

AGENDA  
SELECT BOARD  
July 27, 2021  
7:00 p.m.  
Town Building & Zoom

**The public may attend the Select Board meetings in-person or may continue to participate via remote Zoom access. The Select Board expects to continue their meetings in this hybrid format indefinitely. Until further notice, in-person attendees, who are not vaccinated, will be required to wear a mask.**

Join Zoom Meeting

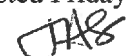
<https://zoom.us/j/91593669398?pwd=TEFnaUVUSFJFQjlwWmpPYmZEU29rUT09>

Meeting ID: 915 9366 9398

Passcode: 159932

1. Public input
2. Board Member comments
3. Recognition
4. Appointments:
  - Stephen McDonald to the position of part-time Administrative Assistant for the Highway Department
  - Shawn Marques to the position of full-time Dispatcher for the Police Department
5. Discussion and Possible Vote
  - Fire Association to discuss their Touch-A-Truck event scheduled for August 29, 2021
  - Collings Foundation to discuss their Military History Through the Ages living history event scheduled for August 7<sup>th</sup> and 8<sup>th</sup>.
  - Transfer of Class II License from Infinite Automotive to Car Lot Express, Inc., 92 Great Road
  - Green Energy Discussion
    - Town Administrator to introduce proposal
    - Arnie Epstein and Sharon Brownfield to present
      - Creation of a Green Advisory Committee
      - Climate Action Plan
  - Permit for Bike for the Woods – Sunday, August 29, 2021
  - Permit for “Ride to Defeat ALS” – Sunday September 19, 2021
  - Select Board Committee Assignments
6. Strategic Planning
  - Role in budgeting/finance
  - Continued policy discussion, if any
  - Continued Workplan and Goals discussion, if any
  - Continued meeting schedule discussion, if any
7. Town Administrator’s Report
8. Meeting minutes
  - July 13, 2021
  - July 13, 2021 Executive Session
9. Correspondence
10. Adjournment

Posted Friday, 7/23/2021

 1:20 p.m.

# APPOINTMENTS



Denise M. Dembkoski  
Town Administrator

[townadministrator@stow-ma.gov](mailto:townadministrator@stow-ma.gov)

*Town of Stow*  
*Office of the*  
*Town Administrator*

*380 Great Road*  
*Stow, MA 01775*  
*Tel: 978-897-2927*

I recommend the hiring of Stephen McDonald to the position of Highway Department Administrative Assistant.

*Denise M Dembkoski*



Town of Stow  
HIGHWAY DEPARTMENT

88 South Acton Road  
Stow, Massachusetts 01775  
(978) 897-8071  
FAX (978) 897-5682

Steve Nadeau  
Superintendent of Streets

To: Denise M. Dembkoski, Town Administrator

From: Steve Nadeau, Superintendent of Streets

Re: Recommendations for new hire

I would like to recommend filling the part time, 16.5 hours per week position of Highway Department administrative assistant.

Stephen McDonald brings with him the specific skills and knowledge of computer data base creation and management needed to help organize our records, bookkeeping and payroll. His technical abilities will be an asset in converting and streamlining Highway's outdated paper documents and files into a more user-friendly computer data base. ultimately, making records and documentation easier to upload and locate is time-saving, and will support overall highway operations into the future. Stephen McDonald will be a tremendous asset to the team, and I am recommending him to fill the position of administrative assistant.

I recommend he start in Group 4 Highway Department administrative assistant at Step 2 \$25.01/hour. Hopefully with your approval, this employee can start as soon as possible, his experience will be invaluable.

If there are any questions, please feel free to contact me. Thank you for your consideration.

Steve Nadeau  
Superintendent of Streets

# Appointment

Shawn Marques to the position of full-time  
Dispatcher for the Police Department



Town of Stow  
POLICE DEPARTMENT

305 Great Road  
Stow, Massachusetts 01775

(978) 897-4545  
FAX (978) 897-3692

Michael Sallese  
Chief of Police

July 23, 2021

Selectboard  
380 Great Road  
Stow, MA 01775

RE: Recommendation for Hiring Shawn Marques as Full Time Dispatcher

On April 27, 2021 the Selectboard promoted Brandon Murphy from Dispatcher to Patrol Officer. July 1, 2021 Brandon stopped working dispatch shifts and started his new role as Patrol Officer (on the road). This created a vacancy of 40 hours of dispatch shifts.

