

TOWN OF STOW PLANNING BOARD

Minutes of the October 23, 2007, Planning Board Meeting.

Present: Planning Board Members: Ernest E. Dodd, Laura Spear, Kathleen Willis, Leonard Golder and Steve Quinn

Planning Coordinator: Karen Kelleher

The Meeting was called to order at 7:00 p.m.

MINUTES

September 25, 2007 – ***Laura Spear moved to approve minutes of the September 25, 2007 meeting, as amended. The motion was seconded by Kathleen Willis and carried by a unanimous vote of three members present (Ernie Dodd, Laura Spear and Kathleen Willis).***

Steve Quinn and Leonard Golder arrived at this point in the meeting.

CORRESPONDENCE

Commonwealth Capital and Municipal Grant Applications

Agricultural Overlay District - Members noted that both the APR-Muni Application and the Commonwealth Capital Application award points if the town created an Agricultural Overlay District, and wonder if the Agricultural Commission are interested in such an overlay district. Karen Kelleher will send a note to the Agricultural Commission.

Housing Goals – Karen Kelleher noted that the Commonwealth Capital Application awards points if the Town reached its housing goals. Stow's Community Development Plan includes a goal that is limited to affordable housing and was based on 40B applications that were pending at the time. The Commonwealth Capital Application speaks to housing production – not necessarily limited to affordable housing. She recommended that Stow should revisit its housing goal.

Intermunicipal Agreements

Members reviewed correspondence from Donna Jacobs of the MetroWest Growth Management Committee in support of Senate Bill SB1194, *An Act Relative to Intermunicipal Agreement*. SB1194, *An Act Relative to Intermunicipal Agreements*, which proposes to remove the requirement that all intermunicipal agreements receive town meeting approval.

Members agree that the requirement for Town Meeting approval delays and sometimes hinders intermunicipal strategies and agreed to forward a letter of support to the Co-Chairs of the Joint Committee on Municipalities and Regional Government.

PUBLIC INPUT - None

PLANNING BOARD MEMBERS' UPDATES

Community Preservation Committee – Laura Spear reported that the Community Preservation Committee heard twice about a proposal from the Recreation Commission and the Agricultural Commission and agreed to co-sponsor a warrant article with the Recreation Commission for Recreation and Agriculture or Housing.

COORDINATOR'S REPORT

Karen Kelleher reported on ongoing activities in the Planning Department:

Cell Towers - Sprint filed building permit applications for the Hyde Wireless Service Facility on Wheeler Road and the First Parish Church Wireless Service Facility on Great Road.

Whitney Homestead, Great Road – Whitney Homestead is still on the market. The sign was taken down because the owner switched real estate brokers.

Finance Committee Public Hearing - The Finance Committee will hold its public hearing on Thursday, October 25th and would like the Planning Board to be represented. Ernie Dodd will attend.

Kettell Plain Road – Residents are upset that the road is not yet accepted as a Public Way. Karen Kelleher contacted Goldsmith, Prest and Ringwall and Places for proposals to prepare Street Acceptance Plans. She also contacted the Fire Department to confirm whether the Fire Cistern gauge has been repaired.

Properties for sale — Karen Kelleher reported several inquiries concerning the house next to Stow House of Pizza (196 Great Road (R-29 # 94) and the Frost property, a 10.6 acre parcel on Whitman Street.

472 GLEASONDALE ROAD

Mark Greenbaum of 472 Gleasondale Road met with the Board to discuss potential uses for his property under the newly adopted bylaw (Section 3.2.3.5 Uses not otherwise permitted in the Residential District). Years ago, he went before the Zoning Board of Appeals with a proposal to turn the barn into a living unit and was denied. He has septic capacity for additional units and was going to take one of the units out of the Main House and put it in the Barn. The Zoning Board of Appeals found that it would ruin the neighborhood. There was a wood shop in the Barn when he first bought the property.

Mark Greenbaum said there are other Stow properties with historic buildings on the market, such as Whitney Homestead on Great Road and Amerscott House on West Acton Road. He said, historically, rural character is really mixed use development. Karen Kelleher asked if he has thought about uses, other than residential. He said he has been concentrating more on fixing the structure.

Len Golder reviewed the bylaw and noted his proposal seems to be in keeping with the bylaw, which requires that the proposed use does not significantly alter the historic and/or cultural character of the site, and BUILDING or STRUCTURE are in harmony with the character and uses permitted in the Residential District.

Laura Spear said he will need to address site plan issues such as access and parking. He must also maintain the integrity of the exterior of the structure as much as possible.

Mark Greenbaum said he must make improvements to make the property viable.

Ernie Dodd suggested that he meet with a member of the Planning Board before filing the Petition for Special Permit to determine the level of detail needed for the Petition.

Mark Greenbaum said he thinks all of Gleasondale, except for the Mill, is already built out.

BUTTERNUT FARM GOLF CLUB

Members reviewed correspondence received from DeFalco Engineering, Inc. concerning Butternut Farm Golf Club and noted that the Request for Modification is not signed by the property owner and a filing fee was not submitted. Kathleen Willis said it is time to talk to the Building Commissioner about enforcement. Len Golder suggested making a telephone call to Butternut Farm Golf Club before proceeding with enforcement action. Laura Spear explained the history of working with Butternut Farm Golf Club to bring them into compliance. Kathleen Willis said this will go on and on, as it has for several years, without any closure. She feels the outstanding issues should have been dealt with earlier in the season. Ernie Dodd suggested a memo to the Building Commissioner asking him to contact Butternut Farm Golf Course, advising them if they do not sign the Request for Modification and submit a filing fee immediately, he will commence enforcement with daily fines.

