

TOWN OF STOW
PLANNING BOARD

Minutes of the November 27, 2018 Planning Board Meeting

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

Voting Associate Member: Megan Birch-McMichael

Associate Member: Mark Jones

Absent: Margaret Costello, Karen Kelleher

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

Discussion of Meeting Minutes

Minutes of October 30, 2018

John Colonna-Romano moved to approve the minutes as amended.

Len Golder Seconded.

VOTED: 3-0 Unanimously in favor (Lori Clark, Len Golder, John Colonna-Romano – Yea).

Minutes of November 7, 2018

Len Golder moved to approve the minutes as amended.

John Colonna-Romano Seconded.

VOTED: 3-0 Unanimously in favor (Lori Clark, Len Golder, John Colonna-Romano – Yea).

Public Input

Mark Forgues, 9 White Pond Road, asked for an explanation as to why the Lower Village construction has stopped. John Colonna-Romano said that as construction moved forward, it became clear that drainage was a concern, and the Board decided not to complete paving until all parties are confident on the grades.

Katie Fisher, 1 White Pond Road, asked whether grant money allocated to the project can still be accessed. Lori Clark said that an extension will be filed with MassWorks.

Member Updates

Mark Jones said that the Zoning Board of Appeals will soon close the public hearings for a Comprehensive Permit for Plantation Apartments I and II. Once the public hearing is closed, the ZBA will have 45 days to render a decision. Mark Jones said that all parties are anticipating an appeal.

John Colonna-Romano said that he attended the recent site walk at the Collings Foundation related to their application for an Erosion Control Special Permit. John Colonna-Romano

stated that he felt the excavation area was not as deep as he had anticipated. Lori Clark stated that she attended as well, and that while it was clear the applicant had removed earth from a large rectangular section of the site, the area looked more like a depressed field with a flat central area.

Planner's Report

Open Space Committee

Valerie Oorthuys said that she recently attended an Open Space Committee meeting, as the Committee was interested in hearing more about the forthcoming planning process around golf course overlay zoning. The Committee has previously spent time creating maps showing where they would prefer to see conservation on the golf courses, though they noted these maps should be made current. The Committee agreed that they would like to be a part of the planning process.

Jillian's Lane

Valerie Oorthuys said that contractors at Jillian's Lane are preparing to pave and are working with Sue Carter of Places Associates to ensure the work is properly inspected. The Board discussed the need to have a bond for the road prior to the Building Department issuing an Occupancy Permit.

Mitchell Road

Valerie Oorthuys said that the Board's packets include correspondence from a resident of Mitchell Road who is concerned about excessive flooding at their property and their neighbors, which abuts a wetland. The Board noted that the property is not in proximity to an active construction site, though agreed that they are aware that the area is prone to flooding.

FY 2020 Budget

Jesse Steadman said that a discussion of the budget will be on an upcoming agenda, ahead of the December deadline.

Discussion of Drainage at 92 Great Road

Present:

Rich Presti, owner of 92 Great Road

Rich Presti said that in late September he noticed that the grading around his site, combined with the installation of the sidewalks, had created an enclosure around his property allowing stormwater to begin to puddle. In one area there is close to an 18 inch difference between the sidewalk elevation and the location of the new roadway.

Rich Presti said that he received a letter from the Board after the issue was brought to their attention in October, though he feels the concern merits further discussion. The letter noted compensation provided to him for issues related to traffic circulation on the property and available parking spaces. Rich Presti said that the compensation for the easement did not cover the new stormwater issue on site, including water being trapped on the property

and the ability for that ponded water to freeze. Rich Presti said that this concern should have been anticipated by the engineer.

Rich Presti said he also has a drywell by Stow Café and that runoff from Great Road used to drain into it, though now it puddles into the road. Rich Presti shared photos from the Stow Café area and from the area in front of Infinite Auto.

John Colonna-Romano said that the road may not be at the final grade at these locations, so the runoff may change.

Lori Clark asked if Rich Presti has taken action to resolve the issue. Rich Presti said he had taken temporary measures, as he was concerned about his liability with the frozen water and customers walking on site. John Colonna-Romano acknowledged that a permanent fix would likely not happen until the spring, and asked if there are any short term solutions. Rich Presti said that he does not believe there are and that he would like to meet with the Planning Board again in the spring to discuss solutions. Lori Clark said that the Board's consulting engineer is evaluating the situation, and that the Board will consider solutions as the project moves forward and will plan to meet again in the spring.

Public Hearing

Definitive Subdivision and Erosion Control Special Permit and Site Plan Approval, Hallocks Point Road

Lori Clark said that the applicant has decided to continue the public hearing without testimony.

Len Golder moved to continue the public hearing for a Definitive Subdivision and Erosion Control Special Permit and Site Plan Approval at Hallocks Point Road without testimony to December 11th at 7:30pm.

John Colonna-Romano seconded.

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

Joint Boards Executive Session with Board of Selectmen- In Accordance with M.G.L. Ch30A s.21 for the purposes of discussing ongoing litigation

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

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

John Colonna-Romano Seconded.

Roll Call Vote: Lori Clark – Yea; Len Golder – Yea; John Colonna-Romano – Yea.

Fire Cistern Location, Joanne Drive

Valerie Oorthuys said that an abutter to Joanne Drive requested that the Planning Board reconsider the placement of the fire cistern for the Joanne Drive subdivision. The abutter believed that during the public hearing process, the Fire Chief and the Planning Board were not particularly tied to its location.

Lori Clark said that the Planning Board did agree on this location so that it can benefit both Joanne Drive and Forest Road.

Valerie Oorthuys said that the Fire Chief confirmed that he feels the cistern is in the best location, as it requires maintenance of the Forest Road connection and if the cistern were located on Joanne Drive, the fire apparatus would block the way for other emergency vehicles.

Joanne Drive Legal Documents and Definitive Subdivision Endorsement

Present:

Steve Bjorklund, on behalf of the applicant

Steve Bjorklund and the Board made revisions to the legal documents for the Joanne Drive subdivision.

Steve Bjorklund asked that the language on the Restrictive Covenant is verified regarding mortgages on the property, as there are none presently. The Board agreed that if any mortgages are present on the property, then they shall be substantially subordinate to this covenant.

Jesse Steadman said that the Declaration of Reservation of Easements needs to include language providing a sidewalk easement to the Town, in accordance with the decision.

The Board agreed to place the endorsement of the Definitive Subdivision plans on a future agenda when the legal documents are finalized.

Meeting Adjourned.

Respectfully Submitted,

Valerie Oorthuys