

TOWN OF STOW
PLANNING BOARD

Minutes of the May 23, 2017 Planning Board Meeting

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

Associate Members: Mark Jones, John Colonna- Romano

Absent: Karen Kelleher

Lori Clark called the meeting to order at 7: 50pm

Discussion of Meeting Minutes

Minutes of May 16, 2017

Margaret Costello moved to approve the minutes as amended.

Len Golder Seconded.

VOTED: 3-0 In favor (Lori Clark, Len Golder, Margaret Costello–Yea, Ernie Dodd abstained).

Executive Session Minutes of May 16, 2017

Len Golder moved to approve the minutes as amended.

Margaret Costello Seconded.

VOTED: 3-0 In favor (Lori Clark, Len Golder, Margaret Costello–Yea, Ernie Dodd abstained).

Public Input

None.

Member Updates

None.

Planner's Report

Crow Island

Jesse Steadman noted that the 2011 Special Permit for Crow Island was, after further inspection, a modification to the original 1992 Special Permit. Jesse Steadman noted that after a brief discussion with Town Counsel, there appeared to be no reason why two special permits could not exist at the property, if the Board wanted to treat the trapeze installation under a separate Special Permit.

Margaret Costello noted that a previous decision for commercial recreation at Crow Island included abutters' request for traffic to access Crow Island via Sudbury Road, rather than White Pond Road. Margaret Costello said that in its current state, this would not be feasible.

Stow Acres Country Club

Jesse Steadman noted that the owner of a cross country ski outfit in Weston has been discussing the possibility of cross country skiing at Stow Acres in the winter months, taking advantage of the existing clubhouse and bar facilities. He noted that although it seems like a perfect spot, the zoning bylaw does not allow for snow making, which is critical for cross country ski areas to operate in southern New England.

The Board agreed that the reason behind disallowing snow making is the noise concern with that equipment.

Gleasondale Mill

A Stow resident interested in redeveloping the mill has requested staff potentially set up a meeting between himself and the current owners of the mill to help each party understand the realities of constraints around the mill and the efforts the Town is engaged in to improve the site's redevelopment potential.

Boxmill Bridge

Jesse Steadman reported that Planning staff have been in discussions with MassDOT, the Highway Department, Conservation Commission and Historic Commission regarding the replacement of the Boxmill Bridge that is slated for 2019 on the state Transportation Improvement Program. A meeting is being scheduled to discuss potential preservation options.

Highgrove Estates Modification of Restrictive Covenant and Decision

Present: Jimmy Fenton, Fenton & Sons

Jimmy Fenton said that the Restrictive Covenant for Highgrove Estates requires the final building permit to be held until the road, which is a common drive, is completed. Jimmy Fenton said that all that is left to complete the project is to finish the top coat on the road, the final as-built, landscaping around the road, and to construct the final home.

The Board agreed that this is not a typical subdivision, as this is a common drive, rather than a road, and that as long as the Town is holding the final occupancy permit, the applicant cannot close on the final home before constructing the road.

The Board agreed that it would be helpful to have current residents at Highgrove sign a letter agreeing to amend the Restrictive Covenant in this way.

Jesse Steadman said he would determine whether a new Restrictive Covenant would supersede the former, or if the former covenant would need to be released. The Board agreed that the applicant should submit a new Restrictive Covenant for the Board to vote on.

Stowaway Inn Request for Minor Modification of Special Permit

Present: John Abeyta, Wes Fisher

John Abeyta said that the proposed modification includes a 246 sqft bump-out for the café kitchen, which is larger than what is included in the 2016 minor modification, yet smaller than the originally approved Special Permit. John Abeyta noted that they have had trouble fitting in the necessary café and kitchen equipment in the currently approved 48 sqft space, clarifying that the use has not changed, nor has the number of café seats.

Margaret Costello said that abutters at the public hearing were concerned about the building footprint, though this proposed modification would still include less of a footprint than the permit which was approved after that public hearing.

John Colonna-Romano asked about the proximity of the kitchen bump-out to the new septic system and leech field. John Abeyta said that it is just above the new line from the new septic system, and that they have been assured it will be safe during construction.

The Board agreed that this constitutes a minor modification.

Jesse Steadman said that the engineer should submit revised plans to be referenced in the new decision.

Ernie Dodd arrived.

Delaney Solar Escrow Agreement

Jesse Steadman provided an overview of the new draft escrow agreement, which names Key Bank as the escrow agent. Jesse Steadman said that there is very little substantive change in the draft, and that the Board or the Escrow Agent has been added in a few sections.

The Board agreed that Key Bank's Buffalo address should be listed, as well as a local or regional office.

The Board noted that the document originally gave the Town 60 days to act after notice of resignation from the Escrow Agent, which has been reduced to 30 days in the revised copy.

Mark Jones noted that the Governing Law section of the escrow agreement states that any dispute would be handled in Massachusetts courts.

Lori Clark said that Section 15b may be concerning to Stow Solar, as it allows for investment loses though does not mention communication with Stow Solar.

Jesse Steadman said that a revised copy of the escrow agreement will be discussed at a future Planning Board meeting.

Eversource Transmission Line Filing

The Board discussed Eversource's Transmission Line filing and the primary route Eversource recommended, which would bring underground transmission lines through the MBTA right of way in Gleasondale. The Board discussed drafting a letter to the Energy Facility Siting Board (EFSB) in support of the primary route, as Gleasondale is historic, needs recreation opportunities, and would provide a critical link for the Assabet River Rail Trail connection.

Margaret Costello asked for clarification of the description of the primary route, wanting to be sure it is underground through Stow.

Lori Clark said that a letter of support should explicitly say that any overhead option would negatively impact Stow residents.

Lower Village Traffic Safety Improvement Project

Jesse Steadman said that the project is progressing, with a number of easements signed by abutters.

Executive Session- In Accordance with M.G.L. Ch.30A s.21 for purposes of discussing ongoing litigation

Lori Clark stated that the last agenda item is an executive session, as public discussion would be detrimental to the litigation.

Len Golder moved to enter into Executive Session to discuss ongoing litigation and adjourn the regularly scheduled meeting of the Planning Board thereafter.

Ernie Dodd Seconded.

Roll Call Vote: Lori Clark – Yea; Margaret Costello – Yea; Ernie Dodd – Yea; Len Golder– Yea.

Meeting Adjourned.

Respectfully Submitted,

Valerie Oorthuys