

TOWN OF STOW PLANNING BOARD

Minutes of the March 27, 2012 Planning Board Meeting.

Present: Planning Board Members: Steve Quinn, Ernest Dodd, Lori Clark, Kathy Sferra and Lenny Golder
Voting Associate Member: Brian Martinson
Planning Coordinator: Karen Kelleher
Administrative Assistant: Kristen Domurad-Guichard

Called to order at 7:03PM.

REVIEW OF CORRESPONDENCE AND MINUTES

Minutes

No minutes were reviewed.

Correspondence

Email from Hudson Light and Power

Steve Quinn asked Karen if Hudson Light and Power had replied to the inquiry about the spot light at the Stow House of Pizza site.

Karen stated that Hudson Light and Power said they adjusted the floodlight, but they would need the property owner's approval in order to remove a light.

Kathy stated that she drove by and it still seemed very bright, but she was unsure of what it looked like before. She said it does shine in drivers' eyes.

Comprehensive Permit Policy

Kathy asked Ernie if it would be helpful for Board members to submit comments to him before or after he meets with Donna Jacobs.

The Board agreed to send comments to Ernie before he meets with Donna.

PUBLIC INPUT

No public input.

PLANNING BOARD MEMBERS' UPDATE

Community Preservation Committee (CPC)

Kathy Sferra reported on the CPC meeting held Monday 26, 2012. Kathy stated that the Committee voted to submit two articles to the May 2012 Town Meeting Warrant: An article to fund \$7,200.00 for a housing consultant for Stow Municipal Affordable Housing Agency (SMAHT) and an article to begin the preservation of some ancient documents. They have not voted whether to support either of these articles at this time.

Elementary School Building Committee (ESBC)

Steve reported he was unable to attend the meeting this morning but would be receiving an update.

COORDINATOR'S REPORT

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

501 Gleasondale Road – Sprint Special Permit Modification

Karen reported that she received a request for continuance of the Public Hearing to April 17th at 7:30PM as they are still in the process of gathering information.

First Parish Church – Sprint Special Permit Minor Modification

Karen stated that Sprint does not yet have an authorization letter from First Parish Church.

Public Records Request for Meadowbrook Estates (Trefy Lane) Subdivision

Karen reported that the estimate cost to duplicate the entire Meadowbrook Estates file is \$1,231.00 for the Planning Department copies, personnel time, etc.

Karen stated the Stow Conservation Commission's estimate is \$531, the Town of Boxborough's estimate was \$600 and the Stow Town Clerk and Zoning Board of Appeals are working on their estimates. Karen stated they will wait to hear back from the attorney's office to see if they want us to proceed with copying the entire file or come in to review the file.

Banks/Willis Property

Karen stated that Bentley Builders was looking at the Banks and Willis property. Kathleen Willis also indicated there was interest in their property for a sheep farm.

Wireless Service Overlay District

Karen stated that Kristen is preparing a map showing surrounding town's overlay districts/and or locations where the use is allowed.

Sidewalk Fund

Karen reported that the Town Accountant questioned the legality of the sidewalk donation account and asked for a legal opinion. Karen will contact Town Counsel for his opinion. Kathy Sferra said she reviewed the case law that was included in a previous packet and didn't think it was relative to Stow's policy.

Farewell Reception for Kathleen and Russ Willis

Karen reminded the Board of the reception for Kathleen and Russ on Monday April 2, 2012 at the Town Hall.

DISCUSSION/ACTION ITEMS

Draft Letter to Coler and Colantonio

The Board reviewed the draft letter to Coler and Colantonio and made revisions. They will include a request for estimate on the items they added to their list of deliverables and a clear statement on how Scenario 7 will calm traffic and improve pedestrian safety.

The Board discussed moving the utility lines or burying them underground. Due to cost, the Board agreed to ask Coler and Colantonio to show relocation of utility lines to the back of the buildings on the south side of 117 as part of their list of deliverables.

Board members suggested having property owners put the lines behind as properties get developed.

Lenny expressed concern about the cost burden on the property owners.

Karen stated that the Board could revise zoning to give incentives.

Kathy explained that the Board could consider new uses and higher density, which would be a financial incentive.

APPOINTMENTS

Public Hearing for 501 Gleasondale Road – Sprint Special Permit Modification

Steve Quinn moved to continue the Public Hearing for Sprint Special Permit Modification at 501 Gleasondale Road without testimony until April 17th at 7:30PM. The motion was seconded by Ernie Dodd and carried a vote of five in favor (Steve Quinn, Ernie Dodd, Lenny Golder, Lori Clark and Kathy Sferra).

DISCUSSION/ACTION ITEMS (continued)

Mistletoe Farm 149 Whitman Street Special Permit/Site Plan

Historic and/or Culturally Significant Buildings and Structures

Mark Harnett and Beth Gagnon were also present. They requested to withdraw the request for a change in use for the seasonal gift shop, based upon input at the public hearing.

The Planning Board reviewed the draft decision for Mistletoe Farm and made amendments. The Board agreed to allow an alternative use of an accessory apartment of a little more than 700sqft due to the existing floor plan of the house and considering the fact that the intent of the bylaw is provide incentives for the preservation of Historic and/or Culturally Significant Buildings and structures. This section of the bylaw allows for uses not otherwise permitted in the residential district, giving the Board some flexibility in allowing a slightly larger Accessory Apartment than the 700 sq. ft. limitation.

