

TOWN OF STOW
PLANNING BOARD

Minutes of the August 27, 2013 Planning Board Meeting

Planning Board Members Present: Lori Clark, Steve Quinn, Ernie Dodd, Len Golder

Voting Associate Member: Mark Jones
Non-Voting Associate Member: Dan Beaudette

Lori Clark called the meeting to order at 7 PM

Correspondence Update

None.

Minutes of August 13, 2013

Ernie Dodd motioned to accept the minutes as amended.

Steve Quinn Seconded

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

Executive Session Minutes of August 13, 2013

Ernie Dodd motioned to approve confidential minutes of August 13, 2013.

Steve Quinn seconded

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

Member Updates

None.

Planner's Report

323 Great Road

Karen Kelleher reported that as a member of the 323 Great Road Access Negotiating Committee, she is meeting with the Board of Selectmen this evening.

Hemenway Farm

Karen Kelleher reported that the centerline of the roadway has been staked and advised that the Board schedule a site walk before the public hearing continuance date. The Selectmen are unwilling to weigh in on the Open Space Parcel at this time. Karen Kelleher said she, Jesse Steadman and Kathy Sferra will be meeting with Selectmen Jim Salve and Tom Ryan about a policy concerning Open Space parcels in general and will bring this specific site up at that time. Karen Kelleher said the meeting should be scheduled before the public hearing continuance date.

Red Acre Road Property

Karen Kelleher reported that Mr. George Morey stopped by the office with a letter from Brian Ahearn of Habitech who is interested in his property for a potential 40B development, similar to the Villages at Stow. The letter inferred that he would be developing the abutting property and would like to talk to Mr. Morey about emergency access due to Stow's rigid rules on length of cul-de-sac. Karen Kelleher said that when she called Brian Ahearn he said he doesn't have a specific plan, he just wanted to buy the Morey property. Karen Kelleher reported that he also sent a similar letter to Marilyn Kunelius, but has not heard back from her. He said he is simply looking for a large piece of property because the Villages is just about complete.

Subsidized Housing Inventory

Karen Kelleher reported that she received a response from DHCD concerning her request to add Pilot Grove Apartments and the Villages at Stow. Based on the recent submissions, Stow is now at 177 units or 7.08% and an additional 73 units will bring us to 10%. Karen Kelleher said Stow has 2 additional units at the Villages at Stow, 3 at Hemenway Farm, and possibly 3 units to be developed by SMAHT.

Economic Development Committee

Jesse Steadman said a press release was submitted to the Independent giving an update on Planning Department thoughts regarding an Economic Development Committee. Jesse Steadman said an ad was submitted to the paper.

Gleasondale

Jesse Steadman reported that CPC approved funds for the UMass Gleasondale project. He and Karen Kelleher will be meeting with Jon Mullin tomorrow in the a.m. to discuss next steps.

New Lower Village Business

Jesse Steadman reported that a new business is preparing to open in the Lower Village Presti site called Hobby Land.

FEMA

Jesse Steadman said an all community meeting is scheduled for September 12, 2013 in Concord concerning the Preliminary Floodplain maps. Notices were mailed to 150 property owners in Stow who's property is shown on the maps.

Cushing Property

Health Agent Jack Wallace asked Karen Kelleher and Jesse Steadman to join him in a meeting with Pennie Cushing and her Engineer Brandon Ducharme. They plan to move forward with a 5-lot subdivision plan. Brandon Ducharme prepared a sketch plan showing the general location of five lots, which will be determined once they perform perc tests, which is scheduled for September 10 and September 11.

Public Comment

Bill Byron said that the Planning Board should never again let a developer create an open space configuration in a PCD similar to the Wildlife woods layout because it makes enforcing open space setbacks difficult and does not create useable open space that is beneficial to the neighborhood. He added that the houses in Wildlife Woods are simply too close to the road and the configuration does not do the community any good.

Lenny Golder said that the configuration of the open space is important but so is the contiguity of that Open Space.

Discussion of Meeting Schedule

The Planning Board discussed the early fall meeting schedule, identifying the following dates for meeting.

