

Minutes of Meeting
Grafton Planning Board
January 23, 2012

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A regular meeting of the Grafton Planning Board was held on Monday, January 23, 2012 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, David Robbins and Associate Member Sargon Hanna. Staff present was Town Planner, Stephen Bishop and Assistant Planner Ann Morgan.

Chairman Spinney called the meeting to order at 7:03 p.m.

ACTION ITEM 1-A – REQUEST FROM TOWN MODERATOR TO DESIGNATE A PLANNING BOARD MEMBER TO THE GRAFTON PUBLIC LIBRARY PLANNING & BUILDING COMMITTEE

MOTION by Mr. Qualey, **SECOND** by Mr. Hassinger, to designate Mr. Robbins to the Grafton Public Library Planning & Building Committee. **MOTION** carried unanimously 4 to 0.

ACTION ITEM 1-B – REQUEST FOR PLANNING BOARD DETERMINATION FOR MINOR MODIFICATION TO SPECIAL PERMIT SP 2009-11 – HILLTOP PROPERTIES, LLC (ROCCO ADDEO), 116 MILFORD ROAD, SOUTH GRAFTON

Chairman Spinney acknowledged receipt of a written request from Attorney Joseph Antonellis, representing Hilltop Properties, LLC (Rocco Addeo), to withdraw their request for a Minor Modification dated December 16, 2011. Chairman Spinney noted that Attorney Antonellis further stated that it is their intention to file a formal application to amend Special Permit SP 2009-11/Site Plan approval.

Chairman Spinney asked Mr. Bishop whether he has received any feedback from Town Counsel. Mr. Bishop stated that he should be receiving Counsel's advice soon and that it will also provide guidance regarding future modifications associated with crossing Town lines.

BILLS

The bills were circulated and signed.

STAFF REPORT

Mr. Bishop informed the Board that he needed their direction regarding the upcoming conflict of the February 13th Planning Board public hearings with the posting of a Special Town Meeting also on February 13th at 7:00 p.m., as to whether the Board wishes to cancel the February 13th Planning Board meeting and continue the scheduled public hearings to the February 27th Planning Board meeting. Mr. Bishop noted this would involve calling the Grafton News to try to cancel the Legal Notice from the Wednesday, January 25th publishing date; informing the applicants of their public hearing change; re-notification of the appropriate abutters and re-submission of a new public hearing Legal Notice to the Grafton News for the February 27th Planning Board meeting.

Chairman Spinney received unanimous consent to direct Staff to proceed with the actions discussed to reschedule the February 13th public hearings to the February 27th Planning Board meeting and cancel the February 13th Planning Board meeting.

MINUTES OF PREVIOUS MEETINGS

MOTION by Mr. Robbins to approve the open session minutes of January 9, 2012.

DISCUSSION: Mr. Hassinger requested several corrections to be made by Staff.

AMENDED MOTION by Mr. Robbins, **SECOND** by Mr. Hassinger, to approve the open session minutes of January 9, 2012 with the corrections noted. **MOTION** carried unanimously 5 to 0.

DISCUSSION ITEM 4-A – AGRICULTURAL COMMISSION WARRANT ARTICLE – BACKYARD CHICKENS

Mr. Bishop informed the Board that there were members of the Agricultural Commission present for this discussion and that John Kochever, Chair of the Agricultural Commission, had forwarded to him, with copies to the Planning Board, the draft amendment to be submitted to Town Meeting regarding the addition of the by-right accessory use to the Zoning By-Laws, under Section 3.2.3.1. and defined as Backyard Chickens.

The Planning Board discussed the definition, specifically with regard to the limit of six animals per lot, noting that this will be the best avenue to follow for success with acceptance at Town Meeting. The Board noted that future amendments could be submitted to Town Meeting to request an increase in this number or other changes once the initial amendment is passed at Town Meeting. The Board also discussed the potential problems and confusion that could arise with allowing this use by right in the Residential Multi-Family (RMF) zoning district and suggested the Agricultural Commission review these possible issues prior to submitting the proposed amendment for Town Meeting. John Wilson, a member of the Agricultural Commission, discussed the special permit procedure to apply for more than the six chickens allowed in the by-right districts. The Board stated that the required language for this request is not evident with the current draft amendment and that the language must be explicit in the By-Law for any changes.

