

## **TOWN OF STOW PLANNING BOARD**

Minutes of the October 19, 2010 Planning Board Meeting.

Present: Planning Board Members: Kathleen Willis, Lori Clark, Leonard Golder, Steve Quinn, and Ernest Dodd  
Associate Member: Brian Martinson  
Planning Coordinator: Karen Kelleher  
Administrative Assistant: Kristen Domurad

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

### **APPOINTMENTS**

#### **Conservation Commission**

Members of the Conservation Commission discussed the status of the trail at the Derby Woods Subdivision and methods for dealing with future trail requirements.

Kathy Sferra, member of the Conservation Commission, stated that it is very difficult to create a blanket set of requirements for all trail construction as each trail requires unique details depending on the function of the trail and existing conditions.

Bruce Trefrey, Conservation Commission Associate and Land Steward suggested using the Appalachian Mountain Club or similar trail standards as a basis for describing specifics on types of trails. Bruce stressed the importance of walking the area where the trail is proposed, in order to determine appropriate placement of trail and potential problems. As an example, he noted that if erosion is a problem water bars should be installed.

Kathy explained that the Conservation Commission and Planning Board should discuss the goals of each trail, and it's use and function related to connecting the trail corridor.

Members of the Planning Board and Conservation Commission agreed that this discussion should take place before the conditions of the Planning Board Special Permit or Subdivision are finalized. All agreed that a site walk with the Conservation Commission, Planning Board and developer should be conducted where the proposed trails are to be located.

Kathy Sferra noted that some developers are not familiar with trail construction and that some towns have given developers the option to donate to a trail fund for use in that same development. Then if the trail is not needed in the short term, the Conservation Commission could construct it in to their liking at a later date. She suggested the fee be equal to the cost of constructing the trail.

Kathleen Willis suggested considering all aspects of trail construction be incorporated into the fee such as a fence or gate.

Pat Perry, Conservation Commission Coordinator, stated that the Derby Woods trail is very unique. This trail unlike others does not follow a preexisting cart path or woods trails.

Pat stated that the Conservation Commission did not approve the current status of the trail, as it is not safe and is not built for pedestrian or equestrian use as described in the Planning Board decision.

Karen Kelleher stated that in the Planning Board's decision states that the trail should be built for pedestrian and equestrian use. She also noted that Habitech was confused as to what was expected of them, but they did not seek out the Conservation Commission's guidance before building the trail, according to the decision which states trail construction standards shall be subject to approval of the Conservation Commission.

Kathleen Willis added that the Planning Board holds the bond money for the Derby Woods subdivision and can hold it until the Conservation Commission is satisfied with the trail.

Karen Kelleher asked the Conservation Commission if the trail location should be moved.

Pat Perry stated that the current location of the trail is a safety concern because it is located very close to the storm water basin, a very steep drop. Conservation Commission members agreed.

Pat stated that to date the Conservation Commission does not control any trails that present as great a concern, as this one.

David Coppes asked if the statement in the decision that notes the trail can also be used to access the storm water basin for maintenance might be a reason why the trail was built so close to the storm water basin.

Ernie Dodd noted that the trail was intended to be used for the dual purpose of accessing the basin for maintenance but that the trail should be modified so that pedestrians and equestrians are not put in danger due to the steep drop off.

Kathy Sferra noted that trail surface is also an important aspect of an equestrian trail.

Steve Quinn suggested the Conservation Commission to provide the general standards to the Planning Board and then both boards should conduct a site walk through the current trail at Derby Woods with Habitech to discuss an alternative path and appropriate construction.

*Karen Kelleher will contact all parties to set up a time for the site walk through the Derby Woods open space trail.*

[7:25PM Lenny Golder arrived at this point in the meeting].

**Bill Roop and Harry Blackey – Ridgewood Active Adult Neighborhood (AAN)**

Bill Roop and Harry Blackey of the Ridgewood AAN development discussed modifications they wished to make to the Ridgewood AAN plan.

