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**Minutes of Meeting
Grafton Planning Board
July 27, 2009**

A regular meeting of the Grafton Planning Board was held on Monday, July 27, 2009 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Bruce W. Spinney III, Vice-Chairman, Robert Hassinger, Heath Christensen and Stephen Qualey. Absent from the meeting was Clerk Peter Parsons. Staff present was Town Planner, Stephen Bishop and Assistant Planner Ann Morgan.

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

ACTION ITEM – REQUEST FOR BOND REDUCTION – “BROOKMEADOW VILLAGE” SUBDIVISION – W. GREG BURRILL, PETITIONER

Normand Gamache of Guerriere & Halnon, Inc. was present representing Mr. Burrill.

Mr. Bishop reviewed the Bond reduction information with the Board, noting there were actually two bonds covering Phase 1A and Phase 1B / Phase 2.

Mr. Gamache stated they had reviewed the figures with Mr. Bishop and agreed with the numbers presented.

Mr. Bishop added that Mr. Burrill has done exemplary work with the subdivision and has been cooperative and responsible.

MOTION by Mr. Hassinger, **SECOND** by Mr. Qualey, to grant the petitioner's written request to reduce the bond currently being held as security for Brookmeadow Village, Phase 1A to \$651,104.16; and Brookmeadow Village, Phase 1B & Phase 2 to \$875,869.20, based on correspondence from Graves Engineering, Inc. and the requirements of Grafton's Subdivision Rules & Regulations. **MOTION** carried unanimously 4 to 0.

ACTION ITEM 1-B – “NORTH GRAFTON ESTATES II” – EQUESTRIAN TRAILS

Mr. Bishop presented the Board with submitted information regarding the layout of “North Grafton Estates II”, which is Phase II of the subdivision, showing the required equestrian trails around the perimeter of the subdivision and a few areas winding adjacent to the homeowners' property. Mr. Bishop noted that he, Graves Engineering, an engineer from Toll Brothers, and the abutters of this subdivision have concurred on the changes presented. Mr. Bishop remarked how the present trail system has been severely eroding and washing out, specifically in a few spots directly into homeowners properties.

Mr. Bishop informed the Board that the developer would like to modify the trail system by changing the material used for the trails to an 8" base of compacted gravel covered with loam and seed, eliminating the use of the stone dust. Mr. Bishop clarified that the trails would initially start off with the stone dust to signify where they begin. Mr. Bishop noted the homeowners have welcomed this change, which they say will blend better with the surroundings as an extension of their lawns.

Mr. Hassinger expressed concerns for property owners sometimes confusing what is actually their property or Town property when they are blended together this way. Mr. Bishop stated the developer has created 18" x 12" signs with contrasting letters on a red background to clearly distinguish trail areas.

Mr. Hassinger also questioned who will be responsible to tend to these trails and keep them viable. Mr. Bishop noted there was nothing specific in the decision and is assuming it will be the Town's responsibility. Mr. Bishop added that the homeowners' have agreed to mow the areas to be seeded along with their own lawns in an effort to keep the area tidy.

Mr. Bishop concluded that there are some steep sections that will need to be monitored, and that the areas will not be seeded until the end of summer.

MOTION by Mr. Hassinger, **SECOND** by Mr. Christensen, to find the change is a minor modification to the plan. **MOTION** carried unanimously 4 to 0.

MOTION by Mr. Hassinger, **SECOND** by Mr. Christensen, to approve the petitioner's written request to make the minor modification to the equestrian trails. **MOTION** carried unanimously 4 to 0.

ACTION ITEM 1-C – ASSOCIATE MEMBER – PLANNING BOARD
(APPOINTMENT DATE)

Mr. Bishop informed the Board that Sadie Miller has applied for the Associate Member position and that the appointment has been placed on the Board of Selectmen agenda for Tuesday, August 11, 2009 at 7:00 p.m. as a joint meeting for the Planning Board.

Mr. Hassinger requested Staff inquire about having the Board of Selectmen schedule a future joint meeting with the Planning Board on a Monday night, rather than the Board attending a Selectmen's meeting whenever a joint meeting is required.

