Jonathan Anderson, Chair Robert S. Largess, Jr, Vice-Chair Scott Paul Wayne Whittier Miriam Sanderson Walter Baker, Associate

Jennifer S. Hager Planning Director



TOWN OF SUTTON PLANNING BOARD & DEPARTMENT

Sutton Town Hall 4 Uxbridge Road Sutton, Massachusetts 01590 Telephone: (508) 865-8729 Fax: (508) 865-8721



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August 16, 2018

Town Clerk, Town of Sutton

The Town of Sutton Planning Board ("Planning Board"), at a meeting held on August 13, 2018 voted to approve the application submitted on October 23, 2017 (the "Application") by Sutton, LLC of Milford, MA (the "Applicant) to amend that special permit granted by the Planning Board on March 27, 2003 and recorded with the Worcester District Registry of Deeds in Book 30994, Page 225 (the "Special Permit") allowing for the construction of a condominium development known as Forest Edge at Sutton located at 20 Blackstone Street (the "Development").

The Application requested the reduction in the amount of Open Land required for the Development by 1.18 acres to allow for the construction of a telecommunications tower and access road as well as related grading, construction access, and siting of drainage facilities. The approximate area in which this work would take place was shown on a sketch plan submitted by the Applicant entitled "Forest Edge at Sutton, Zoning Area Calculation Revisions Associated with Verizon Wireless Monopole, 58 Follette Street, Grafton, MA 01519", dated October 18, 2017, Prepared by Teng Solutions, LLC. The Application requested no other amendments to the Special Permit. Following discussion with the Planning Board, the Applicant submitted a final plan under the Application that was entitled: "Forest Edge at Sutton, Open Land Revision Plan, Ariel Circle, Sutton, MA 01590 & Follette Street, Grafton, MA 01519", dated August 6, 2018, prepared by Teng Solutions, LLC (the "Revision Plan"), showing a parcel of 1.09 acres, comprised of a "Proposed Telecom Lease Area" and "Proposed Telecom Driveway" (together, the "Telecom Parcel"), to be removed from the required Open Land. The related grading, construction access, and siting of drainage facilities has been excepted from the Telecom Parcel and is proposed to remain as part of the Open Land as the applicant asserted these uses are allowed in accordance with the definition of Open Land.

Public hearings concerning the application and associated project were held on the following evenings: November 13, 2018, November 27, 2017, January 8, 2018 (no new testimony), January 22, 2018, February 5, 2018 (no new testimony), March 12, 2018, April 23, 2018

The Planning Board conducted deliberations on the following evenings: May 21, 2018, June 4, 2018, June 18, 2018 (no new testimony), July 9, 2018, August 13, 2018

The following is the attendance record for the public hearing and deliberation:

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Forest Edge Special Permit OS Amendment Page 2

Hearing

11/13/18 - S. Paul absent (c.39§23D)

11/27/18 – J. Anderson absent (c.39§23D)

1/8/18 - S. Paul absent

1/22/18 - All present

2/5/18 - S. Paul absent

3/12/18 - All present

4/23/18 - W. Baker absent (c.39§23D)

Deliberation

5/21/18 – W. Whittier absent

6/4/18 - All present

6/18/18 – J. Anderson absent

7/9/18 - R. Largess Jr. & S. Paul absent

8/13/18 – All present

The following members voted in favor of granting the approval: J. Anderson, S. Paul, W. Whittier, M. Sanderson, W. Baker

The following members voted in opposition to the approval: R. Largess Jr.

