

that have been challenged by permit applicants. However, at the moment there are no significant claims against the town that expose us to substantial monetary loss.

As the town's contract negotiator, the town administrator maintains a close working relationship with our fire, police, clerical and fire unions. For the last two decades, the town's four labor unions and town administrator have successfully negotiated every labor agreement without once reaching an impasse or filing for arbitration. This cooperative track record is a tribute to both our union employees and management.

In addition to the specific management responsibilities detailed above, the town administrator is generally engaged in regularly attending to matters critical to the day-to-day operations of the town. In performing these duties, the town administrator is regularly in direct contact with most departmental staff and many Town board and committee members. Finally, due diligence requires that the town administrator frequently works directly with local, state and federal agencies and officials, the public and various private groups and individuals.

Respectfully submitted,

William Wrigley  
Town Administrator

Susan McLaughlin, Administrative Assistant  
Phoebe Haberkorn, Office Assistant

## **PLANNING BOARD**

A five-member elected board with one appointed associate voting member, the Planning Board has specific statutory requirements. The Board reviews and approves the division of land under the State Subdivision Control Law (MGL c. 41) and the Stow Subdivision Rules and Regulations; serves as a special permit granting authority under the State Zoning Act and the Stow Zoning Bylaw; guides the process of Zoning Bylaw amendments under the State Zoning Act (MGL c. 40A); and adopts a Master Plan that is designed to provide a basis for decision making regarding the long-term physical development of the town (MGL c.41).

By statute, the Board is charged with the responsibility of protecting the health, safety and welfare of Stow's residents. Guided by the Massachusetts General Laws, the Stow Zoning Bylaw, the 2010 Stow Master Plan, and citizens' comments and concerns, the Board strives to preserve and enhance the integrity of Stow's character through the use of these regulatory tools, while safeguarding property owners' rights. We recommend and specify changes to development proposals to achieve these goals. Board members and staff strive to work with both applicants and residents to help shape projects so as to positively affect the impact on the community.

The Planning Department also tracks building permits for affordable housing units and submits the necessary documents to the Department of Housing and Community Development for certification.

The Planning Department provides GIS mapping services to various town boards and committees.

## **Organization**

At the annual election, Leonard Golder was elected to a 5-year term. We were happy that voters chose to elect him for another 5-year term. We are sad to report that Kathleen and Russ Willis announced that they will be relocating to California, leaving a vacancy on the Planning Board and the Light Pollution Study Sub-Committee. Both Kathleen and Russ have dedicated an immense amount of volunteer time to the Town of Stow, not only with the Planning Board but also, with the Garden Club and the Medical Reserve Corps. They both will be sorely missed.

Following the election, the Board elected Lori Clark to serve as Chairman, and Ernie Dodd as Vice Chairman. Brian Martinson was appointed as the Voting Associate Member. The Associate Member's voting power is limited to Special Permit applications, in the case of absence, inability to act, or conflict of interest on the part of any member of the Planning Board or in the event of a vacancy on the Board. Malcolm Fitzpatrick, Martha Monroe and Donna Jacobs were appointed as non-voting Associate Members. Stephen Quinn and Karen Kelleher were designated to endorse ANR Plans (Subdivision Approval Not Required). The Board appointed representatives to various Committees:

Community Preservation Committee: Kathleen Willis  
Elementary School Building Committee: Stephen Quinn  
Liaison to Zoning Board of Appeals: Ernie Dodd  
Liaison to the Board of Health: Kathleen Willis  
Liaison to the Conservation Commission: Stephen Quinn  
Pedestrian Walkway Planning Committee: Lori Clark  
Lower Village Sub-Committee: Lori Clark  
Chapter 61 Study Evaluation Group: Karen Kelleher  
Liaison to Metropolitan Area Planning Council (MAGIC): Karen Kelleher

## **Development Activity**

The Board approved two (2) Hammerhead Lot Special Permits resulting in a total of five (5) hammerhead lots.

