

HOPKINTON PLANNING BOARD

Monday, November 17, 2003 7:30 PM

MINUTES

PRESENT: John H. Coolidge, Chairman, Jaime Goncalves, Vice Chairman, Mark Abate, Scott Aghababian, Sandy K. Altamura, Pamela Duffy, Brian Herr, Tina Rose, Claire Wright
.....Elaine C. Lazarus, Planning Director

1. 81-P Plan – College Street - Connelly

Peter Bemis, engineer, described the plan to create one new building lot on College St. Mr. Bemis stated that the new lot and the remaining land would conform to the frontage and area requirements in the Residence B district. The Board voted unanimously to endorse the plan as not requiring approval under the subdivision control law.

2. 81-P Plan – 1 and 3 Stone Crossing Way – Nealon

David Marquedant, surveyor, described the plan to create two 174 sq. ft. triangles for a land swap between two lots on Stone Crossing Way. He stated that both lots would continue to meet frontage and area requirements in the Residence B district. The Board voted unanimously to endorse the plan as not requiring approval under the subdivision control law.

Mr. Herr, Ms. Wright, and Ms. Rose arrived at this time.

3. Deer Run

Mike Michon, Lakeside Builders, developer, appeared before the Board. He referred to his submitted request for a reduction in the performance guarantee amount for the subdivision to reflect additional work completed. David Goldman, Hopkinton Area Land Trust, stated that Steve Rosak and Doug DeWolfe, who did the recent planting in the open space in the subdivision, can provide warranties on their work. He asked if this would make a difference in the bond amount, allowing it to be less. Mr. Coolidge stated that the performance guarantee amount must reflect the Town's cost to complete the work and the existence of a warranty by a contractor does not change that. Mr. Michon requested clarification of the revised performance guarantee estimate provided by Ms. Lazarus. It was noted that the list reflects the work remaining, not the work completed.

Ms. Duffy asked if the pile of tires at the subdivision entrance had been removed. Mr. Goldman stated that they belong to the contractor that is currently doing the detention pond work, and they use them to protect the street until they get the equipment back on the truck. He noted the tires are in the open space.

After discussion of the information submitted by the developer and the Board's engineer, the Board voted unanimously to reduce the performance guarantee amount to \$36,625.20.

4. Hopkinton Highlands II

Brian Weiner and Eric Gardner, Toll Brothers, Inc., developer, appeared before the Board and referred to the submitted request for additional lot releases. The Board reviewed correspondence submitted by Toll Brothers and Luckner Bayas, the Board’s inspecting engineer for the subdivision. It was noted that the developer had paved the remainder of Overlook Rd. and all of Summit Way with the binder course of pavement against the recommendation of the Town’s engineer, because there was frost on the ground that morning. Mr. Coolidge asked what the consequences are of paving when there is frost. Mr. Weiner stated they don’t think there will be any, noting that Mr. Kumlin of the DPW came out to the site for part of the day and the following Saturday to observe the paving operation.

Ms. Duffy asked if more will be done with erosion control at the site, noting there are a lot of unstabilized areas and there is nothing to hold the soil there, mostly along the road. Mr. Weiner stated they will spread hay and seed this week.

Ms. Rose asked if the phasing bylaw applies to the subdivision, and Ms. Lazarus stated she will check on that.

Mary Pratt, 102 Fruit St., asked if each lot will have individual septic systems, and Mr. Weiner replied yes. Mrs. Pratt asked if it is a nitrogen sensitive area, and Mr. Weiner replied yes.

Ms. Wright stated she is concerned with the clear cutting of lots and stabilization of soil. Mr. Gardner stated they have erosion control devices on site, and they have protected the wetlands. He stated they can do more to protect the roads and they will do that. Mr. Herr asked whose problem it is if there is mud in the road, noting it is Toll Bros. problem and a safety issue. Mr. Gardner stated they sweep the roads once a week.

The Board voted 7 in favor with Ms. Wright opposed to release lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17A, 18A, 19A, 20A, 21A, 22A, and 23A in the Hopkinton Highlands II subdivision, plus approval-not-required lots A1, A5, A6, !7, B2, B5, B6, B7, B8, A2, A3, A4, B1, B3, and B4 on Overlook Rd. It was noted that the performance guarantee is already in place.

