



TOWN OF HOPKINTON

OFFICE OF THE PLANNING BOARD

TOWN HALL
18 MAIN STREET
HOPKINTON, MASS. 01748
(508) 497-9755

May 11, 2005

DECISION OF SITE PLAN REVIEW

Application for Site Plan Review filed by Timothy Gingras, 269 Partridge Hill Rd., Charlton, MA for a new parking lot for the building at **157 West Main Street**, Hopkinton.

The Planning Board held a public hearing on the application submitted by Timothy Gingras (the "Applicant") for Site Plan Review on May 9, 2005, pursuant to Article XX of the Zoning Bylaw, Site Plan Review. The proposal constitutes a Site Plan Review Minor Project, as it involves the construction of a parking area containing between 5 and 25 parking spaces.

Under the Town of Hopkinton Zoning Bylaws, Site Plan Review is an administrative review of site design for uses that are allowed in the underlying zoning district, and is not a review of a proposed or existing use.

The property is zoned Rural Business and contains an existing building which houses The Puppy Patch retail store. The Applicant proposes to construct a new parking lot with a gravel surface.

Review Standards

The criteria for approval of a Site Plan are contained in Section 210-136 of the Zoning Bylaw and are as follows:

- A. The Site Plan conforms to the purpose and intent of the bylaw and proposes an appropriate and beneficial development of this site;
- B. The surrounding area will be protected from the proposed use on the site by provision of adequate surface water drainage, buffers against light, sight, sound, odors, dust and vibration and the preservation of adequate light and air;
- C. The convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas and public ways is ensured;
- D. Environmental features of the site and surrounding areas are protected;
- E. The Site Plan is consistent with the Master Plan;
- F. The proposed building scale and/or site development plan is consistent with the surrounding neighborhood;
- G. All variances or special permits required from the Zoning Board of Appeals have been granted.

H. Notwithstanding the above, regulation of uses and structures referred to in MGL c.40A, § 3 shall be limited to the extent allowed under said section of the General Laws.

The Bylaw further states that Site Plan approval may be made subject to such conditions, modifications and restrictions as the Planning Board may deem necessary.

Site Plan Review is for uses permitted in the underlying zoning district, and is not a review of the use but of the design of the site to serve a permitted use.

Discussion at the Public Hearings and Information Received

At the hearing the Applicant presented a revised plan showing a new driveway location and the new parking lot with 11 parking spaces. The driveway to the new parking lot would be located between the dumpster and the existing parking area, and result in the elimination of one existing parking space, for a net increase of 10 spaces. The Planning Board discussed the layout of the parking lot and proposed screening from abutting residences, which are zoned Rural Business. The Applicant stated that the additional parking spaces were needed due to the volume of business.

Written comments on the plan were received from the Hopkinton Design Review Board, Michael Shepard, Director of Municipal Inspections, and Thomas Ryder, Public Health Administrator.

Findings and Votes of the Board

The Planning Board conducts its review of Site Plans in accordance with the Criteria contained in the Bylaw. The review is of the design and functionality of the site elements and not of the proposed use. With respect to the Criteria, the Board determined that with the condition of approval listed below, the following Criteria are met:

- A. The Site Plan conforms to the purpose and intent of the bylaw and proposes an appropriate and beneficial development of this site;
- B. The surrounding area will be protected from the proposed use on the site by provision of adequate surface water drainage, buffers against light, sight, sound, odors, dust and vibration and the preservation of adequate light and air;
- C. The convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas and public ways is ensured;
- D. Environmental features of the site and surrounding areas are protected;
- E. The Site Plan is consistent with the Master Plan;
- F. The proposed building scale and/or site development plan is consistent with the surrounding neighborhood;
- G. No variances or special permits were required from the Zoning Board of Appeals.
- H. The use is not regulated under MGL c.40A, § 3.

The Board voted at its meeting on May 9, 2005 to approve the Site Plan, entitled "Sketch Plan", prepared by J.D. Marquedant & Associates, Inc., dated August 10, 2000 and revised through May 9, 2005 as submitted with the following conditions:

1. The Applicant shall install a split-rail fence parallel to the common driveway beginning at the southwest corner of the fence which encloses the dumpster, and extending to a point even with the end of parking space #15 shown on the plan. The Applicant shall add plantings between the fence and the parking spaces which are suited for growing in this location. Section 210-124 C(6) of the Zoning Bylaw requires that the plantings be at least 3 feet tall when planted and can achieve a height of 5 feet within three years of planting.
2. The Applicant may choose to construct some or all of the parking spaces shown on the plan at the present time, with the rest held in reserve and constructed in the future as needed, without prior Planning Board approval.
3. The split-rail fence shall be installed by July 1, 2005. Construction of the parking spaces which are to be built at this time shall be completed by July 1, 2005. The plantings between the fence and the parking lot may be planted in the fall of 2005.

On the Motion to Approve the Site Plan, the vote of the Planning Board was as follows:

Mark Abate	Yes
Scott Aghababian	Yes
Sandy K. Altamura	Yes
Evan Ballantyne	Yes
John Coolidge	Yes
Pamela Duffy	Yes
Jaime Goncalves	Yes
Brian Herr	Yes
Claire Wright	Yes

This Decision shall become void two (2) years from the date of issue if the actions authorized hereby are not exercised.

Any person aggrieved by this Decision may appeal in accordance with Article XX, Section 210-135 F. of the Hopkinton Zoning Bylaw within 30 days of the filing of the decision with the Town Clerk.

John H. Coolidge
Chairman

Cc: Town Clerk
Director of Municipal Inspections
Board of Health