

**DECISION
GRAFTON PLANNING BOARD**

RECEIVED TOWN CLERK
GRAFTON, MA

**MODIFICATION #1
SCENIC ROAD PERMIT (SRP 2016-1.1)**

2017 AUG 29 PM 2 18

X

**Relocation of Driveway Opening along a Scenic Road including removal of one decaying tree
117 Adams Road (formerly known as 113 Adams Road)**

Kathlyn Laflamme (Applicant / Owner)

Decision of the Planning Board of the Town of Grafton, Massachusetts (hereinafter the BOARD) on the petition of Kathlyn Laflamme, 117 Adams Road, Grafton, MA 01530 (hereinafter the APPLICANT / OWNER) for a Modification to Scenic Road Permit, SRP 2016-1.1, for the relocation of a driveway opening and tree removal on the property located at 117 Adams Road, and shown on the Grafton Assessor's Map 32, Lot 5C, by deed recorded in the Worcester District Registry of Deeds Book 51983, Page 361.

I. BACKGROUND

The above referenced Application for a Scenic Road Permit (hereinafter APPLICATION) was submitted on July 28, 2017. Notice of the public hearing and the subject matter thereof was published in the Grafton News on August 3, 2017 and posted with Town Clerk's Office. The Planning Board considered the Application at a properly posted meeting of said Board on August 14, 2017. Following public input, the hearing was closed on August 14, 2017.

The following Board members were present during the entire public hearing process: Chairman, Michael Scully, Vice Chair Robert Hassinger, Clerk Daniel Graham, Members Linda Hassinger and David Robbins. Chairman Michael Scully was absent for the vote. The record of the proceedings and submissions upon which this decision is based may be referred to in the Office of the Town Clerk or the Office of the Planning Board.

II. SUBMITTALS

The following items were submitted to the Board for its consideration of these applications:

- EXHIBIT 1.** Unbound application packet submitted by the Applicant on July 28, 2017, including the following:
- a. Scenic Road Application Form, stamped by the Town Clerk's Office on July 28, 2017; received July 28, 2017; 1 page.
 - b. Certificate of Good Standing, signed by the Treasurer Collector's Office on July 28, 2017, Received 28, 2017; 1 page.
 - c. Certified Abutters List, signed by the Assessor's Office on July 28, 2017; received July 28, 2017; 1 page.
 - d. Project Narrative, no date, received on July 28, 2017; 1 page.
 - e. Tree image, no date, received July, 28, 2017; 1 page.
 - f. Tree image, no date, received July, 28, 2017; 1 page.
 - g. Tree image, no date, received July, 28, 2017; 1 page.
 - h. GIS Parcel Map, dated and received July 28, 2017; 1 page.
- EXHIBIT 2.** Legal Notice for Public Hearing, stamped by the Town Clerk's Office on July 28, 2017; 1 page.
- EXHIBIT 3.** Email Correspondence, Subject: 117 Adams Road, Comments from Board of Health, dated and received August 1, 2017; 1 page.

- EXHIBIT 4. Email Correspondence, Subject: 117 Adams Road, Comments from Zoning Board of Appeals, dated and received August 1, 2017; 1 page.
- EXHIBIT 5. Email Correspondence, Subject: 117 Adams Road, Comments from Police, dated and received August 1, 2017; 1 page.
- EXHIBIT 6. Email Correspondence, Subject: 113 Adams Road, Comments from Brian Szczurko, dated and received August 11, 2017; 1 page.
- EXHIBIT 7. Proposed Foundation Plan drawn by GRAZ Engineering, dated June 9, 2017; received August 11, 2017; 1 page
- EXHIBIT 8. Public Hearing Sign in Sheet for August 14, 2017; dated August 14, 2017; 1 sheet

III. FINDINGS

At their meeting of August 28, 2017, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Mr. Robbins, seconded by Mrs. Hassinger) voted 4 - 0 to make the following findings:

- F1. That during the public hearing the Applicant presented the application and supporting documents for the Board to review. The driveway configuration from the previous application has been changed and therefore the applicant is requesting a Modification. The Town Planner, Joe Laydon discussed that there are currently two openings for this property; one a historic agricultural use path and the other associated with the current construction and future driveway location. The Planner gave recommendation that the historical use path be preserved. The Planner noted that there was barely evidence of any historical stone wall along this section of Adams Road and therefore the relocation would not be a detriment to the historical character of the area in accordance with Section 6.a and 6.b of the *Grafton Scenic Road Regulations*.
- F2. The Board received correspondence from the Assistant Town Engineer stating that only one driveway opening for this property will be accepted but that either one was acceptable. The Applicant chose the Northerly opening that will be the future location of the driveway.
- F3. The Board reviewed site photographs for the removal of a decaying tree near the location of the chosen driveway. The Board agreed that the tree was in poor health and would need to be removed for safety concerns in accordance with Section 6.b of the *Grafton Scenic Road Regulations*.
- F4. That the Board solicited public comment at the hearing. None was received in written or verbal format.

At their meeting of August 28, 2017, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter in regards to and required under the *Grafton Scenic Roads Regulations* (SRR) Sections 6(a) – (f), the Grafton Planning Board (motion by Mr. Robbins, seconded by Mrs. Hassinger) voted 4 - 0 to Approve the Modification of Scenic Road Permit, SRP 2016-1.1

IV. DECISION AND CONDITIONS

At their meeting of August 28, 2017, after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Mr. Robbins, seconded by Mrs. Hassinger) voted 4-0 to **APPROVE** the Modification to Scenic Road Permit subject to the following conditions:

- C1. This Decision reflects the Board’s approval of Scenic Road Permit SRP 2016-1.1 for modification of driveway location and removal of decaying tree. (see FINDING F1 & F2).
- C2. Failure to comply with the requirements of SRR Sections (a) – (f), as well as all applicable Federal, State and local regulations, shall cause this Scenic Road Permit to be invalid.
- C3. Any modification to work authorized by this Decision shall require, prior to implementing such change, a determination from the Planning Board as to whether the proposed change is substantially different than presented in the materials and information used in making this Decision. The Planning Board reserves the right to solicit comments from other Town boards, departments and committees, as well as its consulting engineer, in making determinations regarding such changes. The Planning Board may, upon its determination, require a modification of this Decision if it finds that the proposed changes are substantial in nature and of public concern, and substantially alter the plans and information used in making this Decision.
- C4. All work authorized under this Scenic Road Permit shall be completed in accordance with the plan and description identified in the EXHIBITS and FINDINGS of this Decision, as well as all conditions of this Decision.

IV. RECORD OF VOTE

Constituting a majority of the Planning Board, the following members voted 4 - 0 to **APPROVE** the Applicant’s Scenic Road Permit with Conditions for the removal and repurposing of the twenty (20) feet of stone wall at 117 Adams Road based on the information received at the public hearing and the aforementioned findings.

<u>Robert Hassinger, Vice Chairman</u>	<u>AYE</u>	<u>Linda Hassinger, Member</u>	<u>AYE</u>
<u>Daniel Graham, Clerk</u>	<u>AYE</u>	<u>David Robbins, Member</u>	<u>AYE</u>

DATE OF FILING OF DECISION: BY ORDER OF THE BOARD



Joseph Laydon, Town Planner

8-29-2017

Date

- cc: Applicant / Owner
- Tree Warden / Highway Superintendent
 - Assistant Town Engineer
 - Building Inspector

