

HOPKINTON PLANNING BOARD

Monday, February 27, 2006 7:30 PM
Hopkinton Town Hall

MINUTES

PRESENT: Brian Herr, Vice Chairman, Sandy K. Altamura, 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.

2. Public Hearing – Sunshine Preschool – 1 Briarcliff Dr. – Amendment to Site Plan Review Decision

Mr. Herr described the process for the public hearing. Christine Martin, applicant, stated she has asked if Sunshine Preschool could be open year round. She stated that the staff had asked if the summer camp could be extended for one more week after the Hopkinton schools close. She stated that she told them no because of the conditions of the site plan approval. She stated she likes the option of being open additional weeks beyond the school year. She stated that the 2006/2007 schedule has been set, and she hasn't included it. She stated it is not her intention to open a day care center. She stated she now has a camp that goes from 8:30 am to 12:30 pm that ends when school ends in June. She stated she felt that if she was going to ask for one week, she should ask for year round so she has the option to use it year round. She stated the preschool has half day programs and includes over 10 families from the neighborhood. She stated she is licensed for 36 children, but depending on the day and the session, there are from 24 to 34 students. She stated there is an average of six students at each session who are either siblings or in carpools. She stated there have been no actions against them regarding neighborhood issues. She stated there was a noise complaint one time about the person plowing snow, so she told them to come later in the morning. She stated that issues related to traffic have been addressed with the parents, and there have been no actions against them in the 3 years they have been there.

Mr. Goncalves asked how she feels the traffic has been going. Ms. Martin stated that one neighbor mentioned a problem with the stop sign. She stated that Mr. Shepard observed the traffic once, and a police officer has done so too. She stated that enforcement of the stop sign is important to them as well as the neighbors. She stated she doesn't have much queuing, and they try to get the flow through the parking lot. Mr. Coolidge asked if there have been any citations issued by the Building Inspector or the Police Dept. Ms. Martin replied no. Mr. Goncalves asked how she feels the use of the property might change over time. Ms. Martin stated she doesn't think she will ever go all summer, probably only another week or so. She stated they usually use the month of August for maintenance, painting, etc. She stated she wants to extend a few weeks after school ends, but it gets too hot after that. She stated she can't make any promises, though. She stated that last year they had 24 children for a 3 week camp program.

She stated that the staff also likes the summer off and there are fewer teachers available in the summer.

Mr. Goncalves cited concerns about children outside and traffic impacts. He noted that originally, it was seen that the summer would be a break for the neighbors from the traffic. He asked if there would be reduced enrollment then. Ms. Martin stated there would be fewer children enrolled in the summer camp. She stated she understands the concern, but children need to be monitored when they are playing outside no matter how old they are. She stated they have been sensitive and respectful to the neighbors, and have kept the property well maintained.

Mr. Coolidge asked if the drop-off process is working. Ms. Martin stated that they have learned that the staggered drop-off process is better than the process where teachers meet kids outside and bring them in, as that seemed to take longer.

Mr. Dourney asked if she had discussed the change with the neighbors. Ms. Martin stated that two called and expressed concerns. She stated that one had traffic issues, and the other was concerned with the peace and quiet during the day and the noise that would be there if the school was in session longer. She said she told them she would let them know in advance if she plans to have the extra weeks. She stated she would also like to be able to have a seminar, work session, or event during the summer so she wants to be able to have the right to do that. She stated they have gone above and beyond other preschools. Mr. Dourney asked if there is a compromise. Ms. Martin stated she has an open mind, but wants to have her rights.

Mr. Coolidge asked if there are any changes to the site being considered. Ms. Martin replied no changes for the school are being considered. She stated she had thought of adding a garage with an apartment over it for herself.

Mr. Dourney asked if the school is inspected. Ms. Martin stated that the State inspects every two years or so, but she has also chosen to be inspected regularly for national accreditation. Mr. Dourney asked her about the results of the inspections. Ms. Martin stated they have an exemplary record, are used as a model for others, and she works with the Mass. Board of Education.

Ms. Altamura referred to a letter received from the residents of 3 Briarcliff Dr., who had some complaints about trees being removed, kids playing in the yard, and people using their driveway to turn around. Ms. Martin stated she has an amicable relationship with the neighbor and had not heard of these before. She stated she doesn't know why people would go one direction and use their driveway to turn around, when they can just exit out of the school driveway and go in the correct direction. She stated that the Tree Warden made her take down some dead trees. She added that the school yard is fenced, so she doesn't know how any children could have gotten into her yard. She stated that if they came from the parking lot, she doesn't know how they could have gone there either, since there is a gully and they would have been hurt going through there. Ms. Altamura noted that there were a lot of meetings before and the traffic is horrible there, and she is not comfortable with the blanket request to be open year round.

