

Minutes of Meeting  
Grafton Planning Board  
September 28, 2015

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GRAFTON, MA

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A regular meeting of the Grafton Planning Board was held on September 28, 2015 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Present for the meeting were Chairman Sargon Hanna, Vice-Chair Michael Scully, Clerk Robert Hassinger and Linda Hassinger. Staff present was Town Planner Joseph Laydon and Assistant Planner Ann Morgan and Office Manager Nicole Larson.

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

**ACTION ITEM 1A: REQUEST FOR LOT RELEASE / BOND REDUCTION:  
"HIGHFIELDS OF GRAFTON" SUBDIVISION – PORTION OF MAGILL DRIVE, FOX  
POINT TRAIL**

Present for the discussion was Joe Antonellis, of Mayer, Antonellis, Jachowicz & Haranas, LLP, who gave a review of the lots requested for release along with an estimated amount for the bond reduction and a brief review of the work to be done during Phase II. He confirmed with the Board that no further work will need to be done to the Sewer Pump Station in order to complete Phase II. Mr. Laydon then reviewed the suggested totals for the bond reduction and confirmed the five (5) lots to be released with Phase I.

**MOTION** by Mrs. Hassinger, **SECOND** by Mr. Hassinger, to grant the release of the five (5) lots from Phase I. **MOTION** carried unanimously 4 to 0.

The Board instructed that the new covenant be signed and include appropriate reference to the new details of Phase II.

**MOTION** by Mr. Hassinger, **SECOND** by Mrs. Hassinger to authorize the Town Planner to endorse the Mylar plans from 2006 as the restrictive covenant. **MOTION** carried unanimously 4 to 0.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Scully, to reduce the Bond to One Million, Seven Hundred Forty Thousand, Nine Hundred Twenty Eight and 00/100 Dollars (\$1,740,928.00). **MOTION** carried unanimously 4 to 0.

**ACTION ITEM 1B: APPROVAL NOT REQUIRED (ANR) 2015-7: SIBLEY STREET – ANN  
MARGARET WHITE**

Present for the hearing were Ann Margaret White and Sean Padgett. Mr. Padgett explained to the Board that he would like to create Parcel A from a portion of the land currently recognized as 5 Sibley Street, owned by Mrs. White, and that the said Parcel A become an undivided portion of abutting land recognized as 3 Sibley Street. By extending the rear property line of 3 Sibley Street up to the nearby stone wall the property would gain sufficient area to comply with R40 minimum area requirements, should the desire to build on the lot ever arise.

**MOTION** by Mrs. Hassinger, **SECOND** by Mr. Scully, to find that this request does not require approval and authorize the Town Planner to sign the Mylar. **MOTION** carried unanimously 4 to 0.

**ACTION ITEM 1B: DETERMINATION OF COMPLETENESS – “OAKMONT FARMS”  
SUBDIVISION – SEAVER FARM LANE, CHIPPER WAY, BLACKSTONE LANE, EAGLE  
ROCK TERRACE, PRATT STREET**

Mr. Laydon reviewed the status of the determination with the Board. Mr. Courmoyer the Sewer Commissioner has submitted email correspondence confirming his approval with the recommendation for completeness, as has Mr. Walsh of Graves Engineering, Inc. The Board discussed the outstanding item of a skewed easement line, which results in a portion of the sewer pipe line to be located outside the designated easement area. The Board agrees that the easement will need to be relocated with approval from the owner prior to Fall Town Meeting.

**MOTION** by Mr. Hassinger, **SECOND** by Mrs. Hassinger, to vote that the subdivision is complete upon approval for the correction of said drainage easement and makes the recommendation for acceptance. **MOTION** carried unanimously 4 to 0.

**ACTION ITEM 1C: APPROVAL NOT REQUIRED (ANR) 2015-6: 27 KEITH HILL ROAD  
– KATHLEEN C. MARCUM**

Mr. Laydon gave a brief description of the applicant’s request. Mr. and Mrs. Cahill of 23 Keith Hill Road would like to purchase a small sliver of land from Mrs. Marcum of 27 Keith Hill Road in order to provide adequate setback for a future solar installation project.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Scully, to find that this change does not require approval and authorize the Town Planner to sign the Mylar. **MOTION** carried unanimously 4 to 0.

