

HOPKINTON PLANNING BOARD

Monday, May 10, 2004 7:30 PM

MINUTES

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

1. Administrative Business

The Board voted unanimously to pay outstanding bills.

Ms. Duffy arrived at this time.

2. Hopkinton Meadow

Paul Marchionda, engineer, reviewed the Board's letter to him which responded to his request to waive some of the iron pin installations around the boundary of the open space in the Hopkinton Meadow subdivision. He stated that parts of the open space are already delineated by chain link fence and stone wall. He stated it is not that they are lazy, but he doesn't understand why the Board wants the bounds installed when the stone walls and fences are already permanent markers. He stated they are more durable than iron pipes. He stated he isn't sure what will be accomplished by iron pipes in the stone. Mr. Coolidge stated the purpose of the boundary markers is to give people an idea of where the boundary is. He stated that an iron pipe might not be the most appropriate marker there, it could be the medallions from the Hopkinton Area Land Trust (HALT) instead.

Ms. Wright arrived at this time.

David Goldman, HALT, stated they hold the conservation restriction (CR) on the property and was responsible for putting in the requirement for the bounds, which is actually in the CR. He noted that markers are required every 100 feet. He stated the open space needs to be marked and delineated whether there is a wall there or not, and people don't know the wall or fence forms a boundary unless they see a marker. He stated that HALT will supply the markers. He noted that it was written into the CR because there were problems elsewhere. He stated there should be iron pipes with medallions along the open space and along the edges of residential properties adjacent to the open space.

Mr. Coolidge asked if there are already concrete bounds at the Mass. Turnpike boundary, and Mr. Marchionda replied there are some. Mr. Goldman stated they can walk it with the surveyor and they might be able to make some accommodation in certain locations.

Ms. Altamura moved to require the developer to go ahead with the boundary installation as required unless HALT agrees to fewer markers in certain locations. She stated it is important that the open space is properly marked. The motion was seconded.

Mr. Goldman stated that the CR was accepted with this in it, and it might make sense to do something different in certain spots.

The Board voted unanimously in favor of the motion.

3. 2 Summit Way – Hopkinton Highlands II

Jeff Richards, landscape architect, and Bryan Weiner, Toll Brothers, Inc., appeared before the Board. Mr. Richards requested a waiver of the lot frontage depth requirement for 2 Summit Way, adding that they think this is the last lot that will need a waiver. He showed how the interpretation of the requirement changed with the new Building Inspector. He noted that the lot used to comply, but doesn't now. Mr. Weiner stated that it was discovered when they applied for a building permit. It was noted that the Open Space and Landscape Preservation Development (OSLPD) bylaw gives the Planning Board the authority to waive the requirement in OSLPD subdivisions.

The Board voted unanimously to grant a waiver of the lot frontage depth requirement for 2 Summit Way in the Hopkinton Highlands II subdivision.

4. Middlesex Savings Bank – 10 Main St.

Greg Duvall, Financial Concepts Inc., and Bruce Weisberg, Middlesex Savings Bank, appeared before the Board to discuss proposed modifications to the approved Minor Project Site Plan for 10 Main St. Ms. Altamura asked if the changes had been reviewed by the Design Review Board, and Mr. Weisberg replied yes. Ms. Wright, who also serves on the Design Review Board, disagreed, noting that the front windows reviewed by the Board had mullions in them, and the ones now proposed don't. She asked why they were removed. Mr. Weisberg stated they want to put marketing posters in the windows. Ms. Wright noted that as proposed, it would add a modernistic look to downtown. Ms. Altamura stated that the downtown is so small, it is important to keep the look consistent, and advised them to avoid putting the posters in the windows also. Mr. Abate asked if mullions can be added to the windows. Mr. Weisberg replied yes. He stated the window on the left side of the building will always have the blinds closed because of the use of the room behind it. Mr. Duvall noted that the window design would be more in keeping with the raised panels under them. It was noted that the design of the raised panels had been modified also.

Ms. Wright asked about the sign proposed. Mr. Weisberg stated it will consist of cut letters applied to the brick with gooseneck lights above. He stated that the letters will look like wood.