5. David Goldman, Hopkinton Area Land Trust

David Goldman, President, Hopkinton Area Land Trust (HALT), appeared before the Board. He stated there is an issue at 15 Fawn Ridge Rd. in the Deer Run subdivision. He stated that the builder of the house, Craig Meyer, left hay bales in the open space behind the house, and they haven’t been removed. He stated that the house is completed and people are living there. He requested that the Board send him a letter asking that they be removed. Mr. Coolidge asked if the work on the lot had been completed, and Mr. Goldman replied yes. Ms. Altamura asked if Mr. Goldman had spoken to Mr. Meyer about it, and Mr. Goldman stated he had spoken to him directly. He stated he understood why it was done and was ok with it at the time, but now the reason for them has gone. The Board agreed to send a letter.

Mr. Goldman addressed the recent planting in the Fawn Ridge Rd. circle and the restoration work in the portion of open space disturbed prior to subdivision application. He stated the restoration work is mostly done, and the circle has been conveyed to HALT and it is now

responsible for it, noting that street trees were relocated to the circle as previously discussed. He stated that the shrubs will be planted in the spring, and the trees are in now. He stated they have set aside funds additional landscaping and the residents will also provide some. He stated that Mike Michon said that Craig Meyer is holding \$10,000 in escrow to cover the planting there, and HALT will try to recover that.

Mr. Goncalves referred to an email with photographs from Kelly Lynch, resident of Fawn Ridge Rd., indicating that some of the trees planted are unhealthy or dead. Mr. Goldman stated that isn't accurate. The Board noted that it had retained the funds in the performance guarantee amount to guarantee tree survival.

Mr. Goldman raised an issue at 13 Fawn Ridge Rd., noting that during construction, a portion of the open space adjacent to the lot was cut, graded, loamed and seeded, and looks like part of the yard of the house. He stated there is a detention pond on the house lot in the back. He stated that HALT wants the Board's opinion on possibly cutting off the cleared parcel of open space and conveying it to the homeowner. He stated that 58.9% of the development parcel was set aside as open space, and the parcel to be conveyed would only be 3,700 sq. ft. in area. He stated there isn't a conservation restriction on the open space yet, and it wouldn't be a precedent setting issue.

Ms. Duffy stated that the builder should restore the land as open space, and once designated as open space, it should remain so. Mr. Coolidge asked if the public would lose access to the open space, and Mr. Goldman replied no. Ms. Wright stated it would set a precedent, and she doesn't like the idea of encroachment into the open space. She stated it should be allowed to grow back in.

Mr. Abate asked why this circumstance is unique and not precedent setting. Mr. Goldman stated the area has been cleared, loamed, seeded, and appears to be part of the yard. Ms. Altamura stated if that is the case, then the developer should re-plant it. Mr. Goldman stated they won't do that. He stated that two other areas were cut in error also, and they will be going back to nature. Mr. Herr stated that if HALT is ok with it and will get funds to do something from the sale, then it should be ok. Ms. Wright stated she doesn't like the message that it sends, that someone can clear open space land then take it out of open space. Ms. Altamura stated that the builder builds homes elsewhere in Hopkinton, and it could happen there too. Mr. Coolidge noted that the land was conveyed as permanent open space. The Board discussed the issue further.

Mr. Goldman asked about a land swap with the homeowner instead. The consensus of the Board was that it would be better. Mr. Goncalves stated that HALT should request that the homeowner or developer/builder pay some of the engineering costs to accomplish that.

Mrs. Pratt stated there should be a penalty to the developer for clearing the open space.

6. Sunshine Preschool – 1 Briarcliff Dr.

Mr. Coolidge noted that the purpose of the meeting was a follow-up review of some of the issues pertaining to the Sunshine Preschool, as contained in the Board's Site Plan Review decision.

Ms. Lazarus noted that the Police Chief and Fire Chief emailed today to say they have received no complaints relative to the Preschool.

Mary Ann Cotton, 4 Blueberry Lane, stated they have worked with Ms. Kyriakakos on some landscaping issues which have now been completed.