The following individuals raised questions and/or expressed concerns with the Application: various individuals per the public record

The Planning Board has reviewed this Special Permit amendment application and all supplemental materials submitted during the public hearing process (list attached) and has also considered testimony and submittals received in open meeting and finds the following:

In accordance with the provisions of Section VII.A.2. of the Town of Sutton Zoning Bylaw-Special Permits: the Board finds:

- With the requested reduction in Open Land and proposed use of a portion of the remaining Open Land to facilitate use of the Telecom Parcel (together, the "Modification"), the specific site remains an appropriate location for the permitted use as a Condominium Development, as impacts will remain unchanged and substantial Open Land will be preserved;
- 2) The Modification will have no effect on the adequacy of public water and sewer systems serving the Development;
- 3) The Modification will not alter the effect of the existing Development on the surrounding neighborhood;
- 4) The Modification will cause no undue nuisance or serious hazard to vehicles or pedestrians:
- 5) The Modification will have no effect on the proper operation of the permitted use.

In accordance with the provisions of Section VI.A. of the Town of Sutton Zoning Bylaw - Condominium Developments the Board finds:

As shown on the plan entitled Forest Edge at Sutton Open Land Revision Plan dated August 6, 2018, with the removal of the Telecom Parcel the Development will retain more than the required amount of Open Land. The Board also finds the Open Land as reconfigured is in keeping with the definition of Open Land contained in this regulation. The Board further finds that the proposed use of the remaining Open Land in part to serve the use of the Telecom Parcel as proposed by the Applicant is an allowed use of the Open Land pursuant to Section VI.A of the Zoning Bylaw. The Planning Board hereby acknowledges the decision of the Zoning Board of

Forest Edge Special Permit OS Amendment Page 3

Appeals recorded at WDRD Book 34614 Page 58, which allows for the Open Land to be held in separate ownership from the remainder of the Project Tract while continuing to be subject to the

requirements of Section VI.A of the Zoning Bylaws and the Special Permit stipulating that it remain permanently protected as Open Land required for the Development.

The Board also finds that the Telecom Parcel may not be considered part of the condominium Development Tract, and as such the Development density is adjusted as follows:

92.62 acres	
1.09 acres	
91.53 acres	
73.22 units	
10.98 units	
84 units	
	1.09 acres 91.53 acres 73.22 units 10.98 units

In all other respects the Development remains unchanged and the Board hereby restates and adopts its previous findings and conditions as set forth in its Special Permit Decision of March 27, 2003, recorded with the Worcester District Registry of Deeds in Book 30994 Page 225. Approval is based on the following conditions:

- 1. Unless specifically varied herein all the original Special Permit conditions remain in full force and effect.
- 2. The Open Land required for the Development by the Special Permit is hereby amended to remove the Telecom Parcel. The Open Land for the Development shall now consist of all the Open Land approved for the Development by the Special Permit minus the Telecom Parcel as shown on the Removal Plan. This Open Land is shown as "Sutton Land A/K/A Parcel 1-B" and "Grafton Land A/K/A Parcel 2" on the Removal Plan.
- 3. Prior to issuance of any further building permits for, the applicant shall provide a revised site plan for the endorsement of the Planning Board, consistent with this decision, that shows the entire Development including designated Open Land as well as the final unit configuration. The site plan shall further designate those portions of the remaining Open Land to be used for temporary construction access, grading, and installation of drainage facilities to support the proposed telecommunications facility on the Telecom Parcel.
- 4. Within 6 months of the date of this Decision with the ability to extend for good cause demonstrated to the Planning Board's satisfaction, the applicant shall cause to be recorded a permanent conservation restriction or restrictions on the entirety of the Open Land as modified by this decision in form approved by the Planning Board. Said restriction(s) shall reference a recorded survey plan depicting the Open Land or contain a metes and bounds description of the Open Land sufficient to satisfy G.L. c.184, §26. If the restriction(s) are not in place within 6 months and the applicant does not provide good cause to the Board's satisfaction to allow an extension, no further occupancy permits shall be granted until such time as the restriction(s) are fully in place.
- 5. Pursuant to Zoning Bylaws Section VI.A.4, and the materials submitted by the applicant, the density of this Project is limited to 84 dwelling units, where six units shall be affordable, in the locations shown on the revised site plan referenced in condition #3 above.