- Homestead Lane Lot#2, One (1) Hammerhead Lot
- Highgrove Estates, off West Acton Road, four (4) Hammerhead Lots

The Board approved three (3) Special Permits/Site Plans

- 128 Great Road - Site Plan for retail and office space
- 380 Great Road Town Building –Town Building Parking Lot expansion
- Highgrove Estates- Erosion Control Special Permit
- 128 Barton Road- Accessory Apartment Special Permit

The Board approved three (3) Special Permit Modifications

- Crow Island and Track Road - Rental of canoes, kayaks and other non-motorized boats and other boating related equipment
- Stow Community Park - Ice Skating at Stow Community Park
- Bose Corporation – Extension of the “overall Deadline for a multi-phase development project” July 1, 2014 to December 31, 2021

The Board approved one (1) ANR Plan (Approval Not Required under the Subdivision Control Law):

- Highgrove Estates – Four (4) hammerhead lots noted above and one (1) conventional lot

The Board received two applications to modify existing Wireless Service Facilities.

- The Board approved a minor modification to the wireless service facility at 23 Hillcrest Ave to change existing antennas.
- An Application to change the existing antennas at 339 is currently under review.

With the assistance of the Board's Consulting Engineer, Susan Carter, P. E., the Board reviewed plans and monitored ongoing construction of five (5) subdivisions and two (2) Special Permits:

- Linear Retail – Stow Shopping Center
- Derby Woods I&II (Sylvan Drive and Dunster Drive extension), a 33-lot subdivision, located off of Harvard Road
- Arbor Glen Active Adult Neighborhood
- RidgeWood at Stow Active Adult Neighborhood
- Taylor Road Planned Conservation Development
- Highgrove Estates Hammerhead Lot Development

### **Affordable Housing Inventory**

The Planning Department submitted the necessary documents to the Department of Housing and Community Development for certification of 3 affordable housing units to be counted towards Stow's Affordable Housing Inventory. In order to maintain the affordable status, the Town is required to provide documentation that building permits and occupancy permits have been issued. The Planning Department provided documentation of seven (7) occupancy permits for affordable units in 2011.

### **Zoning Bylaws**

One (1) Zoning Bylaw amendment was brought forth to the Special Town Meeting to establish a new use, Commercial Solar Photovoltaic Renewable Energy Installation. The proposal was adopted at the November 7, 2011 Special Town Meeting was approved by the Attorney General on December 9, 2011.

### **Fees Collected**

Fees collected in 2011 in the amount of \$4,142.56 offset expenses incurred for processing applications and for miscellaneous copies. The Applicant is responsible for plan review and inspection fees.

### **Work Plan**

The Board's work plan continues to include efforts to maintain Stow's rural character, and has taken large steps in its planning goals for Lower Village. In addition, the Board has made great strides with walkway/sidewalk planning and construction. The Board continues ongoing assessments of the Town's future land needs, updating Rules and Regulations and the Zoning Bylaw, light pollution/signage issues, and affordable housing and the creation of a Lower Village Master Plan. The Board also continues to keep abreast of proposed changes to Massachusetts

General Law such as proposed Community Land Use Reform and Partnership Act, as well as grants and technical assistance opportunities.

**Lower Village:** The Lower Village Sub-Committee completed a standard streetscape design for Lower Village, which the Planning Board approved as a working guideline. The Sub-Committee also submitted a final report to the Planning Board, which included a recommended action plan to implement its vision: “Our goal is to create an identity for our historic Lower village, consistent with the rural character of Stow.” At the Sub-Committee’s request, the Planning Board accepted their final report and dissolved the Sub-Committee. The Board thanks the Lower Village Sub-Committee for their many years of service, which resulted in many improvements to Lower Village.