Ms. Wright asked about the color of the brick, noting that an older letter to the Town said there would be two-tone brick. She asked if it would be the current color or a new shade of red. Mr. Weisberg stated they will wait until the building is done, then power wash it, and then decide whether to change the color or not. He noted that a problem with staining the brick a new color is that the mortar will also be colored. Ms. Wright asked if the new brick will be consistent with the old brick, and Mr. Weisberg replied yes. Ms. Wright noted that the Design Review Board stated that the brick, if it was going to be colored, should be more red, and not painted red. Mr. Weisberg stated the separate mortar color will be lost because they can't paint without coloring the mortar. He noted that not many companies make stain for brick, and they didn't like the sample places that were done, which can be seen at the back of the building. Mr. Duvall noted that the new brick used to fill in where the back window used was a good match.

Ms. Rose arrived at this time.

Mr. Coolidge stated the sign should look natural, not plastic. Ms. Duffy asked if the back door is handicapped accessible, and Mr. Weisberg replied no. Mr. Duvall described the retaining wall that would be installed around the side and back of the building, as shown on the revised plan. Ms. Wright asked what material the wall will be, and Mr. Weisberg stated it would be landscape block.

Ms. Wright asked if the rooftop equipment that can be seen is new, and Mr. Weisberg replied yes. Ms. Altamura asked if it would be screened, and Mr. Weisberg replied no, only from the front where the parapet is. Ms. Lazarus noted that a condition of the Board's site plan approval required all rooftop equipment to be screened from view from the ground.

Ms. Wright noted that the details around the front door were also changed on the revised plan, there would be different doors and windows than on the approved plan, and that the proportions had changed. Ms. Altamura stated that the changes should have gone to the Design Review Board. Ms. Wright noted that the older plan had proportional details, the new one has no details, and has a stark look. She stated there should be a more traditional design. Mr. Weisberg stated they have already manufactured the windows and door that are shown on the new plan. Ms. Altamura asked why it had been changed. Mr. Weisberg stated they didn't mean to. He noted the Design Review Board is only advisory anyway. Ms. Lazarus noted that the plan that the Planning Board approved had different windows and door. Mr. Coolidge stated that the door and windows on the approved plan is what the Board will expect to see installed. Mr. Aghababian asked if the same effect can be gained from adding mullions to the new windows around the door. Mr. Weisberg stated it is possible they could do something at the top.

Mr. Goncalves suggested that the bank return with a detail showing mullions in the windows around the door and how the rooftop equipment will be screened.

The Board voted 7 in favor, with Ms. Rose abstaining, the following:

1. The windows shall be as shown on the plan entitled "Building Elevations South and East" prepared by FCI Associates, Inc., revised through Dec. 23, 2003. The windows without mullions shown on the April 26, 2004 plan are not approved.
2. If the Bank wishes to modify the front entrance area, a new plan showing a symmetrical treatment with transoms or similar details shall be submitted for review, as discussed at the meeting. The detail shown on the April 26, 2004 plan is not approved. Unless modified plans are received and approved, the Board will expect to see the entrance area that was shown on the originally approved Site Plan.
3. All mechanical equipment shall be screened in accordance with the original approval. A plan showing the method of screening shall be submitted for review.

5. Public Hearing – Earth Removal Permit – Fletcher Granite – Lumber St.

Frank Balas, attorney, and Dave McCormack, quarry manager, appeared before the Board. Mr. McCormack stated they quarry granite off Lumber St. during the summer. He noted they didn't quarry there last year, and might not this year either. He stated they recently completed some large jobs in Singapore. He noted they had received one complaint over the two-year period of the last permit, that they started the equipment too early one morning. He stated they quarry the

blocks and either sell them or fabricate them. He stated they quarry 5 ft. x 5 ft. x 10 ft. blocks. He noted they are fabricated into 2” to 4” panels for building facades, and the material is the Milford Pink granite, which is found in only 3 quarries. Mr. Balas stated they are the only ones to quarry Milford Pink.

Mr. Coolidge noted that the DPW Director reported that they have heard no complaints and have no problem with the quarry.

Mr. Balas referred to the report by Fay, Spofford & Thorndike, the Board’s engineer. He addressed stormwater management, noting there are no wetlands on the site, but there are some off-site. He stated that several years ago, when the Board of Selectmen issued earth removal permits, they received an Order of Conditions from the Conservation Commission to construct a sedimentation basin, and they have received a Certificate of Compliance. He stated the future quarry area is the same shown on the 1999 plan that the Board approved. He noted that the projected contours are speculative, noting that if they don’t quarry much during the permit period, it won’t change much. He noted that the work area will be confined to the existing quarry area. He stated they have upgraded the power source to the site so they don’t need the diesel generator. He stated they want to implement the use of a Diamond Wire Saw, but the problem is that if the saw is stopped in the middle of a cut, then it can’t be restarted if the wire isn’t out, and they would have to abandon it and get a new wire, which cost \$10,000 each.

