

TOWN OF STOW
PLANNING BOARD

Minutes of the October 16, 2012 Planning Board Meeting

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

Voting Associate Member: Brian Martinson

Non-Voting Associate Member: Mark Jones

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

Discussion Meeting Minutes:

October 2, 2012 Meeting Minutes

Steve Quinn motioned to accept as amended.

Kathy Sferra seconded.

VOTED (5-0) Unanimously in favor (Lori Clark, Ernie Dodd, Steve Quinn, Kathy Sferra, Len Golder)

Discussion of October 9, 2012 Meeting Minutes

Ernie Dodd motioned to accept as amended.

Kathy Sferra seconded.

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

Correspondence Update:

None

Member Updates

Steve Quinn reported that the School Building Committee is narrowing down to a few small punch list items to finish at Center School with a substantial amount of money being withheld for those needs. Sod for the athletic fields should be laid down by the end of the month to allow for the sod to go dormant over winter. The water is now fit for drinking and everything is going smoothly reported Steve Quinn.

Coordinator's Report

Banks Subdivision, Walcott Street:

Karen Kelleher said that Mark White of Bentley Building Corporation is researching drainage issues in the general area of the Bank's property both on and off the site of the upcoming subdivision proposal.

Karen Kelleher reported that Dick Perkins of the Stow Conservation Trust (SCT) stopped by the Planning office and said that the SCT is interested in gaining some vehicular access to the former Corzine property. He also noted that there is a cellar hole on the Bank's property that may be the oldest cellar hole in Stow, and is worthy of further research. Karen passed that information on to Mark White.

Pennie Cushing, 117 Walcott Street Conceptual Subdivision Plan

Karen Kelleher said Pennie Cushing is looking to receive input from the Planning Board on the most recent 15 lot concept plan rather than the first two concept plans, as discussed at the last meeting.

AT&T Gleasondale

ATT notified the Planning Department of their interest in the process of adding three additional antennas to the Gleasondale Mill wireless cell tower location. However, Karen Kelleher said, they are not proposing to extend the height of the tower.

Minuteman

Karen Kelleher said she sent a reminder to Andrew Bernstein of Kearsarge Solar to withdraw the application for the Minuteman Solar PV project. Bernstein replied that the letter would be going in the mail today, said Karen Kelleher, although she said they have not yet rescinded their application with the Conservation Commission.

Syncarpha Escrow

Jesse Steadman is trying to coordinate a meeting to discuss the performance guarantee for the Delaney Street Solar PV project.

The Board stated their issues regarding the performance guarantee agreement. Ernie Dodd said as long as it is not a bond the Town does not have to approve the institution. He continued saying the town needs to have control of the release of funds. Karen Kelleher suggested that all three entities could be required sign off on any request for release of funds. Len Golder said as long as the Town or a neutral entity is holding the money it will be OK with him. Ernie Dodd said that the guarantee needs to be in place prior to the issuance of a building permit.

Public Input:

None

Conceptual Planned Conservation Development Plan at Cushing Property: 117 Walcott Street:

Karen Kelleher reported that there seems to be some misunderstanding from the September 18th meeting as to Pennie Cushing's expectation of what plans the Board

agreed to further discuss. Members said that because much of the discussion with Mrs. Cushing and her family concerned the prior plans, the Board said they would take some time at a further meeting to discuss the various plans and will let the applicants know when they can come back for further discussion. Pennie Cushing has since advised that the first two plans are “off the table” and, therefore the Board should be reviewing the most recent 15-lot Planned Conservation Development Concept Plan.

Members all noted that they were prepared to discuss the prior plans but now understand they are off the table. Members reviewed the concept plan showing a total of 15 lots, five of which will be served by a common drive.

Lori Clark said that right now we are simply talking about concept plans and have not yet received a formal application or agreed to any specific waivers, so the Board is not in the position to make a formal decision but rather to discuss concerns. Kathy Sferra said the property owner has the right to move forward with any of the plan scenerios.

