

HOPKINTON PLANNING BOARD

Monday, June 13, 2005 7:30 PM
Hopkinton Town Hall

MINUTES

PRESENT: Mark Abate, Chairman, Brian Herr, Vice Chairman, Sandy K. Altamura, Evan Ballantyne, John H. Coolidge, R.J. Dourney, Jaime Goncalves, Claire Wright

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

1. Administrative Business

The Board voted unanimously to pay outstanding bills. The Board voted unanimously to approve the Minutes of May 23, 2005.

2. Low Impact Development

Mary Pratt, 102 Fruit St., referred to materials distributed to the Board regarding various techniques to implement Low Impact Development principles. She stated she had recently attended a regional meeting on these concepts, and the intent is to keep as much of the land in its natural state after it is developed. She stated that Highland Park is a good example of how this can be done. She stated that developers must follow new EPA stormwater regulations by keeping water on the site of the development. She stated that techniques such as using grass swales to filter water can be used. She stated that if the Town adopts the techniques in a bylaw, all plans would have to comply, including ANR's. She stated that 40B developments would still have to follow the regulations because they are Federal. She stated that there are costs to the DPW to maintain the measures, but a developer and/or a homeowners association can put funds into an escrow account to pay for the maintenance. She stated that this is a new thing that is coming, and all towns are looking at it.

Mr. Goncalves arrived at this time.

Mrs. Pratt stated that Donna Jacobs at the Metrowest Growth Management Committee is working on a model bylaw, and she will forward it to the Board when it is done.

3. Committee Assignments

The Board voted unanimously to appoint the following members to the to fill committee vacancies:

- Master Plan Committee – Sandy Altamura, R. J. Dourney
- Traffic Safety Committee – Evan Ballantyne
- Community Preservation Committee – John Coolidge

4. Public Hearing – Maspenock Woods – Garden Apartment Concept Plan – 5 and 11 West Elm St.

John Sawyer, K.S.S. Realty Partners, the applicant, Doug Resnick, attorney, Bob Poxon, engineer, John Copley, landscape architect, and Gary Snider, architect, appeared before the Board. Mr. Sawyer stated that K.S.S. has developed over a billion dollars in property, and that they currently own the site. He stated their goal is to develop a project with significant open space that works with the site characteristics, adds to housing diversity, and has a positive fiscal impact on the Town. He stated that 80% of the site will be open space at the end of the project, and this will be an extraordinary achievement. He stated they have evaluated the site, which has good perk rates and active wells which are good and can be used for irrigation. He stated they will be able to use Town water for drinking. He stated they have worked with the shape of the property, and want to protect Lake Maspenock. He noted the land is not within a Water Resources Protection Overlay District and is zoned for Garden Apartments. He stated the maximum density in the bylaw would permit 45 two-bedroom units, and they have tried to preserve the neighbors privacy. He noted that the location has convenient access to Rt. 495. He stated they will preserve open space by clustering and minimizing impacts. Mr. Sawyer noted that their original submission proposed 41 units, but they have revised it to 38 units, which has increased the open space, eliminated buildings within the 100 ft. buffer zone to wetlands, and increased the building setback.

He stated that in order for the Board to evaluate whether the project is too dense or not, the Board needs to determine if the units can be accommodated by the infrastructure and the perception as one drives by the property relative to the building massing. He stated that the project will be all but invisible, and they will increase the screening adjacent to the five abutting houses so it won't be seen. Mr. Sawyer stated they have talked to all the neighbors. He added that the issue of traffic has been discussed, but 38 units near West Main St. doesn't appear to have a significant impact on West Elm St., since most traffic will go toward W. Main St. He stated that the fiscal impact on the Town will be positive, with \$200,000 in net revenue projected.

Mr. Copley described the plan and the site. He stated they have pushed the units out of the 100 ft. buffer and spread units around a crown in the center of the site. He noted that active recreation would be located in the center and at the boathouse, which would be for canoe and kayak storage. He noted there would also be a trail network in the open space. He stated that there would be an 18" to 24" high stone wall at the 100 ft. wetland buffer line to delineate it. Mr. Copley showed sections through the property to illustrate the landscaping and screening planned along the property lines. He referred to the Master Plan, noting that the development would be environmentally responsible, have 80% open space, meet recreation and open space goals, provide a buffer along the Lake, and provide a permanent barrier along the wetland boundary. He stated that they would control erosion and sedimentation and would use non-sodium de-icing agents on the property. He added that they would also recharge roof runoff. He stated that the impact on the abutting property would be limited, noting that one can't see the existing houses on the property from the Lake now. He stated that they would use lighting with cutoff features to avoid spill off the property.

