

HOPKINTON PLANNING BOARD

Monday, September 10, 2007 7:30 PM
Hopkinton Town Hall

MINUTES

PRESENT: Mark Abate, Chairman, R.J. Dourney, 1st Vice Chairman, Joe Markey, 2nd Vice Chairman, Sandy Altamura, Carol DeVeuve, Ken Weismantel, Claire Wright

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

.....Anna Rogers, Secretary

1. Administrative Business

The Board voted unanimously to pay outstanding bills.

The Board voted unanimously to approve the Minutes of August 20, 2007 as amended.

The Board voted unanimously to recommend to the Board of Selectmen that the Design Review Board members be designated as “special municipal employees.”

2. Public Hearing – Hopkinton Village Center, 25 & 35 Main St. – Site Plan Review

Ron Roux, applicant, Scott Richardson, architect, and Dan Campbell, engineer, appeared before the Board. Mr. Richardson stated the site currently consists of two historic buildings in the historic district located at 25 & 35 Main St. with undisturbed land behind each building, and the whole property is in the Downtown Business district. He stated they are proposing a 42,000 square foot three story building behind the historic buildings consisting of retail space, offices, and residential condominiums. He stated there will be some parking in the basement level of the building and the rest around the site. He stated there are three existing driveways accessing the site. He stated the driveway between 35 Main St. and the Hopkinton Gourmet will be the entrance to the site. He stated the driveway between 25 Main St. and 17 Main St. will be the exit for the site. He stated the driveway between 25 & 35 Main St. will be for the private use of the business located in the historic buildings. Ms. Altamura asked how they expected to keep the center driveway from being used by the public. Mr. Roux stated because the driveway is narrow with vegetation on each side they don't think there will be a problem, but there will be signage indicating it is private. Ms. Wright suggested some kind of barrier or chain to block access to it from the interior of the site.

Mr. Richardson stated the retail areas will be accessed from the parking lot. He stated the building will be brick with stone banding and they will have a storefront glass system. He stated each store will have its own identity. He stated they added some dormers and sloped roofs to the design as recommended by the Design Review Board (DRB).

Mr. Richardson stated the top of the new building will be even with the top of the historic buildings. He stated from the street, the view into the parcel is limited and only a small portion of the building will be seen. He stated they will be maintaining much of the vegetation around

the historic buildings and the new building will be 250 feet back from the street. Mr. Markey asked if the garage entrance would be visible from the street. Mr. Richardson stated the top of the entrance will be slightly visible. Mr. Roux stated the retail shops are expected to be small boutique type businesses and will be using front door, curb side delivery.

Mr. Campbell stated the garage entrance is set down so it is not seen from the street. He stated the site is sloped and they designed the site to make the area around the building level for access to the retail spaces. He stated they did groundwater testing at the wettest time of year and on the east side of the parcel and they hit water at 4-6 feet, and on the west side of the parcel they hit water at 8-10 feet. He stated they have designed a swale at the edge of the parking lot on the east side. He stated the majority of the drainage will be directed to the Grove St. side of the parcel and they designed the drainage systems for groundwater at 60 inches. He stated there will be three different drainage systems servicing the parcel and all connecting to Main St. with the same flow as there is currently on site. He stated there will be two sewer lines connected to the building, one for residential use and the other will be for a restaurant or salon if needed.

Mr. Roux stated they met with the DRB and made some suggested changes. He stated the garage entrance side faces Main St. and they changed this façade to look more residential and carried the brick facing down between the windows and to the garage entrance. He stated the DRB liked the lighting fixtures but were concerned about the chance of hot spots and the location of the poles. Ms. Wright stated the DRB didn't like the wall fixtures and suggested some gooseneck fixtures be installed instead. Mr. Richardson stated they are looking at other alternatives such as lower wattage, and changing some pole locations to be away from the building and distributing the light better. Ms. Altamura asked what the spillage of light is off the site. Mr. Richardson stated very little and they are still looking into alternatives with more cutoff features. Ms. Altamura asked if the lighting will be shielded. Mr. Richardson replied yes. Ms. Wright stated there will be residences on the site and some lighting should be on at night. She asked what kind of lighting will remain on overnight. Mr. Roux stated it will be the same lights all the time. Mr. Richardson stated they are still looking into more options. Ms. Altamura suggested very low light and residential in style. Mr. Richardson stated a possibility would be some bollard lighting along the building.

