Minutes of Meeting
Grafton Planning Board
December 14, 2015

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A regular meeting of the Grafton Planning Board was held on December 14, 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

David Libby, of George Hill Road submitted an email to the Planning Department and was present at the meeting to speak to the Board concerning the tree work that had been done earlier that day and several weeks prior, along George Hill Road. Mr. Libby suggested to the Board that the Scenic Road Bylaw in the town need attention. He also made the following suggestions to the Board:

- More clearly define what a "dead tree" is and develop a more specific review process for the Grafton Tree Warden to determine if a tree along a Scenic Road is a "dead tree".
- Create an online resource for citizens to determine if there are active permits for tree cutting on Scenic Road ways.
- Offer education to property owners on Scenic Roads and inform local tree companies of bylaws for tree-cutting on Scenic Roads.

The Board discussed appropriate steps and legal guidlines for taking trees down on a Scenic Road. Mr. Robbins suggested that the Board become more familiar with Shade Tree Bylaws to clarify and compare the overlap with the Scenic Road Bylaw and also assure and identify how to make a distinction between immediate situations and situations that do not require immediate action. The Board agreed that this topic needs more attention and exposure moving forward.

ACTION ITEM 2B: APPROVAL NOT REQUIRED (ANR) 2015-9: 114 MERRIAM ROAD – FREDERICK AND MARGOT CHURCHILL (APPLICANT/OWNER)

This ANR is one step the applicant is taking to prepare for the common driveway approved under SP 2015-6. This ANR will separate out the town owned parcel from the property approved for development.

MOTION by Mr. Hassinger, **SECOND** by Mr. Scully that the Board find this plan not need approval and authorize the Town Planner to sign and endorse the plan. **MOTION** carried unanimously 5 to 0.

PUBLIC HEARING 6A: (7:30 P.M.) REQUEST FOR MODIFICATION OF A SPECIAL PERMIT (SP 2014-7.1) – ADDITION OF COMPANION HORSE – 15 BLANCHARD RD. – LESLIE & RON ANDERSON (OWNER/APPLICANTS)

Present for the Hearing was Leslie Anderson or 15 Blanchard Rd. Mrs. Anderson gave a review of the requested modifications and the guidelines laid out in the original Special Permit. She noted that the original fencing was moved back from the abutting properties by 15 feet to create more of a buffer zone between the two properties, and also bring the top of the fence to be at eye level with the

nearby stone wall. The applicant is currently mid process in developing the full pasture area for the animals to graze, and expects fencing to be completed early summer of 2016.

Ken Pieciak, of 3 Patricia Drive, spoke to the Board about his concerns of the location of the current paddock and its proximity to his porch. Mrs. Anderson noted that once the final paddock area is completed, the horses will spend most of their time in the rear area of the paddock. Though Mr. Pieciak suggested that the bylaws pertaining to kennels as noted in his email are in violation, Mr. Laydon confirmed that this set up does not qualify as a kennel under zoning by-law, hence the Boards approval of the original special permit for the 2 horses. Mrs. Hassinger suggests adding natural fencing and screening to add a visual and noise barrier between the two properties.

Amy McGuire, of 35 Blanchard Rd also spoke at the hearing to voice her concern with what she perceived to be a strong odor coming from the Anderson's property mid-summer, which then tapered off into the fall and winter with the cooler weather. Using GIS, Mr. Laydon determined the minimal distance between the two properties to be 500 ft. He also noted that the public should feel welcome to contact the Planning Department with any problematic circumstances that may create a potential nuisance, and staff will relay any collected information to then be discussed by the Board.

Mr. Robbins pointed out the purpose of this hearing is to determine the addition of a small additional companion horse, which in his opinion, will not add a substantial amount to manure production. Mrs. Anderson noted that third miniature horse has been present on the property since soon after the first 2 horses were brought in and that the manure production would not increase from the current level, which has stayed consistent throughout the summer months.

Tom Donahue, of 2 Patricia Drive spoke to the Board to voice his concern that there was the notice of a small smell midsummer and his concern with keeping a third horse on the property.

Michael Fleming, of 18 Donahue Lane, addressed Mrs. Anderson and suggested that she not turn the compost pile as often, thus minimizing the smell. The Board suggested that Mrs. Anderson consult John Carlson, Inspector of Animals, to discuss best practices with handling the manure produced at her property.

