

**DECISION  
GRAFTON PLANNING BOARD**

**SPECIAL PERMIT (SP 2020-4) & SITE PLAN APPROVAL  
Multi-Family Dwellings  
274 Providence Road**

**Providence Street Village, Inc. (Applicant/Owner)  
81 Camp Street, Milford, MA 01757**

Decision of the Grafton Planning Board (hereinafter the Board) on the petition of Providence Street Village, Inc., 81 Camp Street, Milford, MA 01757 (hereinafter the Applicant), for a Special Permit for multi-family dwellings on property located at 274 Providence Village, Grafton, MA, and shown as Grafton Assessor's Map 115, Lot 31, owned by Providence Street Village, Inc., 81 Camp Street, Milford, MA 01757, by deed recorded in the Worcester District Registry of Deeds: Book 59657, Page 50.

**I. BACKGROUND**

The application for the above referenced Special Permit (hereinafter Application) was received on March 12, 2020. The public hearing on the Application was opened on April 27, 2020 and continued, at the request of the applicant with concurrence of the Planning Board, to the May 18, June 8, June 22, July 13, July 27, August 10, August 24, September 14, and September 28, 2020 meetings. Notice of the public hearing and the subject matter thereof was published in the Grafton News on April 9 and 16, 2020, and posted with the Town Clerk's Office. Abutters were notified by First Class Mail.

The following Board members were present throughout the public hearing: Chairman David Robbins, Vice-Chairman Robert Hassinger, Clerk Justin Wood, Prabhu Venkataraman, Linda Hassinger, and Vikram Dave. 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 in the Office of the Planning Board.

**II. SUBMITTALS**

The following items were submitted to the Board for its consideration of this application:

- EXHIBIT 1.** Original Application materials, received March 12, 2020, to include the following:
- a. Application for Special Permit, signed by Dan Hazen, Guerriere & Halnon, Inc., dated March 6, 2020, date stamped by the Town Clerk on March 12, 2020 and date stamped received by the Planning Board on March 12, 2020, 1 page.
  - b. Application for Site Plan Approval, signed by Dan Hazen, Guerriere & Halnon, Inc., dated March 6, 2020, date stamped by the Town Clerk on March 12, 2020 and date stamped received by the Planning Board on March 12, 2020, 1 page.

- c. Certificate of Good Standing for 274 Providence Road, signed by Beth Schrottman, dated February 27, 2020, and date stamped received by the Planning Board on March 12, 2020, 1 page.
- d. Abutters Listing for 274 Providence Road, dated January 6, 2020 and signed by Kenneth O'Brien, Grafton Data Collector, and date stamped received by the Planning Board on March 12, 2020, 1 page.
- e. Project Narrative: "Providence Village", prepared by Guerriere & Halnon, Inc., 1 page.

**EXHIBIT 2.** Plan: "Providence Village; A Condominium Site Plan", dated February 26, 2020, prepared by Guerriere & Halnon, Inc., 333 West Street, Milford, MA 01757, 6 sheets.

**EXHIBIT 3.** Report: "Stormwater Report; 'Providence Village'; 274 Providence Road; Grafton, MA", dated February 26, 2020, prepared by Guerriere & Halnon, Inc., 333 West Street, Milford, MA 01757, 69 pages.

**EXHIBIT 4.** Public Hearing Notice, stamped by the Town Clerk's office on April 10, 2020; 1 page.

**EXHIBIT 5.** Email from Katrina Koshivos, Zoning Board of Appeals, regarding 274 Providence Road – "Providence Village" – 8 Unit Condo Development, dated April 21, 2020, 1 page.

**EXHIBIT 6.** Email from Leah Cameron, Conservation Agent, regarding 274 Providence Road – "Providence Village" – 8 Unit Condo Development, dated April 21, 2020, 1 page.

**EXHIBIT 7.** Email from Nancy Connors, Health Department, regarding SP 2020-4/SPA, 274 Providence Road, dated April 21, 2020, 1 page.