Ms. Wright asked if there was guest parking in the garage. Mr. Roux stated there are nine condo units and each will have two parking spaces. He stated the rest of the spaces are for the offices and retail owners. He stated residential guests will be parking in the main parking lot. He stated the basement level has elevators and stairs at both ends of the building to access the upper floors. He stated the first floor will have a handicap accessible bath room facility and the second floor will also have public bathrooms. He stated the building will have a card system to access different floors in the building.

Mr. Roux stated he understands the importance of soft lighting, but it needs to be sufficient and safe as well. Mr. Dourney stated he understands there are residences close by, but it is a business district and needs to be properly lit. Mr. Roux stated he believes they will be able to satisfy the requirements. Ms. Wright asked if it was possible to have no spillage off the site. Ms. Altamura stated that light can be sufficient without being too bright.

Mr. Markey asked about pedestrian connectivity to Main St. Mr. Roux stated they will be putting in a sidewalk next to the entrance driveway alongside Hopkinton Gourmet. He stated

there is also a possibility that people might use the center driveway as well. Mr. Markey asked if there were sidewalks currently accessing the historic buildings. Mr. Roux stated the current sidewalks go to the front doors of each building. Mr. Campbell stated they are trying to keep the historic buildings separate from the new building. He stated there will be a crosswalk in the site to cross the parking area/entrance.

Mr. Abate asked for clarification on the ownership of the parcels. Mr. Roux stated there are currently two parcels, one at 25 Main St. and the other at 35 Main St. He stated they are owned by the same entity. He stated they will be eliminating the property line between the two parcels. He stated all three buildings will be in condominium form of ownership with the two historic buildings remaining in the same ownership and the new building will be owned by HVC, LLC. He stated once they have approval through Site Plan Review and the DRB is happy with the site, they will submit an ANR plan to create the one parcel and will be able to apply for construction loans. Doug Resnick, attorney for Mr. Roux, stated there will be ownership/condo documents and there will be different provisions for rules and regulations for the residences as opposed to the offices and retail. Mr. Roux stated all three levels will contain condo units, the residences will be sold and the office and retail units will be sold or leased. Mr. Abate asked how the common area will be maintained. Mr. Resnick stated there will be a condo board set up to handle that. Mr. Roux stated they want to make sure the maintenance is taken care of for the whole property as one complex.

Ms. Wright stated she loves the plan and is pleased with the modifications. She stated she is concerned with the Grove St. side and the nice big trees there that will be lost. She stated a letter was received from the property owner of 17 Grove St. and they are concerned about the chain link fence on top of a stone wall the applicant is proposing adjacent to the property. She stated she was concerned about buffering and screening and asked if a solid fence would work better. Mr. Roux stated the building is a lot closer to Grove St. because of site constraints. He stated they tried to move the building towards Church St. but were not able to. Mr. Campbell stated the water on site needs to go somewhere and they needed to add a swale along the Church St. side. He stated if they made the retaining wall taller along Church St. they would have soil management problems and they needed to leave space for the wall construction and to try and leave space for the trees. He stated they were also trying not to affect the historic buildings. Mr. Roux stated the fence would be black chain link and with the added greenery it will look better than people are imagining. He stated they will be providing a picture of what the wall will look like. He stated the wall will be concrete but will have stone wall-like features. He stated he is providing the needed barrier and a wooden fence would require a lot more maintenance.

