

# PLANNING BOARD



19 WASHINGTON STREET  
SHERBORN, MASSACHUSETTS 01770

## MINUTES February 8, 2012

**Members present:** Chairman John Higley, Robin Perera, Eric Johnson, John Stevens, Town Planner Gino Carlucci.

**Members absent:** Associate Grace Shepard

**Others present:** Kent Fitzpatrick, Jon Dowse, Dusty Burke, Kecia Liffton, Frank Jenkins, Dave Sortor, Jim Campbell, Thurza Campbell, Alex Weatherall, Gene Crowley, Roger Demler, Frank Jenkins, Ed Rose, and others

The meeting came to order at 7:12 p.m. in Sherborn Town Hall, Room 204A.

### TOWN CENTER REPORT

John Higley began the discussion with an introduction and reviewed the Planning Board annual report for 2011, a summary of the Town Center Report and he reviewed the elements of the Planned Unit Development (PUD) bylaw and the concept of form-based codes. He said the goal is to get feedback and input on the Town Center Report relative to the viability of the two scenarios in particular and the idea of further development in general.

Among the comments and opinions received were the following:

1. The “stars need to line up” for more development to occur. Even if there was water and sewer available, there are still zoning constraints that need to be addressed. Advances in septic system technology would reduce the constraints but only for failed systems and not new systems. Board of Health regulations are too rigid with regard to alternative and innovative technology systems.
2. An example was cited of a septic system that was approved by the Town and State in Bellingham, but would not be approved in Sherborn.
3. Taxes will go up if there is a public water supply.

4. Water constrains business in many ways, including precluding public bathrooms. Permitting needs to be very clear if we are to encourage businesses to invest in town.
5. Existing bylaws are too restrictive now.
6. There is an opportunity for a public-private water system with specifications about who pays what.
7. The financial models in the report should more detailed and include scenarios such as a water-only model.
8. There is no passion in Sherborn for new businesses in town except for a grocery market. Kent Fitzpatrick's land was the only real chance to expand business and it is a good opportunity for a mixed-use project.
9. There is passion for an Active Adult Community. The Town should consider a 50-unit project that could produce \$15,000 to \$20,000 per unit in taxes. The increase in the number of people in town would also help businesses. Woodhaven is nice and suits some people but that others may prefer a different arrangement.
10. Opinions were expressed that both water and sewer are not likely. The focus should be on water, but the cost and how to pay for it is the key. Taxpayers' appetite for expenses is low now. Nothing will happen until the Massachusetts Department of Environmental Protection (DEP) forces the issue. The political reality is that we need a crisis. This work and the results of this meeting should be incorporated into the master plan.
11. A 3<sup>rd</sup> scenario should also be considered: water only, but from MWRA.
12. There was discussion about the cost of a water system being about \$2 million and there would be a need of about \$110,000 in additional revenue for 15 years to pay for it. Eric Johnson pointed out that the \$2 million figure included the need for iron treatment. A second test showed that iron removal is not necessary and the cost estimate dropped to below \$1 million.
13. Only about a third of the water system's customers would be businesses, with Town facilities being another third and the institutions being another third.
14. A question was raised as to whether water or sewer should come first.
15. Nitrates are cumulative and are an increasing concern.
16. A 55+ adult community might work on land behind the Clark House and a mixed use development on land at 41 North Main Street is also a realistic project. They could help fund a water system, but that a combination of changes in zoning and Board of Health regulations would be necessary.

