

TOWN OF STOW PLANNING BOARD

Minutes of the Tuesday December 15, 2009 Planning Board Meeting.

Present: Planning Board Members: Kathleen Willis, Leonard Golder, Steve Quinn, Ernest Dodd and Lori Clark

Planning Coordinator: Karen Kelleher
Administrative Assistant: Kristen Domurad

The meeting was called to order at 7 P.M.

REVIEW OF MINUTES AND CORRESPONDENCE

MINUTES

Ernie Dodd moved to approve the minutes of the November 24, 2009 meeting as amended. The motion as seconded by Steve Quinn and carried a vote of four in favor (Kathleen Willis, Ernest Dodd, Lori Clark, Steve Quinn).

CORRESPONDENCE

Highgrove Estates, Notice of Submission of Site Eligibility, State Application

Karen Kelleher advised the Board that the Selectmen had received a Notice of Submission of Site Eligibility for a 40B project on the Sweeney Property.

The Board discussed the pros and cons of this proposed project. Ernie Dodd suggested the Board respond to the appropriate state agencies and the ZBA (copying the Town of Acton Selectmen) with a copy of Highgrove Estate preliminary decision. He suggested highlighting concerns with the slope and potential drainage problems.

Ernie noted that affordable units are beneficial to the town, but not in areas that are unsafe to build. Steve Quinn also suggested adding in the letter the town's ongoing support of affordable housing and gave examples of the recently approved affordable housing projects at the last town meeting.

Kathleen Willis expressed concern that the proposed site conditions had not changed from their last proposed single-family project, which the Board denied and deemed the land un-buildable. Her concern was that with more units the negative impact related to slope, runoff and public safety would be even greater.

Ernie Dodd and Steve Quinn both questioned how the plan would manage sewage for all the units. Karen Kelleher explained that the plan shows separate septic systems for each triplex.

Steve Quinn asked if the town would have to accept the roads if the project was passed. Kathleen said that the Superintendent of Streets, Mike Clayton, noted that towns typically end up plowing the roads. [Lenny Golder arrived at 7:21.]

Email from Bill Chiarchiaro Re: Light Pollution Study Committee – Villages at Stow

Members discussed an email from Bill Chiarchiaro noting that the vinyl fencing at the Villages at Stow is illuminated by the Bose driveway lights.

Kathleen suggested the Board take into consideration the types of fences that are approved and that the Board should suggest alternatives to glossy fences.

Lori Clark asked the Board if the lights on the back of the condos in the Villages of Stow (which face Great Road) are in compliance with the decision. Kathleen explained that ZBA did not require full cut off during the approval process.

Ernie Dodd also noted that lighting at the old fire-fighting facility is very bright and would like to address the issue. Kathleen explained that the Board has no control over the lighting regulations at this site because it is State owned land. Ernie suggested writing a formal letter asking them to address some of the lighting issues and to copy Steve Coan, State Fire Marshall.

The Board asked Karen Kelleher to send an email to the lighting committee to take a look at these lighting issues mentioned above.

Email from Light Pollution Study Committee Re: Arbor Glen

Karen Kelleher notified the Board that the lighting was modified to be in compliance but some residents have been altering their lights by swapping out part of the fixture. She offered to check in with Craig Martin to see if he could still do a site visit.

Kathleen Willis suggested sending Bill Roop and Harry Blackey a letter about not using the light fixtures used by Pulte to only use ones that are full cut off and cannot be altered. This is to clarify information previously provided to them for the Ridgewood AAN.

PLANNING BOARD MEMBERS' UPDATE

Pedestrian Walkway Sub-Committee

Lori Clark updated the Board on the Pedestrian Walkway Sub-Committee's progress. Lori explained that the committee would like to implement the first walkway from 117 at Harvard Rd. to Old Bolton Rd. on the south side, where there would be fewer challenges and potentially more room in the right of way. Lori mentioned that the committee is brainstorming ways to acquire funding for the implementation of the walkways. One avenue the sub-committee will be researching is the use of CPC funds (which walkway would fall under open space/recreation). She noted that the committee would like to align their goals with the Recreation Commission's goals and not compete for CPA funding. The Sub-Committee will plan to speak with Mike Clayton, Superintendent of Streets, on this matter. Kathleen suggested the committee obtain information about submitting requests for CPC funds through Deb Seith. Karen Kelleher noted that the town could use CPC funds for the design of the walkways.

