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**Minutes of Meeting
Grafton Planning Board
March 12, 2007**

A regular meeting of the Grafton Planning Board was held on Monday, March 12, 2007 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Keith Regan, Vice-Chairman, Donald Chouinard, Clerk Richard McCarthy, Robert Hassinger, Peter Parsons and Associate Member Christophe G. Courchesne. Staff present was Planning Assistant, Samantha Hobson. Absent from the meeting was Town Planner, Stephen Bishop.

Chairman Regan called the meeting to order at 7:03 p.m.

**MODIFICATION OF DEFINITIVE PLAN APPROVAL - "BRIDLE RIDGE"
(A/K/A "NORTH GRAFTON ESTATES I") SUBDIVISION - HUCKINS FARM,
LP, (APPLICANT/OWNER)**

Mr. McCarthy read the legal notice and Chairman Regan opened the public hearing at 6:05 p.m.

Present for the hearing were Bryan Weiner of Toll Brothers, Inc. and their attorney Mark Kablack.

Mr. Weiner stated the developer was requesting an extension to the definitive approval for the subdivision to get through the remaining issues left to complete within the subdivision.

Mr. Weiner informed the Board that the developer had done road paving in October, completed all construction and submitted as-built plans for review by Graves Engineering.

Mr. Weiner noted that Graves Engineering final review found the subdivision correct to the as-builts and issued a small punch list of items to be completed. Mr. Weiner also added they would be submitting both phases of the North Grafton Estates Subdivision for determination of completion at the same time.

Chairman Regan asked about the staking of the horse trails. Mr. Weiner stated they had begun staking the horse trails and had encountered a half dozen trees that may need to come down, unless they can possibly meander the trails around them. Mr. Weiner noted he was working any problems with DPW Superintendent Roger Hammond and the homeowners.

Mr. McCarthy asked when the developer expected to be finished with the project. Mr. Weiner stated they should be finished by July, since the project was essentially done except for the few items in Graves Engineering memorandum.

Brian Marino of 12 Morgan Drive informed the Board he was trying to get resolution for his concerns about getting the street lighting up and running.

Mr. Weiner informed the Board that the developer was waiting for National Grid to come out for the light in front of the Marino home and they had encountered some problems with the easement being used for access to the handhold power to the street light.

Mr. Marino stated he had spoken to National Grid and they had expressed some possible discrepancies in the use of the handhold to tie into the street light and that he also had concerns that the conduit had not been properly inspected when it been installed.

Patrick Carney of 11 Morgan Drive also expressed his concerns that the as-builts do not accurately portray the swale on the Definitive plan as being accurately built or located. Mr. Carney stated the swale was off by at least 20 feet, being 30 feet at the widest part and 9 feet deep when it is only supposed to be 3½ feet deep.

Mr. Weiner noted that Graves Engineering had been out to the subdivision performing inspections and had not noted any problems with the swale.

Mr. Hassinger suggested these concerns/claims of the abutters be filed in writing at the Planning Office, to be addressed specifically with Graves Engineering for their direct response to the Planning Board.

MOTION by Mr. McCarthy, **SECOND** by Mr. Hassinger, to close the public hearing.
MOTION carried unanimously 5 to 0.

DECISION

MOTION by Mr. Hassinger, **SECOND** by Mr. McCarthy, to approve the applicant's written request to extend the Definitive construction deadline to October 25, 2007.
MOTION carried unanimously.

ACTION ITEM - 2-A - REQUEST FOR DETERMINATION OF COMPLETENESS - "MAPLEVALE ESTATES" SUBDIVISION

Mr. Courchesne recused himself to the audience due to a conflict of interest.

Timothy Dorman of Pulte Homes of New England informed the Board that the developer was requesting their Determination of Completeness and hoping to have everything in order for May Town Meeting.

Mr. Hassinger expressed concerns about which items were actually still outstanding for the subdivision.