**EXHIBIT 8.** Email from Steve Teixeira, 276 Providence Road, regarding 274 Providence Road – "Providence Village" – 8 Unit Condo Development, dated April 21, 2020, 1 page.

**EXHIBIT 9.** Email from Pete Wojnar, 10 Main Street, regarding 274 Providence road special permit, dated April 24, 2020, 1 page.

**EXHIBIT 10.** Letter from Christopher McGoldrick, Town Planner, regarding 274 Providence Road, dated April 24, 2020, 9 pages.

**EXHIBIT 11.** Public Hearing Continuance Request, dated April 28, 2020, signed by Dan Hazen, Guerriere & Halnon, Inc., received by the Planning Board on April 28, 2020, 1 page.

- EXHIBIT 12.** Peer Review: “Providence Village”, dated May 11, 2020, prepared by Graves Engineering, Inc., 100 Grove Street, Worcester, MA 01605, received by the Planning Board on May 12, 2020, 4 pages.
- EXHIBIT 13.** Public Hearing Continuance Request, dated May 16, 2020, signed by Dan Hazen, Guerriere & Halnon, Inc., received by the Planning Board on May 16, 2020, 1 page.
- EXHIBIT 14.** Public Hearing Continuance Request, dated June 8, 2020, signed by Dan Hazen, Guerriere & Halnon, Inc., received by the Planning Board on June 8, 2020, 1 page.
- EXHIBIT 15.** Public Hearing Continuance Request, dated June 22, 2020, signed by Dan Hazen, Guerriere & Halnon, Inc., received by the Planning Board on June 22, 2020, 1 page.
- EXHIBIT 16.** Public Hearing Continuance Request, dated July 9, 2020, signed by Dan Hazen, Guerriere & Halnon, Inc., received by the Planning Board on July 9, 2020, 1 page.
- EXHIBIT 17.** Plan: “Providence Village; A Condominium Site Plan”, dated February 26, 2020, revised June 22, 2020, prepared by Guerriere & Halnon, Inc., 333 West Street, Milford, MA 01757, 9 sheets.
- EXHIBIT 18.** Response to Peer Review, dated July 20, 2020, prepared by Dan Hazen, Guerriere & Halnon, Inc., received by the Planning Board on July 24, 2020, 4 sheets.
- EXHIBIT 19.** Plan: “Predevelopment Plans”; “Post Development”, dated February 26, 2020, revised June 22, 2020, prepared by Guerriere & Halnon, Inc., 333 West Street, Milford, MA 01757, 2 sheets.
- EXHIBIT 20.** Report: “Stormwater Report; ‘Providence Village’; 274 Providence Road; Grafton, MA”, dated February 26, 2020, revised June 1, 2020, prepared by Guerriere & Halnon, Inc., 333 West Street, Milford, MA 01757, 92 pages.
- EXHIBIT 21.** Public Hearing Continuance Request, dated July 27, 2020, signed by Dan Hazen, Guerriere & Halnon, Inc., received by the Planning Board on July 27, 2020, 1 page.
- EXHIBIT 22.** Peer Review: “Providence Village”, dated August 10, 2020, prepared by Graves Engineering, Inc., 100 Grove Street, Worcester, MA 01605, received by the Planning Board on August 10, 2020, 5 pages.

