

ZONING ADVISORY COMMITTEE  
Of the Hopkinton Planning Board

Tuesday, September 25, 2007 7:00 PM  
Fire Station Meeting Room

MINUTES

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PRESENT: Ken Weismantel, Chairman, David Auslander, Don Bartlett, Alex Brown, Richard DeMont, Peter Ficarri, Mavis O'Leary, Ron Roux, Joseph Strazzulla

Elaine Lazarus, Planning Director

**1. Concurrent Plan Review**

Wayne Davies, Board of Appeals, stated the concept is to try to facilitate a comprehensive review process, and it isn't a new idea. He stated there needs to be more communication between the Planning Board, Board of Appeals (BOA) and Conservation Commission so that applicants don't bounce between boards when there is a project in common. He stated that Colella's was an example, where it is a pre-existing nonconforming structure which needed a special permit from the BOA to expand out the back of the building. He noted that this affected the parking plan, so the BOA thought that its review should be done at the same time as the Planning Board's.

Mr. Brown arrived at this time.

Mr. Davies stated that the BOA should be able to waive the part of the Site Plan Review criteria that requires that the Planning Board not approve a site plan until the BOA has made its decisions. Mr. Auslander asked if there are any documents to assist applicants that lay out the process. Mr. Davies stated it depends on the project as to what the process would be. He cited the E. L. Harvey & Sons applications as an example, where the applicant received the approval of the Board of Health first, then applied to the BOA, but the BOA approval required changes that the applicant had to return to the Board of Health for. Mr. Auslander stated that if the Town could recommend a procedure to applicants, which might help. Mr. Davies stated there may not be a need for a bylaw change if the 3 boards could work this out. He noted that they could have liaisons to each other.

Mr. Bartlett noted that Ms. Lazarus had researched to see how many projects there are in common and there are few, with an average of 1 per year not counting municipal projects. He noted that the Committee could make a recommendation to the Boards relative to the process for projects in common. He noted that the Planning Board might be the entity that would see a project first and identify for the applicant potential problems/issues for which they might need to approach another board. Mr. Davies stated the Planning Board doesn't let people file for site plan review until they go to the BOA first. He stated the boards need to talk to each other. Ms. Lazarus stated that the Planning Board doesn't prevent anyone from submitting applications and projects are sometimes reviewed concurrently, and it depends on what the applicant wants to do.

Mr. Roux stated that streamlining is good and it needs to happen if the Town wants to have economic development. Mr. Davies stated the Town could require an applicant to file a special permit application and site plan review application at the same time. Mr. Roux stated that the timing should be left to the applicant. He stated there are times when they should be separate, for example, such as when an applicant might want to know if a use will be allowed on the site before they spend the money on preparing a site plan. Mr. Strazzulla stated maybe it is just a matter of making sure there is no impediment to concurrent review, and the bylaw could be changed to say that a concurrent hearing could be held, and that the Planning Board would keep its hearing open until the BOA grants the special permit.

Mr. Davies noted that construction must be in accordance with the plans submitted to the Board of Appeals with the application. Mr. Roux asked why they need a plan for a special permit for use. Mr. Davies noted it is more for setback changes, and in some cases the site isn't regulated but in others, it is.

## **2. Stormwater Management & Erosion Control Bylaw**

Ms. Lazarus described the reason for the bylaw proposal last year, and the requirement of the EPA to adopt such a regulation. Mr. Strazzulla noted that at town meeting, homeowners were concerned that they would need permits. He stated that the business community was also concerned because the Town doesn't handle water well (i.e. minimal or old drainage systems in roads), so there is no practical way to get rid of the water. He suggested that the bylaw contain more relief for people.

Mr. Roux stated that subdivisions, site plans and multi-family projects are all regulated already through the Planning Board, which requires compliance with the DEP stormwater standards. He noted that post-development runoff equaling pre-development runoff can be hard depending on the situation. He stated that downtown is an issue, where one can't put it in the ground or downstream easily. He stated that it could cost \$40,000 to handle drainage on site. He noted that in other communities, it has been costly to handle the runoff on-site when it isn't always necessary.

Mr. DeMont noted that it seems like it is a choice between a bylaw that is an empty shell or something that works. Mr. Bartlett noted that the EPA permit expires in March 2008 and someone needs to champion this and it should be someone with expertise, such as the Conservation Commission, Board of Health or DPW and that the bylaw might need to be as hollow as possible in order to be adopted. Mr. Roux stated the Conservation Commission should be the entity to push it, and the Planning Board should be the one to administer it. He stated the Planning Board will need to hire a civil engineer and it is equipped to do that. Mr. Brown asked about phasing such a bylaw in gradually. Mr. Roux noted that most projects need to comply with these standards already anyway.

Mr. Weismantel suggested: 1) changing the requirement for getting a permit from 10,000 sq. ft. to 1 acre of disturbance to minimize the impact; 2) clearly exempting site plan review, Con. Comm. approval, subdivision approval, etc. which are already handled in regulations; 3) shortening the language in the bylaw; and 4) having a strong enforcement section to deal with

problems. It was agreed that Ms. Lazarus will rewrite the bylaw to incorporate the comments of the Committee.

### **3. Lumber St. – Terry Property**

The Committee reviewed a delineation of wetlands for 204 acres extending from Chamberlain St. to Lumber St. and West Main St. prepared for Ericsson Retirement Communities, and discussed possible best uses for the undeveloped property, now zoned Industrial B and Agricultural. Ms. Lazarus noted that the delineation had not been confirmed by the Conservation Commission but was probably a good indication of what is there. It was noted that the wetlands extend throughout the property, creating islands of upland. After discussion, the consensus was that the property, given its proximity to the West Main St. exit on Rt. 495 and the configuration of the uplands, may be best developed as an office park, possibly with associated uses such as a hotel or conference center and retail geared to office park clientele. It was noted that due to the configuration of the wetlands, the buildings within the site may not be seen from the street.

### **4. Off-Street Parking**

The Committee discussed the possibility of allowing shared parking and parking requirements for parcels with a mix of uses, reviewing some provisions used by other towns. Mr. Strazzulla noted that congestion in some areas generates people looking, stopping, etc. and too many small parking lots in a downtown may be detrimental as people will drive between them and not walk. He stated it shouldn't be too convenient to use the car in a downtown setting. It was noted that shared parking when redevelopment occurs should be a goal (i.e. encouraging connectivity). Mr. Brown noted it is a transportation/trip reduction issue, and the availability of pedestrian and transit access is important. Ms. Lazarus will work on bylaw language to allow shared parking and address the mixed use issue.

### **5. Work Program**

The Committee reviewed the items for zoning changes suggested at the public hearing, and decided it did not have time this year to work on the following item suggested by the Economic Development Commission: Consider creating a Hopkinton Front Door Enterprise overlay district running from Rt. 495 to downtown along West Main St. to facilitate appropriate mixed-use development for housing, office and commercial uses. The Committee decided not to include the following in the work program as it is not within its jurisdiction: Remove the 500 ft. maximum dead end street length contained in the Subdivision Rules and Regulations.

The Committee discussed the proposed change to make sure that emergency vehicles can access a house on a long driveway. After discussion, the consensus was that a bylaw should indicate that access is required if the house is more than 100 feet back from the street, but to check with the Fire Dept. as to what it would be looking for, and what type of vehicle would need to get access. Ms. Lazarus will follow up on this.

Adjourned: 8:55 PM

Elaine C. Lazarus, Planning Director

Approved: October 9, 2007