

Valerie Oorthuys – Planning Director
Stow Planning Board
380 Great Road
Stow, Massachusetts 01775

July 10, 2023

RE: Bransfield Tree Company
63 & 65 White Pond Road
Major Modification

- Earth Removal Special Permit
- Contractors Yard and Erosion Control Special Permit
- Site Plan Approval

Dear Ms. Oorthuys,

On behalf of our client, Bransfield Tree Company, LLC (Applicant) Hannigan Engineering, Inc. is submitting an application for Amendment to an Earth Removal Special Permit, a Contractor's Yard and Erosion Control Special Permit, and for Modification to Site Plan Approval at 63 & 65 White Pond Road in Stow, Massachusetts (Map 29, Parcels 72 & 73). This Project was granted the original Special Permits and Site Plan Approval for the construction of the industrial building and associated site features from the Planning Board in September of 2016. This approval is recorded at the district Registry of Deeds in Book 80627, Page 87 (Permit). At this time, it is requested that the Special Permits and Site Plan Approval be modified to reflect the reconfiguration of the industrial building and associated parking, and for the expansion of the Contractor's Yard area on the property.

The property is approximately 10.3 acres located on the southerly side of White Pond Road. The property is predominantly within the Commercial District with a portion of the property located within the Residential District along the rear portion of the property. Per Section 3.5.3.3 of the Stow Zoning Bylaw, the use as a Contractor's Yard requires a Special Permit from the Planning Board. As the Board has previously approved this use, it is intended to maintain this designation.

The property historically contained an existing family home with several auxiliary structures, with the majority of the property consisting of woodland areas. Since the issuance of the Permit, the applicant purchased both properties and commenced with earth moving operations in association with the original Permit. This work extended beyond the limits of the Permit and thus requires the Permit to be amended. Additionally, these areas of clearing extended into buffer zones to jurisdictional areas which required further review and updates to the Existing Conditions Plan to determine the scope of permitting required. A review of these areas is provided with the proposed modifications.

SITE REVIEW & SPECIAL PERMIT – AMENDMENT

The Applicant is requesting that the Special Permits and Site Plan Approval be modified to reflect the reconfiguration of the industrial building and associated parking, and for the expansion of the Contractor's Yard area on the property. Under the original proposal, the building was skewed relative to the alignment of White Pond Road and included an access drive surrounding the structure and associated parking and loading areas.

Additionally at the time of the original filing, the majority of the property was under the designation of MGL Chapter 61A, which limited the use of the land and its activities. Since that time, the Ch. 61A designation has been reduced as recorded in Deed Book 71610, Page 71 (copy attached). The eventual elimination of this designation is anticipated to be completed in the next fiscal year.

As the usable land on the property has been expanded, the alignment of the building and parking has been modified to align more with White Pond Road. Access to the site will be provided by a new paved driveway along Whites Pond Road. This driveway will provide a loop around the entire building and provide access to parking spaces for employees and visitors. Along the rear of the building will be several overhead doors for vehicles to enter the structure. This results in a reduction of impervious areas on the project from the original plan. Domestic sewage will be accommodated with a new Subsurface Sewage Disposal System (Septic) located along the southerly side of the building, with domestic water being provided by a new private well.

The remaining areas around the property are intended to be utilized as outdoor storage/contractor's yard areas which will be leased to local contractors. These areas will be graded and topped with a mix of regrind pavement and gravel for stabilization. As part of the construction of the yard area, and to provide compliance with stormwater management regulations, a landscape berm will be constructed along the northerly portion of the site to direct runoff to the stormwater system. This system will include a stone lined drainage swale to capture the runoff from the storage yard area and direct it towards an infiltration basin located along the southerly property line. The combination of the berm and swale will create a barrier to ensure that no runoff from the yard area leaves the development without first going through the stormwater system.

The proposed berm and swale are to be located along the edge of the generally flat portion of the site adjacent to the 100-ft Buffer Zone. The intention is to demarcate the limits of the site for use as outdoor storage/contractor yard areas and to prevent further encroachment into the jurisdictional areas. Areas beyond the proposed berm and swale that were previously altered and within the buffer zone of the new 2023 delineation jurisdictional areas will be reestablished with loam and seeded with a wildflower seed mix and allowed to naturalize.

It is noted that the stormwater review was performed based on conditions of the site prior to vegetative clearing and regrading. This presumption was utilized to ensure a full review of the original conditions of the property prior to development to be able to properly assess potential impacts to the surrounding areas.

Areas subject to the Wetlands Protection Act (WPA) and the Local Wetland Protection Bylaw were reviewed and delineated by Caron Environmental in March of 2023. These areas include the Annual Highwater Mark (AHW) of Assabet Brook, providing a corresponding Riverfront Area for the project, as well as the Bordering Vegetated Wetland (BVW) associated with the brook. Per the FEMA Firm Panel 25017-C0361F, dated July 7, 2014, a flood hazard area associated with the brook extends onto the property. This is an unnumbered Zone A with no established flood plain elevation. The flood plain has been graphically depicted on the Site Plans. It is noted that no work is proposed within the floodplain. Concurrent with this filing, a Notice of Intent (NOI) has been filed with the Conservation Commission relative to work within these areas.

EARTH REMOVAL PERMIT - AMENDMENT

As part of the original approval, it was anticipated that approximately 4,826 cubic yards of material would be removed from the site to facilitate the construction. This was primarily caused by the land area designated under Ch. 61A which resulted in the inability to balance the site. With the lifting of this restriction, a review of the land altered beyond the permit limits has been performed. This office commissioned a LiDAR survey of the area which utilized federal database information from 2010, prior to the permitting and construction activities. We also performed an on-the-ground topographic survey of the property to establish the current topographic conditions.

A cut/fill analysis was performed, and it was determined that the work performed on the property has resulted in a net 417 yards of fill (import) on the property. This is essentially credited to the fact that the materials on the site have been essentially moved around on the property. Additionally, the operational aspect of the company results in materials being brought to the property on a periodic basis. As such, the net earth removal on the is diminished to zero. Future operations are not anticipated to excavate materials on the property for export purposes. Any excess materials generated by the construction of the building and the site would be stockpiled on the property for use in the operational aspect of the company.

FINDINGS AND CONDITIONS OF ORIGINAL APPROVAL

As part of this review, the various required Site Plan Changes that the permit was conditioned have been reviewed and addressed. Items requiring action prior to construction or facilitated a modification to the site plan have been provided below:

CONDITIONS- GENERAL

Condition 8.3: Prior to commencement of construction, the Petitioner shall meet all the requirements of M.G.L. Chapter 61A as needed.

Response: **As stated above, the Ch. 61A designated land on the property has been changed, increasing the available land for the project. Thus, compliance has been achieved.**

Condition 8.4: Prior to issuance of a Building Permit overdue taxes shall be paid to the Town of Stow in full.

Response: **Acknowledged.**

Condition 8.7: Any future tenants utilizing the site shall conform to uses allowed in the Commercial District and shall be subject to all of the conditions of this Decision.

Response: **Acknowledged.**

LANDSCAPING AND SCREENING

CONDITION 8.8:

Condition: *Two (2) additional street trees and three (3) shrubs shall be planted along the landscaped frontage of the property.*

Response: **Since the time of the original approval, additional trees and plantings have been installed along the frontage for screening. There are between 30 and 40 trees and plantings along the frontage at this time. Thus, compliance has been achieved.**

Condition: *All plantings shall be installed in accordance with Section 4.9.3.2 and 4.9.3.3 of the Special Permit Rules regulating the installation of plants and their long-term maintenance.*

Response: **As the plantings described above have been planted several years ago, it is presumed their installation and long-term maintenance has been sufficient to ensure their long-term viability. Thus, compliance has been achieved.**

Plan Modifications: Prior to endorsement, the Plan shall be modified to show the location of the two (2) additional street trees and three (3) additional shrubs along the landscaped frontage.

Response: **The location of the existing plantings along the frontage are depicted on the updated Site Development Plan. Thus, compliance has been achieved.**

NOISE

Condition 8.10: *Exterior activity shall generally take place between the hours of 6:00 am and 5:00 pm, Monday through Friday, and 8:00 am to 12:00 pm Saturdays unless specific approval is granted by the Building Commissioner.*

Response: **Acknowledged.**

TRAFFIC

Condition 8.11: *Any increase in the number of parking spaces, average daily employees and/or proposal for a public water supply system shall require a modification to the Special Permit and a reevaluation of traffic along White Pond Road in accordance with Section 4.15 of the Special Permit Rules and Regulations.*

Response: **Acknowledged. It is noted that the parking and the anticipated average daily employee counts have remained unchanged since the original approval. Additionally, there are no intentions of seeking a public water supply system for the property. It is acknowledged if a public water supply is sought, further modification of the Special permit may be required.**

ADEQUACY OF ACCESS

CONDITION 8.12:

Condition: *The Petitioner shall provide information showing sufficient site distances to the satisfaction of the Board.*

Response: **The posted speed limit on this roadway 25 MPH, requiring a stopping sight distance of 155 feet. For the purpose of this review, a speed of 35 MPH was utilized to ensure adequate sight distance at the driveway intersection. This speed requires a stopping sight distance of 250 feet. This information has been added to the plans. Thus, compliance is achieved.**

Condition: *In the event that the Planning Board necessitates conformance to sight distances that requires a modification to the location of the proposed 24' foot access drive, then prior to endorsement the Plan shall be modified and presented for the Board's review to determine whether such modifications require a Public Hearing for a Special Permit pursuant to MGL CH. 40A s.9 or are considered a minor modification not requiring a Public Hearing.*

Response: **As stated above, the orientation of the building has been modified, but the location of the access drive has not been changed. The posted speed limit on this roadway 25 MPH, requiring a stopping sight distance of 155 feet. For the purpose of this review, a speed of 35 MPH was utilized to ensure adequate sight distance at the driveway intersection. This speed requires a stopping sight distance of 250 feet. This information has been added to the plans. Thus, compliance is achieved.**

Plan Modifications: *Prior to endorsement the Plan shall be updated to show sight distances for intersections at the proposed access drive, including topographical information.*

Response: **As stated above, this information has been added to the plans. Thus, compliance is achieved.**

DRAINAGE AND EROSION CONTROL

CONDITION 8.15:

Condition: *Erosion and sedimentation control measures as shown on the final approved plan, shall be in place at least 72 hours prior to the commencement of any site work or EARTH REMOVAL OPERATION and must be maintained during construction and remain in place until all site work is complete and groundcover is established.*

Response: **Acknowledged. The erosion control location has been updated on the Site Plan**

Condition: *A description of proposed dust control measures shall be provided to the Building Commissioner for review and approval.*

Response: **Acknowledged. Dust control will be managed with watering trucks as may be needed during construction. This equipment is available within the business of the applicant.**

It is noted that the project will require the creation of a Stormwater Pollution Prevention Plan (SWPPP). Within this document, detailed provisions for dust management and other construction period mitigation measures will be reviewed. A copy of the SWPPP can be provided to the Town prior to Construction.