The Board agreed to reword the section in 7.10.5 of the Draft Decision, to allow the Building Commissioner to inspect the structure once a year.

Ernie suggested adding a condition that would require the petitioner to maintain the historic structure for at least 15 years.

Board members felt that this would be unreasonable as the petitioner could knock down the building without any permits or approvals. Lori was concerned that this type of condition may provide an incentive for the property owner change the structure after the 15 years.

Kathy Sferra suggested adding a condition, that if the owner decides to demolish the structure they must give the Town 180 days notice. She stated that this could act like a demolition delay bylaw and give the town the option of acquiring the building and moving it to a different location.

The Board discussed the requirement for a sidewalk, walkway or pathway along the frontage of the property.

Mark Harnett showed pictures to the Board of an existing footpath along Whitman Street on their entire frontage.

The Board found this pathway sufficient to meet the bylaw, adding a condition that the owners do not in any way impede the pathway.

Kathy noted that the change in use will not generate a lot of traffic.

Lenny questioned the potential for liability issues.

Kathy noted that the state has a recreational statute that exempts a property owner from liability.

Ernie Dodd moved to grant a Special Permit and Site Plan Approval for an Historical and/or Culturally Significant Building and Structure Decision for property located at 149 Whitman Street as drafted and amended. The motion was seconded by Steve Quinn and carried a vote of five in favor (Ernie Dodd, Steve Quinn, Lori Clark, Lenny Golder and Kathy Sferra).

Karen advised Mark Harnett and Beth Gagnon of their next steps and noted an amended floor plan should be submitted to the office, showing the accessory apartment, office and storage areas.

Pedestrian Walkway Budget

Karen stated that Bruce Fletcher is currently negotiating with Century Paving to get as much walkway constructed for the amount of money left over in the Sidewalk Account and Great Road Sidewalk Account. Lori Clark noted that the Great Road Sidewalk account is also available.

Karen noted that the department sidewalk fund balance was off from the Accountant's balance so Kristen is checking up on that and will give Bruce a final number.

Lori explained that right now the Board only approved up to a certain amount of money and the suggestion is to go as far as they can with the rest of the plans with the remaining balance of funds.

Karen stated that Century Paving had suggested starting at the west end closest to the recreation field and to work their way towards Applefield Farm because there is a dirt area off the road where people can walk and if they don't have enough money to finish all the way they will at least end near the dirt area.

Ernie Dodd moved to grant Bruce Fletcher, project manager, the authority to expend the remaining balance of the Sidewalk Fund and Great Road Fund, if deemed necessary, in order to complete the sidewalk from Habitech's property line towards the recreation field, excluding the Applefield driveway. And to give Bruce Fletcher authority to make field changes, as necessary. The motion was seconded by Steve Quinn and carried a vote of five in favor (Ernie Dodd, Steve Quinn, Lenny Golder, Kathy Sferra and Lori Clark).

Pedestrian Walkway Sub-Committee Final Plan

Kathy Sferra asked if the Board should wait to hear back from Town Counsel regarding the sidewalk fund before they forward the plan to the Selectmen as things may need to change.

Kathy suggested adding page numbers.

Kristen noted that the Sub-Committee spent a lot of time on surveys and studies to identify Great Road as the priority for Phase I and it didn't seem like there was much information on this in the final plan.

Karen noted there were small grammatical and formatting things she picked up as well.

Lori agreed to add in some language about the Phase I studies and findings and then submit to Karen for her edits.

Karen offered to track change the document for Lori's review.

Steve Quinn moved to approve the final plan as amended, including the additional discussion on the surveys and formatting and grammatical corrections. The motion was seconded by Kathy Sferra and carried a vote of five in favor (Steve Quinn, Kathy Sferra, Lori Clark, Steve Quinn, Lenny Golder).

Ace Hardware – Request to Install Propane filling station

The Board read through Kevin Whalen's request and sketch drawing.

Lori stated that she felt there should be a special permit required in order to involve the abutters in a public hearing process.

Brian agreed and felt there should be a more detailed plan provided.

Karen stated that Mr. Whalen provided a letter of support from Rich Presti who is an abutter to the property. Mr. Whalen also stated that he talked to the owners of the three Red Acre Road properties behind the site and took them around to show them what he had planned. Mr. Whalen stated that one neighbor seemed mostly concerned about the noise from the previous bowling alley use. Another neighbor suggested having the cars enter and exit from the Shaw's end of the Plaza.

Karen questioned if there was ample room to turn around if the traffic pattern was both an entrance and egress from the Shaw's end of the Plaza.

Lori stated that she would be concerned with the traffic and how the delivery trucks and cars would navigate.

Kathy noted she drove behind the building this weekend and notice several wooden crates and storage items under a large tarp where the plan indicates parking spaces. She said this really should be cleaned up, but once it is, there may be more room back there.

The Board agreed that a propane filling station is an allowed use in the business district, as an accessory use to the hardware store.

The Board stated they would like more information on access and circulation, dimensions of the fenced in area etc.

The Board agreed they would like to meet with Mr. Whalen on site to get a better understanding of the proposal.

Karen will contact Mr. Whalen and ask if he is willing to meet with the Board on site on April 10th at 6:15PM.

The meeting was adjourned at 9:31PM.

Respectfully Submitted,
Kristen Domurad-Guichard