

ZONING ADVISORY COMMITTEE
Of the Hopkinton Planning Board

Tuesday, November 20, 2007 7:00 PM
Fire Station Meeting Room

MINUTES

PRESENT: Ken Weismantel, Chairman, R. J. Dourney, Vice Chairman, Sandy Altamura, David Auslander, Donald Bartlett, Alex Brown, Richard DeMont, Peter Ficcari, Gary Haroian, Richard Oldach, Mavis O'Leary, Joseph Strazzulla

Elaine Lazarus, Planning Director

1. Open Space Mixed Use Development District (OSMUD)

Roy MacDowell and Steven Zieff, Boulder Capital, Marilyn Sticklor, Goulston & Storrs, and Scott Hollworth, VHB, were in attendance representing Boulder Capital, LLC.

The Committee continued review of the proposed uses in the OSMUD by subdistrict. After discussion, the consensus with respect to the remainder of the Commercial Subdistrict was as follows:

Uses allowed by right:

- Recreational uses of buildings, structures or land, such as country club
- Nursing home, extended care facilities, or rehabilitation facilities.
- Farm stands
- Landscaping business and storage/staging facility
- Mixed use buildings
- Accessory uses to any permitted use, whether on the same lot or on a different lot within the development project

Uses allowed by special permit:

- Equestrian facilities, private or on membership basis
- Equestrian facilities, public

With respect to items in the Residential Subdistrict not concluded at the previous meeting, the consensus was as follows:

Uses allowed by right:

- Accessory uses to any permitted use, whether on the same lot or on a different lot within the development project

Uses allowed by special permit:

- Recreational uses of buildings, structures or land, such as country club
- Equestrian facilities, private or on membership basis

- Equestrian facilities, public

Prohibited uses:

- Nursing home, extended care facilities or rehabilitation facilities

Mr. Hollworth described the location of the Village Center Subdistrict (VCS), noting it is intended to be for commercial mixed use with predominantly ground floor retail and second floor office. Mr. MacDowell described the area, noting that the existing Weston Nurseries Garden Center is located on a portion of it now, and it will be relocated within the VCS area. He noted that they plan to have just under 100,000 sq. ft. of retail/office space in this area.

Mr. Haroian noted that residential uses should be permitted in this subdistrict, but is concerned that the overall number should be limited, so that the retail and office uses don't get pushed out.

After discussion, the consensus of the Committee with respect to uses in the VCS was as follows.

Uses allowed by right:

- Multi-family dwellings
- Attached dwellings including garden apartments
- Senior housing
- Home occupations
- Licensed home day care provider
- Renting of rooms and/or the furnishing of table board in a dwelling occupied as a private residence
- Bed and breakfast establishment (12 room max.)
- Business or professional offices and banks
- Community center
- Drive-in, drive-through or drive-up uses including an open air ATM but exclusive of dispensing of food and drink (the Committee took a straw poll, with 9 members in favor of this use by right, 3 opposed)
- Health and fitness club
- Light manufacturing and/or assembly with associated professional, administrative and/or clerical offices
- Research center and laboratories not involving noxious or hazardous substances and processes
- Restaurants
- Neighborhood Restaurants
- Retail business: retail service involving manufacturing, clearly incidental and accessory to a retail use on the same premises
- Retail neighborhood store
- Retail stores and retail service shops, including take-out food establishments exclusive of drive-in, drive-up or drive-through take-out food
- Cultural uses
- Adult day care
- Medical offices

- Group home
- Places of worship
- Public and semipublic institutions of a philanthropic or charitable character
- Child care center
- Municipal uses
- Public and private educational uses, including schools for scholastic and non-scholastic subjects, and public libraries
- Telecom and telephony facilities (if located within building with other allowed primary use, not to exceed 20% of such building)
- Public transportation facilities, limited to 1) shuttle bus stop facilities and 2) park and ride parking facilities intended for occupants of the OSMUD
- Utilities facilities, including water supply and sewerage treatment
- Agricultural and horticultural uses
- Farm stands
- Landscaping business and storage/staging facilities
- Mixed use buildings
- Accessory uses to any permitted use, whether on the same lot or on a different lot within the development project

