

**Minutes of Meeting  
Grafton Planning Board  
July 9, 2007**

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A regular meeting of the Grafton Planning Board was held on Monday, July 9, 2007 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Peter Parsons, Vice-Chair, Robert Hassinger, Clerk Keith Regan, Donald Chouinard and Associate Member Christophe G. Courchesne. Absent from the meeting was Richard McCarthy. Staff present was Town Planner, Stephen Bishop and Planning Assistant, Samantha Hobson.

Chairman Parsons called the meeting to order at 7:00 p.m.

**SP 2007-3 DAVID MASON / MASON CONSTRUCTION (APPLICANT/OWNER)  
- TRADE CONSTRUCTOR STORAGE OF EQUIPMENT & ASSOCIATED  
MATERIALS - 129 FERRY STREET**

Chairman Parsons opened the public hearing at 7:00 p.m.

There was no one present for the applicant.

Mr. Bishop informed the Board that the Building Inspector, Robert Berger and himself had met with the applicant/owner David Mason, his attorney Laura Mann and his engineer Mark Santora to review the concerns raised by the Planning Board at the June 11, 2007 Planning Board meeting, at which time Mr. Mason had made it evident that they were looking to continue their public hearing scheduled for July 9, 2007. Mr. Bishop noted he had specifically told the applicant that someone should be present at the public hearing to address the Board in requesting a continuance.

The Board discussed whether to move forward with testimony, due to the absence of any applicant representation.

Mr. Mason entered the meeting at 7:03 p.m.

The Board discussed the continuance request and possible dates available.

**MOTION** by Mr. Regan to grant the applicant's written request to continue the public hearing to August 13, 2007 at 7:00 p.m.

**DISCUSSION:** Mr. Chouinard informed the Board neither he nor Mr. McCarthy will be present at the August 13, 2007 Planning Board meeting.

**AMENDED MOTION** by Mr. Regan, **SECOND** by Mr. Chouinard, to grant the applicant's written request to continue the public hearing to July 23, 2007 at 7:00 p.m.  
**MOTION** carried unanimously.

**MODIFICATION OF DEFINITIVE PLAN APPROVAL – “FERRY RIDGE ESTATES” SUBDIVISION – INDIVIDUAL LOT, L.L.C. (APPLICANT/OWNER)**

Mr. Regan read the legal notice and Chairman Parsons opened the public hearing at 7:06 p.m.

Present for the hearing was applicant/owner David Calerese and David Philips of LRC Development.

Mr. Bishop informed the Board that Jeff Walsh of Graves Engineering had done a site visit review in May on the progress of the subdivision work. Mr. Bishop noted he had visited the site on Friday and stated there had been a fair amount of work done, the road was at rough grade and there was still a fair amount of material coming out of the site.

Mr. Philips reported to the Board that they were currently trying to pitch the homeowner's yards toward the developer owned land to prevent any more drainage or erosion problems and then will start the roadway. Mr. Philips stated they had removed a tremendous amount of boulders/ledge and still had approximately another 100,000 pounds to come out. Mr. Philips noted that a large part of the problem is what to do with it and they were aggressively trying to find an interested party, possibly Aggregate Concrete.

Mr. Chouinard reminded Mr. Bishop that Frank Noel had indicated interest in the material at a previous hearing and should be contacted to see if he is still interested.

Mr. Chouinard also suggested the applicant ask the Town Engineer Stephen Risotti, Interim DPW Superintendent, who was attending the meeting; if the Town has any need for fill. Mr. Risotti responded no, not at that size.

Mr. Regan asked the abutters present if they were satisfied with the progress by LRC Development since May.

David Savage of 72 Ferry Street informed the Board that LRC Development had clearly made extensive progress and they were pleased with the work completed to date and the efforts being made.

Mr. Philips expressed to the Board some concerns over the extensive cuts that will have to be blasted out according to the plan, and is not convinced of the necessity of such deep cuts with regard to the subdivision.

Stephen Lemoine, Superintendent of the South Grafton Water District, informed the Board that he has been reviewing Graz Engineering and Planning Board plans from 2003, which identify the elevations within the rock and sees a definite scenario for a contamination situation. Mr. Lemoine noted the blasting could effect the nitrogen rates and cause problems with the old Town drainage system which dumps at the Town well.

