

# **TOWN OF STOW PLANNING BOARD**

Minutes of the March 22, 2005, Planning Board Meeting.

Present: Planning Board Members: Bruce E. Fletcher, Donald G. McPherson, Ernest E. Dodd and Laura Spear

Associate Member: Kathleen Willis (Voting Associate)

Planning Coordinator: Karen Kelleher

The Meeting was called to order at 7:00 PM.

## **MINUTES**

January 11, 2005 – *Laura Spear moved to approve minutes of the January 11, 2005 meeting, as amended. The motion was seconded by Ernie Dodd and carried by a unanimous vote of three members present (Bruce Fletcher, Ernie Dodd and Laura Spear).*

## **PLANNING BOARD MEMBERS' UPDATES**

**Community Preservation Committee** – Laura Spear reported that the Community Preservation Committee submitted three articles for the Annual Town Meeting Warrant: one for the required appropriation for Historic Preservation; Affordable Housing and Open Space, one for Administrative Fees and one for a Conservation Restriction on an open space parcel.

**Special Permit Rules and Regulations** – Laura Spear and Ernie Dodd are still working on re-codification of the Special Permit Rules and Regulations.

***Don McPherson arrived at this point.***

**West Stow Planning** – Kathleen Willis asked Board Members whom they feel she should be in contact with in her West Stow Planning effort? Members recommended that she contact the Master Plan Committee, Open Space Committee and Conservation Commission. It was also noted that Kathy Sferra offered to review the Beals and Thomas proposal. Bruce Fletcher noted that this is a good time to follow up on the Beals and Thomas proposal because the Pulte Plan is expected to be filed soon. Karen Kelleher reported that she has received several inquiries, from developers and builders, about the Quirk and surrounding properties.

**Potential Comprehensive Permit (40B)** – Don McPherson reported that he heard a rumor about a potential 40B proposal in the Barton Road area. Karen Kelleher reported that she received several calls from Mr. Collings, who was told by a representative of Maynard Sand & Gravel, of a concept plan for a 40B development on a parcel of land in Stow with access from Hudson.

**Bose Old Bolton Road Access** – Ernie Dodd reported that the Old Bolton Road access to Bose Corporation is now blocked off.

## **COORDINATOR'S REPORT**

**Whitney Homestead** – Karen Kelleher reported that she has received several inquiries about the Whitney Homestead property that is on the market. The Real Estate Broker is looking into suggestions for uses, if they cannot find a buyer for the existing use.

**Post Office** – Karen Kelleher reported that a representative from the USPS contacted her because the Postmaster wants a light installed at the new postal box. Ernie Dodd said he drove by there tonight and acknowledged that a light could be helpful. Members agreed that the site lighting in general should be reviewed. Karen will advise the USPS representative.

**Priority Development Fund Application** – Karen Kelleher reported she got word today that the Priority Development Fund Joint Application with Bedford was approved for ½ the amount requested. Karen will work with Donna Jacobs on a revised scope of work.

## **BUTTERNUT FARM**

At 7:30 PM, Members met with Trevor Page of Butternut Farm Golf Club, John Farnsworth of DeFalco Engineering Inc. and George Scraggs to discuss modifications to the Butternut Farm Golf Club Site Plan and Special Permit. The continued public hearing for the new parking lot, scheduled for 7:30 PM this evening, was postponed until after discussion on the upper parking lot and maintenance building plans.

John Farnsworth of DeFalco Engineering met with the Board to discuss revised plans for the upper parking lot and maintenance building parking lot. Members noted confusion relative to Plan Titles and dates. John Farnsworth explained that he generated two sets of plans. Each set is labeled Club 1 but has a different plan number and plan date.

The upper parking lot plan, entitled “Site Plan Located in the TOWN of STOW, MA”, Plan No. 03-10-SITE-March 05, dated March 9, 2005 (Club-1, Sheets 1 through 3), shows the upper club-house parking lot without the proposed “new “ parking lot. John Farnsworth noted that he changed the retention area; moved plantings to be located outside the wetlands buffer; extended the fence; and added plantings (Norway Spruce and Blue Spruce). The Board's Consulting Engineer, in a letter dated March 22, 2005, noted that additional details should be provided for the detention basins to assure they are constructed, as designed and modeled in the drainage report. Specifically, the elevation and width of the spillway should be added, as well as the width and elevation of the top of the berm. Members agreed that these details could be added as construction details in the 8 ½” x 11” sheets.

