

**DECISION
GRAFTON PLANNING BOARD
SCENIC ROAD PERMIT (SRP 2020-2)
Removal of Trees**

88 Adams Road, Grafton MA

Steven Venincasa, P.O. Box 1205, Westborough MA (Applicant/Owner)

Decision of the Grafton Planning Board (hereinafter the Board) on the petition of Steven Venincasa (hereinafter the Applicant), for a Scenic Road Permit for the removal of trees on property located at 88 Adams Road, Grafton, MA 01519 (hereinafter the Site), and shown on Grafton Assessor's Map 32, Lot 10 and owned by Steven Venincasa, P.O. Box 1205, Westborough MA (hereinafter the Owner), by deed recorded in the Worcester District Registry of Deeds in Book 37262, Page 367.

I. BACKGROUND

The application for the above referenced Scenic Road Permit (hereinafter Application) was submitted on October 2, 2020. Notice of the public hearing was published in the Grafton News on October 8 and 15, 2020 and posted with the Town Clerk's Office. Abutters were notified of the public hearing by First Class Mail. The public hearing on the Application was opened on October 26, 2020. At the public hearings, all those wishing to speak to the petition were heard. Following public input the hearing was closed on November 23, 2020.

The following Board members were present throughout the public hearing: Chairman Robert Hassinger, Vice Chairman David Robbins, Clerk Justin Wood, Member Linda Hassinger, Member Prabhu Venkataraman, and Associate Member Vikram Dave. At the hearing the following people presented the Application: James Tetreault, Thompson-Liston Associates, Inc., and Steven Venincasa.

II. EXHIBITS

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

- Exh 1. Original Application Submission, received October 2, 2020 to include the following:
- a. Application for a Hearing Under the Scenic Road Bylaw, signed by Steven Venincasa, dated September 28, 2020 and date stamped received by the Planning Board on October 2, 2020, 1 page.
 - b. Certificate of Good Standing, signed by Beth Schrottman, dated September 28, 2020, 1 page.
 - c. Abutters Listing for 88 Adams Road; dated September 22, 2020 and signed by Tammy Kalinowski, Office Manager, 1 page.
 - d. Project Narrative: titled, "Scenic Road permit application", dated September 29, 2020, prepared by James Tetreault, Thompson-Liston Associates, Inc., 2 sheets.
 - e. Photos: untitled, undated; 3 pages.

- f. Plan: “The Ridings”, dated July 14, 2016, and prepared by Thompson-Liston Associates, Inc., 3 sheets.
- Exh 2. Memo from Paul Cournoyer, DPW Director, to the Planning Board, dated October 21, 2020, 1 page.
- Exh 3. Memo from Paul Cournoyer, DPW Director, to the Planning Board, dated October 21, 2020, 9 pages.
- Exh 4. Email from Katrina Koshivos, ZBA, to the Planning Board, dated October 21, 2020, 1 page.

III. FINDINGS

At their meeting of December 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 Justin Wood, seconded by Linda Hassinger) voted five (5) in favor and zero (0) opposed to make the following Findings:

1. That during the public hearing James Tetreault, Thompson-Liston Associates, Inc., and Steven Venincasa, presented the Application. They stated that the work was in relation to the proposed 39 unit residential subdivision (DP2020-03), “The Ridings”. The proposed work would include removal of three trees: a 24 inch oak in the Adams Road right of way in front of the abutting property at 86 Adams Road, a 2-3 inch ash on the southern edge of the right of way of Libby Lane in the proposed subdivision, and an 18 inch ash on the northern edge of the right of way of said Libby Lane. No alteration of a stone wall is proposed; the proposed Libby Lane will utilize an existing gap in the stone wall.
2. As per SRR §6.a., the Board considered the degree to which the proposed action would not adversely affect the scenic, aesthetic, and historical values upon which the scenic road designation was originally based. The Board noted that the proposed removal of the two (2) ash trees would not adversely affect the scenic, aesthetic, and historical values upon which the scenic road designation was originally based, however, removal of the 24 inch oak would.
3. As per SRR §6.b., the Board considered the necessity for the proposed action in terms of public safety, welfare or convenience. The Department of Public Works recommended removal of the ash trees due to the species susceptibility to pest infestation; therefore, the Application satisfies this requirement.
4. As per SRR §6.c., the Board considered the availability of reasonable alternatives to the proposed action which could reduce or eliminate anticipated damage to trees or stone walls. The Board noted that the Department of Public Works assessed the replacement value of the 24 inch oak at \$8,000, and recommended removal of the ash trees due to the species susceptibility to pest infestation. The Applicant did not propose, and the Board did not find, a reasonable alternative beyond either 1) removal of the trees or; 2) compensation for their value. The Applicant expressed a preference to remove the two (2) ash trees and allow the 24 inch oak to remain; therefore, the Application satisfies this requirement.
5. As per SRR §6.d., the Board considered whether the proposed action would compromise or harm other environmental or historical values. The Board did not find other

environmental or historical values that would be harmed by the proposal; therefore, the Application satisfies this requirement.

6. As per SRR §6.e., the Board considered the compensatory actions proposed. The Board noted that the Department of Public Works assessed the replacement value of the 24 inch oak at \$8,000, and recommended removal of the ash trees due to the species susceptibility to pest infestation. The Applicant declined to provide the recommended \$8,000 compensation in relation to the 24 inch oak. The Applicant expressed a preference to remove the two (2) ash trees and allow the 24 inch oak to remain; therefore, the Application satisfies this requirement.
7. As per SRR §6.f., the Board considered the consistency of the proposed action with previously adopted Town plans and policies. The Board finds that the scope of work as identified in the Application is acceptable as to these requirements.
8. The Board found that the applicant's engineer recommended removal of the 24 inch oak tree in order to provide further improved sight lines, but that removal was not specifically required by the Subdivision Rules and Regulations or prior Board decisions. Given the Board's finding, the Applicant expressed a preference to allow the 24 inch oak tree to remain, rather than be removed. Further, the Board noted that preservation and/or compensation for removal of the two (2) ash trees did not outweigh the benefits of removal to safety and public right of way as assessed by the DPW Director. Therefore, the Board found that no compensation for the value of the two (2) ash trees proposed to be removed was necessary.

IV. DECISION and CONDITIONS

At their meeting of December 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 Justin Wood, seconded by Linda Hassinger) voted five (5) in favor and zero (0) opposed to **GRANT** this Scenic Road Permit (2020-2) subject to the following conditions:

1. This Decision reflects the Board's approval of Scenic Road Permit SRP 2020-2. The Applicant has requested the removal of vegetation for development of subdivision access to a proposed 39 unit residential subdivision.
2. The work authorized by this Decision shall include only removal of the two (2) identified ash trees. The 24 inch oak tree, as identified in Exhibit 1e shall remain in accordance with Findings #4, #6 and #8.
3. All applicable requirements of Town, State or Federal agencies are hereby incorporated by reference as a requirement of this Decision.
4. 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

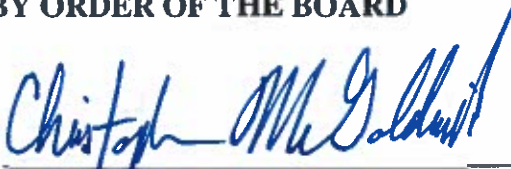
determinations regarding such changes. The Planning Board may, upon its determination, require a modification of this Decision if it finds that the proposed changes are substantial in nature and of public concern, and/or substantially alter the plans and information used in making this Decision.

5. 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.

V. RECORD OF VOTE

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

BY ORDER OF THE BOARD



Christopher J. McGoldrick, Town Planner

3/4/2021
Date

cc: Applicant/Owner
Building Inspector
Tree Warden/Highway Surveyor

Assistant Town Engineer
Tree Warden/Highway Surveyor