

TOWN OF STOW PLANNING BOARD

Minutes of the September 27, 2011 Planning Board Meeting.

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

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

REVIEW OF CORRESPONDENCE AND MINUTES

Correspondence

SENATOR ELDRIDGE ENVIRONMENTAL BILLS – 2011-2012 SESSION.

The Board reviewed Senator Eldridge's Bills for the 2011-2012 Session and noted that CLURPA was not included. Members discussed the benefits of sending a follow up letter to Senator Eldridge regarding their position on the articles being heard on the senate floor. Members agreed to wait as most of the articles have already been heard.
[Lenny Golder arrived at this point in the meeting.]

MINUTES

Ernie Dodd moved to approve the minutes of the September 6, 2011 Planning Board meeting as amended. The motion was seconded by Steve Quinn and carried a vote of five in favor (Ernie Dodd, Kathleen Willis, Steve Quinn, Lenny Golder and Lori Clark).

PLANNING BOARD MEMBERS' UPDATES

Community Preservation Committee (CPC)

Corzine Property

Kathleen Willis reported on the CPC meeting in which the Stow Conservation Trust (SCT) and Sudbury Valley Trustees both attended. She explained that the SCT originally purchased the Corzine Property about 1 ½ years ago for \$200,000. The Town allocated \$75,000 through the CPC fund toward the Conservation Restriction for this parcel, which would be held by the Town. The State has not completed the application approval process.

Kathleen stated that at the meeting, the SCT wanted the CPC to consider dual ownership of the conservation restriction with the SVT. She reported that the SVT would accept responsibility for monitoring the parcel and that the SVT had just applied for a land trust grant, and if they receive it, they would pay another \$68,000 to the SCT for their portion of sharing the conservation restriction.

Stone Apple Barn

Kathleen Willis reported that STC agreed to be the repository for donations to the project to move the Stone Apple Barn. They have raised \$10,000 to date. She noted the Historical Commission is still deciding if they want to take the lead on this. Kathleen stated that it was unclear if the potential proponents for receiving the stone building, Derby Ridge Farm owners, really want the building on their property. She stated that they did not attend the meeting but sent a letter which seemed to indicate they were not really interested any longer due to concerns raised that people will think they are receiving something the town is paying for on private property. Kathleen noted that it is not town money.

Karen stated that CPC funds are town money.

Kathleen stated that it would not be an additional tax.

Kathleen stated that the estimated cost for moving the barn is \$300,000. Kathleen noted that the CPC felt there were a lot of unanswered questions relating to this project, but have decided to propose a warrant article to support funding up to \$100,000 at town meeting if the SCT raises the remaining necessary funds to move the stone building.

Lenny Golder asked about ownership and how the barn would be maintained if Derby Ridge Farm were sold.

Karen explained that the Town would hold a historic preservation deed restriction on the barn in perpetuity.

Lenny Golder asked about the usage of the barn throughout the year and different seasons.

Kathleen stated that there was some discussion of having a museum inside of the barn with access to the public. The owners felt this would be very difficult to manage from a business standpoint, as they would have to supervise the museum as well as work their farm and farm stand.

Lenny Golder asked if people would have access to the stone building on their property.

Kathleen stated that the idea is to have it open to the public one day a year.

Lenny stated that might not be a good location because he would like to see more public access if town funds were to be used.

Karen Kelleher reported that the Lew Halprin asked if the Planning Department could hand out RFP packets to interested parties and to also receive the RFPs in the office as the Historical Commission does not have an office. Karen stated she did not have a problem doing this.

Board members agreed.

APPOINTMENTS

Public Hearing Continuance - Crow Island, Bernard Donahue

Lori Clark opened the public hearing continuance for Application for Special Permit on Crow Island to allow for the rental and sales of canoes and kayaks and other non-motorized boats.

The Board reviewed the additional information Bernard Donahue supplied for the Board; intended hours and seasonal times of operation.

Kathleen suggested he state the time the last boat could be rented and the time the last boat needed to be returned as his flyer did not indicate what 7PM referred to.

Bernard stated that he would do that and he intended for the last boat to be back at 7PM.