In 2011 the Lower Village Sub-Committee:

- Finalized the Standard Streetscape Specifications
- Kept abreast of the Board of Selectmen’s efforts for a public water supply
- Provided input to the Planning Board
- Completed Final Report

The Planning Board worked toward the implementation of recommendations included in the Lower Village Sub-Committee’s final report:

Lower Village Common Improvements:

- Thanks to the generous donation of the Decker Family in honor of their Mother, a bench was installed on the common.
- Thanks to generous donation of funds from the Warren Fund to the Historical Commission and from the Garden Club for Lower Village Common Improvements, we look forward to additional steps toward implementation of the Lower Village Common Improvement Plan. Some ideas contemplated include installation of two additional benches and a storyboard as indicated on the Lower Village Common Improvement Plan.

The Board continued with Lower Village planning efforts by hosting a public forum with residents and business/property owners in the Lower Village to discuss strengths and weaknesses of the existing conditions in Lower Village. The Board heard many comments and suggestions concerning zoning, traffic circulation and infrastructure. The major concern voiced by business owners on the south side of Great Road was the need for a public water supply, which is necessary for expansion or redevelopment. We are pleased that water for Lower Village is a high priority for the Board of Selectmen.

The Board continued to work with traffic engineers Coler & Colantonio Inc. An existing conditions survey plan was completed and the Board is now working with Coler & Colantonio to determine the feasibility of the preferred alternatives identified in the 2006 Lower Village Traffic Study and to identify constraints and opportunities in the Lower Village. Coler & Colantonio provided a series of alternative traffic improvement plans for the Board’s review and consideration. The Board plans to hold a series of public forums to solicit input from Lower Village residents and business owners.

Phase II of this project was funded by the May 2011 Annual Town Meeting for further study, including:

- Geotechnical Investigations (Perform pavement cores and borings within the Stow Lower Village project limits in order to verify subsurface conditions)
- Utilities – (Begin initial coordination with utility companies regarding the possibility of relocation of overhead utilities to underground.
- Advancement of surface improvement program (additional engineering services related to the advancement of the roadway surface improvements)

In hopes of encouraging economic development, the Board began reviewing existing and potential uses in the Lower Village Business District. We brainstormed on how to amend the allowed uses to foster a more vibrant pedestrian oriented business environment. The Board considered different uses and associated permitting requirements for the Lower Village Business and potentially changing some uses to by-right in order to facilitate future business growth.

**Walkways:** The Pedestrian Walkway Planning Sub-Committee worked with Places Associates on design plans for walkways along Route 117. The final design plan included four (4) segments along Route 117. A request for proposal was posted and the bid was awarded to Century Paving. Due to limited available funds, the award was limited to segments 3, 4 and a portion of segment 1. The Planning Board and Sub-Committee worked with a developer to exchange the location of their walkway construction obligations to Route 117, so that the final Phase I plan will result in a contiguous sidewalk network from town center to the Stow Community Park. In addition the sub-committee continued to work on an inventory of the existing walkways in Stow and development of a priority plan for future walkway projects. The Sub-Committee has completed its final report, which will be presented to the Planning Board in March of 2012. The Board thanks the Pedestrian Walkway Planning Sub-Committee for their efforts and will work toward implementation of the plan in the future.

**Light Pollution:** The Light Pollution Study Sub-Committee continued working with developers, property owners, the Planning Board and Building Commissioner to ensure compliance with the lighting bylaw adopted in 2007. The Sub-Committee continues to urge residents and business owners to confine their lighting to their property by re-directing or replacing fixtures to achieve better lighting that is not bothersome to others. The membership was changed from a five-member sub-committee to a three-member sub-committee and currently holds one vacancy.

**Zoning and Land Use Considerations:** The Board continues to explore new zoning and land use regulations such as design guidelines, Form Based Zoning, Wind Turbines, Stretch Code, and Affordable Assisted Living Facilities.