The Board discussed the new State law, Chapter 240 (Permit Extension Act) which grants a two-year permit extension to existing municipal permits that were in effect between August 15, 2008 and August 15, 2010. Harry Blackey and Bill Roop were under the impression that the two year extension began after their agreed upon permit expires (which was previously extended to 6/24/2011 by the Planning Board).

Karen Kelleher stated she was also under this impression, but would confirm with Town Counsel.

The Planning Board will wait for clarification from Town Counsel but did not see an issue either way.

Harry Blackey explained that they were also asking for a sense from the Board about a modification to the AAN Special Permit. This modification would consist of creating lot lines, subdividing 18 of the detached homes so that individuals could own properties. These properties would still be controlled under the umbrella organization which would encompass the homeowner's/condo association. They hope that this modification would appeal to a more diversified market.

Harry Blackey noted that section 8.8.7.8 of the Zoning Bylaws states that an AAN could be built as a subdivision and that they would have done a mix or ownership and condo ownership if they had originally thought of it when they first submitted their application. He gave examples of other towns with similar ownership structures, such as Pine Hills in Plymouth, MA.

Ernie Dodd asked what the approximate frontage and lot size would be of the 18 individual lots. Harry Blackey stated that on average the frontage would be about 150ft. feet and the lot size would be around 1 acre.

Harry Blackey expressed that they are also requesting to submit the plan showing the subdivision of land, with lot lines, acreage and frontage in a 1in.=150ft. scale as a modification to the AAN Special Permit and to refer to the AAN special permit for all other conditions and construction plans.

He explained that they did not want to submit two separate construction plans in fear it would cause confusion.

Kathleen Willis asked Karen Kelleher if it would be necessary to have two separate submissions.

Karen Kelleher stated that if they submit the subdivision and modification to the Special Permit in one packet would be in the same file so as to not cause confusion. The Decision would be similar to a PCD Subdivision and all documentation.

Harry Blackey stated that they would be submitting 20 copies of the new Subdivision record plan and on this plan would reference the AAN Plan Sheets.

The Planning Board stated that they were in agreement for Ridgewood to submit the subdivision and modification to the AAN special permit as stated above.

Bill Roop and Harry Blackey expressed their understanding of the Board's concern that Homeowner's Associations do not have the same legal weight as a condo association as indicated in the Planning Board's letter dated August 18, 2010.

They plan to have their attorney submit a draft document to the Planning Board for review by Town Counsel describing the legal terms of the organization.

Karen Kelleher noted that typically the Board asks for attorney fees for reviewing plans.

Harry Blackey and Bill Roop requested they only be charged once for the review, as typically it would be reviewed again with the entire filing.

They also requested a waiver for the filing fee of the subdivision.

Karen stated that since they are filing as a modification and not a separate filing, that the fee estimate of \$20,000. may not be appropriate to cover costs incurred, but that there should be a filing fee.

*The Board requested Karen would draft an amount to include the time it will take for both her and Kristen to process the filing and time spent for the public hearing and drafting the decision.*

#### **Pedestrian Walkway Planning Sub-Committee Chair Kris Wile Update on PWP Phase I Implementation**

Kris Wile and Lori Clark updated the Board on the status of the committee's work.

Kris Wile reviewed the goals and vision of the committee.

She noted data from the online and Spring Fest survey that, 85% of Stow residents are supportive of increasing walkability in Town. She stated that the surveys indicated community support and that there were few obstacles in the Phase I Plan, some including grading and expenses.

Kris reported on the workshop, Public Rights of Ways, which she attended earlier that week stating that she learned of funding opportunities available. She suggested tapping into transportation enhancement project funding, which is geared towards to pedestrian and cyclists. Kris also stated that the Safe Routes to School funding might be very difficult to obtain. She said that several residents have asked for maintenance of current sidewalks, she explained that money in the sidewalk fund is strictly for building new sidewalks and unfortunately, there was no mention of funding for maintenance of sidewalks at the meeting she attended.

