

TOWN OF STOW PLANNING BOARD

Minutes of the October 21, 2008, Planning Board Meeting.

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

Associate Member: Bruce E. Fletcher (Voting Associate)
Lori Clark (Non-Voting Associate)

Planning Coordinator: Karen Kelleher

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

MEADOWBROOK ESTATES

Members received a request for extension from Ken Kaulbach for the Meadowbrook Estates Special Permit Modification authorizing construction of an Emergency Access Way to the Town of Boxborough. Karen Kelleher reported that the Special Permit has expired and a new modification is required. Town Counsel agrees. Board members noted that the developer is actually in contempt of court because the decision was the result of mediation. Members discussed whether a new modification should be considered, noting that the Board made concessions during mediation and the Developer let the permit expire. It was agreed that it would be best to consider a new application so that conditions can be put in place, setting a timeline to clean up the site, as requested by Trefry Lane residents.

Members agreed to advise Mr. Kaulbach that, if he wants to proceed, a new application must be submitted and that the Board will not be favorable to a new application until the area is cleaned up. Karen will also ask Town Counsel what course of action the Board should take if a new application is not received.

Action item: Karen to send letter to Kaulbach and contact Town Counsel.

ARBOR GLEN ACTIVE ADULT NEIGHBORHOOD

The Conservation Commission met with the Board to discuss the trail through Open Space Parcel B. Pat Perry explained that Steve Mong is farming the property and was alarmed that the trail was being surveyed and will located through the middle of his fields. The contractor was in the process of placing survey stakes, and Pat asked him to stop work in that area because the Conservation Commission was not happy with a trail on land that is being actively farmed. The Conservation Commission asked that the Board consider an amendment to the plan.

Laura Spear asked if the Conservation Commission could recommend an alternative location. Kathy Sferra said that the Commission never focused on that portion of the plan but recognizes there would be a need for a redline change. The Conservation Commission does not have a problem with the perimeter path. It was suggested that the trail be placed between the tree lines in the middle of the farm area. Conservation Commission Members were not supportive of that suggestion. Laura Spear noted concern that, if the trail dead-ends at the septic system, people will keep walking even if a trail was not constructed and signage was in place. Both the Conservation Commission and Planning Board agreed that it would be best to continue that trail around the bottom of the septic system and connect back into the perimeter plan. Planning

Board members agreed that they would be supportive of a redline plan change. Pat Perry will advise Pulte Homes to submit a revised plan.

Laura Spear said she thinks the proposed change would be considered a minor modification and would not require a public hearing.

Action item: Pat Perry will advise Pulte to contact the PB to propose plan change.

SOILS OF STOW

Laura Spear asked Ingeborg Hegemann Clark and Becky Mattison when they might be available to talk to the Board about the soils of Stow. The Planning Board is very interested in understanding more about soils and asked if they could meet with the Board before the end of the year. It was agreed that the meeting would be scheduled for December 9, 2008, for a one-hour time slot.

BUTTERNUT FARM GOLF CLUB

Members discussed the Butternut Farm Special Permit Modification No. 6, dated June 15, 2008. The Applicant has not complied with any of the conditions. Most of the conditions are related to the maintenance building area and the abandoned parking area to be loamed and seeded. It was noted that the Board is holding a cash performance guarantee for some of the work to be completed and as Butternut Farm Golf Club has been consistently in non-compliance, members feel there is no alternative but for the Town to take the necessary action to complete the work with funds from the performance guarantee.

Karen Kelleher will provide a copy of the decision and a list of outstanding items for the Board to review at its next meeting. After review of the decision, the Board will ask Town Counsel to send a letter to Butternut Farm Golf Club, finding them in default and advising them of the Town's intent to complete the work using funds from the performance guarantee.

Action item: Karen Kelleher to provide a copy of Special Permit Modification No. 6 for the Board to review at an upcoming meeting.

DERBY WOODS SUBDIVISION – Members endorsed a new lot release form, as the original was recorded incorrectly.

LOWER VILLAGE PLACE (Stow House of Pizza/Bank)

Karen Kelleher reported that a lighting plan was submitted to the Building Inspector by Electrician Jo DeCampo for Lower Village Place (Stow House of Pizza and Bank Plaza). The proposed lighting fixtures do not comply with the Bylaw, and the proposed locations do not comply with the Plan approved by the Planning Board. Karen referred the electrician to the Lighting Sub-Committee.

