

TOWN OF STOW  
PLANNING BOARD

Minutes of the February 14, 2017 Planning Board Meeting

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

Voting Associate Member: Mark Jones

Ernie Dodd called the meeting to order at 7:35 pm

**Public Input**

None.

**Member Updates**

None.

**Public Hearing**

**Commercial Solar Photovoltaic Renewable Energy Installation Special Permit and  
Site Plan Approval- 93 Delaney Road**

**Present (via conference call):** *Andy Bergrud and Jenn McGlothlin, AES Distributed Energy*

Ernie Dodd opened the Public Hearing.

*Steve Quinn moved to waive the reading of the Public Hearing notice.*

*Len Golder Seconded.*

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

Andy Bergrud said that the intention of this public hearing is to apply for the reissuance of their Special Permit, as Stow Solar acquired the site in 2015 without knowing of the requirement for annually renewing.

Ernie Dodd noted a few areas to be amended in the escrow agreement. The proposed agreement gives the Town 30 days to respond to the resignation of the escrow agent, which reflects a decrease from the original 60 days. In Section 11 of the agreement, the Town should be noted as a beneficiary. Andy Bergrud said that those changes are fine, as well as amending the language in the agreement to reflect that the site is already constructed.

Lori Clark arrived.

Andy Bergrud said that though they have inquired at several banks, they have not been able to locate a bank registered in Massachusetts that offers escrow agent services. Len Golder recommended asking Citizens Bank, Brookline Savings Bank, Middlesex Savings Bank, Eastern Bank, Margaret Costello recommended asking Avidia Bank, based in Hudson. Jenn McGlothlin said that she would be happy to reach out to other banks, especially if there is a particular contact to reach out to.

Andy Bergrud said that a list of banks that have been used in approved projects would be helpful to provide to their lender. Ernie Dodd said that information can be sent over, including the process for using the Town treasurer as an escrow agent.

*Len Golder moved to close the Public Hearing for a Commercial Solar Photovoltaic Renewable Energy Installation Special Permit and Site Plan Approval.*  
*Steve Quinn Seconded.*

**VOTED: 6-0 Unanimously in favor (Lori Clark, Ernie Dodd, Steve Quinn, Len Golder, Margaret Costello, Mark Jones (Voting Associate Member)- Yea).**

## **Discussion of Meeting Minutes**

### **Minutes of February 7, 2017**

*Ernie Dodd moved to approve the minutes as amended.*  
*Steve Quinn Seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Ernie Dodd, Steve Quinn, Len Golder, Margaret Costello -Yea).**

## **Planner's Report**

### **Gleasondale School Lot Plan Revisions**

Jesse Steadman said that he and Valerie held a meeting to gain feedback from Gleasondale residents on the evolving plan for the School Lot. Jesse Steadman said the revisions emphasized the residents' desire to start with small improvements and preserve the general intensity of the use. Jesse Steadman said that the plan outlines further investments for the future, should the use of the School Lot parcel continue to grow.

### **Historic District**

Residents in Gleasondale have completed an initial survey of historic preservation strategies and bylaws in a number of smaller towns and have asked Planning Staff to participate in the exploration of a National or Local Historic District in Gleasondale. Jesse Steadman noted that given the turn toward looking into regulatory measures, it may be best for the working group to be formalized into a Subcommittee. Jesse Steadman said this

could either be a subcommittee of the Historic Commission or the Planning Board, depending on the direction of efforts.

### **Transportation Working Group**

Jesse Steadman said that he, Valerie and other members of the Transportation Working Group will be presenting data to the Board of Selectmen on February 28, to provide an update on the Town's initial data collection of various transportation related issues, how the Town can continue to gather data to find short term solutions, and how such efforts can contribute to future improvements in the road network.

### **AARP Network of Age Friendly Communities**

Jesse Steadman reported that a few Towns are interested in reaching out to their respective COA's to determine interest in the AARP Network of Age-Friendly Communities. The Age Friendly Community Network encourages communities to undertake Town-wide assessments and planning efforts to ensure livability for all ages. Depending on the interest from the COA, directors will be invited to partake in a roundtable discussion with AARP program managers to learn more about the program and determine any next steps.

### **65 White Pond Road**

Jesse Steadman said that the owner of the two parcels on White Pond Road, who recently received a Special Permit for a Contractor's yard is exploring taking the other parcel out of Chapter 61 due to interest from a Chicago based medical marijuana firm. The Chapter 61 Quick Response process would be initiated at the time notice of the removal is provided to the Town.

