

TOWN OF STOW
PLANNING BOARD

Minutes of the July 13, 2016 Planning Board Meeting

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

Voting Associate Member: Mark Jones

Absent:

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

Discussion of Meeting Minutes

Minutes of June 21, 2016

Ernie Dodd moved to approve the minutes as written.

Steve Quinn Seconded.

VOTED: 4-0 Unanimously in favor – (Len Golder abstained; Lori Clark, Ernie Dodd, Margaret Costello, Steve Quinn- Yea).

Minutes of June 27, 2016

Ernie Dodd moved to approve the minutes as amended.

Steve Quinn Seconded.

VOTED: 4-0 In favor (Len Golder - abstained; Lori Clark, Ernie Dodd, Margaret Costello, Steve Quinn – Yea).

Public Input

Warren Nelson of 213 Boxboro Road asked about the future use of 323 Great Road. Jesse Steadman explained the park proposal

Member Updates

None.

Planner's Report

Jillian's Lane

• ***Voting Requirements***

Lori, Steve, Ernie, Lenny must be present for Vote – Mark missed portion of 5.11.2016 Public Hearing.

Plans

A response letter to Places Associate's review and a new set of plans are expected to be dropped off at the hearing.

White Pond Road

Jesse Steadman reported that a Public Hearing for a contractor's yard Special Permit and Earth Removal permit at 65 White Pond Road is scheduled for July 20th. Jesse Steadman noted that Places Associate's is reviewing the plans and there should be a letter issued shortly.

SMAHT Public Hearing

Jesse Steadman reported that SMAHT has scheduled a Public Hearing on the 241 Boxboro Road Chapter 61 Withdrawal and proposed Affordable Housing development for July 20th at 6:30pm. Mike Kopczynski was hoping that the earlier start time would allow interested Planning Board members to attend prior to the Planning Board Public Hearing at 7:30pm.

Lower Village Water

Jesse Steadman said he plans to attend a meeting of Lower Village property owners and a representative of MassDevelopment to discuss potential funding options for property owners and the work to date the Town has undertaken to support the water effort.

Gleasondale

Jesse Steadman said planning staff working groups continue to be very active in planning for a variety of improvements in Gleasondale.

- A group focused on recreational opportunities in the Kane Land is preparing next steps with the survey now complete.
- Several residents have sent a list of questions for the Town to consider as they plan to make improvements to the Town owned school lot parcel.
- A working group focused on historic preservation met with Jesse Steadman a few weeks back to discuss different options for Historic Preservation in Gleasondale. The group plans to hold future walks and a public forum to define the need for preservation.
- The contract for the Survey Plan with Howard Stein Hudson should be signed and finalized this week.

148 Hudson Road Hammerhead Lot Special Permit Plan Endorsement

The Planning Board endorsed the approved plans for 148 Hudson Road Hammerhead Lot Special Permit.

0 South Acton Road Commercial Solar Photovoltaic Facility Special Permit Decision Deliberation

The Planning Board reviewed the edits to the draft decision.

Len Golder moved to approve the Commercial Solar Photovoltaic Special Permit and Site Plan Approval as modified.

Ernie Dodd seconded.

VOTED: 4-0 in favor (Margaret Costello – abstained; Lori Clark, Ernie Dodd, Len Golder, Steve Quinn – Yea)

Discussion of Summer Schedule

Margaret Costello notified she will be out the weeks of September 20th and 27th, and the week of October 4th

Lenny Golder will be out the week of October 11th

Ernie Dodd said he is only available the first 12 days of October.

Public Hearing

Special Permit Extension Request for Regency at Stow Active Adult Neighborhood at 302 Boxboro Road.

Mark Jones Recused himself, stating he is an abutter of the proposed project.

Ernie Moved to waive reading of Hearing Notice

Steve Quinn Seconded.

VOTED: 5-0 Unanimously in favor (Lori Clark, Ernie Dodd, Len Golder, Steve Quinn, Margaret Costello).

Present: *Greg Roy, P.E. – Ducharme and Dillis Civil Design Group, Inc.*

Greg Roy noted that the request for extension was submitted on April 15, 2016 and is allowed per the bylaw after a duly noticed Public Hearing. Greg Roy said the Applicant is requesting an extension since the public water supply, originally located at the airfield property, needed to be moved due to MA Department of Environmental Protection's concerns over the expansion of the use of the system. As a result, the Applicant needed to hit the pause button while they located a new area for a public water supply installation on site. The owner has since installed and tested two Public water supplies on the subject property and is awaiting water system approval by the DEP. Greg Roy said they respectfully request a two year extension. Greg Roy introduced Britton Bradway as the construction clerk and noted that Toll Brothers is actively preparing for construction.