Kathleen Willis noted that there are several outstanding issues relative to the Special Permit and wonders why they are only coming in with a lighting plan. It was noted that the proposed work was put on hold pending DEP's approval on the water issue. Russ Willis, Chairman of the Lighting Sub-Committee, noted that the plan submitted to the Building Inspector does not comply with the Bylaw. Laura Spear asked Russ Willis if the Lighting Committee approves of the plan submitted by the electrician. Russ Willis said they can't make a determination until they have more details as to the fixtures, wattage, type of bulb and height. Russ noted that the manufacturer they selected does have shielding available. He also noted maximum post height is 35', which seems too high. With a 20' pole, you can get less lighting and similar coverage.

Members agreed to advise the owner that he and his electrician should meet with the Lighting Sub-committee.

Members agreed that the Board would focus on lighting issues at this point and address other issues once the water issue is resolved.

Action item: Karen Kelleher will forward a letter to the owner suggesting that he and his electrician meet with the Lighting Sub-committee

PLANNING COORDINATOR'S UPDATE

Karen Kelleher updated the Board on ongoing activities in the Planning Department.

Mobil Station Site (124 Great Road) – The office has received many inquiries from an attorney's office concerning the Mobil Station site at 124 Great Road. The attorney's office would not reveal who the client is.

Banks Property, Walcott Street – It is rumored that the Banks property is under agreement. The Assessors office has also heard the same rumors but has not seen anything on MLS.

Shopping Center - The Building Commissioner advised that the building permit application included details on lighting fixtures. Karen Kelleher talked to the architect, who advised that the manufacturer does have a dark sky option and will forward the details. Karen Kelleher provided copies of the detail sheets to the Lighting Committee for their review. It is clear that one of the fixtures does not comply with the Bylaw. The Building Commissioner said he will review all of the building signage to be sure they are brought into compliance with the Bylaw.

Lower Village - The Building Commissioner is working on the list of zoning bylaws, submitted by Brian Martinson. The Highway Department and members of the Lower Village Committee began installing the granite posts at the common.

ET&L Construction – The Building Commissioner spoke with the owner of ET& L Construction about the light. The light was adjusted, but not sufficiently. The Building Inspector will contact them again.

Flag lighting – Bruce Fletcher noted that he thinks the code changed and it is no longer required to light a flag after dark.

PLANNING BOARD MEMBERS' UPDATES

Elementary School Building Committee – Steve Quinn reported that the Elementary School Building Committee received 8 proposals to date for an Owners Project Manager.

PUBLIC MEETING CONTINUED – HIGHGROVE ESTATES

At 8:00 p.m., the Public Hearing, continued from October 7, 2008, to consider the Highgrove Estates Preliminary Subdivision/PCD Plan, was called to order.

Laura Spear reviewed the Public Hearing Rules of Conduct.

Rich Harrington of Stamski and McNary, Inc., representing the Applicant, stated they would like to discuss comments made at the end of the last public meeting and respond to Planning Board concerns. They will share an example of a site in Acton, where the road has an 8% grade with a 100' radius and are confident that they can provide a plan set that can be built.

- They completed the septic system design for Lot 14, which enables them to move the house back. They also did soil testing on the drainage basins and are now able to provide a 70' no disturb buffer by moving the proposed septic system and house locations from abutting wells. All of that information will be submitted with the Definitive Plan.
- Photographs of the Meyer Hill Drive Subdivision in Acton were provided. Rich Harrington said he feels this road is similar to what they are proposing in Stow in terms of the road grade and because there is an abutter below the road, they provided a drainage swale in back, directing the drainage away from the home.
- The Highgrove Estates property is zoned residential and the Applicant could do a conventional subdivision. However, having worked in Stow for many years, he guided the owner to a PCD plan, as he knows that is the Town's preference.
- The Plan shows a road with a 10% grade and 150' radius. With minor adjustments to the regulations, they could provide an 8% grade if the Board were willing to grant a waiver to reduce the radius to 100'.