Ms. Duffy asked how long it takes to make a cut. Mr. McCormack stated they typically put in a large cut that will last for a week or a month and shut it off on weekends. Ms. Altamura asked if they were looking for 24 hour operation of the saw for that reason. Mr. McCormack replied yes. He distributed information on noise level readings taken at other quarries. Mr. Balas suggested that the permit could state that if there are any complaints, they will revert to the old quarry operating hours.

Mr. Abate asked what the surrounding land uses are. Mr. Balas stated there are other granite companies, Milford Water Co., and a few residences. Ms. Lazarus noted there are new residential lots in Milford that are nearby.

Mr. Abate stated he has concerns about water filling the quarry and people using it. He asked about the status of the fences. Mr. McCormack stated they are all in good condition. Mr. Balas noted there are a lot of quarry holes in the area. He stated he has been told that some in Milford are used by people.

Dale Kratzch, 251 Lumber St., stated that the quarry has been a great neighbor and there have been no problems with trash, etc., since he moved there in 1995.

Paul McPhail, 241 Lumber St., stated he is ok with the operation, but would prefer no Saturday hours. He stated that Lumber St. in that area is in bad condition. He stated that he had met with DPW Directors Bartlett and Busher over the years about it, and recently attempted to contact the current Director Gaucher, but he has not called him back. He stated that both Bartlett & Busher said the road couldn’t be maintained because of the weight of the trucks going over them. He stated he has safety concerns, and some of the holes are more than 9” deep. It was noted that the section at issue is an unpaved portion of the road.

Ms. Altamura noted that the problem has historically been that the residents there didn't want the road paved. Mr. McPhail stated that there have been dust problems over the years, and the road is in disrepair and needs attention. He stated there should be a plan to deal with it, and it got much worse since last fall. Mr. Coolidge stated that since it is a public way, the Town is responsible for maintenance. Mr. McPhail stated the DPW told him it is the quarry's responsibility. Mr. Coolidge stated that this should be pursued with the Bd. of Selectmen and the DPW. Ms. Altamura asked the representatives of Fletcher Granite how many trips per day they make when they work, and Mr. McCormack stated they are limited by permit to three loads per day. He noted they had not worked the quarry last year.

Joseph Antonellis, attorney representing Stoneridge Management of Milford, stated that the proposed method of quarrying is a sophisticated, quiet technology. He stated if there is a disruption in power, however, the backup is a diesel powered generator, and they have concerns about this going for a long time. He stated there is a plan for condominiums nearby in Milford. Mr. McCormack stated there isn't a diesel generator on the site anymore and they don't plan to have one. He stated if the power goes out, then the saw stops.

Ms. Duffy asked where the trucks go when they leave. Mr. McCormack noted that previous permits direct them to Rt. 85. Ms. Duffy noted the requested hours of operation on Saturday begin at 7:00 am, and asked if 8:00 would be acceptable, so that it is the same as construction equipment hours permitted in Town. Mr. McCormack replied that would be acceptable. He stated that they don't run trucks on weekends or nights.

The Board stated that the criteria in the Earth Removal Bylaw had been met, and voted unanimously to issue the earth removal permit with the following conditions:

1. A permanent fence shall be maintained around the perimeter of the quarry, steel post and cables with wire mesh.
2. Proper and reasonable surface drainage shall be maintained at all times. There shall be no siltation, sedimentation or pollution of Echo Lake or the land owned by the Milford Water Company surrounding it.
3. At the conclusion of the operation or expiration of the permit, the whole area shall be covered with not less than 8 inches of loam and seeded with a suitable cover crop, except where ledge rock is exposed and the quarry itself, and all large stones and boulders which protrude above the finished grade shall be removed.
4. No debris or material shall be dumped into the quarry.
5. The hours of hauling on the public ways shall be limited to between the hours of 7:00 AM to 4:30 PM, Monday through Friday. Extreme caution and a slow rate of speed shall be exercised on the secondary streets, due to an increased number of homes in the area. A maximum of 3 loads per day may be removed, traveling Lumber St. in either direction.
6. The hours of operation at the site shall be 7:00 AM to 5:30 PM Monday through Friday, and 8:00 AM to 5:30 PM on Saturday. The Diamond Wire Saw may be operated beyond these hours unless a complaint is received by the Planning Board. If the Planning Board receives a complaint relative to the Saturday hours, the hours of operation on Saturday shall be changed to 8:00 AM to 1:00 PM. If complaints are received relative to use of the Diamond Wire Saw beyond the regular hours of operation, there shall be no further use of the saw beyond those hours. Use of a fuel and air torch is prohibited.

