

TOWN OF STOW
PLANNING BOARD

Minutes of the September 10, 2019 Planning Board Meeting

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

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 August 20, 2019

Margaret Costello moved to approve the minutes as amended.

John Colonna-Romano seconded.

VOTED: 3-0 Unanimously in favor (Lori Clark, Margaret Costello, John Colonna-Romano-Yea).

Public Input

None.

Member Updates

Kennel Application

Mark Jones noted the Zoning Board Appeals is currently hearing an application for a kennel and stated that the definition and process around regulating kennels could be clarified in Town regulations, including the Zoning Bylaw. Mark Jones indicated that the Zoning Bylaw does not have definition for Kennels although the General Bylaw does include a definition.

Kane Land Trails

Margaret Costello noted that the Kane Land trail and boardwalk were approved by the Conservation Commission. Margaret Costello said that the Gleasondale neighborhood Steering Committee will be working with a boy scout that has previously designed similar boardwalks.

Planner's Report

Spring Hill Estates

Jesse Steadman noted that the developer is looking to pave the common driveway portion of the development and that it is possible that the road could be damaged during construction of the homes, prior to sale to the final occupants. Lori Clark noted that when construction and the sale of the lots are to be separated, the Board needs to have something in place to ensure the road is adequately repaired. Lori Clark recommended that a letter be sent to the developer noting the concern with the driveway and that at the very least, the homeowners should be notified prior to purchasing that the common driveway, in its current condition, will be the responsibility of the collective homeowners to maintain.

108 Great Road

Jesse Steadman noted that the Planning Department has scheduled a Public Hearing for October 8th regarding the construction of a retail building at 108 Great Road in Lower Village.

Highgrove

Jesse Steadman reported that the As-Built Plans for Highgrove Estates off West Acton Road have been submitted and he is waiting for Sue Carter's approval prior to authorizing release of the \$10,000.00 bond being held by the Town.

Transportation Pilots

Jesse Steadman said Planning staff have a meeting with the Executive Director of Crosstown Connect to begin the process of implementing the Pilot program for shuttle service from Stow to the South Acton T Station.

Jesse Steadman also reported on Community Compact funded Pilot Program to work with Lyft and Uber to provide subsidized rides to priority populations. The purpose of the grant funded Pilot is to gain data on unmet transportation needs and use that data to inform current transportation providers of service areas that could be expanded.

Joanne Drive Special Permit Extension

Margaret Costello moved to extend the Joanne Drive Planned Conservation Development and Erosion Control Special Permit for a period of two years to December 12, 2021.

John Colonna Romano Seconded.

VOTED: 5-0: Unanimously in favor (Lori Clark, Margaret Costello, John Colonna Romano, Leonard Golder and Voting Associate Member Megan Birch McMichael – Yea).

Endorsement of Hallocks Point Definitive Subdivision Plan

Jesse Steadman updated the Board on the progress of Plan Modifications provided for the Hallocks Point Subdivision, indicating that all Plan Modifications, including updated requirements for cisterns noted by the Fire Chief have been provided. Jesse Steadman also noted that the Restrictive Covenant has been prepared in the format of the Subdivision Rules and Regulations Template, and that a letter indicating the intent to convey Parcel X to the Conservation Commission has been provided.

Leonard Golder moved to endorse the Definitive Subdivision Plans for Hallocks Point and approve the Declaration of covenants and restrictions.

John Colonna-Romano Seconded.

VOTED: 3-0 Unanimously in favor. (Lori Clark, John Colonna-Romano, Leonard Golder – Yea; Margaret Costello abstained)

Erosion Control Special Permit Modification Request | 79 Edgehill Road

William and Martha Chiarchiaro described the nature of their Minor Modification request to correct several scrivener errors and alter the Decision to require an amendment to the Erosion Control Special Permit should they, in the future, choose to apply for a commercial kennel license as defined in Article 6 of the General Bylaw.

John Colonna-Romano noted that in the proposed amendments to Section 8.5, the upgrade would only occur if the use were upgraded to commercial boarding. The Applicant noted that the keeping of a personal kennel would not change the nature or intent of the erosion control special permit.

Jesse Steadman reiterated that the first vote should regard whether the Modification is Minor in accordance with Section 6.9 of the Stow Special Permit Rules and Regulations, which does not require a Public Hearing when the changes are due to a scrivener's error, regard changes in administrative timelines or processes, or involve changes that do not change the nature or intensity of the use proposed.

Determination of Minor Modification

Leonard Golder moved to consider the proposed changes a Minor Modification not requiring a Public Hearing.

John Colonna-Romano Seconded.

VOTED: 5-0 Unanimously in favor (Lori Clark, Margaret Costello, John Colonna-Romano, Leonard Golder and Voting Associate Member Megan Birch McMichael).

Proposed Amendments

Regarding the Proposed Changes to Section 8.5 and 8.8, Leonard Golder believes they are more of a clarification rather than content based proposal and sees no issue in approving.

Margaret Costello moved to approve the amendments to the 79 Edgehill Road Erosion Control Special Permit as proposed and amended.

John Colonna-Romano seconded.

VOTED: 4-0 in Unanimously in favor. (Lori Clark, Margaret Costello, John Colonna-Romano, Leonard Golder).

Collings Foundation Letter

Lori Clark addressed the letter submitted by Robert Collings regarding discontent with the Erosion Control Special Permit approved by the Planning Board for remediation of an unpermitted area of excavation at the Collings Foundation. Lori Clark noted that the Conservation Commission has jurisdiction over a smaller area of the site than the Planning Board's Special Permit jurisdiction. Lori Clark further noted that the Conservation Commission deadline preceded the Planning Board's deadline, and therefore a modification of the Order of Conditions to reflect Planning Board conditions is warranted and common in this type of situation.

Jesse Steadman noted that the inclusion of a requirement to provide additional fill in the unpermitted excavated area is the only difference in content that the Planning Board provided. The Conservation Commission issued an Order of Conditions prior to the Planning Board's Special Permit decision, requiring a modification of the Order of Conditions.

Lori Clark stated that had the Applicant asked for the Planning Board to schedule a deliberation at a time when they were present, the Planning Board would have accommodated their schedule.

Margaret Costello said that she was bothered by reference that the Building Inspector missed the enforcement opportunity. Margaret Costello said that although the Building Inspector was on site during construction of the museum, the unpermitted excavation was not visible from the actual construction site.

The Board provided recommendations on the draft letter in response.

Lower Village Improvement Project

Jesse Steadman provided the Board with an update on the schedule, budget and status of various aspects of construction in the Lower Village. Jesse Steadman noted that Green International has updated the Plans for 1 White Pond Road to include an area drain to mitigate any drainage issues from due to the project. Jesse Steadman said that he hopes to confirm those changes shortly.

Respectfully Submitted,

Jesse Steadman
Town Planner