

TOWN OF STOW  
PLANNING BOARD

Minutes of the March 19, 2019 Planning Board Meeting

Planning Board Members Present: Lori Clark, Margaret Costello, Len Golder, John Colonna-Romano, Karen Kelleher

Voting Associate Member: Megan Birch-McMichael

Associate Member: Mark Jones

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

**Discussion of Meeting Minutes**

**Minutes of March 12, 2019**

*Karen Kelleher moved to approve the minutes as amended.*

*Len Golder seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Len Golder, Margaret Costello, Karen Kelleher, John Colonna-Romano- Yea).**

**Executive Session Minutes of March 12, 2019**

*Karen Kelleher moved to approve the minutes as amended.*

*Len Golder seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Len Golder, Margaret Costello, Karen Kelleher, John Colonna-Romano- Yea).**

**Public Input**

None.

**Member Updates**

Margaret Costello said residents of Gleasondale Village are completing surveys regarding their feelings around a Local Historic District.

Megan Birch-McMichael said the Lower Village Revitalization Subcommittee has reviewed a partial draft of their recommendations and will finalize the document in the coming weeks.

Lori Clark said she attended the Capital Planning Committee (CPC) meeting last week along with Planning staff to discuss the Complete Streets and Lower Village capital requests. The CPC expressed that the Town's budget is tight this year, and questioned the timing of the Complete Streets request. The CPC feels the request should be accompanied by a list of projects to be completed with the funds.

Lori Clark said she recently met with Jim Salvie to discuss the issue of which Board is responsible for the Complete Streets Committee's capital requests and which Board is responsible for handling resident requests and complaints. Lori Clark said she feels the Planning Board has purview over the actions of the Complete Streets Committee, though the Boards need a more formalized response system for handling complaints.

Mark Jones said he and Margaret Costello attended last weekend's Citizen Planner Training Collaborative conference.

### **Planner's Report**

#### *Harvard Road Runoff*

Jesse Steadman said residents of Harvard Road alerted the Town to runoff from Wedgewood Pines Country Club. The owner had recently attempted to replace a failed pipe, though recent thawing amplified the runoff problem. A berm will be installed as a temporary solution. The Board agreed to remind the owner that increasing stormwater runoff is a bylaw violation and they would like to hear the owner's plan to solve the problem in the short and long term.

#### *Highgrove Estates*

Jesse Steadman said the last unit at Highgrove Estates off Boxboro Road is about to be sold, though the as-built plans for the development likely won't be ready before a Certificate of Occupancy (CO) is needed. Jesse Steadman said the Board could opt to ask the developer to post a bond for the as-built plans so that the CO can be provided.

#### *Housing Choice Initiative*

Jesse Steadman said the Housing Choice Designation application was submitted last week. The designation rewards communities that have made progress in developing diverse housing opportunities with access to capital funding sources and technical assistance. If granted the designation, the Town will commit to entering into a Memorandum of Understanding to conduct an Americans with Disabilities Act Self-Evaluation within five years of entering the program.

#### *Administrative Assistant*

Jesse Steadman said that interviews for the Administrative Assistant position are complete and that it is anticipated that the candidate selected will begin in early April.

### **Public Hearing**

#### **Definitive Subdivision and Erosion Control Special Permit, Hallocks Point**

##### *Present:*

Jeff Brem, P.E. – Meisner Brem Corp.

Paul Alphen, Esq. – Alphen & Santos

Jeff Brem noted correspondence from Places Associates dated February 6, 2019, and requested that the decision allow the future developer to choose from the four recommended tree species.

Jeff Brem discussed comments from the Fire Chief regarding the location of the fire cistern. Per the Chief's recommendation, the cistern has been moved to the intersection of Hallocks Point Road and Sudbury Road.

Jesse Steadman said that other outstanding items include whether to place utilities underground, the application of the inclusion of affordable housing, a waiver request for the application fee and waivers from standards for single access streets. The applicant has specifically asked for waivers from the requirement to provide a minimum of 10% of the land suitable for development set aside as open space and from providing a 300 foot open space buffer from Sudbury Road.

Jeff Brem stated that the proposed donation of Parcel X provides 0.7 acres towards the total required 1.36 acres for the 10% open space requirement.