7. The period of quarry operation shall be from February 15 through November 30 each year. If the Planning Board receives a complaint relative to Saturday hours and the hours are eliminated, the operation shall be permitted year round without such restrictions.
8. The following truck routes shall be used when going to and from the site. The vehicle operators shall give due consideration to school bus traffic at all times.
 - From – Lumber St. to Granite St. to Hayden Rowe and south on Hayden Rowe;
 - To – North on Hayden Rowe to Granite St. to Lumber St.

 - From – Lumber St. southerly into Milford
 - To – Lumber St. northerly from Milford to the quarry.
9. The removal operation shall be restricted to the area shown on the plan entitled “Topographical” Plan of Land, prepared by Guerriere & Halnon, Inc., dated January 2, 2004.
10. The applicant shall maintain the security of the area by placing large boulders in the road during periods when the quarry is not operated, or by means of a proper gate. During operation, a cable across the entrance will be acceptable.
11. The applicant shall post a bond or make a deposit with the Town in the amount of \$12,000.00 to guarantee conformity with the provisions or conditions of the permit. The guarantee shall be deposited with the Town prior to commencement of operations under this permit. The Town may use the bond or deposit in the event that the Applicant does not comply with all of the terms and conditions of the permit and complete all restoration in a manner satisfactory to the Board and in accordance with the permit; significant public safety hazards exist which will not be addressed by the applicant; or material environmental damage has resulted from the earth removal activity and remediation will not be addressed by the Applicant in a manner satisfactory to the Board.
12. In the event that any of the permit conditions are not faithfully observed and performed, the Board shall have the authority to revoke the permit at any time, in accordance with the provisions of the Earth Removal Bylaw.
13. The permit is not assignable.
14. The duration of the permit shall be May 13, 2004 to May 13, 2006.
15. No work shall commence under this permit until an Order of Conditions is received from the Conservation Commission, if a new Order of Conditions is necessary.

The Board voted unanimously to close the public hearing.

6. Administrative Business

The Board voted 7 in favor, with Mr. Aghababian abstaining, to approve the amended Minutes of April 12, 2004.

7. Housing Plan

The Board reviewed the final Housing Plan that was developed for the Town by Community Opportunities Group, working with the Affordable Housing Task Force. It was noted that the Board had reviewed a final draft within the last few months. Ms. Duffy stated the list of small town-owned parcels in the attached Guidebook should be removed because it is inflammatory. She stated it implies that they are buildable but they are not. Ms. Lazarus noted that the list is from the 1998 Small Parcels Disposition Analysis prepared for the Town and being on the list doesn't mean that they are buildable. Mr. Coolidge stated that Town would have to review each parcel individually before proposing anything, and doesn't need to do anything with them if it doesn't want to. Ms. Duffy stated that the text implies that they are buildable and they aren't.

The Board discussed the issue further. Mr. Abate suggested adding a sentence saying that the parcels aren't necessarily buildable.

The Board voted unanimously to approve the Housing Plan and to incorporate it into the Master Plan with the language added relative the small parcels as previously discussed. Ms. Lazarus will prepare the language for review at the next meeting.

8. Senior Center – Mayhew St.

The Board noted that its comments/recommendations had been requested by the Board of Appeals relative to a petition for variance filed by the Senior Center Building Committee. It was noted that main access would be from Mayhew St., which is not the designated frontage for the lot. The Board noted that the Mayhew St. access had been part of the planning since the beginning, and since Davis Rd. is one-way it will make it difficult for people to access it, especially since one would have to go all the way through the elderly housing complex. The Board voted unanimously to recommend that the Board of Appeals grant the variance for those reasons.

9. Other Business

Ms. Wright noted that at 15 Main St. the owner had removed all of the trees along the west property line. She noted that the Board had approved a Site Plan for the property and the plan approved only showed the screening adjacent to the new parking lot. She suggested that in the future, the Board should look at all of the landscaping on the lot, even if it is an area that remains unchanged by the plan.

The Board noted that this is Ms. Rose's last meeting as a member of the Board, and thanked her for her service over the years, and that her contributions would be missed. The Board asked Ms. Rose if she would continue to represent the Board on the Traffic Safety Committee, and Ms. Rose replied yes.

Adjourned: 9:45 PM

Elaine C. Lazarus, Planning Director

Approved: May 24, 2004