

**Minutes of Meeting
Grafton Planning Board
June 23, 2014**

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A regular meeting of the Grafton Planning Board was held on Monday, June 23, 2014 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman David Robbins, Vice-Chair Michael Scully, and Members Robert Hassinger and Linda Hassinger. Staff present was Town Planner, Joseph Laydon and Assistant Planner Ann Morgan.

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

PUBLIC INPUT

Mr. Robbins noted that the Planning Board meeting agenda format has been revised to offer an opportunity for public input at the beginning of every meeting. No one was present. No public input received.

ACTION ITEM 1-A – DESIGNATE PLANNING BOARD MEMBER TO CAPITAL IMPROVEMENT PLANNING COMMITTEE (CIPC)

The Board discussed the composition of the CIPC. It was determined that the Planning Board does not have an appointed position as part of the composition of that committee and that there was no need to make any appointment. Mr. Robbins noted that Sargon Hanna had sat on CIPC as a private citizen, not an appointed seat by the Planning Board.

ACTION ITEM 1-B – CONSIDER DECISION - SITE PLAN 2014-1 – CATHERINE VAN ROON – 224 MAIN STREET – FAMILY DAY CARE

Mr. Robbins noted that there were references to incorrect findings in Waivers 1 through 3 and asked that they be corrected.

MOTION to grant Waivers W1 through W5 with favorable findings and as corrected made by Mr. Hassinger, **SECOND** by Mr. Scully. Motion passed unanimously.

MOTION to make favorable findings for Finding #F1 through #F11 made by Mr. Hassinger, **SECOND** by Mr. Scully. Motion passed unanimously.

MOTION to grant the Site Plan Approval with Conditions #C1 through #C6 as drafted made by Mr. Hassinger, **SECOND** by Mr. Scully. Motion passed unanimously.

ACTION ITEM 1-C – OAKMONT FARMS

Mr. Laydon noted that he was still in the process of gathering the necessary information for the Board to discuss. He asked that the item be tabled to the next meeting.

DISCUSSION ITEM 3A: S.2183 AND H.4181 EXPEDITED PERMITTING OF COLLOCATION OF WIRELESS FACILITIES

Mr. Laydon reviewed the correspondence sent from the Planning Department to Senator Moore objecting to the legislation as proposed and outlining a number of issues that are seen as detrimental to the Town's interests. Concerns included a process that eliminates public input and oversight, lack of municipalities discretion in placing facilities on municipal structures, broad definition of collocation, visual impacts, lack of municipal bonding to remove abandoned structures, and the potential to collocate in residential neighborhoods without oversight. It was further noted that the legislation only address collocation and not new tower structures. He asked if the Planning Board would like to submit their own letter to the State outlining their concerns as well.

Mr. Hassinger stated that the proposed legislation raised some serious concerns about the total disregard of local by-laws and the Town's right to oversee land use decisions. Along with the concerns outlined in Mr. Laydon's letter it was noted that the language regarding issuing authority among other terms were ambiguous and designed to bypass the existing local review and oversight process. Additional concerns included the language pertaining to "modification" and the various ways it could be interpreted to allow for fairly extensive additions in height. Lines 111-113 require collocations be compliant with Federal and State requirements but not local. Mr. Hassinger asked that the Board draft their own letter and ask that the Board of Selectmen do the same.

Mr. Scully stated that, as written, there was a great potential for opening the floodgates to eliminate all local control over cell towers and their various structures. The current language amounts to a cellular facilities "bill of rights" with no protection to the towns.

Mr. Robbins noted that the Town's by-law regarding wireless facilities has been successful in forging the right balance between local control and the needs of the wireless applicants. The system works effectively and the proposed legislation would eliminate that system and process.

Mr. Laydon recommended that the Planning Board discuss this issue at the upcoming joint meeting with the Selectmen on July 1, 2014 and that a joint letter could be written and endorsed by both boards at that time. Mr. Hassinger stated that it was important that the Town act quickly and make their objections known to our legislators.

MOTION to direct staff to draft a letter stating the Board's concerns and to authorize the Chairman to sign made by Mr. Scully, **SECOND** by Mrs. Hassinger. Motion passed unanimously.

