

PLANNING BOARD



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

MINUTES February 25, 2015

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

Members Absent: None

Others Present: Peggy Novak, Paul Hutnak, Andrew Consigli, Bruce Jacobs, Marie Esten, Bob Murchison, Jim Murphy, Carol McGarry, Roger Demler

John Higley called the meeting to order at 7:20 p.m. in the Sherborn Police Station

ZONING ARTICLES (*Reference Document #1*)

This is a continuation of the public hearing on Zoning Articles that began on February 11, 2015.

Outdoor Entertainment at Restaurants

This article received unanimous support in a Planning Board vote on February 11, 2015 and no further discussion on the issue was had at tonight's meeting.

EA Zoning for Building Occupancy and Open Space

The fact that this Zoning Article is not a Planning Board-sponsored article, but is, instead, a citizens' petition, was discussed. Nonetheless, the Planning Board must make recommendations regarding the proposed changes to the Elderly and Affordable (EA) District's building occupancy requirements and open space regulations. Gino Carlucci supplied the Board with a memo of proposed changes to the language of the citizens' petition and these suggestions were discussed. The Planning Board is in favor of recommending that the two aspects of this Zoning article – EA building occupancy and EA open space, Section 5.6.5 Special Permit Requirements, Subsections (c) and (h) of the Zoning Bylaw, respectively – be presented separately at Town Meeting.

Regarding the EA building occupancy issue, the intent of the article amendment was considered, which Grace Shepard posited is to allow and encourage more dense housing developments for

senior housing or with affordable options without using a 40B. John Stevens expressed concern about setting an explicit percentage – 25 percent as proposed – of affordable units required in new housing developments as it does not allow for flexibility in a case-by-case basis. To this, Mr. Carlucci stated that specific numeric determinations must be decided upon so as not to risk favoritism of one development over another based on the subjective opinions of the Planning Board. Jim Murphy suggested a possible compromise to this by proposing that, in developments in EA districts, in order to be considered affordable, either 25 percent of all units must be affordable in ownership projects or 20 percent of all units must be affordable in rental projects. John Higley also addressed the logistics of having mixed elderly and affordable developments, for which there was no clear agreement among the Board of the mechanics of such mixing. Because there is still clarification needed in the language of the Zoning Article and its intent, this issue is continued to the next meeting of the Planning Board on March 11, 2015.

Regarding the proposed changes to the Open Space regulations of this citizens' petition, minor edits were suggested to the language of the article which the Board feels do not change the intent of the article, such as the use of "setback area" in place of "yard." There was, however, one suggested change that could affect the intent of the article and its implementation, and that is the use of the word "contiguous" when referring to applicable areas of open space in EA districts. Gino will inform the Board of the protocol for amending language in articles that have already been submitted. Pending this information, a vote on this issue is deferred and the public hearing will be continued to the next meeting.

Rezone EA District and Preliminary Development Plan for 59 North Main Street

Gino reported that the owner of the property at 59 North Main Street has asked for this hearing to be continued to the next Planning Board meeting. No one involved with this project was present at tonight's meeting and there are no preliminary development plans as of the time of the hearing. This issue, and the other open zoning article issues, is continued to the meeting on March 11, 2015 at 7:00 p.m.

ABBEY ROAD PUBLIC HEARING (*Reference Documents #2, 3, 4, 5*)

This is a continuation of the Public Hearing for the special permit of the proposed development project at 2-4 North Main Street.

Jim Murphy reported that he had spoken with a representative of the Historic District Commission about the possibility of moving a section of a stone wall on the land owner's property to allow for the construction of a sidewalk. The entire Commission was not involved in the discussion. However, Peggy Novak and Carol McGarry, members of the Commission and present at tonight's Planning Board meeting, expect to have a meeting with all of the Historic District Commission members to discuss this issue soon. Some Planning Board members questioned the Commission's jurisdiction over the stone wall after Mr. Murphy read a document detailing their responsibilities, but the developers still plan to proceed with seeking the Commission's approval in the matter as the Commission asserts that the wall does fall under their charge. Mister Murphy provided a document to the Board stating the developers' willingness to pay for moving the wall and to provide an easement to the Town for the Town's future installment of a sidewalk, conditional on the Commission's approval to move the wall. The developers communicated concern that, without the approval from the Commission to move

a portion of the stone wall, the entire project could be stopped, while some members of the Board articulated that the sidewalk is of high importance for public safety and that the construction of the Abbey Road development is the ideal time to pursue such a project and a necessary inclusion in the overall development plans. Mr. Murchison supported the idea of a sidewalk and offered to donate \$10,000 toward its construction.

