

TOWN OF HOPKINTON
BOARD OF SELECTMEN
Meeting Date: February 27, 2008
Public Forum
Middle School Auditorium
MINUTES

Board of Selectmen members present: Muriel E. Kramer, Chairwoman; Mary Pratt, Vice-Chairwoman; Michael Shepard; Brian Herr; Member Absent: Matt Zettek

Others Present Michael Torosian, HCAM; HopNews; Robert Falcione: HopNews; Elaine Lazarus, Planning Director; Community Opportunities Group: Judith Barrett, Consultant; Boulder Capital: Roy MacDowell, Jr., Roy MacDowell, II, Todd MacDowell, and Steven Zieff; Christopher Barry; Lily Holden; Leonard Holden; Robert Benson; Julia Linnell; Ruth Gorman; Claire Wright; Michael Kennedy; Tina Berlad; John Evans; Sue Evans; Ron Roux; John Coolidge; Timothy Kilduff; Geri Holland, Executive Assistant to the Town Manager

Open Public Meeting

7:10 p.m. Mrs. Kramer, Chairwoman, welcomed everyone to the public forum; and gave the perimeters of the forum stating that due to the time constraints and the desired goal of the meeting, there would not be any debate on the merits of the Legacy Farms development or any of the suggestions that would be stated during the forum; the time limit for the speaker would be 3-5 minutes; and to avoid repeating the points brought forward by others. Mrs. Kramer also encouraged comments in writing on or before the next Selectmen's March 4th meeting; and that the Board of Selectmen would review all input and agree upon the priorities for the Town's Negotiating Team to consider for discussions with Boulder Capital representatives.

Mrs. Kramer said that this forum is to specifically gain insight into what measures or ideas should be considered by the Board of Selectmen and the Town's Negotiating Team in formulating a Host Community Agreement (HCA) with Boulder Capital; and that the HCA is intended to address phasing of the project, expenses incurred by the Town such as legal expenses, to manage the project as it progresses, and to potentially off-set benefits for the Town and especially for the residents who would be most imposed upon by the Legacy Farms Development.

Mrs. Kramer added that the forum is not intended to suggest a guarantee to anyone about what would be or not be included in the HCA, and the off-setting benefits considered would be contemplated with a priority of keeping with the town's best interests. She said that the goal and challenge of the Board of Selectmen is to present a complete package to the voters to optimize the development opportunity and enhance the quality of life for all residents. Mrs. Kramer said that Mr. MacDowell Jr., President of Boulder Capital, encourages residents to recommend what types of commercial enterprises they would like to see for the Legacy Farms Development.

Mrs. Kramer announced an agreement that was negotiated that afternoon with Boulder Capital representative and the Town's Negotiating Team (Mr. Troiano, Town Manager, Ms. Elaine Lazarus, Planning Director, and Attorney Ray Miyares, Town Counsel) was agreed upon and would formally be voted upon at the Selectmen's March 4 meeting. She said that the agreement provides for a satisfactory fallback position, should the Open Space Mixed Use Development (OSMUD) Zoning Bylaw not be passed at the 2008 Annual Town Meeting. She said that the agreement stipulates in part that Boulder Capital and the Town of Hopkinton would continue to work cooperatively toward the goal of presenting the OSMUD or a modified OSMUD at a Special Town Meeting no later than November 5, 2008.

Mr. Herr commented that he did not attend that afternoon's meeting; and asked if the Town's Negotiating Team and Mr. Roy MacDowell, Jr. of Boulder Capital concur with this Agreement. Mrs. Kramer responded yes. Mr. MacDowell, Jr., President of Boulder Capital came forward and said that Boulder Capital is in agreement.

Mrs. Kramer added that the Agreement would allow a six-month period to achieve the mutually desired goal of a successful OSMUD vote by Town Meeting voters.

Mrs. Kramer said that during the interim period, the Agreement would allow for Boulder Capital to pursue a special permit for an Open Space Landscape and Preservation Development Plan (OSLPD) that they would only act upon if the OSMUD in an acceptable form is not passed on or before November 5. She commented that the Agreement eliminates the need for a moratorium Article on the Annual Town Meeting warrant, and is more protective of the town than the moratorium article. She concluded that it is the Board's hope that the moratorium would not be placed on the warrant by any party including by petition.