Mr. Poxon stated the proposed roadway would be 22 feet wide. He added that two cars would be able to park in the driveways of the units which are located on the perimeter of the road network. He referred to the center unit section, consisting of several units served by an auto court, noting

the driveway between them would be 16 ft. wide. He described the main access road and the driveways to the auto court units. He stated they did deep test holes and the results showed good depth, with groundwater encountered in only one hole, at 11 feet. He stated they are proposing a looping water system so it won't be a dead end for good flow. He stated the stormwater runoff flows toward the Lake, and roof runoff would be collected in drywell chambers. He stated there will actually be a decrease in runoff to abutters after construction. He described the 3 detention pond locations, which would meet the DEP Stormwater Management Guidelines. He stated the detention ponds would be the only intrusion in the 50 to 100 ft. buffer to wetlands.

Mr. Snider stated they want to enhance the neighborhood with the design, and described how the site would have townhomes at the perimeter which are wider than usual. He described the narrower, deeper units in the auto court, which would step down the site with the grade. He stated the auto court units would have garages in the back with the front facade facing another direction. He stated that this would provide front entries facing the roadway, enhancing the streetscape. He noted that all townhomes live to a greenspace. He stated they have looked at the context of current Hopkinton housing stock, and showed renderings of what the units would look like. He stated they would use traditional architecture and details.

Ms. Altamura asked if the auto court homes would have 3 stories, questioning the 3rd floor dormers on the elevation drawings. Mr. Snider stated they would not, and the units would be less than 30 ft. tall in most instances.

Mr. Sawyer stated they will do a traffic study early in the process, and there is a short distance from the site entrance to West Main St. with no residences located there. He stated the West Main St./West Elm St./South St. intersection has been improved and there is good sight distance at the site drive, with over 200 ft. available. He stated they will look at providing a turn lane at the driveway, but it could only enable people to drive faster. He stated that people already drive too fast there. He stated the traffic safety should be addressed in a larger context, and traffic delay at the intersection traffic light is significant. He stated they don't know if the cycles are appropriate, and the AM and PM peaks are different. He stated they will look at other intersections along West Main St. too. He stated there will be a minimal impact on the traffic volume from the development, and the volume problem in West Main St. already exists.

Ms. Altamura asked how many single family homes could be built on the property, and Mr. Sawyer replied there could be seven. Ms. Altamura asked if they had considered providing some affordable housing in the development. Mr. Sawyer stated they talked to Community Housing Task Force, Inc. (CHTF, Inc.) about providing housing here or elsewhere, and they have volunteered to work with them on this. Ms. Altamura asked if they could add a component in this project. Mr. Sawyer stated they prefer an off-site approach, CHTF, Inc. is considering the options and they will work with them. Ms. Altamura stated she likes the buffer to the Lake, and a lot of thought has gone into the design. She stated the building with six units is too big. She recommended that they utilize Low Impact Development techniques for the drainage system. She noted that some buildings are 10 ft. from the roadway, which does not meet the 20 ft. setback requirement. Mr. Poxon stated the setback is 20 ft. from a road, but they consider that section in the auto court a driveway and not a road. Mr. Sawyer stated the 20 ft. requirement is

for some separation, and the purpose of the auto court is to hide the garages, so it is not a road. He stated the garages aren't set into the building, and this has lots of benefits to neighbors.

Ms. Altamura stated that the buildings are set higher than the abutters as shown in the section drawing. Mr. Sawyer described the area, noting that with additional landscaping the units won't be seen. Ms. Altamura stated she thinks they will be visible. Mr. Sawyer stated they will use a lot of screening and earth tones on buildings. Ms. Altamura asked about the request for a waiver from the 100 ft. setback requirement. Mr. Sawyer stated that the bylaw allows roads in the setback area so if the Board wants them to adhere to the 100 ft. setback, they can put roads there. He stated it is better to have a building there than a road, plus there will be a buffer. Ms. Altamura stated they could also reduce the density to meet the setback requirement. Ms. Altamura stated she feels the development is too dense. She noted she would be satisfied with 20 ft. wide roads.

Ms. Wright asked how they were able to get from 41 to 38 units, and if it was by reducing the number of units in a building. Mr. Sawyer showed the 41 unit plan for comparison. Ms. Wright asked how people visiting the auto court units would get to the front door. Mr. Sawyer stated they would walk around to the front via a sidewalk.

