

## HOPKINTON PLANNING BOARD

Monday, March 10, 2008 7:30 PM  
Hopkinton Senior Center – 28 Mayhew Street

### MINUTES

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PRESENT: Mark Abate, Chairman, R.J. Dourney, 1<sup>st</sup> Vice Chairman, Joe Markey, 2<sup>nd</sup> Vice Chairman, Sandy K. Altamura, John Coolidge, Carol DeVeuve, Ken Weismantel, Claire Wright

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

.....Anna Rogers, Secretary

#### **1. Public Hearing – Zoning Bylaw Amendments**

##### Site Plan Review

Mr. Abate asked if the Board was comfortable with the proposed changes which would allow for concurrent review of plans by the Planning Board and the Board of Appeals. Ms. DeVeuve asked what would happen in regard to issuing building permits if the need for obtaining a Special Permit first was removed from the language. Ms. Lazarus stated the site plan approval could require the issuance of a Special Permit before a building permit is issued. Ms. Wright stated the building permit is the final level. Mr. Abate stated that concurrent review rather than consecutive review is a great change. Ms. Lazarus stated it allows for a more streamlined process and more flexibility for applicants. Mr. Coolidge stated it allows the applicant to determine when they would go before the Boards. Mr. Abate stated the Board of Appeals has sent a letter to the Planning Board recommending against the change.

Mary Pratt, 102 Fruit St., asked how concurrent review would handle multiple conditions on a project from multiple Boards. Ms. Lazarus stated the Boards can require the applicant to return if substantial changes are made.

The Board voted unanimously to recommend the proposed language for the 2008 Annual Town Meeting.

##### Parking

Ms. Lazarus stated the change would allow the Planning Board to issue a Special Permit to reduce the number of parking spaces required in mixed use situations where uses have different peak demand times, with possible conditions including: more land is available to add parking if the need arises; property owners have an agreement to share parking recorded at the Registry of Deeds; or municipal parking spaces are available and count for no more than 20% of the required parking. Mr. Dourney stated he is concerned about the downtown area. Ms. Wright asked how tenant changes would affect the parking provided and the Special Permit. Ms. Lazarus stated the Special Permit could require that if there was a change in tenant type, the property owner would need to come back to the Board for a new Special Permit, or they would have to build the required parking if the new use required more spaces.

Robert Falcione, 93 Downey St., stated he is opposed to this for the downtown area. He stated it imposes on land owners and could possibly bring about litigation. He stated he would like to see the downtown area excluded from the bylaw.

Mr. Weismantel stated this bylaw is a tool for businesses with opposite peak demand times. He stated the Board doesn't want everything paved if it isn't needed. He stated not all cases will qualify for the Special Permit.

Mr. Falcione stated it isn't fair to downtown businesses to allow new businesses to use the on-street parking. He stated there are times where there is no parking available due to the restaurants, coffee shop and theatre already there. Mr. Coolidge asked if there were any other downtown businesses or land owners at the Zoning Advisory Committee (ZAC) meetings when this was being discussed. It was stated Ron Roux and Joe Strazzulla were there as members of ZAC. Mr. Falcione stated he believes the business owners on ZAC shouldn't have been able to vote on this bylaw change.

Michelle Gates, 22 W. Main St., Parks & Recreation Commission member, asked how this bylaw would affect programs on the Common. It was noted there would be no effect.

Mrs. Pratt stated that liability insurance should be part of any parking agreements.

Ms. Altamura stated the argument to leave out the downtown area is valid. She stated if the Town had a municipal parking lot, then it would be a different situation. Mr. Dourney stated he doesn't believe the whole downtown area should be excluded, but possibly Main St. from Route 85 to Church St. Ms. Lazarus stated the Board could also remove the language allowing for the counting of on-street municipal spaces.

Robert Foster, 85 Frankland Rd., Board of Appeals member, stated that Special Permits should go with the use, not the land. Ms. Lazarus stated Special Permits can run with a use or the land. Mr. Foster stated if there is a change in ownership, there should be a change in Special Permit.