Condition: *Dust control measures shall be in place during and after construction in accordance with Section 3.8.1.2 of the Bylaw.*

Response: **Acknowledged. Dust control will be managed with watering trucks as may be needed upon the completion of construction. This equipment is available within the business of the applicant.**

Condition: *The Petitioner shall provide a copy of the NPDES submission, Stormwater Pollution Prevention Plan (SWPPP), related reports and any plan modifications to the Board.*

Response: **Acknowledged. An EPA SWPPP will be prepared prior to construction.**

Condition: *Prior to issuance of a building permit all erosion control protection measures shall be installed according to the Plan and as conditioned herein.*

Response: **Acknowledged.**

Condition: *Prior to issuance of a building permit, an Operations and Maintenance plan shall be submitted for the Board's review and approval, detailing the maintenance of all drainage facilities proposed.*

Response: **Acknowledged. The Operation and Maintenance Plan has been incorporated into the Drainage Analysis and Report as part of this submittal.**

WELL AND SEWAGE DISPOSAL SYSTEM

CONDITION 8.16:

Condition: *The Plan shall comply with all local Board of Health regulations and MassDEP Title V requirements.*

Response: **Acknowledged. Plans and documents have been submitted to the Board of Health for review.**

Condition: *Septic system and drinking water wells shall be designed for 24 employees.*

Response: **Acknowledged. Plans and documents have been submitted to the Board of Health for review. These plans have been prepared for a maximum of 24 employees.**

Condition 8.17: Proposed wells shall be protected with bollards.

Response: **Acknowledged.**

Plan Modifications: Prior to issuance of a Building Permit, bollards protecting both proposed wells shall be shown on the plan.

Response: **Acknowledged. This information has been added to the plans.**

LIGHTING

Condition 8.18: All exterior lighting shall comply with Section 3.8.1.5 of the Zoning Bylaw.

Response: **Acknowledged. Lighting is proposed to consist of wall pack units on the building for security lighting only.**

HAZARDOUS WASTE MANAGEMENT

Condition 8.19: Pesticides shall be stored in a manner pursuant to the Federal Insecticide, Fungicide and Rodenticide Act, and applicable Massachusetts Department of Environmental Protection and Massachusetts Department of Agricultural Resources regulations.

Response: **Acknowledged.**

CONDITION 8.20:

Condition: A Spill Kit shall be located on site.

Response: **Acknowledged.**

Condition: The proposed building shall include the necessary infrastructure for the indoor service and maintenance of vehicles, such as floor drains, holding tanks, and other associated improvements as required by the Massachusetts State Building Code.

Response: **Acknowledged. A holding tank has been added to the plans for the building floor drains. This will be required to be installed as part of the building construction.**

Condition: *In the event the Applicant chooses to include an exterior vehicle washing area, the following shall be met prior to issuance of a Building Permit:*

- *The location of the exterior vehicle washing area shall be shown on the plan*
- *The outdoor truck washing area shall be registered with the Department of Environmental Protection pursuant to their regulations for UIC Class V Motor Vehicle-Rinse Water Well discharge.*

Response: **An exterior vehicle washing area is not proposed at this time.**

Condition: *Signage should be provided at the exterior vehicle washing area indicating that clean water shall be used to rinse vehicles only – no detergents are allowed. Signage should also indicate any other conditions in the Department of Environmental Protection Underground Injection Control Permit.*

Response: **An exterior vehicle washing area is not proposed at this time.**

Condition: *In the event that approval of a DEP UIC Permit is sought and not received for the outdoor truck rinse area, the following conditions shall apply:*

- *Any truck washing/rinsing shall occur within the proposed building pursuant to requirements of the Massachusetts State Building Code.*
- *Signage shall be installed at the east and west ends of the building visible to all users of the garage bays, indicating that exterior vehicle washing is prohibited.*
- *No outdoor faucets or spigots shall be installed at the exterior of the building in the location of the garage bay doors.*

Response: **An exterior vehicle washing area is not proposed at this time.**

Plan Modifications: In the event that approval of a DEP UIC Permit is sought and not received for the outdoor truck rinse area, then prior to issuance of a Building Permit the Plan shall be modified to show signage at the east and west faces of the building, stating that exterior vehicle washing is prohibited.

Response: **An exterior vehicle washing area is not proposed at this time.**

Plan Modification: In the event that approval of a DEP UIC Permit is sought and not received for the outdoor truck rinse area, then prior issuance of a Building Permit the Plan shall be modified to include a note that no outdoor faucets or spigots shall be installed on the exterior of the building.

Response: **An exterior vehicle washing area is not proposed at this time.**

Condition 8.21: *In accordance with Section 9.2.7.14 of the Zoning Bylaw and the Planning Board's sidewalk policy, the Petitioner shall choose from the following options:*

- *In the event the Petitioner elects to not construct a sidewalk or provide a fee in lieu of construction, an area along the entire frontage shall be left unimpeded for use as a pedestrian path and a ten-foot-wide walkway easement, in recordable form, shall be submitted to the Board for Approval and attached to the deed prior to endorsement of the Plan.*
- *In the event the Petitioner elects to construct a sidewalk in accordance with Appendix J of the Planning Board Handbook, then prior to issuance of a Building Permit, a sidewalk shall be constructed along the entire frontage of 63 and 65 White Pond Road. Design shall follow standards outlined in Section 8.7.2 of the Stow Subdivision Rules and Regulations and a ten foot wide walkway easement, in recordable form, shall be submitted to the Board for Approval and attached to the deed prior to endorsement of the Plan.*
- *The Petitioner may elect to pay a fee in lieu of constructing a sidewalk, walkway or path, in accordance with Appendix J of the Planning Board Handbook and submit a ten foot wide walkway easement in recordable form, to the Board for Approval and attached to the deed prior to endorsement of the Plan.*

Response: **A sidewalk has been added to the Site Plans including construction details per the standards of the Town.**

Condition 8.22: *The Plans shall show the seal of a Registered Professional Engineer or Registered Land Surveyor, or both.*

Response: **Acknowledged. This information has been added to the plans.**

EARTH REMOVAL

Condition 8.25: *EARTH removed for the purposes described herein shall be trucked to J. Melone and Sons, Inc site at 77 White Pond Road. In the event that another location is chosen, prior to the commencement of the EARTH REMOVAL OPERATION the Petitioner shall submit such change for Planning Board review and a determination shall be made by the Planning Board whether such change constitutes a minor modification of the permit or modification requiring a Public Hearing.*

Response: **Acknowledged.**

Plan Modification: Prior to issuance of a Building Permit a note shall be added to the Plan indicating that all EARTH removed from the SITE shall be trucked to J. Melone and Sons, Inc, at 77 White Pond Road.

Response: **Acknowledged. This information has been added to the plans. However, materials that may be utilized within the scope of the applicant's business will remain on the site.**

Condition 8.29: All expenses for construction inspections, recording and filing of plans and documents shall be borne by the Petitioner.

Response: Acknowledged.

Condition 8.30: Prior to the issuance of an occupancy permit, the Applicant shall submit an AsBuilt Plan showing all site infrastructure, including appurtenant drainage structures.

Response: Acknowledged.

CONDITION 8.31:

Condition: Exterior construction activity related to the Erosion Control Special Permit and Site Plan Approval work as conditioned herein shall take place only between the hours of 7:00 am and 5:00 pm Monday through Friday excluding official Town of Stow holidays and 8:00 am to 12:00 pm Saturdays unless specific approval is granted by the Building Commissioner.

Response: Acknowledged.

Condition: The Petitioner shall post allowable hours on site.

Response: Acknowledged.

Condition: In the event that the Building Commissioner authorizes an exception to the posted hours, notice shall be provided to the Police Department and the Board by the Applicant.

Response: Acknowledged.

Condition 8.34: The Special Permit granted by this decision shall not take effect until a copy of the decision has been recorded, at the owner's expense, in the Registry of Deeds and duly indexed or noted on the owner's certificate of title. A copy of the recorded decision, certified by the Registry, or notification by the owner of the recording, including recording information, shall be furnished to the Town Clerk and the Planning Board.

Response: The Decision is recorded at the district Registry of Deeds in Deed Book 80627, Page 72.

Condition 8.35: This Special Permit shall lapse on September 13, 2018, if a substantial use has not commenced, except for good cause.

Response: It is the understanding of this office that substantial use has commenced on the property and the Special Permit is in full force and effect.

HANNIGAN ENGINEERING, INC.

8 MONUMENT SQUARE, LEOMINSTER, MA 01453 PHONE: (978) 534-1234 CIVIL ENGINEERS & LAND SURVEYORS

On behalf of our client, Hannigan Engineering, Inc. is requesting that this project be put on the agenda for the next available meeting. Representatives of this office and of the Applicant will be available to address any questions or concerns raised at that time. We appreciate the Town's assistance in this process as we look forward to working with you to obtain the anticipated approval of this project.

Sincerely,
HANNIGAN ENGINEERING, INC



Christopher M. Anderson, PE
Project Manager

pc: Jonathan Bransfield, Bransfield Tree Company LLC
Sean Pepper, DR Poulin Construction

WDH/kac

J:\My Documents\PROJECTS\3100+3136-Money Brook Farm\Planning Board\3136- Amendment Narrative.docx

TOWN OF STOW PLANNING BOARD

PETITION

FOR

SPECIAL PERMIT
(MAJOR MODIFICATION)

File completed Petition with the Town Clerk and then present 14 separate copies of the Petition, folded to fit neatly within a letter-sized file folder, to the secretary for the Planning Board along with a Petition fee payable to "Town of Stow" in the amount required by the Rules and Regulations for Special Permits. Refer to the "Rules and Regulations for Special Permits" for details on the information required.

Please type or print this Petition.