Mr. Dourney asked Mr. Roux to meet with the owner of 17 Grove St. and talk about their concerns. Mr. Roux stated he has met with six or seven abutters already and would be happy to meet with any others. He stated along Church St. they will be saving as many trees as possible. Ms. Wright suggested the applicant might want to consider putting some planting on abutters properties to help buffer as well. Mr. Roux stated they will be able to give some visuals as to how the screening will look but it is not available yet.

Leah Sumner, 18 Church St., stated she is concerned about what trees will remain as some have been cut down already. Mr. Roux stated most of the trees closest to Church St. will stay but some need to be removed due to disease. He stated the ones that were removed already had

diseases or safety issues and were taken down by a different person. He stated they will be installing a retaining wall and that will help to hold up soil as well as the tree root systems.

Helen O'Brien, 30 Church St., stated she thinks the project is too big for the area. She asked if the driveways would be allowed to be enlarged because they are in a historic district. Ms. Wright stated the historic district applies to the structures only, not the driveways. Ms. O'Brien stated she feels the people on Church St. are being squeezed out and that the library is also putting a big addition on. She stated Church St. is hard to drive on because of the amount of cars parking along it. She asked where the signage would be for the new development. Mr. Roux stated it will be in front of 25 Main St. because there is a big spruce tree in front of 35 Main St. and he doesn't want to take it down.

Dave Phillips, 43 Main St. (Hopkinton Gourmet), stated he is concerned with vehicles entering the site directly adjacent to his shop, as well as pedestrians trying to walk along next to it. He asked if possibly the middle driveway could be used for the entrance. He stated he is especially concerned with construction vehicle traffic. Mr. Roux stated they will try to minimize the construction traffic and will consider using the driveway between 17 and 25 Main Street as a construction driveway. He stated the site is set up the way it works best with traffic flow. He stated a parking spot in front of the Gourmet will be lost when construction is complete. Mr. Weismantel stated the entrance next to the Gourmet bothers him and the signage should be there instead. He stated some other topics of discussion for a future meeting should be on-street parking, screening for abutters on Grove St. and Church St., and whether or not a traffic study is needed.

The Board voted unanimously to continue the public hearing to October 1, 2007 at 8:00 P.M.

Ms. Altamura and Ms. Wright left the meeting at the time.

3. Timber Glen Subdivision

Mirajuddin Ahmed, developer, appeared before the Board. Ms. Lazarus stated the Board is concerned that the subdivision should be finished, noting that the completion date was in 2000. Mr. Ahmed apologized for not attending the last meeting and stated the project is almost complete and most of the work has been done. Mr. Dourney asked Mr. Ahmed why he hadn't responded to the five letters that were sent to him. Mr. Ahmed stated he contacted his engineers each time and they were supposed to be working on it.

Ms. Altamura and Ms. Wright returned to the meeting at this time.

Mr. Ahmed stated he has brought with him a progress as-built plan and stated the bounds are in place. Ms. Lazarus stated there is still some pavement work to be fixed, the drains need to be cleaned, and there is one lot under construction. Ms. DeVeuve asked when the subdivision would be complete. Mr. Ahmed stated he should have the final as-built plans in 2-3 weeks. Ms. Lazarus stated roadways should be complete and ready to be accepted at the May 2008 town meeting. Mr. Abate asked Ms. Lazarus to send a letter to Mr. Ahmed outlining the outstanding items and include a guideline for finishing the subdivision.

Mary Pratt, 102 Fruit St., asked if all the Conservation Commission issues had been resolved. Mr. Ahmed stated they had.

Mr. Dourney requested that Mr. Ahmed respond to letters from the Planning Department in the future. The Board discussed having Mr. Ahmed give them a status update. The Board asked Mr. Ahmed to come back on October 15, 2007 at 7:30 PM to provide an update.

