

## **TOWN OF STOW PLANNING BOARD**

Minutes of the June 7, 2011 Planning Board Meeting.

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

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

### **MINUTES**

*Kathleen Willis moved to approve the minutes of the May 31, 2011 Planning Board meeting as amended. The motion was seconded by Steve Quinn and carried a vote of four in favor (Ernie Dodd, Kathleen Willis, Lenny Golder, Steve Quinn).*

### **CORRESPONDENCE**

#### **Memo from Jon Witten to Planning Board RE: Collings Property**

Members reviewed correspondence from Town Counsel on the Appeals Court Decision on the Riverhill Estates (Collings) Decision. Karen Kelleher stated that Town Counsel advised the Board that they do not have to do anything at this point, and that Mr. Collings should take the next step by resubmitting a new application if he wishes to do so. Kathleen Willis suggested the Board rescind the application because he no longer has control of all of the property. Karen suggested she put a note in her calendar to follow up on the property every few months. Planning Board members agreed.

#### **Sidewalk Donation from Habitech**

Karen Kelleher reported that Habitech had been in touch with their engineer to look into the Board's request to build the sidewalk at the Villages at Stow property in order to meet the requirement in the Derby Woods Decision, which requires either construction of a sidewalk on Harvard Road (if easements are obtained) or to construct an equal amount of sidewalk elsewhere in Town (as determined by the Board).

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

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

Steve Quinn reported on the ESBC meeting. He stated that they began the plumbing, fire protection, and masonry. They expect the roof work to be completed in the next few weeks as well as making the building weather tight in order to begin running electrical wires. He stated that they were behind schedule but are now making up time. The project is still on budget. Steve noted that the lawsuit (bankruptcy) against the steel erecting company does not affect the Town.

### **Comprehensive Land Use Reform and Partnership Act (CLURPA)**

Planning Board members will meet with Jeff Lacy on June 17<sup>th</sup> at 10AM at the Town Building to discuss CLURPA.

### **Tree Relocation on Town Building Property**

Kathleen Willis asked Bruce Fletcher, Tree Warden why there were exposed tree roots on the tree that was transplanted.

Bruce Fletcher stated that the Arborist may have left the roots out that had girdled the tree and that he would look into this further.

### **COORDINATOR'S REPORT**

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

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

Karen stated that the Lower Village Sub-Committee would be attending their meeting tonight to present the Final Plan.

### **Draft Letter to Board of Health Agent concerning Golf Course Monitoring**

Karen reported that she included a draft letter to the Health Agent, following up on the meeting with him and Jay Billings of Northeast Geoscience, Inc., in the Planning Board member's packets for their review.

### **Pedestrian Walkway Planning Sub-Committee**

Karen reported that the final plans have been submitted by Places Associates, and that Bruce Fletcher has begun working on the bid packages. She believes they will try to schedule a public hearing with the Conservation Commission on June 21<sup>st</sup>.

### **Sustainable Communities Project Ideas**

Karen stated that she sent in the project idea for Lower Village Planning and for the Assabet River Rail Trail on behalf of the Planning Board and the Board of Selectmen.

### **Suburban Mobility Working Group**

Karen reported on the Suburban Mobility Working Group meeting. MAGIC (Minuteman Advisory Group on Interlocal Coordination) reported that they had received permission from MAPC (Metropolitan Area Planning Council) to continue their meetings and apply for grants to continue efforts to improve public transit modes, such as a Maynard/Stow shuttle.

### **District Local Technical Assistance Funding**

Karen reported that she received a list of communities who were awarded the grant. Most communities were awarded grants for regional projects.

### **July Schedule**

The Planning Board will plan to meet on July 5 (Steve Quinn will be on vacation) and 12<sup>th</sup> (Ernie Dodd will be on vacation) and July 19<sup>th</sup> (Lori Clark will be on vacation) as a working meeting. Linear Retail will be scheduled in August as all Planning Board Members wish to be present.