Mr. Aghababian arrived at this time.

Ms. Cotton stated the residents have concerns with screening, and there are more cars on the property for longer periods of time than is comfortable for them. Mr. Coolidge asked if cars were parked on the street. Ms. Cotton replied no, but that more parents are walking children into the school than anticipated. She stated it is uncomfortable to look at. She stated they want more evergreen screening in the front so it is more shielded.

Ms. Wright asked what period of time was of concern. Pamela Missaggia, 9 Briarcliff Dr., stated it is for about 30 minutes in the morning and at other sessions, 4 times for 2 or 3 hours per day. Ms. Cotton stated that the property accommodates the cars, and it is a matter of aesthetics. Ms. Rose asked if sight distance would be blocked if more evergreens were near the street. Ms. Cotton replied that she didn't think so. Ms. Rose noted that the houses across the street are higher in elevation, and there is a lot of screening there already. Ms. Cotton agreed that some of the houses are high up. Ms. Altamura asked how many trees they were suggesting, and Ms. Cotton stated she didn't know. Ms. Altamura stated that the area should be screened, but she doesn't know how many it would need. Ms. Rose stated she is worried about sight distance.

Ms. Cotton stated they also have a question about the structure of the program, and there seems to be more going on there than was discussed at the hearings. She asked if there have been changes. Mr. Coolidge stated he suspects that the enrollment is higher than it was last spring when discussed at the first follow-up review. Ms. Rose noted that the drop-off and pick-up is supposed to be staggered.

Ms. Cotton questioned whether the Sunshine Preschool was supposed to follow the Hopkinton public school calendar and be closed on teacher professional days. The Board clarified that its decision stated that the school would be closed on school vacations and holidays, not teacher professional days.

Ms. Cotton stated they want the Police presence to be continued at the beginning of each school year, and they want the person to be a police officer, not someone else sent by the Police Dept. Ms. Wright asked if the person there did their job. Ms. Cotton stated that the perception was that the person wasn't an officer. Mr. Coolidge noted that auxiliary police officers are officers, and have the skills necessary to enforce the correct traffic pattern at the school. He stated he trusts the Police Dept. to send the proper personnel.

Ms. Cotton stated that they did not receive notice of the meeting until Friday, which hasn't allowed them enough time to prepare. Mr. Coolidge apologized and stated the Board will do better in the future. Ms. Cotton requested another review at the same time next year because they want to see it through the winter and evaluate it after that. Ms. Wright noted that the June

review was supposed to be the last, and it was postponed to now, and it is supposed to be the final review.

Mr. Coolidge stated that all of this discussion amounts to beating a dead horse now. He stated that as far as the Planning Board is concerned, the site plan has been approved and completed in accordance with the plan. He stated that the Preschool is a use by right and the residents need to understand that. He stated that it is really out of the Planning Board's hands at this time. Ms. Cotton stated this is a unique situation. Mr. Coolidge stated that it isn't unique. He noted that the Next Generation Children's Center, to be located at 2 Wood St., is a much worse situation from a traffic perspective, and the safest place for such a place is Briarcliff Dr. Ms. Duffy stated that having a neighborhood school should be a benefit to residents. Ms. Cotton stated the issue is coexistence of a residential neighborhood and a school.

Mr. Goncalves asked if the meetings over the summer with the residents and the Preschool went well, and Ms. Cotton replied yes. Mr. Goncalves suggested that the residents meet with the school on their own to discuss issues that come up in the future, and the Board doesn't need to facilitate that.

Christine Kyriakakos, Director, Sunshine Preschool, stated that over the summer, Ms. Cotton, Mike Shepard, and Paul Elder met with her and decisions on landscaping were made, which she implemented and paid for. She stated she has done what she was asked to do.

