

TOWN OF STOW  
PLANNING BOARD

Minutes of the August 21, 2012 Planning Board Meeting

Present: **Planning Board Members:** Steve Quinn Vice Chair, Kathy Sferra,  
Ernest Dodd and Len Golder

Absent: Lori Clark

**Voting Associate Member:** Brian Martinson

**Non-Voting Associate Member:** Mark Jones

Steve Quinn called meeting to order at 7p.m.

**Correspondence Update:**

**Discussion of Meeting Minutes:**

*Kathy motioned to enter Executive Session with a return to regular session after vote of both the July 31<sup>st</sup> and August 1, 2012 Executive Session minutes.*

*Lenny Golder seconded.*

**VOTED (4-0) unanimous roll call in favor (Len Golder, Kathy Sferra, Ernie Dodd, Steve Quinn)**

**August 7<sup>th</sup> Meeting Minutes:**

*Ernie Dodd motioned to accept the minutes August 7<sup>th</sup>, 2012.*

*Kathy Sferra seconded.*

**VOTED (4-0)**

**Member updates:**

**Stow House of Pizza Lighting**

Brian Martinson reported that Stow House of Pizza's spot light on a pole on the east end of the property line is turned back to an angle that shines into oncoming driver's eyes. Although it is turned off after business hours it should be redirected.

**Library Renovations**

Ernie Dodd attended the Stow library renovation information session and updated the board on the four different approaches, including the rebuilding of the existing addition, as well as a less costly approach that would rewire the building and make functional upgrades. Ernie Dodd said in his opinion, some of the new designs

detracted from the original design. He added that for the large cost the addition only adds 1500 square feet. Ernie Dodd said he questioned the cost, but the architect said that they would have trouble fixing some of the water leaks due to the single brick layer. However, Ernie Dodd believed the issue could be solved with proper membranes or a different roof design.

Steve Quinn asked if they would be looking for money at Town Meeting. Ernie Dodd said they would be asking for design funds, the amount depending on the design. Len Golder said perhaps we need to think further into the future when considering designs. Steve Quinn mentioned that at times designs serve a functional purpose, one that historically accurate buildings cannot always achieve.

Ernie Dodd and Len Golder stated that if any renovations were absolutely necessary it would be those pertaining to the fire station.

### **Center School**

Steve Quinn said the school project is likely going to go down to the wire. He said the first permit granted will be for temporary occupancy until it is a complete building. The goal is to get the school substantially completed and the majority of the punch-list items out of the way before the children return.

### **Task List - Water**

Mark Jones asked where water for the Town should be placed among ongoing priorities. Mark Jones also asked whether the Planning Board should consider updating bylaws to help various stakeholders better understand the Town's open space policies when designating open space at a Planned Conservation Development. Kathy Sferra said if the Stow Conservation Trust needs an endowment, that issue needs to be worked out between the developer and the Trust, rather than with the Planning Board. Karen Kelleher said she believes the bylaw is clear but that communication, including clarification of procedural questions and issues is a better angle to take in addressing the open space and conservation restriction requirements. She said much of the issue arising between Derby Woods and the Stow Conservation Trust was because of the long time frame of the project and the fact that the Stow Conservation Trust's policies were updated during that time. Karen Kelleher ended saying the Trust and the developer need to understand the procedure at the outset.

Ernie Dodd said there should be a fund for maintaining publicly accessible trails, with Kathy Sferra replying that often that discussion takes place at Town Meeting and the Town's conservation fund is meant to cover such maintenance tasks.

Sue Carter, Planning Board Consultant with Places Associates Inc., added that they have used CPC funds to maintain trails in the Town of Chelmsford. Kathy Sferra said that as she understood, CPC funds could be used only when CPC funds are used to purchase the restriction. Sue Carter said perhaps a non-revolving fund could be

used for the implementation and maintenance of properties with conservation restrictions on them.

### **Coordinators Report:**

#### **Derby Woods**

Karen Kelleher reported that although Habitech agreed to provide an endowment and a baseline report for Derby Woods the bounds for the open space on the Dunster Drive project have not yet been installed. The Stow Conservation Trust told Habitech that they either need to post a bond or get the work done. Karen Kelleher said that there is an existing bond already in place that should meet the need. Karen Kelleher said that the issue should not interfere with street acceptance.

#### **Economic Development Committee**

Karen Kelleher updated the board on conversations regarding the establishment of an Economic Development Committee. Karen Kelleher said she and Selectman Jim Salvie have begun to reach out to local business people regarding participating in the potential project. An initial meeting will be held with a few business owners and the next step is to send out a letter to business owners and invite them to a discussion follow-up meeting.