4. STAFF REPORT

Mr. Laydon reported that he had met with Blue Wave Capital who is proposing to expand their approved facility on Estabrook Avenue. The currently permitted facility is now generating 2.5 of its project 4 megawatt capacity. The expansion would allow for the generation of an additional 2 megawatts of electricity in addition to the 4 megawatts to be generated by the approved facility. They ran into problems with National Grid who would not allow them to the make the interconnection to the power grid noting that it wasn't worth their investment in their infrastructure in Grafton to add a small megawatt connection. However, an additional 2 megawatts from the Estabrook site in combination with the proposed solar facilities at the Science Park and Tufts campus would justify and upgrade and investment in their Grafton system. Tree cutting and facilities expansion behind the existing farm house

is proposed. The application is expected to be submitted next month. Mr. Hassinger noted that the impact to viewshed towards Merriam Road was of concern during the original application for this site and that this expansion should also be analyzed for those impacts.

Mr. Laydon and Town Administrator Timothy McNerney met with the Worcester Business Development Corporation (WBDC) last week to discuss the ongoing development and future of CenTech Park. WBDC was notified that the Master Plan approval had expired and they would need to make a formal application to the Board to update it. They discussed the marketing of available parcels. There has been some interest but WBDC is finding it difficult to compete given the surplus of existing space available in the 495 corridor. Their research shows that businesses find it cheaper and easier to retrofit existing space than to build new “green” facilities in locations such as CenTech Park. Mr. Scully asked if the marketing group was representing both owners of surplus space as well as CenTech Park thus creating a conflict for which there was no answer. Mr. Laydon noted that CenTech East in Shrewsbury also suffers from the same dilemma. It was suggested that Grafton, Shrewsbury, WBDC and Tufts work together to create a shared development vision of the area and work collaboratively to ensure the full development potential of these sites. In the meantime, Mr. Laydon will continue to work with WBDC to ensure the update of their Master Plan. Mr. Hassinger asked if Grafton was competitive with “new build” in the 495 corridor. Mr. Laydon stated that he would follow up.

The developers of the “Grafton Hill” subdivision have submitted a new application. The public hearing will open on July 14th. Comments from Town departments are arriving in the office.

Mr. Laydon met with the Conservation Agent to discuss permitting for the Main Street bridge lights which are waiting to be installed. A conduit is required to connect from an existing light fixture in the park to the bridge for connection to the fixtures.

Mr. Laydon attended several meetings including the Mill Villages Advisory Committee. Items discussed included the Flag Day concert, planning ahead for future projects and how they can assist in the promotion and development of the Fisherville Mill site. He recently toured the Job Corps campus and met with officials who briefly outlined some of their long term plans for site improvements and future expansion. The building immediately abutting the site is deteriorated to the point of it being dangerous and will likely have to be demolished. Mr. Laydon noted that the Town and the Job Corps should be working together to create a facilities plan and engage the State to invest in new development, particularly Transit Oriented Development.

Ms. Morgan updated the Board on the ongoing work of the Affordable Housing Trust to which she serves in a staff support capacity. The Trust is working to identify potential town owned parcels for development of affordable units. Mr. Hassinger noted that the Selectmen had created a Town Owned Land Committee but it doesn't appear to be active and he couldn't find any reference to it on the Town's website. Mrs. Hassinger noted that there's a fair amount of Town-owned land and it's her hope that it is being tracked and managed to allow for the maximum benefit to the Town. Mr. Hassinger stated that an inventory had been developed and that there are any number of restrictions placed on a variety of those parcels i.e. a conservation restriction on the Great Meadows property. Mr. Robbins noted that there is an inventory in the Comprehensive Plan which could be updated.

Mr. Laydon reviewed correspondence from the Central Massachusetts Regional Planning Commission (CMRPC) regarding the District Local Technical Assistance (DLTA) Program. He has submitted a letter requesting DLTA funds to conduct a visualization preference study for the Worcester Street /

Route 140/122 corridor from Snow Road to Carroll Road. This study will provide necessary information on how to proceed in the future in the event that the Town receives funds from the Transportation Bond Bill. Mr. Laydon reviewed that process noting that even though the Town has been listed as being eligible for funding that nothing will come to fruition in the absence of a project ready set of documents. The visualization study will include assessing the community's vision for such elements as streetscape, landscape, setbacks, hardscape, and massing. The Board discussed sending a letter of support for the application. Mr. Hassinger noted that he is a member of the CMRPC Physical Development Committee and that the Town's applicant had been reviewed and approved. However an application would be welcomed as part of the file as it shows local support.