September 3, 24
October 1,8,22

Kathy Sferra Resignation and Appointment as Non-Voting Associate Member

Ernie Dodd motioned to accept Kathy Sferra's letter of resignation.

Len Golder seconded.

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

Ernie Dodd motioned to appoint Kathy Sferra as a Non-Voting Associate member of the Planning Board.

Len Golder seconded.

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

Medical Marijuana Memo

The Board agreed that a joint board's meeting should be scheduled for discussion of a Medical Marijuana bylaw or Moratorium. The Board agreed that the memo should have an Executive Summary at the beginning.

Hemenway Farm Planned Conservation Development and Subdivision

Public Hearing 7:30PM

Present

Rich Harrington: Engineer with Stamski and McNary Inc.

Sue Carter: Places Associates – Consulting Engineer for Town of Stow

Lori Clark opened the Public Hearing at 7:30 PM

Ernie Dodd moved to waive the reading of the notice of the Public Hearing.

Steve Quinn Seconded

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

Lori Clark read the guidelines to the Public Hearing.

Ernie Dodd asked if members received a certified mailed copy of the Public Hearing Notice. Participants said they had received them and the need to show the abutters' certified return receipts was waived with the receipts planned to be delivered to staff the next morning.

Richard Harrington, engineer with Stamski and McNary representing Bentley Builders began his presentation describing the approved Preliminary Plan as well as the Definitive Plan before the Board, explaining the application includes an Erosion Control Special Permit, Inclusionary Housing Special Permit, Planned Conservation Development (PCD) Special Permit and Site Plan Approval.

Richard Harrington said improvements have been made including widening the access to the Hale Corzine land by expanding the cu-de-sac loop and proposing a duplex on lot 26 to conform to the inclusionary housing bylaw. Richard Harrington said he is asking for waivers to reduce sideyard setbacks in some locations to allow for side siting of side garages on some lots. Rich Harrington described the stormwater mitigation plans. Noting additional recharge areas planned, Rich Harrington described the different catchment areas, saying that the stormwater mitigation techniques will collect runoff flowing toward Mitchell Road and direct it into large recharge basins toward the east side of Hemenway Farm Lane. He noted that much attention was given to this area due to documented issues during the preliminary planning process.

Richard Harrington noted that the affordable units A,B,C would all be located on one lot. He noted that the existing dwellings designated as the affordable units are within the 300' setback and they are asking for a waiver. Rich Harrington said they could space street trees at every 40' if necessary, adding that they have requested a waiver from the requirement for street lighting.

Three trees are proposed in the Banks court cul-de-sac said Richard Harrington. He said the middle of Hemenway Farm loop will remain wooded and the runoff will be sent to a stormwater basin south of lot eight. Richard Harrington said they have two proposed fire cisterns planned.

Richard Harrington said at the back of the homes abutting the southern open space there will be infiltration basins to decentralize the recharge across the site.

Richard Harrington reported that the name of the roads would be Hemenway Farm Lane and Banks' Court. Richard Harrington said that the road grades will be between 2-3%, adding that curbing is to be sloped granite rather than vertical curbing. The loop goes from 2 to just above 7.5%. Richard Harrington said he will look to improve the K value near the turn of the loop as suggested by Sue Carter of Place Associates.

Richard Harrington said that the phasing plan begins near the entrance toward the rear of the development in chronological fashion.

Rich Harrington said that the Board of Health has granted waivers for using nitrogen loading credit land in the open space. He also noted that a Notice of Intent has been filed with the Conservation Commission and they will be holding a Public Hearing on September 3rd.

Lori Clark opened the Public Hearing for Public Comment

Donna Morales-Oemig of 34 Walcott Street asked about the super elevated road entrance at Hemenway Farm Lane. Rich Harrington said he is proposing to pitch the pavement of Hemenway Farm Lane's entrance to catch stormwater in a paved apron directing it away from Walcott Street and into a recharge basin on the west side of Hemenway Farm Lane.