Public Comment

John French, 310 West Acton Road, Stow, said that he recalls there was concern about the width of the road and that it would be necessary to provide parking spots at the bottom. Laura Spear said that Board Members and the Applicant did meet with public safety officials who expressed concern about 150' radius at 10% slope. Those concerns are part of the proceedings and have not yet been resolved. They will be addressed in the final decision.

Jane Merrick, West Acton Road, Stow questioned who will maintain the road. Rich Harrington responded that, once the road is built, the owner can apply to Town for it to be accepted as a public way. At that time, Town Officials review the request and make a recommendation to Town Meeting. Until the Town accepts the road, it will be up to either a Homeowners Association or the developer to maintain the road. Typically, the developer retains fee in road and will plow the road until the subdivision is complete. Once fully occupied, the developer can submit an as-built plan for the Town to accept. There could also be an arrangement between the developer and property owners. Laura Spear noted that the Board's Consulting Engineer suggested that the Board require a trust fund to be in place.

Barry Rosen, Windemere Drive, Acton, asked what the plan is for ameliorating effects of chemicals to be used on the road and how it will be kept from water supplies.

Rich Harrington explained that EPA's Stormwater Management Policy has standards that require that catch basins be hooded. The policy was recently updated to have stricter requirements for public water supplies and private wells and improved and upgraded operation and maintenance requirements. The Town of Stow also has a Stormwater Policy. He will provide that information with the definitive submission.

Richard DeFuria, Windemere Drive, Acton, asked under what circumstances can you cross wetlands. Ernie Dodd said they will need to file a Notice of Intent with the Conservation Commission. There are rules that they must follow, and there will be requirements for replication. Ernie Dodd said he is also concerned about the road and how it will be treated. There will have to be a maintenance plan in place.

Rich Harrington explained there are two layers of regulations they must follow: the State Wetlands Protection Act and the Town of Stow Wetlands Bylaw. The Wetlands Protection Act says the road shall be of a minimum width acceptable to the Planning Board. He said they prepared a plan that shows access from the Town of Acton, but that is not an option, due to

Acton's regulations and Stow's Public Safety concerns. When they go to the Conservation Commission, they will have to show they have no other means of access.

Richard DeFuria, Windemere Drive, Acton, said he is interested in what soluble chemicals will be used on the road. Ernie Dodd said he has the same concerns.

Kazuo Yoshizaki, 324 West Acton Road, Stow, asked how long it will take to complete the development. He also noted that, if it is developed, he is afraid it will change the system of nature. He questioned who is responsible if there is a landslide onto his property.

Joe Iannelli, Woodchester Drive, Acton, read his letter into the record. He also stated that when abutters attend meetings and express their opinions, those opinions are not backed up with facts the way the Applicant's Engineer does. However, this is not a normal site, and the abutters' homes are their biggest asset that will be at risk.

Robert Flynn, West Acton Road, Stow, asked if the proposed road slope is similar to Pilot Grove Hill and if the Board looked at the Meyer Hill Road in Acton. Members commented on Pilot Grove Hill, which has the same type of slope, but doesn't have the wetlands issues or structures at the bottom of the hill.

It was noted that at the last meeting that wells and septic were shown incorrectly. John French, 310 West Acton Road, Stow noted that he reviewed the plan later and found the septic locations to be generally correct.

Jonathan Duprey, Canterbury Road, Stow, questioned if they need to be worried about the septic design for the proposed subdivision, given the problems with the Pilot Grove Hill system. It was noted that the Pilot Grove Hill system is not comparable to what is being proposed. Rich Harrington noted that Title 5 regulations have changed since the Pilot Grove Hill system was installed.

Planning Board Members' Comments

Kathleen Willis said she spent a lot of time reviewing the conventional proof plan and doesn't feel it contains adequate information to determine if conventional subdivision is feasible. The Proof Plan shows a road off of West Acton Road, over the border of Acton and access from Acton, which we know is not allowed. Some of the houses (Lots 18 and 19) don't meet the required 300' buffer. The conventional plan doesn't show several items required under Section 3.2 of the Subdivision Rules and Regulations. She will not comment on the PCD Plan, because she believes it is not based on a valid conventional proof plan that the Board can take action on.