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

MOTION by Mr. Hassinger, **SECOND** by Mr. Robbins, to direct staff to prepare a draft of the decision for the application based on the previous discussion. **MOTION** carried unanimously 5 to 0.

PUBLIC HEARING 6B: (7:30 P.M.) SPECIAL USE PERMIT AND REQUEST FOR SITE PLAN REVIEW WAIVER (SP 2015-14) – 22 DONAHUE LANE – MACURA EXCAVATION (APPLICATION) / ALBERT MANTELLI (OWNER)

Present for the hearing was Mr. Macura, of Macura Excavating, who gave a review of the operation proposed for the site. He confirms there would be no changes to the structure of the building other than general upkeep. Mr. Laydon adds that when meeting with the other department heads on this application, no opposition was raised as long as the soil is not disturbed on the property and no site work is done. Due to the property's location to the wetlands, no tree cutting would be permitted.

Wilford Fairbanks, of 4 Donahue Lane expressed his concern for traffic and maintenance on Donahue Road and suggested restricting future use, so to not add to the existing machinery on Donahue Lane. Mr. Macura estimates that equipment housed over the winter months will depart the site early March and his pick-up truck will be in and out daily. Mr. Robbins also requested the applicant submit a traffic estimate in writing for the Board to consider along with the application.

MOTION by Mrs. Hassinger, **SECOND** by Mr. Robbins, to continue the hearing to January 11, 2015 at 7:30 p.m. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Scully, **SECOND** by Mrs. Hassinger, to instruct staff to begin drafting a decision for this application. **MOTION** carried unanimously 5 to 0.

PUBLIC HEARING 6C: (7:30 P.M.) MODIFICATION OF A DEFINITIVE SUBDIVISION PLAN APPLICATION – "GRAFTON HILL" SUBDIVISION – 12 CLEARVIEW STREET – WESTERLY SIDE GRAFTON LLC (APPLICANT/OWNER)

Present for the hearing was Joe Antonellis, of Mayer Antonellis, Jachowicz & Haranas, LLP who confirmed that the roadway will not be alter from the submitted plan and the applicant has requested the minimum number of deviances from the current Subdivision Rules and Regulations. Mr. Hassinger noted that without waivers requested there would be no precedent for exceptions to be made. The Board then went through design exception requests with George Connors of Connorstone Engineering. Technical issues with reference to a traffic study were discussed. Mr. Connors informed that the applicant would be requesting a waiver for a traffic study due to the fact that one was done with a previous submission for a larger subdivision for this property. The Board also discussed design elements with Mr. Connors and Mr. Antonellis, included but not limited to the following:

- Roadway construction standards
- Environmental standards
- Community impact
- The Board also requested the applicant to conform to the by-laws for street light installation and consult with the Board of Selectmen for preference on specific requirements.
- Sloped granite for curbing was confirmed by the Applicant.
- The property bounds were discussed and a 1" reveal will be required in order to be viewed as acceptable for marking boundaries of corner lots on the road's cul-de-sac. Mr. Laydon confirmed he would follow up with Town officials to investigate if this would pose a conflict with the location of fire hydrants.

The Board would like language to be added to the application concerning the proposal for a private way.

MOTION by Mr. Hassinger, **SECOND** by Mr. Robbins, to continue the Public Hearing at the request of the applicant to January 11, 2016 at 7:30 p.m. and instruct staff to draft a decision with the reception of the requested materials.

Mr. Scully noted that the open space should be noted on the plan.

MOTION carried unanimously 5 to 0.

ACTION ITEM 2A: DRAFT DECISION: SPECIAL PERMIT AND SITE PLAN APPROVAL FOR SOLAR FACILITY (2015-13) – 207 PROVIDENCE ROAD – CEC SOAR #1056 LLC (APPLICANT) / ROBERT AND KAREN KELL (OWNER)

Mrs. Morgan gave the Board a review of the drafted decision. Present for the hearing was Greg Carey, of Clean Energy Collective, who provided clarification on the temporary parking for situations where police detail is needed. The Board discussed several edits to the drafts.

MOTION by Mr. Robbins, **SECOND** by Mr. Scully, to approve Findings F1-F30 of the draft as amended. **MOTION** carried unanimously 5 to 0.

