

**Minutes of Meeting
Grafton Planning Board
November 09, 2015**

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A regular meeting of the Grafton Planning Board was held on November 09, 2015 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were 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.

Vice-Chairman Scully called the meeting to order at 7:00 p.m.

1: PUBLIC INPUT

No public input at this time.

ACTION ITEM 2A: DRAFT DECISION: SP 2015-11 – HOMEFIELD CREDIT UNION – 86 WORCESTER STREET – SIGN RELIEF

Mrs. Morgan introduced the work sheet format that will be used moving forward to collect the Board members opinions on application details. Mr. Robbins noted that the placement of the entrance signs between Homefield Credit Union and the Koopmans parking lot is what he believes to be a potential public safety issue. The Board Members discussed the aspects of the worksheet pertaining to the application. The Board decided to table the conversation until later on in the meeting in order to get the Public Hearings underway.

5: BILLS

The bills were circulated and signed.

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

No reports at this time.

PUBLIC HEARING 10A: (7:30 P.M.) MODIFICATION OF A DEFINITIVE SUBDIVISION PLAN APPLICATION – “GRAFTON Hill” SUBDIVISION – 12 CLEARVIEW STREET – WESTERLY SIDE GRAFTON LLC (APPLICANT/OWNER)

Mr. Hassinger began the hearing by reading the Legal Notice for the Public Hearing. Present for the hearing was Joseph Antonellis and George Connors of Westerly Side Grafton, LLC. Mr. Antonellis briefly reviewed the viability of the plan and the road and plot structure of the subdivision layout with special consideration given to the road infrastructure. Though the plan does not meet the eye due to its ideal layout, Mr. Antonellis assured the Board that the layout does conform to the zoning bylaws and meets all requirements of the town’s road way needs and regulations and satisfies the subdivision control act in order to make an improved plan more acceptable. He notes that the applicant has proposed restrictions for the back open area of the layout to preserve the area.

Town Counsel, Ginny Sinkel-Kremer was also present for the hearing and advised the Board on, but not limited to the following:

- Case law says you can apply today's regulations to where the application was approved, meaning there is no zoning freeze on the land and that the plan must comply with current zoning laws.
- After extensive research, there is no identical Massachusetts State case that offers direct guidance for this situation.
- If this proposed modification is rejected by the Board, the possible outcome could result in a constructed roadway as designed in 1953 and the ANR (Approval Not Required) lots could be requested, however Mr. Antonellis has expressed, on behalf of the applicant, that this be avoided with the hopes that the Town will accept the roadway at the time of its completion.

Mr. Hassinger added that he would like to see roundings at the entrance of the Subdivision Plan.

Mr. Connors gave a brief description of the layout and the surrounding structures and existing conditions of the property and included details pertaining to present wetlands, resources and drainage. He also briefed the Board on the following points:

- Corners of the roads have been modified and comply with town department's safety requirements.
- Curb radii comply for turning radius or emergency vehicles.
- Drainage for the site will incorporate the natural slope of the property and drain to the rear where there will be a drainage basin to clean the run off and preserve the wetland area on the property from being impacted.
- There will be a Waiver request for the slope of the road way at the intersection of the loop road and for safety purposes, a stop sign at that location will be proposed.

The Board then discussed comments submitted by the Sewer Department on September 30, 2015 along with the impacts on construction.

Mrs. Sinkel-Kremer confirmed that the Board can proceed with approving the modification under 81W and though the original plan can be modified from its original details only with the approval of the property owner, the current regulations are applicable. The Board discussed the presence of surety for the roadway with Town Counsel and determines that more time is needed to give proper consideration to the proposal and legalities. Mr. Laydon points out that the presence of Town Counsel may be desirable at the next hearing. The applicant requests the hearing be continued to November 23, 2015.

MOTION by Mr. Robbins, **SECOND** by Mrs. Hassinger, to continue the Public Hearing to November 23, 2015. **MOTION** carried unanimously 4 to 0.

Vice-Chairman Scully called for a 5 minute break.

The meeting is resumed at 8:42 p.m.

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)

Present for the meeting was Normand Gamache of Guerriere & Halnon, Inc. who gave the Board a review of the work that has been done with the plan since the last hearing. The Board discussion focus was pertaining to the following points:

- Stacking lane for the intersection of Institute Road and Westboro Road
- The grade of the roadway in the subdivision
- Trail connections to the elementary school, shown on the Flexible Subdivision Plan

The applicant is requesting the Conventional Plan be considered by the Board due to the spacing of the lots, and intends to give consideration to the vegetation on the land. The planning Board expressed its preference for the Flexible Plan in order to preserve the forested areas as open space with trails throughout to be consistent with the existing North Grafton environment. The applicant will have 7 days to make a formal decision on their plan choice and submit a letter to inform the Board of their chosen plan preference.

MOTION by Mr. Robbins, **SECOND** by Mr. Hassinger, to express the Board's preference for the Flexible Subdivision Plan. **MOTION** carried unanimously 4 to 0.

MOTION by Mr. Robbins, **SECOND** by Mrs. Hassinger, to accept the Applicant's request to continue the Public hearing to November 23, 2015. **MOTION** carried unanimously 4 to 0.