Len Golder noted that the Planning Board requires a bond to guarantee that the subdivision is constructed according to plan. Once the subdivision is completed, the bond is released. If approved, the Board should request a very stringent bond to be sure that the road is safe. He noted that the Board needs to be sure the road grade provides safe passageway. He questioned the way the homes are clustered. Although he agrees cluster development is more desirable, he questioned if there would be a way to reduce the road grade if the lots were less clustered and spread out. Rich Harrington responded that the location of the homes does not dictate the grade of the road. Rich also noted that, if the grade could be improved with a shorter radius of 100' rather than 150', this would require a waiver from the Subdivision Rules.

Len Golder asked if the wetland crossing has any impact on grade. Rich Harrington explained that the 10' grade is geared toward getting above wetlands. They could minimize the amount of

fill and grade of road, if the Board were willing to reduce the width of the road. That would be a difference of about 1' going from 10% to 8% grade. Rich noted that 10% complies with the Subdivision Rules and Regulations. In this case, 8% is the best they can do in terms of slope. They would construct the roadway in sections to maintain vegetation and control erosion. If the Board would be willing to reduce shoulders, it would help address concerns about erosion. His firm has seen every facet of this development built. The drainage system will be sized and reviewed by the Board's consulting engineer. Rich said every site is different and he admits this site is more difficult than anything he has done. The final design will show no greater runoff.

Steve Quinn said he questions the viability of the conventional proof plan, which precludes moving forward with a PCD Plan.

Ernie Dodd said he appreciates Mr. Iannelli's letter and agrees with it. He is also concerned about groundwater and impact to property owners on West Acton Road. He said that Rich Harrington is one of the best engineers the Board has worked with, and if anyone can make it work, it will be him. However, this is a site that should not be developed, and he is not sure how he can be convinced otherwise. He is also concerned about the road in the winter and is not sure how he can be convinced.

Bruce Fletcher said he thinks the road can act as interceptor drain, except where Lots 14 and 15 are located directly upgradient of existing houses. He wonders if those lots should be eliminated. Rich Harrington said the existing drainage area is being piped into the basin so there will be less runoff onto existing lots and there will be more trees saved than shown on the original submission. They will propose a special seed mixture and additional plantings to provide a buffer from houses on West Acton Road. All runoff doesn't go into the Town of Acton until it gets to Willow Street. Runoff from Woodchester Drive, beginning with the Iannelli property, drains off to the subdivision.

Laura Spear shared photographs of the Meyer Hill Road, Acton, site, which she did not find comparable to the proposed Highgrove Estates Plan:

- The angle of the intersection is better on Meyer Hill Road.
- There are no homes below the Meyer Hill Road or development.
- There are no wetlands crossings on Meyer Hill Road.
- Meyer Hill Road is wider (three lanes) at its entrance.
- The first 50' to 75' of Meyer Hill Road is pretty flat before getting into a curve and slope.
- The sight lines at Meyer Hill Road are pretty good.

Laura Spear is concerned about erosion. It was mentioned that one tree will remain at the proposed Highgrove Estates Development, and the Myer Hill Road development looks like there is quite a bit of old growth trees along the bottom of the site. It seems that the site would be more stable if the trees remained. What they are proposing is the opposite – clearing the bottom of the hill and then work your way up. She heard mention about a dry season; however, she reads in the paper about climate change, which said it will be wetter. Laura doesn't want downstream homes to have landslides. She appreciates what they did with drainage swales, but thinks the Acton site was a much easier site. She also noted that she doesn't see much space for snow on the Acton site.

Rich Harrington said they can redesign the grass strip for snow storage, if that is what the Board prefers.

It was noted that Acton has public water.

Rich Harrington agreed that the entrance is not comparable. That is not why he asked Board members to view that site. He can't control the frontage they have. He wanted the Board to look at the slope to get an idea of an 8% grade with 100' radius.

