

TOWN OF STOW PLANNING BOARD

Minutes of the April 7, 2009, Planning Board Meeting.

Present: Planning Board Members: Ernest E. Dodd, Laura Spear, 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

Stow Independent email requesting input on a article on golf courses.

Members discussed an email from the Stow Independent. The Planning Board is supportive of golf courses in Stow. We have sponsored bylaw amendments to support winter activities and restaurants associated with golf courses. The Board is doing what it can to retain a sense of open space and recreation. The Town has an opportunity to promote itself as a destination place by marketing golf courses and other recreation.

Zoning Board of Appeals Public Hearings

The Zoning Board of Appeals held four public hearings on April 7, 2009:

- Special Permit for 214 Barton Road;
- Appeal from Unfavorable Action by Building Inspector for parcel on Sudbury Road;
- Variance for barn on Boon Road;
- Special Permit for 70 Pine Point Road

Land Use Partnership Act (LUPA) and Community Planning Act – 2 (CPA-2)

Members agreed to review the LUPA and CPA-2 proposals at the next meeting. Once the Planning Board reviews the proposals and outlines their preliminary thoughts, representative Hogan will be invited to a meeting to discuss the proposals.

PUBLIC INPUT – None

PLANNING BOARD MEMBERS' UPDATES

Citizens Planning Training Collaborative (CPTC) Annual Meeting

Lori Clark and Ernie Dodd attended the CPTC Annual Meeting in Worcester. Lori Clark shared information on Planning Board and Zoning Board Rules and Guidelines and Open Meeting Law. One of the workshops she attended was on Natural Resource Protection Zoning, which is a new form of zoning for large parcels in rural towns. It provides more flexibility on how and where the property is developed by starting with an assessment of the property to determine the developable area. It is more flexible than Stow's Planned Conservation Development (PCD) bylaw. Laura Spear noted that something similar is in the Smart Growth Tool Kit.

Elementary School Building Committee

Steve Quinn reported that the Elementary School Building Committee selected an Architect and hope to have drawings and numbers for an October Special Town Meeting.

Ernie Dodd noted there was an article in the Boston Globe about new "Green" modular buildings. Steve Quinn noted there was also an article about changes to MSBA funding, which seems to be less of a factor for Stow because we are in the process of moving forward.

Master Plan Committee

Karen Kelleher reported that Master Plan Committee will have a series of articles, describing sections of the Master Plan, in The Stow Independent with a map associated with each article.

Karen noted that Steve mentioned the Elementary School Building Committee is aiming for an October Special Town Meeting and that the Master Plan is aiming for a November Special Town Meeting. Karen doesn't think the Master Plan Committee could meet an October Town Meeting deadline. Steve Quinn said he thinks an October timeline for the Elementary School Building is optimistic.

Community Preservation Committee

Laura Spear reported that Dick Heaton, former Selectmen in the Town of Bolton, will be meeting with the Community Preservation Committee on Monday, April 13, 2009, at 7:00 p.m. to discuss ideas on Affordable Housing.

Len Golder arrived at this point in the meeting.

Lower Village Committee

Laura Spear reported that the Lower Village Committee is meeting tomorrow morning. The Committee's discussion on signs has been broadened to town-wide signage. The Chairman of the Lower Village Committee distributed an email today, suggesting that town-wide signage discussions be tabled and to re-focus efforts on Lower Village. Laura Spear also noted that Linear Retail was thinking about internally illuminated signs. It was agreed that the Planning Board should ask Linear Retail to come before the board to give an update on the status of the project and review their plans for signage. It was noted that it does not appear that they have started on the addition for Shaw's.

Gordon Whitman of Linear Retail, who has been part of the Lower Village Committee's discussions on signs said they were thinking of internally illuminated signs. Laura told the Lower Village Sub-Committee that recent Planning Board decisions reinforced the bylaw. Laura Spear said the Planning Board needs to touch base with Linear. It was noted that it does not appear that they have started work on the Shaw's expansion yet.

COORDINATOR'S REPORT

Orchard View

Karen spoke with Larry Miller of Brandymeade Circle concerning the Planning Board letter of March 18, 2009. He is hesitant to sign the letter because he has some concerns about potential damage to driveways, electrical box, septic system, leach field, etc. Karen suggested that the Board schedule a site walk to determine the access route, and she will talk to Sue Sullivan and the Board.

Wheeler Road

A Wheeler Road resident inquired about the potential for a 3-Lot Subdivision and 1 ANR Lot. Karen pointed out that it is a difficult site and it is not likely suitable for four lots due to wetlands and zoning. A portion of the lot is located in the Recreation/Conservation District.

RidgeWood at Stow Active Adult Neighborhood (AAN)

Harry Blackey called about the RidgeWood at Stow AAN. The Plan has not been endorsed yet, and they will be requesting an extension. Karen will schedule him to meet with the Board.

Kettell Plain Road

Received a telephone call from Janet Kelly of Kettell Plain Road, requesting an accounting of expenditures from the Bond. Karen forwarded an accounting and explained that we have not yet received an invoice from the Highway Department for labor. Janet Kelly was hoping that funds would be remaining to plant more trees as some of the trees did not survive.

PUBLIC HEARING CONTINUED – PROPOSED SUBDIVISION RULES AND REGULATIONS

At 7:30 p.m. the public hearing continuance from March 17, 2009 to consider proposed amendments to the Subdivision Rules and Regulations was called to order.