Charles Jowett of 118 Walcott Street asked about the duplex dwelling and whether it would need any dimensional variances. The Planning Board showed a plan for the duplex submitted in the subdivision application noting that the proposed unit would not require any variances.

Bill Chiarchairo of 79 Edgehill Road said he addressed many points that he thought should be included in the PCD Special Permit during the Preliminary Planning Process. He said that he does not believe how this development will enhance and maintain the rural character of the Town as well as improve safety as stated in the purpose of the PCD bylaw since a 60% increase in traffic on Walcott Street is going to make it more dangerous. Bill Chiarchairo said that if the proof plan was built he does not believe the developers could fit as many houses as they say they can and that is why they are looking to the PCD. Bill Chiarchairo argued that the conventional proof plan would be more appropriate for preserving the existing density and character of the Town as well as improve the open space benefits. He said he sees less wildlife every year in Stow and that the PCD is not working due to increased density. Density drives out wildlife said Bill Chiarchairo.

Redmond Aylward of 26 Sandy Brook Drive said it sounds like water is headed back down toward the creek from the development and wants to be sure that is not going to be an issue at Sandy Brook Drive. Is there going to be a clearcutting or will the land be left alone in the open space section? Richard Harrington said that there will be little cutting and the current stream is a perennial stream.

Donna Morales-Oemig of 34 Walcott Street asked if the mosquitos will get worse due to recharge and storage areas. Rich Harrington said both streams have running water throughout the year and that the basins are designed to drain within 72 hours with controlled outlets and then water is allowed to be absorbed by the soil.

Eve Donahue of West Acton Road and a member of the Stow Conservation Trust asked what percentage of the open space contains infrastructure such as drainage, curbs and concrete, adding that narrow strips of open space do not seem to work as well as larger, more contiguous areas.

Richard Harrington said that there are some stormwater basins that are in the open space as the bylaw allows and that the trailhead connection may be gravel. The Board agreed that small pockets of Open Space are not beneficial.

Ernie Dodd said all of the boundary markers will be seen by the property owners. Eve Donahue said that medallions on the trees may work better than concrete posts in the ground.

Bill Maxfield of 89 Walcott Street said that Hudson Road and Walcott Street is dangerous and some of the trees along that corner should be cleared for better sight lines. Bill Maxfield said the intersection is offset with Randall Road and therefore dangerous, adding that the route is a major bike and pedestrian thoroughfare through Stow.

Charles Jowett of 118 Walcott Street said the area is very popular with cyclists. He said he believes that a sidewalk may be a good addition along Walcott Street, adding that the street is only 15 feet wide in front of 118 Walcott Street. Charles Jowett asked about the projected number of vehicle trips created per day by the development mentioned in the Stow Independent.

Nancy Arsenault said that she borrowed language from the application concerning the number of trips that it may create. Charles Jowett asked if they looked into the road to see if it could support the new number of cars.

Bill Maxfield of 89 Walcott asked what the Planning Board could do to affect traffic if it were found to be too much for Walcott Street.

Lori Clark said that they have been looking into areas that are directly affected by the development, such as along the frontage to Hudson Road. Lori Clark said they had requested a waiver for a sidewalk along the frontage to Hudson Road to mitigate wetland impacts on that section.

Bruce Morgan of 55 Edgehill Road agrees with Bill Chiarcharro, saying that Walcott street will be imperiled by this development. He said a comment by Bentley that the traffic will be fine is wrong. Bruce Morgan said that Walcott Street cannot handle a huge increase in traffic. What is the number of trips already produced by the existing neighborhood and the proposed neighborhood he asked? I hear request for waivers, but are the waivers actually helping the neighborhood? Will there be controls on the truck traffic? Bruce Morgan said to stop looking only at specific site impacts and think about affects to the greater neighborhood.

Rich Harrington clarified the questions, saying that average weekday traffic will be 250 trips per day. He said they can build a sidewalk if the Planning Board finds it would be a good addition, adding that construction of a sidewalk is not impossible but it would impact the wetland substantially. He said there are public benefits that they can look at that are close to their property, but beyond those bounds is difficult for the applicant to address. Richard Harrington said at the Hudson intersection, the highway department has begun to

clear some vegetation back and they currently have adequate sightlines. He said traffic does speed through the area, so they are keeping sight distances adequate along their frontage.