- EXHIBIT 23.** Public Hearing Continuance Request, dated August 10, 2020, signed by Dan Hazen, Guerriere & Halnon, Inc., received by the Planning Board on August 10, 2020, 1 page.
- EXHIBIT 24.** Email from Steve Teixeira, 276 Providence Road, regarding 274 Providence Road – “Providence Village” – 8 Unit Condo Development, dated August 10, 2020, 1 page.
- EXHIBIT 25.** Email from Normand Crepeau, Chief of Police, regarding 274 Providence Road – “Providence Village” – 8 Unit Condo Development, dated August 10, 2020, 1 page.
- EXHIBIT 26.** Public Hearing Continuance Request, dated August 31, 2020, signed by Dan Hazen, Guerriere & Halnon, Inc., received by the Planning Board on August 31, 2020, 1 page.
- EXHIBIT 27.** Plan: “Providence Village; A Condominium Site Plan”, dated February 26, 2020, revised June 22 and September 1, 2020, prepared by Guerriere & Halnon, Inc., 333 West Street, Milford, MA 01757, 9 sheets.
- EXHIBIT 28.** Public Hearing Continuance Request, dated September 15, 2020, signed by Dan Hazen, Guerriere & Halnon, Inc., received by the Planning Board on September 15, 2020, 1 page.

### **III. FINDINGS**

At their meeting of September 28, 2020 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 David Robbins, seconded by Linda Hassinger) voted five (5) in favor and zero (0) opposed to make the following Findings:

- F1. That determinations regarding the following findings are based upon the Plans identified in this Decision, as well as the materials and information submitted and presented in association with the Application.
- F2. That determinations regarding the following findings are also predicated upon satisfactory completion of the site improvements shown on the Plans (EXHIBIT 27 of this Decision) and maintenance of the Site in accordance with this Decision, as well as all applicable Federal, State and Local regulations, except where modified by this Decision.
- F3. That the subject Site, as shown on the Plan, is located in a Village Mixed Use (VMU) zoning district.

- F4. That this Application is for the construction of a residential multifamily, town house-style building containing eight (8) units, two (2) of which shall be designated affordable.
- F5. That multi-family dwellings at a density greater than eight (8) dwelling units per acre and less than twelve (12) dwelling units per acre are permitted in the VMU zoning district only upon the issuance of a Special Permit by the Planning Board, in accordance with Sections 12.4 of the Grafton Zoning By-law (hereinafter ZBL).
- F6. The Site is to have access from Providence Road and Main Street.
- F7. That Section 1.3.3.2 of the ZBL requires that the procedure for the Site Plan Review, as defined in the ZBL, be incorporated into the procedure for reviewing Special Permits.
- F8. That Section 1.3.3.3 of the ZBL defines the procedure for Site Plan Review, including a description of the plans and materials to be submitted to the Planning Board.
- F9. The Board finds that Section 1.3.3.4 of the ZBL allows an applicant to request waivers from certain requirements of the Site Plan Review procedure.
- F10. With regard to Section 1.5.5(a), the Board finds that based on Exhibits and Findings stated within this Decision, ingress and egress to the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe, is adequate.
- F11. With regard to Section 1.5.5(b), the Board finds that based on the Exhibits and the Findings stated within this Decision, that off-street parking is adequate. The Board further finds with regard to Section 1.5.5(b) that the economic, noise, glare, or odor effects of the special permit on adjoining properties and properties generally in the district are satisfactory.
- F12. With regard to Section 1.5.5(c), the Board finds that based on the Exhibits and the Findings stated within this Decision, that refuse collection or disposal and service areas are satisfactory.
- F13. With regard to Section 1.5.5(d), the Board finds that based on the Exhibits and the Findings stated within this Decision, screening and buffering with reference to type, dimensions and character are adequate.
- F14. With regard to Section 1.5.5(e), the Board finds that based upon on the Exhibits and the Findings stated within this Decision, signs and exterior lighting with reference to glare, traffic safety, economic effect is compatible and in harmony with properties in the district.