Len Golder asked whether “economic development” means looking for new tenants or retaining the ones we have. Karen Kelleher said it could address both issues among others. Kathy Sferra said Acton and Maynard both have business associations, such as Maynard’s downtown association which fosters a sense of pride in the downtown.

Steve Quinn asked what the business response was like. Karen Kelleher said there was a positive response to those businesses that were contacted, although Lower Village owners are likely concerned about water, it would be worthwhile to hear other issues and concerns.

### **Public Hearing – Delaney Street Commercial Solar Photovoltaic Renewable Energy Installation Special Permit and Site Plan Approval**

#### **Brian Martinson will be voting as a voting associate member of the Planning Board.**

Steve Quinn opens public Hearing:

Ernie Dodd Motioned to waive reading of the public hearing announcement.  
Steve Quinn seconded.

**VOTED (5-0) Unanimously in favor (Steve Quinn, Len Golder, Kathy Sferra, Ernie Dodd, and Voting Associate Brian Martinson)**

The Planning Board asked the applicants to show proof of abutter notification. Larry Beals presented the return receipts for abutter notifications.

Larry Beals of Beals Associates, and Brian Kopperell of Renewable Energy Massachusetts introduced the plans for the Delaney Street commercial solar photovoltaic project submitted by Syncarpha LLC and Renewable Energy Massachusetts. He noted there are no major changes to the plans shown to the Conservation Commission. Larry Beals mentioned that he received a spreadsheet of comments from Ernie Dodd regarding specific compliance items and will address those issues after the initial presentation.

Larry Beals introduced the project. He noted the cause of past contamination on the site, describing the its flow from the Future Electronics site. Larry Beals said the site is ideal for the proposed use because the contamination requires another 30 years or so – too much of a liability for a residential developer to take on.

Larry Beals also said the **property was formerly used as a gravel pit and is level and sandy** with little vegetative cover - ideal for a solar facility. He noted that wetlands concerns have been discussed with the Conservation Commission and an order of conditions has been approved. He mentioned that the rare and endangered species issue on the site has been cleared by the Massachusetts Natural Heritage and Endangered Species Program. Larry Beals noted they have proposed a restoration of the disturbed riparian zone to be able to erect panels in the northern end of the parcel.

Larry Beals noted that there are two entrances, one where the existing driveway is located and a second to be used as a construction entrance. He said that the highest shade areas are on the east side of the property, where the tallest trees are located. Larry Beals said they are aware that the abutters will need to be contacted in order to remove any trees located on private property if deemed necessary, and that the Conservation Commission has given them permission in the case that they will need to. He said all of the inverters and transformers are located on the east end where shade is not an issue. Cable trays carry the power into the property before the conduits go underground. He said they have requested a waiver of the ten foot height limit on the panels to eleven feet because of minor variations in the ground level and the fact that they don't propose to re-grade the site.

Stormwater will hit the panels and drain into the ground near the base of the panel, claimed Larry Beals. He continued, saying the foundations are structured as a large helical auger that keeps the panels from lifting or sinking into the ground. He reported that they have tested the augers to be sure that the supports were adequate. Larry Beals said one benefit to using the augers is that they will not have to pour concrete. Rather, after decommissioning they can be taken out cleanly.

Larry Beals said that he knows with certainty that the panels will not increase the rate of runoff. However, in the event of unexpected conditions they propose to run a shallow trough around the site that measures ten (10) feet wide, six (6) inches deep which should take care of any runoff in an extraordinary event. There will also be a silt fence running around the edge of the swale, he added. The Conservation Commission requested a 3" ground clearance for the fence to allow a wildlife crossing.

Larry Beals said that with the proposed screening, the eight foot tall trees will sufficiently block the six foot chain linked fence. Where there is a gap in the vegetation, they plan to install vinyl slats on the gates to mitigate the visuals. Larry Beals said the only area where they are adding groundcover is in the mitigating riparian area. He went on to show the one large white pine that could be of an issue casting a shadow, which is identified on the plan.

### **Public Input:**

Patrick Donahue of Taylor Road, asked if there would be any sound emitted from the operation.

Larry Beals said the panels themselves do not make a sound. When the electricity goes into the inverters it is likely 65 decibels. It could be 75 or 55 decibels in reality, but at night the site will be emitting 0 decibels. Steve Quinn asked if it was a humming type noise. Larry Beals said yes and that so far it has never been a problem, adding that he could provide a sound chart if necessary. Patrick Donahue said that the humming noise from one project in Harvard was enough to cause someone to move out of their home. Brian Kopperell said he is not sure about the size of that project. Ernie Dodd noted that any noise will likely be mitigated by the vegetative screening.

Mark Jones asked how far back the equipment building is from the road. Larry Beals said the edge of the road to the edge of the transformers is about 80 feet. From the road to the structure is about 300 feet. The transformers are the closest structures to the street, he said.