Lori Clark asked what the difference between the inflatable and plastic canoes were.

Bernard stated that some materials are cheaper; some like composite allow one to use the canoe or kayak over rocks while other materials would break.

Ernie Dodd asked if there were safety measures for kayakers/canoe(ers) before the dam.

Bernard stated that the water is very slow moving and there are barrels and rope in the water before the dam.

Lenny Golder asked how many life jackets would be needed.

Bernard stated that he will need different size life jackets and will have enough to accommodate all renters.

Ernie Dodd stated that Bernard could put life jacket requirements in his rental restrictions.

Lenny Golder asked about weather conditions and permitting people to canoe or kayak.

Bernard stated that the customers need to call ahead to rent the boats and he would not rent if bad weather conditions were forecasted.

Steve Quinn asked if he intended to operate May through September?

Bernard stated he assumes he will.

Karen Kelleher stated that she asked for comments from the Fire Department but had not received anything in writing but they stated verbally to her that they had some concerns about additional traffic coming in and out of the island.

Lori referred to Sergeant Lima's response to public safety issues. He stated that he did not feel comfortable rendering an opinion, as he does not really have jurisdiction on private roads other than major violations laws such as drunk driving etc.

Lori Clark asked for additional comments from the public.

Members Rachel Ganimian and Barbara Myles from the Multi-Use Track Road Committee were present and submitted written comments to the Planning Board.

The Board read the comments.

Kathleen Willis stated that she agreed trash and brush should be cleaned on the site, but stated that this would be between the property owner and Mr. Donahue on who does this work. She stated that she believed they could apply these restrictions to the property but not the use in general.

Ernie Dodd stated that he did not have an issue with allowing Mr. Donahue to rent as many canoes as he wanted.

Steve agreed.

Karen Kelleher noted that the Conservation Commission did restrict him to 25 canoes.

Kathleen Willis stated that she liked limiting the number of canoes so that they could evaluate how the use was working and then always minor modification in the future. She noted she would be willing to support allowing 15 canoes.

Bernard stated that the main concerns were from someone who was not even an abutter. Lori Clark stated that they should go back through the minutes because she thought more than one person had concerns about the proposed use on property.

Karen Kelleher stated that the concerns were about traffic on Sudbury Road coming in and out of Track Road as well as traffic on White Pond Road.

Steve Quinn stated that he could understand there would be additional cars on White Pond Road but not Sudbury Road.

Ernie Dodd stated that White Pond Road is well equipped to handle traffic and the bridge is new.

Karen Kelleher handed out an aerial photo that Kristen prepared, as requested by Steve so the Board could better understand the area and impact to abutters.

Bernard Donahue stated that he has a hearing scheduled with the Maynard Conservation Commission to make sure they don't have any problems with his intended business.

Kathleen Willis stated that filing with the Maynard Conservation Commission might be unnecessary for the purpose of this Stow project.

Bernard explained that he is also planning on doing some work with Maynard in trying to establish his business at Ice House Landing in Maynard as well as on his personal property in Maynard.

Ernie Dodd restated that he did not think they should limit the number of boats beyond the Conservation Commission's restrictions. He stated that if the business does grow he thinks it will benefit the Town. If there is more activity on the river, there may be less pressure to remove the dam.

Kathleen asked if people currently use Crow Island to launch their boats. Bernard stated that people do that all the time now and there are currently no restrictions.

Lori Clark asked for public comments.

Rachel Ganimian of 24 Hastings St. and a member of the Multi-Use Track Road Committee stated that their committee is focusing on building the rail trail on Track Road. They have concerns about bringing more vehicular traffic into this area. Although for a good purpose, it

will make it more difficult for pedestrians, bicyclists, wheelchairs and walking dogs— which is what the rail trail is intended for.

Bernard Donahue stated that the right of way is about 40ft. wide and that two cars pass easily all the time.

Rachel asked if the gates would be open during all hours of operation.

Bernard stated that the gate is currently open everyday for the current uses on Crow Island. He noted that the first car opens the gate somewhere around 8 or 9AM and then the last person out is supposed to lock the gate. He said that there are about 100 + keys to the gate.