**Zoning Maps:** The Planning Board received final digitized maps prepared by Aerial Survey and Photo, Inc. of the Wetlands/Floodplain Overlay District, as defined by IEP (Interdisciplinary Environmental Planning) Wetlands Map; the Assabet River Technical Report; the Flood Plain - Plan and Profile Heath Hen Meadow Brook study; and the Middlesex County Flood Insurance Rate Map (FIRM). The Planning Board is currently reviewing the maps for official publication.

The Planning Board retained the services of Isotrope LLC, to review the Town's existing Wireless Service Overlay District to determine if there is a need to expand the district in order to fill coverage gaps. If such a determination is made, the Board will bring forth a bylaw amendment to the 2012 Annual Town Meeting.

**Golf Course Water Quality Monitoring:** The Board continued working with the Board of Health and Northeast Geoscience Inc. (NGI) on efforts to design a water quality monitoring system for golf courses. NGI reviewed the products listed in each of the golf courses' Turf Management Plan and recommended collecting surface water samples at each of the golf courses. A sample was taken from one of the golf courses and the results indicated the data collected during the preliminary screening event did not reveal evidence of water quality impacts resulting from turf management practices. The Board of Health is in contact with the other courses for permission to take surface water samples. The DEP has a list of herbicides, pesticides and fungicides that are prohibited within a Zone II wellhead protection area. Although the golf courses are not located in a Zone II, two products on the Groundwater Protection List are currently being used in Stow. On recommendation from NGI, the Board requested that the Board of Health adopt a regulation to ban the use of these herbicides, pesticides and fungicides.

### **Regional Planning**

The Board also continues to keep abreast of regional activities. Board members and staff frequently attend meetings of the Massachusetts Association of Planning Directors, Metropolitan Area Planning Council (MAPC), and Minute Man Advisory Group on Interlocal Coordination (MAGIC), a sub-group of MAPC, serving the communities of Acton, Bedford, Bolton, Boxborough, Carlisle, Concord, Hudson, Lexington, Lincoln, Littleton, Maynard, Stow and Sudbury.

Stow participated in a MAGIC Suburban Mobility Transit Study. This study analyzed existing transit services in the MAGIC sub-region and completed a needs assessment to determine where gaps in service and duplication of service existed. The primary goal of the study was to deliver recommendations to the sub-region, which could enhance mobility and reduce the redundancy of service. To ensure local knowledge and feedback, a working group was created to guide the study. This working group consisted of at least one representative from each of the thirteen MAGIC communities. Karen Kelleher represented Stow in this process. The working group met twice over the length of the study and provided valuable feedback to MAPC staff. At the end of the process, the working group expressed great interest in continuing to work on the recommendations presented in the study and applied for funding under the Consortium of Sustainable Communities Program. Although grant funds were not awarded, MAPC agreed to fund ongoing efforts on this project, by using funding through the Unified Planning Work Program and the MAGIC Special Assessment to assist the MAGIC sub-region in researching and developing recommendations to further build on the work completed during the MAGIC Phase I Transit Mobility Study. This work scope will look more closely at direct implementation measures and action steps that can be taken by municipalities within the subregion to create new transit opportunities for residents, businesses and employees as well as expand on existing opportunities.

The Patrick-Murray Administration, through the Executive Office of Housing & Economic Development, partnered with regional planning agencies to work on a comprehensive land use and development plan for the 495/MetroWest area. The Stow Planning Board took part in this study by identifying priority development and preservation areas, and significant transportation and infrastructure investments within the Town. This study will be used to direct development and future funding toward areas within the region that welcome building or renovations and have existing infrastructure, and to protect areas where sensitive wildlife or historic locations have been identified.

### **Grants**

The Board applied to MAPC under the District Local Technical Assistance Program and to the Consortium for Sustainable Communities for assistance in preparation of a Lower Village Business District Master Plan. Unfortunately, neither grant was awarded to Stow.

Stow also applied to the Consortium for Sustainable Communities for Transit-Oriented Development (TOD) funding to complete the design and development of the Assabet River Rail Trail (ARRT), including the stretch on Track Road in Stow. Unfortunately this grant was not awarded to Stow.