Mr. Lemoine stated he has some ideas for altering the plans and will work with the Town and developer on reviewing the subdivision plan.

Mr. Regan remarked this would be a good offline issue for Mr. Bishop to work with Graves Engineering, Mr. Lemoine and LRC Development in determining if the previously approved subdivision plan can be modified successfully to eliminate some of the problems/issues with the current subdivision plan.

Mr. Bishop added that the Town will need to look at the long-term maintenance issues and will be open, if LRC is agreeable, to deal with other means of infiltration and possibly decrease or eliminate any unnecessary blasting.

Mr. Hassinger stated that it is the Planning Board's responsibility to revisit and review the plan if there is the possibility that the design won't work as approved.

Mr. Bishop acknowledged that review work is needed just from site observation of how the structures are going to infiltrate.

Mr. Hassinger suggested Mr. Bishop set up a site visit with Graves Engineering.

Mr. Philips added that if the Board will set up the review people, we will work with them to resolve the problems/issues.

**MOTION** by Mr. Chouinard, **SECOND** by Mr. Regan, to close the public hearing. **MOTION** carried unanimously.

**MOTION** by Mr. Regan to grant the applicant's written request to approve a one-year extension.

**DISCUSSION:** Mr. Hassinger stated they were already three years into the project, still had a lot of work to do, and one year would bring the extension into the middle of winter. Mr. Hassinger suggested a continuance to the first meeting in September.

Mr. Bishop pointed out that the developer is looking to alternatives to the chambers themselves, all of which will need to be engineered and need some time.

Mr. Regan suggested continuing the public hearing to the first Planning Board meeting in October.

**MOTION** by Mr. Chouinard, **SECOND** by Mr. Regan, to grant the applicant's written request to continue the public hearing to October 1, 2007 at 7:00 p.m. **MOTION** carried unanimously.

**ACTION ITEM – 2 - DETERMINATION OF MODIFICATION – SOUTH STREET / BRUCE STREET INTERSECTION**

Mr. Chouinard recused himself due to a conflict of interest as an abutter.

Present to discuss the intersection changes was Interim DPW Superintendent Stephen Risotti, Town Engineer.

Mr. Bishop informed the Board that the intersection issues have been going on for a long while and now that it has been completed, there are some outstanding design issues to deal with. Mr. Bishop noted that large vehicles, specifically emergency response apparatus and school buses, are unable to navigate the right hand turn onto Bruce Street from South Street. Mr. Bishop added that the Board of Selectmen had asked Mr. Risotti to investigate would work best in that location and could hopefully be reconfigured before the school buses were back on the streets in September.

Mr. Risotti addressed the Board and reviewed the alternate plans that had been devised to address all the problems/issues encountered by the Town and residents affected by the intersection. Mr. Risotti informed the Board that there seems to be a consensus to reconfigure the new intersection with a separate turning land from South Street onto Bruce Street. Mr. Risotti also stated this appears to be the least expensive solution to accommodation, since it does not require the utility company to relocate the existing utility pole and accompanying wires, which will add a substantial financial cost and more than likely a three year wait for the pole to actually be moved by the utility.

Mr. Regan asked what the cost of the modification will add to the project versus moving the utility pole.

Mr. Risotti stated the modification would cost approximately \$25,000.00 and moving the utility pole would cost about \$75,000.00.

Mr. Regan asked if Mr. Magill has been at the table for all of this discussion.

Mr. Risotti answered that Mr. Magill acknowledges that he needs to fix the pavement and that he has to contribute to the reconfiguration. Mr. Risotti noted he will be scheduling a pre-construction meeting with Magill Associates to discuss construction costs, responsibilities, materials and creating a work schedule.

Mr. Hassinger expressed concerns that the Planning Board agreed to take the DPW recommendation on the intersection improvements for Bruce/South/Old Upton and is disappointed that after all the funding and expense, it did not work out satisfactorily. Mr. Hassinger also stressed the fact that he is more worried about the final result and ultimately doing the reconfiguration right for the long term, rather than a temporary fix.

