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TOWN OF STOW
PLANNING BOARD

Minutes of the March 7, 2017 Planning Board Meeting

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

Voting Associate Member: Mark Jones

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

Discussion of Meeting Minutes

Minutes of February 21, 2017

Ernie Dodd moved to approve the minutes as amended.

Steve Quinn Seconded.

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

Executive Session Minutes of February 21, 2017

Ernie Dodd moved to approve the minutes as amended.

Steve Quinn Seconded.

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

Executive Session Minutes of March 1, 2017

Ernie Dodd moved to approve the minutes as amended.

Steve Quinn Seconded.

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

Public Input

None.

Member Updates

Mark Jones reported on his visit to MAPC's open house, noting that their mapping and data projects that were showcased were of key interest. Mark Jones said that given the amount of material available at the open house, it may be useful for additional members to attend.

Planner's Report

Medical Marijuana

Jesse Steadman said staff met with a non-profit firm interested in siting a Medical Marijuana cultivation center on a parcel in the industrial district of Stow. He noted that the organization has entered into the siting phase with the Department of Public Health. They are currently looking into whether they can utilize the access on Athens Lane, noting that the site is fairly remote and set back. If the engineering exploration of access goes well they will be setting up a concept meeting with the Board and eventually pursuing a letter of non-opposition from the Town.

Jesse Steadman clarified that Medicinal Marijuana businesses are allowed to sell their product wherever they grow it.

The Board discussed the timing of the firm's request for a letter of non-opposition from the Board of Selectmen, noting that the request is the first step of the process, without requiring a public hearing at that time.

Arbor Glen

Jesse Steadman reported that he spoke with Arlene Roberts, of Arbor Glenn, who noted the Trustees are interested in installing a light on the signs at both entrances to the Development. The Board agreed that the decision for Arbor Glen states that they would need to request a modification for lighting.

Gleasondale Subcommittee

Jesse Steadman reported that staff attended one of the Working Group meetings regarding Historic Preservation. Members agreed that they would prefer to be a Subcommittee of the Planning Board given that some of the recommendations may involve demolition delay bylaws, or other regulatory interventions, which the Planning Board is familiar with. Members of the Historical Commission at the meeting had no objection.

The Board discussed the process of forming a subcommittee, noting that the group would have to provide a clear goal of their charter, and vacancies would be posted. The Planning Board would appoint members from the pool of applicants, and therefore the makeup of the voting members of the Subcommittee may differ from the current makeup of the Working Group. The makeup of the Subcommittee can include members of Town Boards and Committees as well as the public. The positions are renewed and elected annually, and members would need to appoint a chair and a clerk.

Complete Streets Request For Proposals (RFP)

Staff have been preparing a Complete Streets Prioritization Plan RFP on behalf of the Complete Streets Working Group. The selection committee for the RFP process has been directed at members of the Complete Streets Working Group, although it will be the Planning Department that has administrative responsibilities for working with the consultant and paying invoices, etc. The Complete Streets Prioritization Plan will advance several goals noted in the Master Plan.

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Capital Planning Committee

Jesse Steadman noted that staff will be meeting with the Capital Planning Committee on March 9 to detail the upcoming Lower Village project.

Regency at Stow- Legal Documents

Mark Jones recused himself as an abutter to Regency at Stow.

Present: *Scott Miccile, Toll Brothers*

Jesse Steadman said that revised portions of the Regency at Stow legal documents have been included in the Planning Board's packets. The Local Action Unit (LAU) application, regarding the affordable units, is currently being reviewed by both Town Counsel and SMAHT.

Jesse Steadman noted that the documents address the timing of when the Homeowners Association is turned over to the homeowners, and this language has been changed to include a hard deadline of 8 years. The Planning Board approved of the revised language in the legal documents.

Ernie Dodd moved to approve the Restrictive Covenant, the Declaration of Trust, the Master Deed, and the Performance Bond.

Steve Quinn Seconded.

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

Zoning Bylaws Amendments

Jesse Steadman reviewed potential zoning amendments to bring to Town Meeting, including language in the Active Adult Neighborhood bylaw and Phased Growth. Jesse Steadman said that prospective buyers at Regency at Stow have been inquiring as to what happens when an eligible spouse leaves behind an occupant under the age of 55. The Zoning Bylaw is currently written to provide for an uncompromising view of the restriction. Jesse Steadman asked what role the Planning Board wants to play in these situations, describing potential solutions that allow the Board to alter the bylaw to be either more restrictive or as restrictive as it currently is. The Planning Board agreed that the bylaw should be amended to include language referring to U.S. Code Title 42, requiring that at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older. From there, the Homeowners Association and the Master Deed can decide how this issue is addressed.

The Board discussed potential amendments to the Phased Growth bylaw, including adding a time frame on it related to Master Planning work.

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Jesse Steadman said that the last zoning amendment is to fix a simple scrivener error in the Planned Conservation Development Design Process definition. A public hearing on zoning amendments to be considered at Town Meeting will be held on April 4th.

Lower Village Improvement Project Discussion

Jesse Steadman said that a forum to discuss the Lower Village project will be held on March 28th.

Jesse Steadman said that Howard/Stein-Hudson has not yet provided an updated estimate. HSH needs to have the pavement cores completed, and then to finish all survey work before they can provide the estimate.

Jesse Steadman said that easement agreements with land owners continue to progress and that HSH will work out temporary and permanent easement plans by mid-April. Owners will sign those documents to donate the easements, which will be on the Town Meeting warrant. The Board discussed temporary and permanent easements along the Lower Village corridor, paying attention to the timeline of the project ahead of Town Meeting.

Executive Session- In Accordance with M.G.L. Ch.30A s.21 for purposes of discussing ongoing litigation

Lori Clark stated that the last agenda item is an executive session, as public discussion would be detrimental to the litigation.

Ernie Dodd moved to enter into Executive Session to discuss ongoing litigation and adjourn the regularly scheduled meeting of the Planning Board thereafter.

Len Golder Seconded.

Roll Call Vote: Lori Clark – Yea; Margaret Costello – Yea; Ernie Dodd – Yea; Steve Quinn – Yea.

Meeting Adjourned.

Respectfully Submitted,

Valerie Oorthuys