Planning Board members noted that funding for maintenance of sidewalks would require a vote at town meeting for extra funds.

Kris stated that the committee had questions concerning the new snow removal law requiring landowners to remove the snow off the sidewalk if it is located on an easement on their property. She noted that phase I would not require landowners to remove snow from sidewalks in front of their homes because they will all be in the right of way. She said this could be an obstacle for Phase II, as many roads, such as Hudson Road, will require easements.

Kris then discussed the few areas where obstacles are present in Phase I. She noted that a few people have noted concern about losing the two parking spaces off Great Road along side the Town Hall.

She acknowledged those who have concerns about losing the parking spaces, but noted that the Public Safety Officer, Superintendent of Streets, Bruce Fletcher, and their Consulting Engineer, Sue Carter Sullivan, all agree that parking on the north side of Great Road along the Town Hall is not a safe place to park. She stated that parking is an issue for Town Hall and Town Building and that they have heard several ideas to solve the problem but as their focus is on pedestrian walkways they did not want this to impede them from continuing with the effort of connecting the walkways between Town Hall, Town Building, Randall Library and the schools. She stated that the walkways would provide safe routes to all overflow parking in town center.

Kris then discussed the draft proposed phase I walkway plans going from west to east on Route 117/Great Road.

-The western most segments of the concept plan from Old Bolton Road to Bose Entrance has not yet been received from their consulting engineer.

#### Intersection of Route 117 and Hudson Road

-There was conflicting advice about the location of the crosswalk across Route 117 and Hudson Road. Mike Clayton suggested it be placed straight across the intersection as did Sergeant Lima, but their consulting engineer suggested the crosswalk be set back for safety reasons.

Mike Clayton also suggested a landing in the middle of the road.

Kathleen Willis stated she had concern of the crosswalk being located straight across as cars might stop quickly causing rear-ending collisions on Rt. 117.

-The walkway along 117 near the bridge may require permitting due to proximity to endangered species habitat, but it will not cause a delay.

#### Intersection of Route 117 and Harvard Road

-Kris stated that the Safety Officer is very supportive in putting a crosswalk at this location because people already cross there without one. He is concerned with visibility and the speed of traffic at this point on Rt. 117 as traffic tends to speed up and the sight line is poor. He suggested several methods of warning drivers of pedestrian crossings. Some of these suggestions were: push flashing lights, yellow signs, and a thermoplastic painted crosswalk.

Ernie Dodd suggested grooved pavement before the crosswalk.

#### Town Center

-It was suggested by the Consulting Engineer, Safety Officer and Mike Clayton to move the crosswalk further west on Rt. 117 connecting the Town Hall with Town Building to provide a better sight line and safer access for pedestrians. Although they made this suggestion, the Pedestrian Walkway Committee feels it is important to keep the crosswalk in its current location because people are more likely to walk a direct route.

-A small easement may be needed near Tony Todesco's flower shop unless the Committee has the walkway pushed forward slightly.

Steve Quinn noted that they should be sure to discuss any easements or areas where residents may have been using the right of way (either plantings or fences), with the people directly before any final plans are discussed publicly.

- Kris noted that if they change the handicap ramp in any way they would be required to make it ADA compliant, which is extremely expensive. Currently they are proposing a designated handicap parking space off Crescent Street onto the cobblestone, where currently two parking spaces are available.
- Kris stated that ultimately their consulting engineer was hoping for a walkway along the south side of Route 117, and the Pedestrian Walkway Planning Sub-Committee believes it would be beneficially for this part of town to eventually have sidewalks along both sides of Route 117.
- Mike Clayton had mentioned the idea of parking on the south side of Route 117 with new markings so that the south side is not used as a turning lane. Sergeant Lima did not think either side of Rt. 117/Great Road was safe to park.
- The Pedestrian Walkway Committee is not addressing walkways on the town center common at this time, but had asked their consulting engineer to draw up plans to better understand available options. There were several residents who were opposed to putting anything on the common as they felt it was necessary to keep its historic character. One idea was to use different ground cover such as stamped concrete.