Ernie Dodd stated that the road from Sudbury Road to Crow Island is usually closed.

Bernard stated that he intends to have his customers use the White Pond Road gate.

Barbara Myles of 4 Wildwood Road asked the Board what speed limit they think would be appropriate for Track Road.

Ernie Dodd stated that the speed limit on that road is not enforceable because it is a private road not in the Town's jurisdiction.

Kathleen Willis stated that all easements for the road have been recorded. She also noted that there should be a speed limit if horses are on the road.

Karen noted that the Board could require a speed limit posting in their decision.

Rachel noted that the committee is still unsure if the rail trail will be paved. Because this portion of the rail trail is an easement, unlike most other sections, and there would be restrictions on how, or if you can pave it at all. She stated that the committee is investigating this further and will be holding a forum on October 5 to discuss this.

Karen stated that a blog about the proposed canoe and kayak rental at Crow Island was sent to the Planning Board from some Maynard residents, which could be found in their packets.

Ernie Dodd made a motion to close the public hearing. The motion was seconded by Kathleen Willis and carried a vote of five in favor (Ernie Dodd, Kathleen Willis, Lori Clark, Steve Quinn and Lenny Golder).

Karen will provide copies of the existing special permit on Crow Island for the Board's meeting when they review the special permit application and render a decision.

John Morgan of Coler and Colantonio

Lower Village Traffic Plan

John explained that he took the preferred plan completed by FST and fit it onto the real survey plan of lower village using real design standards for lanes and roundabouts. He then reviewed the opportunities and constraints of the plans with the Board.

The FST study suggested a roundabout on the west end of Lower Village. John displayed the engineered plan and explained that this roundabout would not actually fit well in this area. He

noted that a 120ft. roundabout would be necessary to accommodate a typical tractor-trailer and this size roundabout would require a large taking of about 6,000sq.ft. He stated that the north corner of the roundabout would not function well because it would not slow people down enough on the eastbound side. John did not recommend using a roundabout on the west end of Lower Village.

Kathleen Willis asked if there were any other methods that would work in lieu of a roundabout to slow traffic and help cars turning left out of Elm Ridge Road.

John said that a small median island might work. He recommended focusing on the streetscape. He said this will signal to people that they are in a new zone and will slow people down. John did not suggest raised crosswalks as it is an arterial road and emergency services may not be in favor of this.

Lori stated that slowing traffic down was only one problem and asked what solutions could be used to help drivers pulling out of the shopping plaza wanting to go east.

John explained the plans further, showing where there would be one lane in each direction, some with two turning lanes to go right or left into driveways, 4ft shoulders to accommodate bikes and a 6 1/2ft. sidewalks. He noted that a wider sidewalk encourages more pedestrian traffic. He noted that the only draw back to the widening on the south side is that some business owners may perceive that their landscaping area is being taken away, but all the work here would be on town land in the right of way.

Ernie Dodd noted that some of the existing landscaping makes it dangerous for cars coming in and out of the driveways, diminishing site lines.

John showed how the FST plan would direct traffic from the roundabout using a “new” Gardner Road and then into the Stow Shopping Plaza, create an interior intersection and then out to Great Road.

John explained that the Red Acre Road leg coming into the roundabout is not ideal because it is very close to the Great Road leg. He noted that this preferred alternative would require a small taking.

He noted that the configuration is a little awkward and ideally you would want all four approaches to come in across from one another and in this alternative two approaches would be quit close.

Lori Clark asked John if he thought this plan was realistic.

John said that it could work better if there was an exit out only for Red Acre Road but then all the southbound traffic would have to go over to the new road.

John then displayed another scenario (scenario 2) which he, Karen and Mike Clayton had discussed.

John showed a plan which created a one way traffic around the common from the roundabout to Red Acre Road up to Gardner Road, along Gardner Road out to Great Road and one way along Great Road (eastbound) from that point to the roundabout.

He noted that some drawbacks are that access to some driveways would be right turn out only going west and vice versa east bound and use the roundabout to change direction.

Kathleen asked, if John had any other ideas, other than signalization.

John said he could do some signalization but hasn't drawn them. He said that other than that they could leave it the way it is now and work on adding sidewalks and streetscape-using stop controlled techniques.

