



TOWN OF UPTON, MASSACHUSETTS

Code Enforcement Department

Zoning Board of Appeals

Minutes from ZBA meeting November 17, 2021

Town Hall Room 203

Members present: Richard Desjardins and Bill Andrews

Associate Members present: Bob Humes and Eric Reustle

Town Planner: Paul Dell'Aquila

Meeting opened at 6:30 pm – Bill Andrews, Acting Chair, read public hearing notice.

10 Hartford Ave N: Application of Viewpoint Sign & Awning, Northboro MA for a variance to install and replace signs for Dunkin (formerly Dunkin Donuts). Sean Dunning from Viewpoint and owner Neal Faulkner present. Mr. Dunning explained the new signs are replacing exiting signs will be internally lit. Dick Desjardins explained that that is not allowed so they will use halo lighting and down-lighting. Mr. Dunning asked about the pylon which they are replacing in the existing location. Board okayed replacing the sign in-kind. Bill Andrews asked about traffic.

Richard Desjardins made a motion to approve the variance of Viewpoint Sign & Awning to allow replacement of signs, not to be internally lit; motion was 2nd by Bob Humes and made unanimous by Bill Andrews. Roll call vote to approve: Richard Desjardins-Y, Bill Andrews-Y and Bob Humes-Y. Motion passed.

Governor's Landing – 0 Milford St: Member Richard Desjardins recused as he is an abutter.

Application of Route 140 Upton Realty Trust (Faffard), Milford MA for a special permit to allow townhouse development in the front portion of this property which is in the General Business (GB) Zone. Jeffrey Roelofs and Sean Malone gave presentation. Mr. Roelofs gave the history of this site. Previously a 59-single family subdivision was proposed but given the need for housing diversity and open space they are proposing a 110-unit Senior Housing Community in the rear of this property which is zoned Single Residence C (SRC) and 34 townhouse units in the GB zone. This project is on a smaller footprint which protects more open space land. The Senior Housing Community special permit has been filed with the Planning Board.

Mr. Roelofs stated they are proposing to bring water and sewer to this site. Project has 19 acres of open space land and will have 8 off site affordable units. An ANRAD (Abbreviated Notice of Resource Area Development) was filed with the Conservation Commission in 2019. The ANRAD confirmed the wetlands and discovered a vernal pool. The ANRAD has been approved. In July 2021 about 17 test pits for stormwater management were dug. Stormwater Management report has been submitted. Site does have ledge in the front. Three curb cuts are proposed and locations chosen for site line safety. Traffic study has been done.

The townhouse portion has 10 triplex and 4 duplex units for a total of 34 units. The Senior Housing project has 50 duplex and 10 single family units for a total of 110 units.

Bringing water and sewer to this site also brings it closer to the Commercial & Industrial (C&I) zone to the north of the site. Applicant is proposing to bring water and sewer from Grove St and the existing pump station on Station St cross-country to the site. They have an easement to run under the railroad. The Town/DPW would prefer that water and sewer be brought up Milford St. Mr. Roelofs stated that the cost to come up the street is significantly more expensive due to ledge in the front of the property.

Application for the Senior Housing Community Special Permit and Townhouse Site Plans have been filed with the Planning Board. Planning Board has scheduled a public hearing for December 14, 2021.

Questions from ZBA members (applicant response in parentheses):

- Price point per unit (unknown at this time)
- Affordable units (8) off site (proposing off site as not allowed in Senior Housing Community)
- What style are the 10 single-family units (ranch style – 1 story)
- Parking in townhouse development (2 garages w/ 20-foot driveways which allow 2 surface space per unit)
- Landscaping (will be in compliance w/ regs)
- Waivers

Questions and comments from public/abutters:

- Concerns with blasting
- Will residents on Milford St have to connect to water & sewer and if so at what cost
- Hydrants
- Sidewalks
- Speed limit – will it be lowered
- Impacts on town services
- Curb cuts for entrances with relation to the existing driveways
- Access to trails in the open space land; stated there are many existing trails
- Affordable housing – why off site
- Zoning change (no as these uses are allowed by special permit within the existing zones)

Motion was made and seconded to continue the public hearing to January 19, 2022 at 6:30 pm.

Motion to adjourn at 8:00 pm

Minutes approved: 1/19/2022