

**Minutes of Meeting
Grafton Planning Board
September 24, 2012**

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GRAFTON, MA.

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A regular meeting of the Grafton Planning Board was held on September 24, 2012 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Stephen Qualey, Vice-Chair David Robbins, Clerk Michael Scully, Robert Hassinger, and Associate Member Sargon Hanna. Staff present was Town Planner Stephen Bishop and Assistant Planner Ann Morgan.

Chairman Qualey called the meeting to order at 7:00 p.m.

STAFF REPORT

Mr. Bishop began by reminding the Board that due to the upcoming holiday and Town Meeting, there is a Planning Board meeting posted for next Monday, October 1st with the second monthly meeting scheduled as usual on the fourth Monday of the month, October 22nd. Mr. Bishop stated he would like to get the Planning Board reports regarding the warrant articles being submitted by the next meeting for the Board's consideration and then be able to forward copies to the Finance Committee meeting on October 3rd.

Mr. Bishop briefly reviewed the budget process which is required to be submitted to the Town Administrator by the end of October.

Mr. Bishop noted that September 30, 2012 ends the Federal fiscal year, bringing the EPA grants funds to an end, which will require closing out the Mill Villages project EPA funding account. Mr. Bishop pointed out that the Federal legislature did not extend their funding of the Blackstone River Valley Natural Heritage Corridor for their new fiscal year. Mr. Bishop added they have begun a 501C3 organization called Partners which will take over the existing project. Mr. Bishop remarked that Megan Diprete will be making a presentation to the Board of Selectmen on October 23 regarding the Bikeway project.

Mr. Bishop encouraged the Board members to consider the workshops being offered in October by the Citizen Planner Training Collaborative, adding that the course fee can be reimbursed through the Planning Office.

Mr. Bishop informed the Board that a memo from the Town Administrator stated there will be an informational meeting presented by Town Counsel concerning recent updates to the Open Meeting Laws to be held on November 7th at 7:00 p.m. in the Police Station Conference Room.

Mr. Hassinger noted there was one letter of consideration received for the Planning Board opening, and asked if there was a closing date regarding application submission to the Board of Selectmen.

REPORTS FROM PLANNING BOARD REPRESENTATIVES ON TOWN COMMITTEES AND CMRPC

Mr. Scully stated the Super Park Committee has submitted a warrant article regarding the CPC funding for the architect plans for the park which will ultimately allow the Committee to be able to calculate a more accurate figure on the actual cost of constructing the park. Mr. Scully noted that the costs will be considerably greater than the previous park due to the ADA accessibility construction and planning and the higher grade of equipment being considered.

Mr. Robbins, member of the Library Building Committee, updated the Board regarding the library's progress to resolve the accessibility complaints filed. Mr. Robbins noted they have been given an April 15th deadline to complete the improvements and have made some progress with the architects drawing up the plans, but now need the Grafton Historic District Commission and the Massachusetts Historical Commission to approve the plans to move forward with the construction. Mr. Robbins added that the new plans to address the problems will be able to be done without reducing the space in the children's room and that they will be testing for a mold problem to see if it is associated with an unknown water problem discovered.

MINUTES FROM PREVIOUS MEETINGS

MOTION by Mr. Robbins, **SECOND** by Mr. Scully, to approve the open session minutes of September 10, 2012 as drafted. **MOTION** carried unanimously 4 to 0.

Chairman Qualey announced that on behalf of the Board he wished the Spinney family well on a successful and speedy recovery for their son Colin who underwent surgery today.

PUBLIC HEARING

ZBL 2012-3 CITIZENS PETITION ARTICLE FOR OCTOBER 2012 ANNUAL TOWN MEETING – PROPOSED AMENDMENTS TO SECTION 2 & SECTION 9 OF THE GRAFTON ZBL TO ALLOW CERTAIN ALTERNATIVE & RENEWABLE ENERGY USES IN THE CAMPUS OVERLAY DISTRICT (CDOD)

Mr. Scully read the legal notice and Chairman Qualey opened the public hearing. Jean Poteete, Senior Campus Planner, and Attorney Robert Sudmeyer were present for Tufts University.

Ms. Poteete briefly presented the schools interest in broadening the allowed uses in its zoning overlay district with the allowance of certain alternative and renewable energy uses. Ms. Poteete enumerated the benefits of this article, specifically supporting the University's sustainability, and the rationale that a broader array of prospects in the growing "green energy" sector may be attracted to Grafton Science Park through this approach.

