

# PLANNING BOARD



19 WASHINGTON STREET  
SHERBORN, MASSACHUSETTS 01770

## MINUTES

**February 19, 2014**

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

**Absent Members:** None

**Others Present:** Mark Mastroianni (Pulte Homes), Reid Blute (Pulte Homes), Ellen Patterson, Jason Grigiani, Rick Antell, Marian Neutra, Jon Masters, Rachel Masters, Martha Groton, Susan Tyler, Jeremy Benedict, Michael Winters, Laura and Paul Hartnett, Adam Page, Barb Kantorski, Peggy Novak, George Hunnewell, Rebecca Hunnewell

John Higley called the meeting to order at 7:04 p.m. in the Sherborn Town Hall, Room 204A.

### **90 MAPLE STREET** (*Reference documents #1 and #2*)

John Higley reviewed a list of issues the Planning Board has compiled related to this project. On the issue of possible school children in the development relative to the developer's forecast that there would be no school age children, Charles Yon suggested that an escrow account could be established to account for this. Gino Carlucci suggested that a formula similar to the Chapter 40R/40S system could be utilized to determine if additional costs are incurred based on education costs and tax revenues generated from the project.

Eric Johnson mentioned fire safety and noted that a cistern is now proposed. It was noted that many features of the project will be included in the Preliminary Development Plan (PDP) which is expected to be submitted next Monday. Gino Carlucci stated that he would email the PDP to the email distribution list upon receipt and put it on the Town web site.

In response to a question about previous plans and documents that have been submitted, Mark Mastroianni responded that the PDP would consolidate all previous submissions as they may be updated so that all information is included within the PDP and there is no confusion.

John Stevens asked for more specific pricing information and there was discussion about the confidence in the revenue forecast provided by Pulte. Eric Johnson suggested that an independent review funded by the developer would be useful. Charles Yon agreed and suggested an independent traffic review as well. It was stated that there is a need for a market analysis to confirm that there is a need for \$650,000 units of

age-restricted housing in Sherborn. It was stated that the Council on Aging is sponsoring a trip to visit two Pulte projects next Tuesday.

There was discussion about the benefits of an age-restricted project, but a question was raised about whether the developer could later go back and ask to be relieved from the age-restriction such as happened in Dover. Gino Carlucci responded that both Dover projects were Chapter 40B projects which are controlled by the ZBA. It was within the authority of the ZBA to remove the restriction. In the Sherborn case, the age-restriction is part of the EA district which can only be approved by Town Meeting. Removing the restriction would require a 2/3 vote of Town Meeting and would likely also require a new zoning district that is not specifically for elders and affordable housing.

The alternatives to this development were pointed out. The alternatives appear to be a Chapter 40B development, a conventional 2-acre lot subdivision, or the Town exercising its right of first refusal. The original 46-unit cluster development project proposed for the site was mentioned, but it was noted that there is no zoning in place to accommodate that type of development.

Also it was suggested that Town Counsel be asked about emergency access across the conservation parcel out to McGregor Drive. A question from the audience was whether Town land could be used for the benefit of a private developer. It was the consensus of the Board that there be an emergency access. It was also noted that Pulte will meet with the Conservation Commission about this issue in March.

Pulte updated the Board and citizens on its progress in preparing a Preliminary Development Plan for consideration as part of rezoning the property to EA. Pulte is close to completing a draft plan to submit to the Planning Board.

The potential impact on wetlands was added to the list of issues of concern. Mark Mastroianni stated that the wetlands have been delineated and that, if the rezoning is approved, Pulte would file with the Conservation Commission for formal approval.

Charles Yon suggested that the Board of Health also weigh in on the potential well impacts on abutters. John Higley commented that the hydrologist who was on the site walk did a good job explaining the well impacts and the possibilities of how they might be addressed. He suggested that some of that discussion be included in the PDP.

In a question about a possible 40B, it was suggested that that would help improve Sherborn's affordable housing situation and could there be some affordable units in the EA project. Mark Mastroianni responded that they have added some duplex units and lowered the price for those units **[However, it was understood that none of the units would qualify as affordable under 40B].**

Charles Yon also said he was in favor of a mitigation fund for a study of the Maple/Sanger intersection. John Stevens suggested the need for more detailed grading plans and tree removal on this scenic road. Eric Johnson also supported a mitigation fund. Gino Carlucci explained the Supreme Court cases of Nollan and Dolan require that there be a nexus between off-site mitigation and the impacts of a development and that the mitigation be roughly proportional to the impact.

A trail connection to the Town Center was also discussed. It was pointed out that there is private property between the project site and the Town Center. John Stevens suggested that the distance of the site from the Town Center be included in the PDP. A sidewalk on Maple Street was also discussed. Charles Yon

said that a sidewalk is not a priority due to cost and design issues and that it may be better to make improvements to the Town Center. John Higley said the nexus would be the EA goal of enhancing the Town Center. John Stevens suggested that a contribution to the sidewalk fund is another alternative.

The issue of the proposed open space was discussed next. Mark Mastroianni stated that Pulte was open to different options and the Planning Board in discussion with other boards would decide the ownership of the open space. It could become Town land or it could be split with some owned by a homeowner's association. There was discussion about what requirements could be included in the condo association documents to ensure long-term compliance.

The landscape features were also discussed. It was noted that some of the features were inspired by similar features elsewhere in town. It was clarified that the proposed split rail fence would be wooden, not vinyl.

John Stevens asked about the detention basins. Gino Carlucci noted that a conceptual drainage plan was adequate for the preliminary development plan but that final plans would be peer-reviewed by an engineering consultant hired by the Town.

John Stevens commented that the pros of this proposal are the projected revenues and the need for senior housing while the cons are the size and location as well as the potential impact on wells. He asked that a smaller project be considered. Charles Yon asked John Stevens if he thought a smaller project would enhance its chances at Town Meeting and he responded that he thought it would. Eric Johnson also suggested that there would be less opposition to a smaller project.

Grace Shepard asked if Pulte has ever had a project denied and then converted it to a 40B. Reid Blute from Pulte responded that they had done so in Grafton in 2001 or 2002.

John Higley said he thought that the number of housing units doesn't matter that much; even 45 units would not make much difference. It would not change the "look" of the project. He said he would rather negotiate on factors other than the unit number.

The proposed retaining wall was also discussed. It was noted that the wall was 15 feet high at its highest point reducing to zero. It would be made of split face concrete block.

The possibility of a community center was mentioned. Mark Mastroianni said that most homeowners do not want it because of the expense to build and maintain it. John Higley commented that he thought walking and the trails were the main asset of this project.

It was suggested that Pulte put solar panels on the roofs of the buildings as appropriate. Pulte said they do not put them in and that the condo documents would establish an Architectural Review Board that would have to approve the addition of solar panels if future residents wished to add them.

Respectfully Submitted,

Gino Carlucci  
Town Planner

## **DOCUMENTS REFERENCED DURING THE MEETING**

1. Pulte Homes/Bohler Engineering - Utility Exhibit, Site Plan Exhibit, and Trail Exhibit for proposed development at 90 Maple Street
2. Pulte Homes/Bohler Engineering - Sherborn Village models for proposed development at 90 Maple Street