[Mike Clayton arrived at this point in the meeting]

Lori Clark asked Mike Clayton, questions about constructing walkways. Mike recommended the committee have a design scheme before going out to bid and offered to provide a list of contractors. Kathleen Willis asked Mike if the Town could avoid paying the cost for a design scheme by using money from the walkway fund to hire temporary employees to work under his supervision. Mike explained that this would be a good idea although the Highway Department equipment would have to be shared with other on going town projects, which would be very difficult to work around. Mike was asked if he could create a construction detail plan or provide a typical walkway spec. He explained that typically for walkways, they build as they go. He also suggested the committee stick with constructing byways which are 3'-4' and allow for bicycling verses State funded sidewalks which are required to be 6'.

Kathleen suggested the use of non-slippery planks in areas that would go over tree roots.

Ben Smith Dam

Ernie Dodd noted that the draft letter regarding the Ben Smith dam is in the packets. Karen Kelleher told the Board she would request that they continue to receive updated drafts.

The Board felt that the letter should include the statement about the Assabet River being a defining aspect of the Stow Community. Ernie would also like to emphasize that the treatment facilities should reduce their discharge accordingly to the state requirements before other alternatives are sought. He also suggested noting other contaminants that will be found in the process of draining the river.

APPOINTMENTS

Mike Clayton, Superintendent of Streets

Lower Village Problem Areas

Kathleen Willis explained to Mike Clayton that the Board originally discussed design plans for a roundabout in Lower Village but were recently advised by Coler and Colantonio to take a step back and define the problems in Lower Village first, then evaluate remedies. The Board asked Mike to attend the meeting for his recommendations for improvements to safety and the traffic flow.

Mike expressed that the town drainage system and drainage in lower village parking lots are in need of repair. He also thought curb cuts in lower village would help the traffic in and out of the businesses. Mike also supported putting utilities underground, and if the Assabet water line goes through, it should be done in conjunction. He suggested replacing street lighting with lighting that is also wired underground.

Steve Quinn added that they might qualify for an OAR grant for the drainage repairs/renovations. Steve also suggested gas style lanterns as an alternative if utilities are put underground and gave the example of Norfolk's downtown area.

Mike said that design plans could be paid out of Chapter 90 funds and estimates that \$12,000 would be available and that Lower Village it is in his top priority.

The Board discussed with Mike the possibility of aligning curb cuts by means of inter-lot connections between business parking lots. Karen suggested the Planning Board work with some of the businesses on this idea. Steve Quinn suggested having a plan for curb cuts in place for businesses who are willing to address the issue or if a special permit application is filed. Steve believes the owners would be in favor of the concept of moving curb cuts but not necessarily for the cost.

Steve Quinn asked Mike about the status of Samuel Prescott Drive. Mike told him that he is planning on updating the turning lanes in the spring.

Ernie Dodd asked Mike if he was in support of roundabouts. Mike expressed both his concerns and support. He stated that it would definitely help people change direction more easily but was unsure that it would help with through traffic although he would like to revisit the Lower Village traffic study.

Karen asked Mike if he had any preference in the future design of lower village concerning permanent traffic islands. He said he would prefer sloped granite and cape cod berms. He also suggested waiting on implementing permanent fixtures or design schemes until the plan for Lower Village is finalized.

Lenny Golder asked Mike about his thoughts about what problems exist in Lower Village. Mike stated that there is not a lot of foot traffic right now and wasn't sure if people thought there was.

Karen Kelleher explained that people are trying to encourage pedestrian traffic and there isn't much right now because it is unsafe.

Mike told Steve Quinn that he would be in support of helping put together a Master Plan for Lower Village.

Mike explained that Chapter 90 money should support the plans for the beginning but beyond that, grants or other funding will need to be acquired.

Lori summarized the issues in Lower Village both from the Planning Board and Superintendent of Streets:

- Traffic Calming and flow, drainage, and walkability.

Some examples of solutions are:

- A roundabout, curb cuts, drainage being undersize, streetscape, underground utilities, curbing, sidewalks, plantings and streetlights.