Lori Clark asked if there is additional information that has come from the Conservation Commission. Jesse Steadman provided the Board with a draft Restrictive Covenant between the applicant and the Conservation Commission. The Restrictive Covenant sets a maximum number of shared docks between the 7 lots, details the standards of pathways to the docks, and clarifies allowed activities within the 35 foot undisturbed buffer from Lake Boon. Paul Alphen said the owner of the existing dock on the applicant's land has verbally agreed in a prior public hearing to cooperate with relocating the dock. Jeff Brem said that the draft Restrictive Covenant allows up to 4 new docks to be constructed.

Paul Alphen confirmed that the applicant is no longer pursuing a waiver from Inclusionary housing.

Jeff Brem said the proposed subdivision plan shows a 40 foot open space buffer, therefore requiring a waiver from the additional 260 feet. Jeff Brem said the full 300 foot buffer exceeds the width of lots 1 and 7.

Karen Kelleher said there needs to be more explanation for why the Board would grant the waivers, noting that any request must meet nexus and proportionality standards. Jeff Brem said Parcel X would be deeded to the Town, a sidewalk easement will be provided along Sudbury Road where it abuts Lots 1 and 7 and there will be a 40 foot no cut buffer from Sudbury Road. Karen Kelleher said she feels deeding Parcel X to the Town is important, but wondered if that was enough of a benefit to waive the 50 foot right of way. Margaret Costello said she would not want to grant the waiver, especially for a subdivision by a resource such as Lake Boon, and added that she feels Parcel X won't be used.

Lori Clark asked why the dwelling on Lot 2 is not closer to the abutting lot to its west, which could increase the amount of a buffer from Sudbury Road. Jeff Brem said the western part of Lot 2 is the best location for a pathway to a dock, per the Conservation Commission's discussion. Jeff Brem added that the location of wells and required 100 foot buffer from the lake were considered in selecting the location for the dwelling on Lot 2.

Paul Alphen said he would prefer the developer to choose how the subdivision will account for the inclusion of affordable housing, rather than have it expressly stated in the decision.

Paul Alphen said that he feels conditions in the decision could address previous discussions on the length of Hallocks Point Road and the possible extinguishment of rights for other abutters.

*Karen Kelleher moved to close the public hearing for a Definitive Subdivision and Erosion Control Special Permit on Hallocks Point Road.*

*Len Golder seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Len Golder, Margaret Costello, Karen Kelleher, John Colonna-Romano- Yea).**

### **Golf Course Planning**

Jesse Steadman shared a draft memo to be sent to Boards and Committees that participated in the golf course planning discussion on March 5, 2019. The memo outlines next steps, namely that the

Planning Board will organize a charrette to collect ideas from various stakeholders ahead of forming a committee.

### **Jillian's Lane Bond Approval**

Present:

*Nancy Allen- Scannell, Applicant*

*Carole Allen- Scannell, Applicant*

Jesse Steadman provided the Board with documentation related to the remaining work to be covered by a performance bond along with a letter from Places Associates recommending the bond to be set at \$95,970.

Nancy Allen-Scannell said they are having trouble finding a bond company that abides by the requirements in the rules and regulations and asked for clarification of the type of bond to acquire. The Board discussed completion bonds and performance bonds, noting that the industry may have changed as other applicants have brought forward similar concerns.

The Planning Board agreed to accept a performance bond with a company with a Massachusetts location, even if headquarters is out of state.

*Karen Kelleher moved to estimate the bond amount at \$95,970 as recommended by Places Associates. Len Golder seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Len Golder, Margaret Costello, Karen Kelleher, John Colonna-Romano- Yea).**

### **Lower Village Traffic Safety Improvement Project and Design Proposal**

Jesse Steadman said the Town has contracted with Green International Affiliates, Inc. to complete design of the streetscape and road drainage. Green International will also provide construction administration services, should Town Meeting approve the required funding. Jesse Steadman said a kick-off meeting is scheduled for next week with representatives of the Town, Green International, and E.T.& L. Corp.

### **Executive Session in Accordance with M.G. L. Ch.30A s.21(a)(3) for the purpose of discussing strategy with respect to possible litigation**

Lori Clark stated that she finds an open discussion would have a detrimental effect on the Board's litigating position.

*Karen Kelleher moved to enter into Executive Session to discuss contract concerns and potential litigation and to adjourn the regularly scheduled meeting of the Planning Board thereafter.*

*Len Golder seconded.*

**Roll Call Vote: Lori Clark- Yea; Margaret Costello- Yea; Karen Kelleher- Yea; John Colonna-Romano- Yea; Len Golder- Yea.**

**Meeting Adjourned.**

Respectfully Submitted,

Valerie Oorthuys