Carol Strade of 20 Mitchell Road said Mitchell is a private way that cannot be adequately enforced and people use it as a shortcut even though it is not publicly maintained. She said a sidewalk along Walcott would be a good addition.

Martha Chiarchairo of 79 Edgehill Road said a number of children wait for the bus along Edgehill road and Walcott Street and she is concerned about maintaining the rural feeling of the neighborhood. She said the sidewalk takes away from the rural feeling and gives a city feeling. 26 homes, she said, would have a tremendous impact on the character of the neighborhood.

Bill Chiarchairo of 79 Edgehill Road said the thought of a sidewalk on Walcott street makes him believe Stow is one step closer to becoming like Waltham.

Nancy Arsenault of Red Acre Road asked if the Planning Board could ever suggest resurfacing Mitchell Road?

The Board said that any proposal for that would have to come from the residents of Mitchell Road and be brought before the Board of Selectmen and Highway Department.

Larry Edelman of 38 Mitchell Road said Mitchell Road will likely be used as a shortcut due to the dangerous sightlines at Walcott Street and Hudson Road. He said he is worried about construction vehicles along Mitchell.

Ernie Dodd said that the Board can discuss having a condition in the permit that will not allow trucks along Mitchell Road.

A resident asked if the Planning Board allows for waivers that do not have a public benefit. Ernie Dodd and Lori Clark said that they should not be offering waivers that do not provide a benefit to the Town.

Richard Harrington said that the applicant was willing to construct drainage fixes along Mitchell Road if the neighborhood would come up with engineering funds.

Bruce Morgan of 55 Edgehill Road asked if there would be tree removal at any of the intersections. Rich Harrington said the town can address any future issues on that topic.

Don Hawkes, Chair of the Board of Selectmen said that at the time Wildlife Woods was proposed he said they were looking at the impact to the education system of the Town due to the 67 households proposed. Don Hawkes said that the thinking at the time is that there would be an average of .6 children per household. Don Hawkes said that the town wide average is .44 per household according to his research. He asked Richard Harrington how the projection is nearly 1.6 children or 43 children for this development.

Richard Harrington said they usually look for relevant estimates throughout the region to estimate a likely projection.

Bill Maxfield said he had the Town Clerk find that 1.3 children per household were living in Wildlife Woods.

Don Hawkes described the fiscal year appropriation for schools at nearly 14 million, explaining that when enrollment figures are calculated it seems that property owners without children are subsidizing those with children to a tune of nearly 4000 dollars.

Len Golder said that over a long term a lot of children in an area has an impact on school spending. If someone has 1 or even 4 children it does not necessarily mean that we need to have concern.

Sue Carter of Places Associates summarized her review and noted the following recommendations:

- all wetlands be noted in a drainage easement so the Town can have the ability to maintain the drainage system should beavers disrupt flows or other issues arise.
- there should be an easement between Hemenway Farm and Old Road
- more clarity regarding street trees to be sure trees are retained along the street.
- more detail on super elevation at Walcott Street and Hemenway Farm Lane intersection
- Asked whether the trail network should be altered so people can walk around the perimeter of the open space.
- Landscaping plan needed for the cul-de-sac.
- Attenuation patterns should try to mimic the existing conditions to slow down the water although the general direction of the water will remain the same.
- Fine tuned measurements on drainage calculations.
- Need for clearly identifying when a basin is in failure and address actions that need to be taken.
- Agreed with proof plan and did not see any red flags raised.

Kathy Sferra, Stow Conservation Coordinator said perhaps it would make sense to have staff and the Stow Conservation Trust sit down and make sense of what the best situation would be for open land ownership.