MOTION to send a letter of support for the Town's DLTA request for funding for a visualization study of Worcester Street made by Mr. Scully, **SECOND** by Mrs. Hassinger. **MOTION** passed unanimously.

Mr. Laydon provided an update on the Main Street project which has been approved on the State Transportation Improvement Plan (TIP). He and other staff met with VHB, Inc. to discuss the work items and VHB's role in advancing the project further. This includes filing a Project Notification Form (PNF). Once the PNF is approved then the Town can work to access the money to get the job sent out to bid.

6. MINTUES OF PREVIOUS MEETINGS

Mr. Robbins noted one correction on page 3 that needed to be revised.

MOTION by Mr. Hassinger, **SECOND** by Mr. Mr. Scully to approve the open session minutes of June 9, 2014 as drafted and amended. **MOTION** carried .

7. CORRESPONDENCE

Mr. Laydon noted that the Board has received a copy of a letter from Andrew Clarke who is applying for the Associate Member vacancy. He also noted an email received from the Board of Selectmen confirming the joint meeting scheduled on July 1st at 7:15 p.m. to meet the candidates for Associate Member and then vote to appoint.

8. REPORTS FROM PLANNING BOARD REPRESENTATIVES ON TOWN COMMITTEES AND CMRPC

None.

9. ZONING BYLAW WORKSHOP

The Board reviewed the current red line version of the draft edits relating to the sign bylaw including definitions, internal inconsistencies, formatting, and organizational structure. Mr. Robbins noted that the purpose of this effort is to eliminate inconsistencies and reformat the relevant sections. Policy issues and new changes will be addressed at a later time. Mr. Laydon noted that he had developed an outline for potential applicants to follow to guide them in the application process. A copy was given to the

Board. In addition, Mr. Laydon gave a draft copy to Sunshine Sign to review as well noting that the company is in the process of submitting several applications and he wanted their feedback from an applicant's perspective.

Some of the items discussed included flags, political signs, fee schedules, billboard prohibition, enforcement and how to craft language that addresses the advancement of technology in the development of new sign styles. Mr. Scully pointed out that advertising should be limited to what's necessary such as pricing, specials, etc. Graphic wrapping, logos, and branding are technically considered a part of the sign. The Board discussed how this relates to gas pumps and the new trend towards wrapping them in corporate graphics / logos. State law requires that pricing be posted on the pumps and that it be visible to the public. Mr. Hassinger noted that signs are supposed to reference their permit number to enable the Building Inspector to ensure compliance. Most people do not follow that requirement and is a matter of enforcement.

The Board spent time discussing temporary signs. They reviewed time limits and how best to codify the specified requirements in the by-law as the references are currently scattered in several places. The Board raised concern about the locations for temporary signs – should they be allowed in residential districts? Mr. Robbins noted that there was a difference in portable temporary signs as opposed to temporary signs such as feather banners. It may be necessary to create a new category in the bylaw. It was agreed that these and other issues that address the future of temporary signs are beyond the scope of the current effort and will need to be addressed at a later time. Mr. Laydon noted that he would continue to collect samples of other Town's language to help guide the Board in the future. Mr. Scully suggested that he ask the Town's if they are happy with the language and if it works.

Portable signs were discussed. Mr. Robbins noted that it was important to get as much public input as possible on this issue which is one of the main reasons why the Board is evaluating changes in the by-law. Of particular concern has been use of the A frame (sandwich board) style signs that are being used by business owners all over town, many of them without a permit. These signs are classified as portable and temporary but it's unclear as to what "temporary" constitutes with regards to time and content. In addition, the issue of "for profit" temporary signs (not allowed) and "non-profit" temporary signs (allowed) was discussed and how to craft language to allow the "for profit" businesses to apply for these signs. Should this be a special permit process? Issues to consider include content (limited to hours? pricing? etc.), placement, attachments / extensions from the sign structure, and the use of electronic elements.

