



TOWN OF HOPKINTON

OFFICE OF THE PLANNING BOARD

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

November 30, 2005

DECISION OF SITE PLAN REVIEW

Application for Site Plan Review filed by Shawn McGuinness, 3 Heidi Circle, Hopkinton, MA, on behalf of the Community Covenant Church for an addition to the existing church building located at **2 West Elm Street**, Hopkinton.

The Planning Board held a public hearing on the application for Site Plan Review submitted by the Community Covenant Church (the "Applicant"), on March 28, 2005, continued several times, with the last hearing date on November 28, 2005, pursuant to Article XX of the Zoning Bylaw, Site Plan Review (the "Bylaw"). The proposal constitutes a Site Plan Review Major Project, as it involves construction of 1,500 sq. ft. or more of gross floor area.

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 8.85 acre property, on the corner of West Elm St. and West Main St., is zoned Residence B and currently contains the Community Covenant Church. The Applicant proposes to construct an addition to the building of about 2,900 sq. ft. Because the addition would not meet the front setback requirement, a variance was required from the Board of Appeals. In accordance with the criteria for approval of a Site Plan contained in the Bylaw, variances and special permits required of the Board of Appeals must be issued before the Planning Board can approve the Site Plan. The Applicant applied for a variance, which was denied in a decision of the Board of Appeals dated June 8, 2005. After redesign of the addition, the Applicant reapplied, and the Board of Appeals voted on November 16, 2005 to approve the variance application.

Review Standards

The Criteria for approval of a Site Plan are contained in Section 210-136 of the 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. The use of the property is one of those referred to in MGL c.40A §3.

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 of the building, and sight distance for drivers at the West Main St./West Elm St. corner, given the location of the addition.

Written comments and recommendations on the Site Plan were received from: Michael Shepard, Director of Municipal Inspections; Hopkinton Design Review Board; Hopkinton Fire Department; Thomas Ryder, Public Health Administrator; and Fay, Spofford & Thorndike, LLC (FST), the Planning Board’s consulting engineer.

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. The required variances and special permits have been obtained from the Zoning Board of Appeals.
- H. The project is not a use referred to in MGL c.40A, §3 of the General Laws.

The Board voted at its meeting on November 28, 2005 to approve the Site Plan, entitled “Sketch Plan of Land”, prepared by J.D. Marquedant & Associates, Inc., dated July 14, 2003, revised through September 29, 2005, and the building plans dated September 29, 2005, as submitted.

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 H. Coolidge	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.

Mark A. Abate
Chairman

Cc: Shawn McGuinness
Director of Municipal Inspections
Director of Public Works
Fire Department
Design Review Board
Board of Health
Fay, Spofford & Thorndike, LLC