Steve Quinn asked if the structures were modular units. Brian Kopperell said they are climate controlled shelters that sit on soni-tube footings. Regarding the reflection of the buildings, Larry Beals said they would likely pick a gray color that would not reflect the sun.

Len Golder asked about the auger foundations. Beals said there is tapering auger with an extended helical that will be inserted seven feet below the ground. Above the ground is a galvanized frame that holds that the panels up. Lenny asked if they have been tested against unusual weather events.

Len Golder asked how the wires were housed from the panels to the inverters. Larry Beals said that would need to comply to code. When it is above grade it is in conduit. When the electricity gets to a certain point it goes 18 inches below ground.

Len Golder asked if the trees could be pruned rather than taken down. Beals said that in the order of conditions they mentioned that and it was conditioned as a possibility. Len Golder asked about efficiency of the panels during stormy weather. Larry Beals said that snow typically slips right off. They have selected the three foot elevation of the panels to preclude them from being buried by permanent snowpack. Len Golder asked about production rates. Brian Kopperell said it will produce about 1.5% of all of the energy produced by Hudson Light. Steve Quinn asked about a graduating rate for the power structure. Kopperell said that under the Green Communities Act Hudson light did not have to take the power so a graduated rate was something Renewable Energy agreed to.

*Review of Compliance Issues submitted by Ernie Dodd  
See attached document*

After running his own calculations, Ernie Dodd questioned whether the angle of the panels should be higher. Brian Kopperell said that the summer peak is when they want them performing highest. Ernie Dodd asked about a plan of protection for lightning strikes. Larry Beals said they have borrowed their grounding specs from their German partners, adding that they have also been assured there is significant grounding to be prepared for a lightning strike.

Ernie Dodd said there was not a specific design on the entrances, reflecting the amount and size of trucks that will use the entrance and how they will be able to move around. Ernie Dodd said at least a fire engine must be able to get in. Larry Beals and the Planning Board agreed that only one egress is necessary. Larry Beals said that during construction there will be a construction gate and when the site is up and running the black fence will be installed. He noted that very few vehicles will be on site as these units are monitored remotely.

Sue Carter said that aside from turning radii, if an ambulance or fire truck were to come to the site, was the gate be set back far enough so the trucks could pull off the road? Larry Beals said that in other communities we have had a key box as well as signage to show how to cut off the power. Larry Beals said that they have met with the fire chief. The Planning Board agreed that it would be a good idea to have firefighter training. Ernie Dodd said they will be asking for a plan of action in the order of conditions to be used in case of emergency.

Ernie Dodd asked about the missing sidewalk easement. Karen Kelleher explained the bylaw, which requires a sidewalk along the frontage when a development requires a Special Permit. Brian Kopperell said they are leasing the property from Teradyne and he is not sure how Terradyne would feel about a sidewalk. Brian

Kopperell asked where the sidewalk would be going to. He asked if a zoning waiver would be appropriate here. Karen Kelleher said that they could apply for a variance from the ZBA. Ernie Dodd said that they would definitely need the easement or perhaps a payment in lieu of to the sidewalk fund. Larry Beals said he would discuss the issue with Terradyne Inc. and get back to the Planning Board.

Ernie Dodd said issues of security and abandonment can be worked out just before the building permit is issued. Perhaps every five years the security plan can be reviewed to be sure the bonds are still applicable.

### **Review of Sue Carter's Comments**

#### *Sign and advertising*

Larry Beals showed a plan for an attached sign to be located at the main entrance. A Syncarpha phone number as well as the property manager and Ernie Dodd's suggestion of the fire department will be on the sign. Motion activated infrared cameras will be added rather than lighting of the sign. Mark Jones asked if the cameras fail on or off when they do fail. Larry Beals said he did not know. Larry Beals did note that there will be no lighting on any of the buildings or the sign. Sue Carter asked if the infrared cameras could pickup a woodchuck burrowing. Larry Beals said that sort of issue would be visible.

#### *Regarding Visual Impact:*

Sue Carter would like to see performance standards to go along with screening plan to be sure that the landscaping is built as shown on the plan. She said that guidance would allow the board to sign off on the project when it is done, knowing that hired contractors built the project to the required specifications. Sue Carter said that the vinyl slats look great when they are new but eventually deteriorate. Perhaps they can make a plan for replacement. Larry Beals agreed to update the plan to indicate the type of slats.

#### *Access:*

Sue Carter said she would like to see a better design of the driveway, articulating where the loam and gravel would be placed. The board came to consensus that one driveway would be sufficient. Larry Beals said although the original plans showed a construction entrance and a main entrance, he would look to the drawings and note that one of the entrances will be removed upon completion of construction.