Mr. Hanna asked if there were any current projects in the works for these added uses. Ms. Poteete stated they are currently exploring a solar project, but not ready to speak to this possible endeavor at this time.

John LaPoint of 153 Providence Road, Vice-Chair of the Economic Development Commission representing Chairman Elias Hanna, informed the Board that the Commission had met with Ms. Poteete, asked a lot of questions and enthusiastically supports this article tonight and will again support the article at the October Town Meeting.

MOTION by Mr. Hassinger, **SECOND** by Mr. Robbins, to close the public hearing. **MOTION** carried unanimously 4 to 0.

MOTION by Mr. Hassinger, **SECOND** by Mr. Scully, to direct Staff to prepare a report reflecting the Planning Board's recommendation. **MOTION** carried unanimously 4 to 0.

PUBLIC HEARING

ZBL 2012-5 VILLAGE MIXED USE (VMU) – PROPOSED AMENDMENTS TO THE GRAFTON ZONING BY-LAWS AND ZONING MAP TO CREATE A MIXED USE ZONING DISTRICT IN THE FARNUMSVILLE AREA OF SOUTH GRAFTON

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

Mr. Bishop prefaced the discussion reviewing the history of what has evolved from the creation of the Fisherville & Farnumsville Streetscape Committee, adding that not only the Mill Village Park but the development of the South Grafton Historic Mill Villages District. Mr. Bishop stated that that after two Committee meetings in March & June, there was a review of the proposal in detail with consideration of submitted comments/correspondence and language developed and submitted as a warrant article for the October Town Meeting. Mr. Bishop noted he was prepared to address Mr. Hassinger's comments submitted and any additional comments raised at the public hearing.

Chairman Qualey read correspondence from Bob Heavey of the Blackstone Mill Depot Street Trust supporting the warrant article and helping to bring the Mill back to its original charm and leadership in the revitalization of Farnumsville. Mr. Qualey also read comments from the Town Administrator/Board of Selectmen recommending a red line copy of the changes being proposed. Mr. Bishop noted that he had discussed the correspondence with the Town Administrator and pointed out that there were no red line changes, but that the article was an entire new section being added to the Zoning By-Laws. Mr. Bishop remarked that Town Counsel had reviewed all of the warrant articles and the way they were written was less confusing for Town Meeting presentation.

John LaPoint of 153 Providence Road, Vice-Chair of the Economic Development Commission and representing Chairman Elias Hanna, informed the Board that the EDC had reviewed the document for Town Meeting, have worked with the Planning Department to bring this about and enthusiastically endorse the warrant article. Mr. LaPoint added that this is a continuation of the Master Plan, is well vetted and supported as an important step to the rezoning of the Depot Street Mill building.

Mr. Hassinger pointed out that he had no problem with the principles or what the article is trying to put forward, but was concerned about how the language fit into the By-Law and comes together with the previously written language. Mr. Hassinger added that some changes in the language will make it a much better law.

Mr. Robbins noted he would not like to put forward an article with any technical difficulties that might affect making it work.

Mr. Bishop remarked that he takes issue with some of those characterizations and that the principals are laid out in a fairly direct way.

Mr. Hassinger stated he was concerned with the same requirements being stated in different sections of the By-Law, and that there should be some clarification/integration between other sections and the newly created section.

The Board discussed the possibility of changes being made within the week until the next meeting to remedy any changes in the language. Mr. Hassinger wished to note he would like to do a better job with the language.

MOTION by Mr. Scully, **SECOND** by Mr. Robbins, to close the public hearing. **MOTION** carried unanimously 4 to 0.

MOTION by Mr. Robbins, **SECOND** by Mr. Scully, to direct Staff to draft a report reflecting the discussions and comments of the public hearing and the Planning Board's recommendations. **MOTION** carried unanimously 4 to 0.

PUBLIC HEARING

ZBL 2012-4 SIGN BY-LAW (CEVMS) – PROPOSED AMENDMENTS TO THE GRAFTON ZONING BY-LAWS TO ALLOW CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGNS (CEVMS)

Mr. Scully read the legal notice and Mr. Qualey opened the public hearing.

John LaPoint, Vice-Chair of the Economic Development Commission and present for Chairman Elias Hanna, informed the Board that Commission member Michael Scully will need to speak for the EDC since he is losing his voice.

Mr. Scully stated the EDC has reviewed the warrant article from multiple perspectives and has endorsed the article as written with no additional discussion on anything.

Mr. Robbins noted the Board addressed motion and brightness requirements with this warrant article, adding that this is a good proposal worthy of voting on.

