



**PLANNING BOARD**

**TOWN OF GRAFTON**  
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**GRAFTON PLANNING BOARD DECISION**

**MODIFICATION #1**

**SPECIAL PERMIT (SP 2015-2.1)  
SITE PLAN APPROVAL (SPA 2015-2.1)**

**Modifications to Special Permit and Site Plan to Extend Completion Deadline to Construct a  
Rooftop Solar Energy Generating Facility**

**100 Milford Road, South Grafton**

**Rocco Addeo, Jr. d/b/a Hilltop Self-Storage of Grafton, LLC (Applicant)  
Rocco Addeo, Jr. d/b/a Hilltop Properties, LLC (Owner)**

Decision of the Grafton Planning Board (hereinafter the Board) on the petition of Rocco Addeo, Jr. d/b/a Hilltop Self-Storage of Grafton, LLC., 100 Milford Road, South Grafton, 01560 (hereinafter the APPLICANT), for the Modification of Special Permit (SP 2015-2) and Site Plan Approval (SPA 2015-2) to extend the construction deadline for the installation of rooftop solar electric generating system at the self-storage facility located at 100 Milford Road, South Grafton MA and shown on Grafton Assessor's Map 133, Lot 1B and owned by Rocco Addeo, Jr. d/b/a Hilltop Properties, LLC., 116 Milford Road, South Grafton, 01560 (hereinafter the OWNER) by deed recorded in the Worcester District Registry of Deeds in Book 64266, Page 1.

**I. BACKGROUND**

The application for the Special Permit and Site Plan Approval (hereinafter Application) was filed with the Planning Board on October 29, 2018. A public hearing on the Application was opened on November 19, 2018. Notice of the public hearing and the subject matter thereof was published in the Grafton News on November 1 and November 8, 2018 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 Robert Hassinger, Vice-Chairman Linda Hassinger, Clerk Sharon Carroll-Tidman, Members David Robbins and Michael Scully, and Associate Member Paul Monroe. At the hearing, Rocco Addeo, owner of 100 Milford Road, presented the Application to the Board. At the public hearing, all those wishing to speak to the petition were heard. Following public input, the hearing was closed on November 19, 2018.

**II. PROJECT HISTORY AND OVERVIEW**

This application represents a first modification of Special Permit and Site Plan Approval (SP 2015-2 & SPA 2015-2) for 100 Milford Road for the installation of a rooftop solar electric generating system. This modification deals specifically with a request to extend the period of validity of the permit for one year. The permitting history of this site includes:

1. Special Permit (SP 2015-2) and Site Plan Approval (SPA 2015-2) – **Approved June 26, 2015** – to install a roof-mounted solar electric generating system on the proposed self-storage facility.
2. Special Permit (SP 2015-3) and Site Plan Approval (2015-3) - **Approved June 26, 2015** – to construct a self-storage facility.
3. Special Permit (SP 2015-3.1) and Site Plan Approval (SPA 2015-3.1) - **Approved October 26, 2016** – to modify the site plan associated with landscaping and the installation of a temporary fence to enclose the area to be developed as phase 2.
4. Special Permit (SP 2015-3.2) and Site Plan Approval (SPA 2015-3.2) - **Approved July 27, 2017** - to allow truck rental at the self-storage facility.

### **III. SUBMITTALS**

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

- EXHIBIT 1.** Original Application Submission, received October 2, 2018 to include the following:
- a. Application Forms – Stamped and received by the Town Clerk’s Office on March 22, 2017; 1 page.
  - b. Application for Modification of a Special Permit, signed by Rocco Addeo, Jr., dated October 25, 2018, date stamped by the Town Clerk on October 29, 2018 and date stamped by Planning on October 29, 2018, 1 page.
  - c. Letter from Rocco Addeo, regarding “Extension of Special Permit SP 2105-2 & SP 2015-3,” addressed to the Town of Grafton Planning Board, date stamped by Planning on October 29, 2018, 1 page.
  - d. Certificate of Good Standing, signed by Christine Atchue, dated October 29, 2018, date stamped by Planning on October 29, 2018, 1 page.
  - e. Certified Abutter’s List; for 100 Milford Road, dated October 29, 2018.
- EXHIBIT 2.** Public Hearing Notice, date stamped by the Town Clerk on October 12, 2018, 1 page.
- EXHIBIT 3.** Email from Katrina Koshivos, Zoning Board of Appeals, dated November 1, 2018 and date stamped by Planning on November 1, 2018, 1 page.
- EXHIBIT 4.** Email from Nancy Connors, Board of Health, dated November 1, 2018 and date stamped by Planning on November 1, 2018, 1 page.
- EXHIBIT 5.** Public Hearing Sign-In Sheet – dated November 19, 2018; 1 page.