The Board then reviewed the maintenance building plan entitled “Site Plan Located in the TOWN of STOW, MA”, Plan No. 03-10-Maint-4, dated March 9, 2005 (Maint-45, Sheet 1 of 1). John Farnsworth noted that he corrected the note mentioned in the Board's Consulting Engineer's letter, dated March 22, 2005, relative to the new parking area. The note was revised to read: “gravel surface – no paving”. The Board's Consulting Engineer also recommended that several trees could be shifted to achieve the Board's desire to block the use of landscaped area for any outside storage. Members stated they are comfortable with the plan as presented.

***Ernie Dodd moved to accept and endorse the plans, as presented and require a construction detail (8-½” x 11”) sheet. The motion was seconded by Don McPherson and carried by a unanimous vote of four members present: (Bruce Fletcher, Ernie Dodd, Laura Spear and Don McPherson).***

### **Performance Guarantee**

Trevor Page submitted a check in the amount of \$51,300.00 and an agreement document granting permission to agents of the Town of Stow to enter, inspect and take whatever related actions are necessary to ensure completion of required improvements, until satisfactorily completed.

### **New Parking Lot – Public Hearing Continued**

At 8:00 PM, the Public Hearing continuance to consider a new parking lot for Butternut Farm Golf Club was called to order.

Members reviewed the revised plans entitled “SITE PLAN Located in the TOWN of STOW, MA”, dated 3-29-04, Plan Project No. 2003-09 (Club-1, Sheets 1 through 4), stamped and endorsed on March 18, 2005, for the new parking lot. Bruce Fletcher noted that the Board received correspondence from an abutter who is concerned that an adequate buffer to his property be provided. Laura Spear noted that Sue Sullivan, the Board’s Consulting Engineer, stated that her main concern relative to drainage is that a peak storm event was not addressed. However, because the drainage is on Butternut Farm Golf Club property, it is not as great a concern. She was more concerned with setting precedent.

Members reviewed comments in Sue Sullivan’s letter dated March 22, 2005:

*“1. The drainage calculations are very simplistic, calculating the rate of runoff for a 24 hour event and comparing it to the exfiltration rates provided in the grass swales and recharge pods (aside of the driveway and bridge). This manner does not consider that the rainfall has variations and that we often experience rainfall at rates exceeding 0.28 inches per hour. Normally, I would request a more detailed drainage analysis, looking at the pre and post development drainage areas routing the runoff through the entire site to determine compliance with the Zoning By-laws. As the parking areas are directly tributary to a broad relatively flat wetlands contained within the locus property, this additional analysis is not warranted and the submitted calculations are sufficient.*

*I would recommend that the Board require as-built plans of the parking area and incremental volumes of the drainage structures (swales, basins and rip rap shallow pods) to verify that the construction of these features necessary for compliance with the Zoning By-law.”*

Members agreed to the recommendation as stated above.

*“3. A. The contours are incomplete by the proposed shallow swales – the slope of the swales is not clear. It is recommended that if the slope is greater than 1%, stone baffles could be used to slow down the water to maximize the recharge potential.”*

Bruce Fletcher noted that he doesn’t think this is an issue because of the proposed 2% grade of the parking lot.

*“3. B. It is recommended that the shallow basins be created at the low points of the parking area and swales to provide a settling area for the higher intensity storms such as a thunderstorm.”*

Bruce Fletcher suggested settling areas separate from the proposed basins. John Farnsworth agreed.

*"3. C. The 1:1.5 slopes adjacent to the bridge will need additional stabilization, as loose hay may be ineffective due to the steepness. Consideration should be given to the use of an erosion control blanket for these side slopes."*

Laura Spear noted that the Board has been very deliberate in requiring erosion control and the plans should be very clear. Ernie Dodd feels that, in this case, erosion control measures should be left up to the Conservation Commission. Bruce Fletcher noted that Erosion Control Blankets are expensive; however, they work well in a mid-summer downpour. Ernie Dodd suggested asking the Conservation Commission for their position. Members agreed to defer to the Conservation Commission relative to erosion control measures adjacent to the bridge.

