

HOPKINTON PLANNING BOARD

Monday, September 22, 2008 7:30 P.M.
Town Hall – Room 211

MINUTES

MEMBERS PRESENT: Mark Abate, Chairman; Joe Markey, Vice-Chairman; Sandy K. Altamura, John Coolidge, Carol DeVeuve, David Auslander, Claire Wright, Ken Weismantel

..... Elaine Lazarus, Planning Director

..... Cobi Wallace, Administrative Assistant

1. Downtown Discussion

Mr. Markey led the discussion of downtown projects. Downtown Revitalization Committee (DRC) members Peter LaGoy (Chairman) and Anne Mattina appeared before the Board.

Mr. Markey referred to the 8/25/08 Planning Board discussion of downtown issues, including proposed changes to the light poles at the Rt. 135 and Rt. 85 intersection. He noted that at the direction of the Planning Board, members of the Design Review Board (DRB) and Historic District Commission (HDC) were to meet with the DRC to review the options and come to a decision they were happy with. Mr. LaGoy stated he thinks that before they had a chance to organize this meeting, the Town Manager and Board of Selectmen at the 8/26/08 Quarterly Meeting decided to go with a simple design due to made-up timing issues. He stated this was not what he expected to happen, but, thanks to Ms. Lazarus, the DRC, DRB and HDC were allowed additional time to meet and agree on a final design recommendation to be considered by the DPW.

Mr. LaGoy then addressed the Planning and Action List, noting it includes 70 different items and essentially every Board in Town has some say in the decisions regarding downtown projects, possibly with the exception of the Conservation Commission.

Ms. DeVeuve arrived at this time.

Mr. Auslander stated he attended the 8/26/08 Quarterly Meeting where the light pole matter was discussed. Mr. Abate noted that there was pressure on the Board of Selectmen from Steven Zieff of Boulder Capital. Ms. Wright stated the Selectmen decided to move forward with a standard style light pole which is not what the DRC, DRB and HDC wanted. Ms. Mattina noted that at the 8/25/08 meeting Mr. Zieff stated he wanted a decision by September 1, which was not realistic.

Ms. Wright referred to the DPW Board meeting of 9/9/08 which she attended, and stated she is not sure everything has been resolved. She stated that the DPW Board agreed to follow the groups' recommendations but to cost it out first so the decision is not set in stone. Ms. Mattina

noted the HDC, DRC and DRB stated they cannot make an informed decision absent the dollar amounts and, once the poles are installed, the Town will be responsible for subsequent maintenance and replacement which also has costs. She added this was the first decision her Committee was asked to make, and Mr. LaGoy stated this is only one of the items on the list. Ms. Wright stated this was a decision made by the DRC, HDC and DRB, and the DPW and Board of Selectmen cannot just ignore it. Mr. LaGoy stated this is very disappointing as three of the Selectmen attended the 8/25/08 Planning Board downtown discussion and none of them spoke up at the Quarterly Meeting. Mr. Markey stated he wants to make sure the process is solid and this hiccup was a surprise to him. He stated they should follow up on the actions taken by the DPW, and the final decision has not been made yet.

Mr. Markey stated he discussed the matter with Brian Herr, Chairman of the Board of Selectmen. He stated Mr. Herr strongly supports the process. Mr. Markey stated the Planning Board did not intend to leave the decision up to the Town Manager, and they should get back to the tone set in earlier downtown discussions, reflecting the desire for a better communication process between the various Boards. He added that the style of the lights at the intersection is a relatively small thing and the only downtown-related item under the Host Community Agreement (HCA), but the DRC has talked about a lot of other improvements in the last few years. He stated some of the items are the responsibility of private property owners and asked if the DRC has any suggestions to tackle the list of items in a more manageable way.

Mr. Weismantel referred to an item on the Action List and suggested adding the option of relocating utility lines to the item regarding the burying of them. He stated the Selectmen are authorized to approach NSTAR to make it happen and pass the cost on to the consumer, but there has to be the political will to do this. He added they might want to get more input from the Board of Selectmen and encourage them to champion the matter. Mr. LaGoy stated that Joe Strazzulla talked about this in the 1980's, and Mr. Coolidge stated that NSTAR was in favor of it. Mr. Weismantel stated repayment would be stretched out over a number of years. Mr. LaGoy stated they should find out how much the average utility bill would go up. Ms. Altamura stated that burying the lines would not only make the Town look better but would also improve the reliability of service. Mr. Weismantel stated that some of the lines can be buried easily and it could be done in stages.

