

# PLANNING BOARD



19 WASHINGTON STREET  
SHERBORN, MASSACHUSETTS 01770

## MINUTES September 15, 2010

Members present: Robin Perera; Eric Johnson; John Higley; Tom Urmston; Gino Carlucci, Town Planner.

Absent: John Stevens

Others present: Howard Fisher; John O'Neill (Building Committee)

The meeting came to order at 7:06 p.m. in the Sherborn Town Hall, Room 204B.

### **32 BRUSH HILL ROAD**

*Letter from Attorney John Burke to the Planning Board (Document Referenced: 1)*

Mr. Urmston stated that the content of the letter received by the Board from Attorney Burke on behalf of the property owners at 32 Brush Hill Road differed from what Mr. Urmston felt to be the understanding of the parties involved at the meeting between himself, Mr. Carlucci and Attorney Burke. Mr. Urmston stated that at the meeting, Mr. Burke seemed amenable to his clients' cooperating and to closing up both curb cuts to what they had been previously. In the letter, Attorney Burke stated that the "The Planning Board has no basis to even be involved in this matter."

Mr. Carlucci stated that he and Mr. Wagner will meet with Town Administrator Dan Keyes tomorrow (9/16) to determine what should be the next steps by the town both for this Brush Hill Road property and for the property at 111 Goulding Street. Mr. Urmston stated that he will write a letter to Attorney Burke.

### **CSX PROPERTY**

Mr. Higley said that Town Counsel had said that the property to be acquired from CSX should be surveyed, and that the town of Holliston says that they will include the Sherborn samples in their surveying process.

### **ITEMS FOR UPCOMING CONSIDERATION**

Mr. Carlucci suggested that the Board concentrate on potential warrant articles, including enforcement, Section 3.4 of the By-Laws, the Stormwater by-law, and zoning required for Green Communities designation.

### *Parking Regulations*

Mr. Urmston would like to discuss reducing the town's parking requirements to reflect what is considered "normal" by industry standards. He stated that he felt there was value in making a change that conveys to the town a less restrictive position that would encourage development. Mr. Carlucci noted that Main Street handles 26,000 cars/day, which is about half of what Rte.9 handles, and is greater than the 13,000/day that go through Route 135 in Natick. Mr. Urmston asked Mr. Carlucci to draft a change to the parking regulations and to inform the Board of how many of the town's businesses would then already be in compliance by industry standards.

Mr. Urmston then asked Mr. Carlucci to talk with Ed Wagner (CM&D) about getting Mr. Puopolo to modify the curb on the north side exit from his property on Main Street.

### *Enforcement Issues*

Mr. Urmston asked Mr. Carlucci if there had been any progress in formulating enforcement language for the Board's rules and regulations. Mr. Carlucci said that he had not yet been able to meet with Town Counsel on this issue. Mr. Urmston asked Mr. Carlucci to meet with Town Counsel prior to the next Planning Board meeting and to bring a draft of some enforcement language.

## **STORM WATER BY-LAW**

*Comprehensive Stormwater Management By-Law; Town of Hopkinton Bylaw (Documents Referenced: 2, 3)*

The Board continued its review of the proposed Comprehensive Storm Water Management By-Law.

Mr. Urmston stated that he felt the exemptions to the law needed to be broad enough that they would not be overly burdensome to homeowners. Mr. Urmston also asked Mr. Carlucci if he had talked to other towns about their by-laws, particularly with respect to enforcement, and asked Mr. Carlucci to seek input from the Sherborn Conservation Commission and other town boards about enforcement of their regulations. Mr. Carlucci said that he would also talk to Town Counsel.

## **OTHER**

### *Green Communities*

*Memo from Town Planner to Planning Board; Draft of By-Law Article for Town Warrant (Documents Referenced: 4, 5)*

The Board discussed potential options for zoning changes that would be necessary for Sherborn to become a Green Community. Mr. Carlucci stated that one option would be to create an overlay district along the power lines, including the Transfer Station site, for a photovoltaic facility. Mr. Higley stated that the Energy Committee has said they are basically in agreement with this approach.

*CM&D Garage Screening*

*Memo from Thurza Campbell to CM&D Building Committee, Ed Wagner, Dan Keyes (Document Referenced: 6)*

Mr. Howard Fischer (abutter to the Garage) and Mr. John O'Neill (Building Committee) appeared before the Board to discuss the vegetation (naturally occurring and planted) used to screen the CM&D Garage on Butler Street.

The two options for dealing with the situation at the garage would be to either clear all the existing, naturally occurring vegetation and trim the existing trees to a significant level so that the planted bushes/trees would get sufficient sunlight to grow ('though it will take many years for them to fill in) or to leave the natural vegetation as is (which provides good cover during the spring/summer/fall), and realize that during the winter months, coverage will be bare. Following discussion, Mr. Fischer and Mr. O'Neill both agreed that it would be preferable to leave the natural brush and live with the less adequate coverage during the winter months.

*Rising Tide*

Mr. Carlucci stated that Rising Tide has applied for a permit (Phase 1 of a plan) to develop the existing house into two units. They have asked for the covenant and surety for infrastructure be deferred. Mr. Carlucci has suggested to them that they renovate only one unit, as that would be justification for no covenant or surety, and that if their project does not go forward fully, a two-unit dwelling would be in violation of the Zoning By-Laws. This is really a ZBA issue, not Planning Board.

*Land Acquisition Committee Appointment*

Mr. Urmston has appointed Mr. Eric Johnson to be the Planning Board's member of the Land Acquisition Committee.

*Associate Member for Planning Board*

Mr. Urmston stated that he has been in touch with Mrs. Cory Lincoln about finding an Associate Member for the Planning Board, and asked the other Board members to notify him if they have any candidates in mind.

**MINUTES**

Mr. Johnson moved, and Mr. Higley seconded, a motion to accept the minutes of the August 25 meeting. The motion passed 4 – 0.

The meeting was adjourned at 9:3 p.m. The next meeting will be held on September 29, 2010.

**DOCUMENTS REFERENCED DURING THE MEETING**

1. Document: *Letter from Attorney John Burke to Mr. Thomas Urmston, Jr., Chairman, Planning Board; September 7, 2010.*  
Location: Office of the Town Planner
2. Document: *Comprehensive Stormwater Management By-Law, Draft of 7/28/2010*  
Location: Office of the Town Planner
3. Document: *Town of Hopkinton General Bylaw, Chapter 172, 12/14/2009*  
Location: Office of the Town Planner

4. Document: *Memo from Gino D. Carlucci, Jr. to Planning Board, "Possible energy related zoning changes to qualify for green community," September 2, 2010*  
Location: Office of the Town Planner
  
5. Document: *Draft of By-Law for Large-Scale Ground Mounted Solar Photovoltaic Facilities*  
Location: Office of the Town Planner
  
6. Document: *Memo from Thurza Campbell to CM&D Building Committee, Ed Wagner, Dan Keyes, "New Spruces Along Butler St. in front of the CM&D property," September 5, 2010*  
Location: Office of the Town Planner

Respectfully submitted,

Mary D. Wolff, Clerk  
Planning Board