Mr. Herr asked if it would be acceptable to the applicant if there was a condition of approval requiring that nothing be visible from the Lake, West Elm St. or the abutters, in order to make it clear? Mr. Sawyer replied yes. He stated they can come up with a landscape plan and reach agreement on that instead, though. He stated they can review the landscape plan with the abutters and work it out with them. Mr. Herr asked if it would still not be visible in the winter. Mr. Sawyer stated they can plant materials to screen. He stated that it won't be offensive to look at, though.

Ms. Altamura stated that Liberty Mutual was able to utilize digital photos to prepare an illustration of what it would look like, and asked if they could do the same. She noted that this was very helpful to the Board. Mr. Sawyer showed a rendering of what the entry would look like, minus some of the proposed landscaping.

Mr. Dourney noted that there are 82 adults predicted to live in the development, but only 3 to 4 children, and asked how the numbers had been calculated. Mr. Sawyer stated they looked at the typical demographic for this type of project and price point. He noted that the master bedroom on the first floor makes the units the prime market for people over 55. He stated a mix of ages is healthier, and they are not proponents of over-55 developments. He stated that younger people would live in the auto court units, which have second floor bedrooms, but they will not have children. Mr. Dourney questioned their assumption that the units would be revenue positive for the town. Mr. Ballantyne stated they should look at existing Garden Apt. developments in Hopkinton for comparison.

Mr. Herr asked if the condominium association will make sure that no additional bedrooms are added. Mr. Ballantyne asked what the ramifications are for an owner who does that anyway. Mr. Resnick stated the remedies would include fines, liens, and criminal or civil enforcement.

Mr. Ballantyne asked if the driveways are wide enough for fire vehicles. Mr. Sawyer replied yes, adding that all of the units will have sprinklers. He stated that the turning radius is sufficient. He stated that the layout works and they are proud of it.

Mr. Ballantyne noted that the wastewater will be entering the ground through a traditional septic system. He asked if they had considered alternative methods for treatment, given the proximity to the Lake. Mr. Ballantyne noted that the applicant for Whitehall Estates was proposing a Waterloo Biofilter with the septic system, for example. Mr. Sawyer stated they will look at it. He stated they considered a sewer treatment plant but it takes 4 years for state approval. Mr. Goncalves noted the Town spent a lot of money to sewer this area because of septic issues. He asked if they had discussed municipal sewer with the DPW. Mr. Sawyer stated they had discussed it, and have been told that plans are lagging and that it will not be available in time for them. Mr. Goncalves noted that there isn't much water flow to this area of the lake because of the causeway, and it is somewhat stagnant. Mr. Sawyer stated they want to protect it because it is an asset. Mr. Goncalves asked if they could design the site for a future tie-in to the system, and Mr. Poxon replied they could do that.

John Mosher, 13 West Elm St., stated that the proposed structures require variances because they are within 75 ft. of the property line, and the proposed leach field is 100 feet from their well. He stated these will make for uncomfortable living, as they are too close. He noted that there is no reason for that. He stated they are concerned about the safety of people using West Elm St. because the road is already overburdened and people speed on the road. He stated there won't be adequate sight lines at the site roadway and it will make the road more dangerous. He stated the project should be deeded as over-55, noting that a study done for the School Dept. predicts 18 to 24 children here. He asked about the contribution to CHTF Inc. and how it would be used. He stated that this development would be denser than other Garden Apt. developments, and would locate 50% of the multi-family units in this part of Town. He asked what Hopkinton will become. He noted that this, plus other projects pending, will change the Town. He asked that the Board protect the character of the Town and not promote its decay.

Shawn Collins, 9 West Elm St., stated the development is not desirable and is too dense. He stated it would have the highest density allowed by the Town. He noted that the Town would have to provide more services. He noted that the units would be more expensive than the average single family home in Town. He stated that there would be a large private septic system near private wells, and it will pollute the wetlands, wells, and Lake Maspenock.

Kathleen Mosher, 13 West Elm St., stated that the project does not benefit the Town. She stated that the density is too high for Hopkinton. She stated it would increase noise pollution, noting that after widening of the roads and intersection a few years ago, there was a definite increase in noise. She noted it would also result in light pollution. She stated they can see cars through the site on West Main St. in the winter, questioning whether the development would be invisible. She noted that there would be runoff into the Lake from lawn chemicals, etc. She stated that the wildlife would be pushed out, more town services would be required, and the open space is not clearly defined on the plan.