A board member mentioned changing the speed limit. Mike commented saying it would take a lot of time and effort to do the studies and paperwork required and the State could deny the town's recommendation. He believed that redesigning the road could help this problem without spending the money to attempt a speed limit change.

Ernie Dodd suggested creating a Master Plan for Lower Village. Karen advised the Board that they would need to hire someone to do this.

Ernie then suggested putting together a statement of work and giving it to Mike Clayton for review and place it out to bid. Kathleen asked Karen if they would need to request additional money in next year's budget to meet this need.

Karen Kelleher offered to talk with Coler and Colantonio and FST to get an idea of an amount to budget for in FY 2011.

The Board discussed hiring Sue Sullivan (Carter) to create a plan because she is familiar with the community and understands its interests. They also discussed having a consultant create a statement of work.

Mike Clayton requested a copy of Coler and Colantonio's slideshow presentation.

The Board discussed past ideas for Lower Village such as a gazebo in the common an how some residents were opposed.

Town Building Parking Lot

Ernie Dodd asked Mike about the additional parking lot for the Town Building, Mike said that the Town Administrator, Bill Wrigley, cleared him to begin work on the expanded parking lot in the spring.

The Board thanked Mike Clayton for his time.

COORDINATOR'S REPORT

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

Arbor Glen Bond Reduction

Karen Kelleher notified the Board that Arbor Glen asked for a bond reduction but Sue Sullivan, the Town's engineering consultant asked for a more detailed list of items completed before making a

recommendation to the Board. Kathleen Willis commented that the basins need mowing and that the Planning Board should create a list of basins in need of maintenance.

Villages at Stow

Karen told the Board that she sent a reminder for the Villages at Stow that they owe \$10,566 to the sidewalk fund.

Brandymead Cir.

Karen reported to the Board that Brandymead Circle subdivision does not have a cash bond, but a bank bond. Karen will write a request to the bank to have the bond money released to the Board to complete the project.

Third Floor Conference Room

Karen told the board that the new conference room is almost complete and that there are some funds for chairs, they will bring the table in the Planning Office into the new room and replace it with the smaller conference table stored in the attic.

DISCUSSION/ACTION ITEMS

Elementary School Building Plans

Lew Halprin attended the meeting to discuss his idea for the stone building and the Elementary School plans. (See attached drawings) Lew explained that he was directed by the Building Inspector, Craig Martin to address the Planning Board and Selectmen with his plan. He hoped to keep the stone building, without putting the School Building project on hold. He suggested cutting out a parcel on the grassy knoll, which would contain the old stone building, which would be separate from the school property. He had several ideas of either keeping the stone building in place, moving it further onto the knoll and/or moving the West School and the Blacksmith shop to this proposed, "historic knoll." Lew suggested some future uses for the stone building such as storing historic wagons and farm equipment inside. He explained that on this separate parcel they could grant an easement for the school parking lot using Bruce Fletcher's parking design scheme.

Kathleen Willis asked about the historic nature of the blacksmith shop and its origin being from Maynard. Lew explained that it was brought over by farmer Larsen and was a working blacksmith shop in Stow. Ernie Dodd noted that he did not believe the blacksmith shop could be torn down because CPC funds were used to fix it. Lori Clark asked about the proposed easement given to the school for parking, Ernie commented that if it is all town owned it would not make a difference. The Board discussed the vacant lot near the old West School, which could be sold for funds.

The Board discussed the difficulty and cost of moving historic buildings as well as the potential of loosing the historic aspect by changing its location.

Karen explained that creating a separate parcel could take a substantial amount of time because it would need to be done by a town vote.

Lew explained that there is some argument about the property being historic or historical (meaning historical things have happened) the MA historical commission is currently trying to obtain details about the nature of the stone building and the parts of the center school that needs to be torn down— they want to make sure its not of historic nature.

Steve Quinn commented on Lew's suggestion brought forth to the Planning Board. He noted that in essence the stone building could be sealed up and not used for educational purposes and it wouldn't count towards the square footage of the project, it would only count if it were renovated. So designating

a separate parcel for the stone building would not be necessary. All that would be needed is a new parking configuration such as Bruce Fletcher's example.

Steve explained that members of the Elementary School Building Committee were concerned that asking for a new design for this parking lot would set them off budget and off schedule.