## **DISCUSSION/ACTION ITEMS**

### **Butternut Farm Country Club**

Kathleen Willis requested the Board revisit Butternut Farm Country Club's outstanding issues.

Ernie Dodd and Steve Quinn noted that last year the Board decided on the action to withhold the bond until all the outstanding issues on their property come into compliance with their Special Permit.

Board members agreed to continue with this approach.

### **Public Hearing - Homestead Lane Petition for Hammerhead Lot Special Permit**

The Public Hearing was opened at 7:30PM

*Lenny Golder moved to waive the reading of the Public Hearing Notice. The motion was seconded by Steve Quinn and carried a vote of five in favor (Lenny Golder, Steve Quinn, Kathleen Willis, Ernie Dodd and Brian Martinson).*

The Petitioner, Brett Taylor stated that his intentions are to build a single-family craftsman's style home. He stated that the parcel meets all setbacks, frontage and size requirements. He noted that the septic and wells meets all Board of Health criteria and that he would be meeting with the Board of Health.

Brett Taylor provided the certified list of abutters' receipts.

### **Public Input**

*Resident Ralph Fuller of 25 Laws Lane stated that he was unhappy that the area would not remain wooded but understood that there was no reason to object, as the owner has the right to develop the property.*

*Resident Kristen Aho-Clayton of 26 Homestead Lane requested that the applicant ask the construction workers to drive more slowly down the road.*

Kathleen Willis asked why there was a deed division line drawn through lots 1, 2 and 3.

Brett Taylor explained that the line was from was the original deed, which was superceded by a subsequent plan and deed.

Karen Kelleher stated that the Petitioner's submission is the most recent recorded plan.

Steve Quinn asked why the Hammerhead Lot Special Permit was not sought when the subdivision was originally requested.

Karen Kelleher stated that there is a two-year time clock to build and she assumed the property was divided in order to sell and build at a later date.

Brett Taylor noted that he recently bought the property, which was previously subdivided.

Lenny Golder suggested they make sure there are clear site lines and clearance at the entrance of the site and road.

Brett Taylor stated that Homestead Lane is a private road and has no access from Laws Lane.

Lenny Golder asked when he would be discussing the septic installation and location with the Board of Health.

Brett stated that he should have the plans by tomorrow for a 4 bedroom septic and will be submitting these to the Board of Health.

Lenny Golder asked if there were wetlands on the property.

Brett Taylor stated that there is a wetland buffer zone shown on the plan and noted there is a small area that does hold water. They will not be doing any work within the buffer zone.

Karen noted that any work within the buffer zone would require filing with the Conservation Commission.

*Resident Michelle Lucas of 25 Laws Lane asked who would approve the septic and well location. Board members explained that this is was the Board of Health's jurisdiction.*

*Resident Dave Conna of 54 Homestead Lane asked if there would be any further clearing done to the land.*

Brett Taylor stated that no further clearing would be done.

*Resident Dave Conna also requested that the builder make concessions, as the heavy equipment will beat up the road.*

Board members noted that typically with subdivisions they require pictures to be taken before the construction begins and then an inspection is conducted after to make sure no damage has been done to the road. They noted that this is not required for Hammerhead Lots.

Mike Clayton, Homestead Lane, recommended that the equipment be trucked onto to the site so that the road will not be damaged by heavy equipment.

Ernie Dodd stated that the Petition meets all the requirements of a Hammerhead Lot Special Permit, the only thing that needs to be modified is adding a note on the plan stating that the lot shall be no further subdivided.

Karen stated that the Petitioner would need to have this plan modified, submitted to the Board for endorsement and then recorded at the Registry of Deeds.

*Steve Quinn moved to close the Public Hearing. The motion was seconded by Kathleen Willis and carried a vote of five in favor (Kathleen Willis, Steve Quinn, Ernie Dodd, Lenny Golder and Brian Martinson).*

#### **Lower Village Sub-Committee Submission of Final Plan**

Lower Village Sub-Committee Chair, Don McPherson, and members, Phil Mosley, Brian Martinson, Lori Clark, Barbra Sipler, Russ Willis and Karen Kelleher were present.

