

HOPKINTON PLANNING BOARD

Monday, July 23, 2007 7:30 PM
Hopkinton Town Hall

MINUTES

PRESENT: R.J. Dourney, 1st Vice Chairman, Joe Markey, 2nd Vice Chairman, Evan Ballantyne, John H. Coolidge, Carol DeVeuve, Ken Weismantel, Claire Wright

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

.....Anna Rogers, Secretary

1. East Hopkinton Master Plan

Glenn Garber, consultant, Fred Merrill and Elizabeth Sargent, Sasaki Associates, appeared before the Board. Mr. Merrill stated they are meeting with the Board to present their final zoning recommendations for East Hopkinton. He stated they listened to a wide range of opinions, values and goals and they feel the Town has a strong passion for the future. He stated they tried to balance conservation and open space goals along with the need and desire for new development. He stated they have designed four new zoning overlay districts. He stated the public consensus was to concentrate on a number of features including: creating neutral or positive fiscal impacts; adequate control over the outcome of Weston Nurseries; preserving the natural characteristics of the town; diverse housing types; preservation of water; traffic impacts and future municipal needs.

Mr. Garber stated they considered different options when it came to the zoning, including “floating zones” and new base districts, but what made the most sense was to create overlay districts and that meant not having to forfeit the existing rights within the zones. He stated there were distinct physical areas that needed different zoning. He stated many new uses will be allowed with a special permit instead of by rezoning the parcels. He stated some of the overlays allow for mixed housing types and commercial development. He stated in some zones the housing would be more compact, requiring the smallest percentage of land to be developed and the biggest amount of open space. He stated the Town can set up a major residential development threshold that could trigger a number of things including clustering, small density bonuses and maximum use of low impact development (LID). He stated the Town can target paved areas and/or buildings and the more that is impervious, the more LID would need to be used. He stated the Town should not penalize small scale builders by demanding too much and making the thresholds too low. He stated they have made suggestions as to what the ranges should be, but the Board will decide where to set them.

Mr. Garber stated they have come up with four overlay districts with consideration of proximity to roads, drainage and existing business locations. He stated the northern most district is designed for mixed-use office and research and development buildings. He stated there would be a new access road that connects Rafferty Rd. to E. Main St. He stated it fits in with the NSTAR and the Liberty Mutual properties in that area. He stated the second district is for the small triangle between Frankland Rd., Cross St. and E. Main St. He stated this area would be for

small scale retail with a cap on the size of the stores. He stated there would also be a village setup with a residential component. Ms. Sargent stated they don't want this area to compete with the downtown businesses. Mr. Garber stated there would be no parking in the front, better designs, better landscaping, LID, and true village design. Mr. Ballantyne asked if Sasaki had looked at plans designed by Boulder Capital because it is designed quite similar. Mr. Merrill stated they have, but they like to think that Boulder looked at what Sasaki was doing before coming up with their plan. Ms. Wright asked if the lines for the different overlay districts could be adjusted. Mr. Merrill stated the concept is made to be adjusted to the Board's liking. Mr. Garber stated the third district is a village/residential area south of E. Main St. He stated the area is flatter, with quite a bit of wetlands. He stated there is little possibility of new roads running north/south in the area. He stated there would be strong clustering to maintain the natural resources. He stated there would be very limited commercial development. He stated the southernmost zone would be exclusively residential, low density, for the maximum preservation of the landscape. He stated there would be large houses with large lots, similar to what there is now in that area. Mr. Merrill stated this area is where the Laborers property and the YMCA are located.

