

HOPKINTON PLANNING BOARD

Monday, September 11, 2006 7:30 PM  
Hopkinton Town Hall

MINUTES

---

PRESENT: Mark Abate, Chairman, R.J. Dourney, Vice Chairman, Scott Aghababian, Evan Ballantyne, John H. Coolidge, Jaime Goncalves, Claire Wright, Joe Markey

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

.....Anna Rafuse, Secretary

**1. Hopkinton Highlands III/Maillet Woods**

Jake Tremblay, Maillet and Sons, appeared before the Board. He stated that the approved design plan shows a playground but some potential buyers have been concerned about the proximity of it to some of the units, as well as liability.

Mr. Aghababian arrived at this time.

Mr. Tremblay stated they would like to put a putting green on top of the leach field instead of installing the playground, and they would turn the playground area into a park with benches. Mr. Markey asked what the average age is of the people looking to buy units. Mr. Tremblay stated the majority of people seem to be 40-50 years old.

Ms. Wright arrived at this time.

Mr. Abate asked if the decorative walkway to the tennis court will be extended to the putting green, and Mr. Tremblay replied yes.

Mr. Tremblay showed the Board a plan showing the addition of a swale at the circle at the end of the roadway. He stated it would solve an issue of overland surface water flow that has been observed.

The Board voted unanimously to approve the two minor changes:

- Active recreation area: Add a putting green on top of the septic system leach field and change the playground to a park area with benches. The active recreation component of the Site Plan would then consist of the tennis court and the putting green.
- Drainage system: Add a swale and catch basin along the edge of the circle at the end of the road to intercept overland flows observed during heavy rains.

**2. Administrative Business**

The Board voted unanimously to reappoint J.T. Gaucher, DPW Director, as Earth Removal Agent for a term of one year.

The Board voted unanimously to pay outstanding bills.

**3. 81-P Plan – 8 North St. – Pratt**

Mark Gates, surveyor, and Robert Pratt, applicant, appeared before Board. Mr. Gates stated they are taking a strip of land from Mr. Pratt's father and adding it to his son's land. He stated the remaining parcel has adequate frontage on North Street and Fruit Street. He stated the additional land is for setback for a new building. Mr. Abate asked if the parcel is included in the Chapter 61A program. Ms. Lazarus stated it is and the applicant should check with the Assessors Office to see if the transfer triggers the notification process, but it does not affect the 81-P Plan.

The Board voted unanimously to endorse the plan as not requiring approval under the subdivision control law.

**4. Zoning Advisory Committee**

Mr. Ballantyne reviewed a list of topics the Zoning Advisory Committee (ZAC) has been working on since May.

Mr. Dourney stated the Chamber of Commerce has received the draft language of the Business and Industrial bylaw changes and will be discussing it at their next meeting.

A discussion was held regarding the Business Districts near West Main Street, South Street and downtown. Ms. Wright asked that the ZAC consider additional protection to residences there, especially across the street.

A discussion was held regarding multi-family housing and the Garden Apartment By-law. The Board discussed the possibility of having a developer and/or someone involved with development finance speak with the Board regarding economic changes and the housing market.

Lyn Branscomb, 8 Kerry Lane, asked if the ZAC could discuss the landscaping business bylaw to include businesses in neighborhoods with heavy equipment. Ms. Lazarus stated she has scheduled it for a ZAC meeting in October.

**5. Hopkinton Country Club- 204 Saddle Hill Rd.**

Mr. Abate stated that there is a scenic road violation on the Hopkinton Country Club property on Saddle Hill Road where a portion of stone wall and two trees were removed in the right-of-way without a permit. He stated what the developer has done is awful and they should get the worst penalty. Mr. Dourney stated that in the Chapter 61B letter submitted to the Board of Selectmen by the owner, the attached plan clearly shows the stone wall there. Mr. Markey stated there has been a drainage concern in that location in the past.

The Board voted unanimously to levy a \$7,200 fine for the scenic road violation based on \$300 per violation as provided for in the Scenic Road bylaw.