Muriel Kramer, 39 North St., Board of Selectmen Chairman, stated she supports the intent of less land consumption, but asked if the number of required parking spaces could be reevaluated so less parking spaces were required. Mr. Abate stated this bylaw allows the Board to do that with businesses sharing parking spaces.

Mr. Foster stated that uses are controlled by the Zoning Enforcement Officer (ZEO) and any changes would be enforced by him.

The Board voted 5 in favor with 3 opposed (Coolidge, DeVeuve, Markey) to recommend the proposed language for the 2008 Annual Town Meeting as modified to remove the language relating to on-street parking spaces and including a proposed language change recommended by Town Counsel.

**2. Public Hearing – 81-83 Main St. – Site Plan Review**

Joseph Strazzulla, developer, and David Marquedant, surveyor, appeared before the Board. Mr. Strazzulla stated he had met with the Board informally last year to discuss his proposed project. He stated the Design Review Board (DRB) reviewed the site plan and their only comments were that the existing building at 81 Main St. be kept as original as possible. He described the plan to add a new office building behind the existing building. He stated they will be putting features of the existing building onto the new building. He stated there will be columns and clapboard on the exterior and they will be using finishes that are not, but look like, wood for energy efficiency and easy maintenance. He stated they have placed the building where it will have the least impact on the neighbors. He stated the building is close to both side yards and construction easements will be needed. He stated the Conservation Commission had no issues with the project. He stated the Fire Department's comments had some incorrect information referenced and he stated the building is less than 7,000 square feet and is not required to have a sprinkler system. He stated there will be heat sensors and fire alarms installed in the building. He stated the underground detention area is safe for emergency vehicles to drive over. He stated the ZEO reviewed the site and determined the existing building at 81 Main St. is the primary building, so parking will be allowed between the new building and the street.

Mr. Strazzulla stated there is a unique situation involving the Town owned Carrigan Park which is located behind his property. He stated water runs off the ball field, goes across his property and ends up at 77 Main St. He stated a plan has been designed to install an asphalt swale along the edge of the Town's property to catch the water and pipe it out to the catch basin in front of the Fire Station. He stated it is an extensive drainage scheme but it will solve a problem the Town needs to address anyway. He stated Fay, Spofford and Thorndike (FST), the Town's engineer, had some questions about it but didn't communicate with Mr. Marquedant regarding the design. He stated easements will be required to perform the work. Mr. Strazzulla stated there is no way for the water to leave the park except for over private property.

Mr. Strazzulla stated FST raised an issue, and he has no intention of disconnecting the existing water and sewer service from 81 Main St. He stated the Operation & Maintenance Plan for the stormwater system has been designed. He stated there is no need for a handicap space at 81 Main St. since the building is not handicap accessible. He stated the lighting plan shows two poles in the parking lot with the rest of the lighting attached to the buildings. He stated the bulbs are designed to direct light downward while still illuminating the globes on the poles. He stated it is a long and narrow lot and he wanted warmth in the area. He stated the only residence is across the street and they are ok with the lighting. Ms. Wright stated the plan shows 1 to 1 ½ foot-candles and Mr. Strazzulla is proposing to have the lights go off by a certain time of night. She stated the lighting doesn't seem excessive.

Ms. Altamura asked about snow removal on the property. Mr. Marquedant stated they will push the snow to the west property line. Mr. Strazzulla stated there is room on the neighboring lot, which he also owns, and both properties will store their snow in that location.

Ms. Gates stated the Parks and Recreation Commission has worked with Mr. Strazzulla and is very grateful that he is willing to help fix the drainage problem. She stated he will be looking for a 5 year discount on his taxes to recover the cost of the site work for the Town.

Brian Eberlin, 58 Hayward St., Parks & Recreation Commission member, stated the Town needs to give Mr. Strazzulla the right to move the water. Ms. Gates stated the Park has standing water issues already. Mr. Markey asked if the Town was under pressure to fix the water problems. Mr. Strazzulla stated the Park also has a piece of their pathway running across the back of his property and he would like an easement to exclude him from liability.

