

TOWN OF STOW
PLANNING BOARD

Minutes of the May, 14 2013 Planning Board Meeting

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

Voting Associate Member: Brian Martinson

Non-Voting Associate Member: Mark Jones

Lori Clark called the meeting to order at 7 PM.

Correspondence Update

Land Donation

Lori Clark asked about the land looking to be donated by Walter Lankau. Kathy Sferra said if the Town did not want to accept it he could contact the Sudbury Valley Trustees.

MAPC Funding

Kathy Sferra said in regard's to MAPC's funding opportunity, there is a missing stretch of sidewalk between Crescent Street and the Pilot Grove sidewalk that would be a seemingly perfect fit for the grant opportunity and a nice addition to Stow's sidewalks as it would give school children the opportunity to walk the full length of the street by sidewalk to reach the bus. Perhaps there could be money for the design said Kathy Sferra. Kathy Sferra noted that the grant requirement's health component may also make room for opportunity for Stow apples to be sold in local convenience stores. Len Golder asked if monitoring of golf course pesticide use could be involved? Mark Jones said that looking at a concept of transforming a whole zoning district that includes a PCD requirement is another idea although that would be a large project.

Discussion of Meeting Minutes

April 23rd Meeting Minutes

Ernie Dodd motioned to approve the minutes as amended.

Kathy Sferra seconded.

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

April 9, 2013 Meeting Minutes

Ernie Dodd motioned to approve the minutes as amended.

Kathy Sferra seconded.

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

May 6 Meeting Minutes

Ernie Dodd motioned to approve as amended.

Kathy Sferra abstained

Len Golder seconded

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

Planning Board Member Updates

Ernie Dodd said he attended the May 13 Zoning Board of Appeals meeting and witnessed the Board's acceptance of the Dunster Drive common driveway variance, as well as the discussion related to the letter by Ducharme and Dillis regarding Pilot Grove II. Ernie Dodd reported the Pilot Grove attorney said that the applicant's will only discuss what the ZBA has jurisdiction over and any matters of the Conservation Commission will be taken up with that Commission. Ernie Dodd said they went through the comments item by item, including areas the Conservation Commission had asked for further clarification. Ernie Dodd said that Sue Carter was not present, which could prolong the review process. Ernie Dodd noted that the applicant's would like the ZBA to sign off regardless of Conservation Commission and Board of Health not having yet approved the Notice of Intent and signed off respectively. Kathy Sferra said she understands the applicant's thinking but if the Conservation Commission approves a set of plans that differ from the ZBA plans there will need to be updates and changes. Ernie Dodd said the next meeting is on the third of June. Ernie Dodd said the ZBA has already asked for an extension as the 45 day period for action will be up in a couple of days.

Coordinator's Report:

323 Great Road

Karen Kelleher reported that Bill Wrigley asked Jon Witten to take the lead on negotiations for purchase of 323 Great Road as well as with the Churches for the access issues. Karen Kelleher noted that First Parish Church Congregation voted in principal to provide access to the property, although the terms still need to be negotiated. Karen Kelleher said it does not seem like they are interested in a land swap arrangement due to their concern about changes in the frontage that could create a non-conforming lot and want to make sure it is done in a manner that would not impact any plans for use or sale of the parsonage lot.

Karen Kelleher noted that the Union Church agreed in principal to provide access to the property, adding that they seemed interested in a land swap because they need a location in the back of their property for snow storage.

Karen Kelleher said the initial site plan provided by the Fire Station Building Committee showed a good amount of the site plan off the property, including the parking Lot and a good portion of the building that was on First Parish Church Property, as well as a small portion of the building that was on the Union Church property. It appears that the architect was trying to make use of the existing well and septic, which might not be possible if the building is located entirely on the 323 Great Road property.

Karen Kelleher said the Fire station Building Committee will be meeting with the Architect Wednesday night and will make it clear that the use of the church properties should be limited to the access and egress.

Ernie Dodd said there should be discussion of the use of the easement at the North of the lot.

First Parish Church Special Permit

Karen Kelleher reminded the Planning Board that the Public Hearing for First Parish Church is May 28th. Karen Kelleher attended a meeting with First Parish Church and the Fire Department. She reported that they are seeking a waiver from the requirement for sprinklers. Karen Kelleher said the First Parish Church did consult with a Fire Safety Consultant and incorporated fire walls and fire doors which may offset the requirement for sprinklers. The Fire Department will consult with the Fire Marshall on the matter said Karen Kelleher. Karen Kelleher said that with the Church, Library and Town Hall being historic structures, CPA funds could be used for the installment of a fire cistern.

Kathy Sferra asked where discussions were on making Common Road a one way street? After some discussion the Board agreed that the Planning Board may have to work with the Highway Department and the Church to bring the issue before the Selectmen.

Highgrove Estates

Karen Kelleher said she is working with the Applicant on conditions that must be satisfied prior to issuance of a building permit, including a series of conditions of the special permit that must be first be met.

Lower Village Water Chronology of Applications and Permits to Site a Public Water Supply

Jesse Steadman put together a chronology of Applications and Permits to Site a Public Water Supply. The Conservation Commission and Board of Health will be asked to review the document. Bill Wrigley and/or Mike Sullivan or Jay Billings could look it over.

Voting Associate Member Posting

Karen Kelleher said the Board's Voting Associate Member term expires June 30. A notice was posted indicating applications will be accepted until May 27, 2013. Karen Kelleher noted that Brian Martinson indicated that he will not be seeking re-appointment due to business related travel.

