

TOWN OF STOW
PLANNING BOARD

Minutes of the August 3, 2015 Planning Board Meeting

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

Absent: Mark Jones

Lori Clark called the meeting to order at 7:00 pm

Lori Clark described the discussion of the night's meeting stating it is deliberation for the decision.

Lori Clark clarified that due to the poll taken at the previous hearing regarding a leaning toward a finding that the proposed museum and site plan use is not Dover protected, the Board should only be considering findings, rather than conditions on the topic.

Discussion of Collings Foundation Inc. Site Plan Approval and Special Permit Application

Ernie Dodd noted that the Occupational Safety and Health Administration (OSHA) has a document identifying hazardous substances and if any explosives are used on site there should be some sort of testing or knowledge that none of the substances will violate the OSHA guidelines and potentially contaminate the groundwater, river, lake or air. The Board discussed how to make this a finding, agreeing that they should document the concern and find that they do not know what is in the chemical makeup of the explosives.

Noise

The Board discussed the topic of noise as it relates to the Application. Jesse Steadman recounted some of the prominent correspondence submitted during the Public Hearing process regarding noise. Len Golder said the three events seem to have an issue of noise and traffic. Len Golder said he would like to see a condition that no more than three events should occur in any given year and not at peak seasonal periods. The Board discussed how to turn the issue of events happening at peak times, and noise associated with traffic into a finding for the decision.

Lenny Golder added that any and all access should be through the Hudson Road access. The Board discussed that the issue of traffic noise along Barton Road should be worked into the findings rather than be discussed as a condition. Depending on the timing of the year, traffic and can be more burdensome, Len Golder said.

Lenny said we need to think about the proposed uses as well as the existing when making findings. Lori Clark said what is proposed on the site is also part of what is existing.

Margaret Costello said she is unsure whether the Board has adequately addressed the issue of noise. Margaret Costello said she was not entirely happy with the location of where the noise measurements for the study took place and should have been in a more appropriate place. Steve Quinn said the bylaw requires the study to take place at the lot line, which is where it was conducted. Steve Quinn said the study complied with the bylaw and that is all you can do.

Air Quality Pollution

Regarding explosives, Steve Quinn said the ordinances were signed off on by the local fire department.

Len Golder said that the issue of air quality should be looked at by the Building Inspector to ensure compliance. Margaret Costello said it should be noted in the findings as a concern. Ernie Dodd agreed, saying to mention OSHA Regulations, but unsure of compliance.

Traffic

Lori Clark said she would like the findings on traffic to include information on road widths and everything leading to access. The fact that an alternate access was proposed mitigates concerns, she said. The proposed access would be better, said Steve Quinn. Len Golder agreed.

Landscaping

Ernie Dodd said Places Associate's letter involves issues regarding landscaping. Ernie Dodd agrees that the existing vegetation is suitable for screening of the parking around the site. The Board agreed.

Pedestrian Circulation Plan

The Board agreed that Places Associates has adequately assessed the safety and circulation issues on the submitted site plan.

Access Drives

Ernie Dodd said the Hudson Road access is fine and the other driveways are mainly for emergencies and used to handle employees and a limited number of visitors seems to be adequate and reasonable for the facility.

Landscaped Berm

The Board agreed that Places Associate's comments on landscaping, as they relate to the berm, should take precedent.

Jesse Steadman asked the Board if they would like to address the issue of another potential berm at the Stow- Hudson line, which was brought up by an abutter shortly before the public hearing's close. Margaret Costello said that she does not recall the issue being resolved. Lori Clark said that she is not sure if they concluded it was a substantial enough issue to cause the plan to be re-modified. Steve Quinn said the comment by the abutter arose after multiple modifications. Steve Quinn said the Board was willing to ask for changes that made sense and the applicant put effort forward effort to make considerable

changes. Lori Clark said she believes it is unfair to bring up the issue at the last minute. Steve Quinn said it was considered.

Margaret Costello said that they can say there was a concern expressed, that due diligence was done and the plan was revised sufficiently to address concerns. Margaret Costello said if an abutter brings it up during the hearing, who is responsible for finishing it up? Lori Clark said the Board is, and they can acknowledge anything brought forward and that the last minute request should not be looked at due to the timing of the request.

Lori Clark noted that there would be only limited use in the winter months. Any conclusion is around acknowledging the use schedule. The road is not plowable Lori Clark said. Steve Quinn said he thought it was just that the intent was that they would not be plowing. Ernie Dodd said it was noted that they were not planning to plow, during the public hearing.

Right of Way Location

Ernie Dodd said Linda Cornell submitted a Land Court drawing of the ROW and when you look at the proposed, it is difficult to tell if it is shown in a different place. It is very close. Steve Quinn said they stated that the ROW was in compliance over the Applicant's land. It was stated that the ROW appears unchanged, said Lori Clark.

