

## **TOWN OF STOW PLANNING BOARD**

Minutes of the September 21, 2010 Planning Board Meeting.

Present: Planning Board Members: Kathleen Willis, Steve Quinn, Lenny Golder and Lori Clark

Absent: Ernie Dodd

Administrative Assistant: Kristen Domurad

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

### **REVIEW OF CORRESPONDENCE AND MINUTES**

#### **Correspondence**

##### **Detention Basins**

Kathleen Willis requested they discuss the need for the Planning Board to notify Mike Clayton, Highway Superintendent, of all the detention basins that need to be mowed throughout town. She requested this be added to their next agenda.

*Steve Quinn agreed to add this to the next Planning Board agenda.*

#### **Addendum to Planning Board's response to Plantation Apartments Comprehensive Permit Application**

Kathleen Willis expressed her frustration that there were items discussed at the September 7, 2010 meeting that were not mentioned on the addendum to the Planning Board's review memo. Kathleen stated that at this meeting they discussed changing Page 3, #9 and Page 5, #13 and #14 to read as the following:

***The Planning Board supports the requested exception. Parcel A is in fact an addition to Plantation Apartments I (neighboring Lot U11-13-). ~~and therefore should be considered as one for purposed of making a determination on this comprehensive permit.~~***

Kathleen stated that the hearing was now closed so that an addendum could not be sent.

#### **Pompositticut Use Study Committee**

The Planning Board discussed suggested uses for the Pompositticut School. Some members noted they completed the online survey.

The Planning Board suggested the space at the Pompositticut School be used as a multi-generational center, which could include the Veterans' Services Officer, Recreation Department, the Council on Aging and other offices currently residing in the Town Hall.

Steve Quinn suggested the Town could consider leasing office space to the Nashoba Regional School District. Members also noted they understand there have been discussions about moving the Library to Pompositticut School. Although this is not their first choice, they would not be opposed to this suggestion, as it would provide more space for parking than at the existing

library. If the library is moved to the Pompositticut School the Planning Board suggests the vacant library space be used for municipal purposes such as office space for Veterans services officer or offices currently in the Town Hall.

**Letter from Craig Martin, Building Commissioner to Kelly Reynolds RE: 124 Great Road**

Steve Quinn noted that the Auto Inspection business is required to seek a Special Permit from the Zoning Board of Appeals, as the use was determined to be discontinued or abandoned more than two years by Craig Martin.

Kathleen Willis stated this determination was what the Planning Board originally said should happen.

**Star Tower and T-Mobile Wireless Special Permit Application**

The Planning Board discussed the Zoning Board of Appeal's public hearing. The Planning Board felt the meeting was handled well and that abutters, Town Counsel and ZBA members had supportive responses as to why the cell tower is legally not appropriate for this location.

Steve Quinn reported that both parties agreed to have an independent consultant survey the surrounding area for viable service.

**Minutes**

*Lori Clark moved to approve the minutes of the August 17, 2010 Planning Board meeting as amended. The motion was seconded by Kathleen Willis and carried a vote of three in favor (Lori Clark, Kathleen Willis and Steve Quinn) and one abstaining (Lenny Golder).*

*Kathleen Willis moved to approve the minutes of the September 7, 2010 Planning Board meeting as amended. The motion was seconded by Lenny Golder and carried a vote of four in favor (Kathleen Willis, Lenny Golder, Lori Clark and Steve Quinn).*

**PLANNING BOARD MEMBERS' UPDATES**

**Pedestrian Walkway Planning Sub-Committee (PWP)**

**Interviews for open position**

Lori Clark reported that the committee conducted interviews with Joelle Spear and Phyllis Fitzsimmons for the member at large position on the PWP committee.

The committee was very impressed with both candidates and would like to recommend the appointment of Joelle Spear to the committee as a member, and Phyllis Fitzsimmons to the committee as an associate member.

Lori stated that it was a tough decision, but Joelle Spear's background in fundraising, grant research and real-estate would be beneficial to the committee.

*The Planning Board will vote at their October 5, 2010 meeting to appoint a new member to the Pedestrian Walkway Planning Sub-Committee.*

### **Conceptual Plans for Walkway**

Lori reported that Sue Carter Sullivan had created conceptual plans of the proposed phase I walkway. Currently survey work is being done this week and they expect to get complete conceptual plans in the next few weeks.