Public Comment

Margaret Costello asked why a two year extension. Greg Roy said that because they are allowed to provide a 2 year extension they asked for it to protect against any unknowns as they prepare for construction. Len Golder asked if they expected to see any further

changes. Greg Roy said the modifications to be presented at the following public hearing are meant to be their last.

A resident from 223 Boxboro Road said there have been plans for this project for a long period of time and asked if there have been changes in the Rules and Regulations that would affect the plans. Lori Clark said this would be the first time the project would be extended for this particular Applicant.

Lori Clark and Ernie Dodd noted that the state extended the permits as part of the Permit Extension Act.

Warren Nelson of 213 Boxboro Road said that at some point in time, Town Counsel notified the Applicant of the extension deadline. Once Toll Brothers stepped in they got a five year extension. So now they are going to extend it again?

Lori Clark said that the permit extension act and planning board extensions have come and gone since the original application. The rules and regulations have not changed much since that time.

Don McFarlane of 113 Boxboro Road asked when the plans were first submitted? The Board noted that it was 2007. Don McFarlane asked what in the neighborhood has changed in that nearly ten year period.

Atli Thorarensen of 248 Boxboro Road clarified the meaning of the extension of the Permit. Is it an opportunity for potential restriction on truck traffic on Boxboro Road, he said.

Annette Stetson of 143 Boxboro asked if the documents were available to the public? Jesse Steadman said he has the decisions on file.

Warren Nelson said he did a brief count of vehicles on Boxboro Road and extrapolates that nearly 1600 cars per day travel on Boxboro Road.

Ernie Dodd moved to grant the Special Permit Extension for Regency at Stow Active Adult Neighborhood for a period of two years, ending July 24, 2018.

Len Golder seconded.

VOTED: 5-0 Unanimously in favor (Lori Clark, Ernie Dodd, Len Golder, Steve Quinn, Margaret Costello).

Public Hearing

Special Permit Modification for *Regency at Stow - 302 Boxboro Road*

Present: Greg Roy, P.E. – Ducharme and Dillis Civil Design Group, Inc.

Greg Roy said that the majority of changes now being proposed were due to the change in the public waters supply well location. In previous plans, they had expected to directionally drill under Heath Hen Brook to connect to the Airfield's water supply. The owner has subsequently drilled two Public Water Supply wells in locations shown on the plan. There are two wells to provide redundancy to the system, each providing 100 GPM, although they only need 10GPM for the development. The water drawdown was only five feet on a continuous pump and no treatment was required. The wells go down to 500 feet. Greg Roy summarized saying these are very good wells for this region. There is no longer an impact to the wetlands due to the directional drilling, he added. Greg Roy said the booster station is shown relocated closer to the wells from near the community center as before. Greg Roy said the septic tanks were originally located near the booster station, and have since been moved to just north of the leach fields.

Greg Roy said that they have eliminated the boulevard entrance as it was deemed unnecessary. The road was able to be moved away from the wetland area. A mailbox bumpout has been removed and located near the clubhouse. Nothing has changed with the clubhouse and pool.

Greg Roy explained that because the booster station was moved, some of the units that would have required a lot of cut were moved to the outside of the loop road, preserving more woods and helping with the cut and fill calculations. The drainage patterns are largely staying the same, however. The open space is planned to be expanded slightly.

Greg Roy said Toll Bros. has met with the Stow Conservation Trust and it seems they are prepared to hold a Conservation Restriction on portions of the open land. The owner has asked that SCT also allow the land to be subject to an avigation easement and that they are in negotiations toward a deal.

Greg Roy said it can be deeded to the Town, to an organization or to a Homeowner's Association. If things fall through, they would then exercise option 3 of the Homeowner's trust.

Margaret Costello asked what an avigation easement allows for? Greg Roy said he believes it is a general access easement that would allow tree cutting that infringes into the protected airspace. Greg Roy said that the updated plans will show the avigation easement.

Greg Roy said that since the plan was published, Toll Brothers has done a lot of on the ground survey work as it differed from the original topography. The Plans will be updated to reflect the new topography. He is currently working to incorporate Places Associate's comments on drainage and expects to have a reviewed set of plans at the next meeting memorializing the changes.