PETITIONER'S NAME: Bransfield Tree Company PHONE #: 781-237-2446

MAILING ADDRESS: 65 White Pond Road

LOCATION AND STREET ADDRESS OF SITE: 63 & 65 White Pond Road

AREA OF SITE: 10.33ac sq. ft. FRONTAGE: 459.44 linear feet

ZONING DISTRICT: C ASSESSOR'S MAP NO.(s): 29 PARCEL NO.(s): 72 & 73

SOUTH MIDDLESEX REGISTRY OF DEEDS BOOK AND PAGE NO.(s): 68258-348
or LAND COURT CERTIFICATE OF TITLE NO.(s): _____

PROPERTY OWNER: Money Brook Farm, LLC PHONE #: 781-237-2446

MAILING ADDRESS: 65 White Pond Road

DETAILED DESCRIPTION OF THE PROPOSED SPECIAL PERMIT:

Seek Major Modification of Existing Special Permit for the construction of a contractors yard.

Please complete the following check list for your Petition indicating with a check mark the information included. If an item is not applicable to your Petition, write "N/A" in the blank. If any applicable items are missing attach additional sheets explaining the omission. Note that this list is not a complete description of the requirements for a complete Petition; it is each Petitioner's responsibility to prepare a complete Petition according to the "Rules and Regulations for Special Permits" as adopted by the Planning Board and available from the Planning Board's secretary. A Petition lacking any required information in the appropriate format may not be accepted or may be cause for denial of said Petition.

If any Special Permits or variances have been filed previously for this site please attach copies of the decisions.

- X DEVELOPMENT IMPACT STATEMENT
- X Description of proposed or possible uses
 - X Building coverage, total coverage, and open space areas
 - X Drainage calculations
 - X Earth removal calculations
 - (NA) Traffic study (8 copies)
 - X List variances and Special Permits previously issued by the Planning Board of Appeals and any needed for this proposal
 - Provide copies of any "approval not required" subdivisions
 - List any Special Permits or Health Permits required and provide copies of any received
 - X Note if Conservation Commission approval needed and provide copy of approval if received (Filing Concurrent with Application)

X LOCUS PLAN

X SITE COMPOSITE PLAN

Design certifications

Legends

General site characteristics -

Existing and proposed buildings and structures

Driveway entrances for abutting properties and those across a public way with dimensions

All underground tanks/structures existing or proposed or abandoned

Zoning, Flood Plain, and Groundwater Protection District boundaries if applicable

Yards/setbacks dimensioned

Natural site characteristics -

Waterways

Wetland boundaries and buffers

Existing and proposed contours

Open space with square footage calculations

Site improvements -

Dimensions of traffic lanes

Label all paved surfaces and note materials

Parking spaces and parking lot landscaping with dimensions

Building areas for each floor

Exterior lighting

Existing and proposed signage

Outdoor storage areas labeled

Site utilities -

- Stormwater drainage facilities shown & dimensioned
- Underground storage containers with capacities and contents
- Water services
- Fire hydrants on or off site
- Underground utilities
- Fire alarm master box
- Sprinkler feed line
- Solid waste disposal facilities
- Sewage disposal system
- Erosion and sedimentation controls – citation?
- Names of abutting property owners
- Parking calculations

X CONSTRUCTION DETAIL PLAN

- Detail of structures
- Landscaping details
- Parking details in compliance with the Stow Zoning Bylaw
- Tabulations of building coverage and open space
- Details of outdoor lighting

LANDSCAPE PLAN

- Certifications
- Legend
- Number, type, & size of trees and shrubs
- Landscape buffers
- Land contours
- Site features
- Limits of work
- Perimeter of trees
- Outdoor lighting structures

X BUILDING ELEVATION PLAN

- Certifications
- Scale
- Front, rear, & side elevations with maximum height

X FLOOR PLAN

- Certifications
- Scale
- Net floor area/s

Any additional maps, plans, photographs, deeds, or documents which the Petitioner wishes to submit should be enclosed with each copy of this Petition.

Appendix 1

The undersigned hereby Petition the Planning Board for a public hearing and a Special Permit under the Town of Stow Zoning Bylaw approving the Special Permit Petition including the Site Plan described above.

The undersigned hereby certify that the information on this Petition and plans submitted herewith are correct, and that all applicable provisions of Statutes, Regulations, and Bylaws will be complied with.

The above is subscribed to and executed by the undersigned under the penalties of perjury in accordance with Section 1-A of Chapter 268, General Laws of the Commonwealth of Massachusetts.

7/5/23

Date

Signature of Petitioner

OWNER'S KNOWLEDGE AND CONSENT

I hereby assert that I have knowledge of and give my consent to the Petition presented above.

7/5/23

Date

Signature of Owner

DEVELOPMENT IMPACT STATEMENT (MAJOR MODIFICATION)

Please type or print information in blanks below.

1. Name of Proposed Subdivision NA - SITE DEVELOPMENT PLAN- BRANSFIELD TREE CO
2. Location 63 & 65 WHITE POND ROAD
3. Name of Applicant(s) BRANSFIELD TREE COMPANY
4. Brief Description of the Proposed Project CONTRACTORS YARD
5. Name of Individual Preparing this DIS HANNIGAN ENGINEERING, INC.
Address 8 Monument Square, Business Phone 978-534-1234
Leominster, MA
6. Professional Credentials PROFESSIONAL ENGINEER (PE)

A. Site Description

7. Present permitted and actual land uses by percentage of the site.
- 0 % Industrial 44 % Commercial 0 % Residential 56 % Forest 0 % Agricultural
 % Other (specify) _____
8. Total acreage on the site: 10.33 acres.

Approximate Acreage	Present	After Completion
Meadow or Brushland (non agriculture)	0.00	0.00
Forested	4.61	4.61
Agricultural (includes orchards, cropland, pasture)	0.0	0.0
Wetland	(2.76)	(2.76)
Water Surface Area	(0.21)	(0.21)
Flood Plain	(2.45)	(2.45)
Unvegetated (rock, earth, or fill)	5.59	3.16

Appendix 2

Roads, buildings and other impervious surfaces	0.13	0.77
Other (indicate type) (LAWN AREA)	0.0	1.79

9. List the zoning districts in which the site is located and indicate the percentage of the site in each district.

Note: be sure to include overlay zoning districts.

<u>District</u>	<u>%</u>
COMMERCIAL	73
RESIDENTIAL	37

10. Predominant soil type(s) on the site: MERRIMAC FINE SANDY LOAM AND

SUDBURY FINE SANDY LOAM

Soil drainage (Use the U.S. Soil Conservation Service's definition)

Well drained: 100 % of site

Moderately well drained % of site

Poorly drained % of site

11. Are there bedrock outcroppings on the site? ☐ yes ☒ no

12. Approximate percentage of proposed site with slopes between:

0-10% 80%

10-15% 5%

greater than 15% 15%

13. Does the project site contain any species of plant or animal life that is identified as rare or endangered? ☐ yes ☒ no

If yes, specify: _____

14. Are there any unusual or unique features on the site such as trees larger than 30 inches D.B.H., bogs, kettle ponds, eskers, drumlins, quarries, distinctive rock formation or granite bridges? ☐ yes ☒ no

If yes, specify: _____

15. Are there any established foot paths running through the site or railroad right of ways?

☐ yes ☒ no

If yes, specify: _____

16. Is the site adjacent to conservation land or a recreation area? ☒ yes ☐ no

If yes, specify: AREA OF CONSERVATION LAND LOCATED ALONG SOUTHERLY PROPERTY LINE
ASSOCIATED WITH STOW TOWN FOREST

17. Does the site include scenic views or will the proposed development cause any scenic vistas to be obstructed from view? ☐ yes ☒ no

If yes, specify: _____

18. Are there wetlands, lakes, ponds, streams, or rivers within or contiguous to the site?

☒ yes ☐ no

If yes, specify: AREAS OF BORDERING VEGETATED WETLAND AND ASSABET BROOK
FLows ALONG SOUTHERLY PROPERTY LINE

19. Is there any farmland or forest land on the site protected under Chapter 61A or 61B of the Massachusetts General Laws? ☐ yes ☒ no

If yes, specify: _____

20. Has the site ever been used for the disposal of hazardous waste? Has a 21E Study been conducted for the site? ☐ yes ☒ no

If yes, specify results: _____

21. Will the proposed activity require use and/or storage of hazardous materials, or generation of hazardous waste? ☐ yes ☒ no

If yes, specify results: _____

22. Does the project contain any buildings or sites of historic or archaeological significance?

☐ Yes ☒ no

If yes, please describe _____

B. Circulation System

23. What is the average weekday traffic and peak hour traffic volumes generated by the proposed subdivision?

a. Average weekday: 84
 b. Average peak hour: 77 morning
65 evening

24. Existing street(s) providing access to proposed subdivision: (SITE PLAN/SPECIAL PERMIT MODIFICATION)
 Name WHITE POND ROAD Classification _____

25. Existing intersection(s): list intersections located within 1000 feet of any access to the proposed development:

Name of ways WHITE POND-MELONES ROAD; -HASTINGS STREET

26. Location of existing sidewalks within 1000 feet of the proposed site?

NA

27. Location of proposed new sidewalks and their connection to existing sidewalks: NEW SIDEWALK PROPOSED ALONG STREET SIDELINE ALONG FRONTAGE

C. Utilities and Municipal Services

28. If dwelling units are to be constructed, what is the total number of bedrooms proposed?

0

29. If the proposed use of the site is nonresidential, what will the site be specifically used for and how many feet of Gross floor area will be constructed? 4000 SF

30. Storm Drainage

a. Describe nature, location and surface water body receiving current surface water of the site: STORMWATER FLOWS ULTIMATELY DISCHARGE TO ASSABET BROOK ALONG SOUTHERLY PROPERTY LINE. NO LIMITATIONS OR IMPAIRMENTS DOCUMENTED

- b. Describe the proposed storm drainage system and how it will be altered by the proposed development: STORMWATER WILL BE COLLECTED VIA CATCHBASINS AND SWALES AND DIRECT RUNOFF TOWARDS AN INFILTRATION BASIN

31. In the event of fire, estimate the response time of the fire department (consult with Fire Dept.) 5 MINUTE TRAVEL TIME
32. Schools (if residential)
- a. Projected number of new school age children.
- 0 MIN

E. Measures to Mitigate Impacts

Attach brief descriptions of the measures that will be taken to:

33. Prevent surface water contamination.
34. Prevent groundwater contamination.
35. Maximize groundwater recharge.
36. Prevent erosion and sedimentation.
37. Maintain slope stability.
38. Design the project to conserve energy.
39. Preserve wildlife habitat.
40. Preserve wetlands.
41. Ensure compatibility with the surrounding land uses.
42. Control peak runoff from the site so that the post-development rate of runoff will be no greater than the predevelopment.
43. Preserve historically significant structure and features on the site.
44. To mitigate the impact of the traffic generated by the development.