Laura Spear is concerned about how you get into the curve. Rich Harrington said what he proposed is allowed by Stow's Subdivision Rules and Regulations. As engineer, he has to deal with what is dictated by ownership and by regulations. He wanted the Board to see:

- The 8% slope with a 100' radius
- Sidewalks
- Brush grass and vegetation
- Stone swale which is similar to what you see as you leave this building, which is all mulch and rip rap to address runoff from the roof

All he can do is work with the Board to make a better plan. If cluster is not the desired choice, the Applicant's only other option is conventional plan. The requirements clearly state that conventional proof plan is based on dimensional regulations and use. It is a mathematical equation that was acceptable for the Pond View Estates and the Derby Woods subdivisions. Kathleen questioned why the proof plan didn't show the 300' setback. Rich Harrington noted that the conventional plan doesn't have that setback. Ernie Dodd pointed out that the regulations require a 300' setback for a cul-de-sac. Rich Harrington noted that the conventional plan would be a through road.

Kathleen Willis referred to Section 8.5.6.2 of the Zoning Bylaw, which states: "The number of lots allowed in the PCD shall be the number of lots into which the parcel could be divided and built upon under the normally applicable dimensional requirements and land use regulations."

Steve Quinn referred to Section 8.5.1 (PCD) of the Bylaw which states "It is not the intent of this bylaw to make undevelopable land developable, nor to permit an increase in the number of BUILDING LOTS that would otherwise be possible on a conventional plan pursuant to the provisions of the zoning bylaws that otherwise apply, but rather to encourage the preservation of important site features."

Kathleen Willis referenced Section 7.3.1 of the Subdivision Rules, which defines unsuitable land as "Land which the Board finds to be unsuitable for development due to flooding, improper drainage or adverse drainage, adverse topography, poor soils, bedrock, location of utility easements, or other features which the Board has reason to believe would be harmful to the safety, health and general welfare of the present and future inhabitants of the subdivision and/or its surrounding area, shall not be subdivided or developed unless adequate measures are formulated by the subdivider and approved by the Board to eliminate any short-term or long-term impacts created by the development of the unsuitable land."

Laura Spear reviewed the requirements for Site Plan Approval under Section 9.3.11.2 of the Zoning Bylaw. Rich Harrington questioned where it says site plan approval is required for a conventional subdivision. Ernie Dodd said it is done in conjunction with the PCD Special Permit. Ernie Dodd noted that a Special Permit would be required for a conventional subdivision, if you propose more than five (5) houses.

Rich Harrington said if the Board deems the property as unsuitable land due to topography, there is nothing he can do. If that is the position of the majority of the Board, he would like to see how those sections apply. He noted that a PCD would be less impact on the land.

Rich Harrington said Section 8.5.1 of the Zoning Bylaw refers to dimensional requirements. It doesn't refer to subdivision rules and regulations. He said a conventional proof plan is more of a picture. If you require a complete design of a conventional plan, the owner would have the engineer submit that plan. They wouldn't want to design the plan again for a PCD.

Steve Quinn said he doesn't think a conventional plan would be viable subdivision because of access from Acton. Rich Harrington said the conventional plan would be whatever the regulations require. It would mean more pavement.

Kathleen Willis said the conventional proof plan is missing many items, as outlined in Section 3 (Preliminary Plan Submission). Rich Harrington said those requirements do not apply to a proof plan. Cluster is an alternative form of development. Kathleen Willis said she would like to have Town Counsel verify what is required.

Rich Harrington requested that the Public Hearing be continued.

Joe Iannelli, Woodchester Drive, Acton, noted that the Applicant stated that Acton would not allow access from the Town of Acton and if they are showing access from Acton on the proof plan, they must have some hope of such approval. He also noted that, if they do a conventional plan, the development impact will be worse due to more pavement; therefore, concerns should be ratcheted up. Rich Harrington agreed. Laura Spear noted that a conventional plan for more than five units still requires a special permit. Rich Harrington said it has always been standard practice to not change the plan set until everything has all been discussed at the table. A conventional plan would also need subdivision approval from the Town of Acton, which is an option they have for the site. The third option is a Chapter 40B development, which is not intended to be a threat; it is just another option.

Rich Harrington said he would like to hear input from the Board about changing the radius and doing something different with the grass swales.

Kathleen Will stated that the Highway Superintendent of Streets stated that the drain going across Canterbury Road, as it exists, cannot handle existing conditions and therefore, cannot handle additional flow.

Rich Harrington said he is requesting continuance in fairness of accommodating the Applicant, Christine Sweeney. He understands the next business meeting is scheduled for November 18th.

