

Minutes of Meeting  
Grafton Planning Board  
June 13, 2011

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GRAFTON, MA.

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A regular meeting of the Grafton Planning Board was held on Monday, June 13, 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-Chair Stephen Qualey, Clerk James Walsh III, Robert Hassinger and David Robbins. 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 – REVIEW OF DRAFT LETTER TO BOARD OF SELECTMEN**

The Board stated they were satisfied with the draft copy of the letter prepared by Mr. Bishop and Mr. Hassinger noted one correction to be made.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Robbins, to forward the letter immediately to the Board of Selectmen. **MOTION** carried unanimously 5 to 0.

Mr. Bishop noted he would have a clean copy of the letter for Mr. Spinney to sign first thing in the morning and would forward it immediately to the Board of Selectmen.

**DISCUSSION ITEM 1-A – CAPITAL IMPROVEMENT PLANNING COMMITTEE**

Chairman Spinney informed the Board that he had applied for this position and been appointed by the Board of Selectmen. Chairman Spinney noted that the meeting was very organized and something that everyone should have some interest in. Mr. Hassinger added that it has been referred to him that the Committee work coordinates with the Master Plan, which has proved to be a useful connection. Chairman Spinney remarked that he will continue to give updates to the Planning Board as the Committee continues to collect information.

**DISCUSSION ITEM 2-B – REVIEW OF PROPOSED LIVESTOCK BY-LAW**

Mr. Walsh, being a member of the Agricultural Commission, updated the Board on their progress in drafting appropriate Town by-laws for the purpose and intent of by-right keeping and raising of livestock. Mr. Walsh provided Board members with copies of the Town of Upton Accessory Uses and Structures, of which he stated they had the most interest in Section 3.2.2, #2-4 and were seeking the Planning Board's input on structuring a similar by-law for the Town of Grafton. Mr. Walsh noted that the Commission would probably be starting with just chickens and then seeking to broaden the scope to other forms of livestock. Mr. Hassinger discussed the possible effective changes that could be made to the Zoning By-Laws, cautioning problems with the Water Supply Protection Overlay District and the Flood Plan District. Mr. Hassinger suggested Staff will be able to help structure the new by-law with an amendment motion to specifically say what you want to say.

## **STAFF REPORT**

Mr. Bishop informed the Board that after discussion with the CMRPC, they will be using LPA time to perform a forensic review of the mixed-use by-law, after which they will have something back for the Planning Board.

Mr. Bishop stated that as an administrative item, the legal ad would be increasing to \$112.00, which is now the typical cost of placing a legal ad in the Grafton News. Mr. Hassinger suggested that Staff check on whether this requires a Planning Board vote, rather than just an administrative change.

Mr. Bishop reminded the Board about the public forum regarding the 495/Metrowest region being held at Westborough High School on June 15.

Mr. Bishop also updated the Board on the EPA grant status, noting the bid has been received from Lighthouse Engineering for the butane injection remediation project which will be moving forward.

With regard to the Mill Villages Park, Mr. Bishop stated that the work continues to progress, that there are a number of items that need to be clarified and revisited from past survey work to create more accurate survey points.

## **MINUTES OF PREVIOUS MEETINGS**

**MOTION** by Mr. Qualey, **SECOND** by Mr. Walsh, to approve the open session minutes of May 23, 2011 as drafted. **MOTION** carried unanimously 5 to 0.

Chairman Spinney noted that the Board will be using LPA time with CMRPC towards the Comprehensive Plan after July 1<sup>st</sup>.

## **SP 2011-3 CRAIG WILSON, (APPLICANT/OWNER) – ACCESSORY APARTMENT – 47 LELAND STREET**

Mr. Walsh read the legal notice and Chairman Spinney opened the public hearing. Craig Wilson was present for the hearing.

Mr. Wilson informed the Board he was proposing to build an in-law apartment in the existing space over their garage for his wife's parents. Mr. Wilson stated they would be using an existing guest bedroom and adding a small bathroom and kitchen.

Mr. Bishop noted that correspondence from the Building Inspector was in the Board's mailboxes stating he had signed off on the permit.

Chairman Spinney stated that correspondence from the Board of Health concerning the existing well and septic system will need to comply with capacity and quality.

Mr. Hassinger added that this type of permit is typically conditioned to a specific owner and does not run with the land.

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

**MOTION** by Mr. Hassinger...

Mr. Bishop informed the applicant about the decision process by the Board, noting that he could move forward with the project, but to be aware of the 20-day appeal period attached to the special permit, which will need to be signed off by the Town Clerk.

**SECOND** by Mr. Qualey...**MOTION** carried unanimously 5 to 0.

**“ABBY WOODS” SUBDIVISION – CENTRAL MASSACHUSETTS HOME BUILDERS LLC, (APPLICANT/OWNER) – DEFINITIVE SUBDIVISION APPROVAL – 18 CARROLL ROAD**

Chairman Spinney opened the public hearing. Tony Haghani of H S & T Engineering was present for the hearing.

Mr. Haghani reviewed the project and the final Graves Engineering review comments for the Board, noting that Graves Engineering has recommended approval of the Definitive Plan. Mr. Haghani also stated they were requesting a waiver from the requirement to provide an easement to the abutting property, adding that due to the extensive wetlands, the easement was not feasible and would place a burden on the developer and the Town.