17. A water system is a necessity and that zoning should be modified to allow a cluster development on the land at the 41 North Main Street property.
18. We should break this process down into short-term and long-term goals. The culture now is to spend less and to make do with less. Short-term goals ought to be small and realistic and work with what we have. We should nibble away and make improvements with small changes.
19. A question was raised as whether grants were available to get full-time professionals to look at scenarios.
20. The demand would be for 55+ housing and some retail. It was suggested that the PUD could be revised to allow 55+ housing.
21. There was majority support for the proposed revisions to the PUD bylaw, but not 2/3. People need to come to Town Meeting.
22. There is plenty of water that falls on the Town. Only 1% of what falls is used.
23. A concentrated effort is needed to get the Planning Board, Zoning Board of Appeals, Conservation Commission and Board of Health on the same page to work towards a goal.
24. A specific project on which the Board of Health has been difficult was noted, resulting in increased time and expense as an example of how boards can make development difficult. That type of scenario plays out all over town. This goes back to the need for streamlined regulations.
25. Studies have shown residential development to cost more in services than it brings in in tax revenue while commercial and agricultural property costs less than the services they require.
26. Land next to Pine Hill School would be ideal for a 55+ project, and could generate \$1 million in revenues every year.
27. We have worked for 50 years to preserve aesthetics and we have 23,000 cars per day through the Town Center and the proposal for the Pine Hill Access Road failed. Traffic is a problem for the Town Center and we may need a demand-responsive light at Powderhouse Lane. Eric Johnson acknowledged that traffic is an inconvenience but noted the traffic is an asset to businesses.
28. A reference was made to the 2004 Community Development Plan, and a question was asked if grant money might be available to update it. Gino Carlucci noted that the Community Development Plan considered a 36-unit project on 6 acres and assumed a land cost of \$1 million.

29. A question was raised as to why there would be a demand for an adult community in Sherborn when a better one might be built in an adjacent town with existing infrastructure and a lower tax burden.
30. It was noted that the traffic is generally good for business but he is not sure drivers would stop in Sherborn. We should make existing properties friendlier to improve business and make them more valuable which will generate more investment. It was suggested that we look at each parcel individually to see how each could be made better.
31. Development can't be done with current zoning. The PUD is too restrictive and a 10,000 square foot anchor was necessary as well as water and sewer. A limit of 2500 square feet is not feasible. No bank would finance a project with just mom and pop businesses and no anchor tenant.
32. Associated Grocers in New Hampshire have said 10,000 square feet is viable based on demographics.
33. Another thought 5000-8000 square feet would be needed to attract an independent grocer, but not a chain.
34. John Stevens suggested that the town might be more receptive to changes in response to a specific tenant. It was suggested that a development agreement with a land owner that would upzone property in return for paying for a water system could be considered.
35. Discretionary interpretation as opposed to prescriptive regulations makes the water and septic issues a bigger obstacle than the actual regulations, setbacks and other issues.
36. It was suggested that the best way to supply water would be from the MWRA because maintenance, treatment, etc. is already in place. There was concern that that could put existing zoning at risk along the water line, but it was noted that a water system could be restricted to the Town Center and not include properties along a supply line. It was also mentioned that Millis has extra water and could supply Sherborn. Eric Johnson said in cases of a critical need like a failed well, then a person along the line could tie in. He also cautioned that transporting water across town lines would require an intermunicipal agreement and would trigger many issues.
37. It was suggested that a joint meeting between the Planning Board and the Board of Health would be useful
38. Business is constrained by DEP rather than the Board of Health.

39. It was also suggested that rezoning land near ADESA to industrial should be considered. The General Motors land in that area has been cleaned up and could be available. Industrial property could generate \$1 per square foot per year.

The question was raised of what the outcome of this meeting would be. John Higley responded that the comments would be incorporated into the Town Center Report and ultimately the master plan.

## **WARRANT ARTICLES**

Gino Carlucci reported that Town Counsel had reviewed the proposed enforcement articles and removed the references to discretion and time periods to comply because she had said that noncriminal disposition must have specific penalties. The Board then raised the question of whether the word “noncriminal” should be removed from the article since it does not appear in the penalty section of other specific bylaws. Gino Carlucci was asked to raise this issue with Town Counsel and then submit the final wording to the Selectmen based on Town Counsel’s response.

Mary Wolff from Advisory Committee stopped by the meeting, and mentioned that Advisory Committee would probably like the Board to discuss its article at one of its meetings.

## **OTHER BUSINESS THAT MAY COME BEFORE THE BOARD**

The Annual Report was approved. Gino Carlucci provided updates on the ESCO project.

## **MINUTES**

The minutes of December 14, 2011 were approved as written.

The next meeting of the Planning Board will be on February 22, 2012.

The meeting adjourned at approximately 11:00 p.m.

Respectfully Submitted,

Gino Carlucci  
Town Planner

## **DOCUMENTS REFERENCED DURING THE MEETING**

1. Document: *Sherborn Town Center: At a Crossroads, Draft, 11-2-11*  
Location: Office of the Town Planner
2. Document: *Community Development Plan, 2004*  
Location: Office of the Town Planner