

HOPKINTON PLANNING BOARD

Monday, August 25, 2003 7:30 PM

MINUTES

PRESENT: Jaime Goncalves, Vice Chairman, Mark Abate, Scott Aghababian, Pamela Duffy,
Brian Herr, Tina Rose, Claire Wright

.....Elaine C. Lazarus, Planning Director

1. Administrative Business

The Board voted unanimously to pay outstanding bills.

Zoning Advisory Committee – The Board voted unanimously to accept the resignation of Michael Carmody and to appoint Nancy Peters to the Committee for one year.

1 Wilson St. – Ms. Lazarus reviewed a scenic road violation at 1 Wilson St., where the builder, William Rodenhiser, cut a tree within the right of way without a permit. Stated that she had issued a fine of \$300.00. She noted Mr. Rodenhiser is building a house on the lot and that she had written and spoken to him earlier in the year about the scenic road requirements and he was fully aware that a permit was required if trees were to be cut. She stated that Mr. Rodenhiser was unhappy and feels that he should not have to pay the fine because he had asked the Tree Warden to hold a hearing relative to taking down the tree, but he had not done that. It was noted that Mr. Rodenhiser had never asked or applied to the Planning Board to remove the tree, and he was aware of this requirement. The Board voted unanimously to confirm the \$300 fine and to require as replication the deposit of \$300 into the Town's Tree Planting Account so that a new tree may be planted.

Zoning Advisory Committee – The Board discussed possible topics for study/discussion by the Zoning Advisory Committee. The Board noted that the Committee should look into a bylaw which limits the maximum slope of a driveway. The Board noted that the Committee should also look again at the definition of lot coverage, and that all impervious surfaces should count, not just structures.

2. Padik View – Continued Public Hearing – Wood St. – Westborough-Hopkinton Street Trust

Representatives of the applicant requested that the public hearing be continued and that the time in which the Board must act on the application be extended as well, in order to adequately address comments raised by the Board's engineer. The Board voted 6 in favor with Mr. Herr abstaining to continue the public hearing to September 29, 2003 at 9:00 PM and to extend the date by which the Board must file its decision to October 3, 2003.

3. Administrative Business

Zoning Advisory Committee - The Board continued its discussion of possible topics for study by the ZAC. Mr. Herr recommended that the Historic District be expanded so that it covers both sides of Main St. instead of one. Ms. Wright noted that originally, some property owners did not want to be in the district, so those who were opposed were excluded. Since then, the Town Hall and Center School have been added to the district. She noted that the Korean Presbyterian Church is very opposed to being in the district.

Mr. Herr discussed downtown revitalization, noting that incentives could be given to those who improve their properties. Mr. Aghababian stated that could create problems. Ms. Wright stated she doesn't think the Historic District is the way to go for downtown revitalization, and any changes there will go through Design Review anyway. She noted there are other areas better suited for a Historic District, such as Woodville. Mr. Goncalves suggested that the new Downtown Revitalization committee should talk to business owners about the issues, and if the businesses can make more money, that could be an incentive. Mr. Abate stated there is no reason for people to go downtown, and there is nothing to really shop for. Ms. Wright suggested developing design guidelines for the downtown, and Mr. Goncalves noted that the Design Review Board could do that. Mr. Herr stated that people want something different, and there needs to be new laws and tax incentives. Ms. Wright noted that no one design is the right one and there are always alternatives, and it is hard to legislate that. Mr. Aghababian noted that the haphazard nature of downtown buildings is a drawback, adding that the problems have nothing to do with the law and it has to be a valuable commercial area for something to happen. Ms. Wright suggested a bylaw preventing the demolition of a building before a building permit to erect a new one is issued.

The Board voted unanimously to approve the Minutes of July 28, 2003.

Mr. Herr suggested a bylaw requiring the fencing/screening of commercial properties under construction. The Board agreed this is needed.

4. Wright Property – 5 and 11 West Elm St.

Bob Poxon, engineer, showed the Board a sketch of a conventional subdivision plan showing 7 lots on a new road off West Elm St. He stated there is 375 ft. of sight distance in one direction and 210 ft. in the other, at the entrance on the current property of 11 West Elm St. He noted that the roadway would meet Conservation Commission setback requirements. Ms. Rose asked about the portion of the land under water. Mr. Poxon showed a possible Open Space and Landscape Preservation Development plan with 4 lots off a cul-de-sac and one existing house at 5 West Elm St. He stated they would request a waiver of the 100 ft. buffer requirement to provide a larger open space parcel adjacent to Lake Maspenock. He stated they would prefer the Open Space plan.

Mr. Goncalves asked if there is vegetation in the proposed no-cut easements. Mr. Poxon replied there are hardwoods. Ms. Wright asked about the location of the homes on abutting properties, and Mr. Poxon stated they are close to the street. Mr. Goncalves asked about stormwater runoff, and Mr. Poxon stated they would design a system that conformed to the regulations.

Mr. Goncalves asked which entity would own the open space, and Mr. Poxon stated it would be whatever the Town would prefer. Mr. Goncalves stated he prefers the Town.

Mr. Goncalves asked if the land can be seen from West Main St. across the water. Elena Wright, owner, stated that it can barely be seen in the winter.

Mary Pratt, 102 Fruit St., stated there must be a conservation restriction on the open space.

The consensus of the Board was that it preferred the Open Space plan to the conventional plan and the plan with the common driveways that was reviewed at the previous meeting.

5. Other Business

Mrs. Pratt stated the Town should get mitigation from developers for traffic lights, etc. because there are major costs to the Town.

Adjourned: 9:00 PM

Elaine C. Lazarus, Planning Director

Approved: September 15, 2003