Planning Board Comments

Ernie Dodd read through a list of items that need to be addressed including:

- A maintenance plan for stormwater management
- Thoughts on who will take the open land. If it is decided to be a homeowners Association Ernie said we need some documentation.
- Trails and parking for the open space still need to be configured.
- On lot 26 what type of ownership will it be. Ernie said they will need documentation on that proposal.
- Lots 24 and 25 do not have the required frontage and there is not a common driveway. Rich Harrington said he will look into it.
- Need to discuss the performance guarantee and do not want out of state financial institution to hold the bond.
- Where will building debris and stumps go Ernie Dodd asked? Rich Harrington said both will be removed and disposed of off site.
- Length of proposed road is over 500' and there should be turnouts at the 500' and 1200' lengths. Ernie said it is space for people to get out of the way of fire trucks. Rich Harrington said they do have space and can add turnouts if it is needed.
- Need for Justification and consideration for cul-de-sac provisions going beyond 1500'. Ernie said the board would like to have a second exit with long roads so it will need to be addressed. Rich Harrington said he can show 40' spacing on the plan for the street trees to confirm the maximum count of trees. Rich Harrington added that the cul-de-sac is longer due to the public benefit of providing better access to the open space.

Len Golder said that 60% of land is going to be open space. What percentage would be wetlands and wooded? Rich Harrington said wetlands are 28% and an estimated 30% is open and an estimated 70% is wooded.

Len Golder asked if it was feasible to rehabilitate the barn structure to the east of Hemenway Farm Lane. Rich H. said that it was past rehabilitation and needed to be torn down.

Mark Jones asked the residents in attendance how much traffic is coming through Walcott as a shortcut. Participants said many are using it as a cut through. Mark Jones asked if there was the possibility of parking at the open space. Kathy Sferra said that it will likely be up to the owner of the open space to decide if they want that.

Steve Quinn asked if a school bus would go up this cul-de-sac? Lori Clark said the bus may not go up the street. Sue Carter said they will not use it until it is an accepted way. Steve Quinn said the construction process needs to be a minimal impact to abutters by minimizing traffic along Mitchell Road.

Steve Quinn asked about the discussion of drainage mitigation efforts between residents and along Mitchell Road and Bentley Builder, asking where does it now stand? An abutter present said they were given a cost estimate for engineering and there are doubts whether the work will mitigate the problem. Lori Clark said she would like to get input from the Highway Department regarding Mitchell Road and traffic issues as well as from the safety officers in Town.

Mark Jones asked if the Con Com coordinator would comment on the addition of sidewalks along Walcott Street. Kathy Sferra said if it entails filling wetlands they may recommend the granting of the waiver for the need to construct a sidewalk, although she could not speak certainly regarding the Conservation Commission's opinion.

Sue Carter said that in order to replicate wetlands you have to alter wetlands that can in turn alter the volume and rate of runoff, making it a complicated process.

Lori Clark said that the past Sidewalk Committee spoke with the Sudbury sidewalk committee, discovering that Town has kept a rural character by setting the sidewalks far back from the street, which is not always possible to do in Stow.

Bill Maxfield said that rather than having a sidewalk along Walcott he would rather see the road widened. Some residents agreed.

The Planning Board discussed the need for a continuance of the Public Hearing, asking the applicant if a continuance is OK with him as well. Rich Harrington said he expected a continuance would be necessary.

Ernie Dodd motioned to continue the Public Hearing for Hemenway Farm Planned Conservation Development Special Permit and subdivision to 7:30PM on September 24th. Steve Quinn seconded.

VOTED (5-0) Unanimously in favor. (Lori Clark, Ernie Dodd, Len Golder, Voting Associate Member Mark Jones, Steve Quinn)

Sitewalk scheduled for September 8 at 8:30 PM.

The Board discussed arrangement for having Kathy Sferra's announcement out before setting a joint meeting time.

Ernie Dodd motioned to enter into Executive Session to discuss negotiations with the First Parish Church regarding 323 Great Road.

Roll call VOTE: Lori Clark – Yea; Ernie Dodd – Yea; Len Golder – Yea; Steve Quinn – Yea.

Respectfully Submitted,

Jesse Steadman