

TOWN OF STOW PLANNING BOARD

Minutes of the December 9, 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.

CORRESPONDENCE

Kathleen Willis asked if the Board would be willing to reschedule the December 16, 2008 meeting so that members can attend the Village Center Public Forum in the Town of Bolton, where the UMass-Amherst Bolton Village Center Design Team will present their final results on a Village Center Plan. Members agreed to reschedule the meeting to Thursday, December 18, 2008, provided that the appointments with Pulte Homes and Sweeney can be rescheduled.

PUBLIC INPUT - None

PLANNING BOARD MEMBERS' UPDATES

Land Use Task Force - Kathleen Willis reported that the Land Use Task Force Public Forum on Public Land was well attended and went well. Town Counsel did a good job and confirmed the complexity and ramifications of the Article 97 process. He cautioned that, if the Town doesn't want land to be restricted from municipal uses, it should not be given to the Conservation Commission and it is important to be careful on the wording when acquiring any land.

Lori Clark noted that Jim Sauta, Council on Aging Chairman, was present at the public forum and said the Planning Board could reverse its decision on the Arbor Glen Active Adult Neighborhood Special Permit to enable construction of a building for the Council on Aging on a portion of the designated open spaces. It was explained that the Decision was based on zoning that requires Open Space. A proposal to remove the open space restriction would be in violation of the Bylaw.

Kathleen Willis noted that she was disappointed that some of the Concerned Citizens of Stow members were not present.

Joint Boards Meeting on Community Preservation Committee Surcharge - Kathleen Willis reported on the Joint Boards Meeting, held on December 8, 2008, to discuss the Town's Community Preservation Act (CPA) property tax surcharge in light of the present financial situation and the projected constraints for FY 2010. The Board of Selectmen will be looking for a letter from Boards and Committees on their position. This action item will be added to the next agenda.

Elementary School Building Committee – Steve Quinn reported that the Elementary School Building Committee is in ongoing negotiations with Owners Project Managers. They expect to have a Request For Service for designers posted in the Central Register next Wednesday.

They hope to have something before MSBA for approval soon. The State has funds now and potentially the School Building Fund Account will be reduced by \$35 million. The next step will be to generate design drawings and then send to MSBA to negotiate price, etc. They may need to cut out some infrastructure such as fields, etc.

Len Golder arrived at this point in the Meeting.

Legislative Breakfast – Laura Spear reported on the MAPC Legislative Breakfast.

Highlights discussed included:

- Municipal relief package
- Encouragement of more regional programs and local agreements under authority of the Board of Selectmen rather than Town Meeting
- District technical assistance programs for 35 regional services
- Finding a way to ensure a 75% minimum CPA match
- Mark Raccicot talking about local technical assistance programs. The Maynard downtown district was funded through this program.
- MAPC is doing a corridor analysis for Route 9.
- MAPC is now focusing on inter-municipal staffing, such as co-funding a planner, Mutual Aid and purchasing; Assistance with Zoning and Master Plans.
- There is talk about the creation of a Metro West Regional Housing Trust.
- Arlington approved a plan for parking management and pedestrian mobility.
- Top priority for legislators is local aid, regionalization, water resource protection and the Green Community Program. They are also looking at Mass. Public Works Programs to be locked in 60-90 days so they won't lose federal funds. Laura suggested that maybe Stow should get the proposed roundabouts on the list.
- Lexington is encouraging new businesses and helping businesses stay.
- Susan Fargo estimates the economy will be bad through mid-summer.
- There are lots of proposals for making Chapter 40B more flexible. Only 25% of the 40B developments have been audited for financials, resulting in \$1 million dollars in opportunities. There was some talk about a regional 40B, which makes more sense to have affordable units in towns that have transportation. There is a recommendation for a 3-year moratorium rather than the existing 2-year moratorium. There is also talk about tying 40B to the Green Communities Act. It was noted that right now oversight and control is through the Zoning Board of Appeals who don't typically have a concept of Stormwater Management.
- Concord is looking at a local income tax triggered by a certain income level.

Ernie Dodd questions the concept of sharing staff because it is difficult to serve one master.

COORDINATOR'S REPORT

Karen Kelleher reported on ongoing activities in the Planning Department.

Arbor Glen – Mark Mastroianni of Pulte Homes is scheduled to meet with the Board to discuss the proposed trail plan at the next meeting.

Butternut Farm Golf Club - Karen Kelleher will report on her conversation with Town Counsel concerning the status of the Butternut Farm Golf Club's Special Permit in executive session.

BOARD OF SELECTMEN MEETING

Board members attended the Board of Selectmen meeting for a presentation on the Lower Village and traffic calming options.

SOILS OF STOW

Becky Mattison and Ingeborg Hegemann gave a presentation to Planning Board members on Soils of Stow. Becky Mattison, a Geologist, presented an overview of surficial geology and how glaciers work. She provided a Surficial Geology Map of Stow. Ingeborg Hegemann gave an overview of Stow soils and noted that there is a soil survey of Stow online. Karen Kelleher noted that there is also a copy of the soil survey in the Planning Office.

Ingeborg noted that if perc rates are fast, it is important to take a closer look at stormwater management because it won't get filtered. That is the reason why the Planning Board had Wildlife Woods do testing. Drumlins are good storage areas for subsurface water. Ingeborg said that USDA has a good training module. She will forward the link.

HIGHGROVE ESTATES PRELIMINARY PCD/SUBDIVISION

Members agreed to forward their individual input on the proposed Highgrove Estates Preliminary PCD/Subdivision to Karen so they can be incorporated into the draft decision to be discussed at the next meeting. Ernie Dodd said he liked the tone of the Memo from Bruce Fletcher concerning Hammerhead Lots. Laura Spear said she feels the Decision should be based on what was presented. It is not the Board's job to recommend options to be taken. She suggested that we provide the information after the decision is issued.

Members discussed how hammerhead lots would address the road grade. It was noted that it could be a common driveway with a narrower width because they would have the restraints of the Subdivision Rules and Regulations. They would still need a Special Permit from the Planning Board and would have to go to the Conservation Commission. Len Golder said he would be concerned that it would be more hazardous. Members noted that there would be fewer residences and the Town wouldn't have to maintain it.

Bruce Fletcher agrees the recommendation should not be part of the decision but noted that the plan meets the rules and regulations for the road. He feels that, if the application is denied, there should be some message conveyed that there could be a good alternative. Ernie Dodd said he agrees that it should be conveyed to the applicant that there are other options. Ernie Dodd further stated that he feels the land is unsuitable for development, as proposed. He is concerned about the retention ponds at the bottom of the hill.

EXECUTIVE SESSION

Ernie Dodd moved to enter into Executive Session to discuss pending litigation and to adjourn at the conclusion of Executive Session. The motions was seconded by Kathleen Willis and carried by a unanimous roll call vote (Laura Spear, Kathleen Willis, Ernie Dodd, Len Golder and Steve Quinn).

ADJOURNMENT

The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Karen Kelleher
Planning Coordinator