Bruce Fletcher arrived at this point in the meeting.

Members reviewed and agreed to amendments to:

Section 7.1 through 7.8 (see attached)

Section 7.9, Drainage – Members agreed to hold discussion until the next continuation date.

Section 7.10 through 7.11 (see attached)

Steve Quinn moved to continue the hearing to April 21, 2009 at 7:30 p.m. The motion was seconded by Ernie Dodd and carried by a unanimous vote of four members present (Laura Spear, Ernie Dodd, Steve Quinn and Len Golder).

STREET ACCEPTANCE

Laura Spear attended the Selectmen's public hearing on petitions for Street Acceptance. The Selectmen noted that Town Counsel and the Planning Board's Consulting Engineer had no issues. Laura Spear stated that the Planning Board has not voted, but she did not anticipate any problem.

***Ernie Dodd moved to recommend Town Meeting acceptance of the following streets:
Cider Mill Road***

- ***Kettell Plain Road***
- ***Ladyslipper Lane***
- ***Foxglove Lane***
- ***Woodland Way (Station 0+81.95- through 19+81.37)***
- ***Whispering Way (Station 10+00 through 13+00)***

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

WILDLIFE WOODS OPEN SPACE PARCELS

Laura Spear reported that during the Selectmen's meeting, it was reported that proposed deeds to convey the Wildlife Woods Open Space Parcels were included in the packet for Street Acceptance Documents. The Warrant will include an article for the Town to accept the Open Space parcels. The Conservation Commission made some comments to the Selectmen. Laura explained to the Selectmen that regardless on how the parcels are accepted, there are

limitations on uses allowed by the Planned Conservation Development (PCD) Bylaw. Karen had provided a copy of the PCD Bylaw. The Selectmen said they are hesitant to automatically hand property over the Conservation Commission and asked if there are any restrictions on placement of septic, wells, etc. They agreed to review the bylaw requirements at another meeting.

Lori Clark asked if the homeowners will be concerned about handing the open space over to the Town. It was noted that there will be a restriction on uses, regardless of who owns the land. Members reviewed the bylaw and noted that there is a requirement for a perpetual restriction in all cases. The Bylaw states that the Planning Board has authority to approve or disapprove a use.

Ernie Dodd moved to recommend that the Selectmen accept the Wildlife Woods Open Space Parcels with the provisions of the PCD Bylaw adhered to. The motion was seconded by Steve Quinn and carried by a vote of three in favor (Ernie Dodd, Steve Quinn and Len Golder) and one abstention (Laura Spear).

STOW RECREATIONAL FACILITY, OLD BOLTON ROAD

Len Golder recused himself from this discussion, as he is an abutter to the property.

Laura Spear reported that she received a call from Jim Henry of the Recreation Commission advising that they walked the site with Sgt. Lima, who had safety concerns about the fence screening along the front of the property. Karen Kelleher noted that Sgt. Lima stopped by the Planning Office and advised that the Police Department would like the property to be visible from the Street. Laura advised Jim Henry that because the screening is a Bylaw requirement, they would need a variance from the Zoning Board of Appeals to eliminate the fence. It was also noted that site plan modification would also be required.

Bruce Fletcher, Tree Warden, noted that elimination of the fence would result in saving some trees that are proposed to be removed, if the fence is installed.

Len Golder, abutter, said a key concern about the recreation facility was noise. The fence was a way to buffer the noise. He said he is also concerned with public safety, but doesn't see the fence as being a problem.

Bruce Fletcher, Tree Warden, recommended a slight shift to the exit drive in order to preserve a mature oak tree. He said he spoke with the design engineer who noted that they did not take existing trees into consideration. Bruce said he doesn't know what the Recreation Commission's position is, but they did receive his recommendation. Bruce said he hopes the Planning Board will support his recommendation to shift the exit drive.

Bruce Fletcher, Tree Warden, noted that he has a public hearing scheduled for April 14, 2009, at 2:00 pm for removal of public shade trees.

Len Golder, speaking as an abutter, asked where the proposed alternative driveway exit would be located. Bruce Fletcher suggested shifting it approximately 10 feet to the west (at the mail box).

Bruce Fletcher, Tree Warden, said the trees behind the wall are outside the Tree Warden's jurisdiction.

FUTURE AGENDA ITEMS

- Lower Village Water – Get an update from the Town Administrator; follow-up with Hudson Light and Power to coordinate underground utilities.
- Design Guidelines – Review the Town of Sharon's Post Office Design Guidelines and Town of Canton's Design Guidelines.
- Roundabouts – Review report on the pros and cons of roundabouts from the Franklin regional Council.
- Policy – Look into policies for slopes, lot area, stables and barns
- Release of Parcel X
- Subdivision Rules
- Lower Village Traffic – Set up a joint meeting with Police, Fire and Highway Departments

EXECUTIVE SESSION

Ernie Dodd moved to enter into Executive Session for purposes of discussing litigation and adjourn the meeting at the conclusion of the Executive Session. The motion was seconded by Steve Quinn and carried by a unanimous roll call vote of four members present (Laura Spear, Ernie Dodd, Len Golder and Steve Quinn).

ADJOURNMENT

The meeting adjourned at 10:15 p.m.

Respectfully submitted,

Karen Kelleher
Planning Coordinator