Mr. Ballantyne asked how easy the overlay districts would be to pass at Town Meeting. Mr. Merrill stated it isn't easy and needs a lot of work and the townspeople need to be educated on the subject. He stated the Town doesn't need an outside consultant to present the concepts and the Board can do it. He stated the educating should be done before Town Meeting. Mr. Dourney stated he is concerned about traffic issues. Mr. Ballantyne stated he is shocked at the traffic problems in Massachusetts and how little can be done about it. Mr. Merrill stated unfortunately only large scale projects get State review. Mr. Garber stated traffic isn't specifically identified in the zoning statute but there is some precedent for addressing it in the subdivision laws. He stated he recommends permitting with mandatory travel demand management and a special permit to reduce trips. He stated that with a research and development campus, the Town could require ride sharing and or shuttle buses. Mr. Merrill stated it is in the developers best interest to fix traffic issues because they can't market it with problems. Ms. Sargent stated they want to promote sidewalks and bike paths and encourage multiple access routes through a network of roadways to keep traffic moving. Mr. Merrill stated the village setup is convenient to market because people live, work and shop in one area without the need of transportation. Mr. Weismantel asked why they wouldn't just propose to change the zoning of Weston Nurseries if the developer was agreeable. Mr. Merrill stated it was a possibility. Mr. Dourney stated the Board discussed wanting this Master Plan to be East Hopkinton, not just Weston Nurseries. Ms. DeVeuve stated they are not proposing to change the underlying zoning, they are providing more options for the land. Mr. Weismantel stated that people want rural character but that doesn't really fit in with sidewalks along the roadways. Mr. Merrill stated they can be meandering pathways instead of paved urban sidewalks to make it more rural looking. Ms. DeVeuve asked about the use of porous concrete as a LID tool. Mr. Garber stated studies have been done to show that after time the soils underneath get packed and don't percolate well anymore. He stated it works in some areas, but it depends on climate, soil conditions, and precipitation.

Mr. Markey stated he thought Sasaki listened well to the public input at the information sessions that the Town ran between January through March this year, and their zoning proposals reflect the priority on protection of natural resources through a smart growth approach while balancing many of the other needs expressed at the March 30th forum. He stated that since the proposals seem to do a good job incorporating what the Town wants, then the Planning Board could have a

win-win situation if the proposals are also in line with what the new property owner wants. He stated the next step is for the Zoning Advisory Committee to review it and to discuss and define, through a public open process, the right limits and numbers to put on many of the parameters in the proposed zoning overlays. The Board thanked the consultants for a job well done. Mr. Merrill stated there will be some final edits to the document and then they will give it to Ms. Lazarus.

2. 81-P Plan – 148 Lumber St. – Lumber Street Realty Trust

Martin Loiselle, Jr., representative, appeared before the Board. He stated the zoning requires 150 feet of frontage for a lot that is separate from the land on which Deerfield Estates is being constructed. He stated the Historical Commission will be purchasing the house once some renovations have been completed. Ms. Wright asked if the water and sewer easements were in place. Mr. Loiselle stated they will be noted in the deed that Town Counsel will write up and are shown on the plan. Mr. Coolidge stated the developer is doing quite a few renovations to the house.

Mary Pratt, 102 Fruit St., asked if the developer was renovating the inside of the house as well. Mr. Loiselle stated they are mostly removing things from the inside of the house and then the Town will take over. Robert Falcione, 93 Downey St., asked if the foundation was being repaired. Mr. Loiselle stated they would be repairing the foundation and performing some landscaping before the house is turned over to the Town.

The Board voted unanimously to endorse the plan as not requiring approval under the Subdivision Control Law.

3. Pond St. Scenic Road Permit Amendment

Ms. Lazarus stated the original permit for Richard Brousseau, 2 Wescott Drive, was for a temporary opening in the stone wall on Pond St. for construction purposes and now he would like a permanent opening to construct a garage with access to it. Mr. Dourney asked if the Board would be more comfortable with the applicant present to discuss his request. Ms. Wright stated the Board has granted permits similar without having a temporary opening first. Mr. Markey stated the Board could condition it so that the stones removed from the wall have to be put in the existing wall and driveway and building permits are issued.

David Goldman, 20 Fruit St., asked if site distance is an issue. The Board discussed the sight distance in this location. Ms. Lazarus stated there is no requirement for site distance on driveways.

