

TOWN OF HOPKINTON

OFFICE OF
THE PLANNING BOARD

TOWN HALL
18 MAIN STREET
HOPKINTON, MA 01748
(508) 497-9755

RECEIVED
TOWN OF HOPKINTON
2012 JUL 11 PM 2:04
TOWN CLERK'S OFFICE

Amendment to Master Plan Special Permit Decision

DATE: July 11, 2012

RE: Application of Legacy Farms, LLC for an Amendment to the Master Plan Special Permit dated May 13, 2010, amended May 30, 2012, and recorded in the Middlesex South District Registry of Deeds in Book 58540, Page 313, for LEGACY FARMS, pursuant to Article XXVI, Open Space Mixed Use Development Overlay District, of the Hopkinton Zoning Bylaw

APPLICANTS: Legacy Farms, LLC, 21 Center Street, Weston, MA

OWNER: Mezitt Agricultural Corporation, 21 Center Street, Weston, MA

A. Procedural History:

1. An Application for an Amendment to the Master Plan Special Permit ("MPSP") issued on May 13, 2010 and amended on May 30, 2012, was received by the Board on July 3, 2012 and formally filed by the referenced Applicant on July 9, 2012.
2. The property subject to the Application (the "Site") is shown on the Hopkinton Assessors Map as U7 3 0.
3. At a public meeting on July 9, 2012 the Planning Board determined that the proposed amendment is minor, in accordance with the provisions of section 210-172.E of the Zoning Bylaw.
4. The Board discussed the proposed Amendment at a public meeting on July 9, 2012.
5. The Application was accompanied and augmented by plans entitled "Land Use Plan North" prepared by Vanasse Hangen Brustlin, Inc., dated October 23, 2008, revised July 3, 2012 and "Land Use Plan North Club Village", prepared by Vanasse Hangen Brustlin, Inc., dated October 23, 2008, revised July 2, 2012.

6. The plan was reviewed by the Planning Board in conjunction with the plans and materials submitted by the Applicant with a concurrent application for the Legacy Farms Road North definitive subdivision plan. Throughout its deliberations, the Planning Board has been mindful of the statements of the Applicants, their consultants and representatives, and the comments of the general public, all as made at the public meeting.
7. Pursuant to section 210-171.A of the Zoning Bylaw, the Planning Board has adopted Open Space Mixed Use Development Overlay District Regulations (the "OSMUD Regulations") to govern the submission requirements and procedures for amendments to special permits in the OSMUD District.

B. Master Plan Special Permit Approval Criteria:

Section 210-172.D of the Hopkinton Zoning Bylaw states that no MPSP shall be granted unless the Planning Board finds that:

1. The Master Plan complies with the provisions of Article XXVI of the Zoning Bylaw and of the Design Guidelines submitted and approved pursuant to section 210-174 thereof.

Pursuant to section 210-174.B of the Zoning Bylaw, the Design Guidelines shall implement the following design principles:

- a. The design shall consider the natural resources of the land, including topographic, geologic and natural features, and the historical character of the Town, where applicable.
 - b. Restricted Land and landscaped areas shall complement, enhance or screen the building and parking areas. Natural features shall be incorporated within Restricted Land areas where possible.
 - c. A network of trails shall provide access to various points of interest, including recreation areas, unique vistas, and historic sites both within and outside of the OSMUD District and shall link Restricted Land areas.
 - d. The design of the OSMUD District shall incorporate stormwater practices consistent with low impact development techniques in addition to Best Stormwater Management Practices.
 - e. Buildings within the OSMUD District shall utilize energy efficient design and execution and low impact development techniques and principles, to the extent feasible.
 - f. The design shall be respectful of existing neighborhood settings.
2. The Master Plan serves the purposes of the OSMUD District as described in section 210-162 of the Zoning Bylaw and will be in harmony with the general purpose and intent of the Zoning Bylaw.

The specific purposes of the OSMUD District are set forth in section 210-162 of the Zoning Bylaw:

The purposes of the Open Space Mixed Use Development Overlay District (OSMUD District) are to balance conservation and development goals and to protect and enhance the character of the natural and cultural resources of the Town, while promoting planned development and appropriate use of land in accordance with community goals and design guidelines. Toward that end, the OSMUD District is intended to permit the clustering of residential and commercial uses on large tracts of land that have open space as an integral characteristic, and to ensure quality site planning to accommodate a site's physical characteristics, including its topography, vegetation, water bodies, wetlands, open spaces, historic resources and major scenic views.