The Board discussed the Ch. 61B notice to the Town and whether there are possible municipal uses for the two house lots. Ms. Lazarus stated one possible use is affordable housing in that location especially now that at least one of the lots is already cleared. Mr. Dourney asked if the Board was interested in pursuing the land for affordable housing.

Mary Pratt, 102 Fruit Street, stated she didn't think this would be a good location, given the topography and drainage problems.

Mr. Coolidge stated they have 120 days to respond but if the Town wants the land then they need to start working on it now. He stated there are CPA funds earmarked for affordable housing. He stated that Lily Holden is Acting Chairman of the Housing Committee and it should be brought to their attention.

The Board voted unanimously to refer this to the Housing Committee for recommendation.

#### **6. Hopkinton Highlands II/Estates at Highland Ridge**

Bryan Weiner, Toll Brothers and Doug Brown, contractor, appeared before the Board.

Mr. Coolidge left the meeting at this time.

Mr. Weiner stated they are requesting a minor field change involving the location of granite curbing and road apron. He presented the Board with a letter and attached plans. He stated the curbing for the roadway was found to be off by 1 or 2 feet at the Overlook Road intersections with Cedar St. Ext., Summit Way and Greenwood Rd after having an interim set of as-built plans done. He stated he had spoken to Luckner Bayas, the Board's engineer, and Mr. Bayas suggested meeting with the Board to discuss the matter and request approval to leave it as is.

Mr. Coolidge returned to the meeting at this time.

Mr. Brown stated that the roundings at the intersections are wider than on the plan. He stated the curbing was set to match the catch basins and the electric and gas lines are close by. It was stated that in order to narrow the roadway, the catch basins and utilities would have to be relocated. Mr. Dourney asked who had set the catch basins. Mr. Brown stated they were already installed by another company when his company installed the utilities. Mr. Dourney stated that the change is not ok. He stated that Mr. Bayas stated the construction needed to be done according to plan and that they should not be asking to override that. Mr. Abate stated that Mr. Bayas had told Toll Brothers that they needed to change it back to the original plan or come to the Board. Ms. Lazarus stated that Mr. Bayas cannot approve plan changes and that the Board has to do that. Mr. Brown stated that Mr. Bayas stated that everything looked ok. He stated the maximum difference is 1 ½ to 2 feet, it still serves its purpose and the construction is correct, just a

little wider. Mr. Abate stated that it looks like the road was just moved a little bit. Mr. Goncalves stated that he doesn't see an issue if it isn't affecting the drainage. Ms. Wright stated she is concerned about icing but that a foot seems to be ok at the entrance. Mr. Abate stated that more visibility to exit the development is good in the Cedar St. Ext. location.

The Board voted 7 in favor with Mr. Dourney opposed to approve the modifications which are shown on Figure #1, Figure #2 and Figure #3 attached to a letter dated September 11, 2006 to the Planning Board from Bryan J. Weiner, Toll Brothers, Inc.

**7. East Hopkinton Master Plan**

Ms. Lazarus stated a meeting is scheduled for Monday, September 18 with the Land Use Study Committee and Sasaki Associates. She stated Sasaki Associates will be presenting their findings of the analysis phase of the project. Ms. Lazarus stated the Board needs to set a date for a public forum at that meeting.

**8. Open Space and Recreation Plan**

Ms. Lazarus stated that the second meeting of the group will be this September 14. She stated the group has decided to send out a survey to residents and it would mostly be based on the questions from the 2001 survey. She stated they are trying to get an idea of what the public wants. Mr. Coolidge suggested wording the questions identically from the last time. Ms. Lazarus stated the group will most likely be meeting for the next few months.

**9. Open Meeting Policy**

The Board discussed the draft Open Meeting Policy received from the Board of Selectmen. The Board stated it has no recommended changes.

**10. Maspenock Woods**

The Board discussed whether to conduct a site walk of the proposed entrance for the Maspenock Woods development. Ms. Lazarus stated that the next hearing is scheduled for September 25 and that the walk should be done before that date, if needed.

Ms. Wright left the meeting at this time.

The Board decided to visit the site individually.

Adjourned: 8:30 PM

Anna Rafuse, Secretary

Approved: September 25, 2006