The Board voted 6 in favor with Mr. Ballantyne opposed to approve the modification to the Scenic Road Permit with the following conditions:

1. The Board noted that other permits, including a driveway permit and a building permit, will be needed from other Town entities. This scenic road approval is contingent on the issuance of all permits necessary to construct the driveway and garage. In the event that the permits are not issued or the garage is not constructed, the opening shall be closed, using the stones originally removed from the opening.
2. If the permits as referenced in #1 above are issued and the driveway and garage will be constructed, the stones removed for the opening shall be used to build up/repair other sections of the stone wall along Pond St.

4. Maillet Woods/Hopkinton Highlands III

Mr. Markey stated at the previous Board meeting a representative from the builder of Maillet Woods came in to discuss changing the exterior lighting in the subdivision. He stated the Board told the representative they were not happy with the lighting that was chosen and they would get back to him on a better type. Ms. Wright stated she misunderstood that the Board would be taking the lead in this project. She stated the developer should check with the lighting company for other styles. Ms. Lazarus asked if the Board liked the lighting at Deerfield Estates. Mr. Markey stated the lights the developer had chosen were not residential looking. Mr. Dourney asked Ms. Lazarus to request the developer come back to the Board with some more options.

5. Fruit Street Property

Mr. Dourney stated that Ms. Lazarus and Mr. Abate received an e-mail from Muriel Kramer, Chairman of the Board of Selectmen (BOS), asking for the Planning Board to discuss potential changes to the town owned Fruit Street property. Ms. Kramer stated she is looking for some feedback from the Board about what they think should be done with the property if the land is not needed as originally proposed. Mr. Dourney stated he understands the School Department doesn't need the land for a new school currently, but they should hold onto it for future expansion. Ms. Kramer stated the DPW and fields are things that need help with funding and stated she doesn't know how the Town will fund the building of the roadway through the property. Mr. Dourney asked if there has been any progress in regards to the affordable housing on the property. Ms. Kramer stated a plan for the DPW shows the new roadway going through the middle of the affordable housing section of land, rather than following the approved concept plan. Lily Holden, Chairman of the Housing Committee, stated the Committee is still very interested in the property and are moving forward to start the process. She stated they need to find a way to pay for it and have a meeting set up to discuss the use of CPA funds. Mr. Coolidge stated the property was split up for specific uses and if those uses change it will trigger another MEPA review. He stated the individual entities that have interest in the property should pay for the new roadway. Ms. Holden stated the biggest hurdle for the affordable housing is the cost associated with the roadway design and construction.

Rick O'Dell, 64 East St., stated it is the objective of all interested parties to get the project done and they need to come together and fund the road so everyone can get started. Jane Moran, 70 E. Main St., stated the new charter is in place, and asked if it is the job of the Town Manager to decide who should be funding the project. Mr. Coolidge stated the Town Manager and the Board of Selectmen need to bring it together to make it work for all parties. Ms. Kramer stated it seems as though some parties have diverted off the original plan and if it messed up another party, then it needs to be looked at. Ms. DeVeuve suggested leasing the land for the fields to an organization who could develop them. Ms. Wright stated it is tempting to sell the land to get the money, but once it is sold, you can't get it back. She stated there are so many unknowns about the future of the Town and the real estate market. Ms. Kramer stated she has some understanding of what the Board is saying and she will bring it to the Board of Selectmen for further review.

6. Design Review Board

Ms. Lazarus stated the members of the Design Review Board need to be reappointed and all members would like to continue serving on the Board.

The Board voted unanimously to reappoint Claire Wright, Sue-Ellen Stoddard, John Mosher, Jeanette Thomson and Gail Fallon as full members and Nancy Stevenson and Richard Brousseau as alternates to the Design Review Board for a term of one year.

7. Rt. 85 Bridge, Hopkinton/Southborough

Mr. Dourney stated the Board has been asked to make some comments on the redesign and reconstruction of the Rt. 85 Bridge at the Hopkinton/Southborough town line. Mr. Weismantel stated a sidewalk is needed there and years ago one was built over the old bridge but the Conservation Commission had it removed due to wetland issues. Mr. Dourney stated it is more pedestrian friendly to put in a sidewalk. A discussion was held regarding a sidewalk that could connect from the MBTA train station to the State Park.

