

**Minutes of Meeting
Grafton Planning Board
August 22, 2011**

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A regular meeting of the Grafton Planning Board was held on Monday, August 22, 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 - UPDATE: SUPERPARK - GEORGE PRUNIER

Michael Scully of 65 North Main Street, Chair of the SuperPark Committee, updated the Board on the Committee's progress, stating that they had narrowed the location down to three possibilities: Follette Street a/k/a Armand Dauphinais Park; the Perreault property behind the Center library; and Town owned land at 25 Worcester Street.

George Prunier of 85 Millbury Street, also a member of the SuperPark Committee, informed the Board that the Committee looked at different properties for the Board of Selectmen, with the charge of reporting back to them plans and associated costs for the project. Mr. Prunier noted the Committee had decided to meet with the Planning Board to bring the Board up to date on the progress and to address any concerns or issues the Board may have concerning this project or the locations. Mr. Prunier gave the Board a brief history of each of the properties looked at by the Committee, stating that Follette Street was a 55 acre parcel donated by the Dauphinais family, that it had an active well with a 600 foot radius of no building, a portion that is still under the Floodplain and the land mostly being developed into sports fields. Mr. Prunier added the Committee had deemed this property too expensive and costly to develop. Mr. Prunier remarked that the Perreault property, a 12 acre parcel of open space in the center of Town behind the library, also had significant issues of wetlands that had not been surveyed or flagged, and had an odd shape, running up behind the adjacent church and paralleling the railroad tracks down the Route 140 area. Mr. Prunier pointed out that the 25 Worcester Street property, across from Virginia Circle, appeared to be the most favorable site and the Committee wondered if the Planning Board had any issues with the development of this site. Mr. Prunier noted that Selectman Peter Adams had stated that he favored the site for possible Housing for the Elderly. Mr. Hassinger noted that he wasn't sure if the low end of the property had some possible wetland issues which were discussed when the Fire Department was looking to develop the site. Mr. Hassinger also added that the Affordable Housing Trust had sent the Planning Board correspondence stating that they would like see this site used for their purpose.

Chairman Spinney asked what the overall plan was for the SuperPark, specifically if the Committee intended to bring in sewer & water to the site. Mr. Prunier responded that the Committee was given the charge to build a SuperPark with no basketball hoops, no skateboard areas, etc. and to meet the requirements for all children including handicap accessibility. Mr. Hassinger noted he would like to see the Perreault property used even though it is a challenging site. Mr. Robbins suggested the Committee look at the design of the library expansion in relation

to the SuperPark and how it could possibly fit into the plans. Chairman Spinney suggested the Committee inform the public of the contact information to allow any input for the SuperPark site search.

ACTION ITEM 1-B – DETERMINATION OF COMPLETENESS – “WOODS AT STONEGATE”

Mr. Bishop informed the Board that the Completeness packages were in their mailboxes, the results of working with Travelers Insurance allowing all outstanding work to be finally completed. Mr. Bishop suggested the Board make a favorable recommendation for the Determination of Completeness.

Mr. Hassinger expressed concerns, after reading their correspondence, of whether or not the Fire Department had adequately signed off on the Completeness determination.

Mr. Bishop noted that he would double check with the Fire Department for clarification, but recommended the Board make a favorable recommendation.

MOTION by Mr. Hassinger, **SECOND** by Mr. Walsh, to make a favorable recommendation for the Determination of Completeness contingent on Staff's verification of the Fire Department's sign-off of the Completeness. **MOTION** carried unanimously 5 to 0.

ACTION ITEM 1-C – SIGN BY-LAW AMENDMENT / CEVMS

Chairman Spinney announced that the Planning Board was divided on where they would like to go with the Sign By-Law and hopefully some resolution can be completed tonight.

Mr. Bishop stated the Committee's new version of the Sign By-Law was submitted to the Board of Selectmen who decided to table it to a scheduled workshop to allow more time for the Committee to walk them through the rewritten by-law. Mr. Bishop also noted the tight schedule leading up to the deadline for submission of warrant articles, and that it is reasonable and responsible to consider the content of a new Sign By-Law.

Mr. Qualey commented that the Committee will walk the Board of Selectmen through the changes/revisions/additions to the by-law, adding that they have also refined the language, put in time, colors, etc. Mr. Qualey added that if they were to bring in the old language from the previous article in 2009, it would only confuse everyone.

Mr. Hassinger insisted the main issue is to give the Town some chance to voice their opinions and take a vote.