Chairman Qualey remarked that he still supports restricting the CEVMS to the Community Business (CB) zone, but will see what happens at Town Meeting.

Richard MacKoul of 20 Oak Street, owner of MacKoul Cars Inc. informed the Board that he was very much in support of the warrant article and that it will be good for business owners in Grafton.

MOTION by Mr. Scully, **SECOND** by Mr. Robbins, to close the public hearing. **MOTION** carried unanimously 4 to 0.

MOTION by Mr. Scully, **SECOND** by Mr. Robbins, to direct Staff to draft a report reflecting the discussions and comments at the public hearing and the recommendations of the Planning Board.

DISCUSSION: Mr. Hassinger suggested the report be briefer than the document on the website, but copies of the initial website report be made available to the public in addition to the report.

MOTION carried unanimously 4 to 0.

PUBLIC HEARING

MAJOR RESIDENTIAL SPECIAL PERMIT (MRSP 2012 -11) “GRAFTON HILL” – WESTERLY SIDE GRAFTON LLC (APPLICANT) – WESTERLY SIDE GRAFTON LLC, ROCKY ROAD REALTY TRUST, ROBERT B. MCINNIS & ABBY MCINNIS TRUST (OWNERS)

Chairman Qualey opened the public hearing. Present for the hearing were George Connors of Connorstone Engineering and Brian McCann for Westerly Side Grafton LLC.

Chairman Qualey read a letter from Robert & Abby McInnis supporting the application, specifically the Flexible Plan, and stating they have no connection to the developer other than selling him their land.

Mr. Connors briefly reviewed the Graves Engineering comments and acknowledged that work is still being done on wetland delineation by the Conservation Commission. Mr. Connors introduced William Scully, the Traffic Engineer retained to prepare the Traffic Study for the project. Mr. Scully submitted to the Board a Traffic Impact & Access Study packet, which he reviewed point by point with the Board, discussing the various traffic and flow impacts associated with the project from the North Street/Worcester Street and the North Street/Old Westboro Road sides of the project. Mr. Scully stated that the study identified current & alternate routes and in conclusion found that with the Conventional Plan there would be a diversion of a fairly substantial amount of new traffic; that North Street can accommodate the added traffic with a redesign of the North Street/Old Westboro Road intersection island to achieve the 600 foot roadway separation required from Clearview Street. Mr. Scully added that there would also be some advance warning placed for the Bicknell Road intersection with North Street.

In conclusion Mr. Scully requested the Planning Board allow the applicant to pursue the Flexible Plan with the traffic study information provided.

Mr. Hassinger expressed concerns that the bulk of the report was directed toward what is good about the project and what the developer would like to see, but the critical concern is the buildability of the plans as submitted, specifically the Conventional Plan. Mr. Hassinger also questioned who actually owns the triangle of land within the intersection of North Street and Old Westboro Road. Mr. Scully added that no evidence has been presented as to who owns that land, permission will be needed to make changes if it is not a public layout, and the intersection distance data will be inaccurate if plans change.

Mr. Hassinger also noted to William Scully (traffic engineer) that the accurateness of the study with the traffic back-up data is questionable if the roadway is considered a major roadway and affects the Conventional Plan validity. Mr. Hassinger urged the Board to take a better look at the feasibility of the Conventional Plan as submitted.

Melissa Durfee of 104 North Street asked William Scully if the traffic study data includes accounting for the increasing speed of the vehicles travelling northbound down the newly paved North Street towards Bicknell Road. Ms. Durfee suggested the traffic study may be deficient and proposed the installation of a stop sign at Bicknell Road along with a left turn arrow at the traffic light at the intersection of Worcester Street and Carroll Road.

Mr. Hassinger pointed out the fact that in looking on GIS, with a land conservation overlay, the symbol for prime farmland soils appears frequently for this project area, and should be taken into consideration.

Chairman Qualey asked the applicant what the timeframe was for resolving the wetland delineation issues with the Conservation Commission in order to project when the hearing can reasonably be continued to a future Planning Board Meeting.

Brian McCann stated they had met with the Conservation Commission last week, are scheduled to meet with them again on October 2nd, and should have revised plans for the Board by the November 5th Planning Board meeting.

MOTION by Mr. Hassinger, **SECOND** by Mr. Robbins, to accept the applicant's written request to continue the public hearing to November 5, 2012 at 7:30 p.m. **MOTION** carried unanimously 4 to 0.