Easements

Lori Clark said some easements are missing from the plans and that the Board should have staff look over other easement documentation to see what is necessary to be shown.

Digital Navigation to site.

Lori Clark noted that how people will find the new site is an issue and something will be necessary like signage.

Parking

Ernie Dodd believes Places Associate's last memo is suitable to provide findings. Steve Quinn read from Places Associate's memo. Use of RAP is not considered paving Steve Quinn read. Steve Quinn said the plan is sufficient regarding paving.

Parking Landscaping Requirements

The Board determined that the landscaping requirements seem sufficient.

Refueling

Ernie Dodd said Places Associate's recommendations are agreeable including the discussion of a valve. The requirement of a spill and pollution prevention plan is a good comment, Ernie Dodd said. Ernie Dodd said it would be good to make a finding that Sue's input is agreed to. The engineer has concerns that can be easily mitigated is the message to get across Ernie Dodd said. Lori Clark said that Places Associates is noting that the activity of disposing of materials could cause public safety risks. The Board agreed if such actions were followed it would help address the public safety concerns, Lori Clark said.

Finding Regarding Derogation from the Zoning Bylaw

Ernie Dodd said if the use were permitted, the site plan would meet the requirements of the bylaw. Lori Clark said that it is not in line with the Bylaw and there is a state law that could make it possible. Lori Clark asked if Dover did not exist would this be in keeping with the Bylaw. Len Golder said he feels the overall site plan meets the bylaw. Lori Clark said that with the physical aspects of the site plan there were very few issues that were brought up. Lori Clark asked if outside of Dover is the use appropriate? Ernie Dodd asked if this activity is appropriate given the district? Lori Clark said that it appears the use is not appropriate but the site plan is in keeping. Margaret Costello, Ernie Dodd and Steve Quinn said she agrees with Lori Clark.

Len Golder said the use is appropriate but the site plan is not. Len Golder said the building has been in existence for a long time so another museum is just an addition and does not change the overall purpose of the plan.

Erosion Control Findings

Ernie Dodd said another test hole needed to be seen. Mounding requirements needed to be analyzed. The Planning Board agreed.

Lori Clark said the Parking Bylaw can allow for less reserve spaces due to reasonable regulations aspect of the Dover Amendment.

Dover Amendment Draft

Lori Clark described the process of going through the Dover Amendment draft decision.

For Context of the definition section, Lori Clark said there was no black and white definitions defined under Dover and that all the Board had for guidance was the case law and the conclusions were based on the definitions provided under different context was not necessarily specific to Dover.

Regarding findings on the package of letters. Ernie Dodd does not agree they fit with educational indicator number 5. Len Golder said the Sima Maitland letter and others show evidence. Lori Clark said there is some reference to the experience of participants but limited direct correlation to the indicators.

Regarding, qualifications of Boston Productions Inc., Lori Clark clarified that there was information showing qualifications regarding the conveyance of information in an educational format, but there was no information that provided evidence of subject matter expertise. That expertise has to come from the Collings Foundation team. Acknowledging they do have some experience.

Ernie Dodd asked how the exhibits and story lines could be read as providing enough information for Indicator #5. Not enough information has been presented, he said. You can say there is something like a curriculum and that information has been prepared but there is no basis to make an affirmative finding on 5. There are no details on the displays.

Is it significant for the visitor, he asked. Steve Quinn said he disagrees. Lori Clark said the best way to go forward is to look at what the the majority of the Board feels.

STEM and STEAM Programs

Lori Clark said the STEM and STEAM programs could be educational but they seem to be still in the idea stage and that rather than depict an actual program or plan they show potential for an idea of a program. Ernie Dodd said he believes the schools have the program and are authorized to teach it, and that the Collings Foundation would be supporting that effort.

Len Golder said he does believe integration between the museum and the STEM program exists.

Qualifications

Lori Clark said educational delivery expertise could be shown for both Bob Collings Sr. and Rob Collings Jr. Educational subject matter could also be shown she said. With Rob Collings, there was more evidence of subject matter expertise of artifacts. The Board noted that the application stated that Hunter Chaney is a certified English teacher, which implies experience with subject matter and delivery. Most members of the Board agreed that it can be said that taken together, the capabilities shown in the bios can allow the Board to conclude that the people on the team are capable of putting together adequate information for the purpose of the museum.

Regarding findings of whether education is the primary purpose of the proposed use, Lori Clark said there needs to be more qualifying language in the decision that sets the stage for the main points for why the Board has voted in a particular way.

Len Golder said he thinks a separate vote should be taken on Dover. The Board discussed the number of votes that would need to be taken, with the majority believing that only one vote should be taken.

Meeting Adjourned.

Respectfully submitted,

Jesse Steadman