John Dowling of 10 Creeper Hill Road and member of Board of Selectmen stated that due to the amount of details and issues to be considered, a separate meeting with the Sign By-Law Committee was suggested. Mr. Dowling added that considering the time needed for review; he did not feel there was enough time to submit the by-law for the October Town warrant.

Chairman Spinney remarked that it should be the Board of Selectmen's job to recommend the submission of the proposed article to the Town warrant.

Mr. Robbins suggested that if it wasn't a problem, to let the sign by-law ride another year and leave everything status quo for now.

Mr. Hassinger argued that the Town should be given a chance to read and voice an opinion on the by-law and asked Staff if there was time to schedule a public hearing. Mr. Bishop stated that the only choice would be the second meeting in September, in order to meet the legal requirements.

Mr. Walsh added that he agreed with Mr. Robbin's thoughts to let it go for another year.

More discussion ensued on how to proceed with the sign by-law submission.

MOTION by Mr. Hassinger, **SECOND** by Mr. Robbins, to move the Sign By-Law submission forward as discussed. **MOTION** defeated 3 to 2 by roll call vote: Spinney-no; Robbins-aye; Walsh-no; Hassinger-aye; Qualey-no.

DISCUSSION: Mr. Hassinger noted that the Board of Selectmen could change the status of the Sign By-Law if they met in time to satisfy the requirements for Town Meeting submission. Chairman Spinney repeated that he was not convinced that it is the Planning Board's responsibility to recommend submission of this by-law change to Town Meeting.

Mr. Qualey noted that there will be a Sign-By-Law Committee meeting at the Board of Selectmen's September 13 workshop.

DISCUSSION ITEM 2-B – PROPOSED CHICKEN BY-LAW

Mr. Walsh updated the Board on the Agricultural Commission's work for the past year in drafting a by-right law under the use regulation schedule to raise chickens for personal consumption. Mr. Walsh added they were initially anticipating submission of this proposed amendment for the October Town Meeting warrant after acquiring the Planning Board's input on the submitted drafts at this meeting.

John Wilson of 66 Brigham Hill Road, a member of the Agricultural Commission, informed the Board that the Commission had motioned and approved to bring forward their draft proposed amendment to the Planning Board for their recommendation to proceed in the submission of this amendment to the by-laws for the October Town Meeting warrant.

Chairman Spinney reminded Mr. Wilson that if the proposed amendment fails to make the warrant, applicants can still request to have chickens through the special permit process, noting the applicant can also request a waiver of the application fee but not the legal fee, to offset the by-right amendment process that is still a work in progress.

Mr. Hassinger explained that the Commission will need to meet with the Planning Board Staff to work out exactly how to formulate this proposed amendment to the use regulations. Mr. Hassinger pointed out that the current draft proposal has not been presented in the required warrant article format, which is necessary in order for the Board to make any recommendations for the proposal to move forward.

Mr. Bishop noted there were several issues with the draft proposed amendment as submitted, specifically the error of listing the change as principal primary use rather than as an accessory use for the keeping & raising of chickens. Mr. Bishop added that the Commission needs to make clear what the intent is for this amendment.

Mr. Hassinger suggested the Commission get together with the Planning Staff to pull the amendment language together technically and submit in time for the Spring, 2012 Town Meeting.

Mr. Bishop wished to note that he had reviewed the draft submission and forwarded an email to Mr. Walsh outlining exactly what the Commission needed to do for the warrant article and how to present the draft submission to the Board.

Chairman Spinney stated that the Planning Board cannot give a positive recommendation at this time due to the technical deficiencies within the draft article as presented for submission to the October Town Meeting warrant.

MINUTES OF PREVIOUS MEETINGS

MOTION by Mr. Qualey, **SECOND** by Mr. Walsh, to approve the open session meeting minutes of August 8, 2011 as drafted. **MOTION** carried unanimously 5 to 0.

STAFF REPORT

Mr. Bishop informed the Board that a large portion of the sidewalks have been installed at the Mill Villages site along with many significant changes that can be seen as work progresses.

Mr. Bishop stated that the Demonstration Grant that was about to lapse in March of 2012 has been extended to September, 2012, which will allow more time to implement the proposed EcoMachine and Greenhouse technologies in the efforts to clean up the river. Mr. Bishop added that DEP had received two bids for the dredging project, one being within the range available and the permit from the Army Corp of Engineers had also been received, allowing the project to move forward.

CORRESPONDENCE

Mr. Walsh paraphrased the requisition letter from Kristen Wood along with her qualifications for the position of representative to the CMRPC.

