

ZONING BOARD OF APPEALS



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

MINUTES August 12, 2015

Members Present: Alan Rubenstein, Richard Novak, Ron Steffek, and Paul Kerrissey

Others Present:

Chairman Alan Rubenstein called the meeting to order at 8:00 p.m. in the Sherborn Town Hall, Room 204B.

MINUTES (*Reference documents #1, 2*)

The minutes of the meeting on June 30, 2015 were approved as written.

As Ron Steffek and Paul Kerrissey were not in attendance at the last meeting, held on June 30, 2015, they have tonight signed the Massachusetts General Law Certificate, chapter 39, section 23D, certifying that they have examined the minutes of that meeting and are fully informed as to what took place at the meeting.

PUBLIC HEARING FOR THE FIELDS AT SHERBORN (*Reference documents #3, 4, 5*)

This is a continuation of the public hearing for the proposed 40B project, known as The Fields at Sherborn, which began on March 12, 2015. The fully-engineered plans for the project have been submitted to the Conservation Commission and to the Board of Health. The Conservation Commission has held one public hearing on the Notice of Intent for construction near wetlands. Phil Paradis, representing Beta Engineering Group, the peer review firm for this project, briefly recounted the events of the meeting. The project developers gave a thorough presentation to the Commission and the public in attendance, and the public engaged with the developers and asked questions. Mr. Paradis is anticipating some back-and-forth communications between the applicant and the peer review firm regarding concerns raised at this hearing. The next hearing on this issue by the Conservation Commission will take place on August 20, 2015 and, according to Mr. Paradis, it is possible that all issues raised by the Commission could be addressed and resolved at or prior to this meeting and that they may not need a third hearing. The first hearing for the Board of Health will be held on August 19, 2015. As per the regulations regarding 40B projects, there is a limit of 180 days from the date of first filing an application to conclude the

Zoning Board of Appeals' public hearing process. The applicants are agreeable to an extension of this public hearing period through December 16, 2015 and have provided documentation for this extension. Chairman Rubenstein feels this extension is necessary to adequately address the three main issues with this project, namely the septic, stormwater management, and wetlands issues.

Beta Engineering Group provided the Zoning Board of Appeals with an updated version of their traffic review for the project which details those issues in the original traffic peer review that have been resolved and those that have not. Beta reports that they have now been provided the background information regarding speed data, trip generation calculations, trip distribution calculations, and analysis results, which was not originally provided to the firm with the traffic analysis. The issue of where intersection sight distance lines were measured has been explained and resolved. As for the impact of vegetation and snow piles on sight distances for those exiting the driveway of this project, Beta has recommended that biannual inspections of vegetation be conducted and trimmings and adjustments be performed as needed. The developers agree to include a condition to that affect in the landscape plan, along with an appropriate snow removal and storage plan. Information on the definition of peak hours used in the study, as well as the length of time and days of the week for the collection of automatic traffic recorder data, has been provided. The possibility of aligning the driveway of this project to the driveway for Knollcrest Farm Lane was explored but shown not to be a safety issue and is not possible with the positioning of certain features in the project, such as the location of sewers. No signage was proposed in the original site plans; a stop sign at the end of the driveway will now be included. Adequate turning radius for emergency vehicle access at the site has now been shown on site plans. No accommodations for pedestrian safety were shown on the site plans for the project. The developers are willing to include a sidewalk in select areas of the site but are concerned with sidewalks crossing driveways and causing further safety concerns. This issue will be explored further. Susan Tyler informed the room that the Traffic Safety Committee will be meeting on August 19, 2015 and the traffic study and peer review of the Fields at Sherborn will be an agenda item.

The peer review firm has conducted a site plan review for the Fields at Sherborn and applicant Ben Stevens has provided responses to concerns and comments. Mr. Paradis gave an overview of the site plan, informing the audience that the site is approximately 17 acres, of which approximately five acres are wetlands. The plans call for 36 units which will be a mixture of two and three bedroom units, some with a study or home office. Title five regulations calculate sewer requirements based on bedroom count. If the studies are used as bedrooms, that brings the total up to 129 bedrooms in the project, exceeding the 10,000-gallon per day flow assessment provided by the applicant, which is based on 84 bedrooms. Also of concern to the peer reviewer is the lack of recreational space in the project and the lack of nearby public-use land in the form of parks or open space. Twenty-one of the units have two-car garages plus two additional spaces to park in their driveways, while 15 units have a one-car garage plus one driveway parking space. Additionally, there are 16 parking spaces for guests. Beta recommends adding two more guest parking spaces near the entrance to the project to discourage parking on the street. Mr. Paradis also recommended that additional screening be added to what was depicted in the site plans between the project and the two abutters, particularly those in sight of a proposed six- to 10-foot retaining wall. Beta noted that no lighting plan has yet been provided for the site.

In response to these concerns, the applicant has provided the Zoning Board of Appeals with a document addressing many of these specific points. Regarding the bedroom count, the applicant asserts that, because of the buyer profile and the pricing of these units, the typical household does not include enough people to necessitate utilizing the study as a bedroom and they have not, in their experience building and selling similar units, had any incidences of this. The applicant expressed no reservations with placing a deed restriction, restricting the number of bedrooms per unit. Should they be requested to do so, the developers will follow the recommendations made by Beta and add two additional parking spaces near the entrance to the project. Both a lighting plan and a landscape plan are being prepared and will be provided to relevant Boards and Commissions upon their completion.

A question was asked about the well situation at the site, to which Mr. Paradis responded that Beta is exploring options and will provide recommendations for the ideal well configuration and type at a Board of Health hearing. Peggy Novak discussed a letter provided by the Natural Heritage and Endangered Species Program of Massachusetts regarding the impact of construction and residency on the natural heritage of the site. The developers report that updated engineered plans have been submitted to the Program for review, and the Program is expected to submit another letter back to the developer. This letter, once received, will be reviewed by Beta and the Conservation Commission.

The next public hearing on the Fields at Sherborn will take place on Wednesday, September 16, 2015 at 8:00 p.m.

The hearing adjourned at 9:15 p.m.

Respectfully submitted,
Samantha Shepherd

DOCUMENTS REFERENCED DURING THE MEETING

1. A certificate of M.G.L. ch 39 ss. 23D, signed by Ron Steffek on August 10, 2015
2. A certificate of M.G.L. ch 39 ss. 23D, signed by Paul Kerrissey on August 10, 2015
3. A document, submitted by the developers of the Fields of Sherborn and signed by Benjamin Stevens on August 12, 2015, extending the open meeting period for this project to December 16, 2015
4. A document, submitted on August 12, 2015 by Beta Engineering Group to the Zoning Board of Appeals regarding the Fields at Sherborn – Comprehensive Permit Application Traffic Peer Review Update
5. An August 12, 2015 memo to the Zoning Board of Appeals from the Fields at Sherborn in response to the Beta Group’s Peer Review Comments dated August 10, 2015

Approved October 21, 2015