Mr. Dorman reviewed the outstanding items listed on the Graves Engineering review sheets dated March 9, 2007 which included a variety of minor repairs, one invert to be

poured, ongoing maintenance issues, and the shrub and tree plantings/vegetation requirements. Mr. Dorman stated the gate keys for maintenance issues had already been turned over to DPW Superintendent Roger Hammond and the developer was still working out planting schedules and remaining maintenance issues.

Mr. Hassinger noted that the subdivision was not completed according to the latest Graves Engineering review.

Chairman Regan suggested the Board could give the Board of Selectmen a possible heads up that the subdivision will be requesting acceptance for Spring Town Meeting.

Chairman Regan informed Mr. Dorman that he should return to the Planning Board when all items/issues are complete, including the planting, street sweeping, etc., and keeping in mind the deadline for warrant article submissions.

Ms. Hobson reminded the Board they would need to make a Determination of Completeness within 45 days of the request, which would be April 14, 2007.

MOTION by Mr. Hassinger, **SECOND** by Mr. Parsons, to table this Action Item until the next Planning Board meeting, specifically for a letter from Graves Engineering stating all remaining items/issues have been acknowledged. **MOTION** carried unanimously.

ACTION ITEM 2-B – CONSIDER DECISION – SP 2007-2 FIBERTOWER CORPORATION – C0-LOCATION – 20 INDIAN PATH

Mr. Hassinger noted that there was a change in the format of the Decisions being received, consisting of no voting on individual findings for specific conclusions.

Ms. Hobson stated it was merely an oversight within the draft and was not an intentional exclusion in the format.

MOTION by Mr. Hassinger, **SECOND** by Mr. McCarthy, to adopt the Decision as drafted. **MOTION** carried 4 to 0 by roll call vote.

ACTION ITEM 2-C - CONSIDER DECISION – “PETERS ESTATES” SUBDIVISION – ETRE BUILDERS, INC. – 69 PLEASANT STREET

Ronald Etre of Etre Builders, Inc. was present and requested some discussion of the Decision Findings/Conditions prior to the Board voting.

Mr. Etre stated that Finding #12 requires the submission of a “Units Approval Letter” issued by DHCD for the two affordable units prior to the Board endorsing any definitive plan for the creation of lots. Mr. Etre explained that Mass. Electric and the gas company will not look at any Definitive plans until they are signed, which would hold up any

construction progress. Mr. Etre requested a change in the wording of Finding #12 with regard to the letter.

Mr. Hassinger informed Mr. Etre that approval of the units by the Board hinges on receipt of the letter, so it is critical to have the letter.

Mr. Etre stated that a representative from the State office would be referring a person for him to hire to handle the paperwork and speed up the process.

Mr. Hassinger noted that these requests should have been made during the special permitting process and conditions because any changes requested now would have to be filed as a modification of the special permit with the entire public hearing process and legal time frame.

Ms. Hobson noted that Draft Condition #4 does address the Planning Board discussion with Mr. Etre on the construction progression.

Mr. Chouinard stated Mr. Etre can build the homes, however there will be no occupancy permits issued until the affordable housing units are completed.

Mr. Etre also noted he has been informed that one of the affordable housing homes can be restricted to Grafton Municipal persons or residents, but the other must meet the lottery requirements.

Chairman Regan stated that Condition #4 should be reworded to state that Certificates of Occupancy permits will not be issued for houses six through ten until house number five is complete and a Certificate of Occupancy is issued for both affordable units by the Building Inspector.

Chairman Regan asked Mr. Etre about the fencing around the stormwater management basin. Mr. Etre stated the Conservation Commission had waived the requirement for a fence.

MOTION by Mr. Hassinger, **SECOND** by Mr. McCarthy, to adopt the decision as drafted with the changes noted to Condition #4 and the waivers as stated.

DISCUSSION: Ms. Hobson informed the Board that nothing in writing had been received from Roger Hammond with regard to the partial waiver being granted from the vertical granite curbing requirements.

MOTION carried unanimously 5 to 0 by roll call vote.