### **Planning Board Budget**

Gleasondale Survey Article

### **Lower Village**

Jesse Steadman reported that Planning Staff will be meeting with their MassWorks Project Manager from the state on Friday to discuss the project. A meeting with Kate Hogan and her staff is scheduled for after the MassWorks discussion.

### **Regency**

Jesse Steadman noted that at the Pre-construction meeting, the contractor for the Regency project reported that they were using an alternate construction entrance for a period of two weeks until they are able to get the cistern installed at the main entrance. It was suggested at the meeting that Toll Brothers install a temporary sign alerting drivers, noting the temporary nature of the entrance and the reasoning for it.

Lori Clark said that as this is not a unique situation, future decisions should include the statement that there will be no temporary construction access that is not marked on the plan.

*John Colonno-Romano of 233 Boxboro Road* said that after the snowstorm, trucks from Regency backed into his driveway to plow the temporary entrance. Without the entrance on the plan, he was unaware of the duration and reasoning for its use.

### **Jillian's Lane Request for Minor Modification**

Jesse Steadman presented correspondence related to the request for a minor modification, including a letter from the applicant, a letter from an abutter, the modified plan, and comments from the Fire Chief and engineering consultant at Places Associates, Inc.

*Charles Jowett of 118 Walcott Street* said that he has noticed that construction has already commenced at the site, which is concerning. He recalled from the public hearings for Pennie Lane that this proposed temporary access area was considered a critical erosion control point. It would be problematic to approve the temporary access if a full study of run off has not been completed. Additionally, the letter he received stated that this is only a proposed access, though it appears to be partially constructed. Charles Jowett noted that the culvert reconstruction was intended to be completed prior to the commencement of site work.

Lori Clark asked the applicant to review the necessity of the temporary construction access road. Randy Carpenter said that they will not be granted a permit to cut into Walcott Street to construct the culvert until April 15<sup>th</sup>, though they would like to start building the foundations now. Randy Carpenter noted that at a recent pre-construction meeting, the Town's engineering consultant provided erosion control recommendations should they proceed with the temporary access road.

Jesse Steadman said that the pre-construction meeting included Greg Roy of Ducharme and Dillis, Sue Carter of Places Associates, Inc., Planning Staff, the applicants, and the construction lead. At the meeting, there was discussion that should the temporary access road be created first, a compromising rain event could push a lot of water onto Walcott Street. Therefore the basin should be roughed out, as the culvert would not be installed yet.

Lori Clark asked about the current status of the temporary access road. Randy Carpenter said that some stone work was done to allow some clearing for access to the site. Lori Clark noted that it is concerning to construct something that was not on the approved plan, as it usurps the public process. Len Golder said that it is evident that this would require a hearing for the modification, as there is concern from abutters.

Ernie Dodd reiterated the need for more information about the road and the contours of the south side of the parcel, given that the Fire Chief expressed concern about trucks being able to access the site with such a steep slope.

Lori Clark asked if this plan addresses Sue Carter's concerns. Jesse Steadman said that Sue Carter gave recommendations for how erosion control with a temporary construction access road could work, and Greg Roy did his part to amend the proposed plan to reflect that conversation. Once the proposed plans were modified, Sue and the Fire Chief asked for further information in regard to the functionality of the road, looking for greater detail. Jesse Steadman said that the temporary access was well discussed at the staff-level pre-construction meeting, though the proposed plan reflects the first review of the modification.

Lori Clark said that from the standpoint of what classifies as a minor vs a major modification, the Board needs to consider if the modification is going to be seen as minor in the eyes of the abutters. By choosing a minor modification, their right to be heard is waived. Though only 4 abutters were notified of the temporary construction access road, this gave an indication that there is abutter concern regarding the modification. The Planning Board agreed that this change would result in a major modification, and therefore would need to be presented at a public hearing. Randy Carpenter opted to withdraw the request for a minor modification and instead utilize the plan and decision from January.

### **Jillian's Lane Legal Documents and Plan Endorsement**

The Planning Board endorsed the Plan for Jillian's Lane.

### **Debrief of Finance Committee Presentation**

Jesse Steadman said that at a meeting with the Finance Committee, the operational budget of the Planning Department, as well as Capital Planning projects were discussed. Jesse Steadman provided the committee with a description of the responsibilities of the Board and Department, and reviewed the Lower Village Improvement Project.

### **Regency at Stow- Legal Documents and Construction Schedule**

Jesse Steadman said that this item will be discussed at the Planning Board meeting on February 21<sup>st</sup>. Ernie Dodd noted that the Town should be mentioned in approving the termination of the condo association, should there be any future change of use.

### **Meeting Adjourned.**

Respectfully Submitted,

Valerie Oorthuys