Karen Kelleher asked if the Board has any direction for the Applicant on the issue of the road slope and radius. Board Members have no input at this time.

Ernie Dodd moved to continue the Public Hearing to November 18 2008 at 7:30 p.m. The motion was seconded by Steve Quinn and carried by a unanimous vote of 5 of members present (Laura Spear, Kathleen Willis, Steve Quinn, Len Golder and Ernie Dodd).

PUBLIC HEARING CONTINUED – STOW COMMUNITY RECREATION FIELDS

At 9:30 p.m., the Public Hearing continuance from October 7, 2008, to consider the Application for Site Plan Approval for Stow Community Recreation Fields on Old Bolton Road was called to order.

Laura Spear reviewed the Public Hearing Rules of Conduct.

Planning Board Member Len Golder recused himself, as he is an abutter to the property.

Access from leased parcel - Bob Wilber reported that the Stow Community Recreation Field working group went before the Board of Selectmen to discuss the access for the lease area. They shared a revised plan, resulting from input at the public hearing, which the working group feels evolved into a better plan. The plan was revised to limit access from the lease area to the front portion of the property with a gate. The Selectmen, by a sense of the meeting, are in unanimous support of the revised plan.

- The entire front parking area will be pervious/gravel.
- The plan was revised to allow for paving of the "T" walkway entrance.
- The shed will be heated for winter. Electric lines were added to the plan.
- The Water Resource Protection Overlay District designation was added to the Zoning Chart.
- The Residential designation was added to the zoning line.
- Signage was added to the plan ("No Trespassing", "No Dogs", "Dawn to Dusk", "No Parking", Construction sign) at appropriate locations.
- A second bike rack was added to the plan.
- The planting schedule was adjusted.
- They will confirm the new access with the Police and Fire Departments.
- Security Lighting will conform to the Zoning Bylaw.
- In response to concerns raised by Bose Corporation, the stonewall abutting the Bose property will be repaired, as necessary. Ernie Dodd questioned if Bose is satisfied with the plan to repair the wall rather than installing a fence as requested. Bob Wilber said they appear to be satisfied. He will have a site visit with Bose.
- Limit of work was pulled back to the lease line.

Public Comment

Len Golder, Old Bolton Road, said he still doesn't see how the noise issue was addressed as far as the bleacher overhang. He doesn't understand why the bleachers can't be in an enclosed site. He said you are talking about a fairly sizable activity site and there should be some type of noise control, such as padding.

Len Golder asked if the entrance/egress can be reversed, as the traffic coming in will be noisier because there will be more congestion than going out. Laura Spear said her personal experience is that congestion will be the same in and out. Ernie Dodd said there might be more noise on the exit because traffic will be accelerating.

Steve Mong, Old Bolton Road, noted, as lease holder, it should be understood that they will only be disturbing the very beginning of the parcel and won't be blocking off their exit. Bob Wilber noted that the tail end of discussion with Selectmen was that it would be their preference to amend the lease to exclude the area. When they finish this process (Site Plan Approval), they will go back to the Board of Appeals to close out that issue (Special Permit) and then to Selectmen with a final plan.

Steve Mong, Old Bolton Road, said he hopes shrubs or trees to be planted along the lease line are not too tall. Kathleen suggested he look at the plan and get back to the committee.

Bill Byron, Gleasondale Road, said his initial understanding was that the section of the land in the rear was to be for agricultural purposes. He understood the agricultural parcel was to be 6 acres. He didn't understand that the access road was part of the six acres. Since there are all

sorts of nit picking things coming up, the Town should give the lessee some of his money back and simplify things by leasing him five acres. Laura Spear noted that the Board of Selectmen is responsible to negotiate the lease. Bob Wilber said the Board of Selectmen will revisit the lease. It was recommended that they exclude the 50' strip. Bob Wilber will give Bill Byron a heads up in case he wants to attend the Selectmen's meeting.

Eric Bachtell, Stow Community Recreation Field Working Group, said the revised plan accommodates the lease area for the farmer.

Len Golder, Old Bolton Road, noted the basketball courts could possibly be more noisy than fields and suggested they be moved to the other end of the site.

Kathleen read Mr. Moseley's letter into the record.

