

TOWN OF STOW
PLANNING BOARD

Minutes of the April 2, 2013 Planning Board Meeting

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

Voting Associate Member: Brian Martinson
Non-Voting Associate Member: Mark Jones

Lori Clark Called the Meeting to Order at 7:00 PM

Discussion of Meeting Minutes of 3/26/2013

Ernie Dodd motioned to accept as written.

Steve Quinn seconded

VOTED: (4-0) Unanimously in favor (Lori Clark, Ernie Dodd, Kathy Sferra, Steve Quinn)

Correspondence

323 Great Road - Letter to the Editor

Kathy Sferra said the letter to the editor regarding 323 Great Road was perhaps too long and should wait until closer to Town meeting before being published. Lori Clark added that she would like to emphasize that many of the uses could be pursued in conjunction, as well as creating cost savings down the line, which can resonate with people in Stow who are worried about cost savings. Steve Quinn said it could be mentioned that it is unique property and the Town has passed up on properties in the past only to need it in the future.

Kathy Sferra said the Community Preservation Committee will need to see the appraisal before any decisions regarding funds is made.

Planning Board Member Updates

Regional School Committee

Mark Jones noted that he sent a letter to the K-8 Regional School Committee regarding capacity for growth in the three town region served by Nashoba. Mark Jones said the vote has now changed and the School District has decided to null the school choice program for the next school year.

Coordinator's Report

Petition for Zoning Map Amendment

Karen Kelleher reported that we are in receipt of a petition article to rezone a portion of the Wedgewood Pines Country Club property from Recreation/Conservation to Residential.

In order to meet the publication deadlines and hold the hearing prior to Town Meeting, we will need to schedule an extra meeting on April 23, 2013

Meeting Schedule

Karen Kelleher reported that next week's meeting will be dedicated to Lower Village Planning. On April 16, we will have a joint meeting with Provectus, who plans to submit a Petition for Special Permit for a Commercial Solar Installation at Minute Man Airfield.

Minute Man Airfield Commercial Solar

Karen Kelleher, Jesse Steadman, Kathy Sferra and Ernie Dodd attended a preliminary meeting with John Ricketson of Provectus concerning his proposed Petition for Special Permit for a Commercial Solar installation at Minute Man Airfield. Ingeborg Hegemann, David Coppes and Pat Perry representing the Conservation Commission were also present. John Ricketson explained the proposal will be similar to the previous proposal, filed by Kearsage Solar, however they plan to address all of the issues that came up under that application, including documentation from the Federal Aviation Administration. The Conservation Commission went over some of the concerns that were raised in the prior application that should be resolved. Planning Board representatives advised that the prior petition was never reviewed by the Board's Engineering Consultant and the Petition was withdrawn before the public hearing was held. John Ricketson has a copy of the Planning Board file and plans to file a formal Petition sometime in May.

323 Great Road

Karen Kelleher and Jesse Steadman prepared a Letter to the Editor about 323 Great Road to help better inform the voters on the Warrant Article. Bill Wrigley, with the assistance of Kathy Sferra, representing the Community Preservation Committee, drafted an article for purchase of the property for municipal use, including language to allow for the use of CPA funds for open space, public water supply and /or affordable housing. Karen Kelleher attended a meeting with Mike Kopczynski representing SMAHT and Linda Cornell and Ron Gerhardt. Linda Cornell works for the Visiting Nurse Association and is interested in the property for an Affordable Assisted Living Facility. Although Mike Kopczynski and Karen Kelleher explained that there is no town water or sewer, she feels that the site can accommodate a 60-unit Assisted Living Facility, space in the building for the Council on Aging, a Fire Station and a public water supply.

First Parish Church and 323 Great Road

Karen Kelleher, Jesse Steadman and Ernie Dodd attended a meeting at First Parish Church with Ross Perry and Chief McLaughlin of the Fire Station Study Committee. Representatives of the church seemed willing to work with the Town in order to get improved access for a fire Station.

Meeting with Bolton Town Planner

Karen Kelleher and Jesse Steadman met with Bolton Sidewalk Committee to discuss Stow's Sidewalk Policy. The Sidewalk Committee mentioned that Sudbury has a public way access permit that requires large developers to offer pedestrian betterments.

Capital Planning Committee

Karen Kelleher received a report from the Capital Planning Committee. They tabled a vote on the Planning Board's Lower Village Article. Karen Kelleher noted there was a motion on the table to not support the \$150,000.00 for Lower Village Traffic Design Plans that did not carry. Additionally, said Karen Kelleher, they deferred the vote on 323 Great Road. Karen Kelleher said they will be discussing these articles on April 4, 2013 at 8:00 p.m.

Heritage Lane

Karen Kelleher asked the Board if they want to invite residents of Heritage Lane to the meeting on April 23 to explain the warrant article for use of the open space parcel for a public water supply well.

Steve Quinn said there has been some concern regarding the impact to Heritage Lane wells.

Hemenway Farm Subdivision

Karen Kelleher reported that she expects the Hemenway Farm Subdivision Definitive Plan to be submitted by the end of the month.

Economic Development

Karen Kelleher, Jesse Steadman and Jim Salvie attended a Bolton Economic Development Committee meeting to learn about how the committee functions in Bolton. Karen Kelleher said the Committee seemed very involved. Karen Kelleher said their original focus was to fill vacant office space in Town and have been involved in talking with business owners to attract them to Stow.

Rural Water Association

Karen Kelleher, Jesse Steadman, Ernie Dodd and Mark Jones met with Dick Kilhart of Rural Water Association to discuss Lower Village Water issue. Dick Kilhart explained some funding programs, including USDA loans, and a MA Rural Water Association revolving loan that is geared toward pre-planning and engineering to explore potential of a public water supply area.