MOTION by Mr. Robbins, **SECOND** by Mrs. Hassinger, to grant waivers W1 with language as revised per the discussion of the Board. **MOTION** carried unanimously 5 to 0.

The Board then discussed the option to request a decommission bond for the site as well as the option for a landscaping bond. The Board asked staff to look into the liability of decommissioning such a site and confer with Town Counsel on the rational of such a requirement and/or a lease agreement with solar electric companies, in order to determine who is responsible for solar equipment in different possible circumstances.

MOTION by Mr. Robbins, **SECOND** by Mr. Hassinger, to extend the meeting beyond 10:00 p.m. **MOTION** carried unanimously 5 to 0.

REVIEW AND DELIBERATION ITEM 3A: MAJOR RESIDENTIAL SPECIAL PERMIT (MRSP 2014-10) – "VILLAGE AT INSTITUTE ROAD" SUBDIVISION – D. & F. AFONSO BUILDERS (APPLICANT/OWNER)

The Board discussed the egress connecting the proposed recreation area, noted as conservation area located to the west of the property. Mr. Laydon noted there are trees and natural aspects of this property to be protected, thus the Board's preference with the Flexible Plan. The staff would like to get a pulse on the Board's opinions on the areas of concern laid out in the grid. The Board confirms that no particulars from the grid draw any certain attention for concern.

GENERAL BUSINESS ITEM 4A: BILLS

Bills were circulated and signed.

GENERAL BUSINESS ITEM 4B: STAFF REPORT

No staff report given at this time. Mr. Laydon will update the Board via email due to the longevity of the duration of the meeting. He is currently working on a grant application for Path Planning assistants for housing along Route 30/Pine Street and to deal with various other areas of land in the area. The grant amount would be for $25,000-$40,000. This includes preparing a cost proposal and the scope of work for the Planning Board to hire a consultant for a small area plan for that area of Grafton.

Mr. Hassinger suggested that the Board take a moment to discuss the topic of the Medical Marijuana Dispensary in town. He noted that though the Board of Selectmen were initially stating that the business was going to need Site Plan Approval which would require them to come before the

Planning Board, the business has recently been classified under a revised use as determined by the Building Inspector following a discussion with Town Counsel, and no longer requires Site Plan Approval. Mr. Hassinger noted that the requirement guidelines can be found in the use matrix of the by-laws. He added that the public ought to know the reasoning behind the revised use determination and adds that the matrix can be changed if so desired. There was not further discussion of the topic by the Board.

GENERAL BUSINESS ITEM 4C.1: MINUTES OF PREVIOUS MEETINGS: OPEN SESSION MINUTES OF NOVEMBER 09, 2015

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

GENERAL BUSINESS ITEM 4C.2: MINUTES OF PREVIOUS MEETINGS: OPEN SESSION MINUTES OF NOVEMBER 23, 2015

MOTION by Mr. Robbins, **SECOND** by Mr. Scully, to approve the drafted minutes as amended with discussed edits. **MOTION** carried unanimously 5 to 0.

GENERAL BUSINESS ITEM 4C.3: MINUTES OF PREVIOUS MEETINGS: OPEN SESSION MINUTES OF NOVEMBER 30, 2015

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

GENERAL BUSINESS ITEM 4D: CORRESPONDENCE:

No correspondence came before the Board at this time.

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

No reports were given at this time.

ITEM 7: ANY OTHER ITEMS WHICH MAY LAWFULLY COME BEFORE THE BOARD

No other items were brought before the Board at this time.

REVIEW AND DELIBERATION ITEM 3A: OFFICE PROCEDURES (CONT. FROM 11/30/15)

MOTION by Mr. Hassinger, **SECOND** by Mr. Robbins, to adopt the proposed submission schedule. **MOTION** carried unanimously 5 to 0.

ADJOURNMENT

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

The meeting was adjourned at 10:28 p.m.