ABUTTERS LIST
63 WHITE POND RD
MAP R-29 PARCEL 72

MAP/PARCEL	PROPERTY LOCATION	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP CODE	DEED BOOK	DEED PAGE
00R-29 000062	52 WHITE POND RD	MILLER, MICHAEL T. & AMANDA LYNN (TTEES)	MILLER REALTY TRUST	52 WHITE POND RD	STOW	MA	01775	69100	183
00R-29 000064	0 WHITE POND RD	J MELONE & SONS INC		BOX 176	STOW	MA	01775	10325	570
00R-29 000065	88 WHITE POND RD	J MELONE & SONS INC		BOX 176	STOW	MA	01775	11119	202
00R-29 000071	73 WHITE POND RD	J MELONE & SONS INC		BOX 176	STOW	MA	01775	10389	234
00R-29 000072	63 WHITE POND RD	MONEY BROOK FARM LLC		6 SANDY BROOK DR	STOW	MA	01775	68258	348
00R-29 000073	65 WHITE POND RD	MONEY BROOK FARM LLC		6 SANDY BROOK DR	STOW	MA	01775	68258	348
00R-29 000074	49 WHITE POND RD	LAROCCA PROPERTY HOLDINGS LLC		195 PIGEON LN	WALTHAM	MA	02452	21520	468
00R-29 000105	0 BROOKSIDE AV	TOWN OF STOW	TOWN FOREST CONCOM	380 GREAT RD	STOW	MA	01775	11549	503
00R-29 00074A	0 WHITE POND RD #OFF	TOWN OF STOW	CONSERVATION COMMISSION	380 GREAT RD	STOW	MA	01775	12215	518
00R-29 0070-1	77 WHITE POND RD	J MELONE & SONS INC		BOX 176	STOW	MA	01775	10235	58
00R-29 0074-2	0 WHITE POND RD #OFF	TOWN OF STOW	CONSERVATION COMMISSION	380 GREAT ROAD	STOW	MA	01775	24113	277
00R-29 0075-1	0 WHITE POND RD	DUDLEY ROY A	DUDLEY CAROL J	13 TERESA DR	HUDSON	MA	01749	55551	342

Certified by the Stow Board of Assessors:

LAUREN FORD

Date Certified or Re-Certified:

5/22/23

Ft:

300

J MELONE & SONS INC
BOX 176
STOW MA 01775

J MELONE & SONS INC
BOX 176
STOW MA 01775

J MELONE & SONS INC
BOX 176
STOW MA 01775

MONEY BROOK FARM LLC
6 SANDY BROOK DR
STOW MA 01775

MONEY BROOK FARM LLC
6 SANDY BROOK DR
STOW MA 01775

LAROCCA PROPERTY HOLDINGS LLC
195 PIGEON LN
WALTHAM MA 02452

TOWN OF STOW TOWN FOREST
CONCOM
380 GREAT RD
STOW MA 01775

TOWN OF STOW CONSERVATION
COMMISSION
380 GREAT RD
STOW MA 01775

J MELONE & SONS INC
BOX 176
STOW MA 01775

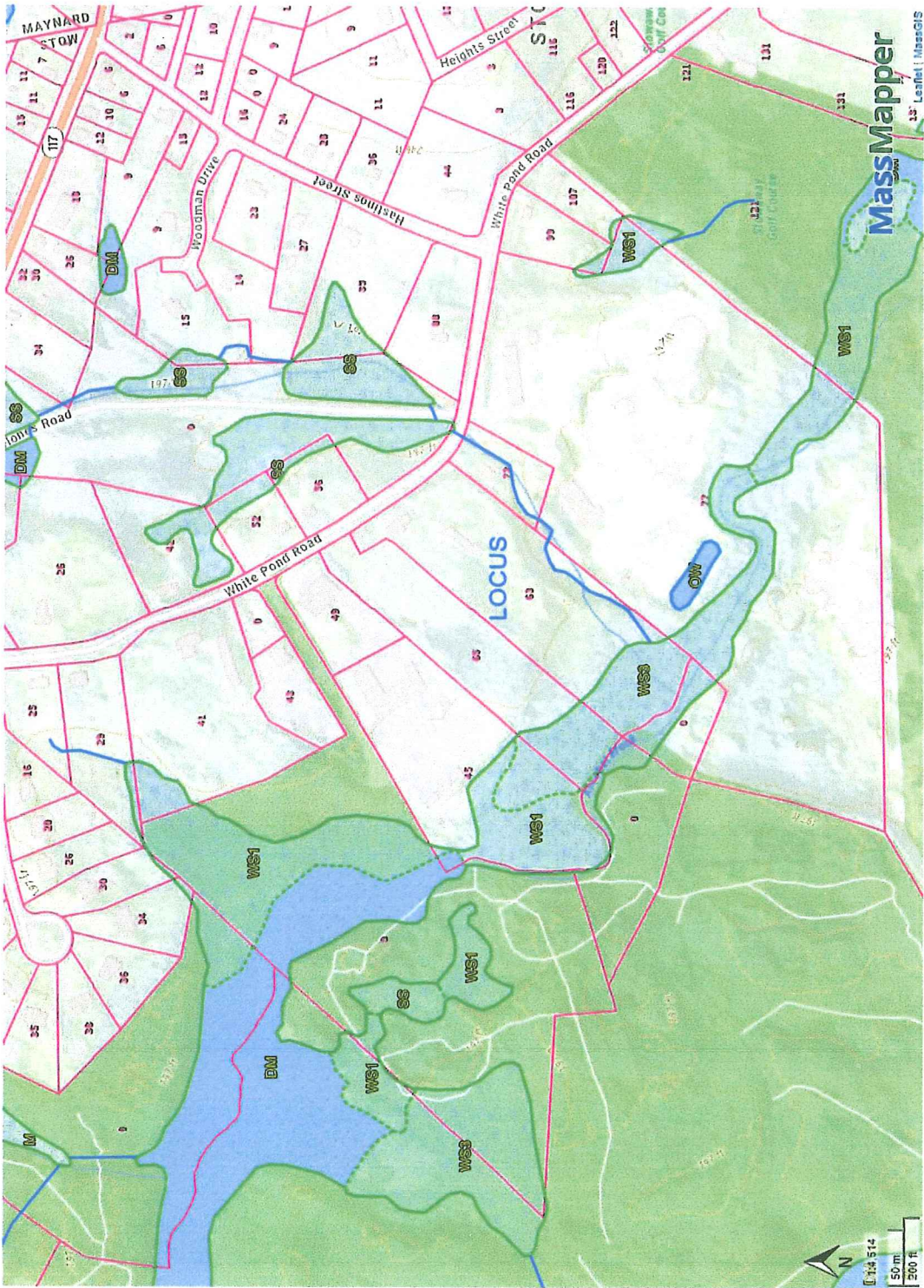
TOWN OF STOW CONSERVATION
COMMISSION
380 GREAT ROAD
STOW MA 01775

DUDLEY ROY A DUDLEY CAROL J
13 TERESA DR
HUDSON MA 01749

MILLER, MICHAEL T. & AMANDA LYNN
(TTEES)
52 WHITE POND RD
STOW MA 01775

63 White Pond Road

- DEP Wetlands Linear Features
- SHORELINE
 - HYDROLOGIC CONNECTION
 - MEAN WATER LINE
 - APPARENT WETLAND LIMIT
 - CLOSURE LINE
 - EDGE OF INTERPRETED AREA
- DEP Wetlands Labels
- Property Tax Parcels



ABUTTERS LIST
65 WHITE POND RD
MAP 0R-29 PARCEL 73

MAP/PARCEL	PROPERTY LOCATION	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP CODE	DEED BOOK	DEED PAGE
00R-29 000062	52 WHITE POND RD	MILLER, MICHAEL T. & AMANDA LYNN (TTEES)	MILLER REALTY TRUST	52 WHITE POND RD	STOW	MA	01775	69100	183
00R-29 000064	0 WHITE POND RD	J MELONE & SONS INC		BOX 176	STOW	MA	01775	10325	570
00R-29 000065	88 WHITE POND RD	J MELONE & SONS INC		BOX 176	STOW	MA	01775	11119	202
00R-29 000071	73 WHITE POND RD	J MELONE & SONS INC		BOX 176	STOW	MA	01775	10389	234
00R-29 000072	63 WHITE POND RD	MONEY BROOK FARM LLC		6 SANDY BROOK DR	STOW	MA	01775	66258	348
00R-29 000073	65 WHITE POND RD	MONEY BROOK FARM LLC		6 SANDY BROOK DR	STOW	MA	01775	66258	348
00R-29 000074	49 WHITE POND RD	LAROCCA PROPERTY HOLDINGS LLC		195 PIGEON LN	WALTHAM	MA	02452	21520	468
00R-29 000105	0 BROOKSIDE AV	TOWN OF STOW	TOWN FOREST CONCOM	380 GREAT RD	STOW	MA	01775	11549	503
00R-29 00074A	0 WHITE POND RD #OFF	TOWN OF STOW	CONSERVATION COMMISSION	380 GREAT RD	STOW	MA	01775	12215	518
00R-29 0070-1	77 WHITE POND RD	J MELONE & SONS INC		BOX 176	STOW	MA	01775	10235	58
00R-29 0074-2	0 WHITE POND RD #OFF	TOWN OF STOW	CONSERVATION COMMISSION	380 GREAT ROAD	STOW	MA	01775	24113	277
00R-29 0075-1	0 WHITE POND RD	DUDLEY ROY A	DUDLEY CAROL J	13 TERESA DR	HUDSON	MA	01749	55551	342