- F15. With regard to Section 1.5.5(f), the Board finds that based upon on the Exhibits and the Findings stated within this Decision, the required yards and other open space requirements are adequate.
- F16. With regard to Section 1.5.5(g), the Board finds that based upon on the Exhibits and the Findings stated within this Decision, that the proposed use of the facility is generally compatible with adjacent properties and other properties in the Village Mixed Use (VMU) zone.
- F17. With regard to Section 1.5.5(h), the Board finds that based upon on the Exhibits and the Findings stated within this Decision and upon satisfying and complying with all applicable requirements of the Massachusetts DEP, Grafton Water District, and all other applicable agencies, the proposed facility will not have any significant adverse impact on any public or private water supply.
- F18. With regard to Section 1.5.5(i), the Board finds that the site is located within the Water Supply Protection Overlay District. The Board further finds that, based upon on the Exhibits and the Findings stated within this Decision, and upon satisfying and complying with all applicable requirements of the Massachusetts DEP, Grafton Water District, and all other applicable agencies, there will not be any significant adverse impact upon municipal water supplies. The proposed use is permitted in the underlying district, so no additional approval under the bylaw is required, except for performance standards which will be reviewed through Conservation and review of the Stormwater bylaw.
- F19. With regard to Section 1.5.5(j), the Board finds that important historic, cultural and scenic landscapes are protected. It was noted that the proposed use involves the creation of a community park and retains or replaces much of the existing vegetation.
- F20. With regard to Section 12.7, the Board finds that the proposed parking facilities meet the required placement, design, screening, provision of bicycle racks, and count. The applicant has not proposed a shared parking arrangement.
- F21. With regard to Section 12.8, the Board finds that the proposed curb cuts are in order. The Board found that the additional curb cut on Main Street was necessary for the safe and efficient flow of traffic as well as ease of access for emergency vehicles. There are no existing access routes on adjacent parcels to provide a shared drive as encouraged by Section 12.8.2.3.
- F22. With regard to Section 12.9.1, the Board finds that the applicant has adequate pedestrian and bicycle access.
- F23. With regard to Section 12.9.2, the Board finds that the proposed landscaping is adequate.

F24. With regard to Section 12.6.1 (2.4), the Board finds that, due to the unique shape and layout of the lot, the minimum/maximum front yard setback should be measured from the proposed access way.

#### IV. WAIVERS

- W1.) At their meeting of September 28, 2020, 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 David Robbins, seconded by Linda Hassinger) voted five (5) in favor and zero (0) opposed to **GRANT** the Applicant's request for a waiver from the requirements of *Section 8.2 – Traffic Study*.
- W2.) At their meeting of September 28, 2020, 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 David Robbins, seconded by Linda Hassinger) voted five (5) in favor and zero (0) opposed to **GRANT** the Applicant's request for a waiver from the requirements of *Section 12.6.1 (2.4) – Front Yard Setback Maximum*.
- W3.) At their meeting of September 28, 2020, 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 David Robbins, seconded by Linda Hassinger) voted five (5) in favor and zero (0) opposed to **GRANT** the Applicant's request for a waiver from the requirements of *Section 12.6.1 (2.7) – Outdoor Amenity Space*.
- W4.) At their meeting of September 28, 2020, 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 David Robbins, seconded by Linda Hassinger) voted five (5) in favor and zero (0) opposed to **GRANT** the Applicant's request for a waiver from the requirements of *Section 12.9.2 – Plans Prepared by Registered Landscape Architect*.

#### V. DECISION and CONDITIONS

At their meeting of September 28, 2020, 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 David Robbins, seconded by Linda Hassinger) voted five (5) in favor and zero (0) opposed to **GRANT** the Special Permit and Site Plan Approval with the following conditions:

##### A. Standard Conditions

- 1.) This Special Permit is specifically to allow construction of a multi-family dwelling on the subject property as shown on the Plans identified as EXHIBIT 27 of this Decision. The total number of dwelling units shall not exceed eight (8). Any

increase in the total number of units shall require Planning Board approval as a modification of this Special Permit in accordance with Section 1.5 of the ZBL.