Lori reported on Sue's concerns from each section of the walkways along Route 117:

#### **Old Bolton Road to Hudson Road:**

- Jim Salvie spoke with Bruce Wheeler of Habitech, Inc. about constructing walkways along Rt. 117 as dictated by their special permit. The committee is also requesting a walkway easement behind the guardrail and culvert. Sue suggested the walkway be constructed behind the guardrail and culvert as there may not be enough room between the guardrail and Rt. 117 and behind the guardrail is much safer. The committee is waiting to hear back from Bruce Wheeler, once his engineer reviews the area mentioned.
- Sue suggested using stamped pavement across Applefield Farm curb cut to signify a pedestrian walkway to cars.

#### **Hudson Road to Harvard Road:**

- Lori reported that there are no big obstacles in this area. She stated that with Sue's calculations it is not likely to have a grass strip along the entire walkway.
- There is one mailbox in the right of way and one resident who has plantings in the right of way extending to the street.
- A crosswalk is recommended before Harvard Road on the east side and to use stamped pavement and caution signs for pedestrians.
- Lori Clark suggested using triangular advanced warning markers painted on the pavement before the crosswalks
- Sue suggested the crosswalk on Hudson Road be setback just enough from the intersection so that the site line is better for cars, but not too far for people to walk.
- Lori Clark noted that a light would be helpful at this intersection

#### **Stow Center:**

- Sue will be providing this section of the conceptual plan for their meeting on Wednesday

### **Elementary School Building Committee (ESBC)**

Steve Quinn reported that the committee decided not to pursue an article for town meeting as the school enrollment projections do not support adding the additional classroom space at this time.

### **COORDINATOR'S REPORT**

Members reviewed Karen Kelleher's coordinator's report of the ongoing activities in the Planning Department.

### **Ridgewood AAN**

Karen met with Bill Roop and Harry Blackey to provide some clarification to the Planning Board's letter of August 18<sup>th</sup> concerning submission requirements for a Subdivision Plan. At this meeting she reiterated the Board's concern about issues raised by Town Counsel concerning a Homeowners' Association vs. Condominium Association. She explained that it is the Board's

understanding that a Homeowners' Association does not have the same legal clout as a Condominium Association. They plan to have their attorney respond to this concern.

They requested time on the October 19<sup>th</sup> Agenda to discuss the application before it is formally filed and agreed to be prepared to provide legal documentation with regard to the Homeowners/Condominium Association issue. They also noted concern that the Board did not make a determination as to the request for a waiver of the Application Fee, which could be close to \$20,000.00. They argue that, because all the plan details (drainage, road profiles, etc.) were already reviewed under the AAN approval, the standard subdivision fee is unreasonable. They will most likely be looking for a sense of the Board as to whether you will entertain a reduction in the Application Fee.

The Planning Board discussed Ridgewood's request for a reduction in the subdivision application fee, as the subdivision is part of the AAN project. Kathleen Willis stated she did not think it would be fair to give them a fee reduction.

*The Planning Board will discuss this item at their meeting on October 5, 2010.*

### **Arbor Glen**

Karen Spoke with Mark Mastroianni of Pulte Homes concerning an easement document for the public access trails. She explained that it is the Board's understanding that the entire trail system, including the path that leads between two of the AAN units to Heather Lane is intended to be public access. Mark argued that the language in Section 7.32 of the Decision is clear that it was not intended to include the trail that crosses the condominium land along the eastern side of the site, which connects to Heather Lane. He further stated that it was never intended that public access would be granted along Heather Lane. She explained that it was her understanding that the "intent" was to have a continuous trail from Hudson Road on the west side of the street, through Open Space Parcel A, connecting to Open Space Parcel B to Heather Road back out to Hudson Road. Otherwise the trail would be dead-ended. Mark argued that the Town would have access to Hudson Road on the east side of the site through Open Space Parcel B, which was conveyed to the Conservation Commission. Although he also noted such access may be difficult due to wetlands.

Kathleen Willis will look back at her notes from the meetings where they discussed the Arbor Glen public trails.

### **Derby Woods Trail**

The Conservation Commission did not find the trails suitable in the present state for pedestrians and/or equestrian use. There was some question in whether the trail needed to be completed before the 22<sup>nd</sup> building permit or occupancy permit. It was confirmed that the trails need to be completed before the 22<sup>nd</sup> occupancy permit therefore the Board finds that Habitech would have sufficient time to complete the trail as proposed by the Conservation Commission before the issuance of the 22<sup>nd</sup> occupancy permit.