Forest Edge Special Permit OS Amendment Page 4

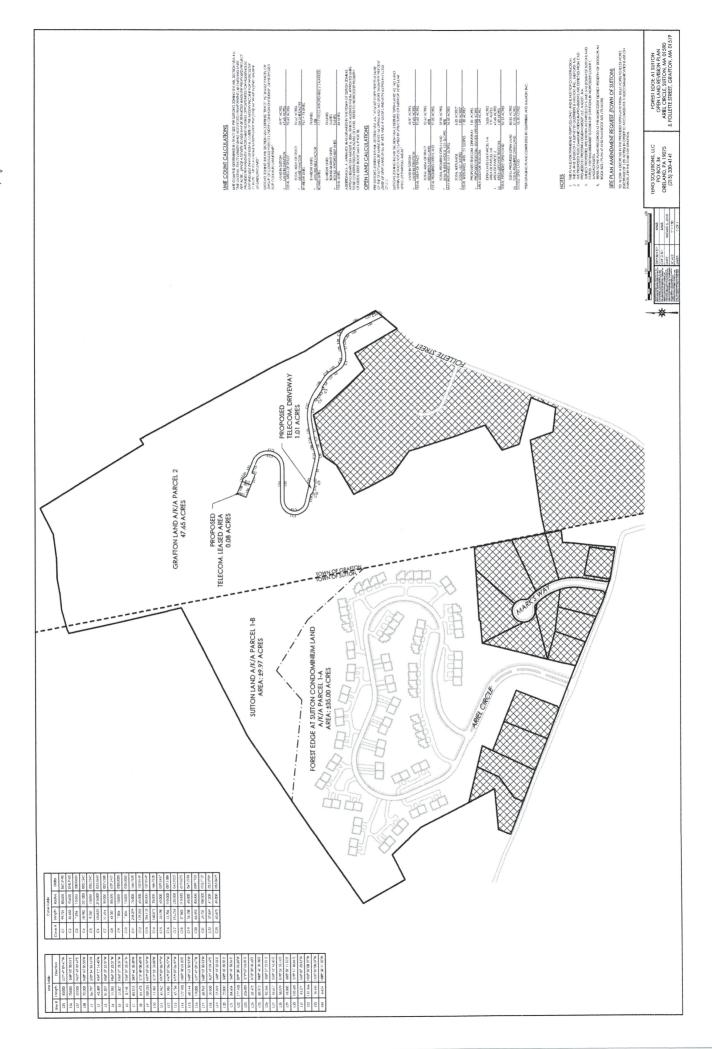
NOTE: If this permit is not utilized within <u>two years</u> of the date of expiration of the appeal period it will no longer be valid.

I hereby certify that twenty (20) days have lapsed since the filing of the above-referenced special permit decision in the Town Clerk's office on that a notice of appeal of that decision was filed with this office within said twenty days on ALAT 16,0018.

Laura J. Caruso, Town Clerk

onathan Anderson, Chairman

Jutten Approval - 8.13-18



ProTerra
DESIGN GROUP, LLC

4 Bay Rood Building A: Suite 200 Hadley, MA 01035 (413) 320-4918

SITE NAME: GRAFTON 5 MA

RAW LAND MONOPOLE

PSLC: 296733

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VICINITY MAP	LOCUS 122A	0000 0000

