

**Minutes of Meeting  
Grafton Planning Board  
March 28, 2011**

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A regular meeting of the Grafton Planning Board was held on Monday, March 28, 2011 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 Stephen Qualey, Heath Christensen, David Robbins and Associate Member James Walsh III. Staff present was Town Planner, Stephen Bishop. Absent from the meeting was Assistant Planner Ann Morgan.

Chairman Spinney called the meeting to order at 7:02 p.m.

Chairman Spinney noted there were not Action Items on the agenda.

**DISCUSSION ITEM 2-A – GRAFTON AGRICULTURAL COMMISSION – JOHN KOCHEVAR - CHICKENS**

John Kochevar of the Agricultural Commission informed the Planning Board that the Commission has been in existence for a few months and were attempting to meet with citizens to support the keeping of chickens within a small amount of space. Mr. Kochevar stated the Commission had begun to craft a simple by-law for those residents who are currently required to apply for a special permit and associated costs under the existing by-law regulating livestock under 5 acres. The Agricultural Commission is proposing the right to have no more than 4 female chicks or hens in approximately a 20' x 20'.

Mr. Hassinger expressed concerns that the Commission needs to craft the language to amend the existing by-law so that it will be clearly defined and able to withstand challenges at Town Meeting when it is presented.

Mr. Christensen noted that in reading the new drafted by-law, the terms “open land”, “dedicated land” and other language would need to be clarified along with enforcement procedures to regulate the new law.

Mr. Hassinger added that the key to the whole process is to be certain that the language of the new law actually does what it says it wants to do.

The Board suggested Mr. Kochevar work with the Agricultural Commission to create a by-law that is clearly defined and ready to be presented at the fall Town Meeting.

**MINUTES OF PREVIOUS MEETINGS**

**MOTION** by Mr. Christensen, **SECOND** by Mr. Qualey, to approve the open session minutes of March 14, 2011 as drafted. **MOTION** carried unanimously 5 to 0.

**STAFF REPORT**

Mr. Walsh wished to clarify that the males and females would be housed separately and that any mating of the goats would be on a controlled basis rather than random. Ms. Wilson stated that she will have 8 females with only 2 males at the most.

Patricia Reichle of 70 Brigham Hill Road informed the Board that she lived next door to the Wilsons and the property is separated only by the Lions Club Road. Ms. Reichle expressed concerns for where the goats are to be herded, how far they will be from her deck area, where the manure will be composted, and who will be responsible for monitoring the special permit requirements and conditions set. Ms. Wilson stated that where the goats will be herded and the compost pile will be are approximately 300 feet from Ms. Reichle's deck. The Board suggested that if there is a problem a complaint can be filed with to the Zoning Enforcement Officer or the Animal Control Officer.

Cindy St. Pierre of 12 Hudson Avenue informed the Board that she was present to support Rebecca in her special permit process to allow the keeping of goats on her property. Ms. St. Pierre stated that Rebecca was a very responsible 17-year old who is extremely knowledgeable in this area, had taken care of her goats while she was recuperating, and had successfully started the Agricultural Commission in Town. Ms. St. Pierre wished to note that she felt Rebecca was inclined to be obtaining the goats to groom as show goats rather than just as pets and has plenty of support from her father and brother.

Steven McGorty of 2 Potter Hill Road expressed concerns for protection against predatory animals such as coyotes which are very prevalent in the area and what controls will be in place if the animals get loose. Ms. Wilson stated they will have five foot fencing surrounding the entire property around the goats and that she will be locking the goats up at night in the buck room for protection.

Mr. Qualey asked about how long the kids would be kept after birth and how often kids would be added to the herd number. Ms. Wilson stated that the kids are typically only held for three months, six months at the most and that she plans on mating only 2 females at a time in the spring, late summer and fall.

Leslie Guertin of 72 Brigham Hill Road expressed concerns for enforcement and compliance with the special permit requirements/conditions once it is granted and a clarification on the exact number of adult goats and kids that are being allowed. Mr. Hassinger stated that complaints would be made to the Zoning Enforcement Officer or the Animal Control Officer if there was a problem. Mr. Hassinger added that the number and conditions will be decided when the decision is considered.

Charles St. Pierre of 12 Hudson Avenue stated that there are farms in New England who will readily purchase any excess kids that need to be sold.

Ms. Reichle asked about the Board limiting the original number of goats that will be allowed, since the addition of kids could bring the total number upwards to thirty and exactly what type of fencing will be used. Ms. Wilson stated that the fencing will be five foot livestock fencing of woven wire.