4. Boulder Capital/Legacy Farms

Roy MacDowell, Jr. and Steven Zieff, Boulder Capital, appeared before the Board. Mr. Zieff stated they are here to give the Board an update of what has been going on since Boulder Capital purchased the Weston Nurseries Property. He stated they have been working on a variety of things. Mr. Markey stated the Board of Selectmen is looking to see if a Special Town Meeting is needed this fall. Mr. Zieff stated they are moving forward with a zoning proposal to present to the Zoning Advisory Committee (ZAC) within about a month. Mr. Markey asked if their new proposal was within existing zoning and asked what the relevance of the Sasaki Associates report was. Mr. Zieff stated the intent of the Sasaki plan was appropriate but they don't agree with some of the methods and means of sub-zones. He stated they are approaching it as one parcel. Mr. MacDowell stated they had meeting with Sasaki and their plans are reflective of what Sasaki was thinking. He stated the new plans are not specifically what Sasaki has planned for, but Sasaki should agree with them. He stated they are currently working on road systems, wetland delineation and traffic studies.

Mr. Abate stated he is concerned that the Town spent a lot of money on a report that doesn't seem to be lining up with future development ideas. Mr. MacDowell stated Sasaki created a Master Plan and his company is taking it one step beyond that. Mr. Dourney stated that Sasaki was asked to assess how the Town wanted the land protected/used and a very important part of that was to protect open space and he believes the outcome of Boulder's plan will be the same. Mr. MacDowell stated they looked at the Sasaki plans very carefully and Sasaki told them they were heading in the direction that was recommended by the Town. Mr. Markey stated he was glad Boulder took the time to meet with Sasaki. He stated that through working with ZAC, a combination of what the Town is looking for and what Boulder wants should end up as a best mix for a zoning change.

Ms. Altamura stated that she can't see a recommendation for new zoning being ready before the May annual town meeting due to the schedule for public hearing and the Boards recommendations. Mr. MacDowell stated he doesn't want to rush it because he knows it takes 2/3 of the Town to pass any zoning changes at Town Meeting. Mr. Weismantel stated as Chairman of ZAC, he has spoken with the Civic Engagement Committee about an idea of holding a Saturday forum and having the zoning proposals be translated into pictures so people have a better understanding about what they would be voting on. Mr. MacDowell stated they were planning on showing architectural depictions, as well as pictures to aid in "painting a picture" of what they are planning.

Mr. Zieff stated they have been going through the zoning regulations as well as the subdivision rules and regulations and are trying to come up with a design and building plan. Mr. Markey stated that Sasaki supplied zoning recommendations for East Hopkinton but an actual bylaw was not part of the contract. Mr. Zieff stated the Town will get a draft zoning bylaw from Boulder.

Mrs. Pratt stated water and sewer should be figured out first because it is the most important. Mr. MacDowell stated they have been doing test pits for leaching fields as well as a water source and the preliminary reports are better than they thought.

Christopher Barry, 17 Clinton St., stated that the East Hopkinton Master Plan included a zoning recommendation for 4,000 acres and now there is talk about only rezoning 700 acres. Mr. Abate stated that is true because Boulder Capital is proposing a rezoning for the Weston Nurseries property they recently purchased and that is consistent with the Master Plan. Mr. Barry stated all 4,000 acres should be rezoned. Mr. Weismantel stated that ZAC will be talking about the idea this fall. Mr. Barry asked why the Town would only rezone 25% of the land when taxes paid for the study and having 100% of the land being rezoned would help to protect the Town. Mr. Dourney stated they are not suggesting the rest of the land be ignored and they are still moving forward, but the timetable is here now for the Weston Nurseries land. Ms. Wright stated Sasaki's job was to assess each area based on development, topography and build-out. She stated the Weston Nurseries land was identified as most suitable and ripe for development. Mr. MacDowell stated that Sasaki's main focus was Weston Nurseries because the land was up for sale and it was a very large section of undeveloped land. Mr. Barry stated there are other large parcels of undeveloped land in the area as well. Mr. Markey stated Sasaki identified four zones covering the entire study area and right now Weston Nurseries is the primary focus. Mr. Barry stated he doesn't want the Town to miss the opportunity to rezone as guided by Sasaki and the land could become overdeveloped. Mr. Markey stated that no decisions have been made regarding the rest of the 4,000 acres and they haven't even discussed it yet. Mr. Weismantel stated ZAC usually makes five or six recommendations per year and they will be looking into the land as a long term project.