Knowing that this opening was in the future, I was able to post and start a process for hiring a new dispatcher. This process included a hiring committee which consistent of two Dispatchers and a Fire Fighter. During the process, Shawn Marques who is currently a part-time dispatcher with us, expressed interest.

During the hiring process Shawn Marques, who is currently a part-time Stow Dispatcher, expressed interest in the vacancy. Stow Police hired Shawn in 2019 (as a part-time Dispatcher) and he has worked 16 hours a week for our department since then. Prior to his employment in Stow Shawn was a Full Time Hudson Dispatcher. In May he resigned from his Hudson position and began a career change as an appraiser for an insurance company. Shawn stated that the career change was not for him and he would like to return to Full Time Dispatching as his career.

After speaking with the hiring committee, who all know and have worked with Shawn for almost 2 years, they all agreed that Shawn is their recommendation for the Full Time Dispatch position.

Shawn has been a member of the Stow Police Department since 2019 and has never had disciplinary issues. He is fully trained, currently working here and can start full time within two weeks.

The Town Administrator, Fire Chief and I, who make up the Administrative Body of the Communication Center, recommend the appointment of Shawn Marques to Full Time Dispatcher.

Respectfully Submitted,

Michael Sallese, Chief of Police

**DISCUSSION &  
POSSIBLE VOTE**

**Fire Association**

**Touch-A-Truck event**

**August 29, 2021**



**HEY KIDS! Here's your chance to...**

# **TOUCH-A-TRUCK**



**AUGUST 29<sup>TH</sup> 2021**  
**10AM - 2PM**  
**511 GREAT ROAD**

**JOIN THE STOW FIREFIGHTERS ASSOICATION FOR  
A FREE TOUCH THE TRUCK EVENT!**

**Get an up-close look at safety & construction vehicles!  
Check out booths from local venders & groups!  
Watch scheduled demos!**

**For more information visit**

**[WWW.STOWFIREFIGHTERS.COM](http://WWW.STOWFIREFIGHTERS.COM)**

**Collings Foundation**

**Military History Through the Ages  
living history event  
August 7 + 8, 2021**

## Collings Foundation

I was just made aware that a settlement agreement exists between the Town and the Collings Foundation, which among other things identifies the requirements and limitations around events held on the property. One of the requirements is that the Collings Foundation and Board of Selectmen will “confer in good faith prior to each Major Event to ensure compliance with public safety, fire, and health related issues consistent with prior practice...”

I’ve enclosed a copy of the entire Settlement Agreement for your review.

Collings is hosting a living history event on August 7<sup>th</sup> and 8<sup>th</sup>.

- Provided all traffic enters and exits through Hudson, the Police department have no issues with the event.
- The Fire Department is processing the required Cannon/Mortar firing permit, but otherwise, have no pending issues.
- I have reached out to the Health Department, but have not yet heard back.

I contacted representatives from the Collings Foundation on the morning of Thursday the 22<sup>nd</sup> to remind them of this requirement and to invite them to attend the meeting.





COLLINGS FOUNDATION, INC.

Collings Foundation Inc.  
Notification of Living History Event

July 13<sup>th</sup>, 2021

To Whom It May Concern:

The Collings Foundation Inc. is hosting a living history event called Military History Through the Ages on August 7<sup>th</sup> and 8<sup>th</sup> on the American Heritage Museum grounds.

There will be Revolutionary War exhibition blank musket and cannon fire sporadically from 10 AM to 5 PM, as allowed under G.L. c. 40A 3.

There will be no pyrotechnics.

Sincerely,

A handwritten signature in black ink that reads "Hunter Chaney".

Hunter Chaney  
American Heritage Museum / Collings Foundation Inc.  
[hchaney@collingsfoundation.org](mailto:hchaney@collingsfoundation.org)  
(978) 562-9182

## SETTLEMENT AGREEMENT

**THIS SETTLEMENT AGREEMENT** (“Settlement Agreement”) is entered into as of the latest date of the signatures set forth below (the “Effective Date”), by and between:

- A. The Collings Foundation, Inc., a non-profit corporation organized under the laws of the Commonwealth of Massachusetts with a principal address of 137 Barton Road Stow, MA (herein, the “Collings Foundation”), as it is Plaintiff under the Litigation (defined below); and
- B. Lori Clark, Stephen Quinn, Ernest Dodd, Leonard Golder, and Margaret Costello, as they are members of the Stow Planning Board, with a principal address c/o Stow Planning Board, Stow Town Building 380 Great Road Stow, MA (herein, collectively the “Planning Board”), as it is a Defendant under the Litigation (defined below); and
- C. The Town of Stow, a Massachusetts municipal corporation, with a principal address c/o Town of Stow, Stow Town Building 380 Great Road Stow, MA (herein, the “Town”), as it is a Defendant under the Litigation (defined below); and
- D. Ingeborg Hegemann, James H. Salvie, Brian P. Burke, Donald P. Hawkes, and Thomas E. Ryan III, as they are members of the Stow Board of Selectmen, with a principal address c/o Stow Board of Selectmen, Stow Town Building 380 Great Road Stow, MA (herein, collectively the “Selectmen”), as it is a Defendant under the Litigation (defined below).

The Collings Foundation, Inc., the Planning Board, the Town, and the Selectmen are all collectively referred to herein as the “Parties”.

### RECITALS

WHEREAS, the Collings Foundation, Inc. as Plaintiff, on September 18, 2015 filed a certain action in the Land Court Department of the Trial Court (Middlesex), Case No. 2015 Misc., 000374 (the “Litigation”), against the Defendants seeking certain relief from findings and actions of the Planning Board denying the application of the Collings Foundation to construct and operate a “Museum” on property owned/controlled by the Collings Interests as further described herein;

WHEREAS, the Defendants appeared in defense of said Litigation; and,

WHEREAS, the Parties now seek to resolve their differences to allow the Museum to be constructed and operated on the property owned/controlled by the Collings Interests, subject however to certain mutually agreed upon restrictions as set forth specifically herein; and,

WHEREAS, the parties wish to avoid the additional expense, delay, and uncertainty of further litigation, settle all claims between and among them as to the issues presented herein, and avoid any future potential litigation over such issues;

NOW THEREFORE, in consideration of the covenants and mutual promises and agreements contained in this Settlement Agreement, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties' agreement is set forth below.

## DEFINITIONS

“Application” means the set of applications filed by the Collings Foundation, Inc. with the Planning Board, dated February 11, 2015 (as supplemented of record); inclusive of those plans, documents and filings identified in Exhibit A attached hereto.

“Collings Interests” (alternatively, “Collings”) means the Collings Foundation, Inc., its principals (and spouses to the extent owners of any land or holders of any interests in and to any portion of the Site), and affiliates, and the Collings Foundation, a separate Massachusetts legal entity.

“Collings Museum” (alternatively, “Museum”) means the museum as owned /controlled / operated by the Collings Foundation, Inc. or the Collings Interests conducting Museum Activities in and from the Museum Structures and on the Site;

“Demonstrations / Exhibitions” means Museum sponsored events, presentations, re-enactments, demonstrations, exhibitions and activities, conducted outdoors, involving an assembly of a group or groups of individuals, as further defined by the limitations set forth in Section A.3 hereof.

“Existing Buildings” means: (a) existing hangar/car barn/museum buildings consisting of approximately 44,000 square feet of interior space; (b) an existing museum building consisting of approximately 7,500 square feet of interior space; and (c) certain existing residential structures; all located on the Site;

“Gunfire” means loud noise generated by a device when an explosive charge or propellant is used to launch a projectile, including by way of example handguns, rifles, machine guns, and cannons, as cannons are commonly defined.

“Improvements” means all the infrastructure, landscaping, sitework, water management, and other such work attendant to the New Museum Construction as contemplated in the Application, along with site work and road work on the Site for access and egress (consistent with this Settlement Agreement);

“Major Events” means Museum sponsored events, presentations, re-enactments, demonstrations, exhibitions and activities, conducted outdoors, involving an assembly of a group or groups of individuals, as further defined by the limitations set forth in Section A.2 hereof.

“Museum Activities” means (a) those allowed uses set forth in Section A.1 below, subject to the restrictions also set forth therein; (b) Demonstrations / Exhibitions as defined herein, subject to the corresponding restrictions relative thereto set forth herein; (c) Major Events as defined herein, subject to the corresponding restrictions relative thereto set forth herein; and (d) the related historic activities that have been conducted from the Site by the Collings Foundation.

“Museum Structures” means (a) the Existing Buildings (aside from the existing residential structures); and (b) the buildings and structures to be constructed pursuant to the "Collings Foundation Site Development Plan" dated January 20, 2015 prepared by Andrews Survey and Engineering, Inc. and revised May 18, 2015 and other materials referenced in Exhibit A.

