

TOWN OF STOW
PLANNING BOARD

Minutes of the March 20, 2018 Planning Board Meeting

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

Voting Associate Member: John Colonna- Romano

Associate Member: Mark Jones

Absent: Len Golder, Karen Kelleher

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

Discussion of Meeting Minutes

Minutes of March 6, 2018

Ernie Dodd moved to approve the minutes as amended.

Margaret Costello Seconded.

VOTED: 3-0 Unanimously in favor (Lori Clark, Ernie Dodd, Margaret Costello-Yea).

Public Input

Jude Porter, of 50 Lowell Drive, said that he is attending the meeting as part of a requirement of the Stow Boy Scouts.

Member Updates

None.

Planner's Report

Athens Lane Public Hearing

Jesse Steadman asked the Planning Board how best to have the residents notified of a potential change in venue due to the standing room only crowd at the Athens Lane Hearing, next scheduled for April 18th. The Board agreed to have the public hearing at Town Hall and to indicate this change with signage at Town Building.

Massachusetts Downtown Initiative

Jesse Steadman reported that the Planning Board has received a \$15,000 grant from the Department of Community Development's Massachusetts Downtown Initiative program for the creation of a Business District Assessment and Market Analysis for Lower Village. The study will help the Town determine the potential economic opportunities in Lower Village and come closer to understanding what types of future zoning upgrades could best leverage the Village's strengths.

Minor Modification to Site Plan Approval for Wireless Communication Facility, 353 Great Road

Jesse Steadman said that Eligible Facilities Requests are handled through Site Plan Approval, which has not been filed yet, and therefore this agenda item will be considered at a future meeting. Jesse Steadman said that the application is for the installation of three new antennas and remote radio heads at Sprint's existing Wireless Communication Facility at 353 Great Road. Jesse Steadman said that the Board should first determine whether the Site Plan Approval is a Minor Modification in accordance with Section 6.8 of the Site Plan Approval Rules and Regulations.

Endorsement of Joanne Drive Definitive Subdivision Plan

Jesse Steadman said that the Definitive Subdivision Plan is not ready to be endorsed, though the meeting packets include correspondence with the applicant's engineer regarding plan modifications. Jesse Steadman said that the engineer indicated that he will be updating the plans to reflect cistern changes required by the Fire Chief. Jesse Steadman said that the applicant is currently working on the required legal documents with an attorney.

The Board discussed the need to have a plan modification regarding the planned trail network and the need to modify the decision to include a condition that prior to the first occupancy permit, plans for the trail system need to be approved by the Conservation Commission and the Planning Board. The Board agreed that if the trail system is to be considered an alternative to either the creation of sidewalks or a fee in lieu of constructing sidewalks, the trails must provide a public benefit, and therefore should not exclude residents not living on Joanne Drive. The Board agreed that a mix of private and public trails could satisfy the waiver.

The Planning Board discussed section 7.27 of the decision, regarding constructing a driveway extension for the abutter at 35 Sudbury Road to provide access via Joanne Drive. The Board noted that the decision does not provide a timeline for an agreement to be reached between the abutter and the applicant. The applicant's engineer noted that it may be preferable to complete the construction of Joanne Drive prior to completing the driveway in order to better understand the variable grading at that location. The Board considered how to best protect the abutter, agreeing that unless the abutter has provided consent prior to construction of the subdivision, there will need to be a minor modification of the decision. The Board also agreed to send a letter to the abutter regarding the nature of their inclusion in the decision.

Discussion of Legal Documents, Regency at Stow

Jesse Steadman said that the Planning Department has obtained the Master Deed, Master Deed Amendment and a recorded Declaration of Trust for the Condo Association. Jesse Steadman noted that the Special Permit requires some items to be included in the Homeowners Association (HOA) Documents and others to be included in the Master Deed,

however the requirement that fertilizer applicant shall comply with State regulations was required to be in the HOA, though it is now referenced in the amended Master Deed. It was also required in Modification 8 that the HOA documents state that the holder of the Open Space land retains the ability to locate public use trails within the Open Space based on topography and site conditions, though this language is included in the Master Deed. Jesse Steadman provided Town Counsel's suggestion that some requirements of the HOA could be included in the Master Deed. The Board concluded that they are more concerned with the language in the Declaration of Trust, rather than the Master Deed.