### **Lighting**

Members reviewed correspondence from the Light Pollution Sub-Committee. It was noted that, in accordance with the Zoning Bylaw, the parking lot cannot be used after dusk and therefore, lighting is not necessary. It was also noted that the Applicant stated they do not need lighting in the new parking lot. Bruce Fletcher noted that some lighting might be necessary for security reasons. John Farnsworth said he would feel uncomfortable with no lighting at all. George Scraggs noted that the building code would allow up to 400 lights. Members agreed that some lighting would be appropriate and that any lighting should meet specifications as outlined by the Light Pollution Sub-Committee. It was also noted that the decision should be clear about the limitation on hours of use of the parking lot and that the lighting should be on timers. Members agreed that a separate lighting detail should be included on the plan in the 8-½" by 11" sheets. Ernie Dodd recommended that a light should be installed in the bridge for safety reasons.

Ernie Dodd moved that the Decision include a requirement for a light in the bridge. The motion was not seconded.

Kathleen Willis cautioned the Applicant to be sure they understand the specifications before ordering the light fixtures.

***Don McPherson moved to close the hearing. The motion was seconded by Ernie Dodd and carried by a unanimous vote of five members present (Bruce Fletcher, Don McPherson, Ernie Dodd, Laura Spear and Kathleen Willis).***

Members reviewed outstanding issues to be conditioned in the Special Permit:

- 1 - Require as-built plans of the parking area and incremental volumes of the drainage structures (swales, basins and rip rap shallow pods) to verify that the construction of these features necessary for compliance with the Zoning By-law.
- 2 – Require settling areas, separate from the proposed basins for the higher intensity storms such as a thunderstorm.
- 3 – Seek input from the Conservation Commission for stabilization of slopes adjacent to the bridge.
- 4 – Require lighting detail sheets, meeting specifications as outlined by the Light Pollution Sub-Committee

Members also agreed to recommend installation of a light in the bridge.

### **Occupancy Permit**

George Scraggs asked that the Board contact the Building Inspector to authorize issuance of an occupancy permit. Members noted that the parking lot improvements are not complete and that the Building Inspector must make the determination, if the building is ready for occupancy.

Such determination should include whether adequate parking, which is legally required, is available.

### **MOSELEY ANR PLAN and SUBDIVISION**

Members reviewed the Subdivision Plan and ANR Plan for the Moseley Property. It was noted at a previous meeting that Planning Board Member Malcolm FitzPatrick had some concern about endorsing the plan prior to approval of the Agricultural Preservation Restriction (APR). Phil Moseley reported that the State approved the APR.

***Ernie Dodd moved to approve and endorse the Subdivision Plan entitled “Bluebird Lane” dated December 2, 2004, drawn by Inland Survey, Inc. DBA Zanca Land Surveying; and the ANR Plan entitled “Plan of Land in Stow, MA” dated March 21, 2005, drawn by Inland Survey, Inc. DBA Zanca Land Surveying, creating Lot 2. The motion was seconded by Laura Spear and carried by a unanimous vote of four members present (Bruce Fletcher, Ernie Dodd, Don McPherson and Laura Spear).***

### **HILEY MEADOWS ESTATES (MICKY’S WAY) SUBDIVISION**

Keith Murray of DK Engineering and John Anderson met with the Board to discuss the Decision for the Hiley Meadows Estate (Micky’s Way) Subdivision. Keith Murray said that he received the review letter from the Board’s Consulting Engineer and acknowledged that he can deal with all of the issues without a problem.

Keith Murray and John Anderson urged the Board to make a decision this evening so that the appeal period can start as soon as possible. John Anderson stated that he is trying to get a jump on the interest rates that are rising.

Laura Spear noted that the Board typically wants to get as close to a final plan as possible before a decision is made.