Certified by the Stow Board of Assessors: LAUREN F. OZD

Date Certified or Re-Certified: 5/22/23

Ft: 300

J MELONE & SONS INC
BOX 176
STOW MA 01775

J MELONE & SONS INC
BOX 176
STOW MA 01775

J MELONE & SONS INC
BOX 176
STOW MA 01775

MONEY BROOK FARM LLC
6 SANDY BROOK DR
STOW MA 01775

MONEY BROOK FARM LLC
6 SANDY BROOK DR
STOW MA 01775

LARocca PROPERTY HOLDINGS LLC
195 PIGEON LN
WALTHAM MA 02452

TOWN OF STOW TOWN FOREST
CONCOM
380 GREAT RD
STOW MA 01775

TOWN OF STOW CONSERVATION
COMMISSION
380 GREAT RD
STOW MA 01775

J MELONE & SONS INC
BOX 176
STOW MA 01775

TOWN OF STOW CONSERVATION
COMMISSION
380 GREAT ROAD
STOW MA 01775

DUDLEY ROY A DUDLEY CAROL J
13 TERESA DR
HUDSON MA 01749

MILLER, MICHAEL T. & AMANDA LYNN
(TTEES) MILLER REALTY TRUST
52 WHITE POND RD
STOW MA 01775

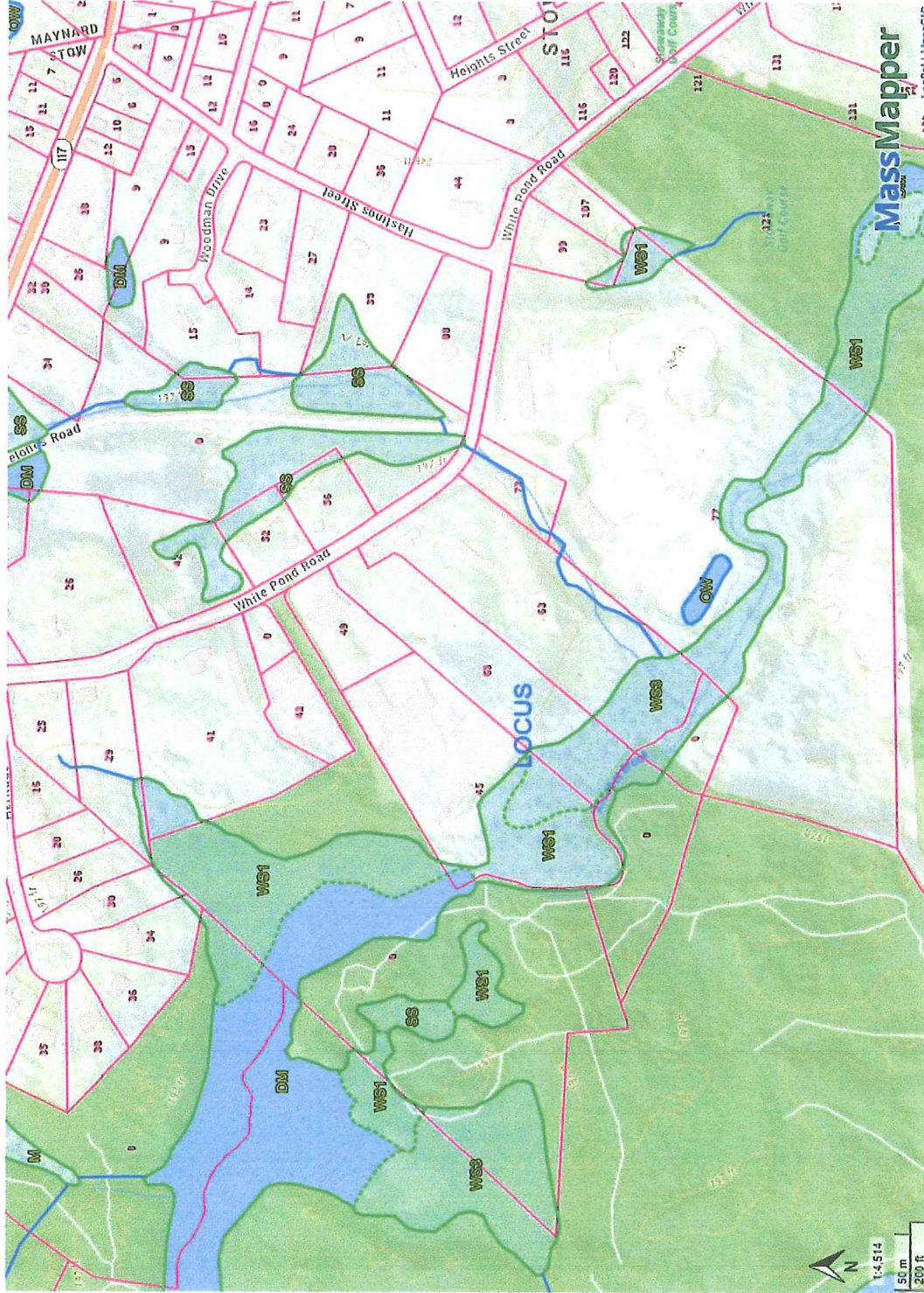
65 White Pond Road

DEP Wetlands Linear Features

- SHORELINE
- HYDROLOGIC CONNECTION
- MEAN WATER LINE
- APPARENT WETLAND LIMIT
- CLOSURE LINE
- EDGE OF INTERPRETED AREA

DEP Wetlands Labels

Property Tax Parcels



Middlesex South Registry of Deeds
Electronically Recorded Document

This is the first page of the document - Do not remove

Recording Information

Document Number	: 130313
Document Type	: DECIS
Recorded Date	: August 25, 2022
Recorded Time	: 11:18:57 AM
Recorded Book and Page	: 80627 / 72
Number of Pages(including cover sheet)	: 17
Receipt Number	: 2846241
Recording Fee	: \$105.00

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.cambridgedeeds.com



Town of Stow
PLANNING BOARD

380 Great Road
Stow, Massachusetts 01775
(978) 897-5098
FAX (978) 897-2321

NOTICE OF DECISION AND DECISION

63-65 White Pond Road
**EARTH REMOVAL PERMIT,
CONTRACTOR'S YARD and
EROSION CONTROL SPECIAL PERMIT
and SITE PLAN APPROVAL**

September 13, 2016

1. Petition

This document is the DECISION of the Stow Planning Board (hereinafter, the Board) on the Petition of Bransfield Tree Company, LLC. (hereinafter, the Petitioner) for property located at 63 - 65 White Pond Road.

This decision is in response to an application filed by the Petitioner for an Erosion Control Special Permit, Site Plan Approval and Earth Removal Permit submitted to the Board on June 23, 2016 (hereinafter the Petition), pursuant to Sections 9.2, 9.3, 3.8.1.10, and 3.5.3.3 of the Stow Zoning Bylaw (hereinafter the Bylaw), Special Permit Rules and Regulations (hereinafter the Rules), and Article 17 of the General Bylaw governing the removal of earth (hereinafter the General Bylaw). The Petitioner seeks permission to construct a seven (7) bay pre-engineered storage building with an office and execute an associated EARTH REMOVAL OPERATION.

2. Petitioner

Bransfield Tree Company
6 Sandy Brook Drive
Stow, MA 01775

Book 68258

Page 348

3. Property Owner

Harold J. Hanson Estate
65 White Pond Road
Stow, MA 01775

4. Location

Said property is located at 63 – 65 White Pond Road and is shown as Parcels 72 and 73 on Assessor's Map Sheet R-29 (hereinafter, the Site).

5. Board Action

After due consideration of the Application and Petition, the record of proceedings, and based upon the findings and conclusions set forth below, the Board, on September 13, 2016, by a vote of 5 members present at the public hearing, voted to **GRANT** the requested Erosion Control Special Permit, Site Plan Approval and Earth Removal Permit.

6. Proceedings

The Petitioner presented the Petition at a duly noticed public hearing held on August 2, 2016. The Public Hearing was closed at the conclusion of the August 2, 2016 session. Board Members Lori Clark, Ernest E. Dodd, Stephen Quinn, Margaret Costello and Voting Associate member Mark Jones were present throughout hearing. The record of proceeding and submission upon which this decision is based may be referred to in the Office of the Town Clerk or the Office of the Planning Board.

7. Exhibits

Submitted for the Board's deliberation were the following exhibits:

- EXHIBIT 1 1. Plan entitled "Site Plan 65 White Pond Road", dated June 20, 2016, prepared by Stamski and McNary, Inc. consisting of the following sheets:
- Sheet 1 – Title Sheet
 - Sheet 2 – Site Development Plan
 - Sheet 3 – Construction Details Plan
 - Sheet 4 – Stormwater Pollution Prevention Plan
2. Elevation and Floor Plan entitled "Proposed New Building," dated July 7, 2016.

- EXHIBIT 2 Supplementary documents required by the Rules, consisting of the following:
1. Application
 - Petition for Contractor's Yard Special Permit, Erosion Control Special Permit and Earth Removal Permit dated June 22, 2016
 - Development Impact Statement Form
 - Earth Removal Calculations
 - Limited Traffic Study
 - Certified List of Abutters
 - Other Permits and Variances
 - Parcel Deed and Plan of Record
 - Stormwater Management Report, dated June 20, 2015
 2. Aerial Image for 65 White Pond Road
 3. 2013 Orthophotograph of Resource Areas from Oxbow Associates, Inc.

- EXHIBIT 3 Comments received from the Board's Consultant:

1. Letter dated July 19, 2016 from Places Associates, Inc.

- EXHIBIT 4 Comments received from other Town Boards, Committees and Departments, and State Agencies:
1. Interoffice memorandum, dated June 30, 2016 from the Treasurer Collector
 2. Interoffice memorandum, dated June 27, 2016, from the Board of Assessors
 3. Interoffice memorandum, dated June 28, 2016 from the Board of Health
- EXHIBIT 5 Comments received from abutting property owners
1. From Michael Lamorticelli – RE Issues with proposed plans for contractors yard.

Exhibits 1 and 2 are referred to herein as the Petition.

8. FINDINGS, CONCLUSIONS and CONDITIONS

Based upon its review of the Exhibits and the record of the proceedings, the Board finds and concludes that:

- 8.1 **Finding** - The proposed project is located at 63 and 65 White Pond Road, as shown as Parcels 72 and 73 Assessor's Map Sheet R-29. Parcel 73 is 4.7+/- acres. Parcel 72 totals 6+/- acres. The site area is comprised of 1.5 acres on Parcel 72. Parcel 72 contains 209.77' feet of frontage.
- 8.2 **Finding** - The proposed project is located in the Commercial, Floodplain and Recreation Conservation Districts.
- 8.3 **Finding** – The Board of Assessors noted that both parcel 72 and 73 of Map Sheet R-29 are enrolled in Chapter 61A. The site area, as shown on the Plan is restricted to 1.5 acres making up the site of the current dwelling.
- Condition** – Prior to commencement of construction the Petitioner shall meet all the requirements of M.G.L. Chapter 61A as needed.
- 8.4 **Finding:** The Treasurer indicated that past taxes in the amount of \$19,736.14 are currently overdue for property at 63 and 65 White Pond Road.
- Condition:** Prior to issuance of a Building Permit overdue taxes shall be paid to the Town of Stow in full.
- 8.5 **Finding:** The proposed use requires a Special Permit under Zoning Bylaw Sections 3.5.3.3 – Commercial District Uses, 3.8.1.10 – Erosion Control, in accordance with Zoning Bylaw Sections 9.2 – Special Permits and 9.3 – Site Plan Approval. The Zoning Bylaw shall be referred to hereinafter as the Bylaw.
- Finding:** The proposed use is subject to the Special Permit and Site Plan Approval Rules and Regulations.
- 8.6 **Finding:** The proposed work includes cuts required for the proposed building and associated paved area, necessitating removal of 4,826 cubic yards of EARTH from the SITE and is therefore subject to an Earth Removal Permit, submitted concurrently with the Special Permit application on June 23, 2016, of which the Planning Board is the designated Permit Granting Authority in accordance with Section 2 of Article 17 of the General Bylaw. Said Permit shall be issued under the same cover as this Special Permit and Site Plan Approval Decision.