- 2.) Unless modified by this Decision, the Site shall be developed, constructed and maintained in accordance with all applicable Federal, State and Local regulations, and as shown on the Plans identified as EXHIBIT 27 of this Decision. All required permits and approvals shall be secured by the Applicant at the appropriate stage of construction and copies of all pertinent documents regarding said permits and approvals shall be filed with the Planning Board in a timely manner.
- 3.) Any modification to the use authorized by this Decision, Site, structure(s) and/or site improvements as described within this Decision and as presented to the Board during the public hearing and in the above referenced EXHIBITS 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 (or other approvals if deemed necessary) 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. Any Modification of this Decision shall be made pursuant to Section 1.5 of the Zoning By-law, and any other applicable regulations.
- 4.) All grading and construction shall be performed in accordance with the Plans, as well as all applicable Federal, State and Local regulations, and shall be accomplished so as not to discharge any pollutants or siltation into waterways or resource areas from the site and its associated improvements during construction, and after completion.
- 5.) The Planning Board reserves the right, pursuant to Section 1.5.1.1 of the Zoning By-Law, to utilize the services of a professional engineer in reviewing any materials required to be submitted as conditions of this Decision, and conducting any inspections or other work associated with the construction of the development. In accordance with the applicable sections of the ZBL, any fees or expenses associated with such reviews and inspections shall be the responsibility of the Applicant. Such inspections or reviews will not be conducted if a zero or negative balance exists in any account established by the Planning Board for the purposes stated in this Condition.
- 6.) The Applicant, their successors and assigns, will not sell any units in the development or erect or place any permanent building on such lot until the construction of ways and services necessary to adequately serve such units has



been completed in accordance with the approved Plans and the *Rules and Regulations*. In the event of a discrepancy between the Plans and the *Rules and Regulations*, and absent clarification or approval of such discrepancy stated within the Findings or Conditions of this Decision, the requirements of the *Rules and Regulations* shall apply.

- 7.) By recording this Special Permit Decision in the Worcester District Registry of Deeds, the Applicant agrees to and accepts the conditions set forth in this Special Permit Decision.
- 8.) A copy of such recorded Special Permit decision, including the Deed Book and Page Numbers, shall be submitted to the Planning Board Office within thirty (30) days of recording.
- 9.) In accordance with Section 1.5.8 of the ZBL, this Special Permit shall lapse within one (1) year from the date of the expiration of the appeal period if substantial use, or construction, has not been commenced except in accordance with the law. Any request for an extension of said period of validity shall be considered a Modification of this Special Permit, and such request shall be filed and reviewed in accordance with the procedure specified in Section 1.5 of the ZBL.
- 10.) Any inability or failure or refusal by the Applicant to comply with the requirements of this Special Permit, when notified of failure of compliance, shall be grounds for the immediate denial of building, construction or occupancy permits with respect to this project.

**B. Conditions to be met Prior to Construction**

- 1.) Construction of the project shall not commence until the Applicant has recorded this Special Permit at the Worcester District Registry of Deeds and provided the Planning Board and the Building Inspector with a certified copy of such. This requirement is in addition to all other conditions contained in this Decision and relevant to commencing construction activity on the Site.
- 2.) The Plan Set shall be revised to reflect any changes and modifications required by this decision and shall include conditions contained in this decision. The Plan Set shall be submitted to the Planning Board's Agent for review for compliance with this decision and referenced exhibits.
- 3.) Prior to the commencement of work, the Planning Board shall be provided with the following:
  - a. Five (5) full size plan sets, 24" x 36", one of which shall be sent directly to the Town's peer review consulting engineer.