Ms. Wright stated this is different than the first proposal. She stated that the neighbors made the best of it and the traffic is what it is. She stated that at the time, there was a feeling that there

was a desire for the school to be a good neighbor and was working with the neighbors. She stated it was important to have the school schedule to let the neighborhood be a neighborhood. She stated that the neighbors have rights too. She stated this now feels like a day care center. She stated she is familiar with the noise from day care centers after living next to one. She states she is uncomfortable with the request and it feels like broken trust. She stated a lot of negative letters have been received.

Brian Thomson, 4 Briarcliff Dr., stated his concern is that it started out as a preschool and now it is a commercial business with children there all year.

Cindy Gerace, 4 Briarcliff Dr., questioned whether the Sunshine Preschool could still locate here since it is not a school anymore, but a day care center. Ms. Lazarus stated that whether it is a preschool or day care center, it still falls under the provisions of MGL c. 40A sec. 3 and is an exempt use.

Pam Missaggia, 9 Wild Rd., stated the noise level in the afternoon is terrible, with the screaming. She stated that there are traffic concerns. She stated that the school has complied with the restrictions placed on it, and she does not want it open in the summer.

Patrick Naughton, 13 Wild Rd., stated he feels betrayed. He stated the court case was dismissed because they had an agreement.

Paul Clifford, 11 Briarcliff Dr., stated the request is dubious. He asked what happens if Ms. Martin sells to someone else after getting approval and they can be open year round.

Colleen Rolph, 17 Wild Rd., stated the request is open, not just limited to one week.

Mike Manning, 32 Briarcliff Dr., stated he is concerned because it is a blanket request. He stated that in the summer, there are more bikes on the street and there will be more traffic.

Deb Harrison, 5 Briarcliff Dr., cited concerns with traffic and safety.

T. J. Elder, 8 Wild Rd., stated in the summer kids in the neighborhood play baseball, etc. and come from all over town to do that because there is less traffic in that neighborhood. He stated it will not be safe to do that with the increased traffic.

Steve Missaggia, 9 Wild Rd., stated he sometimes works at home, and once he ran outside because he heard screaming and thought someone was in trouble, but it was just the preschool children screaming. He stated there is constant vehicle queuing and a stream of traffic to the school.

In response to a question, Ms. Lazarus read from MGL c.40A sec. 3 the reasonable regulations that the Town may impose on a child care facility, noting that when the school can be in session is not one of them.

The Board discussed whether to continue or close the public hearing. Mr. Coolidge suggested getting feedback from the Police Chief and Zoning Enforcement Officer regarding the request.

Ms. Martin stated she understands the concerns that have been raised but nothing about the school has changed. She stated she could bring the parents to provide support, but that's not the point of this.

The Board voted unanimously to continue the public hearing to March 13, 2006 at 8:45 PM.

3. Master Plan

Judi Barrett, Community Opportunities Group, joined the Board. She stated she would like to discuss the draft template for the Master Plan sections that was distributed earlier today, would like to talk about the Economic Development section, and to schedule a discussion of other sections later. Referring to the draft template using the Housing section, she stated she tried to preserve as much of the words as possible and present data in other forms. She stated she was hoping that the format would evoke a response from the Board, noting she was using graphics instead of tables to present data. She noted that the three maps on the last page showing land use over time illustrate the growth issue without using words. Ms. Wright stated the section is reader friendly.

Muriel Kramer, Master Plan Committee, stated that the format is awesome.

Mr. Herr addressed the content of the Housing section. He stated there is also a need to plan for the bigger house that some people want, in addition to the affordable houses. Ms. Barrett asked if the existing zoning already accommodates the larger houses. Mr. Herr stated that bigger lots could be required. He stated the plan needs to address the whole spectrum of what people want.

David Adelman, Master Plan Committee, noted that there are other documents, such as the Housing Plan and Open Space and Recreation Plan that were to be referred to in the new Master Plan instead of being repeated, and if they will now be reiterated in the Master Plan.

The Board discussed words and the content/layout of the Master Plan. Mr. Goncalves stated the goals section is great, and he would like to see an implementation strategy section. Ms. Barrett noted it can be in each section or in a separate section.

Ms. Kramer noted that some communities have established a special committee just to work on the implementation, and that could be considered.

Mr. Herr stated that implementation strategies should be in each section. Ms. Barrett stated there should also be a map that shows in visual form a summary of all the implementation strategies. Mr. Herr asked about discussing the content of each section.

Mr. Adelman stated that an executive summary should tie the 1999 Master Plan to the new one. He suggested updating and implementing the recommendations in 5 year increments.

Mr. Herr stated that when reviewing each section, opinions and agenda should be removed wherever they appear. Mr. Barrett agreed, noting that the purpose of the separate block indicating the public survey and forum opinions was to separate it from the other text. She stated that this is a policy document and it should be balanced and fair. Mr. Dourney stated the

Planning Board needs to admit the town is moving forward and guide development instead of stopping it. Mr. Goncalves stated there needs to be a diversity of housing in a range of types and costs.