- 8.7 **Finding:** The Petition shows the razing of an existing dwelling at 65 White Pond Road and the removal of 6 outbuildings, for the proposed construction of a 4576+/- square foot, 7 bay storage building with administrative office to service operations of the Bransfield Tree Co., with two of the bays being available for lease to a similar contractor in the future. The Plans shows access to the proposed building through a 24' foot wide access driveway along the frontage of White Pond Road, connecting to an interior loop driveway to service 24 parking spaces at the front and side yards, as well as each of the garage bays and doors. A proposed private drinking water well, irrigation well and private on-site sewage disposal system are shown on the plan.

Finding: During the Public Hearing, the Petitioner noted that the construction of the proposed building and associated site work will allow for Bransfield Tree Co. to move to a location where it can more efficiently serve its primarily residential base of customers. The Petitioner noted that the outdoor storage of trucks and plant material will take place and that two of the garage bays in the proposed building will allow for future expansion or leasing opportunities to similar type of contractor.

Condition: Any future tenants utilizing the site shall conform to uses allowed in the Commercial District and shall be subject to all of the conditions of this Decision.

Landscaping and Screening

- 8.8 **Finding:** Section 4.9 of the Special Permit Rules and Regulations requires the submission of a Landscape Plan.

Finding: No Landscape Plan has been provided.

Finding: The Plan shows the location of three street trees.

Finding: During the Public Hearing an abutting property owner noted concern regarding the potential clear cutting of the property and the opening of views into the interior of the commercial contractor's yard.

Finding: The Petitioner indicated that 5 additional trees and shrubs could be planted along the frontage to further screen the development from neighboring residential properties. The Petitioner further noted that the remaining 8.6 acres of 63 and 65 White Pond Road will remain undeveloped and that vegetation on 63 White Pond Road, which currently serves as a vegetated screen, will not be altered.

Finding: The Planning Board finds that abutting dwelling at 56 White Pond Road is directly across from 63 White Pond Road, which is not proposed for development. The Board further finds that the addition of 5 additional trees and shrubs, added to the three street trees proposed will provide adequate screening of the proposed use.

Waiver: Although the Petitioner did not formally request a waiver from the requirements of Section 4.9 of the Special Permit Rules for a Landscape Plan, the additional street trees and shrubs and lack of development on 63 White Pond Road provides sufficient screening to abutting residential properties. Therefore, the Planning Board **GRANTS** a waiver to Section 4.9 of the Special Permit Rules.

Condition: Two (2) additional street trees and three (3) shrubs shall be planted along the landscaped frontage of the property.

Condition: All plantings shall be installed in accordance with Section 4.9.3.2 and 4.9.3.3 of the Special Permit Rules regulating the installation of plants and their long term maintenance.

Condition: Street tree species shall be selected from deciduous shade trees of Zone 4 hardiness, native to the southern New England region and shall be licensed nursery stock with good root development and branching characteristics. Installed trees shall have a caliper of at least 2.5" inches measured four feet above the ground and shall be ten to twelve feet in height.

Plan Modifications: Prior to endorsement, the Plan shall be modified to show the location of the two (2) additional street trees and three (3) additional shrubs along the landscaped frontage.

Security

- 8.9 **Finding:** During the Public Hearing abutting property owners noted that a fence at the entrance to the proposed contractor's yard would be preferred.

Finding: The Petitioner indicated that a gate to the site would not be preferred due to the type of contractor using the site. A more appropriate location for a gate would be behind the building, keeping the stored vehicles, plants and other equipment gated from the front parking area.

Finding: The Planning Board finds that the installation of a gate at the site would not be in keeping with semi-residential neighborhood of the proposed use. The Board further finds that a gate may cause disturbance from idling of trucks and vehicles at the entrance, and in the case of an interior gate, create disruption of the circulation layout, which as proposed, reduces truck noise by precluding the need for reversing.

Noise

- 8.10 **Finding:** During the Public Hearing abutting residents noted concern regarding noise generated by the proposed use and whether activities would be taking place after dark.

Finding: The Petitioner noted during the Public Hearing and in the submitted petition that typical work for contractors proposed to use the Building consists of teams of employees leaving the site at approximately 6am and returning near 3pm. The Petitioner further noted that there will be times when some work, including emergency tree work must take place after typical hours, but that it would not be a regular occurrence.

Finding: The Planning Board finds that the proposed contractor's yard as conditioned herein is appropriate for the use proposed in the Commercial District, given that the circulation layout minimizes the occurrence of back-up alarms from trucks.

Finding: The Planning Board finds that the use as conditioned herein may need to operate during the night when attending to emergency circumstances, although the normal operation as proposed, consists of activity during daylight hours. The Board further finds that the typical hours and the circulation layout provide for adequate noise abatement.

Condition: Exterior activity shall generally take place between the hours of 6:00 a.m. and 5:00 p.m., Monday through Friday, and 8:00 a.m. to 12:00 p.m. Saturdays unless specific approval is granted by the Building Commissioner.

Traffic

- 8.11 **Finding:** Section 4.5 of the Special Permit Rules requires the submission of a Traffic Study where a proposed use, will in the opinion of the Board, be likely to produce more than 100 average daily weekday automobile trips.

Finding: The Petitioner submitted a limited traffic study using Warehousing as the most applicable category of use according to the ITE Trip Generation Manual. The limited traffic study estimates the additional daily production of 84+/- Average Daily Trips per weekday, primarily occurring prior to and after the morning and evening peaks respectively. The study indicates that the number of employees is limited to 24, in accordance with thresholds for Department of Environmental Protection regulations for public water supplies beginning at 25 employees.

Finding: During the Public Hearing abutting property owners on White Pond Road noted concern with large amounts of traffic and congestion from the proposed use.

Finding: The Planning Board finds that the number of Average Daily Trips as estimated in the Petition, does not warrant the submission of a formal traffic study, although information regarding proper site distances is required. The Planning Board further finds that the addition of 84 average daily trips at hours typically prior to and after peak commuting hours will not negatively affect the level of service at White Pond Road.

Condition: Any increase in the number of parking spaces, average daily employees and/or proposal for a public water supply system shall require a modification to the Special Permit and a reevaluation of traffic along White Pond Road in accordance with Section 4.15 of the Special Permit Rules and Regulations.

Adequacy of Access

- 8.12 **Finding:** Section 4.15 of the Special Permit Rules requires sight distances for turning movements to and from the site to be analyzed using AASHTO standards.

Finding: During the Public Hearing abutting property owners noted concern over the location of the access, including the ability of trucks to navigate an area of White Pond Road that is narrow, unlit and contains pedestrian traffic.

Finding: The Board's consulting engineer noted that the sight distances appear to be inadequate at the proposed driveway location looking to the north where there is a slight high point in White Pond Road. Given that the exiting vehicles are likely to be slow moving trucks, potentially with trailers, the Board's consulting engineer recommends that sight distances be surveyed according to AASHTO standards for intersection sight angles.

Finding: During the Public Hearing the Petitioner noted that the entrance has been located to the north of the property where there is a higher elevation and therefore a more suitable sight distance. The Petitioner further noted that they could provide topography for the pavement.

Condition: The Petitioner shall provide information showing sufficient site distances to the satisfaction of the Board.

Condition: In the event that the Planning Board necessitates conformance to sight distances that requires a modification to the location of the proposed 24' foot access drive, then prior to endorsement, the Plan shall be modified and presented for the Board's review to determine whether such modifications require a Public Hearing for a Special Permit pursuant to MGL Ch.40A s.9, or are considered a minor modification not requiring a Public Hearing.

Plan Modification: Prior to endorsement the Plan shall be updated to show sight distances for intersections at the proposed access drive, including topographical information.

Circulation and Site Design

- 8.13 **Finding:** The Planning Board's consulting engineer noted an excessive amount of pavement proposed, with 60' feet of pavement from the front of the building to the road and 45' feet of pavement from the front parking area to the northerly site boundary.

Finding: During the Public Hearing abutters noted concern regarding the potential for trucks to use an abutting residential driveway as a back-up area.

Finding: The Petitioner indicated that the large amount of pavement allows trucks to navigate the site in a counter-clockwise direction, reducing the occurrence of truck back up alarms. The Petitioner further noted that the large pavement spaces provide the required space for doors on the building to be unobstructed by passing vehicles. The Petitioner noted that parking on the northerly side of the property also allows the handicapped spaces to have the most direct access to the entrance at the northwest corner of the proposed building.

Finding: The Planning Board finds that the proposed circulation design is adequate for the use intended.

Drainage and Erosion Control

- 8.14 **Finding:** Section 3.8.1.9 of the Zoning Bylaw requires that drainage associated with a Special Permit approval be designed so that pre-development surface runoff, erosion and sedimentation rates and volumes are not increased during and after construction of a development.

Finding: Section 3.8.1.10 of the Zoning Bylaw states that site design, materials, and construction processes shall be designed to avoid erosion damage, sedimentation or uncontrolled surface water runoff.

Finding: The Petition indicates that parking drainage will be directed to four deep sump and hooded catch basins leading to a sediment forebay and infiltration basin at the southwest corner of the site. A high point exists at the proposed access directing all runoff away from abutting properties and toward the infiltration basin. During construction erosion on the site will be controlled through the use of a temporary construction entrance, four temporary sediment basins, siltation barriers, fabric and

haybales. The Petition indicates that the drainage system is designed in accordance with the Department of Environmental Protection's Stormwater Management Policy.