Greg Roy added that the Massachusetts Environmental Policy Act Notice of Project Change was submitted and they just received the Certificate of approval.

Greg Roy noted that due to the project modifications proposed, the limit of clearing has been reduced in a few locations.

Lori Clark said that because they do not have revised plans we will likely not be closing tonight.

Greg Roy said they understand that but wanted to get on the agenda nevertheless. Greg Roy said he is anticipating following up with a full set of revised plans.

Len Golder asked about the calculations of cut and fill. Greg Roy said their will be approximately 2 – 3 acres clearing avoided. Greg Roy said if it does not work out with SCT they would prefer the Town hold the publicly accessible Open Land rather than set up an HOA.

Len Golder asked about approvals from FAA and others. Greg Roy said he was not sure about any necessary approvals. Greg Roy noted that either FAA or the Mass Aeronautics Commission are likely the bodies that require the aviation easement.

Margaret Costello asked about the location of the irrigation well. Greg Roy said the irrigation well is going to be moved in proximity to the clubhouse and the booster will have an underground storage tank to provide water to the pumps to pressurize the system.

Margaret Costello said the open land with an aviation easement seems like strings attached all of a sudden and asked why was this not an issue at previous modifications to the plans? Greg Roy said he does not know, but it is a protection of the airspace over the property. Lori Clark said it likely is the necessary due diligence that the owner needed to engage in.

Steve Quinn asked why there is extra open space being provided? Dave Bower with Toll Brothers, said the Open Space increase makes the development more attractive, provides a marketing benefit and reduces the cost of clearing.

Ernie Dodd said the changes are fairly minor.

Greg Roy noted that the Applicant is proposing to provide a strip of land to the Town so as not to preclude the Town from making improvements to Boxboro Road. Steve Quinn asked if site geometry changes with the narrower driveway. Greg Roy said no.

Lori Clark said they can open up for Public Comment.

Public Comment

Mike Jordan of Packard Road said that the cleared area for the wells is about 200 feet wide to and why so large, he asked? Mike Jordan said they would like to see less clearing in that area. Greg Roy noted that they are going to tighten up the clearing at the wells and reduce

the clearing on the west side. Greg Roy said that there is still non-public open space to be owned by the HOA around the wells and to the east of the units.

Kyle Jarger of 158 Boxboro Road, said he believed that he should have been noticed prior to any drilling or testing of the wells but never received notice. Dave Bower of Toll Brothers said that they authorized the consultant to notify abutters and provide monitoring. He offered to take his name and follow up.

Don McFarlane asked who would own the western open space? Greg Roy said Stow Conservation Trust is their first choice. Don McFarlane said the pump test was done sometime in March and April. Will there be any more pump testing done or can it be requested?

Dave Bower said that the DEP protocol is extensive and they are following it to the detail.

A resident from Boxboro Road said that it is great that the well is so good. Referring to the strip of land being offered to the Town, he asked if the Town chooses to use it would there still be a tree buffer between the road and the dwelling units? Greg Roy noted that there are still trees along the buffer and the units are set fairly far back off of the road.

Dan Stetson of 143 Boxboro Road, asked why the Plans are not finished. Lori Clark said that the continuance is so that we can receive the revised plans. Greg Roy described the difference between Minor Modification and Modification.

Atli Thorarensen of 248 Boxboro Road, asked about the basin to catch the runoff and how does it show from the road and exactly where is the entrance to the property and how can it be related to the property's across the street. Greg Roy noted that the entrance to the property has not been changed in location. Don McFarlane said if they could mark it with stakes it would be helpful to the residents. Dave Bower said they could get some stakes there to outline the road location. Board members noted they would also like to see locations marked on the ground.

Greg Roy said none of the grading associated with the drainage basin has been changed.

Don McFarlane said one of the concerns is that they are dealing with a plan that has not changed in a long time. A traffic study was done in the past. The truck traffic has probably doubled in intensity. Why can't another traffic study be asked for? Now is the opportunity to assess where traffic is on Boxboro Road. Right now I think it is very dangerous.

Annette Stetson of 143 Boxboro Road said that they have lost pets and have had cars hit their home. It is going to be a nightmare. All night long the trucks will be running, she said.