3. The impact of the development activities shown on the Master Plan is anticipated to be of benefit to the Town.
4. The major intersections and roadways providing access to the OSMUD District will continue to operate at an acceptable level of service (LOS) based on the anticipated impact of vehicular traffic from any previously approved uses within the OSMUD District that will remain plus all new proposed development within the OSMUD District.
5. The Master Plan provides adequately for the convenience and safety of vehicular and pedestrian movement within the OSMUD District and in relation to streets, property or improvements outside of the OSMUD District.
6. The Master Plan provides for the adequacy of the methods of disposal of sewage, refuse, and other wastes, provision of utilities, and the methods of drainage for surface water and seasonal flooding, if any, and protection of water sources for the Town.

C. General Findings of Fact:

1. The Applicants propose to modify the Buildable Area depicted on drawing C-4N entitled "Land Use Plan North" and drawing C-4.4 of the plans entitled "Legacy Farms Master Plan" prepared by Vanasse Hangen & Brustlin, Inc., dated October 23, 2008 for the North Club Village of Legacy Farms.
2. The proposed modifications to Buildable Area include the following changes as depicted on the amended plan:
 - Legacy Farms Road North is shifted to the east, so that it traverses the edge of the North Club Village rather than bisects the North Club Village.
3. There is no change in the acreage of either the Buildable Area or the Restricted Land.
4. No change to any other aspect of the Legacy Farms Master Plan is proposed.
5. The Master Plan Special Permit Approval Criteria in section 210-172.D of the Zoning Bylaw continue to be met with the change to Buildable Area proposed.

D. Decision

In view of the foregoing, the Planning Board voted on July 9, 2012 to approve the amendment to the Master Plan Special Permit dated May 13, 2010 and amended on May 30, 2012, and the approved Legacy Farms Master Plan, as shown on a plan entitled "Land Use Plan North" prepared by Vanasse Hangen Brustlin, Inc., dated October 23, 2008, revised July 3, 2012. A copy of said plan is on file with the Planning Board.

E. Record of Vote

The following members of the Planning Board vote to approve the amendment to the Master Plan Special Permit and the Legacy Farms Master Plan:

Mark Abate
John Coutinho
Carol DeVeuve
Brian Karp
Richard MacDonald

Christian Ollenborger
Deborah Thomas
Kenneth Weismantel
Claire Wright

No members of the Planning Board voted in opposition to the amendment of the special permit.



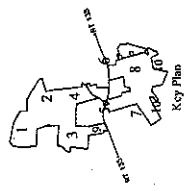
Kenneth Weismantel, Chairman

Appeals of this special permit, if any, shall be made pursuant to M.G.L. c.40A, §17 and shall be filed within twenty (20) days after the date of filing of this special permit with the office of the Town Clerk.

This amendment to the Master Plan Special Permit shall not be effective until filed with the Registry of deeds by the Applicant and until a Notice is filed with the Town Clerk, Planning Board and Director of Municipal Inspections pursuant to Section 210-172.B.



Vermont Hangers, Inc.
 Transportation
 Environmental Services
 100 Middle Street, P.O. Box 914
 Waterbury, Vermont 05671
 817.253.1170 • FAX 817.253.2286



NO.	REVISION	DATE	BY	FOR
1	ISSUED FOR PERMIT	7/2/21		
2	REVISED	10/23/20		

Legacy Farris
 Route 133 / East Main Street
 Hopkinton, MA
 Master Plan Special Permit

Not Approved for Construction
 Land Use Plan
 North

C-4N
 Scale 4" = 1'
 10/18/21

Legend

RESTRICTED LAND

- NATURAL STATE
 - EXISTING FORESTED AREA
 - WETLAND
 - WATER BODY
- LANDSCAPED
 - RESTORED BUFFER ZONE
 - RESTORED AREA (RA)
 - LANDSCAPED AREA (LA)
- AGRICULTURAL
 - NURSERY AREA
- ACTIVE/PASSIVE RECREATIONAL
 - TRAIL / PATH
 - TRAIL CONNECTION
- MUNICIPAL USES
 - PARCEL
 - BUILDABLE AREA (BA)
 - PROPERTY LINE
- VILLAGE VEHICULAR INGRESS/EGRESS

RESTRICTED LANDS: Land deemed to have potential for RECREATION, which may include (1) existing forested areas, (2) wetlands, (3) water bodies, (4) riparian areas, (5) scenic areas, (6) historic areas, (7) archaeological resources, (8) open space land reserved for active and passive recreational uses, including pedestrian bicycle, and equestrian trails; (9) land reserved for other municipal uses; (10) flood preparation areas established in accordance with other Restricted Land uses; and (11) a total of no more than 30 acres of land, which may be restricted for the benefit of landowners within a particular area of the COMBUD District. Restricted Land shall not include land set aside for road and/or parking uses that are not necessary to other Restricted Land Uses.



VERMONT HANGERS, INC. LAND USE PLAN SPECIAL PERMIT V-2021-10