DISCUSSION ITEM 4-B – SIGN BY-LAW REVISIONS

Robert Berger, Grafton Building Inspector, was present to discuss his submitted draft language compiled with Steven Burke, Vice-Chairman of the Sign By-Law Committee, regarding two issues – Changeable Variable Message Signs (CEVMS) and Temporary Signs. Mr. Berger discussed with the Board his draft revisions for Section 4.4.3.2 of the Zoning By-Law – 1.) Signs in Business Districts, regarding Neighborhood Business and Community Business to allow pre-existing CEVMS signs and prohibit any future placement in all zones; 2.) Signs in Business Districts, regarding Neighborhood Business and Community Business to allow CEVMS signs in specific zones subject to Special Permit/Site Plan approval permits through the Planning Board; 3.) With regard to Section 4.4.4 – Special Cases / Relief, temporary or portable signs, with

respect to Profit & Non-Profit Organizations; 4.) Section 2.3 – Definitions: Signs – to add and revise the section as it relates to CEVMS and Temporary Signs.

Mr. Hassinger pointed out language problems within the revisions: lack of definitive time limits, color, measurements, internal versus external lamination, and clarity on the 30 day sign limits. Rick Anderson, member of the Sign By-Law Committee, stated that he did not agree with the revisions as stated and noted the changes will only muddy the situation. Mr. Qualey defended the revised Sign By-Law the Committee had submitted, noting they had spent a lot of time trying to clarify many of these issues and definitions.

Chairman Spinney requested Mr. Berger return to the Planning Board when there is a clear and concise decision by the Board of Selectmen on what they would like to put before the Town at Town Meeting.

DISCUSSION ITEM 4-C – VILLAGE MIXED USE (VMU) ZONING PROPOSAL

Mr. Bishop informed the Board he has provided them with a copy of the Village Mixed Use (VMU) Use Tables proposed under the Village Mixed Use District, to focus on some of the similarities and differences this Use would include. The Board discussed the Use table and their concerns for parking requirements with regard to the Water Supply Protection Overlay District, the addition of Bed & Breakfasts and Schools for profit.

Mr. Bishop asked for comments from the Board on the draft copy of the 2011 Town Report which he will email to them this week.

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

The meeting was adjourned at 9:27 p.m.

EXHIBITS

- **Action Item 1A: Request from Town Moderator to designate Planning Board member to the Grafton Public Library Planning & Building Committee**
 - Memorandum from Raymond Mead, Town Moderator, Committee Appointment, no date, received January 3, 2012, 1 page.
- **Action Item 1B: Request for Planning Board Determination for Minor Modification to SP 2009-11 – Hilltop Properties, LLC (Rocco Addeo), 116 Milford Road, South Grafton**
 - Correspondence, Mayer, Antonellis, Jachowicz & Haranas, LLP, Hilltop Properties, LLC, 116 Milford Road; dated and received January 20, 2012, 1 page.
- **Item 3: Draft Meeting Minutes**
 - Grafton Planning Board, January 9, 2012, 6 pages.

• **Discussion Item 1A: Agricultural Commission Warrant Article – Backyard Chickens**

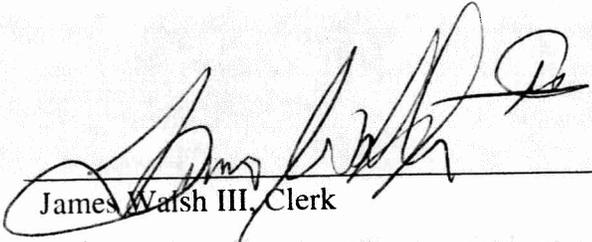
- Draft Warrant article language, Section 3.2.3.1 – Use Regulation Schedule: Accessory Use, no date, 1 page.

• **Discussion Item 1B: Sign By-Law Revisions**

- Item 1A, Section 4.4.3.2 – draft amendment language to allow pre-existing CEVMS signs, future placement of CEVMS prohibited in all zones, no date, 4 pages.
- Item 1B, Section 4.4.3.2 – draft amendment language to allow pre-existing CEVMS signs in specific zones subject to Special Permit and Site Plan Approval permits through the Planning Board, no date, 6 pages.
- Item 2, Section 4.4.4 – draft revision language for temporary or portable signs, no date, 1 page.
- Item 3, Section 2.3 – draft revision language to add and revise the section as it related to CEVMS and Temporary Signs, no date, 1 page.

• **Discussion Item 1C: Village Mixed Use Zoning Proposal**

- Memorandum from Planning Department Staff, Village Mixed Use (VMU) Use Tables, dated January 20, 2012, 1 page plus the following attachments:
 - Village Mixed Use District Proposal, 3/2/3/2 Intensity Use Schedule – Draft Revisions, dated January 20, 2012, 1 page.
 - Village Mixed Use District Proposal, Proposed changes in All Districts / Fisherville Farnumsville only, dated January 20, 2012, 2 pages, 11” x 17” format.


James Walsh III, Clerk