Discussion of Replacement of 86 Dunster Drive Street Tree

Present: Andrea Kean

Andrea Kean, of 86 Dunster Drive explained the prior research and thinking that went into her decision to request moving a street tree in front of her home. Andrea Kean explained that the tree planted by Bentley Building Corp. is a crooked maple, set along the narrow frontage of her property. Andrea Kean said since she is looking for long term landscape options she does not want a large maple directly in her front yard. She submitted a photo of her lot and explained that she would like to plant a pear tree near a rip rap detention basin, on the northern corner, yet further than 10 feet from the pavement. Andrea Kean described her property line, and explained that she would like to move the maple tree to an area where an old stone wall abuts the corner of her property.

Mark Jones asked if the adjacent lot is open. Andrea Kean said there is a house there that is framed and roofed.

Ernie Dodd asked what Bruce Fletcher said. Andrea Kean reported that he told her a pear tree is not an approved street tree and did not say one way or another whether he endorsed or approved the moving. Ernie Dodd said that typically the Tree Warden would need to have a public hearing if the street had been accepted. Karen Kelleher said the trees may have been placed on private property. Karen Kelleher said the tree setback was probably due to protection from snow and salt damage. Andrea Kean said she does not know exactly where her property ends, but the tree will be moved close to the street in the corner of her property.

Ernie Dodd said he has no problem with moving the tree toward the stone wall because it is still near the street and acts as a street tree. Lori Clark and Kathy Sferra agreed. Len Golder said it is good to come before the board so they are aware of changes to the plan.

Steve Quinn motioned to approve Minor Modification #2 to the Derby Woods Definitive Subdivision Plan and Planned Conservation Development Special Permit.

Len Golder seconded.

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

Karen Kelleher said she has been getting calls about dead trees at Sylvan Drive.

Planning Board Elections

Nomination of Board Chair

Ernie Dodd motioned to re-elect Lori Clark as Chairwoman of the Planning Board.

Len Golder seconded.

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

Vice Chair

Ernie Dodd motioned to nominate Kathy Sferra as Vice Chair of the Planning Board.

Steve Quinn seconded.

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

ANR Plan Endorsements

Ernie Dodd motioned to appoint Steve Quinn and Karen Kelleher to endorse ANR plans
Kathy Sferra seconded.

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

Brian Martinson explained that his business travel schedule keeps him from being a member in good conscience. Brian Martinson said that he would be interested in being a non-voting associate member, adding that he would recommend Mark Jones as a Voting Associate Member.

Community Preservation Committee Representative Nomination

Ernie Dodd motioned to nominate Kathy Sferra
Steve Quinn seconded.

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

Elementary School Building Committee Representative Nomination

Kathy Sferra motioned to nominate Steve Quinn.
Ernie Dodd seconded.

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

MAPC and MAGIC Representative Nomination

Len Golder motioned to nominate Karen Kelleher.
Lori Clark seconded.

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

ZBA Liaison Nomination

Kathy Sferra motioned to nominate Ernie Dodd.
Steve Quinn seconded.

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

Board of Health Liaison

Kathy Sferra said the Board could perform this as needed.

Conservation Commission

The Board agreed that they could act as liaison as needed.

SMAHT

The Board agreed that they could act as liaison as needed.

Endorsement of Final Plan, Escrow Agreement, and Sidewalk Easement for Delaney Street Commercial Solar Photovoltaic Project

Karen Kelleher said Planning staff are in receipt of the sidewalk easement as well as the Escrow Agreement. Karen Kelleher said that the building permit cannot be issued until the sidewalk easement is recommended to the Selectmen, the Escrow endorsed and they have confirmation by the bank that the escrow has been accepted and funded.

Kathy Sferra motioned to approve the Commercial Solar Photovoltaic Special Permit and Site Plan for 0 Delaney Street as shown on Assessor Map R-4 parcel 27 and 28-1 on plan number C-717 prepared for Syncarpha Solar LLC. by Beals Associates Inc.

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 Solar Facility Decommissioning Escrow Agreement.

Kathy Sferra seconded.

VOTED: (5-0) Unanimously in favor

Ernie Dodd motioned to recommend the Delaney Street Sidewalk Easement.

Kathy Sferra seconded.

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

Discussion of Town Meeting Results

The Board discussed the failure of the Lower Village conceptual traffic plans to reach approval at Town Meeting. Kathy Sferra said it may be a good idea to meet with and educate the capital planning committee on the significance of the plans.

Ernie Dodd added that it would be good to write a draft RFP to show the Board of Selectmen and others exactly what outcomes would be expected and that the improvements are necessary.

Brian Martinson asked if the Board could ask for a smaller more defined plan. Ernie Dodd said the drainage issue could make that difficult, as well as the increase in cost due to added construction costs from multiple mobilizations for work.

Lori Clark said that having a comprehensive traffic plan is crucial to maintaining conformity as development happens over the long term. Lori Clark added that as development comes you can harness private investment to make improvements that comport with the plan.

Brian Martinson said that \$150,000 may be higher than a competitive bid would be.

Kathy Sferra said the Board should try to fund the project again at the fall 2013 Town Meeting. Lori Clark said it would help to get the Highway Department to comment on the importance of the project.

Brian Martinson said a two pronged strategy, including a smaller plan, may be a better way to compete the presence of the larger ticket capital items.

Lower Village Meeting Schedule

5.21 Open Space Design Seminar

5.28 First Parish Church Public Hearing

...Hemenway Plan in the near future

June 6/4 – Working meeting for Lower Village

Ernie Dodd noted that he likes the SWOT analysis Draft.

Steve Quinn said he may not be available for the 5/28 meeting.

Kathy Sferra will be out August 6th.

Loir Clark will be out August 6, and 20th.

Ernie Dodd will be out 8/16, and June 1-19.

Kathy Sferra motioned to adjourn 8:50 PM

Respectfully Submitted,

Jesse Steadman