Mr. Hassinger wished to note that there could be technical difficulties without any input from the identified abutter at the last hearing. Mr. Hassinger added that the Board previously did not get an answer as to whether or not this abutter has an adequate access to his property.

Karen McInnis of 37 North Street stated that her husband could not be present this evening. Mr. Hassinger explained that the hearing was continued for two weeks to allow Mr. McInnis time to provide information for the Board regarding a previous easement.

Mr. Haghani informed the Board that they had hired a scientist to delineate the wetlands, with which the Conservation Commission concurs and has requested the developer omit the easement from the plans.

Mr. Hassinger expressed concerns for the fact that approximately 30 acres of land in the center of Town needs access if it is viable land and if a waiver is casually granted, the abutter may appeal the decision, hold up the Definitive subdivision for years, and leave the Town liable to a law suit.

Mr. Robbins added that more information appeared to be needed in order to accurately vote on the requested waiver.

Mr. Bishop remarked that the Board has heard testimony from the developer, but the required information from the abutter has not been provided even though he was given two additional weeks to supply it to the Board.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Qualey, to close the public hearing.

**DISCUSSION:** Mr. Bishop suggested the Board can deal with any outstanding issues in the decision, through conditions and the voting standard.

**MOTION** carried unanimously 5 to 0.

**MOTION** by Mr. Qualey, **SECOND** by Mr. Walsh, to direct Staff to draft a decision, taking into consideration all of the information received and the finding and conditions discussed. **MOTION** carried unanimously 5 to 0.

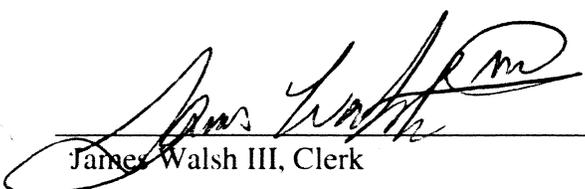
**MOTION** by Mr. Qualey, **SECOND** by Mr. Robbins, to adjourn the meeting. **MOTION** carried unanimously 5 to 0.

The meeting was adjourned at 8:20 p.m.

## **EXHIBITS**

- **Action Item 1A – Providence Road / Brigham Hill Road Intersection**
  - Draft correspondence from the Planning Board to the Board of Selectmen, Brigham Hill Road Signalization, dated June 13, 2011, 1 page.
  - Email correspondence from MassDOT, Grafton – Providence Road / Brigham Hill Road – Signal Needs Analysis, dated April 28, 2011, 1 page
- **Discussion Item 2B – Review of Proposed Livestock By-Law**
  - Proposed language received from the Agricultural Commission via email, 2 pages.
- **Item 5: Draft Meeting Minutes**
  - Grafton Planning Board, May 23, 2011, 7 pages.
- **Correspondence**
  - Public Forum flyer and invitation from Central Massachusetts Regional Planning Commission, 495/Metrowest Compact Project, 1 page.
- **Public Hearing 9A: Craig Wilson (Applicant / Owner), 47 Leland Street, Accessory Apartment**
  - Unbound application package submitted by the Applicant, received May 5, 2011 and consisting of the following:
    - Application for Special Permit, 1 page.

- Application for Site Plan Approval, 1 page.
- Site Plan Narrative, 2 pages.
- Waiver Request List, 1 page.
- Zoning map showing site, color, 8 ½ x 11”, dated March 22, 2011, 2 pages.
- Site map, color, 8 ½ x 11”, dated March 22, 2011, 1 page.
- Aerial photograph of site, color, 8 ½ x 11”, dated May 5, 2011, 1 page.
- Site map showing parking and garages, color, 8 ½ x 11”, dated May 5, 2011, 1 page.
- Survey Plan, Moran Survey Inc., 8 ½ x 11”, dated October 23, 1996, 1 page.
- Interior Design Floor Plan, color, 8 ½ x 11”, no date, 1 page.
- Floor Plans and Elevations, 8 ½ x 14”, no date, 7 pages.
- Project Review Memorandum, Board of Health, received May 11, 2011, 1 page.
- **Public Hearing 9B: “Abby Woods” Subdivision, Central Massachusetts Home Builders, LLC (Applicant / Owner), Definitive Subdivision Approval**
  - Updated project materials submitted by the Applicant, received May 31, 2011, including the following:
    - Correspondence from HS&T Group, Abby Woods Definitive Subdivision, dated May 24, 2011, received May 31, 2011, includes technical detail attachments, 34 pages.
    - Plan Set, 11 x 17”, “Abby Woods: A Definitive Subdivision in North Grafton, Massachusetts”, prepared by HS&T Group, Inc., January 17, 2011, revised through May 24, 2011, 13 pages:
      - Sheet 1: Cover Sheet
      - Sheet 2: Lot Layout Plan
      - Sheet 3: Lot Layout Plan
      - Sheet 4: Existing Conditions
      - Sheet 5: Existing Conditions
      - Sheet 6: Grading Scheme
      - Sheet 7: Grading Scheme
      - Sheet 8: Plan / Profile
      - Sheet 9: Detail Sheet
      - Sheet 10: Detail Sheet
      - Sheet 11: Detail Sheet
      - Sheet 12: Supplemental Information
      - Sheet 13: Landscaping / Tree Removal Plan
  - Correspondence from Graves Engineering, Abby Woods Definitive Plan Review, dated and received June 2, 2011, 8 pages.
  - Project Review Memorandum, Building Inspector, received June 13, 2011, 1 page



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James Walsh III, Clerk

