015; no date; no received date; 3 pages.
- Item 6A: Open Session Draft Meeting Minutes Of August 10, 2015; no date; no received date; 10 pages.
- Item 8: Reports from the Planning Board Representatives on Town Committees and CMRPC: Correspondence; Letter of resignation to the Planning Board; Robert Perla, 121 Providence Road; no date; received August 24, 2015; 1 page.
- Item 7 Correspondence: Troiano Trucking Company, DEP Permitting, 109 Creeper Hill Road:
  - Permit for Recycling, Composting or Conversion (RCC) Operation Final Permit Approval; Department of Environmental Protection (DEP); Re: Grafton –RCC Permit Animal Feed Dehydration Operation Transmittal Number: Z259964 FMF Number 348652; no date; received August 10, 2015; 5 pages.
  - BWP SW 46 – Recycling, Composting or Conversion Permit; Department of Environmental Protection (DEP); no date; received August 10, 2015; 17 pages.