REVIEW AND DELIBERATION 3A: SPECIAL PERMIT AND SITE PLAN APPROVAL FOR SOLAR FACILITY (2015-13) – 207 PROVIDENCE ROAD – CEC SOLAR #1056 LLC (APPLICANT) / ROBERT AND KAREN KELL (OWNERS)

The Board finalized the discussion on miscellaneous aspects of the project that needed addressing and clarification. Staff informed the Board that the formal Draft Decision will be prepared for review by November 23, 2015.

STAFF REPORT 4A: PROPOSED LANDSCAPE PLAN REVISIONS – HILLTOP SELF STORAGE AND SOLAR FACILITY (SP 2015-2 & 3) – 100 MILFORD ROAD

Mr. Laydon and the Conservation Agent, Maria Mast, met with the owners of 100 Milford Road to discuss erosion controls and offer advice on screening and buffering modifications. They informed the applicant that any landscaping changes would require the applicant to come back in before the Planning Board.

STAFF REPORT 4B: UPDATE ON TUFTS UNIVERSITY – KNOLLS SITE SOLAR PROJECT – REVIEW OF GEOTECHNICAL SUMMARY LETTER OF GRAVES ENGINEERING, INC.

A letter was received from Jeff Walsh of Graves Engineering, informing the Planning Department with the results from soil testing that took place at the Knolls project site which indicated that there was a third drainage basin that needed modification to create separation between the bottom of the basin and the ground water. Tufts are revising that plan and Mr. Laydon will have the revisions for the Board Meeting on November 23, 2015.

Other items included adding an additional meeting on the November 30th, 2015 to discuss proposed zoning articles for the Spring Town Meeting.

Mr. Robbins requests that future meeting time be dedicated to discussing communication needs between staff and Board Members in reference to how information is posted on the new website.

MINUTES OF PREVIOUS MEETINGS 6A: OPEN SESSION MINUTES OF OCTOBER 26, 2015

Due to and extensive work load, meeting minutes for October 26, 2015 were not finalized for review and will be finalized for review at the November 23, 2015 meeting.

7. CORRESPONDENCE

Local notices received by the Planning Department will now be posted to the website under Meeting Materials.

ACTION ITEM 2C: APPROVE DATE FOR 2016 PLANNING BOARD MEETING SCHEDULE

The Board discussed the 2016 meeting schedule as well as adding an additional May meeting.

MOTION by Mr. Robbins, **SECOND** by Mr. Hassinger, to adopt the 2016 meeting schedule with a date correction at the top paragraph of the page. **MOTION** carried unanimously 4 to 0.

ACTION ITEM 2B: ADMINISTRATIVE MODIFICATION OF FOLLETTE STREET SOLAR PROJECT (SP 2012-6) – GRAFTON WATER DISTRICT

Mr. Laydon informed the Board that the signed letter from direct site abutters has been received.

MOTION by Mr. Hassinger, **SECOND** by Mr. Robbins, to approve the Administrative Modification to the existing Follett Street Solar screening. **MOTION** carried unanimously 4 to 0.

ACTION ITEM 2A: DRAFT DECISION: SP 2015-11 – HOMEFIELD CREDIT UNION – 86 WORCESTER STREET – SIGN RELIEF (continued from earlier in the meeting)

During discussion pertaining to the current logos on the existing directional signage, Mr. Scully states that he will not support an application that retroactively approves signage. The Board continued discussions on the second wall sign and the calculations of signage as related to the applicant's request. Staff intends to craft a decision and get language to Mr. Hanna before the next meeting deadline.

MOTION by Mr. Robbins, **SECOND** by Mr. Hassinger, to extend the meeting past 10:00 p.m. **MOTION** carried unanimously 4 to 0.

The Board suggests that the ATM sign as requested by the applicant is warranted due to the particulars of the site, however, the other requests do not seem to be deserving of waivers in order to make a compelling case for necessity or the presence of hardship. Mr. Laydon noted that the Town's Sign By-laws need attending to in order to narrate the intent and meaning of Section 4.4.4.4 and provide a mechanism to reduce non-conformity of a sign.

9. ONGOING ITEMS

No items were discussed at this time.

ITEM 11: ANY OTHER ITEMS WHICH MAY LAWFULLY COME BEFORE THE BOARD

No other items came before the Board at this time.

ADJOURNMENT

MOTION By Mr. Robbins, **SECOND** by Mr. Hassinger, to adjourn the meeting. **MOTION** carried unanimously 4 to 0.

The meeting was adjourned at 10:17 p.m.