Mike Shepard, Director of Municipal Inspections, stated there was an effort to work together and the planting was discussed on site with the landscaper. He stated they did not stripe the parking lot so it would have a more residential appearance, and the signage was eliminated. He noted that the lighting is on a residential scale. He stated that at the May meeting screening was dealt with, which is subjective. He stated that because of the height of the house across the street, trees would have to be 40 ft. tall to block their view of the property. He stated he goes through the neighborhood frequently, and recently spent one hour there one morning. He stated he observed around 30 children, and the number of cars that arrived were handled by the parking lot. He stated he observed no problems, and all cars entered and exited using the correct driveways. He noted that the Town put up two new "Stop" signs at the Briarcliff Dr./Wild Rd. intersection, which were obeyed by the parents but not by others passing through the intersection. He stated the school bus stopped in front of the property and there were no problems associated with that. He stated it appears to be operating as it is supposed to. He noted that if there is a violation of the approved Site Plan, people can call him and he will address it.

Charles Sayegh, 14 Wild Rd., stated his only issue is not with the school, it is with the people who ignore the "Stop" sign. He stated it could be a hazard to the children who wait for the bus there.

Mr. Coolidge stated the residents could recommend enforcement of the "Stop" sign by the Police Dept. He stated it seems to him that the site plan has been complied with.

A resident stated she doesn't want a parking lot across the street, and it was a nice neighborhood before Sunshine Preschool was there.

Ms. Kyriakakos stated she understands that it will be difficult at times, but she has done all she was supposed to, and the law allows the use. She stated the relationship between her and the neighbors has been one-sided, because she has done a lot to please them and has worked with the direct abutters. She stated she gave money to the neighbor across the street for additional plantings. She stated that neighbors need to talk to her directly if there are problems. She noted that the house across Briarcliff Dr. just sold, and the buyers will know that the school is there. She stated there were meetings to discuss screening, it was put on the plan, and planted in accordance with the neighbors wishes. She stated she is licensed for 36 children and has a maximum of 32 in the afternoon session, and Monday, Wednesday, and Friday are the busiest days. She stated there are staggered drop-offs and pickups, and carpools, and listed the times for drop-off and pick-up for each session. She stated they thought it would be a benefit to have kindergarteners after school, and there are 8 to 10 children, which actually eliminates cars coming to the site because the school bus drops them off.

A person in attendance stated that he has never witnessed a car waiting on the street at the site. Ms. Kyriakakos stated that they have off-site graduations and parents nights. She noted that the orientation sessions are done by group, and they had 16 cars at a time on the site for those.

Ms. Altamura stated that it seems to work fine, but the lot could use more screening. Mr. Aghababian stated the site plan has been completed, and neighbors picked additional screening above that. He noted if the Board keeps saying more, then people will keep coming back for more. Ms. Cotton stated that screening is an issue. Ms. Duffy stated she drove through the area and the site looks nice, and someone can't really tell the school is there until the parking lot is seen, which is large. She noted for the most part, people can't tell it isn't a house there. Mr. Abate recommended the Board take no action. Ms. Wright stated she doesn't want to keep moving the goalpost for people. Mr. Aghababian agreed. Mr. Goncalves stated the Board has reviewed screening before in other places that are completed, but in this case supplemental screening has already been done. He stated he doesn't see any jurisdiction for the Board to be involved at this time. Ms. Rose stated in her opinion, the project is done. Mr. Herr stated that screening is an evolving issue per the Board's Site Plan decision. He stated that he thinks that at minimal expense, the parking lot appearance could be mitigated some. Mr. Coolidge stated the neighbors could contribute funds to the school for trees if they want to, but Ms. Kyriakakos has bent over backwards to please them.

Ms. Missaggia stated that the initial landscaping was finished in July, and nothing has been planted since them.

A resident of Pike St. stated that if she doesn't like the appearance of the house across the street from her, can she come to the Planning Board and request screening? Mr. Coolidge replied no, it can't be compared to a school.

Mr. Coolidge noted that the Board would deal with issues that arise if there are violations, and Ms. Kyriakakos and the residents should continue to work together to address things that come up.

7. Hopkinton Highlands III – Garden Apartment Site Plan – Continued Public Hearing

Bruce Issadore, applicant, and Benjamin Smith, engineer, appeared before the Board. Ms. Rose asked about the location of the open space, and Mr. Smith described it. Ms. Rose asked about the traffic study issue raised by Fay, Spofford & Thorndike (FST), the Board's engineer. Mr. Smith stated that when the traffic report for Hopkinton Highlands II was done and reviewed by FST, this development was included in that study, adding that the special permit allowing 26 units had already been granted. Mr. Issadore stated there has already been a study, and in addition, Toll Bros. was proposing 70 multi-family units in the study that weren't built, as it was changed to 15 single family lots. He stated there is less development proposed for the area than was included in the traffic study. Mr. Smith stated he had evaluated sight distance on Overlook Rd.