Bruce Fletcher said that the Board just received the review letter this evening and is not prepared to make a decision. Members reviewed the March 22, 2005 (items 1 through 14) letter from its Consulting Engineer, Susan Sullivan:

- “1. As the roadway has been shifted, I would have anticipated that the drainage calculations would have contained a complete booklet, including the calculations on the dry wells, drainage area maps and reference materials. The submitted calculations do not include those items and it appears that the drainage summary was not updated to reflect the plan revisions. In addition, this summary addresses the rate of runoff for only one of three drainage areas – no information was provided on the volumes or Areas B and C. (They also refer to “Andover Subdivision Regulations”.*

*My review of the drainage indicates that the post development drainage areas are not necessarily reflective of the proposed grading as the entire roadway is generally in fill. Also, Drainage Area B shows a slight increase in runoff rate. These items can be remedied with the clarification of drainage (possibly some swales) and may need additional dry wells to mitigate the roof runoff.*

*The total of the pre and post development drainage areas differ by 0.20 acres, presumably the roof areas being recharged into dry wells. This needs to be documented in the final calculations, as the use of these dry wells is critical to meet the regulations for no increase in the rate or volume of runoff resulting from the*

*subdivision. In order to protect the town and avoid future confusion, it is my recommendation that notes be added to the plan that Lot? requires a dry well of ?? c.f. volume for ??? s.f. of roof area to provide mitigation. This will facilitate any future changes should the buyer of the lot want a larger house or a tennis court as has been the case on other subdivisions in town. (same comment as previous reviews)*

*These items are not show stoppers but may require plan and calculation modifications."*

Laura Spear noted that drainage is the biggest concern. Ernie Dodd said drainage should not be a great issue because they significantly reduced site disturbance in the most recent plan.

*"2. Lot 5 contains an "Old Way subject to rights of others". Portions of this "Old Way" are shown within the 20,000 s.f. rectangle of Suitable Buildable Area. Therefore, unless the plan is modified to show a fully complying lot, excluding this "Old Way"; this lot should be labeled as not being a buildable lot until such time as the "Old Way subject to rights of others" is fully extinguished. It is strongly recommended that the Board require that this note or another acceptable note be a requirement of subdivision approval. If the applicant's attorney has obtained the relinquishment of rights prior to the endorsement of the plans, this note may be omitted. (Similar comment in previous reviews)"*

John Anderson stated that they are close to an agreement with the abutting property owner. Members agreed that a note must be added to the plan.

*"3. Sheet 1 – it is recommended that the Sheet 1 – is the existing shed to be removed?"*

Members noted that the existing structure is not in the best of shape. A majority of the Board stated they have no preference.

*"4. Sheets 1 and 2 – the drainage easements should relate to the proposed property lines to facilitate deed descriptions and layout of any one individual lot."*

Members agreed with the recommendation stated above.

*"5. Sheets 1 and 2 – Table of Land Use refer to Micky's Way not Terrapin Circle. (Has this name been approved by the Fire Chief or E911 administrator? If not, it is recommended that the name be confirmed prior to final endorsement). "*

Keith Murray reported that the Conservation Commission does not approve of the proposed street name (Terrapin Circle). Members agreed that the Applicant should consult with the Historical Commission for an appropriate Street Name.

*"6. Notes should be added to all sheets showing the cul-de-sac island to indicate that the well is to be removed with coordination with the Stow Board of Health. This note also applies to the existing well shown on Lot 4 in the sewage disposal system area."*

Members agreed with the recommendation stated above.

*"7. The cul-de-sac has a 50' vertical curve proposed at the low point with an algebraic difference of 3%. It is recommended that this vertical curve be eliminated to reduce the potential for puddling."*

Members agreed with the recommendation stated above.

- "8. The island at the center of the cul-de-sac appears to have a different symbol than the other edge of pavement. Is it intended to be sloped granite curbing (not in legend) or is this simply a drafting error? If it is not intended to be granite, the sloped granite curb detail should be removed."*

Members agreed that sloped granite curbing should be added to the legend.

- "9. The dry well detail appears to be a generic detail prepared by the manufacturer. Please make it obvious that the correct model is the 1000 gallon cistern to avoid potential mistakes. The Inspection Cover is not specified, it is recommended that it is a manhole cover to grade with "Drain" in raised letters to eliminate potential confusion by the homeowners."*

Members agreed with the recommendation stated above.

- "10. The typical road cross section indicates a sidewalk. This should be corrected if the Planning Board waiver of sidewalks is granted."*

John Anderson said they prefer to make a donation to the sidewalk fund. Board Members were not prepared to make a determination on this issue but noted that an easement would be required in any event. Keith Murray agreed to add the easement along Harvard Road and leave the detail on the plan.

