

TOWN OF STOW
PLANNING BOARD

Minutes of the September 4, 2012 Planning Board Meeting

Present: Planning Board Members: Lori Clark, Steve Quinn, Kathy Sferra, Ernie
Dodd, Len Golder

Voting Associate: Brian Martinson
Non Voting Associate: Mark Jones

Lori Clark called meeting to order at 7p.m.

Correspondence Update:

Karen Kelleher explained that the Planning Department has received a number of calls and emails from residents regarding Linear's pylon sign at Lower Village, as well as general inquiries into the state of the Lower Village planning process.

Discussion of 8/14/12 Planning Board Meeting Minutes:

Steve Quinn moved to approve the minutes.

Lori Clark seconded.

VOTED (3-0) in favor (Lori Clark, Steve Quinn and Ernie Dodd)

Kathy Sferra abstained

Discussion of 8/21/12 Planning Board Meeting Minutes:

Kathy Sferra motioned to approve the minutes as amended.

Ernie Dodd seconded

VOTED (3-0) in favor (Kathy Sferra, Steve Quinn and Ernie Dodd)

Lori Clark abstained

Discussion of 8/21/12 Executive Session Meeting Minutes:

Ernie Dodd motioned to approve the minutes.

Kathy Sferra seconded.

VOTED 3-0 unanimously in favor. (Steve Quinn, Ernie Dodd and Kathy Sferra)

Lori Clark abstained

Public Input

Gleasondale School Lot:

Bill Byron asked about the Planning Board's interest in the Gleasondale school lot property. He noted that the previous owner is seeking to repurchase the small lot, claiming that the Town has shown no interest in the property since the original school building was razed. Bill Byron said that there was a period of time when the Town did not even maintain the property. The Highway Department now mows the lot and maintains the fence. He reported that some neighbors would like to see it

retained as Town property because parking in that area is so scarce and nearby residents have been using the area as overflow parking during private events. If the town has no use and the applicant would like to make it taxable property, Bill Byron does not think the previous owner will do the property any harm. She will most likely use it for bettering her access or perhaps for gardens. He said the previous owner has also used it for parking in the past. If the Town has no reason to keep it he would be in favor of the applicant purchasing the property.

Ernie Dodd asked whether Bill Byron would object to an affordable housing unit on the property. Bill Byron said no. Ernie Dodd said he would like to see it kept as a small park as children do not have much space to play in the Gleasondale neighborhood. Kathy Sferra said that if the Town were to purchase the property it would have to be advertised in accordance with the Chapter 30B procurement process and sold to the highest bidder - who may not be the previous owner. Kathy Sferra noted that an important aspect of any decision is whether or not the lot is a residential lot of record, meaning that it could have a higher value for a potential bidder.

Len Golder said two questions are important: what would be the most optimal use and what is the most realistic outcome if it were sold? The board discussed how the Town has regretted selling property in the past that could have been useful at a later date. Kathy Sferra said the tax rate would be insubstantial, generating roughly \$64 per year with the current tax rate.

Steve Quinn asked whether the parcel was bought with the intention of expanding the school house. Ernie Dodd said he would rather leave it as it is right now. Kathy Sferra agreed, saying that in the future the Town may need to put a pump station on the property, or use it for a need associated with the revitalization of Gleasondale Village. Kathy Sferra summarized, saying the Town should not decide this now with all of the possibilities of what may happen in Gleasondale in the future. Len Golder asked if they could find out if it is a buildable lot? Kathy Sferra asked if it is a residential lot of record?.

Steve Quinn asked why the applicant would like the property back. Bill Byron said that she would like to have it back in the family. Bill Byron said another resident he talked to thinks the lot was probably a district school before consolidation. At one point they had even installed a manual merry-go-round.

Lori Clark said it may be good to talk about the future potential of the lot in a way that would be more amenable to the Board of Selectmen, perhaps in terms of infrastructure rather than a park. Mark Jones said there may be potential for abutting land to be combined with the lot and then subdivided. The Board discussed whether or not there was potential for a building lot with no clear consensus. Karen Kelleher added it would be good to keep all options open.

Kathy Sferra claimed that with all the potential future uses, the Town simply is not ready to make a decision on the property. Somebody could even come forward with a proposal to make it a park with the new recreation language in the CPC regulations, she continued. Lori Clark agreed saying they cannot make an accurate judgment regarding selling the lot because the Town remains unsure about Gleasondale Village's future. The Board came to consensus that Karen Kelleher would draft an official position of the Planning Board to be sent to the Selectmen based on tonight's conversation.