Jillian's Lane Erosion Control Stabilization Plan

Present:

MaryAnn DiPinto, Wetlands Consultant at Three Oaks Environmental

Jesse Steadman said that he met with MaryAnn DiPinto and Sue Carter of Places Associates, as the applicant would like to install a propane tank and trench for the piping to the smaller of the two homes at the top of the hill. The trench would be filled with rock to keep water from flowing through it and the installation would be covered with plywood to keep rain from eroding it. Jesse Steadman said that MaryAnn DiPinto and Sue Carter approve of the plan, and they are requesting that the Planning Board provide the flexibility to assess performance standard attainment in the field in order to provide approval to lift sitework restrictions imposed by the Planning Board for the purpose of taking advantage of good weather, rather than waiting until the next possible meeting of the Planning Board.

MaryAnn DiPinto said that a lot of water is still leaving the site because of recent weather, though it is now leaving the site clean, as the flocculent is working well. MaryAnn DiPinto said that the National Pollutant Discharge Elimination System (NPDES) permit has been refiled and the Stormwater Pollution Prevention Plan (SWPPP) reports are being filled out. MaryAnn DiPinto said that in order for the contractor to receive an additional loan, the well needs to be connected to the house via a water line, which would be covered with plywood if it rains during the two days of construction of that item. MaryAnn DiPinto noted that a propane tank is proposed at the location as well, which the contractor would also like to install, however the water levels would need to drop before beginning this work. MaryAnn DiPinto said that prior to this work, the contractor would need to recreate the sedimentation basin towards the southeast of the larger home.

Jesse Steadman said that while the Board had previously asked for sitework to be completed first, the most pressing issue is to install the lot 2 septic system in order for the temporary stockpiles to be moved off-site. The action would reduce the chances for erosion and allow the applicants to hydroseed and stabilize the septic system. The temporary settling basin in the area of the future system would be replaced in a location to the south and all diversions of water would be employed prior to work on the system. Sue Carter and MaryAnn DiPinto would inspect the erosion controls prior to work commencing on the septic system.

Lori Clark asked how often the site is inspected. MaryAnn DiPinto said that she is on site after any rain event and at every SWPP inspection.

Lori Clark said that the provided list of action steps needs to include associated timelines and conditions. The Board agreed that they should be in receipt of a detailed construction and inspection schedule that has been agreed to by the consultants, the contractors, and the Planning Board.

Recreational Marijuana Planning Process

Jesse Steadman reported that the Board of Selectmen discussed the process for educating residents on Adult Use Marijuana in Stow at their last meeting and agreed that it was likely premature to ask residents to decide upon bans or limitations on Marijuana uses at the May Annual Town Meeting. Jesse Steadman said that the Selectmen discussed the potential for the passing of an additional moratorium on marijuana establishments to the end of 2018 to eliminate the potential for a use to sneak through in between a Town Meeting vote and ballot initiative vote a week later.

Sign Bylaw

The Planning Board agreed to request that the Economic Development and Industrial Commission (EDIC) detail the most pressing changes that should be made to the Sign Bylaw so that the EDIC and the Planning Board may come to alignment on those issues. Afterwards, the organization of a Working Group may be discussed. The Board agreed that it may be helpful for members of the EDIC to look to signage in other Towns to see what Stow's business community may appreciate, and then to research the bylaws in those Towns.

Warrant Articles for Town Meeting

Jesse Steadman reviewed the Planning Department's warrant articles for Town Meeting, including a minor revision to section 3.8.1.10 of the Zoning Bylaw regarding Erosion Control, the potential extension of the existing Temporary Moratorium on Recreational Marijuana Establishments, revisions to the Industrial District Uses, and Complete Streets funding.

Jesse Steadman said that the Complete Streets funding article would be an administrative transfer of around \$21,000 from the general fund to the sidewalk fund, as that money was accepted from developers as a fee in lieu of constructing sidewalks on site. The Planning Board agreed to handle administrative tasks and consultant coordination regarding the Complete Streets program.

Jesse Steadman said that revisions to the Industrial District uses include accessory retail uses permitted by Special Permit through the Planning Board. The Board reviewed changes, and asked for more consideration of the inclusion of pop-up shops, appropriate

floor area ratios, outdoor sales, and language around the relationship between the accessory use and products that are produced on site as the primary land use.

Lower Village Traffic Improvement Project

Jesse Steadman said the few remaining easement negotiations are moving along, and that E.T.&L. Corp is in the process of determining a location near the Lower Common to install their construction trailer. Jesse Steadman said that Hudson Light and Power has provided the Planning Department with an estimate regarding the relocation of a utility pole on the west end of the project.

Meeting Adjourned.

Respectfully Submitted,

Valerie Oorthuys