Ms. Mattina stated there might be an alternative way to fund the project. She stated she came across a case in New York where a service provider offered to pay for burying the town's utility lines in exchange for switching over to them. Mr. Weismantel stated they might want to encourage the Board of Selectmen to establish a policy prohibiting NSTAR from adding any more above-ground wires so at least it will not get worse. Mr. LaGoy stated that maybe they can encourage the utility companies to initiate the project. Mr. Weismantel stated that the Board of Selectmen has a lot of authority with respect to utility company issues. Mr. Markey stated the problem involves dealing with an unsightly situation by either burying or moving the wires, and this particular issue is under the Board of Selectmen's jurisdiction. He noted it is important to continue discussions on alternative solutions.

Mr. LaGoy stated they should (1) raise the issue to the Board of Selectmen; (2) collect factual cost information; and (3) help the Selectmen with marketing the idea to the Town. He stated that

for something like this it is important to get the feel of the Town. He noted that as far as priorities are concerned, school funding is always going to win, so they will have to demonstrate that there is value in the utility lines project. He added that energy rates will go up but least the property tax will not go up as a result of this. Mr. Abate stated that they should recognize people's ability to pay their bills in these difficult economic times, and it would be irresponsible to ask residents to pay for it. He noted this is an overall long-term vision and the costs may be offset by commercial development. Ms. Wright stated the idea has to be discussed more so that people will get more comfortable with it.

Mary Pratt, 102 Fruit St., member of the Board of Selectmen speaking as an individual, stated that when Mr. Strazzulla looked at this issue 10 to 12 years ago, it was determined that it would be very expensive and uneconomical.

Robert Falcione, 93 Downey St., stated that the Town of Northbridge was able to bury its utility lines at a limited cost due to a grant received from the Federal government. He noted the Town of Franklin also received a Federal grant for downtown improvements and if the Board is receptive, he is willing to get more information.

Ms. Mattina stated the Town of Holliston used Chapter 90 funds for its downtown improvement project and it was a 10 year plan. She added the Hopkinton DPW, however, is not in a position to give up Chapter 90 money. She referred to State DHCD programs, including (1) Massachusetts Downtown Initiative which encourages community involvement and ownership, and (2) the Business Improvement District program. She stated the State will send out a consultant to determine the exact steps needed and get a sense as to what is available. Ms. Pratt stated that the Business Improvement District initiative was discussed at a recent Southwest Area Planning Committee (SWAP) meeting and it is a complicated process involving segregation of that part of the Town. She stated she is willing to get more information on the program.

Mr. Markey stated it is important to get all different options out on the table, figure out funding mechanisms, and see if the Town will support them.

The Board stated it would take Mr. Falcione up on his offer to do some research on the Federal grants. Mr. Auslander stated the Action List needs to be prioritized. Mr. LaGoy stated he agrees the list is long and varies from minor, relatively inexpensive items to major, long-term improvements projects which are very costly and will take a lot of planning. He stated there are certain issues most people will agree with, like sidewalk repair, but people will be divided about others. He stated they can categorize the items by cost and level of consensus. Mr. Auslander stated there are interdependency issues with some of the items on the list. Mr. LaGoy stated it would be ideal to fix the sidewalks from "the bottom up" but the repairs are urgently needed and there is a lot of will to deal with this issue now.

Mr. Abate asked about private donations for things like planters. Ms. Mattina stated that this has been discussed and businesses could have a small advertising sign in return.

Mr. Abate stated it would be irresponsible to ask the taxpayers or NSTAR to pay for making the Town look better. Mr. Markey stated input from business owners should be obtained as they are

key stakeholders and improved aesthetics will attract business in the long run. He stated one way to pitch the idea is through the Chamber of Commerce and they have to figure out a way to reach out to businesses which are not affiliated with the Chamber. Ms. Mattina stated they have a list of all businesses. Mr. Weismantel stated some type of design guidelines be helpful. Ms. Mattina stated DRC has design guidelines available on the Town of Hopkinton website.