Lori Clark asked if anyone reached out to the Selectmen? Don McFarlane said they were pointed to the Police and Highway Department and there were some ideas thrown around but the discussion petered out. The issue has never really been addressed. Don McFarlane

asked what would happen if the Planning Board asked the Selectmen to address traffic concerns. Lori Clark encouraged them to be persistent.

Lori Clark said they can express to the Selectmen that it has been raised in the Public Hearing. Len Golder said that they are noting that there is a current problem.

Margaret Costello said that she feels very similar about the traffic in Gleasondale. Margaret Costello said that in Gleasondale the residents are also trying to deal with the issue.

Don McFarlane said that this is an issue that needs to be dealt with due to the existing conditions on Boxboro Road, including the Earth Removal Permit that was recently approved.

Ernie Dodd moved to continue the Hearing for Special Permit Modification for the Regency at Stow until August 9th at 7:30pm.

Steve Quinn seconded.

VOTED: 5- 0 Unanimously in favor (Lori Clark, Ernie Dodd, Steve Quinn, Margaret Costello, Len Golder).

Public Hearing Continuance

Jillian's Lane Definitive Subdivision Plan

Greg Roy said that since the last site visit he has responded to the second comment letter by Places Associates. Greg Roy said he would like to go through the letter to provide the Board an update.

Turning movement diagrams have been included and driveway aprons have been improved, said Greg Roy. Greg Roy said he has met with the Fire Chief and his main concern is a maintainable 20 foot surface being provided. Greg Roy said he thinks the Chief is comfortable with the 12 foot paved surface with 4 foot gravel shoulders, provided there is language in the decision that relates to the perpetual maintenance of the 20 foot maintainable way. The edge of the 20 feet can be plowed as the gravel shoulders are treated as pavement in the drainage calculations.

Greg Roy said the drainage basin is designed in compliance with MA Stormwater Regulations. He is not proposing any cut, rather just building a berm.

Greg Roy said they are expecting Septic System testing for Lot 1 shortly. He said he has already gained septic approvals for lot 2 and 3. Greg Roy said that Board of Health permits cannot be issued until lot 1 is resolved.

Greg Roy said they are showing the street trees on the plan and are adding 8 rather than the suggested 5. They do not have a landscape plan, but may be asking for a waiver to creating a separate landscape plan. Ernie Dodd asked if they included planting details.

Ernie Dodd said they need to see planting details. Greg Roy said that the street trees are in 40' intervals.

Greg Roy noted that at the sitewalk, members discussed preparing a plan that could provide the Town the opportunity to improve Walcott street by getting more width and dropping the grade which will improve sight distances. They are not proposing to build the improvements however, as the project is too small to make that feasible. Mike Clayton has not seen the plan yet.

Greg Roy noted that the drawings have been revised to show that SU-30 trucks can adequately make the turn into the proposed road by widening the apron. Exhibit A and B show the trucks turning around at each driveway and the t-turn around.

The Barn has been pushed out of the 20' foot maintainable surface.

Greg Roy said they have shown a drop inlet catch basin along Walcott Street with a 24" pipe under the road replacing the outdated culvert. Greg Roy said the plans have been revised to use a drop inlet basin.

Greg Roy noted that 1' foot of freeboard has been added to the plans.

Greg Roy will need to talk with Places Associates regarding the 2:1 slopes. Greg Roy interprets the Stormwater Regulations as requiring a 3:1 slope on the inside of the basin and they are planning to make an impermeable core.

Greg Roy said that after the septic system location is approved, a proposed well location will be added.

Margaret Costello asked about grades of the roadway. Greg Roy said that they designed it to drop the hill slightly and adjust the driveway accordingly.

Mark Jones asked about the grades of the proposed road. Greg Roy said that he believes it has been addressed as they have dropped the grade from 12% to 10%.

Ernie Dodd moved to continue the Hearing until 8:15pm on July 20th.

Steve Quinn Seconded.

VOTED: (5-0) Unanimously in favor (Lori Clark, Ernie Dodd, Steve Quinn, Margaret Costello, Len Golder).

Executive Session

Lori Clark stated that discussion of pending litigation in an open session would put the litigation at risk.

Ernie Dodd moved to Enter into Executive Session with Conclusion of the meeting immediately upon adjournment.

**Roll Call VOTE: Lori Clark – Yea; Margaret Costello – Yea; Len Golder – Yea; Ernie
Dodd – Yea; Steve Quinn – Yea).**

Respectfully Submitted,

Jesse Steadman