

**TOWN OF STOW
PLANNING BOARD**

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

Present: Planning Board Members: Bruce E. Fletcher, Donald G. McPherson, Malcolm S. FitzPatrick, 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.

COORDINATOR'S REPORT

Derby Woods – Karen Kelleher updated the Board on a conversation with Fred Geisel, a Consulting Engineer working with Connie Schwarzkopf concerning the Derby Woods Subdivision, requesting a meeting with the Board to discuss discrepancies in the Plans filed with the Conservation Commission/DEP and the Planning Board. Karen noted that the Board has received many letters from and/or on behalf of Connie and recommended that the Board acknowledge the correspondence in writing. Bruce agreed to draft a letter.

PLANNING BOARD MEMBERS' UPDATES

CPC – Laura Spear reported that the Community Preservation Committee (CPC) has received a formal proposal for a Conservation Restriction on a 23-acre landlocked parcel of land off of Walcott Street. She explained that CPC will sponsor a warrant article at Town Meeting.

Joint Boards - Bruce Fletcher reported on the Joint Boards meeting.

- The Board of Selectmen decided to appoint a 9-member Committee for a Municipal Land Use study. Members briefly discussed how the committee will be organized and the fact that the Planning Board is not included in the list of departments to be represented.
- Master Plan – Members discussed whether or not the Master Plan needs to be ratified by Town Meeting. Karen said Town Meeting adopted the goals and objectives of the 1996 Master Plan. She also noted that the Master Plan does not need Town Meeting approval. The Planning Board is required to have a Master Plan.
- Town Meeting Warrant -
 - The School Building Committee is making a presentation to the Board of Selectmen this evening.
 - Proposed Charter and General Bylaw amendments will be included in the warrant.
 - Salary Schedules will most likely be addressed at a Special Town Meeting.
- A Public Safety Planning Committee was established and will report to the 2006 Town Meeting.
- The Selectmen agreed to propose a Housing Partnership for approval at Town Meeting.
- Communication between Town Boards – it is helpful to share agendas and minutes.
- Special Town Meeting

BUTTERNUT FARM GOLF CLUB

At 7:40 PM, the Public Hearing Continuance for the Butternut Farm Golf Club Special Permit was reconvened. John Farnsworth, representing the Applicant, presented three plans: 1) plan for the existing upper parking lot; 2) Maintenance Building plan; and 3) New Parking Lot plan. The plans for the Upper Parking Lot and the Maintenance Building are the subject of the

Special Permit Modification 4. The new Parking Lot Plan is the subject of this Public Hearing: Members noted that they want to address conditions of the Special Permit Modification # 4 before discussing the proposed new parking lot (Request for Special Permit Modification # 5).

Existing Parking Lot Plan (Special Permit Modification # 4):

- The existing parking lot plan was changed to modify the shape and size of the detention pond. The proposed change to the retention pond does not impact the drainage design. The Conservation Commission has been to the site on two occasions and has been very interactive and helpful. The last meeting with the Conservation Commission was held on February 15th and they are ready to close the hearing and issue an Order of Conditions, unless the Planning Board requires a plan modification.
- Malcolm FitzPatrick asked if they considered a surface drainage plan rather than as currently designed. John Farnsworth responded that the pit already exists and to change to a surface drainage system would require more site disturbance.
- Laura Spear noted there was a discrepancy on the plan as to the number of parking spaces, which needs to be corrected for the Board to determine that the number of spaces complies with the Bylaw.
- Ernie Dodd questioned the fence location. John Farnsworth responded that he took part of the fence off of the plan.
- John Farnsworth noted that the Conservation Commission did not like the proposed plantings in the 35' buffer zone.
- John Farnsworth noted it is extremely important that Board Members make a site visit.
- Ernie Dodd noted that the language on the plan, relative to hay bales, should be stronger. John Farnsworth said he didn't want something to preclude them from putting in more than is needed. Bruce Fletcher noted that he has seen some plans with haybales shown in places that would serve no purpose. Ernie Dodd said that the wetland needs to be protected.
- Malcolm FitzPatrick questioned if the basin is designed as a retention or detention basin. John Farnsworth said it is designed as an infiltration basin. It was designed to impound and infiltrate. The reason it was elongated is because it is expected that they will rake out the leaves.