Mr. LaGoy referred to the need for a landscape master plan to unify the streetscape. He noted other towns have achieved this but Hopkinton is unique with streets that slope up and in some areas only one side of Main St. is suitable for business. Mr. LaGoy stated he would like to get an idea what the Town wants for the downtown as a community. He added they have a general idea and perhaps could discuss putting together an artist's rendering. Mr. Abate stated they should reach out to Ron Roux about his project at 25-35 Main St. and ask Mr. Burns about his lot at 38-40 Main St. He added positive action is needed. Mr. LaGoy stated there are several little changes proposed for downtown, which hopefully (1) will make it look better, (2) improve traffic flow, and (3) result in better pedestrian flow. He noted that Hopkinton will undergo changes whether it likes it or not, but the community has an opportunity here to decide what it wants to look like in the future. Mr. Markey asked what reasonably can be done between now and the 2009 annual town meeting - temporary repairs, an article for repair of the water main, or hiring a consultant for a downtown master plan. Mr. LaGoy stated that everyone knows about the need to repair sidewalks and crosswalks, and they plan to bring those two items back before town meeting. He stated the State has resources to help with a downtown master plan and maybe there could be more articles like the one for the shared parking bylaw adopted at the 2008 annual town meeting. Ms. Wright stated she does not like a piecemeal approach but asked how reasonable it would be to tackle the sidewalks doing a little at the time. Ms. Mattina stated it appears the DRC is the lone voice in the wilderness. Ms. Wright stated the sidewalk improvements at 25-35 Main St. are part of site plan mitigation, Bill's Pizza's proposal will address another portion, and the Town could take some segments.

Mr. LaGoy stated they can do a better job of advertising. Ms. Mattina stated it is essential to reach out to the business owners, and they tried that last year at a DRC-sponsored design charrette, but of the 36 people invited only 2 showed up plus a resident from Hayden Rowe St. Mr. Weismantel stated it would be easier to pay a consultant to get an overall plan. He noted that if the technical details on roadways and curbs are known, it is lot easier to re-do a piece a sidewalk knowing it fits into the long-term plan. Mr. Markey recommended developing a master plan and going to town meeting for funding.

Mr. LaGoy referred to the width of the roadway on Main St. near the Common. He stated the road is too wide and unsafe for cars and pedestrians. He noted there are possible solutions but they have to consider the Boston Marathon. Mr. Coolidge stated 90% of the improvements in Holliston were achieved by road markings. Mr. Gaucher stated that he has worked on developing some of these Action List items with the Planning Director. He noted that an RFQ is needed so they can hire a consultant to prepare a plan showing the project elements and time frame. He stated they should be able to do something similar to what was done in Natick at a cost of \$750,000, and referred to the transportation bond bill. He noted there are a lot of consultants who are interested in preparing an RFQ on a no-fee basis. Mr. Abate asked what the Town is going to do with the information from the RFQ. Ms. Pratt stated the Town has to go

through the Transportation Improvement Program (TIP) process for road projects but they need to be designed first.

Jaime Goncalves, 92 Downey St., stated they should look into State funding first. He stated they should bring in the State consultants and ask them what kind of funding sources are available. Mr. Goncalves stated that even using the utility company competitor approach would be an idea and suggested calling the New York service provider referred to earlier in the evening.

Ms. DeVeuve asked about the availability of architectural renderings for downtown initiated by the Chamber of Commerce a number of years ago. Dale Danahy, 25 East Main St., stated that Ron Foisy, then COC President, was involved in that, and they showed an improved Hopkinton but it totally did away what is here now.

The Board recommended that the DRC follow up with DHCD regarding consultant services. Ms. DeVeuve referred to Mr. Falcione's offer to investigate projects in other towns, and it was requested that he submit the information to the DRC with a copy to Ms. Lazarus.

2. Continued Public Hearing – 30 North Mill St. Subdivision - Nealon

At the request of the applicant, the Board voted unanimously to continue the public hearing to October 20, 2008 at 7:40 P.M.

3. Approval Not Required (ANR) Plan – 17 Maple St. – Terry & Taggart

David Marquedant, J.D. Marquedant & Associates, Inc., surveyor, appeared before the Board. Mr. Marquedant stated the Board endorsed an ANR plan for this property in 1995 but a new plan had to be prepared in order to clean up a title problem dating back to 1948. Ms. DeVeuve asked if all parties are in agreement and Mr. Marquedant responded yes. The Board voted unanimously to endorse the plan as not requiring approval under the Subdivision Control Law.