Planning Board Member Update:

Ernie Dodd reported on the FEMA floodplain map update meeting, explaining some of the new changes and the GIS data that has been requested to help identify where the changes are happening. Ernie Dodd said it may be a good idea to notify some of the property owners affected. Ernie Dodd said that the board would have to update the maps according to the new floodplain delineations.

CPC

Kathy Sferra said that the motions for Summary Judgment on the Plantation Apartment Comprehensive Permit Appeal was denied and will go to trial.

Pilot Grove:

CPC met with Town Counsel and Stow Community Housing Corp. concerning how to deal with ownership of the property. It was determined that it would be best for Stow Community Housing Corp. to retain ownership of the land and the Town will hold a perpetual affordable housing restriction.

Center School

Steve Quinn said that Center School has a permanent occupancy permit. He noted that the softball field will be redone and that it is the only big item left to be worked on. The school still has to meet substantial completion for full close out with the contractor but that is mainly just paperwork. He said they are putting in a treatment system for the drinking water to mitigate high copper levels and are providing bottled water for the next two weeks in the meantime.

Lori Clark and Brian Martinson will be out next Tuesday. Steve will be chair. Karen will forward a draft decision for the Delany Solar project for their review and input.

Mark Jones asked if there would be a planning board presence for the Sylvan Drive Street Acceptance.

Karen reported that Kearsage has requested a postponement of the hearing for the Minute Man Airfield solar project until 7:30 December 18. She noted that Kearsage may be withdrawing or that they will transfer their rights to a new solar company. The abutters have not yet been notified. Karen suggested that the board continue without testimony until Dec. so the applicant can figure out what they are going to do.

Kathy said they could be in a situation that the application is refiled while the other application is still pending. Len Golder agreed with Kathy Sferra that postponing the hearing for a shorter timeframe would allow for the board to gain more input. Karen Kelleher said that it may not be possible without the original applicant's request. Karen Kelleher believes the application will be withdrawn but if the December 18th hearing is to move forward it should be reposted in the paper and abutters need to be notified.

Lori Clark opened the public hearing to consider the Special Permit/Site Plan Approval application for a Commercial Solar Photovoltaic Renewable Energy Installation at Minute Man Airfield.

It was explained that, at the request of the Applicant, the Public Hearing will be postponed to December 18, 2012 and abutters will be notified of the postponement date.

No public comment

Steve Quinn motioned to continue public hearing without testimony to December 18, 2012.

Ernie Dodd seconded

VOTED 5-0 unanimously in favor of continuation. (Lori Clark, Ernie Dodd, Kathy Sferra, Steve Quinn and Len Golder)

Coordinators Report:

Minuteman Solar Project Status:

Karen Kelleher reported on a call received from Kearsage, claiming there was more work that needed to be done with the FAA before the solar project could move forward. Kearsage implied that there may be some contractual issues to be worked out between the property owner and the applicant, said Karen Kelleher. A solar company named Synergy called September 4th saying they are interested in taking over the project. However, Karen said, the owner of Minuteman Airfield could not verify whether the Kearsage would be withdrawing.

Derby Woods:

Karen Keller reported that Habitech is working on identifying encroachments on the open space. One abutter to the open space parcel has said she is hiring a surveyor to identify the property lines in order to properly delineate the extent of her property.

Public Auction on Quirk Property off of Athens Lane:

Karen Kelleher shared a flyer regarding the public auction on the Quirk property located off Athens Lane, which is taking place on September 10, 2012. The board

discussed the history of potential contamination at the site, as well as its current zoning status.

Brandymeade Circle

Karen Kelleher reported that she is in receipt of a signed copy of permission from the abutters at Brandymeade Circle for drainage maintenance on an abutting easement. However, she noted that during a site visit Sue Carter, the Town's engineer with Places Associates LLC, and Dan Ward, the contractor for the proposed work, found that the project may require more work than the \$10,000 allocation would allow. With the drainage having been in place for eleven years, there has been considerable amounts of wetland plants that have taken root, as well as landscaping added by the abutters that would require removal. The drainage is not currently functioning as designed and is holding water. She further noted that there has been significant rain events over the 11 year period and the basin has served its purpose and has never overtopped. But Karen Kelleher noted, if it did overtop it would drain onto conservation land. She said Sue Carter believes that going forward with the work could cause more problems.

Steve Quinn asked if the new plantings and the overgrown environment happened in the time it took for the abutters to sign off on the project. Steve Quinn said it was priced at \$8500 three years ago and now, because an abutter would not sign, the Town would have to pay a much higher price? Karen Kelleher said one issue that is driving up the price is that it would now take a second access point to perform the work.