Stow participated in a regional grant application, filed by MAPC to the Consortium for Sustainable Communities funding for Phase II of a Suburban Mobility Transit Study for Minute Man Advisory Group on Interlocal Coordination (MAGIC) communities, a sub-group of MAPC, serving the communities of Acton, Bedford, Bolton, Boxborough, Carlisle, Concord, Hudson, Lexington, Lincoln, Littleton, Maynard, Stow and Sudbury. Unfortunately this grant application did not receive approval.

Stow participated in a regional grant application, filed by MAPC to the Consortium for Sustainable Communities for funding for MAPC to assist several groups of communities in advancing pedestrian and bicycle planning, with the goal to encourage the implementation of pedestrian and bicycle accommodation at the local level and to create networks for safe non-vehicular travel. This application is one of 11 projects that were approved. With these funds, MAPC will work with three clusters of communities as follows:

1. Town of Stow, Town of Hudson, Town of Maynard, City of Marlborough
2. City of Quincy, Town of Braintree, Town of Hingham
3. City of Chelsea, City of Everett, City of Revere, City of Malden, Town of Saugus, City of Lynn

As noted above, although this grant application did not receive approval, MAPC dedicated funding to this project.

### **Thanks**

None of the planning efforts would be possible without the enormous contributions by Stow residents, who serve as volunteers on the boards and committees, and Town staff. It is a pleasure to continue working with all of you.

The Board extends a special thanks to:

- Our very capable professional consultants - Susan Carter of Places Associates, Inc. and Town Counsel, Jon Witten, of Huggins and Witten, LLC.
- Lower Village Sub-Committee - Chairman Don McPherson, Bruce Fletcher, Karen Kelleher, Barbara Sipler, Laura Spear, Russ Willis, Phil Moseley, Brian Martinson and Lori Clark.
- Light Pollution Sub-Committee - Chairman Russ Willis and Greg Troxel
- Pedestrian Walkway Planning Sub-Committee – Chairman Kristina Wile, Martha Monroe, Lori Clark, Joelle Spear, James Salvie and Associate Member Phyllis Fitzsimmons.

As can be seen by this report, the Board had another busy year, but this amount of work would never have been possible without the tireless and outstanding efforts of Karen Kelleher, and Kristen Domurad-Guichard, who not only work diligently for the Board, but also for other Town Boards and Committees and the general public with whom they interact on a daily basis.

Respectfully submitted,

Lori Clark, Chair  
Ernest E. Dodd, Vice Chair  
Leonard H. Golder  
Stephen Quinn  
Kathleen A. Willis  
Brian Martinson, Voting Associate  
Malcolm FitzPatrick, Associate

Donna M. Jacobs, Associate  
Martha Monroe, Associate  
  
Karen Kelleher, Planning Coordinator  
Kristen Domurad-Guichard, Administrative Assistant

## **CONSERVATION COMMISSION**

The Conservation Commission consists of seven members appointed by the Board of Selectmen to administer and enforce both the Massachusetts Wetlands Protection Act and the Town of Stow Wetlands Protection Bylaw and associated regulations. Areas subject to protection under these regulations include wetlands, rivers, streams, other water bodies and their banks, and flood plains, among others. In addition to these resource areas, the Commission must review and, if appropriate, stipulate conditions under which proposed activities within 100 feet of the resource or 200 feet of ponds and streams must be conducted. The Commission also works to manage over 1,200 acres of conservation land throughout the community and a network of trails on these lands, and to protect additional high-priority lands. Trail maps and permit applications are available in the Conservation Commission office, which is located in the Town Building.

Currently, the Commission consists of seven members with varied backgrounds and a common interest in environmental issues. In addition, we have the strong support of several associate members who work on special projects, such as wetland delineation, drainage issues, trail mapping, forestry management, community gardens and open space planning. Additional