- b. An electronic copy of the plan set. The electronic copy shall be in a “PDF” compatible format.
  - c. An electronic copy of the Plan in a format compatible for import to the Town’s GIS system as specified by Planning Department Staff.
- 4.) The Applicant / Developer shall submit acceptable construction and maintenance schedule documents in accordance with Section 3.3.7.3 of the the Subdivison Rules and Reguations.
- 5.) Prior to commencement of work, a pre-construction meeting shall occur with representatives from the Applicant and appropriate Town Departments/ Board’s. The Applicant shall contact the Planning Department to arrange the pre-construction meeting.
- 6.) Prior to the start of any construction activity on the Site, an initial inspection of erosion control /site stabilization measures shall be performed by agent(s) of both the Planning Board and Conservation Commisison in the presence of a representative of the Applicant/developer, and notice of such inspection forwarded to both Boards. No construction activity shall occur on the Site until the Applicant/developer receives written authorization from both the Planning Board and Conservation Commission regarding the adequacy of the initial erosion control and site stabilization measures. The Planning Board reserves the right to require additional eroison control/site stabilization measures at any time during the construction process should the Planning Board, Conservation Commission, or their agent(s) deem such measures necessary. The Applicant/developer shall be notified in writing of the necessity for such additional measures, and shall complete all such requirements within ten (10) days of receiving said notice, or other time as may be agreed upon by both the Planning Board and Conservation Conservation Commission.
- 7.) No building permit(s) for proposed structures shall be issued until the access drives shown on the Plans are constructed with a binder course of pavement in accordance with the *Grafton Subdivision Rules and Regulations*, and all stormwater management structures/system are operational, or other temporary measures for stormwater management and erosion control, are installed and operational to the satisfaction of the Planning Board, Conservation Commission, and their agent(s).

**C. Conditions to be met During Construction**

- 1.) Construction activities shall only occur Monday through Saturday between the hours of 7:00 a.m. and 5:00 p.m., and there shall be no construction activity on State or Federal holidays.

- 2.) All construction vehicles and vehicles of all workers are to be parked on site. Parking of construction vehicles on Providence Road is specifically prohibited, except during the period of the initial clearing of the property.
- 3.) The Site shall be inspected on a regular basis by an agent of the Planning Board and/or Conservation Commission in the presence of a representative of the Applicant / Developer, in order to monitor the stormwater management system/facilities and erosion control/site stabilization measures. The Planning Board reserves the right to require additional stormwater management and erosion control/site stabilization measures at any time during the construction process should the Planning Board, Conservation Commission, or their agent(s) deem such measures necessary. The Applicant / developer shall be notified in writing of the necessity for such additional measures, and shall complete all such requirements within ten (10) day of receiving said notice, or other time as agreed upon by both the Planning Board and Conservation Commission
- 4.) All site construction, development and improvements shall be inspected at the appropriate stage(s) of construction by the Planning Board or its agent upon request made by the Applicant to the Planning Board or its agent, in accordance with any policies for such requests.
- 5.) During clearing operations, all efforts will be taken to retain trees within the development. Trees along limits of work and adjacent to the roadway shall be examined during site inspections for being preserved where grading changes are minimal.
- 6.) Upon commencing any construction activity on the Site, and in accordance with the National Pollutant Discharge Elimination System (NPDES) Phase II requirements, a Stormwater Pollution Prevention Plan shall be maintained at all times on the Site by the Applicant/developer. A copy of this document shall be forwarded to the Planning Board, Conservation Commission and Department of Public Works prior to commencing any construction activity.
- 7.) Except as otherwise approved by the Planning Board, all driveways, roadways, utilities and other improvements shall conform to the construction standards of the Rules and Regulations. All applicable site improvements shall be inspected at the appropriate stage of construction in accordance with the Subdivision Rules and as required by the Board.
- 8.) All site development and construction shall be performed in accordance with the approved Plans and the *Rules and Regulations Governing the Subdivision of Land: Grafton, Massachusetts* (revised through 11-29-99), as well as with all applicable Federal, State and Town laws, ordinances and regulations. In the event of a discrepancy between the Plans and the *Rules and Regulations*, and absent

clarification or approval of such discrepancy stated within the Findings or Conditions of this Decision, the requirements of the Rules and Regulations shall apply. All required permits and approvals shall be secured at the appropriate stage of construction and copies of all pertinent documents regarding said permits and approvals shall be filed with the Planning Board in a timely manner.

