

TOWN OF STOW  
PLANNING BOARD

Minutes of the January 23, 2013 Planning Board Meeting

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

Absent: Leonard Golder

Voting Associate Member: Brian Martinson

Non-Voting Associate Member: Mark Jones

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

**Discussion of Meeting Minutes:**

Minutes of 1/15/2013 Planning Board Meeting

*Ernie Dodd moved to accept the minutes as written.*

*Kathy Sferra seconded.*

**VOTED Unanimously in favor of accepting the minutes as written** (Lori Clark, Ernie Dodd, Kathy Sferra, Steve Quinn).

**Correspondence Update:**

Karen Kelleher recommended the Planning Board attend the Zoning Board of Appeals meeting on February 4, 2013 regarding the Star Tower case.

**Member Updates:**

**FEMA FIRM Update**

Jesse Steadman described the latest update to the FEMA maps and reported that he has the new FIRM maps on file and will be orienting the data for the easiest presentation to the public. Jesse Steadman reported that FEMA will be scheduling a community coordination meeting with Stow in the next few weeks. The Planning Board suggested that the FEMA update notification could be posted to the Stow Independent and Planning Board blog, as well as posting a link to affected properties on the Town website.

**Presti Property Lighting**

Brian Martinson said the new used car dealership at Rich Presti's Lower Village property has installed four unshielded flood lights on the front of the building. He added that on two of the light poles the business owner has either installed new lights or changed the direction of the lights. Brian Martinson said that the lights can be seen heading south on Pompostitticut Street. Brian Martinson said they are clearly in conflict with Stow's lighting bylaw. Brian Martinson said the business owner can have plenty of light at the site, it just has to be shielded. Lori Clark suggested to Planning Staff to have Craig Martin address the situation. Kathy Sferra said she has heard the business owner is feeling frustrated and knows that his signs are out of compliance (sandwich signs).

Karen Kelleher reported that she has heard the police department and the building commissioner have been giving conflicting messages regarding lighting at new business. Kathy Sferra said the police have asked him to leave the lights on inside the building. Lori Clark added that the business owner has installed advertising banners for products sold at his site along a chain link fence.

## **Coordinator's Report**

### **Affordable Housing at Lanes End**

Karen Kelleher reported that Habitech's Brian Ahern is scheduled to meet with SMAHT to discuss a duplex at the Lanes End parcel and potentially a single family home at the Great Road site abutting Lanes End. The Planning Board did not believe that the Great Road site contained enough space to fit a home.

### **323 Great Road**

Karen Kelleher said she has not heard back from the owner of the property, but has spoken with the realtor who listed 323 Great Road, saying the property may contain a 9 bedroom septic system. Karen Kelleher reported that Craig Martin has results of the first meter read on the municipal buildings connected to the Town well and will be sharing the information with Planning staff. Karen Kelleher reported she met with Ross Perry regarding the potential of 323 Great Road to be used as a fire station site. She noted that Ross Perry believes it is worth looking at, although he does not believe it will represent a great cost savings in terms of demolition and temporary housing.

### **UMASS Grad Student Project**

Karen Kelleher said that Planning staff will be meeting with the UMASS graduate students on Monday regarding the Gleasondale Mill feasibility study. Karen Kelleher said she has contacted one of the owners of the mill, who reported that all of the owners are planning on meeting soon. Karen Kelleher encouraged her to participate in the process.

### **Regional Housing Services (MAPC):**

Karen Kelleher said that Beth Rust, MAPC Consultant, described the results of the Regional Housing Services Feasibility study and presented several different scenarios for structuring the service at a recent meeting. Karen Kelleher reported that Beth Rust asked if Towns could determine the level of service needed by the end of the month. However, Karen Kelleher said that it would be difficult to know what the level of service is if the Town's do not know the structure of the service would be. Karen Kelleher claimed that both Maynard and Littleton are requesting \$20,000 for the effort at their next Town Meeting.

### **Review of Delaney Street Escrow Motion**

*Present: Brian Kopperl: Renewable Energy Massachusetts*

Ernie Dodd explained his thinking behind a document he created detailing the process for estimating the escrow amounts adjustments at the five and ten year increments that were discussed at the previous meeting with Brian Kopperl. Lori Clark directed the Board to look over the summarized version of Ernie Dodd's document to see if they could align on it first.

Lori Clark summarized the original motion to bring the discussion together. After much discussion of the escrow amount, the interval of future removal estimates required, and the percentage by which the escrow amount must exceed the estimated removal cost, Steve Quinn made a motion.

