

**DECISION
GRAFTON PLANNING BOARD**

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SPECIAL PERMIT (SP 2017-10) & SITE PLAN APPROVAL

2018 JAN 23 PM 1:59 *ll*

**Professional Office / Museum – Massachusetts State Police Museum and Learning Center
308 Providence Road, South Grafton, MA 01560**

**Massachusetts State Police Museum and Learning Center (Applicant)
Peter Schotahus & Judith Schotahus (Owner)**

Decision of the Grafton Planning Board (hereinafter the BOARD) on the petition of Massachusetts State Police Museum and Learning Center, (hereinafter the APPLICANT), for a Special Permit (SP 2017-10) and Site Plan Approval to change the use to allow for an office and museum on property located at 308 Providence Road, South Grafton, MA, (hereinafter the SITE) which is located in the Village Mixed-Use (VMU) Zoning District and shown on Grafton Assessor's Map 124, Lot 7, and owned by Peter Schotahus & Judith Schotahus (hereinafter the OWNER) by deed recorded in the Worcester District Registry of Deeds (WDRD) in Book 29042, Page 279. The application was formally received on December 8, 2017.

I. BACKGROUND

The above referenced application for Special Permit (SP 2017-10) and Site Plan Approval (hereinafter the Application) was submitted on December 8, 2017. Notice of the public hearing and the subject matter thereof was published in the Grafton News on December 21 & 28, 2017, and posted with the Town Clerk's Office on December 13, 2017. Abutters were notified by First Class Mail.

The public hearing on the Application was opened on January 8, 2018. The following Board members were present throughout the public hearing: Chairman Michael Scully, Vice Chairman Robert Hassinger, Clerk Daniel Graham, and Members Linda Hassinger and David Robbins, and Sharon Carroll-Tidman. Attorney Walter White represented the Applicant and Megan Lacoche, Architect of GRLA, Inc. presented the Application to the Board on behalf of the Applicant. At the public hearing, all those wishing to speak to the petition were heard. Following public input the hearing was closed on January 8, 2018. 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.

I. SUBMITTALS

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

1. Unbound Application packet, stamped by Town Clerk's Office on December 8, 2017, stamped by Planning on December 8, 2017 and signed/dated December 8, 2017.
 - Application for Special Permit form; 1 page.
 - Application for Site Plan Approval form; 1 page.
 - Certificate of Good Standing, signed by the Treasurer/Collector's Office on November 30, 2017; 1 page.
 - Certified Abutters List, signed by the Assessor's Office on November 30, 2017; 1 page.
 - Existing Building Investigation and Evaluation Report; Prescriptive Compliance Method, prepared by Gorman, Richardson & Lewis Architects, 9 pages.

- Property Location Map, black and white, 1 page.
 - Site Plan, 7 Depot Street, Grafton, MA, prepared by Gorman, Richardson & Lewis Architects, H.C. Access & Parking, loading dock, landscaping; drawing number SP-2, 1 page.
 - First Floor Plan, 308 Providence Road and Second Floor Plan, prepared by Gorman, Richardson & Lewis Architects, 2 pages.
 - Property location plan, 308 Providence Road, 1 page.
2. Public Hearing Legal Notice – Stamped by the Town Clerk on December 13, 2017- 1 page.
 3. Public Comments: Barry Smith of 7 Garden Street, email received December 13, 2017; response from Joe Laydon on December 13, 2017; 2 pages.
 4. Public Comments: Maria Mast, Conservation Commission, email received January 3, 2018.
 5. Plan: Mass. State Police Temporary Location, prepared by Gorman Richardson Lewis Architects, dated December 22, 2017, received January 3, 2018.

II. FINDINGS

At their meeting of January 22, 2018, 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 5-0 to make the following Findings:

1. That the application for Special Permit is being sought to temporarily allow the Use of a Museum and associated offices at 308 Providence Road while renovations are being made to the existing museum located at 44 Worcester Street, not to exceed two (2) years.
2. That the Site is located within the Village Mixed Use (VMU) District and that it had previously been used as retail space and has recently been vacant. Furthermore philanthropic uses within the district require the issuance of a Special Permit.
3. That during the public hearing the Board and the Applicant discussed the proposed project. The Applicant stated that they are proposing to temporarily relocate to the Site while the Former State Police Barracks located at 44 Worcester Street is being renovated from fire and water damage. That Applicant stated there will be no increase in the size of the building and minimal interior changes (Exhibit #5).
4. That the number of employees is one (1) full-time, two (2) part-time and eighteen (18) volunteers and that the average number of visitors will be limited to one (1) to two (2) small groups of twelve (12) to fifteen (15) children at a time. That the hours of operation will be Tuesdays and Thursdays from 10a.m. to 2 p.m. and every other Saturday by appointment only (Exhibit #1).
5. That during the public hearing the Board and the Applicant discussed the parking plan that was submitted (Exhibit #1). The Applicant noted the Use requires there to be 30 parking spaces to which only eleven (11) spaces including one accessible parking space are available on site currently. The VMU district allows for shared parking and that the Applicant included a plan of the parking area located at 7 Depot Street, which has a total of thirty-five (35) parking spaces. The Applicant and Owner of 7 Depot Street stated they had a signed an agreement to utilize any overflow parking at 7 Depot Street.