- 9.) The Applicant shall install at a minimum the landscaping shown on Plans identified as EXHIBIT 27 of this Decision. The Town reserves the right to conduct a site inspection of lot to verify that the approved Tree Plan continues to remain valid. In the event that the plant material has failed (either by death or disease) new material will be installed at the expense of the Property Owner and / or its Agent or Builder. All work to replace plant material will be done to the satisfaction of the Planning Board.

**D. Conditions to be met After Construction**

- 1.) The multi-family dwelling structure authorized by this Decision shall be serviced by public water and sewer. This Approval shall not be construed as final approval of any on-site or off-site improvements or work associated with water, sewer, or other utilities installation for this project and shown on the Plans. All applicable Federal, State and Local approvals/permits shall be obtained by the Applicant prior to the construction of any portion of the development or off-site improvements that warrant such approvals/permits. All applicable requirements of the Grafton Water District and the Grafton Board of Sewer Commissioners/ Sewer Department are hereby incorporated by reference as a requirement of this Decision.
- 2.) All stormwater management facilities and associated structures, including pipe, loaming, and seeding, shall be completed, and stormwater runoff suitably controlled, to the satisfaction of the Planning Board prior to the issuance of any Occupancy Permits for this development.
- 3.) Prior to Issuance on occupancy permits, the Applicant shall create an association or organization of unit owners as specified in Seciton 5.2.2.6 of the ZBL, any and all documents relating to said association or organization shall be filed with the Planning Board and the Town Clerk in accordance with said Section. Said document(s) shall include a requirement for the filing of a report as specified in Section 5.2.2.6, in addition to any other requirements identified within the Conditions of this Decision.
- 4.) The access driveways serving the multi-family dwellings as shown on the Plans shall remain private drives, and any name given to said driveway(s) shall be approved by both the Police Chief and Fire Chief. Written approval of any such names shall be submitted to the Planning Office. Maintenance and repair of said driveways shall be the responsibility of the Applicant/developer or at such time an

association or organization of unit owners (as noted in Condition D3 of this Decision) is established. At no such time shall the drives or associated infrastructure be eligible for being accepted by the Town.

- 5.) The Applicant, or any future condominium association, shall be responsible for all garbage or trash disposal, and that any and all receptacles used on the Site for such purposes shall conform to, and be maintained in accordance with, all applicable Grafton Board of Health regulations.
- 6.) Maintenance of the Site and compliance with the Conditions of this Special Permit shall be the responsibility of the Applicant or at such time an association or organization of unit owners.
- 7.) Any signage and pavement markings shown on the Plans, required by this Decision, or proposed at a later date, shall be installed in accordance with, and conform to, the Town of Grafton Zoning By-law and all other applicable regulations. The Applicant / Developer shall be responsible to submitting a final approval from both the Police Department and the Department of Public Works that all signs and other public safety controls have been identified and installed to their satisfaction.


### **RECORD OF VOTE**


At their meeting of September 28, 2020, 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 David Robbins, seconded by Linda Hassinger) voted five (5) in favor and zero (0) opposed to **APPROVE** the Special Permit & Site Plan Approval Application with Conditions for multi-family dwellings in the VMU zoning district, based on the information received at the public hearing and the aforementioned findings.

<u>David Robbins, Chairman</u>	<u>AYE</u>	<u>Justin Wood, Clerk</u>	<u>AYE</u>
<u>Robert Hassinger, Vice Chairman</u>	<u>AYE</u>	<u>Linda Hassinger, Member</u>	<u>AYE</u>
<u>Prabhu Venkataraman, Member</u>	<u>AYE</u>		

**DATE OF FILING OF DECISION:**

**BY ORDER OF THE BOARD**

  
\_\_\_\_\_  
Christopher J. McGoldrick, Town Planner

  
\_\_\_\_\_  
Date

cc: Applicant / Owner  
Building Inspector  
Assessors  
Conservation Commission

**To Whom It May Concern:** This is to certify that the 20 day appeal period has passed and there have been no appeals made to this office.

\_\_\_\_\_  
Kandee Lavalley, Town Clerk

\_\_\_\_\_  
Date