Ms. Altamura addressed lighting, and asked about the location of proposed poles. Mr. Smith stated that the fixtures would not have a visible bulb, would be down directed, and described their location. Ms. Altamura stated she is happy with that.

Ms. Wright asked about architectural plans for the exterior of the units. Mr. Smith stated they have not been completed, as they have been concentrating on the permitting phase. Mr. Issadore stated there is work they need to do, and will be happy to come back with the plans. He stated they first need to find out if there will be water on the site, and need a flat area for the equipment to get in. He stated they had a good informal meeting with the Conservation Commission earlier tonight, and thinks it will be ok. He stated they have had to change the building footprints, so they can't build the stock plans they have now. Mr. Abate stated that as designed, the garage doors will be very prominent. Mr. Goncalves suggested a review of the plans by the Design Review Board.

Ms. Wright asked if the road grade had changed. Mr. Smith stated they adjusted the grade of the cul-de-sac by 2 ½ feet for drainage purposes. He stated that no cut or fill greater than 8 ft. in depth is proposed.

Ms. Duffy asked about the status of the well and septic system permitting. Mr. Smith stated the septic tank and pump chamber will be under the cul-de-sac island. He stated they anticipate a bedrock well about 600 feet deep, and they will need specialized equipment on the site to test and install the well. Mr. Issadore stated the process is through the DEP for the well permit, and the testing will be done within the next 30 to 60 days. Ms. Duffy asked about the status of the permit from the Bd. of Health for the septic system. Mr. Smith stated they have met with them and have had witnessed soil testing. Mr. Issadore stated the design is not finalized because the number of units changed since previous discussions.

The Board reviewed the criteria for approval of a Garden Apartment Site Plan contained in the Garden Apartments in Residential Districts (GARD) bylaw, and voted unanimously to find that the criteria had been met.

The Board discussed potential conditions of approval of the plan with the applicant. The Board voted 6 in favor with two abstentions (Mr. Goncalves, Mr. Herr) to approve the Garden Apartment Site Plan with the following conditions:

1. The project relies on the construction of a new public road for frontage to the parcel, shown on the approved Hopkinton Highlands II subdivision plan. The Bylaw requires that a Garden Apartment development have 200 ft. of frontage on a public road. Therefore, construction of the project shall not commence until the new road is constructed to a standard acceptable to the Planning Board and open for public travel for its entire length.
2. There shall be a maximum of 24 units on the property. The units shall be townhouse style, with a maximum of two bedrooms each.
3. The applicant shall provide a performance guarantee in an amount determined by the Board, prior to the commencement of dwelling unit construction, in accordance with Section 210-75A(2)(e)[2] of the GARD bylaw. The amount will be determined after the applicant's estimate is reviewed by the Town's engineer.
4. Construction of all infrastructure shall be completed within two years from the date of commencement. The applicant shall notify the Planning Board of the intent to begin work at least 24 hours in advance.
5. If construction has not commenced within five years of the date of the Decision, approval shall be automatically rescinded, unless such time is extended by the Board at the request of the applicant.
6. Prior to construction, the applicant shall submit exterior elevation drawings for all sides of the buildings for review by the Design Review Board and Planning Board.
7. Construction of the infrastructure shall be in accordance with the requirements and procedures in the Subdivision Rules and Regulations and the inspection process administered by the Planning Board, as specified in the GARD bylaw. The cost of the inspections shall be the responsibility of the developer.
8. Maintenance of all roads and driveways, including snow plowing and repairs, shall be the responsibility of the owners and not the Town.
9. No construction shall commence until proof is submitted that the applicant/owner is the owner of the entire development site.
10. Lighting on the site shall be directed away from adjoining property, and shall be directed downward, not up or outward. The light pole fixtures shall be in the locations shown on the Site Plan, and of the design specified.
11. A combination of shrubs and trees for screening and landscaping purposes a minimum of 15 ft. in width shall be provided adjacent to each property line, as required by the GARD bylaw. Detailed landscape plans for the areas adjacent to property lines at the playground, tennis court, and septic system leach field shall be submitted to the Board for review prior to the commencement of construction. If existing wooded land is not disturbed within 15 feet of a property line, the existing vegetation shall be deemed sufficient for screening purposes, and no additional planting is required.
12. The driveways shall be designated with Town approved street names, and each unit shall be given a street number. The Director of Municipal Inspections shall be consulted on the numbering system. The approved names and street numbers shall be shown on the Site Plan prior to endorsement.
13. The condominium association shall be responsible for the maintenance and inspection of all stormwater management system components in accordance with the submitted operation and maintenance plan.
14. The sign detail shown on the submitted plan is not approved and shall be deleted prior to endorsement. The applicant shall submit a plan of all signs proposed for the development,