Steve Quinn asked what was around the war monument on the common.

Kris Wile stated that a concrete slab sidewalk is around the monument.

Steve Quinn then asked if residents had any comments.

Resident Penny Cushing of 117 Walcott St. suggested using inserted reflectors to warn cars of the upcoming crosswalk near Hudson Road.

She also suggested putting a sidewalk off Hudson Road.

Penny Cushing stated that the Garden Club parks cars off Crescent Street and on Great Road and that several different committees use these parking spaces often. She said that they need the parking spaces on the north side of Great Road.

She also suggested that the width of the walkways should accommodate machines that could plow them like a Bobcat.

Kris noted that the width is determined by standards as well as obstacles that may exist, whether the obstacle is a tree or utility pole.

Penny Cushing stated that even if a walkway were constructed on the north side of Route 117, she would not walk on it because she would not feel safe. She suggested building the sidewalk on the other side of Crescent St.

Kris Wile explained that their goal was to create a continuous walkway along Route 117 connecting all the pieces of walkway that currently exist so to allow pedestrian and cyclist a safe

route from one end of town to the other, to the new recreation facility, and to and from town buildings.

Lori Clark stated that people are already walk straight down Route 117 and that it is important to provide a safe route.

Kris stated that they are trying to create a reasonably direct route where people already walk and ride their bikes.

Kris noted that they plan to ask the gas station to close one of their curb cuts to create a safer area and for a possible sidewalk on the south side of Great Road.

Penny Cushing suggested putting a walkway on Route 62 and Hudson Road.

Resident and Town Clerk, Linda Hathaway of Crescent Street inquired if bicycles were allowed on the walkways.

Kris Wile explained that both pedestrians and cyclists could use the current and proposed walkways.

Linda Hathaway noted that one of her duties, as Town Clerk is to schedule meetings in the town owned buildings. Linda noted that she tells people to park on the north side of Great Road and on Crescent Street when they rent space at Town Hall and that they are not supposed to park at Town Building. She noted that there has never been an incident where a car has been hit from parking in this space.

Steve Quinn asked if there was an alternative place near by where they could replace the two parking spaces that would be lost with this proposed walkway design.

Kris Wile stated that their committee fully understands that parking is currently an issue and if the two parking spaces are lost. She asked that the parking issue that already exists not hinder the committee's efforts.

Ernie Dodd suggested asking the Selectmen, Planning Department and Highway Department to meet and coordinate an effort to alleviate the parking problem.

Linda Hathaway asked that construction be held off in this area of town until they can find a solution to replace the parking spaces that would be lost.

Kathleen Willis noted that when Center School renovation is completed more parking would be available close to Town Hall.

Lori Clark stated that they would not be looking to build until next spring, about a year and a half away.

Marge Alessio of 31 Robert Road suggested putting the walkway on the north side of Common Road. She stated that this would be safer and direct people up to Crescent St. It would also not show on the street side of the Common. In addition the sidewalk would not take away from the view of the Common Rt. 117.

Kathleen Willis suggested that a two story parking structures be added to the back of the Town Building near the COA.

Steve Quinn and Kathleen Willis stated that they did not want the Pedestrian Walkway Committee to loose momentum on this project.

Lori Clark stated that the survey at the Spring Fest booth and online both indicated people wanted better access around downtown.

Steve Quinn suggested sending a memo to the Board of Selectmen stating that the Planning Board is in favor of supporting the concept plan as presented by Kris Wile at their meeting. Members agreed.

Brian Martinson did not agree with statements made by the three residents and stated that he had trouble understanding why they should give vehicular convenience priority over pedestrian safety.