Robert Hassinger, Clerk

EXHIBITS

- Meeting Notes for Grafton Planning Board; from Joseph Laydon; dated Monday November 9, 2015; no received date; 2 pages.
- Action Item 2A: Draft Decision: SP 2015-11 – Homefield Credit Union – 86 Worcester Street – Sign Relief
 - Draft Decision; Special Permit (SP 2015-11) Homefield Credit Union; dated November 6, 2015; 5 pages.
 - Conditions for Grafting Worksheet; dated November 6, 2015; no received date; 3 pages.
- Action Item 2B: Administrative Modification Of Follette Street Solar Project (SP 2012-6) – Grafton Water District; Letter from Abutters of Follette Street Solar Project; dated October 30, 2015; received November 3, 2015; 1 page.
- Action Item 2C: 2016 Planning Board Meeting Schedule; no date; no received date; approved on November 23, 2015; 1 page.
- Public Hearing 10A: Modification of a Definitive Subdivision Plan Application – “Grafton Hill” Subdivision – 12 Clearview Street – Westerly Side Grafton LL; includes the following:
 - Application for Approval of A Modified Definitive Plan; received October 7, 2015; includes the following:
 - Application forms; dated October 6, 2015; 2 pages.
 - Project Narrative; prepared by Connorstone Engineering, Inc.; dated September 30, 2015; 2 pages.
 - Plan of House Lots; prepared by W.B. Brown C.E.; dated December 10, 1954; 1 page.
 - Request for Abutters List; stamped by the Assessor’s Office; dated August 17, 2015; 1 page.

- Abutter's List: signed by Assessor's Office Manager; dated August 20, 2015; 1 page.
- Certificate of Good Standing; no date; 1 page.
- GIS map for Abutter's reference; 11" X 17"; color; no date; 1 page.
- Stormwater Report; prepared by Connorstone Engineering, Inc.; dated September 30, 2015; 93 paged.
- Plan Set; Modified Definitive Subdivision Plan; Locus / Sheet Index of Grafton Hill; prepared by Connorstone Consulting Civil Engineers and Land Surveyors; 11" X 17"; black and white; dated September 30, 2015; 16 pages.
- Departmental Comment Form; prepared by Samantha Lubke, Treasurer & Collectors Office; dated October 14, 2015; received October 14, 2015; 1 page.
- Departmental Comment Form; prepared by Jay Cummings, School Department; dated October 14, 2015; received October 15, 2015; 1 page.
- Letter of Correspondence to the Grafton Planning Board; Re: Grafton Hill / Clearview; received August 11, 2015; 1 page.
- Site Visit Report; Graves Engineering Inc.; date September 15, 2015; received September 18, 2015; 5 pages.
- Letter of Correspondence; Re: 12 Clearview Street, Grafton (the "Property"); prepared by the office of Mayer, Antonellis, Jackowicz & Haranas, LLP; dated October 15, 2015; received October 19, 2015; 16 pages.
- Departmental Comment Form; prepared by Chief Normand Crepeau, Police Department; dated October 27, 2015; received October 28, 2015; 1 page.
- Letter of Correspondence; Ref: Modified Definitive Plan 2015-6: Grafton Hill Subdivision; prepared by Stephen L. Charest, Assistant Chief, Fire Department; dated November 2, 2015; received November 2, 2015; 1 page.
- Departmental Comment Form with Letter of Correspondence; prepared by Paul Cournoyer, Sewer Department; dated October 30, 2015; received October 30, 2015; 3 pages.
- Departmental Comment Form; prepared by Katrina Koshivos, Zoning Board of Appeals; dated November 6, 2015; received November 6, 2015; 1 page.
- Public Hearing 10B: Major Residential Special Permit (MRSP 2014-10) – "Village At Institute Road" Subdivision – D. & F. Afonso Builders (Applicant/Owner); includes the following:
 - Land Use Plan for Open Space; no date; received on November 6, 2015; 1 page.
 - Plan Set; Preliminary Flexible Subdivision; prepared by Guerriere & Halnon, Inc.; black and white; 11" X 17"; revised date November 3, 2015; received November 6, 2015; 20 pages.
 - Proposed Right of Way & Easement Plan of Institute Road; prepared by Guerriere & Halnon, Inc.; 11" X 17"; black and white; dated May 19, 2015; received November 6, 2015; 1 page.
 - Plan Set; Preliminary Conventional Subdivision; prepared by Guerriere & Halnon, Inc.; black and white; 11" X 17"; revised date November 3, 2015; received November 6, 2015; 20 pages.
 - Letter of Correspondence; Re: The Village at Institute Road, Special Permit Application; prepared by Normand T. Gamache Jr. P.L.S., Guerriere & Halnon, Inc.; dated November 9, 2015; received November 9, 2015; 1 page.
- Review And Deliberation 3A: Special Permit – Section 1/5 – Conditions for Grafting Worksheet: Permit #: SP 2015-13 and Site Plan Approval – Solar Farm – 207 Providence

Road – CEC Solar #1056 (Applicant); 8 ½” X 11”; black and white; revised date November 6, 2015; no received date; 3 pages.

- Staff Report Item 4A: Proposed Landscape Plan Revisions – Hilltop Self Storage and Solar Facility (SP 2015-2 & 3 – 100 Milford Road; 8 ½” X 11”; color; received date November 5, 2015; 1 page.
- Staff Report Item 4B: Update on Tufts University – Knoll Site Solar Project – Review of Geotechnical Summary Letter; prepared by Graves Engineering, Inc.; dated November 2, 2015; received November 4, 2015; 2 paged.