Mr. Adelman stated the Board needs to decide what it wants the Town to be. He stated that more commercial development won't make much difference from a revenue standpoint.

Ms. Barrett referred to the Economic Development section, noting that people need to think beyond appearance to the actual economy. She stated this is related to housing in that to have a viable economy, you need to have people there. She noted that those who work in Hopkinton near Rt. 495, for example, leave at the end of the day and don't go downtown. It was decided that the Board would schedule a work session to go through the content issues in each section. The consensus of the Board was that the draft format is excellent.

4. Municipal Signs

Ms. Lazarus stated that Mr. Abate had asked that the issue of municipal signs be discussed by the Board, which had been requested by Board of Selectmen member Ron Clark. It was noted that Mr. Clark was concerned that a sign proposed in Woodville for CPA funding would not be allowed unless the bylaw was changed. Mr. Dourney stated he thought the Board was going to address the municipal sign issue after hearing from Mr. Clark a few months ago. It was noted that the Zoning Advisory Committee is working on the issue of signs, including municipal signs, and has started the process by asking the Chamber of Commerce to study the issue and provide feedback in May. Mr. Herr stated that the Chamber is working on it now and when the ZAC prioritized items in December, it didn't feel that it could have something ready for the 2006 annual town meeting. Ms. Altamura noted that the ZAC decided to wait and have something ready for the next town meeting. In response to a question, Ms. Lazarus noted that while the annual town meeting warrant has closed, the Board of Selectmen has indicated that it could place a municipal sign article on at its discretion. Ms. Wright noted that the Planning Board decided last year that it wasn't going to pursue articles when the ZAC felt it didn't have enough time to do it well. Ms. Altamura noted there is no emergency need for a bylaw change.

The Board asked Ms. Lazarus to convey to the Selectmen that the Zoning Advisory Committee decided in December that a comprehensive look at all of the sign regulations needed to occur and there was insufficient time for it to prepare an article for the 2006 annual town meeting. The Committee wrote a letter to the Chamber of Commerce in January requesting that they look at the off-premises sign issue and make recommendations as to what local businesses feel is important and/or necessary with respect to off-premises signs. The Committee planned to discuss the issue again in May after the Chamber has had an opportunity to complete its discussion. The Planning Board does not support a separate municipal sign article now and feels that it is important to continue with the current process underway.

5. Fruit Street SSEIR

The Board continued its discussion of the draft letter commenting on the Fruit Street SSEIR prepared by Ms. Lazarus, begun at the last meeting. Ms. Wright stated the Board should leave it alone and not comment. Mr. Dourney agreed, noting that comments were due last week anyway. Mr. Coolidge stated it would be a mistake not to send a letter, the Planning Board should plan, and Ms. Lazarus comments are valid. Ms. Wright stated there is time to address the concerns

later after the EIR process has concluded. Mr. Coolidge, who is also a member of the Fruit Street Development Committee (FSDC), stated that VHB put the wrong map in the MEPA document and the zone 2 for the wells that has been approved should be the same as the ones in the MEPA filing. Ms. Lazarus noted that the Board of Health also commented on this matter and said it in a simpler way than in her draft.

Mr. Coolidge stated that the FSDC voted twice on the “concept” master plan, which term has been deleted. He stated that Ron Clark, FSDC Chairman, changed the document after the FSDC reviewed it, and he is sick and tired of that. He stated that this Board is not Ron Clark’s Planning Board and the Board should act and respond like planners. He stated that he is upset at what has been presented to MEPA. He stated that all uses proposed for the property need to stand on their own.

Mr. Goncalves read Ms. Lazarus letter aloud and the Board made revisions to some sections.

Mr. Adelman stated he is concerned with the expense of what is proposed on the property and the future of the Town in that respect.

Members of the Board questioned where the statement in the SSEIR came from which stated that the Town would sell the property if it couldn’t develop it as it wanted to.

Carol DeVeuve, 47 Chamberlain St., stated she thinks it came from the MEPA meeting in Boston that she attended where Eric Sonnett, Chairman of the Board of Selectmen, was describing the project and stated something similar.

Nancy Peters, 258 Wood St., noted the decisions as to who gets sewer is extremely important to the Town’s future growth, and the EIR indicates that the DPW will make that decision.

Ms. Altamura stated that if the Board doesn’t send a comment letter, it would be a dereliction of duty. She stated the Board should send the letter it wants to. Ms. Wright and Mr. Dourney stated they are comfortable with sending the letter as revised.

The Board voted unanimously to send the revised letter.

6. Other Business

The Board voted unanimously to request the use of Town Counsel to review the zoning articles.

Adjourned: 10:15 PM

Elaine C. Lazarus, Planning Director

Approved: March 13, 2006