Kathleen Willis also noted that pedestrian safety and walkways was a main component in the Master Plan.

Brian Martinson suggested adding a traffic island in areas on Great Road that are of concern.

### **CORRESPONDENCE**

**No correspondence was reviewed.**

### **MINUTES**

The minutes of October 5, 2010 and October 12, 2010 will be reviewed at the next Planning Board meeting.

### **PLANNING BOARD MEMBERS' UPDATES**

#### **Zoning Board of Appeals Public Hearing on Pilot Grove Apartments II**

Ernie Dodd reported on the ZBA Public hearing. He noted concern that the applicant would be writing the decision and that Town Counsel would be reviewing it. Ernie strongly suggested the ZBA write the decision. He also noted concern about provisions for fire protection. Ernie stated that the Planning Board should receive the ZBA's response to their concerns shortly. He reported that the public hearing was closed.

Kathleen Willis noted concern about the list of requested waivers.

Karen Kelleher noted that these concerns were requests of the applicant but were not yet granted by the ZBA.

Kathleen Willis and Ernie Dodd plan to write a letter to Town Counsel stating their concerns.

Planning Board members asked Karen if she could request other board's and department's suggestions to the ZBA.

*Karen Kelleher will ask Sue Carter Sullivan, the ZBA's consulting engineer for a copy of her recommendations.*

### **Golf Course Water Monitoring**

Brian Martinson reported on a meeting with consultant Jay Billings and Jack Wallace, Health Agent.

Brian reported that of the 42 chemicals being used on three Stow golf courses, only 8 have analytical tests to monitor the usage. The State DEP may already be requiring testing for two of the eight chemicals, but this has not yet been confirmed.

They discussed different options; Requiring Golf Courses to test, Requiring homeowners abutting golf courses to test, or working with the DEP to have them require golf courses to test.

In their discussions they also noted that one option is to not test at all. He stated that there are several studies where analytical tests have found no contamination issues in other communities because most of the chemicals being used degrade rapidly.

Ernie Dodd noted that the Town of Stow depends on its water supply and that they should be careful not to contaminate it.

Steve Quinn and Kathleen Willis asked if one golf course was using more of one chemical more than another.

Brian Martinson stated that one golf course does use a greater amount of some chemicals than the others, but was unsure if the effects were significant.

Brian stated that the cost of taking samples may not be significant and one option is testing water hazards on the golf courses. He noted this would be a good screening method but they would need to gain access to the golf course to do so.

Brian said he suggested Jay Billings prepare a Power Point presentation and short report on the information gathered to present to the Board at a later date.

### **COORDINATOR'S REPORT**

#### **Bob Collings ANR Plan**

Karen Kelleher reported that the Assessor's Office notified her that Bob Collings conveyed a parcel with the hangar to the Collings Foundation.

Karen noted he would have not have been issued a building permit for the hangar because the parcel is land locked. She also noted the land conveyed is part of the Riverhill Subdivision which is in litigation and that his nor his wife's name appears as a trustee for the Collings Foundation.

Karen put a call into Town Counsel to discuss the matter.

#### **Brandymeade Circle**

Karen reported that Don McPherson inquired about zoning for a solar farm on his property. He hopes to schedule an appointment with the Planning Board next month.

The Planning board agreed to meet with him on November 16<sup>th</sup>.

Karen stated that there are no similar uses in the bylaw as it is a newer technology.

**Donna Jacobs**

Karen will contact Donna Jacobs and see if she is interested in rescheduling her appointment with the Planning Board to discuss a Habitat for Humanity project and an update from the Housing Production Plan to November 16<sup>th</sup>.

**Review of RFP for the Lower Village Existing Conditions Plan**

The Planning Board will review the RFPs at their November 9, 2010 meeting.

*Karen will talk to Bill Wrigly about initial funding.*

The meeting was adjourned at 10PM

Respectfully Submitted,  
Kristen Domurad  
Administrative Assistant