He noted he thought there would be long queues if signalization were to be used.

Karen noted that FST showed a model of how traffic would be backed up if signalization were to be used.

Ernie Dodd and Steve Quinn said they liked scenario 2 (one-way traffic around the common and a roundabout).

Kathleen Willis asked if he could show the change in square footage of the common for scenario 2 and how much space would be lost if any.

Steve thought the common would be easier to access if there were parking on either the north or south side.

Ernie noted that since the lanes would single one-way lanes it would be easier to cross.

Steve said he did not think it was a perfect solution, but that it calms traffic and would allow for left turns.

Lenny Golder said he was concerned about how motorist would maneuver the roundabout at night without having it lit.

He asked about signalization and if they could adjust the timing of the lights so that cars would not have to wait as long.

John said he would have to look at the queue numbers.

Kathleen Willis said she was interested in ideas that don't include signalization in order to protect the rural character. She asked if John had worked with other towns with similar constraints.

John said that this area is Stow is unique, and in Norfolk they designed a few roundabouts but their 4 way intersections were mostly at 90 degrees making the approaches function well. He said they are also designing a roundabout in Pembroke but this too has minimal constraints.

Resident Bill Byron stated that the biggest issue is rush hour traffic. He said the rest of the day it is not too difficult to turn left. Bill thought a traffic light at the shopping center in rush hour would cause a long wait.

Lori Clark noted that the signal light at the Gleasondale/Great Road intersection does create a break for traffic at the beginning of Lower Village where she lives at Bradley Lane, but said she does hesitate going to some stores during rush hour.

Board members asked about drawbacks on Scenario 2.

John said that it would be important for businesses to be on board with the access in one direction and having to use the roundabout to reverse. He said they could use shared access for entrances to the shopping centers.

Board members asked John to show where the curb cuts would be recommended if scenario 2 were used.

Lenny Golder stated that he would like to see a third option with a signalization chart to see the drawbacks and benefits.

John said the only thing the light would do is allow for a gap at the shopping center.
Ernie said it would back up traffic.

John noted that at signal lights, some people slow down and others speed up to beat the light.

Members discussed funding sources. John explained that MassDOT does pay for roundabouts and have been actually promoting them. He noted that MassWorks has rolled all 6 of their previous grants into one. They do require complete street guidelines but you can apply for exemptions. The Plan shows complete street design.

Steve asked John what Coler and Colantonio's best advice was for this area.

John said that they have been discussing options for Stow. They will have to look at the signal options, the common as the roundabout, scenario 2 and other roundabout options in more detail.

Lori Clark said it would be nice to see inter-lot connectivity with the south side properties.

Kathleen Willis asked if John had increased the length of the turn lanes.

John said that by widening the shoulders they could eliminate the left turn lanes.

Ernie Dodd said he believed the pedestrian islands reduced the number of accidents because people were using the turn lanes as travel lanes.

Kathleen Willis asked about using an ellipse shaped roundabout.

John said they could look at an odd shaped roundabout with possible signal options.
He noted that a raised median on the east end and a sidewalk would impact the cemetery stairs although it seemed like a good idea as a gateway.

Lori explained that the Lower Village Sub-Committee's traffic speed study found that people drive faster when entering Lower Village from the east, but are typically within the speed limit when entering from the west.

Ernie Dodd suggested they add rumble strips or cuts in the pavement to alert drivers to slow down before getting to the Lower Village area or if a roundabout is ultimately proposed.

Karen Kelleher asked the Board how many options they wanted John to look at.

Lori Clark said she would like to know where curb cuts should be located if the scenario 2 were implemented.

Karen asked if the Board wanted to have John update scenario 2 and invite the property owners in to discuss it.

Lenny stated that he wanted to see more options before going forward with one.

Lori Clark asked if the Board wanted to just have a conversation about the signals or have John draw something up.

Lenny said he wanted to see a drawing.

John stated that it was not a big deal to draw up one signal, once they find a location.

Lenny suggested signals at Pompositticut and the Shopping Plaza.

The Board would also like John to add crosswalks into concept 2.