**ACTION ITEM 1E: DRAFT DECISION: SP 2015-9 – SUNSHINE SIGN (APPLICANT) /  
NOEL MOTORS, 218 WORCESTER STREET – SIGN RELIEF**

Due to having less than a full Board present for the meeting, Mr. Hanna stated his intention to take the pulse of the Board members present concerning this application. Mr. Scully stated his stance on the application and noted that he believes the applicant has created a self-imposed hardship. Mr. Hassinger notes that an approval for this application could create a slippery slope for other applications that have and may come before the Board in the future. Mrs. Hassinger added that approval of this sign would pose unfairness in determination with other businesses that have come forward with requests which have been denied for similar circumstances in the past. Mr. Hanna noted that the businesses in the rear of the lot currently have no advertisement and suggests that this is bad for business. Mr. Hassinger suggest that a grandfather clause for conformance be worked in to the next upcoming sign bylaw amendment.

Mr. Laydon reminds the Board that this decision will need to be made by October 15, 2015 and intends to poll the Board Members on a mutually agreed upon time for a morning meeting to finalize the Board’s vote on this application. The Board agrees to table the discussion until further notice.

**ACTION ITEM 1F: PLANNING BOARD REPORTS TO TOWN MEETING ON PROPOSED  
ZBL AMENDMENTS**

Mr. Hassinger suggests several images be added from past-hand out material along with a few language edits to be made to the report for ease of viewing at Town Meeting.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Scully, to approve Article 24 with discussed edits and map addition. **MOTION** carried unanimously 4 to 0.

Mr. Hassinger then suggests further edits to language in Article 25.

**MOTION** by Mr. Hassinger, **SECOND** by Mr. Scully, to approve Article 25 with discussed edits. **MOTION** carried unanimously 4 to 0.

## **2: STAFF REPORT**

Mr. Laydon is meeting with Division of Capital Asset Management and Maintenance (DCAMM) in reference to Westboro Road as it stands for the “Village at Institute Road” Subdivision proposal, with particular focus on the request for road way right of ways and adjacent surplus land.

Mr. Laydon gave a brief overview on upcoming educational community workshops schedule for the public as well as a recap of the Southern New England Association of Planners (SNEAP) conference he attended the week prior. He also informed the Board that 2017 budget is due at the end of month. Mr. Scully suggested that tablets for Board Members be pursued as part of that budget if possible.

Mrs. Morgan added that the new website launch date has been postponed and is currently set for October 16, 2015.

## **3: BILLS**

The bills were circulated and signed.

### **ITEM 4A: MINUTES OF PREVIOUS MEETINGS: AUGUST 24, 2015: EXECUTIVE SESSION MINUTES**

**MOTION** by Mr. Hassinger, **SECOND** by Mrs. Hassinger, to approve minutes from August 24, 2015 Executive Session and hold the minutes in confidence until the legal issue has been resolved. **MOTION** carried unanimously 4 to 0.

### **ITEM 4B: MINUTES OF PREVIOUS MEETINGS: SETPTEMBER 14, 2015 OPEN MEETING MINUTES**

The Board made suggestions for edits.

**MOTION** by Mr. Hassinger, **SECOND** by Mrs. Hassinger to approve minutes from September 14, 2015 Planning Board Meeting with suggested edits. **MOTION** carried unanimously 4 to 0.

## **5. CORRESPONDENCE**

Flyers for local fall workshops were dispersed to Board Members. Mr. Laydon noted that attending these workshops can be a great opportunity in order to widen knowledge of the field. Mr. Laydon requested that any Board Members who may like to attend a workshop let departmental staff know and available budgeted funds can be applied to admission costs.

**6. REPORTS FROM PLANNING BOARD REPRESENTATIVES ON TOWN COMMITTEES AND CMRPC**

The Associate Member position of the Planning Department is said to be open. Mr. Laydon will email Andrew Clarke in order to request his official resignation by way or no reply. Mr. Scully gave a brief update concerning the prospective Super Park location and the proposed access road.

