

# PLANNING BOARD



19 WASHINGTON STREET  
SHERBORN, MASSACHUSETTS 01770

## MINUTES September 10, 2014

**Members Present:** John Higley, John Stevens, Eric Johnson, Chris Tullmann, Marian Neutra, Associate Grace Shepard, and Town Planner Gino Carlucci

**Members Absent:** none

**Others Present:** Eliot Taylor, Sara Wragge, Bob Murchison, Bob Delaney, Jim Campbell, Ed Rose, Barb Kantorski

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

### **ABBEY ROAD** (*Reference Documents 1, 2*)

Bob Murchison, developer of the Abbey Road project, was present to continue the hearing for the special permit application. He confirmed with the Planning Board that the Board of Health had selected HydroAnalysis as the firm that will be undertaking the peer review process for this project. Mr. Murchison informed the Board that he has been working to address the preliminary list of issues, provided by Gino Carlucci, in order to comply with the EA special permit requirements. He is aware that he still must address the lighting plan for the project as well as provide the financial information of the developer.

Mr. Carlucci provided a follow-up list, in a memo dated August 13, 2014, of several additional requirements to be fulfilled, including a landscape plan to be stamped by a landscape architect, notes on the dust control plan, as well as identifying the stone retaining wall and the location of stockpile areas on the site plans. Gino Carlucci also pointed out several other rules and regulations pertaining to detention basins, sidewalks, and electric and telecommunication plans.

The requirement for open space in regards to EA development projects were discussed. Sherborn requires that 25 percent of a development must be open space, excluding setback areas. Mr. Murchison stated the Abbey Road development just barely meets that requirement. Mr. Murchison argued that the spirit of the open space requirement should be open, undeveloped space and should not necessarily exclude setback. Should the setback at the Abbey Road site be

included, roughly 73 percent of the development is open space. Some Board members suggested that a variance by the Zoning Board may be possible and/or needed in this instance.

This hearing on the special permit application is continued to the Planning Board meeting on September 17, 2014 at 6:55 p.m. Board members will review open space regulations before that meeting.

### **POTENTIAL WARRANT ARTICLES**

Three members of the public were present to advocate for proposed changes to the existing Sherborn zoning bylaws regarding outdoor entertainment and lighting. Jim Campbell, Ed Rose, and Bob Delaney are involved in the planning of the Sherborn Brew Fest, an annual event held at the Sherborn Inn that aims to raise funds for Sherborn civic and educational projects. As the bylaw stands, all outdoor entertainment at restaurants, live or mechanical, is unlawful. The three proponents of an amendment to the zoning bylaw assert that the law against outdoor entertainment, and specifically music, at restaurants is both discriminatory and discouraging to businesses who may wish to establish in Sherborn. The changes they proposed included setting definite noise and lighting limitations not to be exceeded at the outdoor areas of restaurants.

Members of the Board questioned the actual noise level limitations suggested by Mr. Campbell, Mr. Rose, and Mr. Delaney, but advocated for testing noise levels at various public sites to determine acceptable levels. Concerned that the proposed changes to the zoning bylaws will not get a two-thirds vote at Town Meeting, John Stevens suggested an incremental method of simplifying the special permitting process by removing proposed explicit lighting and noise levels, inserting that a special permit can allow such outdoor entertainment, and leaving the Zoning Board to consider variables like day, time, expected noise levels, and location in determining the granting of special permits. John Higley agreed with this, but would also like to see changes made to this issue be consistent with the long term goals for the town center as defined by an updated General Plan. Gino Carlucci will draft a document of suggested changes to the Sherborn zoning bylaws related to outdoor entertainment at restaurants and will send this document to Board members for review.

### **GENERAL PLAN UPDATE**

The kickoff meeting of the General Plan Working Groups will be held at the next Planning Board meeting on September 17, 2014. Prior to this, the Charge to the Working Groups and the General Plan Survey results will be made available to those in the working groups. Marian Neutra drafted a mission statement for the Planning Board. She will send an electronic copy of this draft to the members of the Board for their review and input.

### **GENERAL PLAN SURVEY**

John Higley will present the results of the General Plan Survey to the Council of Aging in October. The results are still to be presented to the Conservation Commission. The results will potentially be presented to the Board of Selectmen, and may be done during a televised meeting.

### **MINUTES**

The minutes of August 13, 2014 were approved as written.

The minutes of August 27, 2014 were approved as amended.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Samantha Shepherd  
Planning Board Clerk

#### **DOCUMENTS REFERENCED DURING THE MEETING**

1. August 13, 2014 memo from Gino Carlucci to the Planning Board regarding Abbey Road and Planning Board rules and regulations specific to EA developments.
2. A fact sheet titled "Abbey Road Statistics" detailing open space and other measures.
3. A document of suggested changes to Sherborn zoning bylaws regarding outdoor entertainment at restaurants, as written by Jim Campbell, Bob Delaney, and Ed Rose.