



TOWN OF HOPKINTON

OFFICE OF THE PLANNING BOARD

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

August 25, 2004

DECISION OF SITE PLAN REVIEW

Application for Site Plan Review filed by William Tetlow, 25A Hayward St., Hopkinton, MA for a new driveway opening and renovations to the building at **25 Hayward Street**, Hopkinton.

The Planning Board held a public hearing on the application submitted by William Tetlow (the "Applicant") for Site Plan Review on August 23, 2004, pursuant to Article XX of the Zoning Bylaw. The proposal constitutes a Site Plan Review Minor Project, as it involves a change in the outside appearance of a non-residential building visible from a public street, requiring a building permit, and alteration of a parking area containing 5 or more 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 a restaurant. The Applicant proposes modifications to the rear of the building facing the parking lot, which includes extension of a shed roof and new windows. In addition, a new driveway would be created off South St. to the premises, and the existing driveway off South St. would be closed.

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 Planning Board discussed the proposed modifications to the rear of the building to improve its appearance, and the plan to change the location of the driveway. The Applicant noted that the new driveway would be further away from the newly improved and signalized Hayward St./South St. intersection, and therefore safer. He noted that the change must be done before the road is paved, because there can be no modifications to it for 5 years after that. It was noted that the existing driveway to Hayward St. would remain unchanged. The Applicant noted that when the existing South St. driveway is closed, the parking spaces now striped to be oriented toward the entrance would be “blacked out” and the area would still be used for parking.

There was concern expressed with the Applicant’s proposal not to pave the new driveway and a portion of the existing parking lot, as sediments could wash or be tracked into South St. The Applicant stated that he will submit to the Board within the next few months a Site Plan showing an addition to the building for three new businesses, so he doesn’t want to pave now only to remove it later. The Board noted that the driveway should be paved in the event that the plan is delayed or an approved plan is not constructed as planned. After discussion, the Applicant agreed that a condition requiring paving before November, 2005 would be acceptable.

It was noted that the Design Review Board reviewed the plan at a meeting on August 17, 2004, and made no recommendations.

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 August 23, 2004 to approve the Site Plan as submitted with the condition that the new driveway off South St. and the existing gravel parking lot shall be paved by November, 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: William Tetlow
Town Clerk
Director of Municipal Inspections
Director of Public Works
Board of Selectmen