Lori asked if the board would like to revisit the site? Kathy Sferra suggested talking with the Highway superintendent before going forward. Steve Quinn asked what would happen to the bond money. Karen Kelleher said that the Town could hold money for potential future use at the site, by the Highway Department.

Joanne Drive:

Karen Kelleher reported on her visit from Frank Lundy regarding a decades old Joanne Drive subdivision plan off of Forest Road and Sudbury Road. Karen Kelleher said she advised Mr. Lundy to hire an engineer and resubmit the application, taking into account new River Protection Act and current zoning and subdivision regulations. Mr. Lundy did file a preliminary subdivision several years ago but never followed up with a definitive plan. Kathy Sferra asked why the original definitive plan was still shown on the assessor's database when it is clear they would not be able to develop as many lots, and whether it was worth a conversation with the assessor to see if database can be adjusted. Karen Kelleher said she encouraged the applicant to take the plan and preliminary decision to the assessors to discuss the current assessment.

Linear Retail:

Karen Kelleher reported that Linear has filed for a permit with the ZBA regarding the proposed pylon sign. Lori Clark said the board should make arrangements to discuss the sign issues in September and provide their input on the issue to the ZBA.

Villages at Stow:

Karen Kelleher said that on Sept. 10th the ZBA will hear a request for modification of a special permit from the Villages at Stow regarding sidewalk construction. Ernie Dodd said he would be able to attend the meeting.

Economic Development:

An exploratory meeting with business owners and Town officials is scheduled for Sept. 12 at 7:30 p.m. to discuss the potential for an Economic Development Committee for the Town of Stow.

Lower Village Working Meeting Begins:

Downtown Technical Assistance Grant Update:

Karen Kelleher said that part of the grant requirements require proof that the Town is working within a public/private partnership. She said that she has gained support from key landholders in the Lower Village (Presti and Steinberg) to help assist with the planning process.

Regarding Lower Village Committee Draft Letter:

Kathy Sferra asked if a Lower Village Committee (LVC) would work more effectively as a subcommittee to an Economic Development Committee, which could provide input to the Planning Board, rather than work directly as a subcommittee of the Planning Board. Karen Kelleher said that could be a possibility, noting that other Economic Development Committees in the region often have business owner make-up.

Brian Martinson said there was low participation from business owners on the LVC in the past. Karen Kelleher agreed saying it seems members became disillusioned during the long time frame of the planning process. Brian Martinson continued, saying that what is really needed is a business association, rather than a Town committee that may or may not gain traction due to the difference in tenures between lease arrangements and owner occupied businesses. Len Golder replied that a business association may not even happen because the Planning Board is really driving the encouragement of the process.

Lori Clark said the Planning Board will likely need outside input for some amount of time as the process unfolds and a subcommittee to the Economic Development Committee may be able to provide that involvement. Len Golder said the subcommittee process is a way of generating interest for short term durations. Lori Clark said that thinking about the various things they would like to accomplish, including design, traffic, and infrastructure, the Planning Board should be specific about asking for input on those issues.

Ernie Dodd said that perhaps one meeting would be enough to hear the public's interests and input. Brian Martinson said that some of the issues regarding development potential and the Lower Village itself are not well understood by all business owners.

Kathy Sferra said that it will take energy and involvement in the long term to see any real progress in Lower Village and that a process needs to be in place that will help build momentum for action. Lori Clark said it will also take some education of the public on the types of things that are under the Planning board's purview. Kathy Sferra said that if there are a handful of business owners that want to lead the effort in their own committee or association, they will have the potential to go beyond the purview of the Planning Board.

Steve Quinn said if it seems like it is going to be a long term planning project with no outcome, business owners, as well as the public are not likely to stay involved. Lori Clark asked what motivation Linear Retail would have in participating in any way.

Jesse Steadman, Assistant Planner, said that the potential for Lower Village redevelopment may be more regional in scope, both having an effect and being affected by the seasonal attractions in Stow. Lori Clark added that Lower Village could show potential for the farms, orchards, and golf courses. However, Ernie Dodd said, the farms have not really taken advantage of combined signage and wayfinding opportunities. Brian Martinson said that is because they may feel like they cannot do anything about it. Len Golder said that perhaps if the agricultural community knew what was at stake in Lower Village they would be more likely to be involved.

Kathy Sferra said that perhaps the Board should introduce the idea of a business association and explore potential functions of the group and gauge interest.

Mark Jones asked how Lower Village's struggle is different from Maynard's troubles with vacancies. Brian Martinson said that perhaps Lower Village is not struggling as much as the Board thinks. There may be economic reasons for keeping these sites vacant until the property owners can find a higher price. Brian Martinson said that rents have been relatively high in those areas. Len Golder said the question is how can we support businesses that are sustainable?