Kathleen Willis moved to ask the Building Inspector to contact the Pages and advise them to sign a formal request for Modification and submit a fee immediately. Otherwise, he will commence enforcement with fines. The motion was seconded by Laura Spear and carried by a unanimous vote of five members present (Ernie Dodd, Laura Spear, Kathleen Willis, Leonard Golder and Steve Quinn).

LOWER VILLAGE

Town property located off of Route 117 in the Lower Village, next to 5 Red Acre Road.

Members reviewed a draft memo to be forwarded to the Board of Selectmen requesting support and that they inform the Shoemakers' of the Planning Board and Lower Village Sub-Committee's plans for the Town property located off of Route 117 in the Lower Village, next to the Shoemakers' home at 5 Red Acre Road.

Ernie Dodd questioned why the Sub-Committee doesn't just talk to the Shoemakers. Laura Spear said the Sub-Committee has made several attempts with no response.

Laura Spear updated the Board on plans to create a pathway from Pompositticut Street, across the town-owned land adjacent to Shoemaker Property, to Red Acre Road. The Lower Village Committee also feels that it makes sense for a sidewalk from Route 117 along the Cemetery as well. The Lower Village Sub-Committee would also like to install a fence along the property line. Karen Kelleher noted concern about taking away the existing access to the Shoemaker and Brown properties. Laura Spear said she doesn't want to deny use of the existing access unless there is an alternative access in place.

The Planning Board supports a public pathway, but noted the abutters should continue to have access their homes. Ernie Dodd recommended that the fence be placed along the property line and the pathway be located on the other side of the existing drive.

Laura Spear said the Sub-Committee also discussed using sidewalk funds for construction of the pathways, as well as a sidewalk along Pompositticut Street and Great Road to the Maynard Town Line. Kathleen said she would not want to spend funds on areas to be taken up by the proposed round-a-bout. The Board is conceptually in favor of using sidewalk funds but need more details.

RIDGEWOOD AT STOW ACTIVE ADULT NEIGHBORHOOD

Members reviewed an email from Harry Blackey concerning the Final Plans for RidgeWood at Stow. He assumes the only sheet from the plans that will be recorded will be Sheet 1R (Record Plan) and asked if a signature is required on the remaining sheets.

Members are in agreement that they want the full plan set to be recorded.

BLACKSMITH SHOP

Members reviewed an email from the Historical Commission to Boards and Departments asking if any department or committee wishes to take ownership of the Blacksmith Shop and if not, if there is a recommendation.

Karen Kelleher wondered why the Historical Commission does not seek CPC funds to preserve the historic blacksmith shop. Laura Spear noted that CPC funds were used to board up the structure but it was not successful. The structure continues to fall into disrepair. Members discussed several issues and ideas:

Is it worth the investment to renovate?

- The structure was originally in Maynard and moved to Stow.
- Relocate to another site:
 - Lower Village?
 - Town Building Lot?
 - Elsewhere on the Center School Lot (on the knoll)?
- Potential alternative uses:
 - Booster Club Snack Bar

Members agreed to forward a letter to the Historical Commission recommending:

- The Historic Commission retain ownership of the structure.
- The Planning Board would like to see the structure preserved, depending on the cost, as a historic structure and not a storage building.
- Review of the survey made by the Historical Commission at SpringFest in 2006.
- Consider relocating and potential alternative uses.

WIRELESS SERVICE FACILITIES

Members discussed the Applications for Clearance Prior to Issuance of a Building Permit submitted by Sprint for Wheeler Road and Great Road.

Wheeler Road (Hyde)

Karen Kelleher reported that Town Counsel advised that, based upon Paragraph V of the Judgment entered into with the US District Court, that all co-locaters on the "Hyde facility" require "written approval" from the Planning Board. Once written approval is granted, Building Inspector "shall" issue the building permit within 30 days of receipt of the application. The Judgment does not anticipate a special permit application.

Laura Spear moved to approve the Application for Clearance Prior to Issuance of a Building Permit, submitted by Sprint for the Wheeler Road (Hyde) site, subject to conditions VI.D, VI.F and VI.M of the Judgment, dated June 4, 2002:

Section VI.D Prior to issuance of their respective Building Permits, Hyde and each Co-locator shall provide written evidence that the Facility, or part thereof, is in compliance with applicable Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission, and the Massachusetts Department of Public Health Regulations.

Section VI.F Prior to issuance of a building permit for each Co-locator, Hyde shall deliver to the Town Clerk a check in the amount of \$5,000.00, payable to the Town of Stow, as a donation to the Town's General Fund, for a total of \$15,000.00 in the event three Co-locators locate on the Facility.

Section VI.M Hyde shall enter into a written agreement with each Co-locator, which agreement shall bind each Co-locator to the terms and conditions of this Judgment. Hyde shall provide a copy of each agreement to the Planning Board, prior to issuance of any building permit, to allow additional co-location(s) at the facility.

The motion was seconded by Kathleen Willis and carried by a unanimous vote of five members present (Ernie Dodd, Laura Spear, Kathleen Willis, Leonard Golder and Steve Quinn).

Great Road (First Parish Church)

Laura Spear moved to advise the Building Commissioner that the application, submitted by Sprint for co-location at the First Parish Church, is subject to a new Special Permit from the Planning Board. The motion was seconded by Kathleen Willis and carried by a unanimous vote of five members present (Ernie Dodd, Laura Spear, Kathleen Willis, Leonard Golder and Steve Quinn).

The meeting adjourned at 9:58 p.m.

Respectfully submitted,

Karen Kelleher
Planning Coordinator