Bruce Spinney of 19 Brielle Road asked what would happen to the little placard signs at the top of the street and stated that he is in favor of anything that promotes the sale and construction of the subdivision.

Mr. Carraway acknowledged that the area is a marketing challenge and their reasoning is to drive traffic to the area which is off the beaten path.

Mr. Hassinger stated he was disinclined to have a sign at the Brigham Hill Road intersection and pointed out that the sign depicted in the information submitted is not accurately portrayed.

Mr. Walsh noted that he was concerned only with the safety of the turn at the intersection of Brigham Hill Road and was in favor of moving the construction work ahead as quickly as possible.

Mr. Qualey stressed that the sign is temporary in nature, that he has no problem with the request as long as the safety aspect is met and the site lines are maintained.

Mr. Christensen added that as far as he is concerned if there can be a subdivision there, a sign can be there.

Anthony Ludden, an employee of Toll Brothers, Inc. stated he had actually done the sign placement for the photos and could explain how they were placed. Mr. Ludden also offered to stake the sign area for the Board if necessary. Mr. Hassinger added that he was more interested in documenting the file for future reference.

**MOTION** by Mr. Qualey, **SECOND** by Mr. Christensen, to close the public hearing. **MOTION** carried unanimously 5 to 0 with Mr. Spinney recused.

**MOTION** by Mr. Qualey, **SECOND** by Mr. Robbins, to direct Staff to draft a decision talking into consideration all the information and findings received and discussed. **MOTION** carried unanimously 5 to 0 with Mr. Spinney recused.

Mr. Spinney returned to the Planning Board.

**ZBL 2011-1 PROPOSED AMENDMENT TO THE ZONING BY-LAW, SECTION 6 – FLOOD PLAIN DISTRICTS – UPDATED FLOOD PLAIN DATA FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**

Mr. Qualey read the legal notice and Chairman Spinney opened the public hearing.

Mr. Bishop informed the Board that the information was forwarded to the Planning office from the Office of the Town Administrator requesting Staff prepare the necessary changes to the Zoning By-Law Flood Plain District Section 6 to be presented at the May Town Meeting. Mr. Bishop noted that the proposed changes will allow the Town to be eligible for flood insurance, while also being in compliance with the State and Federal laws. Mr. Bishop added that they have alerted concerned residents that the flood plain maps are changing and that the requirements for flood insurance can vary for different lenders.

- Email correspondence between the Planning Department and Toll Brothers, Inc. regarding additional proposed sign location information including two diagrams, received March 8<sup>th</sup> and 9<sup>th</sup>, 2011, 5 pages.
- Existing conditions and proposed sign location information, photographs, 8 ½" x 11", black & white, 11 pages.

• **Public Hearing 9B: ZBL 2011-1, Proposed Zoning By-Law Amendment, Section 6 – Flood Plain Districts:**

- Report: "Proposed Amendment to the Grafton Zoning ByLaw", not dated, 2 pages.

• **Public Hearing 9C: SP 2011-1, Rebecca Wilson & John Wilson (owner), 66 Brigham Hill Road, keeping of livestock on less than five (5) acres – continued from 3/14/11:**

- Revised Project Description, Special Permit / Site Plan Approval Application to Keep Livestock at 66 Brigham Hill Road, received March 25, 2011, including:

- Revised project plan description and list of waivers, prepared by the Applicant, 5 pages.
- Correspondence from Karl & Carlene Wheeler, Meadow Ridge Kennels & God's Love Farm Nigerian Goats, Sullivan, NH, dated March 24, 2011, 1 page.

- Correspondence from Julie Brill, Bedford, MA, dated March 24, 2011, 1 page.
- Photographs, existing site conditions, 66 Brigham Hill Road, color, 8 ½" x 11", 2 pages.

- Correspondence from Lorene Toth, Woodstock, CT, dated March 27, 2011, submitted by the Applicant at the March 28, 2011 Planning Board meeting, 1 page.
- Correspondence from Pat Stewart, Hames & Axle Farm Nigerian Dwarf Goats, Ashburnham, MA, not dated, submitted by the Applicant at the March 28, 2011 Planning Board meeting, 1 page.
- Correspondence from David & Lisa Olinger, Upton, MA, dated March 27, 2011, submitted by the Applicant at the March 28, 2011 Planning Board meeting, 1 page.

- Site Plan, "Special Permit / Site Plan To Keep Livestock – 66 Brigham Hill Road", 11" x 17", not dated, submitted by the Applicant at the March 28, 2011 Planning Board meeting, 1 page.

Stephen Qualey, Clerk