Laura Spear moved to accept the Plan for the upper parking lot and drainage system, contingent upon the following corrections:

- ***Re-label the number of parking spaces from 150 to 135 spaces.***
- ***Re-label the basin from detention to retention.***
- ***Change the notation concerning haybales to state, "to be placed as indicated and additionally as needed".***

The motion was seconded by Ernie Dodd and carried by a unanimous vote of four members present (Malcolm FitzPatrick, Ernie Dodd, Bruce Fletcher and Laura Spear).

Maintenance Building Plan (Special Permit Modification # 4)

- Members discussed the Maintenance Building Plan and advised that the Plan must provide a vegetative buffer; however, the buffer can include a fence. It was noted that the Maintenance Building should not be seen from the road and no equipment shall be placed in the 50' buffer zone.
- Ernie Dodd said he prefers that the fence be placed closer to the building.
- John Farnsworth provided a list of trees from the Town of Sterling's regulations. Laura Spear suggested that they look at the list of trees stated in Stow's Subdivision Rules and Regulations.
- John Farnsworth noted that Ingeborg Hegemann of the Conservation Commission didn't like some of the proposal because they were considered invasive species. She referred him to a web site, which only listed what NOT to use. Malcolm FitzPatrick said he is

against the use of conifers and prefers rhododendrons or yews. John Farnsworth suggested hemlock and arborvitae and not white pine. Malcolm FitzPatrick agrees they should not use white pines and noted that the entrance should be minimized to 18' to 20'. He is concerned about equipment being seen as you drive by the site. He does not feel the plan provides an adequate barrier and suggested plantings be extended toward the access road.

- John Farnsworth noted that they plan to park equipment behind the maintenance building.

Members agreed to hold a site walk on Wednesday, February 23, 2005, at 9:00 AM.

New Parking Lot Plan

Discussion on the New Parking Lot Plan was postponed until the issues on the Maintenance Building Plans are resolved.

Ernie Dodd moved to continue the hearing to March 8, 2005 at 8:30 PM. The motion was seconded by Laura Spear and carried by a unanimous vote of four members present (Malcolm FitzPatrick, Ernie Dodd, Bruce Fletcher and Laura Spear).

ONE LOT SUBDIVISIONS – POLICY

Malcolm noted that the Board should have a policy for 1-lot subdivisions.

STOW HOUSE OF PIZZA (156 GREAT ROAD) – PROPOSED SPECIAL PERMIT MODIFICATION

Kostas, owner of Stow House of Pizza Property, and his Engineer, Steve Poole, met with the Board to discuss the potential for a small addition to Stow House of Pizza for additional seating and to expand the parking area. Steve Poole explained that Dudley Court is an un-built cul-de-sac. They are requesting that the Board rescind that portion (the cul-de-sac) and change the lot line. This would enable them to create an additional parking area and move the access road. He acknowledged that the parking would be within the 30' setback, which will require a variance from the Zoning Board of Appeals.

Don McPherson asked if they are proposing the minimum amount of parking for the proposed use and where the dumpsters will be located. Steve Poole said they are trying to maximize the setback to Dudley Court and propose to move the dumpsters behind the building. They also propose more screening in the back.

Don McPherson would like to see the plan address the Lower Village Committee's goals including a parking lot connection from the street side to the rear. He also suggested that, if the parking lot is located close to the street, it should be depressed to mitigate the visual impact.

- Signage in compliance with the new streetscape.
- Interlot connection with the property to the east.
- Maintain only one entrance to Route 117 closer to the center of the property.
- Additional screening in the back.
- Investigate the possibility of connecting to Dudley Court. Malcolm noted that might be possible, but the Board might not want to direct traffic through a residential neighborhood. Steve Poole said he could provide for a potential connection to Dudley Court.

Malcolm FitzPatrick said an adequate vegetative buffer should be provided for the residential abutters. He also noted concern about the location of the existing entrance and noted that further east would be best. He prefers to see more parking located in the rear of the property rather than on the sides. Steve Poole said they plan for employee parking in the rear and customer parking toward the front of the property.

Laura Spear noted that the Board previously discussed the existing Special Permit Decision, which should be adhered to.

Members agreed that they will support a setback variance for the parking area, as long as it is depressed. Don McPherson said he feels strongly about a buffer for the abutting residential properties, but not for the abutting business properties.

Kathleen Willis noted that conditions of the original permit were never met:

- The dumpster is not screened.
- The one-way entrance was never addressed.