Uses allowed by special permit:

- Single family dwellings
- Conference center
- Hotel, motel, extended stay hotel and inns
- Recreational uses of buildings, structures or land such as country club
- Cinema, concert hall, theater, auditorium
- Continuing care retirement community, assisted living facilities, or similar institutions
- Nursing home, extended care facilities, or rehabilitation facilities
- Medical center
- Veterinary clinic
- Funeral homes and mortuaries

Prohibited uses:

- Research centers and laboratories with a biosafety Level of Level 1 or Level 2
- Cemetery
- Equestrian facilities, private or on membership basis
- Equestrian facilities, public

Mr. Strazzulla left the meeting at 8:00 PM.

During the previous discussions, it was decided that the following uses would be deleted and therefore not permitted in the OSMUD:

- Hospital
- Bed & breakfast establishments with more than 12 rooms
- Storage facility (warehouse or self-storage)

- Gasoline service stations

It was decided to add “outpatient surgery” to the definition of “medical center”.

It was decided to remove “signs” from the table/list of allowed uses as they would not be a primary use. Ms. Altamura noted that the Town does not like to see development signs denoting neighborhoods or enclaves.

The composition of mixed use buildings was to be reviewed by Boulder Capital, as the present language may be too restrictive with respect to potential uses.

The Committee reviewed the proposed organization of the Permitted Uses section in the OSMUD, and noted that it was acceptable. It was noted that the Planning Board would be the entity issuing the special permits in the OSMUD.

The Committee reviewed the Intensity of Use section. The Committee asked Boulder Capital about the proposed disposition of the existing homes at 80 East Main St., 82 East Main St., 83 East Main St., 90 East Main St., 26 Clinton St., and 44 Wilson St., which the OSMUD proposed not be counted as dwelling units in the district. It was noted that the existing use at 44 Wilson St. would remain, as would the other homes, with the possible exception of the house at 83 East Main St. Mr. Haroian stated that the Town’s financial analysis was based on 50 single family homes. Mr. Weismantel noted that the land on which the 44 Wilson St. house is located would be within a Commercial Subdistrict, and conversion to a commercial use in the future might be best given its location next to the natural gas storage facility. Mr. MacDowell noted that SMOC’s lease has expired and they are tenants at will until the land is rezoned, then there will either be a new lease or they will exercise their option to buy the property. He added that the houses at 26 Clinton St. and 83 East Main St. are vacant and the ones at 80 and 82 East Main St. are rented.

Mr. Weismantel asked about the mix of unit types in the total 940, noting that the OSMUD does not specify what they are. Ms. Sticklor stated that would be in a Development Agreement. Mr. Weismantel stated he thinks it needs to be in the zoning bylaw or it won’t pass at town meeting. He stated it should be spelled out, and indicate that the total number won’t exceed 940.

The Committee discussed the residential uses further, noting that it was not necessary to specify a maximum or minimum number in each of the subdistricts. Mr. Bartlett stated he has density concerns if a high number of residential units are located in one area of the site. It was decided that Ms. Lazarus would work with Boulder Capital on the language for the next meeting.

The Committee discussed the commercial section of the intensity of use provision. Mr. Weismantel asked about removing the reference to the list of existing single family homes noted above, since all but one is in a residential subdistrict. Ms. Sticklor stated they will think about it.

The agenda for the next meeting was discussed and decided as follows:

1. Continuation of intensity of use
2. Affordable housing – invite the Housing Committee

3. Open space – invite the Open Space Preservation Commission
4. Dimensional requirements

The Committee voted 10 in favor with Mr. Ficcari abstaining, to approve the Minutes of November 13, 2007.

Adjourned: 9:00 PM

Approved: December 4, 2007