DISCUSSION ITEM 2-A – WORKSHOP

Chairman Spinney suggested a workshop later in September to discuss various items of concern for the Planning Board.

Mr. Bishop suggested the Planning Board host a workshop to coincide with the next public meeting of the Fisherville & Farnumsville Streetscape Program, which will be held sometime in September at the South Grafton Community House.

Chairman Spinney requested some background information be provided to the Board prior to the scheduled meeting.

STAFF REPORT

Mr. Bishop stated he wished to alert the Board to the diligence of Ms. Morgan in setting up FEMA information on the website, with links to Homeland Security and other FEMA sites regarding changes to the flood insurance. Mr. Bishop noted there were not huge changes, but possible implications with some of the changes to the flood zone maps. Mr. Bishop encouraged anyone who lives next to the Blackstone River or other bodies of water to check out the FEMA website regarding new flood insurance requirements.

Mr. Bishop informed the Board that some progress has been made with the “Cortland Manor” Subdivision. Mr. Bishop stated he has a meeting on August 4 with the Construction Oversight Division of the Travelers Indemnity to review the outstanding work needed to complete the subdivision. Mr. Bishop suggested that in conjunction with this matter, the Board take action to find the developer also in default of another Jon LeClaire subdivision named “Woods at Stonegate”, in order that the process can be followed more quickly and reasonably.

MOTION by Mr. Hassinger, **SECOND** by Mr. Christensen, to find Jon LeClaire in default of the “Woods @ Stonegate” Subdivision. **MOTION** carried unanimously.

Mr. Bishop remarked the Planning Office is now reviewing all of the bond information with regard to the “Miscoe Farms” subdivision, the “Magnolia Lane” subdivision, the “Cortland Manor” subdivision, and the “Woods at Stonegate” subdivision. Mr. Bishop noted that they are trying to secure some drainage work for the “Ferry Ridge Estates” subdivision, which has a \$17,000.00 erosion control bond available. Mr. Bishop added that he will be drawing on the Town Engineering department for help with the remaining work for the Cortland Manor subdivision, with an estimated cost from Graves Engineering, Inc. of \$9,000.00 for construction management and completeness.

MINUTES OF PREVIOUS MEETINGS

MOTION by Mr. Hassinger, **SECOND** by Mr. Qualey, to approve the open session minutes of July 13, 2009 as drafted. **MOTION** carried unanimously 4 to 0.

SP 2009-6 HILLTOP PROPERTIES, LLC (APPLICANT/OWNER) – 116 MILFORD ROAD – “HILLTOP PLAZA”

Present for the meeting were owner/applicant Rocco Addeo, Engineers Michael Weaver and Normand Gamache of Guerriere & Halnon, Inc.

Mr. Bishop informed the Board that he had copied to their mailboxes all emails he had received on Monday morning regarding the Hilltop Plaza site.

Mr. Weaver reviewed the information discussed at the last hearing and noted they had met with the abutting homeowners on July 19 to address ongoing issues with the project. Mr. Weaver also reviewed with the Board their responses to the Graves review comments and the homeowners' petition issues, including safety issues for neighborhood children; proposed signage; sidewalks & crosswalks; long term construction issues; traffic issues; lack of demand for commercial services; foot traffic; and alcoholic and bar uses. Mr. Weaver noted that the two outstanding technical issues of Sewer Department approval and the final review of the Traffic Assessment Study have been submitted.

Mr. Weaver remarked that he felt the major reason for the opposition to the project was merely the "nimby's" complaint, and that non-alcohol establishments, safety concerns and signage were the only other real issues to be dealt with

Mr. Weaver noted a positive letter regarding the project had been received from Mark Comeau of 5 Bluebird Drive, in support the project.

Mr. Weaver showed the Board an aerial overview of the area comparing the small scale of the project with regard to the residential housing in relation.

Mr. Christensen asked about whether the Traffic Assessment study was based on current or "worst-case scenario" and was told by Mr. Weaver it was "worst-case scenario" figures.