- 8.15 **Finding:** The Plan, as conditioned herein meets the requirements of Sections 3.8.1.9 (Drainage) and 3.8.1.10 (Erosion Control) of the Bylaw.

Condition: Erosion and sedimentation control measures, as shown on the final approved plan, shall be in place at least 72 hours prior to the commencement of any site work or EARTH REMOVAL OPERATION and must be maintained during construction and remain in place until all site work is complete and groundcover is established.

Condition: A description of proposed dust control measures shall be provided to the Building Commissioner for review and approval.

Condition: Dust control measures shall be in place during and after construction in accordance with Section 3.8.1.2 of the Bylaw.

Finding: The site is subject to a National Pollutant Discharge Elimination System (NPDES) Construction General Permit as it disturbs over 1 acre of land.

Condition: The Petitioner shall provide a copy of the NPDES submission, Stormwater Pollution Prevention Plan (SWPPP), related reports and any plan modifications to the Board.

Condition: Prior to issuance of a building permit all erosion control protection measures shall be installed according to the Plan and as conditioned herein.

Condition: Prior to issuance of a building permit, an Operations and Maintenance plan shall be submitted for the Board's review and approval, detailing the maintenance of all drainage facilities proposed.

Well and Sewage Disposal System

- 8.16 **Finding:** The Plan shows a private drinking water well, irrigation well, and on-site sewage disposal system.

Finding: The Board of Health will review the Plan for compliance with MassDEP Title V and Board of Health Regulations.

Condition: The Plan shall comply with all local Board of Health regulations and MassDEP Title V requirements.

Finding: The Planning Board's consulting engineer noted that septic system capacity and drinking water well be designed to accommodate the same number of employees as the 24 parking spaces proposed.

Condition: Septic system and drinking water wells shall be designed for 24 employees.

- 8.17 **Finding:** The Planning Board's consulting engineer recommended that both wells proposed be protected with bollards to prevent equipment from damaging the housing.

Condition: Proposed wells shall be protected with bollards.

Plan Modification: Prior to issuance of a Building Permit, bollards protecting both proposed wells shall be shown on the plan.

Lighting

- 8.18 **Finding:** Section 3.8.1.5 of the Bylaw states "No exterior lighting, or other street lighting approved by the Selectmen, shall shine on adjacent properties or towards any STREET in such a manner as to create a nuisance or hazard.

Finding: The Applicant has indicated that no exterior lighting is proposed as part of the project.

Condition: All exterior lighting shall comply with Section 3.8.1.5 of the Zoning Bylaw.

Hazardous Waste Management

- 8.19 **Finding:** During the Public Hearing the Petitioner noted that they will be storing pesticides and fertilizer onsite, within the proposed building.

Condition: Pesticides shall be stored in a manner pursuant to the Federal Insecticide, Fungicide and Rodenticide Act, and applicable Massachusetts Department of Environmental Protection and Massachusetts Department of Agricultural Resources regulations.

- 8.20 **Finding:** The Planning Board's consulting engineer noted that in contractor's yards normal vehicle maintenance is commonly performed, as well as potential for parts washing and other source of potentially hazardous materials. The Board's consulting engineer suggests potential mitigation measures for spills could include a requirement for on-site spill kits, secondary containment, limitations on the type and amount of automotive fluids on site, and identification of allowable maintenance uses. The Board's consulting engineer further recommends maintenance be limited to occurring indoors and if required by building code, floor drains be provided.

Condition: A Spill Kit shall be located on site.

Finding: The Petition indicates that two of the seven garage bays are designed with the potential for providing leased space to a future tenant in a similar profession requiring storage space.

Finding: During the Public Hearing the Petitioner noted that vehicle maintenance, including oil changes would take place within the building. The Petitioner further noted that trucks would be cleaned and rinsed outdoors and that the stormwater management system is designed to provide pre-treatment for runoff.

Condition: The proposed building shall include the necessary infrastructure for the indoor service and maintenance of vehicles, such as floor drains, holding tanks and other associated improvements as required by the Massachusetts State Building Code.

Finding: The Planning Board finds that the Stormwater Management system as designed is meant to treat and convey stormwater runoff, not industrial wastewater from an exterior vehicle washing area. The Board further finds that given the potential for space to be leased to a future tenant, proper infrastructure and/or on site communication of washing and maintenance procedures is critical to protecting drinking water sources and nearby wetland and river resource areas.

Finding: No exterior vehicle washing area is shown on the plan.

Finding: An exterior vehicle washing area requires registration of the leaching basin with Massachusetts Department of Environmental Protection (MassDEP) Underground Injection Control (UIC), pursuant to 310 CMR 27.00.

Condition: In the event the Applicant chooses to include an exterior vehicle washing area, the following shall be met prior to issuance of a Building Permit:

- The location of the exterior vehicle washing area shall be shown on the plan.
- The outdoor truck washing area shall be registered with the Department of Environmental Protection pursuant to their regulations for UIC Class V Motor Vehicle – Rinse Water Well discharge.

Condition - Signage should be provided at the exterior vehicle washing area indicating that clean water shall be used to rinse vehicles only – no detergents are allowed. Signage should also indicate any other conditions in the Department of Environmental Protection Underground Injection Control Permit.

Plan Modification: The Plan shall be modified to show signage at the exterior vehicle washing area indicating that clean water shall be used to rinse vehicles only – no detergents are allowed. Signage should also indicate any other conditions in the Department of Environmental Protection Underground Injection Control Permit.

Plan Modification: The Plan shall be modified to show the location and detail of the exterior vehicle washing area, including any conditions in the MassDEP Underground Injection Control Permit.

Condition: In the event that approval of a DEP UIC Permit is sought and not received for the outdoor truck rinse area, the following conditions shall apply:

- Any truck washing/rinsing shall occur within the proposed building pursuant to requirements of the Massachusetts State Building Code.
- Signage shall be installed at the east and west ends of the building visible to all users of the garage bays, indicating that exterior vehicle washing is prohibited.
- No outdoor faucets or spigots shall be installed at the exterior of the building in the location of the garage bay doors.

Plan Modification: In the event that approval of a DEP UIC Permit is sought and not received for the outdoor truck rinse area, then prior to issuance of a Building Permit the Plan shall be modified to show signage at the east and west faces of the building, stating that exterior vehicle washing is prohibited.

Plan Modification: In the event that approval of a DEP UIC Permit is sought and not received for the outdoor truck rinse area, then prior to issuance of a Building Permit the Plan shall be modified to include a note that no outdoor faucets or spigots shall be installed on the exterior of the building.

- 8.21 **Finding** – As the proposed use requires a Special Permit, a sidewalk, walkway or path is required along the entire frontage of a LOT, either located on the LOT or within the Town's right-of-way with permission, in accordance with Section 9.2.7.14 of the Zoning Bylaw.

Finding - The Planning Board finds that there is sufficient area between the pavement and the right of way boundary along the frontage of 63 and 65 White Pond Road for an unpaved path along the entire frontage of the LOT. The Board further finds that concerns regarding pedestrian safety raised at the public hearing, in combination with the rural residential nature of White Pond Road, indicate that an unpaved path is most suitable for the site at this time.

In accordance with the Planning Board's Sidewalk Policy – Appendix J of the Planning Board Handbook, the Board may entertain the following offers in lieu of on-site construction of a sidewalk, walkway or path.

1. An offer to construct a sidewalk, walkway or path in the surrounding area.
2. An offer from the Applicant for contributions, in an amount based upon criteria outlined in Appendix J, to be deposited into an account identified specifically for construction of sidewalks, pathways, walkways or bike paths in the Town of Stow.

Condition – In accordance with Section 9.2.7.14 of the Zoning Bylaw and the Planning Board's sidewalk policy, the Petitioner shall choose from the following options:

- In the event the Petitioner elects to not construct a sidewalk **or** provide a fee in lieu of construction, an area along the entire frontage shall be left unimpeded for use as a pedestrian path and a ten foot wide walkway easement, in recordable form, shall be submitted to the Board for Approval and attached to the deed prior to endorsement of the Plan.
- In the event the Petitioner elects to construct a sidewalk in accordance with Appendix J of the Planning Board Handbook, then prior to issuance of a Building Permit, a sidewalk shall be constructed along the entire frontage of 63 and 65 White Pond Road. Design shall follow standards outlined in Section 8.7.2 of the Stow Subdivision Rules and Regulations and a ten foot wide walkway easement, in recordable form, shall be submitted to the Board for Approval and attached to the deed prior to endorsement of the Plan.
- The Petitioner may elect to pay a fee in lieu of constructing a sidewalk, walkway or path, in accordance with Appendix J of the Planning Board Handbook and submit a ten foot wide walkway easement in recordable form, to the Board for Approval and attached to the deed prior to endorsement of the Plan.

8.22 **Finding** – Section 4.7.2 of the Special Permit Rules requires each plan sheet the seal of a Registered Professional Engineer or a Registered Land Surveyor, or both as appropriate.

Condition – The Plans shall show the seal of a Registered Professional Engineer or Registered Land Surveyor, or both.

Mandatory Findings

8.23 **Finding** – The Board makes the following mandatory findings as required by Section 9.2 of the Bylaw:

- The proposed use, as conditioned herein, is in harmony with the purpose and intent of this Bylaw;
- The proposed use, as conditioned herein, will not be detrimental or injurious to abutting properties or ways, the neighborhood, community amenities or the Town of Stow;
- The proposed use, as conditioned herein, is appropriate for the site for which the petition is submitted and is related harmoniously to the terrain and to the use, scale and proportions of existing and proposed BUILDINGS in the immediate vicinity that have functional or visual relationship to the proposed use
- The proposed use, as conditioned herein, includes sufficient mitigating measures which shall be implemented as part of the special permit for any adverse effects noted in the Development Impact Statement, reports from town boards and agencies, reports from consultants and public hearings;
- The proposed use, as conditioned herein, will result in no pollution or contamination of the GROUND WATER, a GROUND WATER recharge area, a well, pond, stream, watercourse or inland wetland;
- The proposed use, as conditioned herein, will result in no significant effect on the "level of service" (LOS) of the town roads or intersections of these roads. A significant effect on level of service is a projected use of greater than five percent (5%) of the reserve capacity of a road segment or turning movement by the proposed use at the completion of its development.
- The proposed use, as conditioned herein, will result in no significant effect on level of service for any service provided by the Town, including fire, police and ambulance. Proof of no significant effect is the lack of need for the Town to add equipment and/or staff specifically due to the development;
- The proposed use, as conditioned herein, will result in no redirection of existing surface water runoff such that there would be material impact on abutting parcels or downstream properties unless an appropriate easement is obtained to an existing watercourse;
- The proposed use, as conditioned herein, will result in no transport by air or water of erodible material beyond the boundary line of the LOT (See also Section 3.8. Use Regulations, General);
- The proposed use, as conditioned herein, will provide adequate provision for pedestrian traffic; and
- The proposed use, as conditioned herein, will comply with all requirements of Site Plan Approval and all other applicable requirements of this Bylaw.