6. That the Applicant will be installing minimal signage in accordance with Section 4.4 of the ZBL.
7. That determinations regarding the above referenced Findings are based upon the plans identified in this Decision, as well as the information submitted and presented in association with the Application.
8. That determinations regarding the above referenced Findings are predicated on the satisfactory 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.
9. That Section 1.3.3.2 of the ZBL requires that the procedure for Site Plan Review, as defined in the ZBL, be incorporated into the procedure for reviewing Special Permits.
10. 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. The Board further 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.
11. That pursuant to Section 1.3.3.4 of the ZBL, the Applicant requested waivers from the following requirements for preparing site plans, as listed in Section 1.3.3.3:
 - (d) certain site plan requirements, including various details and information to be shown on plan, as further described in the ZBL and as presented in the Waivers section of this decision;
 - (e) stormwater management hydrological study;
 - (f) report, if applicable, showing calculations of the volume of earth material to be removed from or delivered to the site, including a description of such removal or fill activity.
 - (g) Written statements from engineer / architect preparing the plans indicating that the plans comply with the performance standards of Section 4/1 of the ZBL; and applicant / owner indicating site will be maintained with standards set forth in Section 4.1 of the ZBL.
12. That pursuant to Section 8.2.1 of the ZBL, the Applicant requested waivers from the requirement for a Traffic Study as listed in Section 8.2 – Traffic Study Required.

IV. WAIVERS

1. At their meeting of January 22, 2018, 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 5-0 to grant the Applicant's request for waivers from the following requirements of *Section 1.3.3.3* of the ZBL with regard to preparing site plan for the reasons stated within the Findings of this Decision:
 - *Section 1.3.3.3 (d)*
 - (10) Wetlands, ponds, streams, or other water bodies including all applicable buffer zones.
 - (12) Existing and proposed topography;
 - (13) All property lines of the subject property, and all setbacks of buildings and parking areas from said lines, and existing and proposed easements, if any;
 - (14) Extent and type of all existing and proposed surfaces (pervious and impervious) on the property, including specific materials;

- (15) Lot coverage calculations showing percentage of buildings, percentage of pavement, and percentage of open space/ landscaped areas;
 - (16) Parking calculations for proposed use(s), including all existing use(s) that will continue to exist on the property, if applicable;
 - (17) Calculations of the volume of earth material to be removed or filled
 - (19) Parking and loading spaces
 - (20) Service Areas
 - (21) Landscaping
 - (22) Lighting
 - (23) Proposed signs
 - (27) Exterior storage areas and fences
 - (28) Utilities and their exterior appurtenances
 - (29) Provisions for dust and erosion control
 - (30) Existing vegetation
 - (31) Other information deemed necessary by the Planning Board due to the unique nature of the property
- **Section 1.3.3.3(e):** Stormwater management hydrological study;
 - **Section 1.3.3.3(f):** Report, if applicable, showing calculations of the volume of earth material to be removed from or delivered to the site, including a description of such removal or fill activity.
 - **Section 1.3.3.3(g):** Written statements from engineer / architect preparing the plans indicating that the plans comply with the performance standards of Section 4/1 of the ZBL; and applicant / owner indicating site will be maintained with standards set forth in Section 4.1 of the ZBL.
 - **Section 1.3.3.3(h):** Any other information, materials, reports, etc. deemed necessary by the Planning Board, due to the special nature of the proposed use /activity.
2. At their meeting of January 22, 2018, 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 5-0 in favor to grant the Applicant's request for a waiver from the requirements of **Section 8.2 – Traffic Study**.

V. CONDITIONS

At their meeting of January 22, 2018, 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 5-0 to grant the Special Permit with the following conditions:

1. This Special Permit (SP 2017-10) application specifically authorizes for a temporary change in use to allow a museum and its associated offices as described within the above referenced Exhibits and Findings of this Decision, for a period not to exceed two (2) years at the location of 308 Providence Road.
2. The work authorized by this Special Permit shall be solely for the purposes as stated within the above referenced Conditions of this Decision. Changes to the application presented in this Application may be made only upon the authorization from the Planning Board. Such authorization shall only be

granted provided the Board finds that any change requested by the Applicant is not substantially different than the application presented within the Exhibits of this Decision, and is consistent with the intent and purpose of this Decision. Requests for such change(s) shall be submitted in writing to the Planning Board.

3. Signage for, and associated with, the use authorized by this Decision shall be installed in accordance with, and conform to, the Town of Grafton Zoning By-law. This Decision shall not be construed as approving or authorizing any such signage.
4. This Special Permit and Site Plan Approval shall not take effect until the Decision has been recorded at the Worcester District Registry of Deeds (WDRD) and provided the Planning Board and the Building Department with a copy of such recording, including the WDRD Book and Page Number and/or Instrument Number.
5. By recording this Special Permit and Site Plan Approval Decision in the WDRD, the Applicant agrees to and accepts the conditions set forth in this Special Permit and Site Plan Approval Decision.

V. RECORD OF VOTE

Constituting a majority of the Planning Board, the following members voted 5-0 to grant the Special Permit (SP 2017-10) Application with Conditions for a Temporary Change in Use to Allow a Museum and Associated Offices at 308 Providence Road based on the information received at the public hearing and the aforementioned findings.

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

DATE OF FILING OF DECISION: BY ORDER OF THE BOARD



Joseph Laydon, Town Planner

1-23-2018

Date

- cc: Applicant / Owner
- Building Inspector
 - Assessors
 - Conservation Commission

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Special Permit (SP 2017-10) & Site Plan Approval
Professional Office / Museum- 308 Providence Road, Grafton, MA
Massachusetts State Police Museum and Learning Center (Applicant)
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To Whom It May Concern: This is to certify and verify that the twenty (20) days have elapsed since this decision was filed in the Town Clerk's office and that no such appeals have been filed in the reference to the same, or that, if such appeal has been filed, it has been dismissed or denied.

Kandy Lavallee, Interim Town Clerk

Date