Steven Carbonneau, 68 Frankland Rd., co-owner of 77 Main St., stated his primary concern is the water draining off the fields. He stated it definitely is a serious problem and he commends Mr. Strazzulla for fixing it. He stated the only thing he has asked is that the water not to be diverted into the detention ponds at 77 Main St.

Ms. Wright stated the hearing should be continued. Mr. Strazzulla stated he has a lot to do before Town Meeting action on the easements and only a short building season. Ms. Wright stated the Fire Department still needs clarification on a number of items. She suggested having the Board send Ms. Lazarus any outstanding questions and have her forward them to Mr. Strazzulla for the next hearing. Ms. Wright stated the Building Inspector should also weigh in on the emergency access for the building. Mr. Strazzulla stated it meets all building codes.

The Board voted unanimously to continue the public hearing to March 24, 2008 at 7:45 PM.

**3. Approval-Not-Required Plan – 36 Cedar St. – Lombardi & Lumbra**

Joseph D. Marquedant, surveyor, appeared before the Board. He stated the owners of 40 Cedar St. believed their lot line was at a 90 degree angle to the street and installed a sprinkler system. He stated when a survey plan was done for a new septic system at 36 Cedar St. it was noted that the property lines actually were angled back from the street. He stated this plan would allow the piece of land to be conveyed to the owners of 40 Cedar St. which they thought they already owned.

The Board voted 7 in favor with Mr. Coolidge abstaining to endorse the plan as not requiring approval under the Subdivision Control Law.

**4. Legacy Farms Master Plan**

Roy MacDowell, Jr. and Steven Zieff, Boulder Capital, and Robert Nagi and Richard Hollworth, VHB, appeared before the Board. Mr. Zieff stated the discussion this evening would focus on transportation, utilities and stormwater.

Mr. Nagi stated they have been working with the Hopkinton Department of Public Works (DPW), Planning Board, Fire and Police Departments, along with various officials from Ashland, Southboro and Milford. He stated Fred Moseley and Dave Glenn from FST have been helping with the project study process. He stated they have crafted a future conditions analysis. He stated FST has commented about the changes and differences they see and so far everything is going well. He stated some topics they have included in their studies include: identifying future impacts; potential roadway improvements; identifying where the traffic is coming from and going to; identifying how much traffic there is; and seeing if the roadways are safe and

sufficient. He stated they have done some minor tweaking to their report incorporating FST's comments.

Mr. Nagi stated they identified 20 intersections in Hopkinton, Ashland and Southboro to study. He stated the majority of the intersections included Routes 85 and 135, along with surrounding neighborhoods in Hopkinton. He stated they have created a phase plan looking at 5 years of growth and 10 years of growth. He stated they studied existing traffic patterns and performed peak hour traffic counts. He stated they also performed mid-day weekend traffic counts. He stated they documented exactly what happens at these intersections, including the number of bicycle riders, pedestrians and trucks. He stated they studied where backups happened and what the traffic flow patterns looked like. He stated they studied the Route 85 and 135 intersection. He stated there is a high number of crashes at that location and it mostly due to the misalignment of the roadway. He stated they studied the geometric layouts of the intersections and looked at site distances. He stated some of the intersections need some overgrown vegetation and debris cleaned up to help make them more safe.

Mr. Nagi stated they studied information on future projects to evaluate traffic changes and they gathered information about planned and permitted retail, commercial and residential projects in Hopkinton and the surrounding communities. He stated they evaluated the predicted Legacy Farms traffic in addition to the proposed new developments. He stated they evaluated it into two phases: the development of the southern portion; and the development of the northern portion and spine road. He stated they hoped the spine road would help alleviate some of the downtown traffic impacts. He stated they looked at similar developments to figure out the number of trips generated and they looked at commuting patterns including how many people live and work in the same community. He stated according to future estimates, 15% of Legacy Farms residents will travel east into Ashland, 40-45% will travel north on Route 85 toward Route 9 and the Mass Turnpike, and 33% will travel west on Main St. toward Route 495.