Robert Hassinger, Clerk

EXHIBITS

- Public Input: Item 1: Email from David Libbey, George Hill Rd; Subject: [Town of Grafton MA] Scenic Road Bylaw; dated December 14, 2015; 1 page.
- Public Input: Item 1: Email from Joseph Laydon, Town Planner; Re: [Town of Grafton MA] Scenic Road Bylaw; dated December 14, 2015; 1 page.
- Action Item 2A: Draft Decision: Special Permit And Site Plan Approval For Solar Facility (2015-13) – 207 Providence Road – CEC Soar #1056 LLC (Applicant) / Robert And Karen Kell (Owner); includes the following:
  - Draft Decision with Operation And Maintenance Plan Attachment; dated December 11, 2015; 14 pages.
  - Email Correspondence; Subject: FW: 207 Providence Rd. – Draft Decision; received from Greg Carey, Community Solar Manager for Clean Energy Collective; dated December 14, 2015; received on December 14, 2015; 1 page.
- Review And Deliberation Item 3a: Major Residential Special Permit (MRSP 2014-10) – "Village at Institute Road" Subdivision – D. & F. Afonso Builders (Applicant/Owner); Special Permit – Section 1.5 – Conditions for Granting Worksheet with attachment correspondence letter; revised date December 11, 2015; no received date; 4pages.
- Public Hearing 6A: Request for Modification of a Special Permit (SP 2014-7.1) – Addition of Companion Horse – 15 Blanchard Rd. – Leslie & Ron Anderson (Owner/Applicants); includes the following
  - Application for Modification of a Special Permit; SP 2014-7.1; dated November 16, 2015; received by the Clerk's office November 16, 2015; received November 16, 2015; 1 page
  - Application for Modification of a Site Plan Approval; SP 2014-7.1; dated November 16, 2015; received by the Clerk's office November 16, 2015; received November 16, 2015; 1 page
  - Certificate of Good Standing; received by the Treasurer & Collector's Office October 2, 2015; received on November 16, 2015; 1 page.
  - Request for Abutters List; received by the Assessor's Office October 19, 2015; received November 16, 2015; 1 page.
  - Abutters list; signed by the Assessor's Office Manager; dated October 22, 2015; received November 16, 2015; 1 page.
  - Project Narrative; submitted by Leslie and Ron Anderson; dated November 16, 2015; received November 16, 2015; 1 page.
  - Site Images; 8 1/2" X 11"; color; no date; received November 16, 2015; 1 page.

- Site Plan; 8 1/2" X 11"; color; dated July 28, 2014; received November 16, 2015; 1 page.
- Correspondence Letter from an Abutters; submitted by Chris Marino, 13 Blanchard Road; no date; received November 16, 2015; 1 page.
- Correspondence Letter from an Abutter; submitted by Kevin Shattuck, 1 Patricia Drive; dated October 31, 2015; received November 16, 2015; 1 page.
- Correspondence Letter from an Abutter; submitted by Diane and Michael Eddy, 5 Patricia Drive; dated October 25, 2015; received November 16, 2015; 1 page.
- Departmental Comments Form; submitted by Katrina Koshivos, ZBA; dated November 20, 2015; received November 20, 2015; 1 page.
- Email Correspondence; submitted by Amy Maguire, 35 Blanchard Road; dated December 08, 2015; received December 08, 2015; 1 page.
- Email Correspondence; submitted by Ken Pieciak; 3 Patricia Drive; dated December 10, 2015; received December 10, 2015; 8 ½" X 11"; color; 3 pages.
- Email Correspondence; submitted by Ken Pieciak; 3 Patricia Drive; dated December 10, 2015; received December 10, 2015; 2 pages.
- Email Correspondence from John Carlson, Inspector of Animals; submitted by Nancy Connors, Office Manager, Health Department; dated December 10, 2015; received December 11, 2015; 1 page.
- Emailed Images of 15 Blanchard Rd.; Submitted by Leslie Anderson, Applicant; 8 ½" X 11"; color; received on December 14, 2015; 2 pages.

