

HOPKINTON PLANNING BOARD

Monday, February 14, 2005 7:30 PM
Hopkinton Town Hall

MINUTES

PRESENT: John H. Coolidge, Chairman, Jaime Goncalves, Vice Chairman, Mark Abate, Sandy K. Altamura, Evan Ballantyne, Pamela Duffy, Brian Herr, Claire Wright (7:40 PM)

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

1. Administrative Business

The Board voted unanimously to approve the Minutes of January 24, 2005. The Board voted unanimously to pay outstanding bills. Mr. Ballantyne asked about use of Fay, Spofford & Thorndike, LLC (FST) as engineering consultant, and when that is reviewed. It was noted that it is usually in the spring or summer. Ms. Altamura suggested asking representatives of FST to come in and talk to the Board at a future meeting. Ms. Lazarus will schedule an appointment around May.

Ms. Wright arrived at this time.

The Board reviewed a letter from Marianne Haldoupis, 30 Spring St., requesting to be appointed to the Zoning Advisory Committee. The Board decided to invite her to one of the March meetings, whichever is best for her.

Mr. Goncalves stated he would like to schedule a Zoning Advisory Committee meeting and invite representatives of Weston Nurseries in again to continue their discussions, not about their specific plans, but about general planning issues involving that area of Hopkinton. A date and time of March 3, 2005 at 7:00 PM was set.

The following Planning Board meeting dates were set: April 11, April 25, May 9, May 23, June 13, June 27, July 11, July 25, August 8, and August 22.

2. Continued Public Hearing – 25 Hayward St. – Tetlow – Site Plan Review

Bill Tetlow, applicant, David Faist, engineer, Brian Beisel, Transportation Engineer, and Bob Shaw, architect, appeared before the Board. Mr. Coolidge noted that there had been revisions to the plan, and a letter received from FST regarding their review of the plan. Mr. Faist distributed a plan showing the proposed floor plan of the bank. He described the existing conditions of the site, noting there are poorly drained soils in the area. He stated that in order to make the parking work on the site, the dry cleaner had been eliminated from the plan. He described the revised plan for an addition to the existing O'Toole's Restaurant with a bank, bank drive-through lane and canopy, and Dunkin Donuts. He stated that 7 or 8 vehicles will be able to stack at the bank drive-through lane and the parking lot will have 79 parking spaces. He stated that the number of

seats in O'Toole's will be reduced to 100. He stated that they will abandon the old drywell on the property and put in a new leaching system to handle the stormwater runoff. He stated that the DEP Stormwater Management Guidelines will be met. Mr. Goncalves asked how much runoff the system can handle before it overflows. Mr. Faist stated it can handle one inch of runoff, and the current system can handle ½ inch.

Ms. Altamura asked for a description of the traffic pattern at the drive-through. Mr. Faist described the traffic flow, noting that the way it is designed, smaller vehicles can enter the South St. driveway from the southbound lane and make the turn into the lane, but larger vehicles, such as SUV's, cannot. He stated they could be accommodated if they could eliminate one parking space next to the lane, allowing them to widen it. Ms. Lazarus noted that the space would have to be relocated elsewhere on site in order to continue to meet the zoning requirement for number of parking spaces. Mr. Beisel stated that studies show there is an average of 6 cars at bank drive-through windows at peak times. Ms. Altamura asked if the space could be moved elsewhere. Mr. Faist stated they could locate it where the dumpster is if it was moved back next to the house. Ms. Altamura stated that wouldn't be desirable. Mr. Goncalves asked about reversing the traffic through the drive-through, but it was noted that there wouldn't be enough room for vehicles to wait. Mr. Faist stated they can look at the placement of compact spaces, and if the space is relocated, they would move the landscape island over instead of eliminating it. He suggested moving it next to the Hayward St. driveway where there is room.

Ms. Duffy asked if they need to re-do the traffic study now that the Hayward St./South St. traffic light is in. Mr. Beisel replied no. Ms. Duffy stated there will be more people coming out of Hayward St. now that the signal is there. Mr. Beisel stated that signals and intersections are designed to handle it. He noted there was a question before about traffic from Valpey-Fisher's driveway across the street, and they have observed 3 cars coming out at the peak time, all making a right turn.