Paul Hutnak, the plan's architect, reviewed modifications made to the plans since the project was last discussed. He also addressed the updated peer review comments and the revised stormwater reports. The landscape design plans are still awaiting the signature of a licensed landscape architect. Mister Carlucci noted that a written document is required for the easement that the land owner will be providing to the Town since showing it on a plan is not sufficient. Additionally, he noted that the lighting plans for the project need to include the lights that are expected to be on the buildings as well as the foot candles of all lights on the property. Furthermore, the developers need to provide financials in order to get approval for the special permit. Jim Murphy countered that the bank will not approve loans for the project without first having an approved permit. As a potential solution, he asked that a condition be written into the special permit approval that the developers will provide financial information after special permit approval but before applying for a building permit.

Jim Murphy asked the Planning Board to take a preliminary vote to gain a sense of the Board's opinions on the special permit. Marian Neutra stated that she would vote to provisionally approve the granting of the special permit, subject to a review of the final language regarding the issue of the sidewalk. Such a review is expected to take place at the next Board meeting. The public hearing is continued to March 11, 2015 at 9:00 p.m.

GENERAL PLAN UPDATE WORK GROUPS

The Built Environment Work Group reported that they have met and have discussed their guiding principles. The Chairs of the three Work Groups will meet on February 26, 2015 to share the progress of their groups with each other.

TOWN CENTER WATER OPTIONS REQUEST *(Reference Document #6)*

The Board reviewed Eric Johnson's drafted response to the Town Center Water System Options Committee and Roger Demler's request for information. Mister Demler reported that he and the Committee are willing to work with the Planning Board to be aware of what is planned for downtown Sherborn. To that, John Higley remarked that this discussion should be tied to the General Plan Update process currently underway. Roger plans to interact with the three Work Groups – Built Environment, Land Use, and Fiscal and Economic – as they plan for the short- and long-term development of the Town. Minor edits were made to the draft letter and an amended version will be sent to Mr. Demler.

THE FIELDS AT SHERBORN *(Reference Document #7)*

The developers of a 40B, 36-unit condominium development on Washington Street will be presenting their plans to the Zoning Board of Appeals (ZBA) on March 12, 2015. In advance of this, the ZBA has asked the Planning Board to review the permit application for this project and to provide feedback. John Higley expressed concern about adequate screening of this development for its abutters to the east. Marian Neutra is apprehensive about the marketability of

these units as the Town has seen a rise in condominium construction in recent years and that, therefore, demand for this type of housing in Sherborn is low. Additionally, the height of the units, in excess of established limits by three feet and requiring a variance, was a concern. Gino will send a memo to the ZBA with the concerns discussed tonight.

MINUTES

The minutes of the meeting on February 11, 2015 were unanimously approved as amended.

The meeting adjourned at 11:45 p.m.

Respectfully submitted,

Samantha Shepherd
Planning Board Clerk

DOCUMENTS REFERENCED DURING THE MEETING

1. A February 19, 2015 memo to the Planning Board from Gino Carlucci titled, "Proposed changes to the language of citizens' petition."
2. A February 25, 2015 memo to the Planning Board from Gino Carlucci titled, "Outstanding items to be addressed for Abbey Road special permit."
3. A January 6, 2015 report from Loon Environmental titled, "Review of the Proposed Abbey Road Site Development on 2 North Main St., Sherborn, MA."
4. A January 9, 2015 memo to the Planning Board from Gino Carlucci titled, "Abbey Road."
5. A document submitted by Jim Murphy, making the approval of the Abbey Road special permit conditional based on the land owner providing an easement for the construction, by the Town, of a sidewalk.
6. Eric Johnson's February 11, 2015 drafted response to Roger Demler and the Town Center Water System Options Committee's request for information
7. A February 25, 2015 memo to the Planning Board from Gino Carlucci titled, "Initial comments on The Fields at Sherborn."