- Public Hearing 6B: Special Use Permit And Request For Site Plan Review Waiver (SP 2015-14) – 22 Donahue Lane – Macura Excavation (Application) / Albert Mantelli (Owner); includes the following:
  - Application for Special Permit; dated by the applicant October 29, 2015; received by the Clerk's office November 16, 2015; received November 16, 2015; 1 page.
  - Application for Site Plan Approval; dated by the applicant October 30, 2015; received by the Clerk's office November 16, 2015; received November 16, 2015; 1 page.
  - Certificate of Good Standing; received by the Treasurer and Collector's office October 30, 2015; received November 16, 2015; 1 page.
  - Fiscal Year 2016 Preliminary Real Estate Tax Bill; Marked as PAID by Treasurer/Collector on October 30, 2015; received November 16, 2015; 1 page.
  - Project Narrative; submitted by Michael Macura; dated October 29, 2015; received November 16, 2015; 2 pages.
  - Request for Abutters List; received by the Assessor's Office November 2, 2015; received November 16, 2015; 1 page.
  - Abutters list; signed by the Assessor's Office Manager; dated November 16, 2015; received November 16, 2015; 1 page.
  - Property Information; 8 1/2" X 11"; color; received November 16, 2015; 1 page.
  - Site Images; 8 1/2" X 11"; color; received November 16, 2015; 3 pages.
  - Commercial Property Record Card; 8 1/2" X 11"; color; dated October 16, 2015; received November 16, 2015; 1 page.
  - Departmental Comment Form; submitted by Katrina Koshivos, ZBA; dated November 20, 2015; received November 20, 2015; 1 page.
- Memorandum; Re: Annual Parking and Traffic Demand Management Report for the Tufts Grafton Campus/Camus Storm Water Maintenance Plan Certification; submitted by Jean Poteete, Senior Campus Planner, Sgt. Glenn McCune, Tufts University Police Department

(TUPD), Winslow Bigelow, III, Grafton Facilities Director; dated November 11, 2015; received November 20, 2015; 8 ½" X 11"; color; 6 pages.

- Public Hearing 6C: Modification Of A Definitive Subdivision Plan Application – "Grafton Hill" Subdivision – 12 Clearview Street – Westerly Side Grafton LLC (Applicant/Owner); includes the following:
  - Plan Set; Modified Definitive Subdivision Plan; Grafton Hill in Grafton, MA; prepared by Connorstone Consulting Civil Engineers and Land Surveyors; dated November 23, 2015; received November 30, 2015; 11 pages; includes the following:
    - Sheet 1 of 11…..Existing Conditions Plan
    - Sheet 2 of 11…..Topographic Plan
    - Sheet 3 of 11…..Topographic Plan
    - Sheet 4 of 11…..Topographic Plan
    - Sheet 5 of 11…..Topographic Plan
    - Sheet 6 of 11…..Roadway Plan & Profile
    - Sheet 7 of 11…..Roadway Plan & Profile
    - Sheet 8 of 11…..Sewer Plan & Profile
    - Sheet 9 of 11…..Construction Details
    - Sheet 10 of 11….Construction Details
    - Sheet 11 of 11….Construction Details
  - Plan Set; Site Plan; Grafton Hill, Grafton, MA; prepared by Connorstone Consulting Civil Engineers and Land Surveyors; dated November 23, 2015; received November 30, 2015; 5 pages.
  - Correspondence; Re: Grafton Hill – Exceptions Document – Supplemental; submitted by Connorstone Engineering, Inc.; dated December 8, 2015; received December 11, 2015; 7 pages.
- Memorandum; Subject: Inspection of Erosion Controls for 100 Milford Road; received from Joseph Laydon, Town Planner of Grafton; dated December 1, 2015; received December 1, 2015; 1 page.
- Action Item 2A: Approval Not Required (ANR) 2015-9: 114 Merriam Road – Frederick And Margot Churchill (Applicant/Owner); received by the Clerk's office December 8, 2015; includes the following:
  - Form A; Application for Endorsement of Plan Believed Not to Require Approval (ANR); signed by applicant on 12/7, 2015; received December 8, 2015; 1 page.
  - Affidavit ANR Plan Submittal; no date; received December 8, 2015; 1 page.
  - Certificate of Good Standing; received by the Treasurer/Collectors office December 10, 2015; received December 10, 2015; 1 page.
  - Plan of Property Surveyed for Margot D. Chruchill, George Hill Road, Merriam District Road, Grafton, Massachusetts; 24" X 36"; black and white; dated November 23, 2015; received December 8, 2015; 1 page.
- General Business Item 4C.1: Minutes Of Previous Meetings: Open Session Minutes Of November 09, 2015; no date; 7 pages.
- General Business Item 4C.2: Minutes Of Previous Meetings: Open Session Minutes Of November 23, 2015; no date; 5 pages.
- General Business Item 4C.3: Minutes Of Previous Meetings: Open Session Minutes Of November 30, 2015; no date; 5 pages.