

# TOWN OF STOW PLANNING BOARD

Minutes of the May 1, 2012 Planning Board Meeting.

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

Called to order at 7:09 p.m.

## **Coordinator's Report**

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

## **Suggestions from Associate Member Malcolm FitzPatrick**

**Malcolm FitzPatrick suggested a number of potential zoning changes for the Board to consider:**

- Limit the height of fences – His concern is that people hide historic buildings behind a fence thereby changing the character of the road. One example is the Historic house on the Corner of Great Road/Bradley Lane
- Tent Buildings – He is concerned about the aesthetics of a number of tent buildings, such as car ports, going up around town.
- Setback for garages in back yards – Malcolm is concerned about setbacks for garages in back yards, noting that many times, the 25' and 40' setbacks results in the garage being built in the middle of the back yard with things being stored behind it making an eyesore for abutters. He suggested allowing the structure to be built within the setback area provided the neighbor grants and easement (structure would not be on the neighbors property). His intent to do it this way rather than as a variance is to make it a friendly neighbor agreement. Members noted that this change might result in things still being stored behind the garage, and encroaching onto abutter's property
- Malcolm would also like to present an overview on drainage to the Board, as he did in the past.

## **Ace Hardware**

The Public Hearing for Ace Hardware's request to install a propane filling station is scheduled for May 22<sup>nd</sup>. The Applicant is still working with Linear Retail concerning access, so the Application was filed showing both alternatives (Customers driving to the back of the building and constructing a doorway so that Ace Employees can deliver to the customers in the front of the Building.

## **Cushing**

Karen's last discussion with Pennie Cushing was that was considering carving out a lot for the existing house to sell and conveying the remaining land to the Town or SCT.

## **Walkways**

Karen reported that the final bill (less the \$2,000.00 retaining for the great road pavement markers) was processed. Bruce Fletcher reported that the pavement markings were redone on Friday and recommends we pay the \$2,000.00 balance upon receipt of an invoice.

## **Derby Woods**

Dave Coia called in response to my letter concerning the Board's conditions for waiving fifty feet (50') of sidewalk at Derby Woods. He claims that he still needs to bring the sidewalk out the road adding another 20 to 30 feet. Sue Carter, Places Associates, responded that he would still have had to bring it out to the road if he went the additional 50 feet.

Dave Coia reported that he started the street tree planning. One resident complained because two of the trees were not planted where he placed the stakes. Dave claims the trees were planted in the location, as shown on the plan, and the resident moved the stakes.

**Rebel Race** – Karen reported that she has received inquiries about the proposed Rebel Run at Honey Pot Orchard and sent a note to the Building, Police and Fire Departments. Fire Chief McLaughlin responded that there will be a meeting on May 18<sup>th</sup> with the event organizers. The Building Inspector noted that no permits have been issued yet.

## **Minutes**

**April 10, 2012** - Ernie Dodd moved to approve minutes of the April 10, 2012 minutes, as amended. The motion was seconded by Steve Quinn and carried by a unanimous vote of five members present.

**April 17, 2012** - Ernie Dodd moved to approve minutes of the April 17, 2012 minutes, as amended. The motion was seconded by Steve Quinn and carried by a unanimous vote of five members present.

## **Planning Board Member Updates**

### ***Curtis Septic***

It was noted that Curtis Septic responded to the Board's reminder about sign lighting being on all night. Karen Kelleher will send a thank you note for his quick response to the Board's reminder of the zoning bylaw requirements (Section 6.3.1.3), which states, in part: "SIGNS shall not be illuminated between 9:00 p.m. and 5:00 a.m., except during business hours;"

### ***Community Preservation Committee***

Kathy Sferra reported that the Community Preservation Committee voted to support the warrant article for a Historic Document Preservation Project, proposed by the Town Clerk. The requested \$100,000.00 is intended preserve Town Reports and Minutes. Those documents, which are required to be kept in perpetuity, will also be scanned and made available on the Town of Stow Website.