- "11. As the site will require the direct alteration of more than 1 acre of land, a NPDES permit is required. It is recommended that the Board require proof of it's filing upon the initiation of construction. Erosion control notes should be modified to be in compliance with the NPDES permitting requirements including inspection of erosion control barriers after storm events, temporary stabilization, temporary detention basins and reporting requirements. In addition, the check dam notes, as required in the Subdivision Regulations, are not shown on the plans. (Same comment as previous reviews)"*

Members agreed with the recommendation stated above.

- "12. It is recommended that a note be added to the plan requiring the detention basin to have all accumulated sediment removed from the bottom if there is standing water in the basin for more than two days after a rainfall event or upon permanent stabilization of all tributary areas. With sand and gravel soils, the basin should drain quickly and it's maintenance should be integrated into the erosion and sedimentation control plan and the O & M for the drainage system. (Same comment as previous reviews)"*

Members agreed with the recommendation stated above.

- "13. Who is Mr. Barry Sullivan? Maintenance/Inspection Procedures note 10 requires him to train all personnel for inspections. It is recommended that this note reflect his title/training/ credentials so that the contractor is not limited to a single person and subject to their availability to complete the project."*

Members agreed with the recommendation stated above.

*"14. It is my recommendation that the Board require volumetric calculations of the detention basins to be submitted with the as-built plans of the subdivision roadway. (Same comment as previous reviews)"*

Members agreed with the recommendation stated above.

Members then reviewed the list of requested waivers:

Section 8.3.1 Utilities, Catch Basins – Members agreed to grant a waiver from the requirements for catch basins.

Section 8.6.1, Curbing – Members agreed to grant a partial waiver to allow modified cape cod berms to begin 1' from the edge of the existing pavement of Harvard Road.

Section 8.7.1, Sidewalk – Members did not make a determination on the request for sidewalks and agreed to review the site and the Wedgewood Country Club sidewalk plans. In response to an inquiry from Bruce Fletcher, Keith Murray advised there is no room within the right of way for a sidewalk.

Section 8.10, Street Lighting – Members agreed to grant a waiver from the requirement for streetlights.

Keith Murray agreed to update the plans based on tonight's discussion. Karen Kelleher will draft a decision for the next meeting.

### **PROPOSED ZONING BYLAW AMENDMENTS**

Don McPherson did not take part in discussion of proposed Warrant Articles related to Active Adult Neighborhoods.

Members reviewed the list of warrant articles, prepared by Karen Kelleher for the Annual Town Meeting.

Ernie Dodd moved to submit the warrant articles to the Selectmen as drafted. Bruce Fletcher noted that the Selectmen might want the Board to hold off on any Zoning Bylaw amendments until a Special Town Meeting. Members agreed, if requested by the Selectmen, to reduce the list of articles to include:

- 1 - Sections 8.5.1, 8.5.4 and 8.5.10 (PLANNED CONSERVATION DEVELOPMENT)
- 2 – Section 9.3.11.2 (SITE PLAN APPROVAL- DEVELOPABLE SITE AREA)
- 3 – Section 8.6.4.4 (PHASING OF GROWTH)

### **SPECIAL TOWN MEETINGS**

Members discussed the March 9, 2005, memo from the Board of Selectmen concerning a Special Town Meeting. Members agreed to recommend that Housekeeping Zoning Amendments be considered at the Annual Town Meeting and the more substantial articles be considered at a Special Town Meeting.



### **MUNICIPAL LAND USE COMMITTEE**

Members discussed the March 15, 2005, memo from the Board of Selectmen concerning their vote to create a Municipal Land Use Board. Members noted it was curious that the Committee did not include representation from the Planning Board.

### **EXECUTIVE SESSION**

***Don McPherson moved to enter into Executive Session for purposes of discussing potential litigation and to adjourn at the conclusion of Executive Session. The motion was seconded by Ernie Dodd and carried by a unanimous roll call vote of four members present (Bruce Fletcher, Ernie Dodd, Don McPherson and Laura Spear).***

### **ADJOURNMENT**

The meeting adjourned at 10:35 PM.

Respectfully submitted,

Karen Kelleher  
Planning Coordinator