**ITEM 7: ONGOING ITEMS**

No items at this time.

**ADJOURNMENT**

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

The meeting was adjourned at 9:05 p.m.

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Robert Hassinger, Clerk

**EXHIBITS**

- Action Item 1A: Request For Lot Release / Bond Reduction: “Highfields Of Grafton”; includes the following:
  - Correspondence; Re: Lot Release, Bonding Highfields; from Joseph Antonellis of Mayer, Antonellis, Jachowicz & Haranas, LLP.; dated September 14, 2015; received September 14, 2015; 1 page.
  - Lot Release Status Map; submitted by Planning Department Staff; color; 8 ½” X 11”; no date; 1 page.
  - Provision of Surety; Planning Board Release of Lots(48, 84, 111, 118, 119, 126, 137, 140, 142 and 155), Highfields of Grafton; dated September 28, 2015; 2 pages.
  - Correspondence; Subject: Highfields of Grafton Phase I and Phase II Engineer’s Opinion Construction Cost Estimate; submitted by Graves Engineering, Inc.; dated September 24, 2015; received September 25, 2015; 6 pages.
  - Form G Covenant for “Modified Plan” Highfields at Grafton; no date; received on September 28, 2015; 4 pages.
  - Provision of Surety; Planning Board Release of Lots (52-56, 78-82, 86-91, 105-109 and 160), Highfields of Grafton; dated September 28, 2015; 2 pages.
- Action Item 1B: Determination Of Completeness – “Oakmont Farms” Subdivision; includes the following:

- Email; Paul Cournoyer; Superintendent of Sewers; re: completion of Oakmont Farms; September 28, 2015; 1 page.
- Correspondence; Re: Oakmont Farms; from Brian Szczurko, Department of Public Works; dated August 14, 2015; no received date; 1 page.
- Correspondence; Re: Inspection of Oakmont Farms Subdivision; from David Crouse, Joseph Laydon, Brian Szczurko; dated May 9, 2015; no received date; 2 pages.
- Correspondence; Subject: Oakmont Farms, Acceptance Plan & As-Built Plan Review; submitted by Graves Engineering, Inc.; dated May 9, 2015; received May 14, 2015; 2 pages.
- Action Item 1C: Approval Not Required (ANR) 2015-6: 27 Keith Hill Road – Kathleen C. Marcum; Application Packet; no date; received date September 18, 2015; includes the following:
  - Application for Endorsement of Plan Believed Not to Require Approval (ANR), Form A; 1 page.
  - Affidavit, ANR Plan Submittal; 1 page.
  - Certificate of Good Standing; dated September 11, 2015; 1 page.
  - ANR Plan of 27 Keith Hill Road; prepared by Land Planning, Inc.; dated September 1, 2015; no received date; color; 11" X 17"; 1 page.
- Action Item 1D: Approval Not Required (ANR) 2015-7: 5 Sibley Street – Ann Margaret White; Application Packet; dated September 18, 2015; received date September 18, 2015; includes the following:
  - Application for Endorsement of Plan Believed Not to Require Approval (ANR), Form A; 1 page.
  - Affidavit, ANR Plan Submittal; 1 page.
  - Certificate of Good Standing; 1 page.
  - ANR Plan of 5 Sibley Street; prepared by Land Planning, Inc.; dated September 17, 2015; received September 18; color; 11" X 17"; 1 page.
- Action Item 1E: Draft Decision: SP 2015-9: 218 Worcester Street – Signage – Sunshine Signs Company Inc.; 2<sup>nd</sup> Draft; dated September 18, 2015; 11 pages.
- Action Item 1F: Planning Board Reports for Annual Town Meeting, October 19, 2015, Warrant Articles; Presented by Joseph Laydon, Town Planner; no date; no received date; color; 3 pages.
- Item 4B: Meeting Minutes from September 14, 2015; no date; no received date; 9 pages.
- Item 5: Correspondence; Fall Workshops Flyer; presented by Citizen Planner Training Collaborative; no date; received September 25, 2015; 4 pages.