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GENERAL NOTES

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SCOPE OF WORK:	PROPOSED FENCED COMPOUND AND 170° TALL MONOPOLE WHIT RE COUPMENT WITHIN 56 570° I LASE AREA NEW 1,483 ORIVEWAY FROM R.O.W. TO COMFOUND.
SITE NAME:	GRAFTON 5 MA
SITE ADDRESS:	S8 FOLLETTE STREET GRAFTON, MA 01519
ASSESSOR'S TAX ID#:	PARCEL 104-7
ZONING DISTRICT(S):	R-40 - LOW DENSITY RESIDENTIAL WATER SUPPLY PROTECTION OVERLAY
LATITUDE:	42" 11" 01.85"± N (SURVEY)
LONGITUDE:	71' 43' 10.25"± W (SURVEY)
(P) ELEVATION:	475
DATUM:	NAD83/NAVD88
PROPERTY OWNER:	N/F SUTTON, LLC PO BOX 428 MILFORD, MA 01757
APPLICANT:	CELLCO PARTNERSHIP d/b/a VERIZON WRELESS 900 CHEMSFOND STREET LOWER 2, FLOOR 5 LOWELL, MA 01851
SITE ENGINEER:	PROTERRA DESIGN GROUP, LLC 44 BAY ROAD BUILDING A; SUITE 260 HADLEY, MA 01035
SURVE YOR:	NORTHEAST SURVEY CONSULTANTS, PC 32 FERRY STREET STUDIO 1 EEST EASTHAMPTON, MA 01027
WETLAND SCIENTIST:	LUCAS ENVRONMENTAL, LLC 500A WASHINGTON STREET QUINCY, MA 02169

Verizon

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ADDRESS: 58 FOLLETTE STREET GRAFTON, MA 01519

FUZE PROJECT ID: 2424095

DRAWING INDEX

EXISTING CONDITIONS PLAN

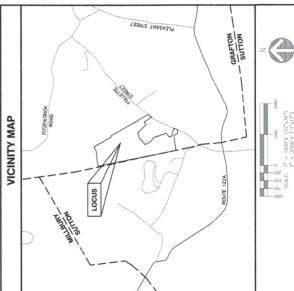
S-2 TO C-4

ABUTTERS PLAN TILE SHEET

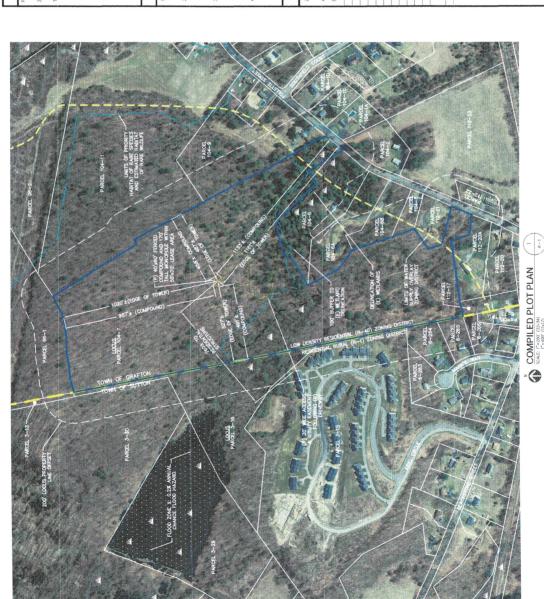
COMPLED PLOT PLAN OVERALL SITE PLAN COMPOUND PLAN

A-1 A-2 A-3 DRIVEWAY PLAN & PROFILE EROSION CONTROL PLAN

0-1 TO 0-9 P-1 TO P-5 EC-1



PERMITTING REVISED



REFERENCES

ONING DISTRICTS - MAP ENTILED 'TOWN OF GRAFTON MASSACHUSETTS ZONING PREPARED BY TOWN OF GRAFTON DATED OCTOBER 19, 2015.