Mr. Abate asked how many additional cars downtown can handle before turning into a bottleneck. Mr. Nagi stated the Route 85 and 135 intersection is problematic today and is congested at the point of failure. He stated Route 85 still has capacity available but due to the misalignment of the roadway across Route 135, the traffic doesn't flow smoothly. He stated he believes the Town has done the best they can with that intersection, looking at what there is to work with. He added that the signal equipment is outdated. Mr. Abate asked what the possibilities would be if the signal was upgraded. Mr. Nagi stated he believes there would be 15-20% more peak capacity if the signal was upgraded, without the Legacy Farms traffic.

Chris Barry, 17 Clinton St., stated the existing level of service (LOS) on all the street lights in VHB's report are grade C or worse at all but one. He stated the existing conditions and level of service is bad and there is insufficient infrastructure now. He stated the report shows the spine road will only take about 7% of the traffic from downtown. Mr. Dourney suggested that VHB use the same score card as in their report when speaking, to help people understand the concepts more easily. Mr. Nagi stated the A through F LOS scale is based on worst case scenarios and a score of D or better at peak times is what their aim is.

Mr. Falcione stated if the sidewalk was narrowed on the west side of Route 85 in front of the Post Office, more vehicles could line up to turn right. He suggested that no parking be allowed on Route 85 across from Colella's to allow for a left-turn-only lane onto Route 135. Mrs. Pratt stated intersections are failing all over the state.

Michael Kennedy, 111 Winter St., asked if VHB could put their data into more user friendly terms, such as wait times at each light, etc.

Clark Waterfall, 7 Clinton St., expressed concerns about the total build out.

Mr. Nagi stated they recognize that traffic will increase and have added an additional 5% to the five year plan and 10% to the ten year plan. Mr. Barry stated there are site distance problems at E. Main St. and Peach St., where the spine road is proposed, and there are quite a few trees in the way of site distance where some of the new houses are proposed. Mr. Nagi stated any unsafe conditions will be fixed.

Julia Linnell, 5 Reservoir Rd., asked why the back roads such as Cross St. and Frankland Rd. weren't studied even though they are where people will cut through. Mr. Nagi stated the majority of the impact will be felt in Hopkinton and they are trying to improve the existing roadway to prevent people from cutting through others.

Mr. Hollworth stated that stormwater, water supplies and wastewater are all interconnected. He stated they performed a ground survey, visual observations and soil testing to determine site conditions. He stated they are trying to preserve the existing wooded areas and most of the site was previously disturbed. He stated most of the water on site travels to Cold Spring Brook but some travels to Indian Brook. He stated they will be trying to utilize Low Impact Development techniques on site. He stated they will be using stormwater drainage and treatment, vegetated swales, rain gardens and some more traditional drainage structures as well.

Mrs. Pratt asked if the water traveling toward Cold Spring Brook can be diverted to the Alprilla Farm well site. Mr. Hollworth stated the water currently flows in that direction.

Mr. Hollworth stated the wastewater treatment facility is a self-contained design and will treat and balance the overall water supply. He stated the water that is collected will be put back into the ground. He stated the stormwater management system will conform with the local wetlands bylaw and the new DEP Stormwater Regulations.

Mr. Foster stated he is anxious to see as little concrete piping as possible but is concerned about the thin layer of glacial till over bedrock on the site. Mr. Hollworth stated the northern parcel does have a thin layer of till over bedrock but the southern parcel has more outwash and more porous conditions.

Fred Merrill, Sasaki Associates, stated the Low Impact Development techniques are illustrated in the East Hopkinton Master Plan.

Mr. Barry asked what would happen with the groundwater recharge if some of the water from the Alprilla Farm well site was piped across town, since it will be part of the overall municipal system. He asked how the deficit would be made up for that water leaving the area. Mr. Hollworth stated he didn't have an answer to those questions.

**5. Administrative Business**

The Board voted unanimously to pay the outstanding bills. The Board voted unanimously to approve the Minutes of February 25, 2008 as amended.

The Board requested that Ms. Lazarus schedule FST on a meeting agenda to discuss the format of reports.

Adjourned: 10:30 PM

Anna Rogers, Secretary

Approved: March 24, 2008