It was noted that Mr. Moseley's comment about the red oak tree is a good comment. Flag lighting should not be an issue as the fields will not be open at night.

The Applicant was provided with information from the Lighting Sub-Committee. Kathleen Willis said they have two fixtures at their house that they are welcome to look at.

Kathleen Willis questioned why one of the notes was eliminated from Page GM. Dale Harris noted that the note was about water specifications that had to do with potable water, which they are not providing.

Kathleen Willis noted that one of Sue Sullivan's (Planing Board Consulting Engineer) recommendations was for an integrated pest management plan. Dale Harris responded that they will have an integrated turf management plan, which addresses fertilizers.

Steve Quinn noted the only issue remaining is a resolution as to the drop off area. He questioned if it will be used. Bob Wilber said he thinks it will be used for baseball, as it is a straight shot to the ball field. He also noted that the Council on Aging Van or other larger vehicles will use it.

Lori Clark asked if there will be a sign designating the drop off area.

Ernie Dodd asked if the shed will be heated. Dale Harris said they have not determined if the shed will be heated. Ernie advised that they keep in mind the site is in the Water Resource Protection District, if they plan to use oil.

Drop off area vs. landscape strip.

Laura Spear said her personal opinion is that the proposed drop off area is more practical and usable than a landscape strip; however, the Bylaw says it has to be landscaped. Eric Bachtell said the question is: Is the drop off area considered a driveway or parking area? Laura Spear said she understands they are looking for wiggle room in interpretation of the Bylaw, but the Board's job is to uphold the Bylaw. Board members all agree the drop off area is a driveway and not parking area.

Gravel Parking Area.

Members are also in agreement with the proposed gravel overflow parking area, as long as it meets the Water Resource Protection District requirements. Ernie Dodd said his major concern is infiltration. He also noted that this area will not be heavily used.

The plan was revised to provide timber stops and treatment swales.

Members also agreed to require signage indicating “no pets” allowed rather than “no dogs” allowed.

Len Golder, Old Bolton Road, noted that in addition to the entrance and exit, there will also be a drop off point, which means more noise. It was noted that the drop off area is on the Bose side of the site.

Len Golder questioned what the fence will be made of. Laura Spear noted there will be a variety of fencing: stockade, post and rail and metal. Eric Bachtell said they thought they would use a good quality vinyl fence. Members prefer wood fencing.

Ernie Dodd moved to close the hearing. The motion was seconded by Kathleen Willis and carried by a unanimous vote of four members present (Laura Spear, Kathleen Willis, Steve Quinn and Ernie Dodd).

Members discussed conditions to be included in the Decision:

- The Plan shall be modified to replace the red oak tree with a species that will not cause harm to the playing surfaces.
- No plastic fences shall be installed on the premises.
- Landscaping shall not exceed 15' in height at maturity, so as to avoid a solid hedgerow.
- The Applicant shall meet with Bose Corporation in regards to stonewall reconstruction and shall reconstruct the stonewall along the Bose property line, as needed.
- The Site Plan shall comply with the provisions of Section 3.8.1.5 (lighting) of the Bylaw.
- Property maintenance plan.
- There is no need for noise mitigation, as the Applicant provided a plan indicating compliance with the noise bylaw.

Len Golder said he doesn't know how noise issues can be fixed once it is built. Dale took noise measurements.

Kathleen Willis moved to approve the Site Plan with the following conditions:

- ***The Plan shall be modified to replace the red oak tree with a species that will not cause harm to the playing surfaces.***
- ***No plastic fences shall be installed on the premises.***
- ***Landscaping shall not exceed 15' in height at maturity so as to avoid solid hedge row.***
- ***The Applicant shall meet with Bose Corporation in regards to stonewall reconstruction and shall reconstruct the stonewall along the Bose property line as needed.***
- ***The Site Plan shall comply with the provisions of Section 3.8.1.5 (lighting) of the Bylaw.***
- ***Property maintenance plan.***

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

Laura Spear encouraged Bill Byron to send a letter to the Selectmen regarding his concern about the lease for the agricultural land.

ADJOURNMENT

The meeting adjourned at 10:25 p.m.

Respectfully submitted,

Karen Kelleher
Planning Coordinator