Board members questioned the difficulty and time of creating a new parking lot design. Steve Quinn commented on Bruce Fletcher's design stating that it actually allows the Pre-K playground to have more space and noted that a small change such as this should not take a lot of time and shouldn't be difficult to amend before the final draft is due to the MSBA.

Lew Halprin commented that since the Massachusetts Historical Commission is now involved it could trigger a large amount of paper work stalling the process of the project especially if the building were found to be of historical significance. He also stated that the Historical Commission was not unanimous in wanting to keep the building or memorialize it.

Steve Quinn agreed that the decision to keep the stone building, at this point, could be made by someone outside of Stow (MA Historical Commission). He said that the School Building Committee is willing to spend the money to keep the project on budget and on schedule by fighting the Massachusetts Historical Commission but this too may jeopardize the design going out to bid.

Steve also explained that the plan to memorialize the stone building would come at a large expense. Lori Clark questioned how the cost for a new design of the parking lot would compare to the cost of fighting a potential litigation against the Massachusetts Historical Commission. Steve Quinn commented that he did express the cost to memorialize or knocking the stone building down would be more expensive than keeping it in place and the money spent on a litigation could far exceed the cost for a new parking lot plan.

Lori Clark stated that the only guarantee, given the uncertainty of the Massachusetts Historical Commission, at this point to stay on schedule and close to budget is to go with a new parking design around the stone building and closing the stone building up, she felt from a project management standpoint, this is the only path that provides the least amount of risk and barriers to the schedule and budget. The Board agreed that at this point, from a financial and management standpoint, the cost would be much less to keep the building.

Ernie Dodd said he would be in support of transferring the land that Lew suggested into a separate parcel.

Steve Quinn mentioned that this process could take even longer and is not necessary.

The Board was hesitant to vote on a recommendation in fear it could hinder the time line of the School Building project and could cause unnecessary friction. Karen Kelleher asked the Board if they would rather have Steve Quinn bring up their concerns at the next MSBA meeting in order to express their concerns of the project being delayed.

Steve Quinn agreed to bring this item up at the next meeting and said that they will most likely be holding an emergency meeting on Monday and believed the argument is valid and may appease both parties.

Standard Operational Procedures

Karen Kelleher informed the Board that the Board of Selectmen would like the boards and sub-committees to submit their input for standard operating procedures.

The Board decided to read the draft given to them from the Board of Selectmen and email their comments to Karen who will compile them together for discussion at the next Planning Board meeting.

Land Use Partnership Act and Community Preservation Act Prepare for 01/05/10 meeting

Karen Kelleher advised the Board that Senator Eldridge will be attending the meeting on January 5th to discuss pending legislation on LUPA and CPAII. She had not heard back from Representative Hogan concerning her attendance at this meeting yet.

Karen updated the Board that Laura Spear attended the last Legislative Brunch and reported that the MAPC is very much in support of LUPA but MMA is not. She stated that many town members who were present were very vocal about their concerns with both LUPA and CPAII.

Lori Clark commented that it may be a conflict of interest to have MAPC deeply involved with the legislative process because they would play a critical roll in terms of staffing from it being approved.

Karen stated that Laura Spear also reported that town representation suggested passing sections of the legislation in sections rather than a whole. A representative from MAPC and Senator Eldridge were opposed to this idea and wanted to pass the legislation as a whole package.

Steve Quinn requested the original letter and graph the Board sent to the Senator and Representative to be emailed again to Planning Board members.

Karen notified that Board that only Don and Marcia Rising, and Donna Jacobs have responded to the invitation to the meeting. She will send out another reminder to the Board of Selectmen and surrounding towns.

The Board decided to concentrate on their main concerns voiced in their letter to Senator Eldridge and Representative Hogan. They plan to meet on Monday January 4th to review the topics they will be discussing at the January 5th meeting.

EXECUTIVE SESSION

Kathleen Willis moved to enter into Executive Session for the purpose of discussing on going litigation and to adjourn at the close of executive session. The motion was carried by a unanimous roll call vote (Kathleen Willis, Steve Quinn, Leonard Golder, Ernest Dodd and Lori Clark).

Lenny Golder recused himself from the meeting at 9:45 P.M.

The meeting was adjourned at 10 P.M.

Respectfully submitted,

Kristen Domurad
Administrative Assistant