The Board voted unanimously to send a letter requesting a sidewalk be installed on one side of the bridge when it is reconstructed.

8. Peppercorn Village

Mr. Dourney stated the Board of Appeals (BOA) has been asked to remove the over-55 restriction on the Peppercorn Village 40B development. He stated the developer has also asked to reduce the number of units from 56 to 44 and reduce the number of affordable units from 14 to 11. Ms. Lazarus stated the BOA has asked the Planning Board for comments on the request.

Nancy Peters, 258 Wood Street, stated there are discrepancies as to how the Board of Health counts the number of bedrooms in a structure, and how the Assessors Office counts bedrooms. She stated the developer is asking to reduce the number of units because they will be over their allowed water usage and they don't want to have to go to DEP for a permit. Mr. Ballantyne stated there should be a common standard for counting bedrooms.

Ms. Lazarus stated there is a need for family affordable units and not just 2 bedroom units. The Board decided to send a letter to the BOA requesting the following, if it decides to remove the age restriction.

1. There is a need for affordable housing for families with children in Hopkinton and the region. The Mass. Department of Housing and Community Development does not generally allow the sale of affordable two bedroom units to families with more than three people per household. Therefore, the Planning Board recommends that one or more of the affordable units in this development contain 3 or 4 bedrooms, so that a larger household size can be accommodated.
2. If the age restrictions will be removed and children will be living in the development, a flat area suitable for a playing field/playing surface should be provided, with dedicated access to it delineated on the plan and on the ground. The Board does not intend that any additional area of the site be cleared and graded for this purpose, but that an existing cleared area, such as on the septic system leach field, be so dedicated.
3. The applicant should provide the same number of affordable units (14) as originally planned.
4. The applicant should make one unit available to the Hopkinton Housing Authority to purchase at a low/reduced price (neither "affordable" nor market rate). This unit would not be counted as one of the 25% affordable units required for the comprehensive permit, but when rented by the Housing Authority, it would count on the subsidized housing inventory at a later date and be a benefit to the community. This would help to serve a

need for affordable rental housing and is one creative way that may happen. The Housing Authority may be able to access a variety of funding sources for the purchase, and this action would give it the opportunity to obtain another unit if it is interested in doing so.

5. The plan submitted does not show the distances between units, property lines, interior roadways, etc., and a more detailed plan should be provided showing more clearly how the units will be placed and constructed. The submitted plan also does not show how the project will be landscaped. The Board recommends that more detailed plans for the units and landscaping be submitted for review by the Design Review Board.

Mr. Ballantyne left the meeting at this time.

Ms. Lazarus stated the developer of Peppercorn Village also has an old incomplete subdivision (Timber Glen) in Town and has not responded to several letters sent by the Planning Department. The Board asked that Ms. Lazarus request him to come to the next meeting to discuss the status of the subdivision and the Town pulling the bond.

9. Open Space and Recreation Plan

The Board decided to discuss this agenda item at the next meeting.

10. Liaison Reports

Mr. Markey stated he attended the Housing Committee meeting and gave a brief description of what he had typed up for the Board. He stated the Committee wanted to clarify the balance of CPC funds available for housing. He stated they were interested in clarification of what percentage the Town is at for affordable housing. Ms. Lazarus stated the Town is currently around 3%.

Mr. Markey stated he attended the DPW Board meeting for Mr. Weismantel. He stated that Boulder Capital was at the meeting and discussed paying for the engineering, design and permitting costs associated with the Alprilla Farm well and said they would build the well for use by the new development he plans at Weston Nurseries. He stated that Boulder Capital would allow the Town to use the extra water the new development wouldn't need.

11. Administrative Business

The Board voted unanimously to endorse the layout/acceptance plan for Sylvan Way.

The Board voted unanimously to pay outstanding bills.

The Board voted unanimously approve the Minutes of July 9, 2007.

Adjourned: 10:20 PM

Anna Rogers, Secretary

Approved: August 6, 2007