Mr. Goncalves asked if they propose to allow left turns out of the South St. driveway, and suggested eliminating that possibility so all cars taking a left would have to go out Hayward St. to the signal. Mr. Tetlow stated that people now have no problem pulling out of the site, and the light changes when someone triggers it on Hayward St. Mr. Beisel stated that the intersection will operate at Level of Service (LOS) A with the light, and operated at a LOS F for Hayward St. traffic before. Mr. Goncalves questioned the ability for people to cross two lanes of traffic to take the left out of the site driveway. Mr. Tetlow stated that people do it now, all along South St. Mr. Goncalves recommended eliminating the left turns. Ms. Duffy disagreed. Mr. Coolidge asked about the sight distance to the left from the site driveway, and Mr. Beisel stated it was 256 feet. Mr. Tetlow stated that when he requested the driveway opening last year no one mentioned a problem with left turns. The issue was discussed further. Mr. Beisel noted that people are likely to come out and take the left at the signal, as a practical matter. Mr. Tetlow noted that the light at Hayward St. will stop traffic so people can get out. Ms. Altamura noted that the Board could ask that the issue be revisited 6 months after opening to see how it works.

Ms. Altamura asked if the existing floodlights would be removed. Mr. Tetlow replied yes, that there will be all new lighting on the site. Ms. Altamura noted that 20 ft. tall poles are proposed, which is too high, and people will see the light source. She asked if they could be reduced to 16

ft. Mr. Coolidge asked if the bulb will be seen in the fixture, and Mr. Tetlow replied no. Mr. Tetlow stated that the residential abutter has a six foot tall fence next to them, plus they are lower in grade, so they will be about 15 feet lower than the top of the fence. Ms. Altamura asked if the lights will be turned off at night. Mr. Tetlow replied yes, but he wants to keep something on for security purposes. Ms. Altamura agreed, but noted that the parking lot lights should be turned off. Mr. Tetlow stated that the homeowner doesn't have a problem with the lights now, and the new ones will be more sophisticated. Mr. Herr noted that if the lights are lower, there will have to be more poles added to get the same amount of illumination. Mr. Faist noted that the lights are 30 ft. high now. Ms. Wright noted that when the Design Review Board (DRB) reviewed the plan, there were only two poles proposed with 0 foot-candles of illumination at the edge of the property. She noted that this was fine, but if the poles are lowered, there will have to be more of them. Mr. Tetlow stated there is a lot of light spillover from EMC next door. Mr. Ballantyne noted that O'Toole's is a known area for car break-ins and adequate light is necessary.

Ms. Duffy asked about the hours of operation for the site. A Dunkin Donuts representative present stated that it would be open from 5:00 AM to 10:00 PM. Mr. Tetlow noted that the bank will have a 24 hour ATM.

Mr. Goncalves asked if they are willing to go back to the DRB to review paint colors later as it had requested, and Mr. Tetlow replied yes.

Mr. Coolidge asked if there was anyone in the audience who wished to speak, and there were none.

The Board voted unanimously to close the public hearing.

Mr. Herr asked if the Board wanted to require the posting of a bond to cover landscaping. It was noted that the Site Plan Review bylaw gives the Board the authority to require a bond.

The Board voted 5 in favor (Coolidge, Goncalves, Duffy, Abate, Wright) with 3 abstentions (Altamura, Ballantyne, Herr) to find that the site plan conforms to the Site Plan Review Criteria contained in Article XX of the Zoning Bylaw. The Board voted 5 in favor (Coolidge, Goncalves, Duffy, Abate, Wright) with 3 abstentions (Altamura, Ballantyne, Herr) to approve the Site Plan with the following conditions:

1. Pursuant to Section 210-138 of the Zoning Bylaw, the applicant shall provide a performance bond in the amount of \$10,000 to guarantee completion of improvements shown on the plan, including lighting and landscaping. The amount shall be delivered to the Planning Board office prior to the commencement of construction.
2. During construction, the owner shall make every effort to ensure that soils are not tracked onto South Street and Hayward Street by vehicles.
3. 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. If desired, the pole mounted lights in the parking lot may be on motion sensors.
4. All mechanical equipment shall be screened from view from the ground.
5. The building owner shall institute a signage program for the building with control over sign size, style, placement, lighting, and colors. The building signage shall be coordinated with

respect to each other and the style and architecture of the building. Signs on the building shall be carved wood with exterior illumination, as indicated by the applicant.

