

TOWN OF STOW
PLANNING BOARD

Minutes of the September 3, 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

Member Updates

Mark Jones asked the process for reviewing Special Permits. The Planning Board agreed they would need to take a different tack if they were going to revisit the special permits on an annual basis. Lori Clark said it would be best to revisit the list of outstanding Special Permit items and revisit the issue based on past discussions.

Coordinators Report

Delaney Street Solar Project

Karen Kelleher said she walked the Delaney Street solar project site with the Conservation Coordinator and one Commissioner, as well as with the project's lead landscape technician. Karen Kelleher said the applicant's still need to improve certain areas of erosion control and add some loam in a riparian area as the plan called for. Karen Kelleher noted that participants saw a lot of wildlife, including a fox that could be tracked running under the raised wildlife fencing.

Gleasondale

Karen Kelleher reported that she met with John Mullin and has scheduled a staff meeting of Department Heads for September 11. A letter was sent out to Gleasondale residents and property owners to update on the project and call for interest regarding the five Focus Groups.

Lower Village Water

Karen Kelleher noted that Deerfield Lane is now before the legislature and Heritage Lane's amendment is supposedly in the pipeline. Karen Kelleher said that Steve Steinberg, partner in one of the Southside of route 117 properties, would like to know what the lease agreement from the Town would look like before committing substantial funds to wellhead exploration. Bill Wrigley suggested that it may be better to wait for the legislature to act before committing any funds.

Warrant Articles

Karen Kelleher said she drafted a Medical Marijuana Moratorium warrant article, an article requesting funds for final design and construction plans for traffic planning in Lower Village, as well as a couple housekeeping items and two sidewalk easements.

Scheduling

24th is continuance. Site-walk is at 8:30 am on Sunday the 8th.

Warrant Articles

Medical Marijuana - Don Hawkes present

The Planning Board discussed the time limit on the Moratorium. Don Hawkes asked how the process works. Karen Kelleher said it would be in effect as of Town meeting but the Attorney General then has to review it. Don Hawkes said he did not want to wait and be surprised by an application and said he will do his best to talk with his colleagues about the importance of the Moratorium. The Board agreed that a November 30th closing date for the Moratorium would provide enough time.

Len Golder asked if the Moratorium would cover Hardship Cultivation as well as Medical Marijuana Treatment Centers as defined. Staff said it should but would review to be sure.

Derby Woods Bond Reduction

Present: George Gallagher

George Gallagher said he was present to request the release of the remaining Bond at Derby Woods, as well as Taylor Road although that cannot be voted on tonight. George Gallagher discussed the replacement of Street trees in the spring totaling three trees. Karen Kelleher said the only other issue outstanding was the Conservation Restriction and that has been taken care of. Ernie Dodd said he visited the site and most of the trees are faring well. The Board looked over some photos of the trees and discussed their apparent health. Karen Kelleher said Planning staff have not heard any comments from the property owners at Sylvan Drive since the trees were replaced.

Ernie Dodd motioned to release the remaining bond.

Steve Quinn seconded.

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

Mark Jones asked how the conservation restriction process went with the Taylor Road restriction. Karen Kelleher said the final issue at the Taylor Road subdivision was the full cut-off lighting. George Gallagher said the drainage issues have been worked out and the conservation restriction was accepted. George Gallagher said with CR's the state process is usually the biggest holdup and with the two towns working together it was a little more complicated. George Gallagher said looking at the CR up front would be more helpful in the process instead of trying to get it done at the end of the project.

Steve Quinn asked why the full cutoff was asked for. Karen Kelleher said it was the feeling of the Board at the time.

Ernie Dodd reminded George Gallagher that there is a \$30,000 dollar bond being held for the sidewalk on Boxborough Road. Lori Clark said it was not a straightforward project due to wetlands complications. Karen Kelleher said safety wise it is a good spot for a sidewalk but it is a difficult site to construct one due to wetlands.

The discussion for the Taylor Road Bond Release is set for September 24, 2013.

Warrant Articles:

The Planning Board discussed minor amendments to the Inclusionary Zoning bylaw.

Lower Village Traffic Engineering Funds:

Karen Kelleher reported that Howard/Stein-Hudson is in the process of giving the Planning Department updated engineering and construction estimates for Lower Village traffic planning purposes. The board emphasized that they are looking for final design funds. Don Hawkes asked if the Board has met with the Finance Committee and the Capital Planning Committee. Karen Kelleher said that first staff needed to meet with the Planning Board regarding the issue. Lori Clark said she has some new ideas regarding presentation of the Lower Village traffic planning, adding that the project is difficult to do piecemeal. Karen Kelleher said that the Highway Department needs an overall plan to begin to do drainage upgrades. Lori Clark said that having final construction plans in place makes the Town eligible for grants, keeps one off projects from following a plan, and allows the Town to leverage private investment.

Don Hawkes suggested that for the Board of Selectmen's benefit, a concise presentation would be good to put together in the upcoming few weeks.

Len Golder asked what grant money would be available. Karen Kelleher said Massworks would be our best bet. Steve Quinn said that refining the scope was supposed to be the next step. Steve Quinn said he wants to be sure they get a true final construction document.

Lori Clark said we should start working on the pitch. The Board discussed whether it would be a ballot question subject to an election vote. The Board agreed to put an upper limit placeholder in the warrant based on the estimate that comes in.

Ernie Dodd motioned to approve the five warrant articles as amended for approval at Town Meeting, including:

- *Addition of Section 10 – 10.4 of the Stow Zoning Bylaw regarding the Temporary Moratorium on Medical Marijuana Treatment Centers*
- *Amendment to Section 8.9.4 of the Inclusionary Zoning bylaw*

- *Acceptance of a Sidewalk easement from GENRAD, LLC*
- *Acceptance of a Sidewalk Easement from Stow Villages, LLC*
- *Appropriation of Engineering/Consultant funds for Final Design and Construction Plans for Lower Village Traffic Safety planning*

Steve Quinn seconded

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

Natural Resource Protection Zoning

Discussion of Multi-family Development

Lori Clark recapped the basic differences between the NRPZ zoning and the Planned Conservation Development. The board discussed the draft Yield Count calculation and discussed the benefits to the developer and the Town.

Lori Clark said the formula helps to understand the bylaw and Steve Quinn said this allows the Planning Board figure out the future development potential on different Stow sites.

Mark Jones said he is a bit uncomfortable with non affordable multi-family density. Lori Clark said that this allows for the open space to be determined up front, allowing for better site construction and preservation of significant site features.

Dan Beaudette said it seems that we are trying to allow as many lots as possible. Lori Clark said that she thinks having the ability to shape the development is beneficial.

Len Golder motioned to enter into Executive Discussion for the purpose of discussing 323 Great Road with adjournment afterward.

Roll Call Vote: Unanimous (Lori Clark – Yea; Ernie Dodd – Yea; Len Golder – Yea; Steve Quinn – Yea)