*The Planning Board requested to send a letter to Habitech stating their expectations mentioned above.*

*The Planning Board would like to invite the Conservation Commission to their next meeting to discuss the language to incorporate in future decisions involving trails that are to be given to the Conservation Commission.*

### **Derby Woods Request for Minor Modification/Field Change**

Karen's report stated that Mr. Avery requested his driveway entrance be moved to accommodate large delivery trucks into his driveway. Mark White said he supports the proposed change and is seeking input from the Board. Karen told him that it was too late to post it as an agenda item for tonight's meeting, but could bring it up to get a sense of the board. Mark planned on paving next week, and suggested that he might go forward with the change at his own risk understanding that he may have to correct it if the Board does not agree.

The Planning Board reviewed the attached correspondence on this request and decided to advise Mark White of Bentley Builders to hold off on constructing the driveway until they can review their consulting engineer's comments and make a determination.

### **Habitat for Humanity and Housing Production Plan**

Donna Jacobs requested time on the Planning Boards agenda for an up coming meeting to discuss a Habitat for Humanity project and the Housing Production Plan. The Planning Board suggested unless the issues are time sensitive, meeting with her at a meeting after the October 5, 2010 meeting as it is already full.

## **DISCUSSION/ACTION ITEMS**

### **Lower Village**

#### **Lower Village Sub-Committee**

The Planning Board revised the draft memo to the Lower Village Committee requesting they complete a final report and provide the Planning Board with a timeline as to when they will dissolve the committee.

### **Lower Village Planning**

Steve Quinn stated that he would begin to create a formal process for collecting ideas and goal setting for the lower village planning efforts.

Steve stated he wanted to focus on design guidelines in order to control the look and placement of new development and to obtain this information through a public process. He stated that the desired vision could lead to new zoning, policy or bylaws.

Board members mentioned that they would like a lot of public involvement; some suggestions were to have small venues but more of them. Other ideas were to hold events in Lower Village and to contract out for a facilitator for the public forums.

The Board discussed using incentives for businesses and developers to follow the design guidelines if they choose to make them polices verse bylaws.

Steve Quinn noted he would like to work on creating a new visual preference survey with Karen Kelleher and Kristen Domurad. It was suggested to ask other communities who have gone through a similar planning project how they facilitated public involvement and what methods were beneficial.

The Board then looked over the Visual Preference Survey from 2005 and a current Zoning Map of the Lower Village.

Some ideas mentioned for the area were:

- Looking into Medfield's Bylaws
- Ways to encourage connections to trails, and businesses associated with outdoor recreation
- Changing uses allowed in certain zoning, i.e. allow Auto Repair Shops in the Commercial District
- Revisiting the "transition zones" in the earlier proposal, by allowing for transition zoning within current businesses zoned areas

Steve Quinn suggested the Board think about the zoning on the north side of White Pond Road for the future because the south side could be developed commercially at any time with the current zoning. He stated that once the south side is developed, people living on the north side might want the opportunity to sell to residential and/or business and commercial.

Lori Clark stated that she believed the Planning Board should show that they could control zoning in the current business district before proposing a change to zoning or uses in other areas. She said that zoning violations are still a problem in the Lower Village and she heard there might be a new business in the White Pond area without a permit. Lori was also concerned that new developments could become dumps.

Steve Quinn noted that if a developer puts a substantial amount of money into redeveloping a site they are not likely to let it look like a dump.

Lori Clark stated that although the south side of White Pond Road is zone commercially, it's not a problem for the residents on the north side because the current businesses are set back from the road providing a scenic view for the residents.

Steve said there is nothing in the current bylaws keeping the site that way.

Steve Quinn stated that he was not suggesting the Board take on altering zoning in current residential land right now, but to revisit the business and commercially zoned land and uses by envisioning what the Town would like to see in a business or commercial zone.

He stated that with the current zoning the entire south side of White Pond Road could be developed into a generic Walgreen's or Chilies with no guidelines. He said that at some point in the near future water will be available for these parcels and the economy will turn around. He stressed that this is why the Board needs to concentrate on putting design standards and zoning in place so Lower Village will become a desirable place.

Lori Clark and Kathleen Willis stated they understood the current problem and that they should show images to the public of what could happen with current zoning if nothing is done, versus what it could look like if changes were made.

Kathleen Willis said it would be nice to get a kayak shop or shops geared towards recreation uses for the trails and river towards the Stow/Maynard border off White Pond Road.

Board members agreed, and Steve stated that it is important to keep in mind that larger developments will most likely come in before smaller shops.

The meeting adjourned at 10:38 P.M.

Respectfully Submitted,

Kristen Domurad  
Administrative Assistant