4. Approval Not Required (ANR) Plan – 44 Wilson St. – Mezitt Agricultural Corp.

Robert Buckley, Beals and Thomas, Inc., engineer, appeared before the Board. Mr. Buckley explained the plan which would create a 2.75 acre parcel for the Serenity House. Mr. Weismantel asked if the creation of this parcel was part of the HCA. Steven Zieff, Boulder Capital, replied no. Mr. Weismantel asked for clarification regarding the creation of ANR lots and it was stated that this is only prohibited along the spine road. The Board voted unanimously to endorse the plan as not requiring approval under the Subdivision Control Law.

5. Other Business

- Minutes – The Board voted unanimously to approve the Minutes of September 8, 2008, as amended.
- Bills – The Board voted unanimously to authorize payment of outstanding bills.

6. Open Space and Recreation Plan – Land Acquisition Matrix

Mr. Abate stated that Ms. Lazarus has done a great job on the land acquisition matrix and asked her to explain what was done. Ms. Lazarus stated she carefully studied the matrix and compared the results of the surveys done in connection with the initial Open Space and Recreation Plan and subsequent updates. She stated she did not want to substitute her thoughts with those of the people who prepared the matrix or originally responded to the surveys. She noted that drinking

water protection has consistently been a #1 concern and bike paths have surged in priority over the years. Ms. DeVeuve stated she completely agrees with Ms. Lazarus's recommendations.

Mr. Weismantel asked about changes other than for bike paths, and Ms. Lazarus stated she has added suitability of the land for wastewater disposal to the point system. She noted that if a parcel has been identified in the CWMP and comes up for potential purchase, wastewater disposal consideration could be part of the decision making. Mr. Auslander asked if wildlife habitat is ahead of drinking water protection in total points, and Ms. Lazarus stated it is probably about the same. Mr. Abate asked if there is overlap, and Ms. Lazarus replied yes, noting that wildlife habitat falls in a lot of different categories. Mr. Coolidge stated there is a lot of crossover and bike paths are okay, but soccer fields in the middle of the property may not be. Ms. DeVeuve stated it is important to note that the matrix is a land evaluation tool.

Ms. Wright stated that the last time the Board discussed the matrix it was agreed they should not nitpick. She stated that Mr. Weismantel had mentioned that only a small amount of weight was given to historic resources and those cannot be replaced once they are gone. The importance of preservation of rural town character was implied in the rankings but more attention should be paid to historic resources as they are totally irreplaceable. She stated passive and active recreation appear to be mutually exclusive and it seems one can never get more than a total score of 5 on active recreation. Ms. Lazarus stated that a bike path, for example, is considered active recreation, and active recreation points come from other places like land suitable for schools or other municipal facilities too. Mr. Auslander stated they should look at how things are worded and what the different hot topics are over the years.

Mr. Weismantel stated he feels the wastewater disposal suitability of a property is undervalued in the list because (1) those resources are vital for the long term, and (2) sewer capacity eventually will control growth and is at a much higher premium. He added they should have these particular properties under town stewardship and bank them for the future because there are only so many gravel areas left in Town. He noted they have done a good job in identifying these areas and there is a pretty comprehensive survey with respect to well water and location of the aquifers. Mr. Weismantel stated they would be looking for gravel sites on top of bedrock and they followed the same principles when they looked for well sites. Ms. DeVeuve stated they are talking about a matrix for open space and recreation purchases and the suitability as a wastewater treatment site should not weigh a lot. She noted her personal opinion is that it should not be given a higher point value than what Ms. Lazarus has given it.

Mr. Goncalves stated that most of the State geology has already been mapped out providing the basic information. He noted that when looking for suitable areas for wastewater disposal a more in-depth survey is needed than what is now available for Hopkinton, but the Town can bank such properties for future use. He stated the Planning Board has to plan ahead and the growth of the Town will not be limited to what it is now. Ms. Lazarus noted that the points awarded for a property are important only when compared to others and by themselves don't mean anything.

