

PLANNING BOARD



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

MINUTES

April 2, 2014

Members Present: John Higley (Chairman), Eric Johnson, Robin Perera, John Stevens, Charles Yon, Associate Grace Shepard, and Town Planner Gino Carlucci

Absent Member: None

Others Present: See attached list

John Higley called the meeting to order at 7:06 p.m. in the Sherborn Town Hall, Room 204A.

PUBLIC HEARING ON ZONING ARTICLES

To rezone certain parcels of land at 90 Maple Street that from R-B to EA and to approve a Preliminary Development Plan for the property pursuant to **Section 5.6.3**.

John Higley began the hearing by reading an opening statement pertaining to the purpose of the EA district and presented a brief overview of the Preliminary Development Plan.

Mark Mastroianni of Pulte then reviewed the changes in the Preliminary Development Plan. Chuck Yon asked about emergency access and Mark Mastroianni responded that the McGregor Drive access has been eliminated but that was not a change since the last meeting.

John Stevens asked for a commitment not to build more than 66 units if the EA zoning is approved. Mark Mastroianni responded that there are other approvals that are needed as well. The EA rezoning is only a first step. If the other permits needed, such as from Board of health and Conservation Commission are granted, he would consider discussing such a commitment.

Reid Blute of Pulte added that there would be hurdles to changing the project after it is approved, including possibly needing a Town Meeting vote as well as dealing with the condominium association documents. He does not envision any major changes after the permitting process is completed. John Stevens replied that he thought a commitment would allay fears among residents that the project would change after approval.

John Stevens asked about peer review and Mark Mastroianni responded that Pulte would expect peer review during the permitting process. Chuck Yon asked about peer review of the financial data provided by Pulte. Mark Mastroianni responded that the Assessors have provided data

indicating that the assumptions are reasonable. He also said he would agree to a peer review of the marketing data during the special permit process if the Planning Board thought it would be helpful. It was agreed that the special process is the standard time for peer review.

Robin Perera asked whether a prohibition on under-18 residents would hold up if challenged. Mark Mastroianni responded that there is standard language in some towns.

Grace Shepard asked John Higley what the Preliminary Development Plan represents. He responded by reviewing the bylaw language of what the Planning Board is required to report to Town Meeting. Eric Johnson asked whether that needed to be a vote or a consensus of the Board. It was decided that a vote is required.

Robin Perera asked if an over-55 year old resident died and his family is younger than that, would they need to leave. Reid Blute responded that the HOPA (Housing for Older Persons Act) provides a 2-year grace period for this situation.

John Stevens pointed out the 1-mile rule for EA projects and acknowledged that that was now shown on the plans. He also stated that some of the concerns being raised about the project are more appropriate for the special permit stage.

Robin Perera asked about the traffic impacts and the traffic study, especially regarding the non-rush hour accident rate. Mark Mastroianni responded that they had met with the Traffic Safety Committee (TSC) and their traffic engineer had presented the report to them and the TSC had accepted the report.

Next a number of comments and questions from those in attendance were received. One person said he would move in to this project and hoped the Planning Board will support it. Another noted the 1-year moratorium for a 40B project if the application is denied but wondered what would happen if the application is withdrawn. Another asked whether the aggregate square footage of the project has been detailed. Mark Mastroianni stated that the maximum floor area is specified and different housing options are listed to provide flexibility for buyers.

A question about the \$650,000 average price was raised. Mark Mastroianni responded that duplexes would be \$500,000 plus, and that some units be over \$700,000. One member of the audience disagreed with John Stevens that some of the concerns are for the special permit stage and stated that some of it is needed to justify rezoning. Another audience member stated that the proposed project is not possible under the current zoning so rezoning to EA is required.

Another attendee mentioned that there would be construction vehicles on Maple Street for the next 7-10 years. Another asked how many 40B's is Pulte planning in Sherborn. He noted that the same owner has property across the street. He said there will be kids in this project and that it had to be stopped.

Someone asked who would approve the emergency access road. John Higley responded that that would be decided during the special permit process.

There was also an expression of frustration regarding the Planning Board's role. It was expressed that many people want the Planning Board to provide guidance to the citizens and not just provide a technical assessment of the project. Someone noted that Advisory Committee had voted 4-4 on the project while the Board of Selectmen voted 2-1 against.

Another person in the audience questioned why people would pay Sherborn taxes to live near a project like this. He said most neighbors don't want it; they want 2-acre zoning.

Someone stated that many boards would be involved in the special permit process and other necessary permits to ensure that the project was in accordance with the rules. Another said the Council on Aging (COA) is looking for ways to keep seniors in Town. People want to live here and Pulte has cooperated with the COA and changed its plans in accordance with COA concerns.

Another resident asked whether the Planning Board report at Town Meeting will address the process and the issues. She also asked that the issue of under-55 residents continued to be fleshed out.

Someone supported the comment that seniors need a place to live, but also that the revenues from the project are also important to slow the rate of increase in taxes. She also expressed disappointment that it appeared that Planning Board was going to provide a technical review and not take a position for or against.

A member of the audience stated that he appreciates the process that is being followed. He also asked whether the project is just senior housing or both senior and affordable housing. John Higley responded that it is age-restricted only.

Eric Johnson asked that the Planning Board move to a vote. John Stevens clarified that the Planning Board is not in a position to advocate for a project. Eric Johnson then made a motion that the Planning Board finds that the proponent of this project has prepared and presented sufficient data to give reasonable assurance that the development will conform to the Preliminary Development Plan with respect to the location, layout and design of proposed buildings, drives and streets, to the density, type and design of floor plans and dwelling units, and to other material the proponent submitted with the proposal. The motion was seconded by John Stevens. The vote was 5-0 in favor of the motion.

The meeting adjourned at 8:55 p.m.

Respectfully Submitted,

Gino Carlucci
Town Planner

DOCUMENTS REFERENCED DURING THE MEETING

1. Preliminary Development Plan for Pulte Homes, April 1, 2014
2. Article 32