HE FOLLOWING DATAL/RESS PREDARED BY CFFICE OF GEOBRAPHIC INFORMATION (MASSES), COUNTRY ANSSESSINGTEST, AND ANSSESSINGTEST, AND ANSSESSINGTEST, CATCRIER 2008)

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GENERAL NOTES

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ZONING SUMMARY

ONING DISTRICT(S): R-40 - LOW DENSITY RESIDENTIAL TOWN OVERLAY PROTECTION OVERLAY

PARCEL 104-7

(P) USE:

DIMENSION	PROVIDED	CONSTRAINT
LOT - AREA	47.7 AC±	49,000 SF MIN.
LOT - FRONTAGE	146.487±	140 MIN.
LOT - BUILDING COVERAGE	4%L>	30% MAX.
CCMPOUND - FRONT YARD	1,133'±	30' MIN.
COMPOUND - SIDE YARD	458'±	15° MIN.
COMPOUND - REAR YARD	±,286	15' MIN.
COMPOUND - HEIGHT	12'±	12' MAX.
TOWER - HEIGHT	170'± (176' TOTAL)	N/A
TOWER - DISTANCE TO PROPERTY LINE	487'±	352' MIN.4
TOWER DISTANCE TO RESIDENTIAL STRUCTURE	1,092	352' MIN.*
TOWER - DISTANCE TO WELLHEAD AREA OF TOWER - MUNICIPAL WATER SUPPLY (\$5.8.6.12)	940'±	2 * HEIGHT + 40C =752' MIN.
ANTENNAS - LENGTH	8°± 3	5' MAX.
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SPECIAL CONSURERATIONS MAY BE RECURRED FOR THE FOLLOWING.

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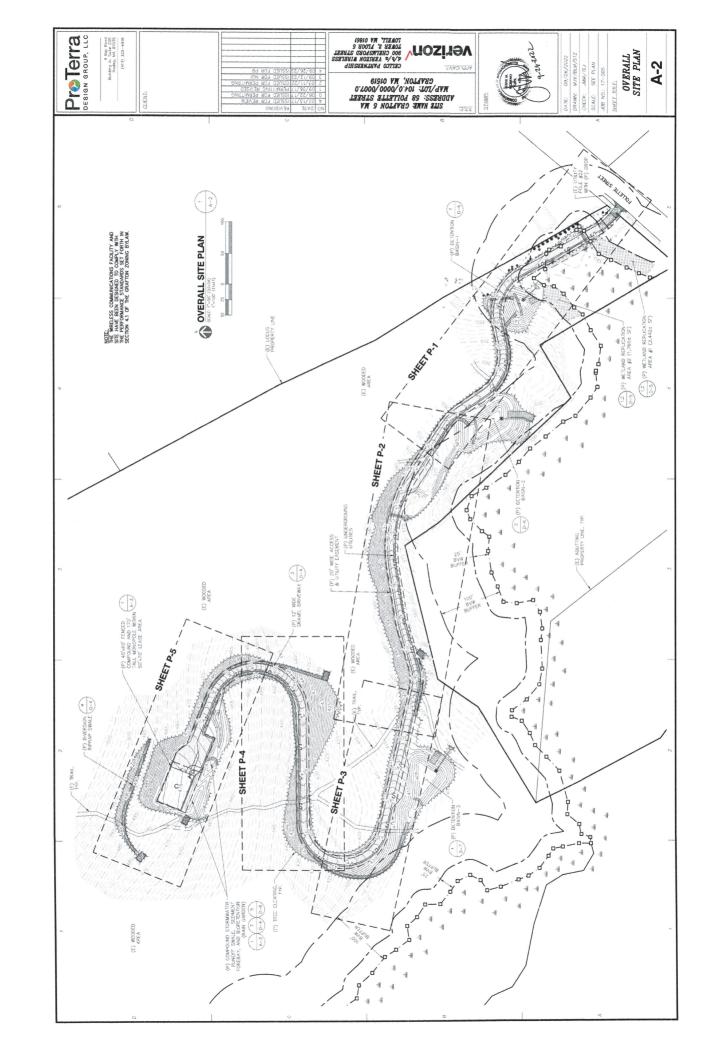
4 Boy Road Building A, Suite 200 Hodey, MA 01035 (413) 320-4918