6. The applicant shall meet with the Design Review Board before or during construction to discuss color selections for the building.
7. The entrance to the bank drive-through lane shown on the plan is not wide enough to accommodate vehicles turning into it from the southbound travel lane of South St. Therefore, the applicant shall widen the lane entrance by relocating the nearest parking space elsewhere on the property. At the public hearing, the applicant indicated it would be relocated to be adjacent to the Hayward St. driveway. A revised plan showing the change shall be submitted to the Board and the Director of Municipal Inspections prior to the commencement of construction.
8. Six months after completion of construction, the owner shall review with the Police Department safety issues or any problems with regard to the use of the South St. driveway for left turns, to determine whether they should continue to be permitted.

3. Public Hearing – Deneen Scarlata Family Subdivision – Definitive Subdivision Plan - Oakhurst Road

Mark Wright, representing the applicants, Jeffrey Richards, landscape architect, and Jeffrey Effren, attorney, and Donna Deneen and Jean Scarlata, applicants, appeared before the Board. Mr. Wright stated that the plan has been 6 years in the works. He stated it would result in five building lots for family members and one lot to be sold to pay for the infrastructure construction. He stated that the agreement with abutter Larry Fowler will limit the use of his new driveway to one house.

Mr. Richards reviewed the Open Space and Landscape Preservation Development (OSLPD) Concept Plan the Board had previously approved, and the submitted definitive plan. He noted that the plans are very similar, but the amount of open space grew slightly. He stated the main difference is in the location of a drain line within parcel K instead of in the Fowler driveway. He stated they have been working on the plan details since the concept plan was approved. He noted that lots 1 and 2 would be served by municipal sewer and lots 3, 4, 5, and 6 would have individual sewage disposal systems.

Mr. Coolidge asked if they had discussed with the DPW Advisory Committee whether they could have sewer for the 4 lots. Mr. Wright stated they sent a letter and received no response. He stated they were then told they were waiting for completion of the Comprehensive Wastewater Management Plan (CWMP), and they could wait for future sewer and/or install a stubbed line in the roadway. Mr. Coolidge suggested that the Board write to the Committee requesting that they grant sewer to the lots in order to protect Lake Maspenock. He stated that because of this plan, the density of the Fowler property is reduced to one lot on 30 acres, and so overall density of future development around the lake is reduced. Ms. Altamura stated she would not be in favor of recommending that the lots receive municipal sewer, because she knows someone who was denied sewer and will sue if someone else gets it. It was decided that the Board would send the letter to the DPW Advisory Committee requesting municipal sewer for the four lots.

Ms. Duffy asked when the lots would be built on, and Mr. Wright stated that four are ready to go.

Mr. Richards stated that in November, 2004 they performed witnessed soil tests with the Bd. of Health, so septic systems are viable. He reviewed the requested waivers, noting that the buffer reduction next to Mackay was increased by 0.2 feet. He stated they are requesting that the Board allow tree clearing now, noting that the Subdivision Rules & Regulations states that no tree clearing can begin until the plan is approved. He stated the family would like to use the firewood this winter and do outdoor burning of the materials as well. He stated they want to start construction on lot 1 early, and they want to know what would have to be done before the Board will release that lot. He noted that a waiver of minimum centerline radius is requested, and they had eliminated the kink in the road shown on the concept plan. He stated that Oakhurst Rd. is posted at 20 mph and people travel slow, so they think that a 25 mph design speed for the new road is reasonable. Mr. Ballantyne asked if a fire truck can turnaround at the end, and Mr. Richards replied yes.

Mr. Richards noted that a reduction in the right of way for the new road to 25 feet is requested, which would be consistent with the existing roads in the area. He stated that in regard to the request for a waiver of the requirement for open space bounds every 100 feet, he spoke to David Goldman, Hopkinton Area Land Trust (HALT), and they have come to a compromise. He stated there will be bounds in certain areas more than 100 ft. apart.