8.24 **Finding:** The Application is subject to Section 9.3 – Site Plan Approval as required in the Table of Principle Uses Subsection (3) of the Zoning Bylaw. The Planning Board makes the following mandatory findings as required by Section 9.3.12 of the Zoning Bylaw.

- a) The proposed use as conditioned herein protects the abutting properties and ways, the neighborhood, community amenities and the Town against seriously detrimental or offensive uses on the site and against adverse effects on the natural environment;

- b) The proposed use as conditioned herein provides for convenient and safe vehicular and pedestrian movement and that the locations of road and driveway openings are convenient and safe in relation to vehicular and pedestrian traffic circulation, including emergency vehicles, on or adjoining the site;
- c) The proposed use as conditioned herein provides an adequate, convenient and safe arrangement of parking and LOADING SPACES in relation to the proposed uses of the site;
- d) The proposed use as conditioned herein provides adequate and safe methods of disposal of REFUSE or other wastes resulting from the uses permitted on the site;
- e) The proposed use as conditioned herein will not derogate from the purpose of this Bylaw; and
- f) The proposed use as conditioned herein complies with all applicable requirements of this Bylaw.

Earth Removal

- 8.25 **Finding:** The proposed work includes the removal of removal of 4,826 cubic yards of EARTH from the SITE and is therefore subject to an Earth Removal Permit as the total amount of EARTH to be removed from the SITE is in excess of 100 yards in a one year period.

Finding: The Petitioner submitted an Application for Earth Removal for which the Planning Board is the Permit Granting Authority in accordance with Section 2 of Article 17 of the General Bylaw.

Finding: The Petitioner indicated that the topsoil removed will stay on SITE, while the aggregate removed will be trucked to the abutting sand and gravel processing company – J. Melone and Sons Inc. at 77 White Pond Road, south of the proposed SITE.

Finding: The Planning Board finds that the EARTH REMOVAL OPERATION is for the purpose of excavating and grading for the proposed building and associated pavement for the proposed contractor's yard relating to this Special Permit and Site Plan Approval.

Condition: EARTH removed for the purposes described herein shall be trucked to J. Melone and Sons, Inc. site at 77 White Pond Road. In the event that another location is chosen, prior to the commencement of the EARTH REMOVAL OPERATION the Petitioner shall submit such change for Planning Board review and a determination shall be made by the Planning Board whether such change constitutes a minor modification of the permit or modification requiring a Public Hearing.

Plan Modification: Prior to issuance of a Building Permit a note shall be added to the Plan indicating that all EARTH removed from the SITE shall be trucked to J. Melone and Sons, Inc. at 77 White Pond Road.

- 8.26 **Finding:** Exterior construction activity related to the Earth Removal work as conditioned herein shall take place only between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday excluding official Town of Stow holidays and 8:00 a.m. to 12:00 p.m. Saturdays unless specific approval is granted by the Building Commissioner.
- 8.27 **Finding:** Section 8 of Article 17 allows for partial release of any security posted by the Applicant, owner or operator and full release of said security one year after the operation

has been completed or expired and upon final inspection unless a finding is made by the Permit Granting Authority that such security is unnecessary.

Finding: The Planning Board finds that the proposed EARTH REMOVAL OPERATION is proposed in conjunction with site work permitted herein and does not pose a significant public risk to warrant requirement of a security.

8.28 **Finding:** The Planning Board makes the following mandatory findings in accordance with Section 6.2 of Article 17 of the General Bylaw. The EARTH REMOVAL OPERATION as conditioned herein:

- Is in conformance with the procedures, standards and conditions contained herein;
- Is able to be conditioned in a manner consistent with the purpose and intent of this Bylaw;
- Will not be detrimental or injurious to abutting properties, neighborhoods, Town amenities or ways utilized in the transport of EARTH from the SITE;
- Provides sufficient mitigating measures to address any adverse impacts to ENVIRONMENTALLY SENSITIVE AREAS;
- Will result in no redirection or increase in rate and volume of existing surface water runoff onto abutting or downstream properties and ways;
- Provides for safe vehicular and pedestrian passage and circulation on public and private ways;
- Will result in no SEDIMENTATION beyond the boundary line of the SITE;
- Will comply with all requirements of EARTH Removal Rules and Regulations, unless specifically waived by the PERMIT GRANTING AUTHORITY for good cause, and all other applicable requirements of this Bylaw; and all other applicable permits for the proposed use have been applied for.

8.29 **Condition** - All expenses for construction inspections, recording and filing of plans and documents shall be borne by the Petitioner.

8.30 **Condition** – Prior to the issuance of an occupancy permit, the Applicant shall submit an as built plan showing all site infrastructure, including appurtenant drainage structures.

8.31 **Condition** - Exterior construction activity related to the Erosion Control Special Permit and Site Plan Approval work as conditioned herein shall take place only between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday excluding official Town of Stow holidays and 8:00 a.m. to 12:00 p.m. Saturdays unless specific approval is granted by the Building Commissioner.

Condition - The Petitioner shall post allowable hours on site.

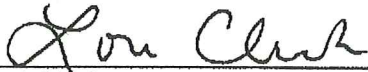
Condition – In the event that the Building Commissioner authorizes an exception to the posted hours, notice shall be provided to the Police Department and the Board by the Applicant.

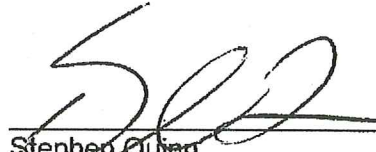
- 8.32 **Finding** - This Decision applies only to the requested Special Permits. Other approvals or permits required by the Bylaw, other governmental boards, agencies or bodies having jurisdiction, shall not be assumed or implied by this Decision.
- 8.33 **Finding** – The foregoing required modifications and conditions have been stated for the purpose of emphasizing their importance, but are not intended to be all inclusive or to negate the remainder of the Bylaw, Rules, or other applicable laws and regulations. At the time of endorsement, the Plan must be in compliance with the Rules, except for the waivers granted herein.
- 8.34 **Condition** - The Special Permit granted by this decision shall not take effect until a copy of the decision has been recorded, at the owner's expense, in the Registry of Deeds and duly indexed or noted on the owner's certificate of title. A copy of the recorded decision, certified by the Registry, or notification by the owner of the recording, including recording information, shall be furnished to the Town Clerk and the Planning Board.
- 8.35 **Condition** - This Special Permit shall lapse on September 13, 2018, if a substantial use has not commenced, except for good cause.

9. APPEALS

Appeals, if any, shall be made pursuant to Section 17 of the Massachusetts General Laws, Chapter 40A and shall be filed within twenty (20) days after the date of filing this decision with the Town Clerk.

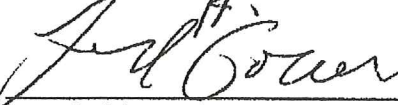
Witness our hands this 13th day of September, 2016


Lori Clark

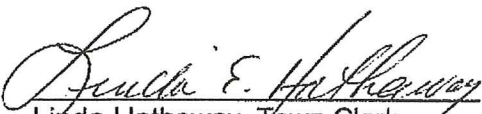

Stephen Quinn


Ernest Dodd


Margaret Costello

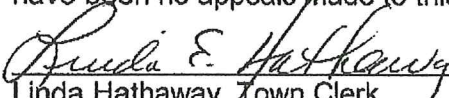

Len Golder

Received and Filed
Volume II, Page 608


Linda Hathaway, Town Clerk

September 15, 2016
Date

This is to certify that the twenty (20) day appeal period on this decision has passed and there have been no appeals made to this office.


Linda Hathaway, Town Clerk

October 6, 2016
Date

THIS INSTRUMENT MUST BE FILED FOR RECORD OR REGISTRATION

STATE TAX FORM CL-3
(REV. 10/93)

2018 00141439

Bk: 71610 Pg: 71 Doc: LIEN
Page: 1 of 1 09/13/2018 09:12 AMTHE COMMONWEALTH OF MASSACHUSETTS
TOWN OF STOW
OFFICE OF THE BOARD OF ASSESSORS**CLASSIFIED FOREST - AGRICULTURAL OR HORTICULTURAL
RECREATIONAL LAND TAX LIEN**

The Board of Assessors of the city/town of Stow hereby states it has accepted and approved the application of Money Brook Farm LLC, owner(s) of the real property described below, for the valuation, assessment and taxation of that property as classified forest agricultural or horticultural XX recreational land under the provisions of General Laws Chapter 61 61A XX 61B . This classification is effective as of January 1, 2018 for the fiscal year beginning July 1, 2018.

DESCRIPTION OF PROPERTY

(The description must be sufficiently accurate to identify the property. In the case of registered land, the Certificate of Title Number and the Registry Volume and Page must be given.)

2 acres of a 4.8 acre parcel of land at 65 White Pond Rd., Stow, shown on the Stow Assessors' Maps as R-29, Parcel 73, described in a deed recorded at Book 68258 Page 348 in the South Middlesex Registry of Deeds. Also, 3 acres of a 6 acre parcel of land at 63 White Pond Rd., Stow, shown on the Stow Assessors' Maps as R-29, Parcel 72, described in a deed recorded at Book 68258 Page 348 in the South Middlesex Registry of Deeds.

This statement made on the 5th day of September, 2018 constitutes a lien upon the property as provided in General Laws Chapter 61 S.2 61A S.9 XX 61B S.6 .

Board of Assessors

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

9/5/, 2018

On this 5th day of September, 2018, before me, the undersigned notary public, personally appeared Dominick Pugliese, Gary Yu, and , proved to me through satisfactory evidence of identification, which were personally known, to be the persons whose names are signed on the preceding document in my presence, and acknowledged to me that they signed it voluntarily for its stated purpose.

My commission expires: 4/20/2023

Kristen H. Fox, Notary Public

This form approved by the Commissioner of Revenue

**KRISTEN H. FOX**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 20, 2023RETURN TO:
TOWN OF STOW
380 GREAT RD
STOW MA
01775