

**DECISION
GRAFTON PLANNING BOARD
SPECIAL PERMIT SP 2020-4 & SITE PLAN APPROVAL
MODIFICATION #1**

**Multi-Family Dwellings
274 Providence Road**

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

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GRAFTON, MA
2021 APR 28 AM 9:35

Decision of the Planning Board of the Town of Grafton, Massachusetts (hereinafter the BOARD) on the petition of Providence Street Village, Inc., 81 Camp Street, Milford, MA 01757 (hereinafter the APPLICANT) for Modification of Special Permit & Site Plan Approval 2020-4 to modify the Conditions and Findings of the Decision (SP2020-04/SPA; approved September 28, 2020) on property located at 274 Providence Road (hereinafter the SITE) as shown on the Grafton Assessor's Map 115, Lot 31, and owned by Providence Street Village, Inc., 81 Camp Street, Milford, MA 01757 (hereinafter the OWNER) by deed recorded in the Worcester District Registry of Deeds Book 59657, Page 50.

I. BACKGROUND

On September 28, 2020, the Planning Board approved a Special Permit and Site Plan Approval application for the construction of a residential multifamily, town house-style building containing eight (8) units.

On March 23, 2021 the Applicant submitted an application for a Modification of the Special Permit (hereinafter Application) to request:

1. In accordance with Condition A3, an increase of the individual unit widths from 20 to 22 feet as not being substantially different from the materials referenced in Exhibits 1 to 28.
2. Modification of Finding F4 to eliminate "two (2) of which shall be designated affordable"
3. Modification of Condition B7 to replace "building permit(s)" with "occupancy permit(s)"

Notice of the public hearing and the subject matter thereof was published in the Grafton News on March 25, 2021 and April 1, 2021, and posted with the Town Clerk's Office on March 23, 2021. Abutters received notification by First Class Mail.

A public hearing on the Application was opened on April 12, 2021. The following Board members were present throughout the public hearing process where testimony was received: Chair Robert Hassinger, Vice Chair David Robbins, Clerk Justin Wood, Member Linda Hassinger, Member Prabhu Venkataraman, and Associate Member Vikram Dave. Throughout the public hearing, all those wishing to speak to the petition were heard. Following public input, the hearing was closed on April 12, 2021.

II. SUBMITTALS

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

EXHIBIT 1. Original Application Submission, received March 23, 2021 to include the following:

- a) Application for Modification of a Special Permit (SP 2020-4.1) received on March 23, 2021, 1 page.
- b) Letter from Elizabeth A. Mainini, PE, Guerriere & Halnon, Inc. to the Grafton Planning Board, dated March 17, 2021, 2 pages.
- c) Certificate of Good Standing, signed by Christine Atchue, undated, 1 page.
- d) Certified Abutters List, signed by Mary M. Oliver, Principal Assessor, dated March 18, 2021, 1 page.

EXHIBIT 2. Plan: "Building Permit Plot Plan", dated March 3, 2021, prepared by Guerriere & Halnon, Inc., 333 West Street, Milford, MA 01757, 1 sheet.

EXHIBIT 3. Public Hearing Notice, for publication in the Grafton News on March 25, 2021 and April 1, 2021, 1 page.

EXHIBIT 4. Email from Nancy Connors, Board of Health, dated March 25, 2021, 2 pages.

EXHIBIT 5. Email from Michael Killeen, Fire Department, dated March 25, 2021, 1 page.

EXHIBIT 6. Email from Katrina Koshivos, ZBA, dated March 26, 2021, 1 page.

III. FINDINGS

At their meeting of April 26, 2021, 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 Justin Wood, 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 documents and plans identified in this Decision, as well as the information and EXHIBITS submitted and presented in association with this application.

F2. That during the public hearing Elizabeth A. Mainini, PE, Guerriere & Halnon, Inc., representing 274 Providence Street Village, Inc. (Applicant/Owner) presented the proposed modifications. It was noted the Applicant is requesting a slight adjustment to the unit size and layout, as well as a number of administrative adjustments to the Findings and Conditions of the Board's Decision.

F3. The applicant is requesting an increase of the individual unit widths from 20 feet to 22 feet, as shown on the abovementioned Plans (EXHIBIT #2) and in accordance with Condition A3.

The Applicant represented that, in their opinion, this adjustment does not differ substantially from the original proposed plans.

- F4. The applicant is requesting modification of Finding F4 to eliminate “two (2) of which shall be designated affordable”. Section 12.2.4 of the Grafton Zoning Bylaw specifically states, “For projects greater than eight residential units, projects must include affordable housing units as specified below: (T.M. 5/9/16)”. The proposed number of units is equal to, not greater than, eight (8). Therefore, no affordable units are proposed.
- F5. The applicant is requesting modification of Condition B7 to replace “building permit(s)” with “occupancy permit(s)”. The Applicant has represented this adjustment will allow the construction of the proposed unit foundations prior to the construction of the proposed driveway and parking infrastructure, which is more in line with typical engineering practice.

IV. DECISION

At their meeting of April 26, 2021 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 Justin Wood, seconded by Linda Hassinger), voted five (5) in favor and zero (0) opposed, to **APPROVE** the application for Modification a Special Permit with the following conditions:

1. This approval specifically modifies the approved Special Permit SP 2020-4, dated September 28, 2020, recorded in the Worcester District Registry of Deeds (Bk: 64269 Pg: 91), by approving an increase of the individual unit widths from 20 feet to 22 feet, as shown on the abovementioned Plans (EXHIBIT #2); modifying Finding F4 to eliminate “two (2) of which shall be designated affordable”; and modifying Condition B7 to replace “building permit(s)” with “occupancy permit(s)”.
2. Unless modified by this Decision, all conditions of the previous Special Permit (2020.4) & Site Plan Approval DECISION, as recorded in the WDRD and referenced herein, remain in full force and effect.
3. This Modification of the Special Permit (SP 2020-4) shall not take effect until the Decision has been recorded at the Worcester District Registry of Deeds (WDRD) and a copy provided to the Planning Board and the Building Department. Said copy shall include recording information such as the WDRD Book and Page Number and/or Instrument Number.
4. By recording this Special Permit and Site Plan Approval Decision in the Worcester District Registry of Deeds, the Applicant agrees to and accepts the conditions set forth in this Special Permit and Site Plan Approval Decision.

V. RECORD OF VOTE

Robert Hassinger, Chair AYE
Justin Wood, Clerk AYE
Linda Hassinger AYE

David Robbins, Vice Chair AYE
Prabhu Venkataraman AYE

DATE OF FILING OF DECISION:



Christopher McGoldrick, Town Planner

BY ORDER OF THE BOARD

4/28/2021

Date

- Applicant / Owner
- Assessor
- Graves Engineering

- Building Inspector
- 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.

Kandy Lavallee, Town Clerk

Date