MAGIC Agriculture Forum

Jesse Steadman attended a follow-up meeting on the MAGIC Agricultural Forum.

Draft Marijuana Regulations from the Department of Public Health

Karen Kelleher said Jesse Steadman has reviewed the draft regulations and will be placing the discussion on a future agenda this spring.

Public Hearing – Accessory Apartment Site Plan Approval at 485 Great Road

Present: Property owners Erin O'Hearn and Robert Cochran

Erin O'Hearn reported that the property currently has an accessory apartment on the third floor and the applicant's are looking to relocate the apartment to the first floor to improve the quality of life for her father by removing the need for him to use the stairs.

Public Comment:

Dwight Sipler, an abutter, said he supports the action and believes that this is within the intent of the bylaw.

Brian, Son of David Cochran, said the move to the first floor will be critical to his father's long term health.

David Cochran said having the accessory apartment on the first floor would be helpful, due to pre-existing medical issues.

Robert Cochran said they are planning to remove the kitchen and will be renovating the apartment. He added that there will be no exterior alterations.

Ernie Dodd said he has no issue with the plans. Steve Quinn said they would rather not even have to hold a public hearing.

Lori Clark added that the Board of Health had no concerns and the Building Department asked asked only that the oven in the third floor be removed.

Kathy Sferra motioned to close the public hearing.

Ernie Dodd seconded.

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

Ernie Dodd Motioned to approve the Site Plan for the replacement of the third floor Accessory Apartment to the first floor, at 485 Great Road as shown on Stow Assessor's maps as R-9 Parcel #97.

Kathy Sferra seconded.

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

Escrow Agreement Discussion

Present: Brian Kopperl – Renewable Energy Massachusetts
Cliff Chapman – Syncarpha Solar LLC

Karen Kelleher explained to the Board that Cliff Chapman attempted to address some additional concerns expressed at the last meeting and that the new escrow agent has also added comments.

The Board reviewed the Escrow Agreement page by page.

Section 5

In section b (ii) Ernie Dodd said that that the word "initial" in line 4 should be removed with the words "current balance contained in Escrow Account to be added."

Section 14L

Ernie Dodd asked that the following last sentence be added to Section 14L: "provided successor agent is registered to do business in the state of Massachusetts."

The Board agreed that the Planning Board should not be the entity to name an escrow agent successor.

Cliff Chapman offered the following language, which was acceptable to the Board: "Prior to the effective date of registration of such notice the developer shall identify a successor agent with prior approval of the Board, provided successor agent is registered to do business in the state of Massachusetts."

Brian Kopperl said that Cambridge Savings Bank has been around for nearly 200 years.

Ernie Dodd and Lori Clark believe that the escrow agreement looks good for a vote.

Kathy Sferra moved to accept the Escrow Agreement as amended.

Ernie Dodd seconded

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

Modification to Delaney Street Commercial Solar PV project Special Permit

The Board discussed the proposed change to the Special Permit, consisting of amending changing the name of Syncarpha Solar LLC to Syncarpha Stow LLC, finding the change to be a minor modification of the Special Permit.

Steve Quinn motioned to approve Draft Modification #1 for Delaney Street Commercial Solar PV project as a Minor Modification.

Kathy Sferra seconded

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

Discussion of Sidewalk Easement for Delaney Street Commercial Solar PV project:

The Board agreed that Town Counsel's approval will be sufficient review for the easement.

Review of Warrant Articles:

Len Golder expressed concern over the amount of money being asked for in the warrant for Rt. 117 traffic plans. The Board agreed that final plans would allow the traffic plans to be shovel ready and enable the Planning Department to apply for grants to finish the work.

Town Meeting Presentations:

Karen Kelleher asked the Board if they were planning to have a presentation for both the traffic planning and 323 Great Road. Steve Quinn said that a presentation for 323 Great Road really only needs to be an introduction to some of the other Boards.

Lori Clark said that we should get the presentations on the agenda in April. Kathy Sferra asked if this would be a multi-departmental presentation; adding that CPC would probably like to say some words. She added, if the Fire Station Building Committee thinks it is a viable site they should give a presentation and the open space and conservation commission can speak from the floor. Lori Clark said if the Fire Station is looking to be viable would it be worthwhile to have SMAHT present? Lori Clark added there should be a slide regarding water. Kathy Sferra said Historical Commission should speak to fire suppression need. Lori Clark said the multi-use dimension of the project is the most compelling aspect of the project. Len Golder agreed, saying that letting it be known that many boards are for the project is one of the best things to note.

Kathy Sferra said it may be easy for people to become confused by the multiple uses. She suggested that multiple slides outlining each use, followed by a slide depicting all of the uses in conjunction could be the best way forward. Kathy Sferra said having have a graphic for the funding aspects would also help.

The Board discussed the merits of affordable housing on the 323 Great Road property, agreeing that despite any downsides, there would still be space for a municipal water supply.

Kathy Sferra said CPC has approved money for an appraisal but is a concerned that there is not a clear proposal to ask CPC to fund. If the appraisal is not available, some approximate numbers will be necessary for CPC to make a decision.

Steve Quinn and Kathy Sferra believe the warrant for placing an option on the property could pass.

FEMA Letter:

The Board reviewed the comment letter to FEMA regarding the change in base flood elevation at Gleasondale Mill and suggested that the mill owners also be sent a copy of the letter.

Kathy Sferra motioned to adjourn

Lori Clark Seconded

VOTED: (5-0) Unanimously in favor.

Meeting Adjourned:

9:00 PM

Respectfully Submitted,

Jesse Steadman