Karen Kelleher reported that that a Subway is looking to come into the Steinberg property but may confront issues about water and septic regulations with DEP.

Brian Martinson said he does not want to set up the Lower Village planning process to fail. He continued, saying perhaps a better direction for the Planning Board to take is to focus on beautification of the village, adding infrastructure, and perhaps hold a farmers market. But when it comes to involving other business owners and property owners, Martinson said he is not sure how well their involvement in a committee will serve the process.

Lori Clark summarized saying that it seems the Planning Board would like to move forward with items that are under their purview and along the way they want input from business owners and property owners, regarding their opinions, as well as how can they best involve them in the planning effort. The difference between a committee and a stakeholder/business advisory board, is that the Planning Board could go to a business association with specific items to solicit input.

Brian Martinson said that one way to move forward would be to get the businesses email addresses, and use online media to help facilitate the process. Kathy Sferra said that in the future they could ask the economic development committee to take part in key decisions. She continued saying the letter should be spun toward asking for input through emails and web content. Steve Quinn said the level of interest will depend on who in the town is running the committee.

Public Forum Discussion:

Lori Clark said the Planning Board will make slow progress if they try to develop the November Lower Village public presentation themselves. Jesse Steadman and Karen Kelleher said they are happy to work individually with Planning Board members to update the presentation in accordance with the planning goals each member was assigned to think about. Lori Clark said it may be best to show the possibilities in conjunction with a description of Lower Village goals.

The board took a moment to discuss the best way forward regarding a presentation. Kathy Sferra said that having objectives for the meeting is key.

- Why are we here?
- Where has the planning process been?
- What are we working on?

There are specific achievements that the Planning Board can draw from.

Definition of Success for the Public Forum:

Kathy Sferra said for the meeting to be considered successful they will have:

- Informed the public
- Refocused the Lower Village agenda
- Presented the Planning Board's goals
- Received feedback
- Discovered how the public would like to be engaged.

Len Golder said there should be a clear idea what the next steps are when the meeting concludes.

Ernie Dodd said they could rely on Stow TV and internet outreach to garner more attention for the meeting. Steve Quinn said it would be a good idea to engage people earlier on rather than later in the process.

Karen Kelleher said that she has been receiving calls asking about the Lower Village planning process, when the shopping center sign is going to be replaced and why the area looks out of business. Kelleher said that she thinks there is a growing public interest. This meeting she said, could give residents an update on the situation. Lori Clark said that she thinks that informing residents of what the planning board has the power to do would be the best option.

Ernie said that perhaps we should have a recurring segment in the Independent.

The Board discussed revisions to the public forum outline:

1. Set the context
 - a. Why are we here?
 - b. What is Lower Village?
 - i. Walk through history of the Lower Village planning activities and achievements
 1. Update on signs
 2. Traffic scenarios and round-a-bouts
 3. Water
2. Present the Existing Conditions at Lower Village
 - a. Introduce the issues and opportunities assessment as a vehicle for addressing different scenarios
3. Describe the four goals as action items to reach different possible scenarios.
 - a. *Here is how we can get there*
 1. Attract business expansion to serve the needs of Stow residents.
 2. Foster a more attractive, walkable “downtown” area for Stow that reflects the local and historic character of Stow.
 3. Improve vehicular and pedestrian safety
 4. Advocate for infrastructure improvements that will foster opportunities for appropriate development and redevelopment
 - b. *Here is what Lower Village could be*
 1. Show photos of the other villages
 2. Potential for business association

October Meeting Outreach:

Mark Jones asked whether the Town Meeting schedule can be pushed back before the meeting begins. The board did not think that would be possible. Karen Kelleher said perhaps an informational sheet could be attached to the warrant or a COA mailing. Lori Clark said that they have used a booth at Springfest as well as various outreach techniques. A public meeting is just one tool.

On Sept. 11 the use table can be finished. Updates on the presentation progress will be scheduled for Sept. 18th.

Coler and Colantonio:

The Planning Board said the specific details of the street design on Coler and Colantonio's traffic plan do not need to be shown. Rather, a more concept based design showing relative locations of traffic islands and turning lanes is more appropriate for the upcoming public forum. The Board discussed some of the particulars of the design, with Lori Clark saying that they do not want the sidewalks to be quite as large as shown in the plan. Karen said if there is enough room it would not be a bad idea to have them incorporated. Lori said the sidewalk plans could be less detailed to avoid conflict. Len Golder said that there should be some conceptual design of the sidewalk. Lori said it should be only conceptual. Steve Quinn said that the details could be worked out at a further date.

Meeting Adjourned