

**Minutes of Meeting  
Grafton Planning Board  
November 9, 2009**

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GRAFTON, MA.

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A regular meeting of the Grafton Planning Board was held on Monday, November 9, 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, Clerk Peter Parsons, Heath Christensen, Stephen Qualey and Associate Member Sadie Miller. 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 1-A – APPROVE 2010 MEETING SCHEDULE**

**MOTION** by Mr. Parsons, **SECOND** by Mr. Christensen, to adopt the 2010 Planning Board meeting schedule as drafted. **MOTION** carried unanimously 5 to 0.

**ACTION ITEM 1-B – CONSIDER DECISION SP 2009-8 GARY HENRICH – 115 PLEASANT STREET – COMMON DRIVEWAY**

Mr. Hassinger stated he had concerns with Waiver W-1 (d) and recommended the waiver be denied.

**MOTION** by Mr. Hassinger **SECOND** by Mr. Qualey, to deny Waiver W-1 (d) noting that testimony taken at the public hearing raised many questions for the Board regarding ownership and location of all abutting land and structures for which the Board could not verify through the information submitted to them. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Qualey, to adopt Finding F-1 through F-17 as drafted. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Parsons, for a negative Finding for F-18. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Christensen, for a negative Finding for F-19. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Qualey, for a negative Finding for F-20. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Qualey, for a negative Finding for F-21. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Qualey, for negative Findings for F-22 and F-23. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Qualey, for negative Findings for F-24 through F-31. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Parsons, to approve Finding F-32 as drafted. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Christensen, for a negative Finding for F-33. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Parsons, to make negative Findings for F-34 through F-37. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Qualey, to deny the remainder of the waiver requests under Waiver W-1. **MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Parsons, to deny Special Permit/Site Plan SP 2009-8 with the information submitted and the Findings as discussed and amended. **MOTION** carried unanimously 5 to 0.

Chairman Spinney received unanimous consent to take DISCUSSION ITEM 2-A out of order for the convenience of the applicant.

**DISCUSSION ITEM 2-A – CORRESPONDENCE FROM H. S. & T. GROUP, INC. REGARDING SUBMISSION OF SP 2009-8 GARY HENRICH**

Crystal Carr, representing H. S. & T. Group, Inc., explained to the Board that no one was present at the scheduled public hearing on October 26, 2009 due to uncontrollable circumstances resulting from their engineer being involved in a car accident on the way to the meeting. Ms. Carr requested the Board waive the re-application fees and allow them to re-submit the special permit application.

Mr. Hassinger stated he would be willing to waive one-half the application fee, with additional submission fees being the responsibility of the applicant; and waiting for a complete application package that satisfies all of the requirements of the By-law before granting approval for the resubmission.

Ms. Carr asked if information was required for all the abutters and was told that all information required is clearly stated in the By-Law, noting that the previous submission was missing most of the technical data required.

Mr. Bishop recommended the applicant sit down with him to clarify the testimony received from the abutters, and what the Board will be requiring for a re-submission. Mr.

Hassinger added that once the Board reviews the resubmitted materials and determines it is satisfactory, then they will approve a resubmittal.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Parsons, to approve a special permit resubmission when the re-application is determined by the Planning Board to be complete with all materials required, waiving one-half of the application fee, and designating the remaining costs to be the responsibility of the applicant. **MOTION** carried unanimously 5 to 0.

**ACTION ITEM 1-C – REQUEST FOR PLANNING BOARD ENDORSEMENT OF “BRIGHAM HILL ESTATES” DEFINITIVE PLAN**

Attorney Todd Brodeur, representing Brigham Hill Development, LLC, new applicant/owner Thomas Zocco, and Ken Crater and Ed Hazzard of the Grafton Land Trust were present for the meeting.

Chairman Spinney announced he would be recusing himself from the endorsement of the plans due to a conflict of interest, but stated he would like to note his concerns for the “Brigham Hill Estates” conceptual plan. Chairman Spinney referred to page 9 of the submitted traffic study regarding the turn off of Brigham Hill Road which essentially states that the existing site lines are not safe for the documented speeds.

Chairman Spinney recused himself to the audience at 7:35 p.m. due to a conflict of interest and Vice-Chair Hassinger assumed the meeting Chairman position.

Mr. Bishop informed the Board that the review had been completed on the mylars and that all of the items in the Graves Engineering review had been addressed. Mr. Bishop also noted that the Town Clerk needed to sign the plans and the applicant/owner is required to put in place a Covenant, which also needs to be incorporated into the mylars prior to recording them. Mr. Bishop suggested the plans be retained allowing the Covenant to be completed, and then they can be signed by the Board and the Clerk. Attorney Brodeur stated that all of the details had been worked out with regard to the Open Space with the Land Trust and recorded with the Registry of Deeds. Attorney Brodeur asked if there were any additional issues to be raised prior to the endorsement.

Vice-Chair Hassinger received unanimous consent to defer signing the mylars for the “Brigham Hill Estates” Definitive Plan until the Covenant is complete and all items are in order.

**MINUTES OF PREVIOUS MEETINGS**

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Qualey, to approve the open session minutes of October 26, 2009 as drafted, including any scribes errors. **MOTION** carried unanimously 5 to 0.

**STAFF REPORT**

Mr. Bishop informed the Board there will be two public hearings for the next meeting: special permits/site plans for a duplex at 87 Elmwood St., South Grafton and for a wireless communications facility located on a garage roof at Wyman Gordon Company.

Mr. Bishop reminded the Board that there was a Fisherville & Farnumsville Streetscape Project meeting on Thursday, November 19 at 5:00 p.m. at the South Grafton Community House.

Mr. Bishop added there was also a Blackstone River Valley National Heritage Corridor Commission meeting on Thursday, November 19 at 9:00 a.m. at the South Grafton Community House.

Mr. Bishop stated he wished to explain the circumstances surrounding the memorandum from the Town Administrator regarding the electronic sign by-law. Mr. Bishop noted he had received an email from Rick Anderson stating that Mr. Koopman would be available to serve on the electronic sign committee to be established. Mr. Bishop stated he had then informed the Town Administrator that parts of the email were not accurate and had clarified any statements and references in the memo including that the Planning Board had declared they did not wish to champion the electronic sign by-law.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Parsons, to adjourn the meeting.  
**MOTION** carried unanimously 5 to 0.

The meeting was adjourned at 7:49 p.m.



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Peter Parsons, Clerk