John Villa, 3 Kruger Rd., stated he understands that Rafferty Rd. will be extended to E. Main St., but he saw a plan that showed a new road across from Kruger Rd. and was concerned about it. Mr. Abate stated they haven't seen any plans. Mr. Markey stated they have just started the zoning process right now and then they will be working on site design.

Mr. Zieff stated they will be presenting architectural drawings and road sketches. He stated that when they submit their zoning proposal they will include a written narrative and zone map to help answer questions and show where the open space is being proposed. Mr. Abate asked when they would be ready to come back. Mr. Zieff stated they are going through the existing zoning and adapting and changing it for their proposal. He stated within 30 days they should be ready to start discussing it. Ms. Altamura asked how they are proposing the zoning. Mr. Zieff stated they are proposing an overlay district.

Mr. Markey asked what the process is once ZAC is satisfied. Ms. Altamura stated ZAC will make a recommendation to the Planning Board, the Planning Board will hold a public hearing and then vote to make a recommendation to Town Meeting. She stated that Mr. Weismantel will keep the Board informed of what is going on with ZAC and if there are any questions, they bring it to the Planning Board. Mr. Markey stated that Boulder should feel free to contact the Board or Ms. Lazarus with any questions.

Mr. Markey stepped off the Board at this time.

5. Continued Public Hearing – Hopkinton Square, W. Main St./South St. – Site Plan Review

Peter Markarian, applicant, Scott Richardson, architect, and Dan McIntyre, engineer, appeared before the Board. Mr. Abate asked if the parking issues had been resolved. Mr. Markarian stated that without a restaurant, the parking is sufficient on the property. He stated they are within their rights to use the cross-parking easement and the document is a recorded easement on the properties. Mr. Abate stated he is concerned about the Building Inspector/Zoning Enforcement Officer's (ZEO) opinion is that it is not a valid agreement that affects the Town and the Board can't approve the application until it is resolved. Mr. Markarian stated the ZEO rendered his opinion on the subject but didn't make a definitive decision as to whether they were allowed to or not. Ms. Lazarus stated the ZEO went through the old files and the agreement was for one lot to be able to use parking on the other. She noted that now that one lot will be part of a larger development the parking requirements should be met on the site. Mr. Markarian stated the rights to the cross-parking would only come into play with a restaurant being a tenant and at this time they have no tenants. He stated they are waiting to have an approved plan before soliciting tenants. Mr. Richardson stated the parking could be worked out later if a restaurant wanted to be on the site. Mr. Dourney stated it puts the burden on Mr. Markarian to get it figured out before a tenant could move into the site.

Joseph Antonellis, attorney for Maspenock Professional Building Realty Trust (MPB), 169 W. Main St., stated his clients are the ones that share the easement of record. He stated they are concerned that they have not seen a plan showing the additional parking and traffic patterns. He stated they are also concerned that the amount of additional impervious surface may affect their building. He stated they are willing to work with the developer but the Board shouldn't close the hearing without showing a plan of where that extra parking will be. He stated the easement was set up for a pub to use, with the majority of its business being after MPB had closed for the day. He stated they are not against the project but he believes they need to have some more information before moving forward. He questioned whether the easement on 169 W. Main St. could be used for parking generated for any use not on the present 167 W. Main St. property, noting that it will become part of a larger parcel. Mr. Markarian stated if they find a restaurant to be a tenant, then the extra parking will have to be developed. He stated he doesn't think the extra impervious surface area will affect MPB. He stated they are willing to designate parking and traffic patterns with signage. He stated he has met with MPB, but not recently and he needs to give them some more information.