- with the exception of traffic signs, for Board approval. The plan shall show proposed locations, size, materials, and illumination, and shall be submitted and reviewed prior to endorsement. No signs shall be erected without prior Planning Board approval.
15. All designated open space shall remain in its natural state. No designated open space may be disturbed during construction and it may not be used for storage of materials, vehicles or equipment. Designated open space may not be developed for active recreational uses.
 16. Erosion and sedimentation control measures shall be implemented during construction. If they are found to be inadequate, the applicant shall immediately correct any deficiencies. The Board may stop work on the project until erosion and sedimentation issues are adequately addressed.
 17. No dwelling unit construction shall commence until full approval of a water supply and sewage disposal system has been received. In the event that full approvals are not received and new types of systems are proposed, the applicant shall return to the Planning Board for additional review.
 18. No construction shall commence until full approval of the fire protection and prevention system, including the location and design of the cistern, has been received from the Fire Chief.
 19. No water supply well shall be developed within the open space unless prior approval has been received from the Planning Board. Access roads within open space to wells shall not be paved.
 20. All outstanding issues contained in the letter from FST dated Nov. 13, 2003, and an email on Nov. 17, 2003, shall be resolved to the satisfaction of the Planning Board prior to construction. All necessary modifications to the Site Plan shall be made prior to endorsement.
 21. The Board grants the following waivers from the Design Standards and Construction Requirements of the Subdivision Rules & Regulations, in accordance with the provisions of GARD bylaw section 210-74 B(17):
 - (a) Granite curb at street radii less than 100 ft. is not required (8.2.2.A). The applicant may use cape cod berm or monolithic asphalt berm on the roadway throughout the development.
 - (b) Catch basins more than 250 ft. apart (8.4.4) at one location shown on the plan, a high point.
 - (c) ADS drainage pipe in the roadway instead of concrete (8.4.8).
 - (d) A detention/retention basin within 25 feet of a road (8.4.10). Basin #2 will be underground and is not an open system.
 - (e) Less than 3 ft. of cover over drainage pipe (8.4.8).
 22. The boundaries of the common open space required by the GARD bylaw on the development parcel shall be clearly delineated on the plan prior to endorsement.
 23. A plan shall be submitted to the Planning Board prior to construction showing the location of where earth will be stockpiled on site. No earth products shall be delivered to the site which are not for use on the property. No earth shall be stripped or excavated and removed from areas of the site unless for road, infrastructure, home or lawful accessory use construction. No earth processing operations shall occur on the site, unless earth products are to be combined and/or mixed for use on the property. All piles of stockpiled earth shall be stabilized with adequate dust and erosion controls. All piles of earth shall be removed from the site upon completion of construction of the road and infrastructure. Any piles remaining

after that time shall be solely in conjunction with an active permit for construction of sewage disposal system, building or lawful accessory use. Any violation of this provision may result in a stop work order or plan rescission.

24. No occupancy permits for the dwelling units shall be issued until the fire protection system, including cistern for fire protection, passes Fire Dept. inspection and is operational.
25. No building permits shall be issued until the roadway serving the unit is satisfactorily paved with the binder course of pavement.