Ernie Dodd noted that there is typically an article for preservation of "ancient documents" and questioned why that article is necessary, now that Community Preservation Act Funds are available. Ernie also noted that he would like to see CPA funds used for sprinklers in the Town Hall, which is on the Historic Inventory.

Kathy Sferra noted that historic preservation funds have been used for the stone wall and grave stone preservation at the Cemetery and the blacksmith shop.

Kathy Sferra reported that Bob Wilber will be resigning from the Community Preservation Committee.

## **Leigh Hildebrandt, 196 Great Road**

Leigh Hildebrandt, of 196 Great Road met with the Board to discuss her request to rezone her property from Business to Residential, as she would like to see the historic home remain in place. She purchased the home in 2007, with the understanding from the Real Estate Broker that it was built in 1720. However the Stow Historical Commission's inventory lists it as being built circa 1830. She noted that the home has a bake stove, similar to one at Sturbridge Village, which dates back to 1830.

Lori Clark explained that the Planning Board received her email request and invited her to the meeting so the Board may understand why she thinks the existing home could be threatened, since she plans on staying there. Lori noted that the residential use is grandfathered under zoning.

Len Golder said he likes the idea of preservation of historic homes and noted that legally, under current bylaws, the home could be torn down, even if the zoning is changed.

Leigh Hildebrandt noted that she understands that if the property were rezoned to residential, it would be subject to a greater buffer from the abutting business zoned property. It was noted that the site plan for the abutting property (Stow House of Pizza) would remain as permitted. Leigh Hildebrandt noted that the rezoning would protect her by having a larger buffer in the event that a new site plan were proposed.

Kathy Sferra noted that, if Leigh is interested in maintaining the historic structure, she could place a 30 year historic preservation restriction on the home. Leigh noted that she thinks the zoning should match its use. Leigh noted that she has a couple of concerns – she would like to preserve the building as well as the environment around it. Len Golder noted that, financially the property might be worth more as a business use.

Kathy Sferra noted that the Planning Board is currently taking a comprehensive look at the Zoning in this area and she would rather wait to consider Leigh's request at the same time.

Karen Kelleher agreed review the Site Plan for Stow House of Pizza to see if there was a requirement for a landscape buffer between the properties. Karen also agreed to request that the Historic Commission reach out to Leigh to discuss the potential for a historic preservation restriction.

Leigh Hildebrandt also noted concern about the neighbors in back (Lanes End) burning a brush pile. Although they were burning on their own property with a permit from the Fire Department, she was concerned that her historic home was at risk.

#### **Sprint Wireless Communications Facility, 501 Gleasondale Road.**

Members reviewed and updated the draft Site Plan Approval Decision Modification 1 for Sprint Spectrum LP d//b/a Spring PCS at 501 Gleasondale Road.

Ernie Dodd moved to approve Site Plan Approval Modification No 1, ad drafted and further amended. The motion was seconded by Steve Quinn and carried by a vote of 4 members present through the proceedings (Lori Clark, Stephen Quinn, Leonard Golder and Ernest Dodd) and one abstention (Kathy Sferra, who was not appointed to the Planning Board until after the first session of the public hearing.

#### **Derby Woods (Sylvan Drive) Request for Bond Reduction**

Members reviewed a request for a bond reduction from Dave Coia, for the Derby Woods (Sylvan Drive) Subdivision. It was noted that several items remain outstanding, including

installation of street trees, a property bound, trail construction, conservation restriction and final as-built plan.

Kathy Sferra moved to deny request for bond reduction. The motion was seconded by Steve Quinn and carried by a unanimous vote of 5 members present (Lori Clark, Steve Quinn, Ernie Dodd, Len Golder and Kathy Sferra).

### **Tax Foreclosure Auction**

Members reviewed the list of tax foreclosure properties, from the Treasurer, that she will be submitting to the Board of Selectmen to sell at auction. Members agreed that they need a little more time to look at the properties. It was agreed to organize site visits and to invite the Selectmen to come along. Karen will forward a copy of the list to Vin Antil of the Open Space Committee.

### **Adjournment**

The meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Karen Kelleher, Planning Coordinator