The Board discussed Section 4.4.2.5.8 – Installation – language stating "Signs and appurtenance structures to be constructed so that no portion of the sign (except pole) shall be located above 2 ½ feet or below 7 feet." The Board agreed that the language needed to be better defined to adequately address the underlying necessity for motorist safety. The intent is stated earlier in the section which requires that signs shall not create a traffic hazard or in any way obscure or confuse traffic control. Both sections are intended to address the same issue but it has been difficult to enforce given other requirements pertaining to setback and site specific considerations such as grading and location of sign. Mr. Robbins noted that this issue needs further exploration and doesn't fall into the scope of the current effort. The issue must be addressed at a later time when the Board takes up policy issues.

With regards to moving forward, Mr. Robbins reviewed the time frame to have these changes ready for a public hearing in a format that is ready for Town Meeting. The Board would have to conduct a hearing in August in order for these changes to be ready for the Fall Town Meeting. He suggested that

the Board conduct the first public hearing at the second Planning Board meeting in August (August 25th). The Board agreed that additional work needs to be completed to finalize the changes. The Board decided to schedule another workshop on July 1st to be held in the Planning office. The time of the workshop would be based several factors including the joint meeting with the Selectmen that night scheduled for 7:15 p.m. Mr. Hassinger noted that he had a conflict that night because he needed to stay at the Selectmen's meeting longer for other committee business. The Board directed staff to coordinate with the Selectmen's office regarding agenda placement and scheduling the workshop.

The Board discussed the format for presenting the changes to Town Meeting in both the warrant, the Planning Board report and handouts. The multiple changes and redline comments make it unwieldy for printing on the full warrant. The Board asked that Mr. Laydon confer with Town Counsel about the issue.

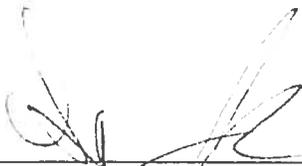
Mr. Robbins reiterated that the focus of this effort was to clean up the administrative and formatting issues that have been problematic in past not only for the public and the Board but for the zoning enforcement officer. Policy issues would be addressed at a later time. This effort has been undertaken in part at the request of the Selectmen over the years. Mr. Hassinger suggested that Board take time at the July 1st joint meeting to review the work effort thus far and seek their guidance and input in advance of a public hearing.

MOTION to adjourn the meeting made by Mr. Scully, **SECOND** by Mr. Hassinger. Motion passed unanimously. The meeting was adjourned at 9:40 p.m.

EXHIBITS

- **Action Item 2B: Consider Decision** – Site Plan 2014-1 Catherine Van Roon – 224 Main Street, South Grafton – Family Day Care
 - Draft Decision, Site Plan Approval 2014-1, 224 Main Street, South Grafton, Family Day Care; dated June 12, 2014; 6 pages.
- **Discussion Item 3A: S.2183 and H.4181 Expedited Permitting of Collocation of Wireless Facilities**
 - Senate No. 2183, Senate Docket No Filed on 6/6/2014; 4 pages.
- **Item 4: Staff Report**
 - Copy of Correspondence from the Town Planner to the Central Massachusetts Regional Planning Commission; dated June 17, 2014; 1 page.
- **Item 6: Minutes of Previous Meetings**
 - Open session minutes of June 9, 2014
- **Item 9: Zoning By-law Workshop**
 - Sign Definitions and By-Law Amendments, Organizational and Housekeeping Changes, Draft #1-Dave 5/25/14; Prepared by the Town Planner; 17 pages.

- Slide presentation handout, Temporary and Portable Signs, Planning Board Discussion; prepared by the Town Planner; dated April 28, 2014; 2 pages.
- Memorandum from the Town Planner, Submission Process for Application for Sign Special Permit; dated may 29, 2014; 3 pages.
- **Correspondence**
 - Email correspondence from the Office of the Town Administrator, BOS Appointment Associate Member for Planning Board; received June 20, 2014; 1 page.
 - Copy of letter sent to Board of Selectmen from Andrew Clarke, re: Associate Member application; dated June 17, 2014; received June 18, 2014.



Sargon Hanna, Clerk