John Carlson of 42 Old Upton Road, speaking as a private citizen, stated he has personally seen the efforts of the school buses trying to navigate the right hand turn from South Street to Bruce Street, with the traffic backed up in all directions.

Carol Boulanger of 8 Bruce Street informed the Board that she walks the area every day and expressed concerns of poor and dangerous traffic flow even with the proper signage

and questioned the ability of emergency response vehicles being able to maneuver through the traffic maze.

John Morgan of 2 Bruce Street expressed concerns of the traffic coming down South Street and drifting toward the center of the roadway to avoid the dip in the road combined with the extended curb, which tends to have the same effect.

Mr. Hassinger noted there should be more consistency in the roadway design and was afraid there are two different sets of standards being used.

Mr. Carlson stated that if the Subdivision Rules & Regulations were promulgated in the 1970's, there are probably criteria and size changes that would need to be massaged to fit the current standards.

Ann Morgan of 2 Bruce Street expressed concerns about the drainage running down the shoulder of South Street to Bruce Street and the problem of the pedestrian traffic coming up Bruce Street to South Street encroaching on her private property one again due to the poor traffic flow through the intersection.

Chairman Parsons remarked that since the Town was growing rapidly and the vehicles were getting larger every year, it seemed to be the more practical approach to move the utility pole and move forward on a street specification planning method for future use.

Mr. Regan asked Mr. Risotti if he had discussed with the Conservation agent shifting the pole further over. Mr. Risotti stated he had a meeting scheduled with Linda Dettloff this week.

Mr. Regan expressed concerns that the best solution seems to be moving the pole, after the Town has put all the monies allotted into the intersection renovation, which now is not workable.

Mr. Carlson informed the Board that he had spoken with John Magill as a private citizen and he had stated that he would be able to put the area into a pavalable condition in a day and a half.

Mr. Hassinger noted that he was interested in the long term reconfiguration of the intersection.

Mr. Chouinard stated, as a citizen, the intersection and roadways affect him every day.

Chairman Parsons noted that it would be a more viable argument for the pole removal if the road is left the way it is with the hazardous travel.

Roger Trahan of 4 Old Upton Road informed the Board that the pole was cut in half a few years ago by a driver, resulting in the possibility of the pole being removed, and added that the power company may take it down if it continues proving to be a hazard.

Mr. Hassinger stated that this is an old important intersection and should be good-looking for the Town, adding that the pole needs to be moved to open up the radius.

Chairman Parsons noted that all are in agreement that the pole needs to come out, but it's what will be done in the interim that is the issue.

Mr. Chouinard expressed concerns of the intersection being left as it has been designed for now and as a private citizen wants the road paved now.

Mr. Hassinger suggested that a temporary fix would be to take care of the "bump-out" onto South Street, taking the road back as close to the pole as it can.

Mr. Carlson added that speaking for the Board of Selectmen, the cost and effectiveness of the modification will influence their decision greatly.

Mr. Hassinger stated he was not willing to say yes to any new intersection reconfiguration tonight and that temporarily the "bump-out" can be redone, the paving fixed, and the drainage corrected.

Mr. Risotti noted that he will be meeting with the Conservation Commission to apply for an amended Order of Conditions.

Chairman Parsons remarked that a sequence of events need to happen in order to determine what can and should be done. Chairman Parsons also suggested a joint public hearing with the Board of Selectmen.

Mr. Carlson stated he will suggest the idea to the Board of Selectmen.

**ACTION ITEM 2-B – REQUEST FOR RELEASE OF EROSION CONTROL BOND – RICHARD BEZDEGIAN – (D/B/A R & D BUILDERS) – 56 CREEPER HILL ROAD**

Mr. Bishop informed the Board that Mr. Bezdegian has requested the release of his Erosion Control Bond, stating that he had met all compliance requirements of the Conservation Commission.

**MOTION** by Mr. Regan, **SECOND** by Mr. Parsons, to release the amount being held as surety for the Erosion Control Bond for 56 Creeper Hill Road, based on correspondence from Linda Dettloff agent for the Conservation Commission. **MOTION** carried unanimously.