MOTION by Mr. Hassinger, **SECOND** by Mr. Robbins, to adjourn the meeting. **MOTION** carried unanimously 4 to 0.

The meeting was adjourned at 9:25 p.m.

EXHIBITS

- **Item 5: Minutes of Previous Meeting**
 - Grafton Planning Board, September 10, 2012, 6 pages.
- **Public Hearing 9A: ZBL 2012-3 Citizen's Petition Article for October 2012 Annual Town Meeting – Proposed Amendments & Section 2 and Section 9 of the Grafton Zoning By-Laws to allow certain alternative & renewable energy uses in the Campus Development Overlay District**
 - Legal Notice, Town of Grafton, MA, Planning Board, ZBL 2012-3 Citizen's Petition Article for October 2012 Annual Town Meeting – Proposed Amendments & Section 2 and Section 9 of the Grafton Zoning By-Laws to allow certain alternative & renewable energy uses in the

Campus Development Overlay District, stamped in with Town Clerk on August 30, 2012, 2 pages.

- Memorandum from the Town Administrator, Tufts Zoning Article – Citizen’s Petition, dated and received August 22, 2012, 1 page.
- Copy of Correspondence from Tufts University Cummings School of Veterinary Medicine to the Grafton Board of Selectmen, cover letter and citizen’s petition, dated and received August 21, 2012, 7 pages.

● **Public Hearing 9B: ZBL 2012-5 - Village Mixed Use**

- Legal Notice, Town of Grafton, MA, Planning Board, ZBL 2012-5, Village Mixed Use, stamped in with Town Clerk on August 30, 2012, 2 pages.
- Correspondence from Bob Heavey, Farnumsville Mill 6 Depot Street, Grafton, MA; dated August 6, 2012, received August 9, 2012, 1 page.
- Draft Warrant Article, Proposed Village Mixed Use Zoning District, Town Meeting, October 15, 2012; dated September 17, 2012, 13 pages.
- Map, 8 ½ x 11”, color, Village Mixed Use Zoning District, October 15, 2012; 1 page.
- Memorandum from the Town Administrator, October Town Meeting Warrant Articles, dated September 19, 2012, received September 20, 2012, 1 page.
- Email correspondence from Robert Hassinger, VMU Language, dated and received September 24, 2012, 2 pages.

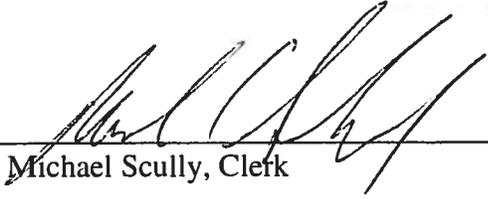
● **Public Hearing 9C: ZBL 2012-4 – Sign By-Law**

- Legal Notice, Town of Grafton, MA, Planning Board, ZBL 2012-4, Changeable Electronic Variable Message Signs, stamped in with Town Clerk on August 30, 2012, 2 pages.
- Draft Warrant Article, Proposed Electronic Sign Amendments, Town Meeting, October 15, 2012; dated September 17, 2012, 4 pages.
- Electronic Sign Bylaw Proposal for October 2012, dated September 17, 2012; 5 pages.

● **Public Hearing 9D: Major Residential Special Permit (MSRP 2012-11) “Grafton Hill” – Westerly Side Grafton LLC (Applicant) – Westerly Side Grafton LLC, Rocky Road Realty Trust, Robert B. McInnis & Abby McInnis Trust (Owners)**

- Correspondence, Robert & Abby McInnis, re: MRSP 2012-11 “Grafton Hill”, dated September 4, 2012, received September 6, 2012, 1 page.
- Copy of email correspondence from Arthur Allen to Linda Dettloff, Grafton Conservation Agent, 12 Clearview St. & 48 Worcester St. ANRADs; dated August 31, 2012, received September 5, 2012, 4 pages.
- Correspondence from Graves Engineering, Grafton Hill Preliminary Plan and Special Permit Review, dated and received September 21, 2012, 8 pages.

- Traffic Impact and Access Study, Proposed Grafton Hill Residential Development, Grafton, Massachusetts; prepared for Westerly Side Grafton LLC, prepared by William J. Scully, P.E., dated September 2012, received September 17, 2012.
- Traffic Impact and Access Study, Proposed Grafton Hill, North Street; color slide presentation handout, prepared by William J. Scully, P.E., color, 8 ½ x 11”, submitted at the September 24, 2012 public hearing, 5 pages.



Michael Scully, Clerk