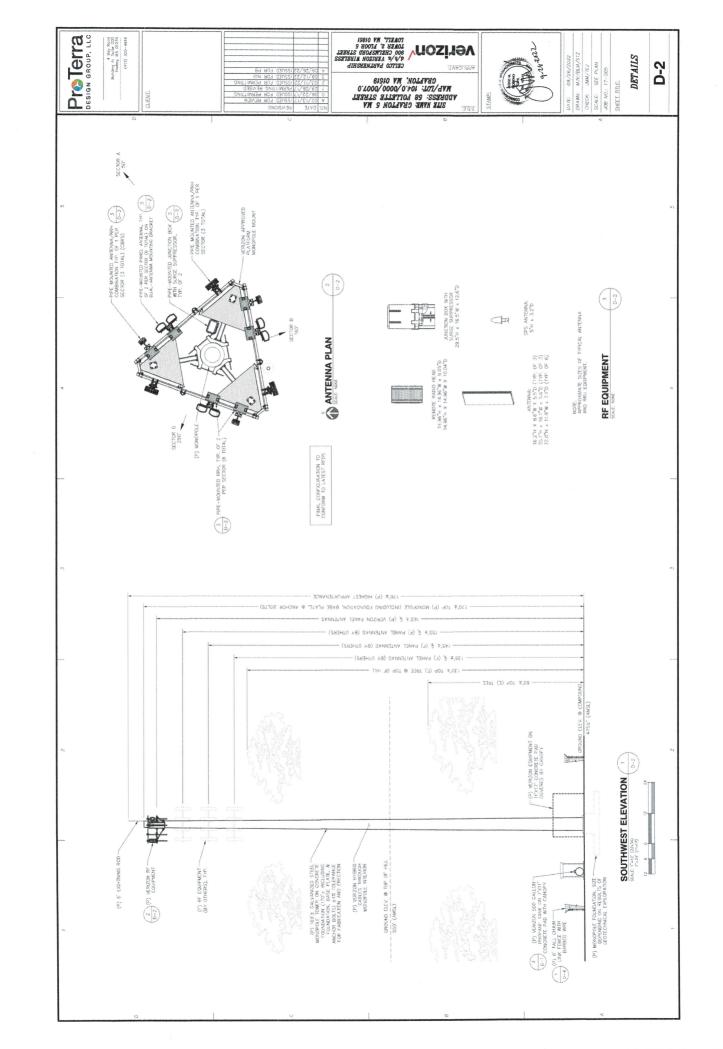
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VELIZON

COMPILED PLOT PLAN

A-1

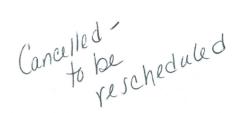






TOWN OF GRAFTON

GRAFTON MEMORIAL MUNICIPAL CENTER
30 PROVIDENCE ROAD
GRAFTON, MASSACHUSETTS 01519
(508) 839-5335 ext. 1120 • FAX (508) 839-4602
planningdept@grafton-ma.gov
www.grafton-ma.gov



PUBLIC HEARING NOTICE GRAFTON PLANNING BOARD

Pursuant to Sections 1.5.7, 1.3.3 and 5.8 of the Town of Grafton Zoning By-laws, the Planning Board will hold a Public Hearing on Monday, November 14, 2022 commencing at 7:00 PM, in Conference Room A at the Grafton Memorial Municipal Center, 30 Providence Road, to consider the application for a Special Permit and Site Plan Review request to construct a Wireless Communications Facility on the property located at 58 Follette Street, shown as Grafton Assessor's Map 104, Lot 7. Said property is located in a Low Density Residential (R-40), Water Supply Protection Overlay zoning district. Cellco Partnership, d/b/a Verizon Wireless is the Applicant and Sutton LLC is the owner.

A copy of the application/plan is available for public inspection at the Planning Department during regular business hours or on the Town of Grafton website at www.grafton-ma.gov on the Planning Department/Development Projects webpage.

Justin Wood, Chairman

Publish in the Grafton News October 27th & November 3rd, 2022