Don thanked all the past and present sub-committee members for their hard work and efforts over the past 9 years of the Sub-committee's existence.

Karen Kelleher stated that the Planning Department had received two quotes for the gateway sign. She noted that if the Garden Club is still willing to fund the sign, the \$2,000 they donated for the Lower Village beautification should more than cover the cost.

Karen also noted that a woman stopped by the office asking about making a donation to the Town for a bench on the common. Karen will be meeting with her and Phil Mosely on Tuesday afternoon.

Karen asked if there were any objections to accepting the donation.

Phil Mosely stated that his only concern was that he did not want to see the town getting roped into putting memorial benches all over town and then having to maintain and mow around them. He stated that it is a great gift but there is some action on the side of the Town to install it appropriately.

Karen noted that she initially thought the women wanted to make the donation by purchasing and installing the bench herself, but after further discussion with Susan McLaughlin from the Board of Selectmen's office, she learned that she was planning to give a monetary donation.

Karen Kelleher stated that the sign quotes came in at about \$1,500 and with the money left over from the \$2,000 Garden Club donation, they may be able to use it for bench installation or otherwise.

Phil Mosely asked who had authority to grant permission for what goes on the Common. Karen Kelleher stated that permission would need to come from the Board of Selectmen.

She noted that once the Planning Board accepts the Lower Village Sub-Committee's Final Plan along with the improvement plans, hopefully the Selectmen would then approve it and use this as a guide.

Lenny Golder asked where things would go from there.

Karen explained that a few sub-committee members expressed interest in working on specific projects, but that the Planning Board should make sure to continue the efforts.

Phil Mosely got a quote to do the fence on the Southside of Route 117 for \$1,580.

Kathleen noted that the granite post and wood rail fence on Red Acre Road needs to be repaired.

Phil stated that Mike Clayton offered to have the Highway Department fix the fence and said that next winter they would be installing delineators so that plows will be able to locate them.

Planning Board members thanked all of the past and present Lower Village Sub-Committee members for their hard work and stated that the improvements have helped to make it safer and more aesthetically pleasing.

Karen stated that the Board would need to work on updating the Handbook to incorporate the suggestions in the Lower Village Sub-Committee's Final Plan.

Barbra Sipler stated that it is her hope that the Lower Village Common remains a heritage landscape, as it is an important part of this Town's history.

*Kathleen Willis moved to accept the Lower Village Sub-Committee's Final Report. The motion was seconded by Steve Quinn and carried a vote of four in favor (Kathleen Willis, Steve Quinn, Ernie Dodd and Lenny Golder).*

Don McPherson then requested that the Sub-Committee be dissolved as they had accomplished their task as specified in the Lower Village Sub-Committee's charge.

*Kathleen Willis moved that the Planning Board dissolve the Lower Village Sub-Committee as they have completed their task and Final Report. The motion was seconded by Steve Quinn and carried a vote of four in favor (Kathleen Willis, Steve Quinn, Ernie Dodd and Lenny Golder).*

Lenny Golder stated that he would like to see some people continue working towards these efforts.

Karen Kelleher stated that some Lower Village Sub-Committee members are willing to continue working on specific projects.

Brian Martinson stated that the Board intends to continue planning efforts in Lower Village, possibly with a future committee.

### **Board of Health Memo**

Karen referred Planning Board members to the Board of Health memo she drafted. Board members made suggestions to the draft.

It was requested that Karen check with Jay Billings as to who governs the pesticide use Regulations for Golf Courses; either the Department of Agriculture or Department of Environmental Protection.

### **Arbor Glen Access Easement**

Planning Board members requested additional time to review the access easement document and would be prepared for their next meeting.

Karen noted that Town Counsel, Jon Witten reviewed the document several times and now approves of both the document and the plan.

The meeting was adjourned at 9:20PM.

Respectfully Submitted,  
Kristen Domurad  
Administrative Assistant