Mrs. Pratt said that she attended that afternoon's meeting and that the Agreement gives the town time to address the Water Agreement.

Mrs. Kramer commented that this meeting is to address the Host Agreement and what would make the project more positive for the community.

Mrs. Julie Linnell asked what the Host Community Agreement entails and if the agreement would be completed before the May Town Meeting. Mrs. Kramer said the Agreement is to address those items that are not covered by the permitting and to address what will make the project more positive for the community. She said that the goal is to have the agreement completed before the May Town Meeting.

Mrs. Ruth Gorman, Friends of the Town Common, voiced their request for Boulder Capital to assist them with the Town Common's Landscape Plan by tree removal, self-watering planters, and the tree planting of the Town Common be negotiated as part of the Community Host Agreement. Self-watering planters?

Mr. Michael Kennedy stated his concern about the potential impact that the development would have with the Northeast Ridge view from Route 85 and the Hopkinton State Park and for the town to work towards preserving this area. He would like to not see any of the development from this area.

Mr. Robert Benson asked if Boulder Capital planned to only build, or to stay and manage the property. He also asked how the Ch. 40B program works. Mrs. Kramer suggested obtaining this information from the Planning Board Office and from Boulder Capital.

Mr. Benson asked how the rental units would be maintained and if there were plans to be sell them. Mrs. Kramer responded that the format of this forum is for resident's input and suggested that he contact the Planning Director or Boulder Capital about this question.

Mr. Christopher Barry stated his concerns about how the added traffic from the development would affect this area. He believes that it would be better if Clinton Street, near the cemetery location, were a one-way street from the exit of the Boulder Capital property. Mr. Barry pointed out that as Weston Nurseries used pesticides and chemicals on their land for over 50 years, he asked how the air quality would be monitored when the land is being developed.

Mr. Leonard Holden, Trustee of the Hopkinton Public Library and Chairman of the Hopkinton Public Library Building Committee, asked for a stipend of three (3) acres to build a new public library. He said that at least 45 parking spaces would need to be available to ensure a State grant.

Mr. Kennedy asked if there were more public hearings regarding the Open Space Mixed-Use Development (OSMUD) was planned. Ms. Lazarus, Planning Director, said that the next hearing is planned on March 17.

Mrs. Jane Moran asked if the Host Agreement is available for the community's review. Mrs. Kramer responded that as the document was still under negotiations, it was not yet available to the public. Mrs. Moran asked for that the scope of the goals and objectives be made available so that the public could follow the development's progress. She also asked for a safety net, so that the Agreement is completed by Town Meeting with language protecting the Town, should the OSMUD fail at Town Meeting. Mrs. Kramer said that this is a mutual goal for both the Town and Boulder Capital.

Mrs. Moran stressed the importance of sidewalks on one side of the street with crosswalks in and around the area of the development, *so residents could get to Town and visa-versa*.

Mr. Kevin Shea believes that this development would be a very good project for the town creating tax revenue.

Mrs. Claire Wright commented that it could be difficult for the public to understand the aspects of this project in such a short timeframe. She recommended for residents to place their trust in the town's public officials in that they are protecting the best interest of the town. Mrs. Wright added that residents can obtain the information on the website and attend the public hearings to learn more about this project.

Mr. Richard Odell would like to see commercial development for the tax revenue.

Mrs. Julia Linnell stated her concern about getting everything done on time. She also expressed that the project needs to include future allowances for traffic and schools, if necessary.

Mrs. Kramer said that one key factor for consideration is the residents who will be more directly impacted by this development in their neighborhood. She said the results will be a benefit to the taxpayer and that property values will be improved and not diminished.

Mrs. Jane Moran commented that the rural charm of the neighborhood where the development is planned will be gone from this area and that safety issues need to be considered. She reiterated her concern about the excess traffic in this area that would be created from the development.

Mrs. Kramer said that the minutes of this forum would be put on the Town's website. She encouraged residents to submit their comments to the Town Manager's Office.

Meeting Adjourned:

8:00 p.m Mrs. Kramer entertained a motion to adjourn the public forum. **So moved Mrs. Pratt. Second Mr. Herr. Unanimously voted.**

Respectfully submitted,

Geri Holland
Executive Assistant

Date approved: [4/8/08](#)