**ACTION ITEM 2-C – REQUEST FOR RELEASE OF EROSION CONTROL BOND – "WHITE'S FARM – 170 PROVIDENCE ROAD – HAL REALTY PARTNERS, LLC (PETITIONER)**

Mr. Bishop informed the Board that Robert Anderson of HAL Realty Partners, LLC had made a request for the release of the \$11,152.00 Erosion Control Bond, which was provided for the White's Farm Condominium Project at 170 Providence Road. Mr. Anderson stated that project was completed in June of 2006.

**MOTION** by Mr. Regan, **SECOND** by Mr. Hassinger, to release the \$11,152.00 being held as surety for the Erosion Control Bond for "White's Farm Condominium Project at 170 Providence Road, based on correspondence received from Linda Dettloff, agent for the Conservation Commission. **MOTION** carried unanimously.

**ACTION ITEM 2-D – CONSIDER DECISION – SP 2005-5 TOWN OF GRAFTON / GRAFTON FIRE STATION BUILDING COMMITTEE – 26 UPTON STREET**

Mr. Bishop informed the Board that the requested sight distance calculations, listed in the draft decision as Exhibit #30 have not been received yet.

Mr. Hassinger noted that he was not happy that input which was requested with the closing of the public hearing had not been submitted yet.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Chouinard, to table the decision until the requested material has been submitted. **MOTION** carried unanimously.

**ACTION ITEM 2-E – CONSIDER DECISION – SRP 2007-3 NATIONAL GRID – ACT PROGRAM – WESSON ROAD & WILLARD STREET**

**MOTION** by Mr. Regan, **SECOND** by Mr. Chouinard, to grant SRP 2007-3 with the draft findings and conditions as discussed and amended.

**DISCUSSION:** Mr. Hassinger wished to note that he objects to not following the custom of requiring our replacement trees.

**MOTION** carried 3 to 1 by roll call vote: Chouinard-aye; Hassinger-no; Parsons-aye; Regan-aye; for the reason stated.

The Board briefly discussed the effects of Mr. McCarthy's absence from many of the Planning Board meetings and any alternative solutions.

Chairman Parsons received unanimous consent to take **MINUTES OF PREVIOUS MEETINGS**.

**MINUTES OF PREVIOUS MEETINGS**

**MOTION** by Mr. Regan, **SECOND** by Mr. Chouinard, to approve the minutes of June 25, 2007 as drafted. **MOTION** carried unanimously.

The bills were circulated and signed.

Chairman Parsons received unanimous consent to take the **STAFF REPORT** next in order.

Mr. Bishop informed the Board that he had attended a meeting with members of the Economic Development, Tufts University, Worcester Business Development Corporation, Grafton Water District, Grafton Department of Public Works and the Grafton Town Administrator regarding the establishment of the Chapter 43D zoning, and discussed the technical assistance available from the Central Mass Regional Planning Commission in helping towns with its viability. Mr. Bishop noted three major concerns: to look at the permitting process efficiencies brought to bear; the analysis of existing infrastructure; and to look into the permit tracking, using the advanced software established by Robert Berger.

Mr. Hassinger noted to the Board and Mr. Bishop, there were differences in the two separate grants being looked at for the Chapter 40D, which may be helpful.

Mr. Bishop stated he had been asked by Christopher LeMay to attend the Board of Selectmen meeting regarding the South Street / Bruce Street Intersection discussion and Master Plan Implementation.

The Board discussed completing the annual Town Planner Evaluations and placing them in Chairman Parsons's mailbox by the end of the week.

**MOTION** by Mr. Regan, **SECOND** by Mr. Hassinger, to enter into Executive Session with the intention of returning to open session for the purpose of adjournment only. **MOTION** carried unanimously by roll call vote: Chouinard-aye; Hassinger-aye; Parsons-aye; Regan-aye; Courchesne-aye.

The Board entered Executive Session at 9:30 p.m.

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**EXECUTIVE SESSION**  
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The Board returned to open session at 9:36 p.m.

**MOTION** by Mr. Regan, **SECOND** by Mr. Hassinger, to adjourn the meeting. **MOTION** carried unanimously.

The meeting was adjourned at 9:37 p.m.

  
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Keith A. Regan, Clerk