Mr. Markarian stated they would like to comment on a letter that was received from the Police Chief, as well as comments from Fay, Spofford and Thorndike (FST), the Board's engineer. Mr. McIntyre stated that based on comments received, they have made the island on W. Main St. larger and will have it well marked. He stated they have changed the merge taper along W. Main St. to make it easier to maneuver. Mr. Dourney noted that the South St. entrance/exit has been moved towards W. Main St. five feet and asked how that will make it safer. Mr. McIntyre stated they have revised the traffic pattern in the site and it will make it easier for vehicles to queue up to exit onto South St. without blocking people entering from South St. He stated they have also revised the plan for W. Main St. headed east by making the right lane, right turn only into the development, lessening the possibility of accidents from people trying to exit the development heading west. Mr. Weismantel noted that both the Police Chief and representatives from FST were present for any questions.

David Glenn, FST, stated the applicant has responded to the latest FST memo and it looks to him as though the changes have been incorporated into the new plan but this is the first time they are seeing it. He stated they have added an extra 50 feet to the merge and taper distance on W. Main St. Thomas Irvin, Police Chief, explained his “Good Samaritan” accident scenario to the Board and noted the issue seems to have been taken care of by making the right hand lane into a right turn only lane, eliminating the situation of crossing two lanes to left turn onto W. Main St. heading west. Mr. Markarian stated that at the South St. exit, they are willing to add signs that prohibit left hand turns Monday through Friday from 4:30 to 6:30 PM. Chief Irvin stated when traffic is heavy and backed up is the common time for the Good Samaritan accidents to occur. Mr. Weismantel asked Mr. Glenn what FST thought about left turn time restrictions. Mr. Glenn stated it was the first they had heard about it and his initial thoughts are that it is not needed.

Mrs. Pratt asked how long the merge was on W. Main St. Mr. McIntyre stated the first 250 feet after South St. is two lanes and then there is 330 feet of merging area. Mr. Glenn stated the length of the two lanes has been decreased. Mrs. Pratt stated that MassHighway doesn’t want merges shortened.

Bea McMullen, 8 Lake Shore Dr., stated her opinion is that signage prohibiting left hand turns won’t work as people don’t pay attention to them. She stated South St. has a slight incline and can be very icy in the winter. She stated she is concerned that people will try to turn left from the development and the ice will prevent people coming up or down South St. from stopping.

Chris Toomey, attorney for EMC Corporation which owns 42 South St., stated they would like the hours of left turn restriction on South St. to be from 7:00 to 9:00 AM and from 4:00 to 7:00 PM, Monday through Friday. He stated they appreciate the offer of restricting the turns, but would like the times extended. Mr. Abate stated that EMC has a driveway just south of the new development and there is no prohibition on left turn there. Mr. Toomey stated his clients have an existing business and this is a new development. John Mirabito, Jr., FST, stated there is no need for the turn restriction and it will operate similar to the EMC driveway. He stated the lights at South St. and W. Main St. will provide for breaks in traffic so people can exit.

Deb Courtemanche, 28 Downey St., stated that trying to take a left turn out of the development onto W. Main St. around 5:00 PM would be very difficult. She stated that during high traffic times, she is very skeptical that a left turn would be possible. Bill Scully, traffic consultant for the applicant, stated that based on un-signalized driveway analysis, left turns will be possible with the light cycles at South St. He stated that people will also be able to make right turns from the development onto W. Main St. instead of turning left onto South St. He stated they have redesigned the intersection at the light and it will have more capacity for people coming east on W. Main St. to line up at the light. He stated they have tried to do the best they can with the light and there will be more monitoring of it with the signal timing.

