



TOWN OF HOPKINTON

OFFICE OF THE PLANNING BOARD

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

November 5, 2004

DECISION OF SITE PLAN REVIEW

Application for Site Plan Review filed by Patricia Miller, 59 Wood St., Hopkinton, MA, for a new child care facility on property at **59 Wood Street**, Hopkinton.

The Planning Board held a public hearing on the application for Site Plan Review submitted by Patricia Miller (the "Applicant"), on September 27, 2004, continued to October 18, 2004 and November 1, 2004, pursuant to Article XX of the Zoning Bylaw. The proposal constitutes a Site Plan Review Major Project, as it involves over 5,000 square feet of grading of land and disturbance to existing vegetation, and construction of a parking area containing 25 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 1.5 acre property is zoned Residence B and is currently a single family home. The Applicant proposes to construct two small additions to the building, a 26-space parking lot, new driveway which would provide a second means of egress, and associated site work including stormwater management system.

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 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 Hearing and Information Received

The Applicant submitted the materials required by the Planning Board. At the hearing, the proposed construction on the property was discussed, including the design and function of the building, proposed parking lot, signage, site lighting, stormwater management system, traffic, and driveway access. Abutting properties are a church and the Elmwood Elementary School. Single family homes are located across the street from the property.

The submitted Site Plan shows 26 parking spaces on the site, use of the existing driveway on Wood St. as a one-way entrance, and a new driveway as a one-way exit. The parking lot and driveways would be paved. Stormwater runoff would be collected and directed to two retention basins at the front of the property. The Site Plan shows new site features, including lighting, landscaping, and a dumpster screened by a 6 foot tall stockade fence.

Written comments and recommendations on the Site Plan were received from: Michael Shepard, Director of Municipal Inspections; Hopkinton Design Review Board; Tom Irvin, Police Chief; Hopkinton Fire Department; Hopkinton Board of Health; and Fay, Spofford & Thorndike, LLC (FST), the Planning Board's consulting engineer. Site visits were attended by a representative from FST, the Hopkinton Planning Director, representatives of the Hopkinton Dept. of Public Works, and the Applicant's representatives.

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 conditions 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 are required of the Zoning Board of Appeals.
- H. The project is a use referred to in MGL c.40A, §3 of the General Laws and the review is consistent with its limitations.

The Board voted at its meeting on November 1, 2004 to approve the Site Plan, entitled “Site Plan of Land”, prepared by Elliott J. Paturzo, dated August 16, 2004, revised through October 27, 2004, with the following conditions:

1. All exterior lighting shall be directed downward, not upward or outward. Lights shall be off when the building is unoccupied, with the exception of lighting necessary for security purposes.
2. Arrows depicting the traffic pattern within the site shall be painted on the pavement.
3. Any mechanical equipment on the site visible from the street shall be screened from view from the ground.
4. Prior to construction, the Applicant shall submit an Operation and Maintenance Plan for the stormwater management system on the property. The Applicant is responsible for implementing the Plan and ensuring that the system functions as designed and intended.
5. Planting beds are indicated on the plan between the retention basins and the property line near Wood Street. These areas shall be planted with salt-tolerant evergreen shrubs which provide year-round screening. The shrubs shall achieve a height of three feet when grown.
6. A note shall be added to the plan indicating that the stone wall along the property, in all locations, shall not be disturbed.

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

Sandy K. Altamura	Yes
John H. Coolidge	Yes
Pamela Duffy	Yes
Jaime Goncalves	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: Patricia Miller
Director of Municipal Inspections
Director of Public Works
Fire Department
Board of Selectmen
Design Review Board
Board of Health
Fay, Spofford & Thorndike, LLC