It was noted that the applicant would like input from the Board as to a phased approach to development. It is Pennie Cushing’s hope that she can sell her lot (lot 11 with the existing dwelling) before posting a bond or construction of the roadway. Karen Kelleher recommended that once the Subdivision is approved, the Board could consider granting a waiver from the requirement that the road be bonded or constructed provided that access for Lot 11 is gained via the existing driveway, and the remaining lots be held until such time the road is bonded or constructed. Ernie Dodd suggested that he would consider granting a waiver to the road standards for lots 11, 12, 13 and 14 to common driveway standards; provided that the remaining lots (1 through 10) be held until such time the road is bonded and/or constructed to subdivision standards. It is not known whether the existing drive meets common driveway standards. Ernie Dodd said that the common driveway may have to be expanded to twelve feet wide. He also noted that the bylaw limits the length of a common drive to 500 feet, although it would begin at a point where the subdivision road ends. Ernie said Board has allowed a longer common drive but would need to take a close look at it. It was noted that Public Safety Departments should review and comment on the plan.

Len Golder asked about the inclusion of affordable housing requirement. Karen Kelleher said the property owner must meet the requirements for affordable housing if the development results in more than 5 lots.

Kathy Sferra said that she would like to see a definitive subdivision plan for the entire development. Karen agreed that the full subdivision plan should be submitted and the Planning Board could consider certain waivers to allow for phasing of the development with appropriate covenants in place.

All agreed that drainage would be an issue. Ernie Dodd said that there will be a lot of disturbance but it will be toward vacant land.

Kathy Sferra noted that the 40' wide access strip to the remaining 38 acres might not be adequate for a roadway due to its proximity to wetlands. If the intent is to develop the remaining land, they should reconsider the access strip.

It was noted that the Board is unaware of the specific waivers that will be requested, how stormwater will be managed, final results for septic locations and whether the police and fire departments are comfortable five of the lots gaining access off a common drive. However, provided that those issues can be addressed, the Board may consider a three tiered development approach after final approval of the subdivision:

- 1) Release the lot containing the existing dwelling to be served by the existing driveway, provided that the remaining lots be held until such time the roadway and associated drainage is bonded and/or constructed.
- 2) Waive the roadway construction standards to common driveway specifications to serve lots 12-15, provided that the remaining lots be held until such time the subdivision roadway is brought up to subdivision road standards.
- 3) Require the entire roadway be constructed to subdivision standards prior to release of lots 1 through 10.

Kathy Sferra noted that she did have some input on the prior plans but the message was very clear from the email correspondence that this current plan would be the only plan considered this evening.

Bose Special Permit Extension:

Lori Clark recused herself

Len Golder recused himself

The Board reviewed the draft Special Permit Modification Decision acknowledging the State's Permit Extension Act. Steve Quinn noted his concern with the proposed finding that the infrastructure improvements completed to date are adequate to vest all remaining Phases of the Multi-Phase Development Project and suggested that we confirm with the Board of Health that the infrastructure is installed. Karen noted that the as-built plan is attached to the request. She will also check with the Health Agent.

Steve Quinn motioned to accept the decision provided the Board of Health and Town Consulting engineer review the infrastructure work to confirm that it is adequate.

Ernie Dodd seconded.

VOTED (4-0) All in favor (Brian Martinson, Steve Quinn, Ernie Dodd, Kathy Sferra)

Lower Village Presentation Review

The Planning Board reviewed the draft public forum presentation and provided input.

Regarding Public Comment at the November 15th Forum:

The Board decided that gathering input on desired uses in Lower Village would be good information to have. Staff will look at the visual preference files from past planning exercises to decide whether more input would be helpful.

Questions to be asked regarding desired uses:

What do you like/prefer?

What concerns you?

Draft Agenda for the October 30th 2012 Meeting:

Discuss the facilitation style for the meeting

Draft an agenda

Respectfully Submitted,

Jesse Steadman