Ms. Altamura stated she is nervous the site will generate a disaster with traffic and without signals to allow people to get out of the development, there will be an increase in accidents. Mr. Weismantel stated he has been to 42 South St. more than once and during off peak times he was one of the only cars on the street. He stated he feels a turn restriction is not needed and if in the future there are problems, one can be added. Ms. Wright stated if there is a left turn restriction on South St., people needing to go west would have to use the W. Main St. driveway, which would make that worse. Mr. Markarian stated 77 Main St. has a similar building size to the

proposed office building and there aren't any problems getting out of there. Ms. DeVeuve asked what FST and MassHighway thought about the intersection. Mr. Mirabito stated that MassHighway will need to review the changes in the intersection. Mr. Scully stated there will be a review of the signal timing when the development is 75% full.

Mr. Richardson stated there were concerns about views of the development from Lake Maspenock. He showed photographs with the new office building inserted, and stated from Priscilla Rd. the very top line of the buildings would be visible, but not from the lake. He stated there will be tinted glass for energy efficiency and there will be blinds on the windows. He stated they are actually sitting below the EMC buildings at 42 South St.

The Board reviewed cross sections through the property showing the grades and building height, and relationship with 42 South St. Mr. Markarian stated that some vegetation will be removed when constructing the retaining wall and grading, but they will replace it. He stated a safety fence must be installed on any retaining wall over three feet tall. He stated that EMC's request for a barrier is unfounded and the area of 42 South St. closest to the new development is a loading dock and the daycare center is further back, referring to an aerial photo. Mr. Toomey stated that EMC wants a physical sight and sound barrier. He stated the loading dock area is not used and the children should be shielded from the development. He stated they would like it installed before any construction or demolition work begins. Ms. Altamura stated she visited the site and the daycare center is set back and the large trees between the properties will remain in place. She stated the daycare play area isn't even shaded and EMC should consider putting in some greenery around the play area. Mr. Toomey stated that no one can see the play area currently unless they are on EMC's property and once the understory is removed, it will be in view and it should be mitigated. Mr. Markarian stated they would re-plant an understory. Mr. Dourney stated if he was the developer he would be a good neighbor and listen to their concerns. Mr. Richardson stated the fence they want would be below their driveway line and it wouldn't do any good. Mr. Markarian stated it would have to be a 40 foot fence to do any good. He stated he does want to be a good neighbor but the fence wouldn't solve the problem and is quite expensive for the length it would need to be. Mr. Dourney stated they are asking for a fence, and the applicant should just give it to them. Mr. Weismantel stated the daycare center would not be visible from the Hopkinton Square parking lot due to the grades, vegetation and distance. Mr. Toomey stated they would like an 8-10 foot fence to prevent people from looking up the slope and seeing the daycare. He stated there isn't a lot of traffic back there now, and they don't want a lot of people looking at it. Mr. Richardson stated there isn't any conceivable way to see the daycare the way it is oriented. Mr. Markarian stated a fence doesn't achieve the objectives that EMC is asking for.

Mr. Weismantel asked if they had set up an easement on W. Main St. for sidewalks. Mr. Markarian stated they are putting in a sidewalk easement from the entrance on W. Main St. westerly to the property line. Mr. Weismantel asked about an easement for future road widening. Mr. Markarian stated if an easement or taking is needed in the future, they will work with the town on that.

Mr. Abate stated that FST had requested the opportunity to comment on the new plan since tonight is the first time they are seeing it. Mr. McIntyre stated that Fred Mosley from FST is in agreement that the plan complies with his requests. Mr. Glenn stated this is the first they are

seeing the plan though, and they would like to reserve the opportunity to comment on it. He stated the Board could have condition of approval for a final FST approval of the plan.

The Board voted unanimously to close the public hearing. The Board decided to discuss the application at the next meeting on September 24, 2007.

Adjourned: 11:00 PM

Anna Rogers, Secretary

Approved: September 24, 2007