#### **IV. FINDINGS**

At their meeting of December 10, 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:

- 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 the Application.
- F2. That determinations regarding the following findings are also predicated upon satisfactory completion of the work and site improvements shown on the Plans 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 Site is located in an Office / Light Industrial (OLI) zoning district. The site is not located within the Water Supply Protection Overlay District.
- F4. That during the public hearing the Applicant presented the proposed modification Mr. Rocco Addeo was present to discuss the Application. Mr. Laydon reviewed the permitting history of the site and noted that during the original approval, the construction of the storage units and rooftop solar was recognized as occurring within two phases. Mr. Laydon stated that the original decision included a condition that construction of the storage facility and rooftop solar needed to be completed within two years from the date of approval of SP 2015-2 resulting in a construction completion deadline of June 26, 2017. It was noted that the deadline for completion within the decision was not raised in subsequent modifications to the self-storage facility decisions.
- F5. The Board notes that it received correspondence from the Zoning Board of Appeal Administrative Assistant regarding review of the Application (see EXHIBIT #3). It is stated that they have no comments on the proposed modification.
- F6. The Board notes that it received correspondence from the Board of Health regarding review of the Application (see EXHIBIT #4). The Board of Health stated that they have no comments on the proposed modification.
- F7. No public comment was received during the public hearing.

#### **V. DECISION and CONDITIONS**

At their meeting of December 10, 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 **APPROVE** the Special Permit (SP 2015-2.1) and Site Plan Approval (SPA 2015-2.1) with the following conditions:

- C1. This approval specifically modifies Condition #C13 of the Special Permit and Site Plan Approval Decision which states:

*In accordance with Section 1.3.3.8 of the ZBL, this Site Plan Approval shall be valid for two (2) years from the date of approval. All work proposed in the site plan or required by conditions to which the approval was subject must be completed within two (2) years from the date of approval. This Site Plan Approval is contingent upon a valid Special Permit and Site Plan Approval for the self-storage facility (Special Permit SP 2015-3). Failure to maintain a valid Special Permit and Site Plan Approval for the self-storage facility (SP 2015-3) shall render this Special Permit null and void (see Finding #F10).*

This approval as presented in this Decision specifically allows an extension of period of validity of said permit by one year from the date this decision is filed with the Town Clerk. Any request for further modification of this decision to extend the time of completion shall require a new application for Special Permit and Site Plan Approval.

- C2. This Special Permit (SP 2015-2.1) and Site Plan Approval (SPA 2015-2.1) - Modification #1 - specifically authorizes the extension of the period of validity of the permit as noted in Condition #1. All other conditions within Special Permit and Site Plan Approval (SP 2015-2 & SPA 2015-2) shall remain in full force and effect unless modified by this DECISION.
- C3. This Special Permit decision shall be recorded at the Worcester District Registry of Deeds within thirty (30) days following the expiration of the appeal period. A copy of such recorded Special Permit decision, including Deed Book and Page Number shall be submitted to the Planning Board office within thirty (30) days of recording.
- C4. By recording this Special Permit Decision in the Worcester Registry of Deeds, the applicant agrees to and accepts the conditions set forth in this Special Permit decision.

**VI. RECORD OF VOTE**

Constituting a majority of the Planning Board, the following members voted 5-0 to **GRANT** the Applicant's Modification of Special Permit & Site Plan Approval Application to grant a one-year extension in the time to complete construction of the storage facility located at 100 Milford Road, South Grafton MA based on the information received at the public hearing and the aforementioned findings.

<u>Robert Hassinger, Chairman</u>	<u>AYE</u>	<u>David Robbins, Member</u>	<u>AYE</u>
<u>Linda Hassinger, Vice-Chairman</u>	<u>AYE</u>	<u>Michael Scully, Member</u>	<u>AYE</u>
<u>Sharon Carroll-Tidman, Clerk</u>	<u>AYE</u>		

**DATE OF FILING OF DECISION: BY ORDER OF THE BOARD**

  
\_\_\_\_\_  
Joseph Laydon, Town Planner

*12-11-15*  
\_\_\_\_\_  
Date

*DECISION – Grafton Planning Board  
Modification #1 - Special Permit (SP 2015-2.1) & Site Plan Approval (SPA 2015-2.1)  
Construct a Rooftop Solar Energy Generating Facility  
100 Milford Road, South Grafton, MA  
Hilltop Self-Storage of Grafton, LLC (Applicant), Hilltop Properties, LLC (Owner)  
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- cc: Applicant / Owner
- Owner
  - Graves Engineering
  - Building Inspector

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.

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Kandy Lavallee, Town Clerk

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Date