Kathleen said that concept 2 could all happen on town land but that she has some mixed feelings about the proposed changed to the lower common.

The Board questioned if they wanted John to look into an ellipse roundabout moved back from the common.

Lori Clark asked what Mike Clayton's opinion was on these scenarios.

Karen stated that he seemed to be interested in scenario 2.

Steve Quinn asked if there was anything they could do with Samuel Prescott Road.

John said they could use it as a signal location as a way to leave the shopping plaza but not much other than that.

The Board decided they would like to exhaust all options and see how the elongated roundabout would work.

The Board will meet with John Morgan from Coler and Colentionio on October 18th to discuss scenario 2 updated with crosswalks, curb cuts and dimensions of the common, as well as signal scenarios and an elongated roundabout scenario.

DISCUSSION/ACTION ITEMS

Warrant Articles – Review Final Solar Photovoltaic Draft for Special Town Meeting

The Planning Board made the following comments:

Change 8.10.2 to read:

“Applicability - No COMMERCIAL SOLAR PHOTOVOLTAIC RENEWABLE ENERGY INSTALLATION shall be ERECTED or installed except in compliance with the provisions of

this Section and other applicable Sections of the Zoning Bylaw, as well as state and federal law. Such use shall not create a nuisance, which is discernible from other properties by virtue of noise, vibration, smoke, dust, odors, heat, glare and radiation, unsightliness or other nuisance as determined by the Special Permit/Site Plan Approval Granting Authority.”

Change 8.10.3.2 to read:

“Visual Impact - The visual impact of the COMMERCIAL SOLAR PHOTOVOLTAIC RENEWABLE ENERGY INSTALLATION, including all accessory structures and appurtenances, shall be mitigated. All accessory structures and appurtenances shall be architecturally compatible with each other. Structures shall be shielded from view and/or joined and clustered to avoid adverse visual impacts as deemed necessary by and in the sole opinion of, the Special Permit/Site Plan Approval Granting Authority. Methods such as the use of landscaping, natural features and opaque fencing shall be utilized.”

(Draft available on file in the Planning Department.)

Karen Kelleher noted that Resident of Stow and Bolton Conservation Commission Administrator, Carol Gumbart, suggested the Board consider protecting wildlife corridors. She is concerned that requiring fencing around the solar facilities could interfere with these paths, as some facilities are 10+ acres.

Karen Kelleher suggested adding something in the Board’s Rules and Regulations, which would allow the Board some flexibility. She noted that the zoning bylaw already has a section stating that they must comply with the Rules and Regulations so this would require any regulations added pertaining to wildlife corridors.

Ernie stated that the fencing is necessary to keep animals from ruining the facility and for their safety as well.

Board members agreed to add something into the rules and regulations that that will allow the board to evaluate how the solar farms location could impact wildlife corridors.

Great Road Pedestrian Walkways

Karen explained that Bruce Fletcher, the project manager, sent an email expressing that Dan Silva of Century thinks that it doesn’t make sense to stop the sidewalk on each side of the unpaved openings the rear of 13 Crescent St. He feels the walkway pavement will suffer by not having anything to butt up against, meaning its longevity will be in question. But he is more worried about foot traffic on the uneven surface, compliance with ADA, and aesthetics. Bruce estimated that the cost would be around \$600.

Karen said that if the Board wanted to consider this change order they should vote to authorize it.

Ernie Dodd motioned to authorize a change order for the driveway aprons at the rear of 13 and 15 Crescent Street to be paved, but not to exceed \$1,000. The motion was seconded by Kathleen Willis and carried a vote of five in favor (Ernie Dodd, Kathleen Willis, Steve Quinn, Lori Clark, Lenny Golder).

Material of Crosswalk at Great Road and Harvard Road

Karen Kelleher explained that Bruce Fletcher suggested a change order replace the proposed red brick pattern stamped pavement with pavement markers. Lori Clark voiced concern about the material of the crosswalk at Great Road and Harvard Road. The PWPC had planned and voted on thermo-plastic being used rather than the stamped pavement.

Karen Kelleher will get in contact with Bruce Fletcher to discuss this situation with him.