Sue Sullivan of Inland Survey presented an ANR Plan intended to rescind the Dudley Court cul-de-sac. She explained that all rights in that portion of the cul-de-sac are strictly for the parcel owned by Kostas and Kostas holds Title to the cul-de-sac.

Karen Kelleher said that she understands a public hearing is required to rescind the subdivision. Board members agreed to consult with Town Counsel before acting on the ANR Plan.

Ernie Dodd moved to request a legal opinion from Town Counsel concerning the ANR Plan whether or not a public hearing is required. Sue Sullivan agreed to grant an extension in the time the Board has to act on the ANR Plan. Ernie Dodd withdrew his motion.

ANR PLAN - WEST ACTON ROAD/JEAN LYNCH

Laura Spear moved to approve the ANR Plan entitled "Plan of Land in Stow, MA", prepared for Jean H. Lynch, dated January 18, 2005, prepared by Inland Survey, Inc. DBA Zanca Land Surveying, creating 2 lots. The motion was seconded by Don McPherson and carried by a unanimous vote of five members present (Malcolm FitzPatrick, Ernie Dodd, Don McPherson, Bruce Fletcher and Laura Spear).

HILEY MEADOWS ESTATES (MICKYS WAY) SUBDIVISION

John Anderson, his Engineer Keith Murray and Attorney Alphen met with the Board to present revised plans for the Hiley Meadows Estates Subdivision.

Keith Murray reviewed the revised plans:

- Reduction in impervious area to 6.93%.
- Elimination of Sidewalks.
- Elimination of Streetlight.
- Increase the proposed site distance, based on the proposed location and elevation of Micky's Way along Harvard Road during the February 9, 2005, site walk.
- Design of the roadway and traveled way revised to comply with Section 7.5.8 (curvilinear streets) of the Subdivision Rules.
- Reduction in the number of lots from 6 to 5.
- Increase buffer between the proposed dwellings and the resource area.

Don McPherson asked if there is any way for the road profile to follow the landscape. Keith Murray explained that the low point is at the far side of the cul-de-sac. Don said he is concerned about the low point at the beginning of the road. Keith Murray explained that they are trying to balance earthwork.

Don McPherson said he would be happy to see a proposal to see the stonewall preserved. Keith Murray said they need to grade for site distance purposes. However, approximately 50'

of the stonewall along the street will remain. He also noted that he is trying to keep the road as high as possible because he is concerned about the potential for ledge to limit the need for blasting. He suggested that the Board could include a condition for them to reconstruct the stonewall over the new grades.

Keith questioned the requirement for curbing. Members stated that the requirement in the Subdivision rules is not in keeping with the Board's Policy to require that intersection curbing be set back two feet (2') from existing pavement and that cape cod berm is more in keeping with the rural character of Stow.

Malcolm FitzPatrick asked if they propose a temporary detention basin to be used during construction. Keith Murray said the permanent detention basin will be used as a temporary structure during construction.

Attorney Alphen noted that a Special Permit is no longer required because the number of lots was reduced from 6 to 5 and presented a letter withdrawing the Special Permit Application.

Abutter Bob Norton noted that the right of way issue has not been resolved, but he expects a resolution shortly.

Russ Willis, Light Pollution Sub-Committee, requested that the Subdivision be conditioned to follow their lighting guidelines.

Malcolm FitzPatrick said he thought they could have fit 6 lots on the plan and still address the Board's concerns. Keith Murray said they couldn't because of the Town's frontage requirements and street design regulations.

Don McPherson moved to close the hearing and to keep the record open for receipt of updated drainage calculations, a review letter from the Board's Consulting Engineer and any plan revisions resulting from that review. The motion was seconded by Laura Spear and carried by a unanimous vote of five members present (Malcolm FitzPatrick, Ernie Dodd, Don McPherson, Bruce Fletcher and Laura Spear).

ANR PLAN, SUDBURY ROAD (Map Sheet R-26, Parcels 2, 3 and 5)

Malcolm FitzPatrick endorsed the ANR Plan entitled "Plan of Land in Stow, Massachusetts". Prepared for Division of Capital Asset Management, dated 1/12/05 and revised 2/10/05. Prepared by Ducharme & Wheeler, Inc. as revised in response to the Board's vote on February 8, 2005.

ADJOURNMENT

The meeting adjourned at 10:00 PM.

Respectfully submitted,

Karen Kelleher
Planning Coordinator