Mr. Walsh also read correspondence from John Carlson, Chair of Grafton Affordable Housing Trust, requesting the Planning Board appoint a liaison to the Trust, providing regular updates through the time period required to receive State approval.

Mr. Qualey and Mr. Walsh both expressed interest in the liaison appointment.

MOTION by Mr. Hassinger, **SECOND** by Mr. Robbins, to offer the services of both members as liaisons to the Grafton Affordable Housing Trust. **MOTION** carried unanimously 5 to 0.

Mr. Bishop suggested the Board make a motion to designate Kristin Wood as a representative to the CMRPC.

MOTION by Mr. Walsh, **SECOND** by Mr. Hassinger to nominate Kristin Wood as an additional representative to the CMRPC. **MOTION** carried unanimously 5 to 0.

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

The meeting was adjourned at 8:42 p.m.

EXHIBITS

- **Action Item 1A – Update, Super Park**

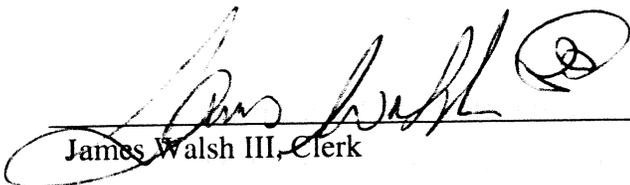
- Letter from the Affordable Housing Trust, regarding 25 Worcester Street, dated August 19, 2011, 1 page.

- **Action Item 1B – “Woods at Stonegate” Subdivision, Determination of Completeness**

- Memorandum from the Planning Department, re: Determination of Completeness review for the “Woods at Stonegate” Subdivision, dated August 18, 2011, 1 page; including the following attachments:

- Determination of Completeness Worksheet, prepared by Planning Department Staff, 2 pages.
- Transmittal from Graz Engineering, dated July 29, 2011, received August 1, 2011, 1 page; including attachments:
 - Correspondence from Graz Engineering, Request for Determination of Completeness, Stonegate Circle & Fieldstone Court, dated July 29, 2011, 1 page.
 - Correspondence from Graves Engineering, Woods at Stonegate Construction Completeness Review, dated August 8, 2011, received August 9, 2011, 2 pages.
 - Correspondence from Graves Engineering, Woods at Stonegate Acceptance Plans, As-Built Plan and Legal Description Comparison, dated August 8, 2011, received August 9, 2011, 2 pages.
 - Certificate of Compliance, Stonegate Circle & Fieldstone Court, 1 page.
 - Correspondence from Grafton Board of Health, The Woods at Stonegate – Determination of Completeness, dated September 22, 2005, 1 page.
 - Correspondence from the Grafton Water District, Woods at Stonegate As-built, dated September 22, 2006, 1 page.
 - Correspondence from the Grafton Board of Sewer Commissioners, The Woods at Stonegate, dated March 7, 2007, 1 page.

- Correspondence from the Grafton Fire Department, Determination of Completeness “The Woods at Stonegate”, dated October 11, 2006, 1 page.
- Citizen’s Petition, Woods at Stonegate Acceptance of Roadways, received August 15, 2011, 1 page.
- Public Notice to be published in the Grafton News, no date, 1 page.
- Legal Notice, The Grafton News, Wednesday August 17, 2011 edition, page 18.
- Correspondence from the Grafton Conservation Commission, Woods at Stonegate – Request for Certificate of Compliance, dated August 18, 2011, 1 page.
- **Action Item 2C: Sign By-Law Amendment / CEVMS**
 - Planning Board Report: ZBL 2009-3 – Citizen’s Petition to amend the Grafton Zoning By-Laws Referencing Changeable Electronic Variable Message Signs (CEVMS), Article 46, May 11, 2009 Town Meeting, 2 pages.
 - Correspondence, Grafton Suburban Credit Union, regarding CEVMS, dated February 26, 2009, 1 page; including attachment:
 - Petition to Amend Grafton Zoning By-Law including citizen’s petition, received March 6, 2009, 2 pages.
- **Item 5: Draft Meeting Minutes**
 - Grafton Planning Board, August 8, 2011, 6 pages.
- **Item 6: Correspondence**
 - Letter from the Affordable Housing Trust, regarding Planning Board Liaison Trust for the Housing Production Plan, dated August 19, 2011, 1 page.
 - Letter from Kristin Wood, regarding Planning Board Delegate to the Central Massachusetts Regional Planning Commission, dated August 16, 2011, received August 18, 2011, 1 page.


James Walsh III, Clerk