Update on Fence at Todesco Property

Lori also noted that Tony Todesco had requested that granite and wood rail posts be used at the easement on his property instead of just wooden rail posts and that he originally offered to pay the difference.

Kathleen said she believed it would look much more attractive, especially being at town center. Steve Quinn asked if Century Paving was to put in the fence.

Lori said this is in the contract, but was unsure if it was more difficult to put in granite post and how this would change labor costs.

Lori stated that the PWPC voted to recommend to the Planning Board that granite posts be used instead of wooden posts.

Kathleen was concerned there would not be enough money for the granite posts.

Karen stated that they do have money because they have not negotiated how much of segment 1 they planned on doing.

Karen suggested looking into using the granite posts Phil Mosley had ordered for the Lower Village south side as no one had really come to an agreement on where to place them.

Karen will look into this further to see if those posts could be used in town center and if they had already been purchased.

The Board estimated that the granite posts would cost no more than \$750 including the increased cost of labor.

Ernie Dodd motioned to authorize Bruce Fletcher to make a change order, negotiating a price of no more than \$750 toward replacing the wooden posts with granite posts and if the cost exceeds \$750. The motion was seconded by Lenny Golder and carried a vote of five in favor (Ernie Dodd, Lenny Golder, Lori Clark, Steve Quinn and Kathleen Willis).

Habitech Sidewalks

Lori Clark reported on the meeting held today with Bruce Wheeler of Habitech, Lewis Levine, Habitech's attorney, Karen Kelleher and Ernie Dodd.

She stated that Habitech and the Board are now in alignment on all of Habitech's obligations to build sidewalks in town. Their concerns were the cost of the granite, and police detail at Section 1 and that they would not have these costs at Harvard Road— they want to make sure the costs are an even swap.

Lori said they gave him the information on the bids that came in for Segment 1, which was a total of \$28,000. They explained to Bruce that it is much more expensive for the Town to build the

walkways and that Habitech would be able to build them much more cheaply. Lori got the impression that segment 1 would have cost a lot more than the bid amount and that it would be cheaper than Pilot Point.

Habitech agreed to get back to the Planning Board in about two weeks.

COORDINATOR'S REPORT

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

Butternut

Karen stated that she received the report on groundwater samples taken by Jay Billings, which Jack Wallace received. Preliminary screening does not reveal evidence of water quality impacts from turf management practices at Butternut Farm Golf Course.

Collings

Karen reported that Attorney Dionisi called Jon Witten to request a meeting with a Planning Board member to discuss how to move forward on the Riverhill Estates Subdivision.

Karen asked the Board if this should be a meeting with the entire board and if they wanted Jon Witten present. The Board stated they would not approve of a meeting with an individual member and if Mr. Collings wants a meeting it should be with the entire Board and Town Counsel. Members also noted that a meeting was unnecessary, as the applicant needs to resubmit a new application in order to move forward.

Karen Kelleher will relay this to Jon Witten and if they still want to meet let them know it will be with the full Board and Town Counsel.

Highgrove Estates

Karen reported that both Jim Fenton and Sue Carter felt the 12' pavement width for the Highgrove Estates common driveway is too narrow, given the grades and curve in the road. There is not enough room for cars to pass and it may be dangerous causing cars to back up on the curve in order to let others by.

Board members said they would entertain a modification to the plan.

RidgeWood

Karen stated that she spoke with Jon Witten, who was contacted by RidgeWood's attorney. She said that Jon was not convinced that the bylaw allows for fee simple lots and asked if the Board wanted a written opinion. He expects that Ridgewood will come back and ask for a bylaw amendment. Jon said the way the legal condo documents were set up could work provided the bylaw allowed for it.

Harry Blackey heard a different report from his attorney – His attorney said Jon feels that the bylaw does allow for what they want to do but understands that at least one Planning Board member does not agree and suggested that they meet with the Board.

The Board asked Karen to request a written opinion from Attorney Witten.

Wireless Service Facility Overlay District

Karen reported that Steve Riggs of Isotrope would be in the office on Thursday to review files on the existing wireless service facilities.

The meeting adjourned at 10:20PM

Respectfully Submitted,

Kristen Domurad
Administrative Assistant