

TOWN OF STOW
PLANNING BOARD

Minutes of the March 5, 2014 Planning Board Meeting

Planning Board Members Present: Lori Clark, Ernie Dodd, Mark Jones, Len Golder

Absent: Steve Quinn

Non-Voting Associate Member: Dan Beaudette

Lori Clark called the meeting to order at 7:05 pm

Correspondence Update

None.

Len Golder arrived.

Discussion of 2.19.2014 Meeting Minutes

Ernie Dodd moved to approve as amended.

Mark Jones seconded.

VOTED: (4-0) Unanimously in favor. (Lori Clark, Ernie Dodd, Mark Jones, Len Golder)

Correspondence Updates

Member Updates

Ernie Dodd reported that he and planning staff visited the Gleasondale Mill site to compare the faux brick sample from the original brick of the mill. Ernie Dodd said the sample was very close to the original brick. Ernie Dodd said that he noted that the Sprint contractor would look into putting the cable tray inside the smokestack.

Ernie Dodd said the contractor said that when it warms up the cupola will be painted.

Planner's Report

Lower Village Traffic Consultant

The Selection Committee compiled interviews, evaluated all proposals and agreed to negotiate a contract with Howard/Stein Hudson Associates. Karen Kelleher reported that she has drafted a proposed contract for the Town Administrator's review.

Lower Village Water

The Deerfield Lane bill has passed the house and senate and should be sent to the governor soon. Karen Kelleher noted that the Heritage Lane bill has been filed and is currently sitting in the Committee on Rules. Karen Kelleher noted that Kate Hogan's aid expects that it will

be out soon and should not take as long as Deerfield because it includes the Senate's amended language.

Collings Foundation

The Collings Foundation's two proposed projects – runway improvement and 66,000 square foot building will require an erosion control permit from the Planning Board due to disturbance beyond 32,000 square feet Karen Kelleher said.

Pompositticut School

Karen Kelleher said that the Oversight Committee came to a consensus to propose location of a Fire Station and Community Center at Pompositticut School. Karen Kelleher said that it appears that there would be significant cost savings in using Pompositticut School rather than the 323 Great Road site. It appears that they may need a variance for the number of parking spaces. Karen Kelleher said that Bill Wrigley is also looking at Town owned properties to relocate the Pompositticut School soccer fields.

Gleasondale - look into mill for equipment that could hold the sign

Karen Kelleher said that Planning staff have received the draft Phase II report. Planning staff are in the process of making a few amendments. Karen Kelleher also noted that Planning Staff met with a neighborhood group of Gleasondale residents on Tuesday night.

Public Hearing – Warrant Article for 2014 Zoning Amendments

Assistant Planner Jesse Steadman presented a slide show of the proposed zoning amendments, noting their key points and answering questions from attendees.

- *Registered Marijuana Dispensary Overlay District*

Adam Wagman of North Shore Drive asked whether the allowance of the retail component of a Registered Marijuana Dispensary in the business district precludes the use in the overlay district. Jesse Steadman responded that all three components are proposed to be allowed in the overlay, with the business district only allowing retail due to the inherent ability of that district to manage foot and vehicle traffic.

Adam Wagman asked if there would be any oversight of the distribution of marijuana infused products, especially with a business retail use allowed in Lower Village. Jesse Steadman said that the Department of Public Health Regulations do a good job of regulating the security aspects of dispensaries, adding that dispensaries will need to show proof of security plans, including various procedures related to distribution and disposal. Ernie Dodd said it may be similar to the kind of distribution currently undertaken by drugstores.

Adam Wagman asked what types of factors the Planning Board considered in drafting a "reasonable" and "defensible" bylaw. Jesse Steadman responded, saying that after the initial research into what and how the uses may actually look and operate, the Planning Department talked with various Town officials to gauge further concerns and decide on the most appropriate locations in town through an analysis of efficiency, access and distance

from residential uses. In determining buffer setbacks, Jesse Steadman said that 300' is the current distance that Drug Free School Zone legislation adheres to.

Adam Wagman asked whether identifying only one district would pass muster as allowing the use in Town? Jesse Steadman said that after the initial analysis of locations in Town, it seemed that more than one location may be appropriate. Karen Kelleher said that when locating a new use, you have to be careful of the "spot zoning" test, which may look at the zoning of one parcel and no others as potentially unlawful.

Margaret Kaskiewicz of 139 White Pond Road asked whether there would be an influx of traffic, police presence and on-lookers travelling down the fairly quiet White Pond Road. Jesse Steadman said that with the way Marijuana Dispensaries are regulated by the Department of Public Health, there really is not much to look at other than an industrial sized building, the kind of which already exist at several of the sites. Jesse Steadman added that one of the main reasons the business district was included for a retail component of an RMD is to preclude such concerns of traffic in mainly residential areas.

- *Adoption of 2013 FEMA Flood Insurance Rate Map Update*

Nancy Arsenault asked if there are any repercussions to Voting yes for an adoption of the preliminary maps at Town Meeting. Jesse Steadman said that overall he believes the new maps will be a benefit of many property owners, adding that right now the maps being used by banks for purposes of requiring flood insurance, but not yet official for homeowners to debate their accuracy, many property owners are in limbo. Jesse Steadman said that due to the nature of insurance and response options homeowners have, the adoption of the maps will affect people differently on a case by case basis. Jesse Steadman said that in many areas of Stow, properties that previously contained floodplain have been revised to not contain any.

Adam Wagman of North Shore Drive asked whether any of the proposed capital projects were affected by the preliminary maps. Jesse Steadman said they are not.

- *Floodplain/Wetland Overlay District*

Adam Wagman of 115 North Shore Drive asked whether there are any wetlands that will not be covered if the out of date wetland delineations are removed? Lori Clark said that one of the problems inherent in the Overlay District data is that the Town of Stow does not have any new, comprehensive wetland data and to obtain that data would be prohibitively expensive.

Public Hearing Closed

Discussion with Eve Fischer

Eve Fischer of Gleasondale Road said she grew up in Paris, and has been looking to get involved in voting in the U.S. Eve Fischer said she has never been able to serve on Board's in the past because of her previous status.

Mark Jones asked if Eve Fischer had any general comments on development. Eve Fischer responded that she is interested in public transportation, sidewalks and encouraging more of a downtown feel in the Lower Village area. She said she would not like to see it change in the same way Maynard, Concord, and Hudson have, adding that future development has to be unique and fitting to Stow. Eve Fischer said she is interested in architectural design and would like to see more concentrated development rather than sprawling patterns.

Endorsement of Plans

The Board decided to wait until the following meeting to endorse the Hemenway Farm plans. By the next meeting Mark White should have the final forms Karen Kelleher said.

Natural Resource Protection Zoning

Mark Jones asked what the implication of not having a minimum acreage is? Lori Clark said it may mean that there are denser developments.

The Board agreed that they like the idea of having input into the shape of the open space. Like the idea of not having to look over a proof plan. The Board agreed that a plan outlining the pros and cons of the proposed bylaw would be useful.

Adjourned.

Respectfully submitted,

Jesse Steadman