Dino Vumbaca, 17 West Elm St., stated that traffic in the morning is very difficult. He noted that the Police are enforcing the speed limit, and there is a high traffic volume. He stated there is a poor line of sight near the site entrance, and a lot of people use the street as a cut-through. He stated that pesticides shouldn't be used on the site, and they should put into the condominium bylaws that organics are required.

Ms. Altamura asked what the percentage of open space is, not including land under water. Mr. Sawyer stated it is 80%.

Brian Morrison, Conservation Commission, read excerpts of a letter from the Commission regarding a potential vernal pool at 12 West Elm St., noting that while off the property, its protective radius would extend into the property where the access driveway is. He noted that the buffer should be shown. Conservation Commission concerns regarding impacts on wetlands, private wells and the Lake were also expressed. He noted that there are tools available to reduce nitrogen and phosphorus loading that the applicant could use.

The Board voted unanimously to continue the public hearing to 9:15 PM on June 27, 2005.

5. Fruit Street Housing

Ron Roux, Fruit Street Development Committee, Mary Harrington, Housing Committee, and Steve Dadarian, VHB, appeared before the Board. Mrs. Harrington noted that representatives of the Housing Committee and Planning Board had been charged with designing some options for the housing on the Town's Fruit Street parcel. She noted that they will present options/alternatives for diverse housing for the State to look at in the EIR process. She noted that the State would approve a maximum development scenario. She stated that one section would meet the Village Housing bylaw requirements, and the other would meet the Senior Housing bylaw requirements.

Mr. Roux stated the purpose is to get Planning Board support of the filing with MEPA and to get a framework for going forward with housing on the site. He stated the overall EIR is a broad statement, and when the Town plans individual pieces, there will be flexibility. Mr. Ballantyne asked what the MEPA time limit is. Mr. Roux stated it allows projects to move forward. Mr. Coolidge stated he thinks approval is good for 8 years. He noted that this process is answering the questions raised before by the Board about housing on the property. Ms. Altamura stated that if the Board approves the scenarios, she doesn't want to hear later that the Planning Board approved a specific plan. Mr. Roux stated it isn't an endorsement of density, but a reflection of what could be done on the site.

Mr. Dadarian described the preferred alternative plan, noting there would be eight 6-unit townhouse buildings, 11 two-bedroom capes, 8 two bedroom duplexes, and 13 3-bedroom capes in the Village Housing area, on 12 acres. He stated that in the Senior Housing/market rate housing area, there would be 50 units on the 30 ± acres. He showed another concept with 69 Senior Housing units with the same number of Village Housing units. Mr. Roux stated that no units would be located within the 100 ft. buffer to wetland resources, and they would comply with current zoning requirements. Mrs. Harrington stated there would be two neighborhoods in

the Village Housing section, one with townhouses for people just starting out, and another generally for families. She asked the Board if it supports the concept.

Ms. Altamura stated she has a problem with the over-55 market rate housing, and doesn't like that aspect of the plan. Mr. Coolidge noted that the state has asked for the maximum buildout, and it doesn't mean that the Town will build it. Mr. Roux stated that the plan reserves the ability of the Town to do this on the parcel, but it may never develop it. He stated there are no plans to do this now. Ms. Altamura asked what would happen if the Town wanted to do something else there. Mr. Roux stated it could do that.

Muriel Kramer, 39 North St., asked if the units will remain affordable, noting there have been problems in the past with preserving the affordability. Mrs. Harrington replied there will be adequate monitoring and deed restrictions.

Dave Adelman, 183 Pond St., stated that no housing was shown at town meeting when the Town bought the land and he didn't vote on that component. He stated this is an encouragement of development here and elsewhere. He stated that the Board should be planning and not be reactive. He stated he understands it's a concept, but it hasn't been voted on. It stated it's not good planning.

Pam Duffy, 41 Woody Island Rd., stated the plan that town meeting approved indicated an area to be sold in the future, but it wasn't necessarily for housing. She stated the Town has a need for commercial development, and asked if it would be appropriate for that. She asked if the concept plan would preclude that.

Ms. Altamura left the meeting at this time.

Mr. Coolidge noted that the Community Preservation Act funding used for a portion of the purchase will guarantee that the water supply and open space areas will exist. He stated that all other uses are conceptual at this time.