#### *Stormwater Runoff:*

Regarding runoff around the buildings, Larry Beals said they typically spread two feet of gravel around each of the buildings. Sue Carter said to make it very apparent so that the contractors can see what they need to do.

Sue Carter said that the drainage calculations consider the site a meadow but it is not clear on the plans where the loam and seed will be placed. Larry Beals said that the area where loam would be placed would be where the mitigation for the

disturbed riparian zone was planned for. Sue Carter asked if the applicant's were concerned about dust during a long hot summer. Larry Beals said they can be cleaned when those monitoring the site notice a reduction in normal efficiency. He said the panels would be cleaned by spraying the panels with a hose.

Sue Carter noted that regarding the potential tree pruning, it would be a condition of the permit that the applicants would need to work with the landowner. She added that any loam brought in should be screened for any invasive specie seeds. Sue Carter also suggested that a spill kit be on site during construction, as well as a port-o-potty. Larry Beals agreed that would be appropriate.

Ernie Dodd asked for a copy of the deed and a document from Hudson Light and Power saying that they will accept the power when construction is finished. Larry Beals submitted both documents.

Steve Quinn said that this is an ideal site for such an installation. He asked if Hudson Light and Power would run anything different than what currently exists in order to access the power. Brian Kopperell said that typical line poles will run further down route 117 to the site. Steve Quinn asked where they will be able to disconnect if the lines went down. Larry Beals said there is a cutoff switch at the terminal pole at the site.

Len Golder asked if there would a need for snow removal. Larry Beals said that for a short distance along the access drive there will be.

*Ernie Dodd moved to close public hearing.*

*Kathy Sferra Seconded.*

**VOTED (5-0) Unanimously in favor (Steve Quinn, Ernie Dodd, Kathy Sferra, Len Golder, Brian Martinson)**

### **Discussion Items:**

#### **Center School Landscaping**

Ernie Dodd asked about water coming off of the Center School property, which runs along Great Road, across an abutters driveway and into a small culvert. Sue Carter said she noticed that area did have some flooding issues. Steve Quinn said that another pipe may have been added to mitigate the issue. Sue Carter mentioned that the school driveway high point was moved closer to the road to mitigate runoff amounts. Ernie Dodd alerted Building Commissioner, Craig Martin about the runoff concern.

Regarding the ongoing landscaping, Ernie Dodd said the abutter is working with the landscape architects to find the best vegetation placement.

### **Subdivisions**

Sue Carter said the only subdivision still ongoing is Dunster Drive and Highgrove Estates. Sue Carter said she has not heard much about Highgrove, although Mark Jones said the houses are now being marketed online. Sue Carter said that the road has been compacted really well, with well placed rock keeping it from eroding.

Karen Kelleher reported that deephole tests are are being conducted at the banks property. The Board of Health was onsite Tuesday to inspect the site.

Kathy Sferra said that the Brandymeade trail is completely overgrown. Mark Jones asked if finding maintenance funds was the purview of the conservation commission or Town Meeting.

#### **ANR Plan – Dunster Drive**

Karen Kelleher showed the plan for an approval not required subdivision numbered 603 of 1980 from Foresight Engineering, which details a 4802 foot landswap between two adjacent lots off Dunster Drive. Lenny asked if there would be any issue regarding enough space for water and septic. Karen Kelleher said since it is both such a small land swap and involves a property with an existing septic, water and septic space would not be an issue.

*Kathy motioned that Karen Kelleher endorse the plan*

*Ernie Dodd seconded*

**VOTED: (5-0) Unanimously in favor (Len Golder, Ernie Dodd, Steve Quinn, Kathy Sferra, and Voting Associate Brian Martinson)**

#### **Minuteman Airfield Commercial Solar Photovoltaic Special Permit:**

Karen reported that the Petitioner requested that the Public Hearing, scheduled for September 4, 2012 be postponed to December. Planning Board members agreed. Karen Kelleher said that she will have the Petitioner notify the abutters of the postponement.

#### **FEMA Meeting:**

Karen Kelleher said that she would RSVP for anyone interested in attending the FEMA meeting regarding the update of floodplain maps. Mark Jones and Ernie Dodd said they would like to attend.

#### **Hammerhead Lot Decision:**

Members reviewed the Hammerhead Lot Decision for the Walcott Street Property. Kathy Sferra asked about what the board does with the sidewalks. She asked whether the board always requests an easement rather than construction. Members noted that they typically only request an easement for hammerhead lots because the frontage is so minimal.

It was agreed to amend Sect. 9.11 to require the easement document “prior to the endorsement of the plan” rather than prior to issuance of a building permit because the hammerhead lot is already developed.

The board signed the decision for the hammerhead lot at 158 Walcott Street.

Meeting Adjourned 9:50 p.m.