8. Hopkinton Woods

Scott Hollinger, Stephen Rosseel, and Scott Lincoln, Trailside Lane residents, appeared before the Board. The Board and the residents discussed the bids received on the construction and inspection work in the subdivision, for which the Town is attempting to obtain the performance guarantee funds. The Board voted unanimously to hire T&K Asphalt for the construction work and Robert Foster for the engineering inspection, pending receipt of the funds. The Board voted unanimously to sign the release form provided by CNA Surety Co. with the provision that the developers names, Paula and Michael Aschettino, are crossed out and are not released from further obligation in the subdivision.

9. Next Generation Children's Center – 2 Wood St.

The Board discussed the proposed Settlement Agreement and Second Amended Decision provided by Town Counsel, as discussed at previous meetings. Ms. Altamura stated that if there is a right turn only onto Wood St. from the facility, it will result in too much traffic on Elm St. as people will go that way to get to Rt. 495. Ms. Wright stated there should be review of the new building design by the Design Review Board. The Board decided it should invite the traffic consultant working on the intersection to a meeting to discuss the issues there.

The Board voted 7 in favor with Mr. Abate and Ms. Altamura abstaining to approve the Settlement Agreement and Second Amended Decision.

The Board voted unanimously to send a letter to Mr. Walker, the applicant, requesting that he submit a plan showing the building's exterior elevations to the Design Review Board for review.

10. Deerfield Estates

Ms. Lazarus stated that Capital Group Properties requested that the Board set a date for a site walk of Deerfield Estates, 148 Lumber St., to review sight distance at the entrance driveways. The Board decided to conduct the walk on Saturday, November 22 at 9:00 AM.

11. Street Tree Policy

The Board reviewed a proposed Street Tree Policy prepared by Ms. Lazarus, and decided to add three items. The Board voted unanimously to adopt the following Street Tree Policy:

The Hopkinton Planning Board has adopted the following policies with regard to the planting of street trees within subdivisions:

1. Every developer constructing a subdivision shall consult with the Hopkinton Tree Warden prior to the planting of street trees in the subdivision. The consultation should include a discussion of the type of species to be planted and the location of the plantings. It is the intent that the tree be suited to the site because their long-term survival is critical.

2. The Planning Board encourages small groupings of trees instead of planting trees at regular intervals along new streets.
3. The following species shall not be planted as street trees:
 - Ailanthus species (Tree of Heaven)
 - Populus species (Poplar)
 - Salix species (Willows)
 - Catalpa species (Catalpa)
 - Acer Negundo (Boxelder)
 - Acer Saccharinum (Silver Maple)
 - Robinia pseudocacia (Black Locust)
 - Acer paltanoides (Norway Maple)
4. The Planning Board will hold performance guarantee funds for one year following the planting of a street tree. In the Board's experience, street trees do not have a good survival rate, and one year should be sufficient time to determine whether a tree will survive.
5. Street tree species planted within a subdivision shall be varied, and shall not be limited to one species only. In the event that one species becomes susceptible to disease or insects, mixing the species will help to ensure that not all of the trees in an area will be affected.
6. Street trees shall not be planted between the sidewalk and the street. The root systems typically affect the sidewalk over time, causing safety and maintenance issues.
7. New street trees need not be planted to satisfy the requirements of the Subdivision Rules and Regulations if existing trees are retained along the roadways. The Planning Board encourages developers to retain the existing trees wherever possible.

12. Other Business

The Board voted unanimously to pay outstanding bills.

The Board set the following meeting dates for 2004: Jan. 12, Jan. 26, Feb. 9, Feb. 23, Mar. 8, Mar. 22, April 12, April 26.

Mr. Coolidge stated he has been asked by a member of the Board of Selectmen if he has signed documents on behalf of the Planning Board, and he answered yes. He noted that documents signed routinely are not matters of policy. He asked for the Board's input on this policy and recommendations. The Board voted unanimously to state that the signing of correspondence by the Chairman is part of the job of Chairman, there should be no change to current or past policy, and that the Chairman acts on behalf of the Board.

Adjourned: 10:40 PM

Elaine C. Lazarus, Planning Director

Approved: December 22, 2003