Mr. Hassinger expressed concerns regarding the denial at Town Meeting in the past to change the zoning to Residential, noting that he did not recall this taking place. Mr. Addeo informed the Board that when he had purchased the property in the past to build his home on the land that abuts Upton, he had requested to change the zoning of all the land. Mr. Addeo noted that the Planning Board had failed to support his request and convinced him to change only the parcel for his home and leave the remainder of the land with the OLI zoning. Mr. Addeo added that a deed restriction was placed on the remaining land not allowing any residential development.

Mr. Hassinger suggested Mr. Weaver check into the requirements for the installation of a traffic light for busy roadway or creating a turning lane. Mr. Weaver noted a turning lane was not mentioned or required in the Traffic Assessment Study from Gillon Associates or in the review from Graves Engineering.

Mr. Hassinger also stated he was still a little confused about the definition of a bar and not sure how this should be worded with regard to a condition. Mr. Hassinger pointed

out that in the letter from Gregory Lagueux there appeared to be violations of previous special permits granted for the Addeo property and the information should be investigated and forwarded to the Building Inspector.

Chairman Spinney stated he would like to close the public hearing this evening and asked if there was any new testimony from anyone in the audience.

Philip Partin of 60 Buttercup Lane informed the Board of an accident that had occurred with vehicles heading west down Milford Road, with one car smashing into the rear of another, raising concern for the abutters, specifically if there is increased traffic flow.

Chairman Spinney asked Mr. Bishop if the Board has received all of the information that has been required and was told yes. Mr. Hassinger stated he was concerned with process, and many of the comments/emails submitted were only received tonight in his mailbox, without enough time to really digest the content. Mr. Hassinger noted also that some of the abutters stated they had not yet seen the Traffic Assessment comments.

Mr. Weaver informed the Board that the revised Traffic Assessment comments were submitted on June 21.

Scott Rosenhahn of 2 Seaver Farm Lane pointed out that the Traffic Assessment did not include the business owned property located in Northbridge directly behind Mr. Addeo's property and was not considered if it is built out or developed. Mr. Bishop remarked that the Board does not deal in speculation and would only affect the area if the access was into Grafton.

Sean Ewing of 13 Tulip Circle stated that some of the business tenants, such as Convenience Stores, etc. would possibly provide jobs for persons living in the abutting residential area.

MOTION by Mr. Qualey, **SECOND** by Mr. Hassinger, to close the public hearing. **MOTION** carried by roll call vote: Hassinger-aye; Spinney-aye; Qualey-aye. Mr. Parsons was absent and Mr. Christensen was not eligible to vote.

Chairman Spinney stated the Board has 90 days to render a decision.

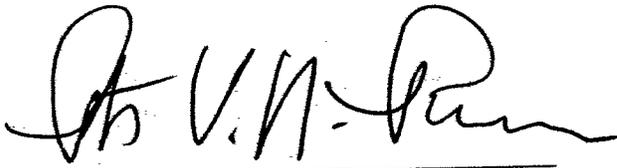
MOTION by Mr. Hassinger, **SECOND** by Mr. Qualey, to direct Staff to draft a decision, taking into consideration all the information received and the findings and conditions discussed. **MOTION** carried by roll call vote: Hassinger-aye; Spinney-aye; Qualey-aye.

Mr. Bishop noted that the decision will require more clarification on the findings and conditions, with additional research regarding the key issues with the Board. Mr. Hassinger also noted that all 4 members need to be present when the draft decision is discussed and that Mr. Parsons will not be available for the next few weeks due to business travel.

Chairman Spinney stated the decision will be completed before the 90-day deadline.

MOTION by Mr. Hassinger, **SECOND** by Mr. Christensen, to adjourn the meeting.
MOTION carried unanimously 4 to 0.

The meeting was adjourned at 8:21 p.m.

A handwritten signature in black ink, appearing to read "Peter Parsons", written over a horizontal line.

Peter Parsons, Clerk