*Steve Quinn motioned to accept an escrow amount of \$150,000 dollars, where at every 10 year increment from the issuance of the escrow agreement, the escrow fund shall be evaluated by a new estimate prepared by an independent contractor approved by the Planning Board. The updated estimate will be reviewed by the Town's Consultant at the expense of the Applicant. In no event shall the escrow fund be less than the greater of 150% of the net removal costs as adjusted or 150,000 dollars.*

*Kathy Sferra seconded.*

The motion carried by a unanimous vote of four members (Lori Clark, Steve Quinn, Ernie Dodd and Kathy Sferra).

Brian Kopperl noted that he needs to have Jon Witten call regarding the sidewalk agreement.

Ernie Dodd said that Town Counsel needs to include a clause in the escrow agreement that describes the process if there is a failure on the Applicant and property owner's behalf to provide adequate removal of the installation.

Ernie Dodd explained that the escrow agreement should include clause stating that failure to adjust the required security escrow amount within 120 days after notification will result in the review of the Special Permit by the Planning Board. The Planning Board will take input from Terradyne/Syncarpha as to why the Special Permit should not be denied (rescinded) and the existing escrow amount be used by the Town of Stow to remove of and dispose the facility. All legal and court costs incurred by the Town of Stow in relation to the cancellation of the Special Permit shall be the responsibility of Teradyne/Syncarpha and if the Town of Stow is not compensated for the expenses, the expenses shall be deducted from the remaining monies in the escrow fund after the solar facility removal is funded. If the remaining funds are not adequate to cover the legal and court costs, the additional costs will be the responsibility of Teradyne/Syncarpha, with the Town of Stow placing a lien on the property.

### **Boon Road ANR Plan**

The Board looked over the ANR plan for R-14, parcel 3. Karen Kelleher explained the purpose of the ANR plan and the applicant's plans to make one existing house lot larger by taking land area from an non-buildable lot. Karen Kelleher said that the odd dog-leg on the plan takes into account some landscaped trees that were planted.

*Ernie Dodd moved to authorize Karen Kelleher or Steve Quinn to endorse the Approval Not Required Plan for R-14, parcel 3 off of Boon Road on a Plan entitled "Plan of Land in Stow Massachusetts numbered 3854 by Ducharme and Dillis Civil Design Group, Inc. dated January 11, 2013 and prepared for Richard S. Martin of 144 Sudbury Road, Stow, Massachusetts:.*

*Kathy Sferra seconded.*

**VOTED unanimously in favor (Lori Clark, Ernie Dodd, Kathy Sferra, Steven Quinn).**

### **Lower Village Working Meeting**

The Board discussed the various tasks that would need to be addressed in the process of undertaking the Lower Village Planning effort. Lori Clark and Kathy Sferra agreed that Planning staff should come up with a comprehensive list of issues to address so the Board can see the project in its entirety. Lori Clark added that a document that shows the logical order of tasks could be helpful.

Steve Quinn said that as the process unfolds it would be good to have a visual on how buildings would relate. Board members discussed that looking into the bylaw and finding out which sections would need to be altered based on Lower Village zoning revisions could provide some direction.

Kathy Sferra said that by taking a comprehensive look at potential changes could show the public a roadmap of where the Planning Board derived its thinking and that all issues have been accounted for. At that point, said Kathy Sferra, the Board can have a discussion of the approach and the priority, while knowing the total backlog of work to be done. Lori Clark said that the Agile method of project planning could be helpful to prioritize multiple members and staff working on different projects and avoid immediately jumping to discussion of solutions when process still needs to be considered.

Kathy Sferra said there needs to be an overarching vision to guide a new potential bylaw and that in the process there is going to be some give and take with the business community. Lori Clark said she thinks that more planning up front will make it easier down the line. Karen Kelleher said that it will also be easier at Town Meeting, when it comes time to vote on proposed changes.

Lori Clark said that at the next meeting, the Board can look at the Coler and Colantonio plan. Mark Jones said that Groton, Massachusetts might be a good example to borrow design guidelines or village planning knowledge.

Mark Jones asked whether there was any way the Town could place conditions on the use of the potential Heritage Lane public water supply, including mandating that users in Lower Village have access to the PWS. Karen Kelleher said the property owners have recently met with a second engineer for another scope of work. She also noted that given the location on the Heritage Lane site, there would be a limit to the amount of water and therefore difficult to mandate access to additional properties outside the business district.

Meeting Adjourned 9:40 p.m.

Respectfully Submitted,

Jesse Steadman