ACTION ITEM 2-D – REQUEST FOR ENDORSEMENT OF THE PLANNING BOARD REPORT FOR ZBL 2007-1 - CITIZEN PETITION ARTICLE FOR MAY 2007 ANNUAL TOWN MEETING

MOTION by Mr. Hassinger, **SECOND** by Mr. McCarthy, to endorse the report as drafted.

DISCUSSION: Mr. Parsons stated he was wondering if there was a way to word the article to accommodate any future problems/issues rather than on an individual basis.

Mr. Hassinger noted it was a different situation, since the Water District is not a Town municipality.

MOTION carried unanimously.

ACTION ITEM 2-E – SUPPORT OF DRAFT OPEN SPACE AND RECREATION PLAN 2007 – LETTER OF SUPPORT TO DIVISION OF CONSERVATION SERVICES

MOTION by Mr. Hassinger, **SECOND** by Mr. Chouinard, to vote to endorse the draft letter of support and authorize the Town Planner to sign the letter on behalf of the Planning Board. **MOTION** carried unanimously.

MINUTES OF PREVIOUS MEETINGS

MOTION by Mr. Hassinger, **SECOND** by Mr. McCarthy, to approve the open session minutes of February 26, 2007, as drafted. **MOTION** carried unanimously.

STAFF REPORT

Ms Hobson reminded the Board a joint meeting/workshop was scheduled with the Board of Selectmen on Tuesday, March 13, 2007 at 8:00 p.m. at the South Grafton Community House concerning discussion about the South Grafton Villages Master Plan implementation.

Ms. Hobson also informed the Board about a scheduled Tufts University community meeting on March 14, 2007 at 7:00 p.m. in Conference Room A to discuss research projects in the proposed RBL.

Ms. Hobson stated that Mr. Bishop was proposing the FSGOD public hearing for the April 9, 2007 Planning Board meeting.

Ms. Hobson requested the Board motion to accept the requested decision deadline extension for “Peters Estates” Subdivision.

MOTION by Mr. McCarthy, **SECOND** by Mr. Hassinger, to grant the applicant’s written request to extend the decision deadline for “Peters Estates” Subdivision to March 26, 2007. **MOTION** carried unanimously.

Chairman Regan discussed the Economic Development Commission's meeting on Chapter 43-D which was attended by himself and Mr. Hassinger. Chairman Regan stated the EDC was looking for feedback on which land to include with regard to WBDC, CenTech Park and Tufts University.

Mr. Hassinger stated there will be a letter circulating from the CMRPC with regard to the monies available, which can be upwards of \$150,000.00, in setting up this expedited permitting process within the Town.

Mr. Parsons asked about the notice for the Finance Committee meeting time scheduled for the Planning Board. Chairman Regan stated he would speak to Mr. Bishop about attending the meeting, which should not be including anything new within the budget.

Chairman Regan informed the Board there would be a Community Preservation Meeting on Tuesday, March 13 at which time they would be reviewing eight applications that had requested the Committee's funding for this year. Chairman Regan also noted that due to the downturn in housing this year that the matching funding would probably be down next year.

Mr. Courchesne informed the Board that with regard to the Affordable Housing Committee, they were currently negotiating with Karen Sunnarborg to lead the next phase and either implement it or train someone to work with the Committee. Mr. Courchesne stated the process was pretty involved and Ms. Sunnarborg will guide the Committee through the first time since it needs to be done correctly and according to State guidelines. Mr. Courchesne also noted two additional items: the Affordable Housing Committee had been approached by Habitat for Humanity with regard to availability of Town land to build some homes, which Christopher LeMay would be placing on the Board of Selectmen agenda; and the Committee had met with Domenic Afonso who was looking for a letter of support for a mixed-use concept property to propose something creative rather than a subdivision for the Institute Road/Westboro Road parcel.

Mr. Hassinger noted that Mr. Bishop needed to check on the set-up for televising the RBL meeting for the Planning Board meeting on March 26, 2007.

MOTION by Mr. McCarthy, **SECOND** by Mr. Parsons, to adjourn the meeting.
MOTION carried unanimously.

The meeting was adjourned at 8:29 p.m.


Richard McCarthy, Clerk