Mr. Effren stated he submitted proposed open space documents and spoke to Mr. Goldman, and they are ok with a few changes. He stated they will add the monumentation requirement. He stated they will grant the Conservation Commission the enforcement authority in the Conservation Restriction. He stated there are proposed modifications to the stewardship section that need to be reviewed with the Commission.

David Goldman, HALT, stated the Conservation Commission will be responsible for stewardship, and they are trying to be creative in this regard. Ms. Duffy noted that the draft states that motorized vehicles such as ATV's will be permitted in the open space. Mr. Goldman stated they prefer if they are not allowed, but if the owners giving the land want it, then they will allow it. Mr. Wright stated that a lot of people in the area use the trails now for that use, so they would like that to be continued. He feel they will do it there anyway. Mr. Goldman noted that use of snowmobiles and ATV's can help to keep trails open.

Mr. Richards addressed comments in FST's letter, stating that all can be addressed within the next few weeks. He stated there is an abutter's shed that would remain partially on the open space. Mr. Goldman stated there should be something in the open space documents that allows it to remain and be repaired or replaced if necessary.

Mr. Richards stated that the necessary off-site easements are in the works. Mr. Effren stated they know they need to provide them to the Board, but wanted to make sure that the areas shown on the plan are ok and don't need to be changed first.

Mr. Ballantyne noted that snowmobiles in the open space would be ok, but has concerns about ATV's because they can chew up the ground in the spring. Mr. Goldman stated that HALT accepts the land with the donor's requests. He stated it is difficult to control ATV's and in other open space, people use the land for ATV's even though it is posted. Mr. Ballantyne stated they shouldn't legalize it even though they can't enforce it. Mr. Coolidge suggested prohibiting wheeled motorized vehicles. He noted that snowmobiles are not allowed on the ice of Hopkinton Reservoir and Lake Whitehall, but it is not enforced. He stated HALT shouldn't allow them, then it can be enforced if the land is negatively impacted. Mr. Goncalves noted that this is a historical use for this area and not a new condition. Mr. Ballantyne suggested taking the language out then if HALT decides from a land management standpoint to allow it or not in the future, they have the ability to do that. Mr. Wright stated they find that if someone makes a trail, they will use it, but if they don't, they will wreck other areas, and there are some streams on the property they don't want impacted. He stated the reality is that the use will happen.

Mr. Richards stated they are working with the Con. Comm., and filed a Notice of Intent application. He stated that the hearing has been continued to Feb. 28, 2005.

Mr. Coolidge noted that Jeffrey Doherty, nearby land owner, called him to say that he could not attend but was supportive of the plan.

Mr. Herr asked about the proposed lot sizes, and Mr. Richards stated they will range from 30,310 sq. ft. to 33,500 sq. ft.

The Board voted unanimously to continue the public hearing to March 14, 2005 at 9:00 PM.

4. Multi-Family Development – General Discussion

Mr. Coolidge noted that the Board is going to see a lot of multi-family development proposals, and needs to consider precedent when it decides on waiver requests. He noted there will be a lot of choice in location as there are going to be several proposed. Ms. Lazarus distributed a map showing all of the existing parcels in common ownership which currently qualify to apply under the Garden Apartments in Residential Districts or Senior Housing development bylaws.

Mr. Goncalves stated he would like to see developers submit a needs analysis with waiver requests explaining why each is good for the Town. Mr. Herr stated the Board should educate the Town about what the alternatives are for a given piece of land, noting that the underlying zoning has permitted uses. He noted that just because the Board votes to deny approval of a plan doesn't mean that nothing will happen there.

The Board discussed the desire to have someone build small homes on small lots to add to the diversity of housing.

The Board noted it would look for village type designs and consideration of the visual impact of the development on the area. The Board stated that it should consider tightening up some of the dimensional requirements in each of the bylaws. The Board noted that it needs to be consistent in its reviews and decisions, aware of the economic realities of the region, and aware of the town's housing needs. The Board noted that the Town should remain a predominantly single

family community and multi-family proposals should have a neighborhood feel, that it shouldn't grant waivers unless it's a very good site for the use, and that it wants quality projects.

5. Other Business

The Board voted unanimously to request the assistance of Town Counsel in reviewing the articles that it submitted into the warrant for the 2005 Annual Town Meeting.

Adjourned: 10:35 PM

Elaine C. Lazarus, Planning Director

Approved: February 28, 2005