Ms. Kramer referred to the options addressed in the MEPA process, and asked if there is a way to capture all of the options for the Senior Housing area. Mr. Roux stated the Town should be consistent now, but it could be changed later. He stated the Town currently has no plans to develop that area for anything, but if it did, the Town could move forward on whatever the plans are at that time.

Nancy Peters, 258 Wood St., stated she is afraid that the uses shown on the plans at the MEPA stage could be locked in. Mrs. Harrington stated the plan is what could happen under existing regulations and zoning. She noted that for Ms. Duffy's idea to happen, the land would need to be rezoned.

Kevin Kohrt, 35 Winter St., asked if the Planning Board has voted to approve the plan, and if it is approvable. He asked if a future buyer of the property could rely on that Board approval. Mr. Coolidge replied no. He stated the Board is being asked to support a concept for the MEPA filing only.

Mary Pratt, 102 Fruit St., noted that it was stated at town meeting that all proposed uses for the property would have to go back to town meeting. She stated that the 100,000 gallons of wastewater treatment discussed at town meeting is only for phase 6 of the municipal system, nothing beyond that, like the uses shown on the conceptual plans for the property.

Mr. Goncalves asked about the timeframe and what the Committee needs from the Board. Mrs. Harrington stated that the Fruit Street Development Committee meets this week, and they would like a vote of the Board to support the concept plan before their meeting.

Ms. Wright noted it is important for there to be maximum flexibility in the plans going forward.

The Board voted unanimously to support the plans which have been developed as a concept in support of the Town's EIR supplemental filing, and that the plan complies with Hopkinton's current zoning bylaws.

6. Master Plan Committee

Muriel Kramer, Chairman, Master Plan Committee, addressed the Board. She stated the Committee will try to come up with a workable strategy going forward, and they are struggling with a few things, like how to treat Weston Nurseries and Fruit Street, for example. She stated there are separate entities working on those areas, and they don't want to duplicate efforts, but they need to be addressed somehow in the Master Plan. She stated that they have started to talk about space for commercial development, but they are now down to 10 active members. She stated they need people with town government experience in going forward, and are looking for guidance from the Board.

Mr. Herr asked about a consultant to pull it all together. Mr. Dourney stated that could help, plus a consultant can help articulate things at town meeting. Ms. Kramer noted that a consultant brings objectivity and can look at the big picture.

Mr. Adelman stated he joined the Master Plan Committee in January, 2004 with a lot of enthusiasm, but he has not received a lot of support there. He stated it is not a plan. He stated he has put work into the process and has made suggestions, but nothing has been done. He stated the Board should go back and find out why it has not progressed. He stated he wants the Plan to be a productive and useful document.

Mr. Abate noted that it seems to have progressed well, noting that the public forum went very well, and disagreed with Mr. Adelman's assessment. He stated the process to date shows effort. He noted they could look at a professional facilitator to elicit thoughts and distill them. Mr. Herr stated the Committee should get the information on paper and move forward.

Ms. Duffy stated she doesn't have the time to continue as co-chair, but would like to continue as an associate member.

Ms. Lazarus suggested coming up with an outline to define the framework to break it down into manageable pieces, and attack it one piece at a time.

Mr. Adelman stated that the Plan should take a regional approach.

Robert Falcione, 12 Claflin Place, asked if the Board will put forth a zoning change to rezone South St. for more business, so there can be more retail and commercial use where there is now industrial. The Board stated it would place this item on a future agenda for discussion.

7. Springwood III

The Board re-signed a Form K (lot release form) originally signed in 1999, for filing in the Registry of Deeds.

8. Deerfield Estates

Mr. Herr reported on a recent site visit of the Dempsey house at 148 Lumber St., in the Deerfield Est. Senior Housing Development. He stated he went through the house with Ms. Wright and the developer. He stated the developer has agreed not to demolish the house before September 1, 2005 to review some options. He stated they may look into making it into a community space, possibly on a separate lot. He noted there is a clump of white pines behind the house, and if they were removed, they could attach a unit to the back of the house and re-use the building that way also. Ms. Wright stated that Board members should go through the house, and it is one of the last remaining “single cell” homes around, and one of 4 homes remaining from the 1700’s in Hopkinton. She stated it is a treasure and the Board needs to find ways to work creatively to deal with these homes.

9. Other Business

The Board decided to change the time of its meeting on June 20, 2005 to 7:15 pm. The Board discussed setting a site walk of Maspenock Estates for June 16 or June 18.

Adjourned: 10:50 PM

Elaine C. Lazarus, Planning Director

Approved: July 11, 2005