Mr. Markey stated that Ms. Lazarus did what the Board asked her to do and he is in favor of the outcome. Ms. Wright stated she agrees with Mr. Weismantel and Mr. Goncalves, and as the Town grows, land will not be available for wastewater disposal sites anymore so it is important

that they identify those areas. Mr. Auslander stated this changed his perspective of the matrix and he does not think it is important. Mr. Markey stated it is important and at the last meeting the Board talked about the proper public process. He stated they are only 9 people, and the survey was done town wide and the Board doesn't want to make changes like that. Mr. Auslander stated the Board's responsibility is to plan ahead. Mr. Markey stated that the Board should get town wide input when it plans ahead. Ms. Lazarus noted that the last surveys did not include a question regarding wastewater disposal, because they were open space and recreation surveys. Ms. Wright questioned the number of points assigned to a bike trail. Ms. Lazarus stated the focus is on achieving the Open Space plan goals. She noted that when the Town is looking at a piece of land, there are other components which will be part of the decision making process, not just its suitability for open space or recreation. Mr. Coolidge stated that the different Boards look at a property from their own perspective and needs and submit their comments to the Board of Selectmen. Ms. Lazarus stated she did not think it was necessary to duplicate the CWMP needs identified and studied in the matrix, as it is already covered adequately. Ms. DeVeuve moved to accept the changes to the matrix as presented by Ms. Lazarus. The Board voted 7 in favor, 1 opposed (Weismantel) on the motion to include the Land Acquisition Matrix in the Open Space and Recreation Plan with the changes made by Ms. Lazarus. Mr. Markey asked how often there is an Open Space survey, and Ms. Lazarus noted that the Open Space plan is supposed to be updated every 5 years and a survey is done each time.

7. Public Hearing – Pelouin Estates/30 Front St. – Summit Realty Trust

Brian Gassett, applicant, Joe Marquedant, Jr., J.D. Marquedant & Associates, Inc., surveyor, and Jennifer Chandler, Copley Wolff Design Group, landscape architect, appeared before the Board. Mr. Marquedant stated that Faith Easter, attorney, is in attendance on behalf of Mrs. Marjorie Pelouin, property owner.

Mr. Marquedant described the Existing Conditions plan for the property at 30 Front St. He noted the bulk of the property is owned by Mrs. Pelouin and a small area is owned by Mr. Butkus. He stated the majority of the site is wooded with moderate to steep slopes and some depressions. Mr. Marquedant stated that the land has been in Chapter 61B since the 1960's, and the Town decided not to exercise its right of first refusal when given the opportunity. He noted that the Conservation Commission in 2006 approved the wetland delineation with the condition that they would re-evaluate it in April 2007. He stated they then discovered one of the potential vernal pools was not, which allowed them to change the scope of the plan and the agreement with the property owner. He stated he feels they have now designed a plan that is close to the spirit of the open space bylaw.

Mr. Marquedant described the conventional subdivision plan consisting of a 1,900 ft. long loop road serving 13 lots. Ms. Altamura noted that the Conservation Commission thought it was a workable plan.

Ms. Chandler addressed the Open Space Concept Plan and stated the property presents a challenge driven by land constraints and explained the plan. She noted the road has a 1.3% grade at the entrance with a low point near the vernal pool and 0.75% at the end. She stated road construction will require well under 8 ft. cuts and fills and a 20 ft. road width would minimize the impact on the land. She explained the method used to measure the length of the dead-end

street, and offered justification for perimeter buffer areas which are less than the required 100 ft. wide in certain areas.

Mr. Marquedant stated they need to discuss fire protection with the Fire Dept. to weigh individual sprinkler systems vs. installation of a cistern and determine the tipping point. Mr. Weismantel stated that this might be a good time to talk to Boulder Capital about the use of the water main on Front St. as the new Alprilla Farm well will not be far away. Mr. Markey stated that the property abuts Legacy Farms open space and recommended that the applicant talk to them about connectivity with respect to the trail system.

Ms. Altamura stated she has a problem with lot 1 because it appears a buffer waiver is requested to get the additional lot. Mr. Weismantel asked whether the driveways for lots 1 and 2 would be off Front St., and Mr. Gassett stated they will be off the new road. Mr. Auslander asked if it will be a shared driveway, and Mr. Gassett replied no. Mr. Weismantel stated they might want to look into common driveways. Mr. Gassett stated common driveways are not good from a marketing standpoint. Mr. Weismantel stated he would like to see septic system and well locations shown on the plan. Mr. Markey stated that lots 7 and 8 would be good candidates for a common driveway due to the amount of wetland. Ms. Altamura asked if there would be a homeowners association and Mr. Gassett stated they don't know. Ms. Altamura stated having a homeowners association will make it easier for common driveways.

Mr. Weismantel asked about sight distance on Front St. Mr. Marquedant stated they have preliminarily reviewed it and feel they can comply with the requirement but wanted to get input from the Planning Board before doing further engineering. Mr. Weismantel asked if Mr. Butkus, an abutter, is okay with the reduced buffer and Mr. Marquedant responded yes. Mr. Abate stated he is thrilled to see this type of development in this market climate. Ms. Altamura stated she does not like the lots near Front St. and referred to the Nathaniel Wyman Homestead subdivision where the developer preserved the existing home and streetscape. Ms. Wright stated the home on lot 2 is in the buffer zone on a scenic road and will require a compromise. She stated it will be a big change to see large houses on a wooded portion of a scenic road because the beauty of Mrs. Peloquin's home is that it is tucked away in the woods. Mr. Auslander noted a shared driveway would make it possible to move the house back. Ms. Chandler stated that the old stone foundations will make that difficult. Ms. Wright stated that the stone foundations are going to be vulnerable. Ms. Lazarus stated the lots exceed the minimum required size under the bylaw and they can be smaller.

Mr. Weismantel referred to the low point of the road and asked about the impact on the vernal pool. Ms. Chandler stated they walked the site about a month ago and it was completely dry there. Mr. Marquedant stated he does not think the drainage pattern will be dramatically changed. Ms. Lazarus asked what the drainage system will look like. Mr. Marquedant stated that the drainage will end up near the wetland, and they will follow best management practices, possibly utilizing a few catch basins. Ms. Wright stated that Fay, Spofford & Thorndike (FST) commented that the house on lot 3 does not comply with front setback requirements. Ms. Chandler noted they can pull the house back. Ms. Lazarus referred to comments made by FST asking for the locations of septic systems, wells and driveways to be marked on the plans. Mr. Abate stated he would like to see real recommendations from FST in their next letter report. Ms.

Wright stated she needs to see a drainage system and the approximate location of the detention pond.

Jane Lockwood, 7 Wyman Lane, asked if the existing trails will be maintained or will go away. Mr. Marquedant described the location of the existing trails with respect to the proposed subdivision layout, most of which would be on the building lots. Mr. Markey asked if the trails can be relocated. Mr. Marquedant noted there is a perennial stream just over the property line on the Legacy Farms land. Mr. Markey stated they should be able to connect the trails.

Ms. Lockwood stated there have been problems with her well lately but according to Boulder Capital it is not because of the Alprilla Farm well tests. Mr. Abate encouraged her to contact the Board of Health. Ms. Wright asked about the nature of the problems, and Ms. Lockwood stated the water was brown and had lots of sediment. Ms. Lockwood asked about the location of the septic system for Lot 7. Mr. Gassett stated he does not know yet but the lots are a decent size and there is room for flexibility. Ms. DeVeuve asked about the proposed no-cut easement along Front St. and if an open space buffer would provide better protection. Ms. Lazarus stated that there would be no disturbance allowed in a buffer if it was designated open space. Ms. Lazarus stated the minimum lot size is 30,000 sq.ft., and Ms. Altamura stated they can reconfigure the lots. Ms. Lazarus stated quality open space is as important as the design of the lots and roads. Mr. Weismantel asked about the waiver request with respect to plan sheet size. Mr. Marquedant noted the definitive plan will be standard size. Mr. Weismantel recommended the applicant address FST's comments for the next meeting. Ms. Lazarus suggested the applicant meet with FST and discuss them. Ms. Wright asked about the discrepancy in the acres of open space, and Mr. Marquedant stated it can be resolved.

The Board voted unanimously to continue the public hearing to October 20, 2008 at 8:15 P.M.

Cobi Wallace
Administrative Assistant

Adjourned: 10:00 P.M.

Approved: October 6, 2008