“New Museum Construction” means the site work and construction to build an approximately 67,000 +/- square foot structure for the Museum and primary access road from Hudson on the Hudson Land, along with the Improvements, as contemplated in the Application and as shown on the Site Plan;

“Noise Generating” means activities conducted outdoors that create noise.

“Noise Specifications” means, as applied to Noise Generating activities, that the noise must be at reasonable sound levels as measured at the Barton Road property line of the Site. Such noise shall be deemed reasonable so long as it is consistent with the sound levels typically generated by residential type uses (e.g. motorcycles, leaf blowers, lawn mowers) and other activities in the vicinity (e.g. motorboats, general road noise, amplified sound systems, etc.).

“Property” means the Site and all current buildings and structures thereon, as well as the buildings and structures described in the Application.

“Pyrotechnics” means explosives not contained in the chamber or barrel of a gun or cannon which require a permit issued by the Massachusetts Fire Marshall under state law.

“Site” means the land owned and/or controlled by the Collings Interests, consisting of approximately 90.78 acres of land located at 137 Barton Road in the Town of Stow, Massachusetts (the “Stow Land”), along with an additional 9.19 abutting acres of land located in the Town of Hudson, Massachusetts with access from Main Street in Hudson (the “Hudson Land”); as shown on the survey plans prepared by Andrews Survey & Engineering, Inc. dated January 20, 2015 and revised through May 19, 2015 (the “Site Plan”);

#### **A. AGREED RESTRICTIONS ON COLLINGS’ USES UNDER G.L. c. 40A §3**

The Parties hereby agree on the following restrictions on the Collings Foundation Inc.’s use of the Property as the Collings Museum. The Collings Foundation, Inc., on behalf of itself and the Collings Interests, agrees that it accepts these limitations upon its rights claimed pursuant to G.L. c. 40A, s. 3 to "educational use" of the property; and agrees that it will not seek to expand its use of the Property beyond these limitations upon its rights claimed pursuant to G.L. c. 40A, s. 3:

1. Allowed uses on the Site are activities for educational programs, presentations and exhibits related to the Collings Museum; specifically:
  - (a) Docent tours
  - (b) Talks and presentations by speakers

- (c) Tours, studies, presentations and meetings for individuals, school groups and other groups
- (d) Seminars
- (e) Car club meetings and programs and events
- (f) Air club meetings and programs and events
- (g) Audio/Visual productions & presentations
- (h) Public Viewing
- (i) Display and management of artifacts and related functions:
  - (i) exhibition
  - (ii) storage
  - (iii) maintenance
  - (iv) repair and restoration
  - (v) instruction and operation
  - (vi) practical experiences
  - (vii) instructional experiences
  - (viii) demonstrations
  - (ix) conservation/preservation
- (j) Non-profit daily/weekend overnights (such as Boy Scout, history group, or school group camp outs), associated with Museum programs, Demonstrations / Exhibitions, or Major Events
- (k) Activities in which museums typically engage as a venue provided that no activity shall include outdoor amplified music:
  - (i) corporate functions
  - (ii) weddings
  - (iii) family parties and
  - (iv) other income generating activities consistent with the above in scope, duration, and intensity
- (l) Accessory activities
  - (i) a museum shop
  - (ii) catered food/beverage served on the Site
  - (iii) Office and administrative functions for the Collings Foundation
  - (iv) Library, Audio-Visual displays, and conference center
  - (v) Parking for the Museum (consistent with the Application)

2. Allowed uses also include Major Events; all such Major Events to be subject to the following stated restrictions:

- (a) There can be up to but not more than four (4) Major Events in each calendar year
- (b) All four (4) Major Events can be Noise Generating and they do not have to



- (c) meet the Noise Specifications
  - (c) One (1) Major Event focusing on World War II can have Pyrotechnics applicable to that era (and there can be no other Major Events with Pyrotechnics of the World War II era or later)
  - (d) One (1) other Major Event can have Pyrotechnics (but that Major Event can only have Pyrotechnics applicable to the pre-World War I era)
  - (e) The remaining two (2) Major Events cannot have Pyrotechnics or cannons.
  - (f) Gunfire is allowed (consistent with the above).
3. Allowed uses also include Demonstrations / Exhibitions, and all such Demonstrations / Exhibitions shall be subject to the following stated restrictions:
- (a) There can be an average of two (2) Demonstrations / Exhibitions per month over the Museum's six (6) month season in each calendar year
  - (b) Gunfire is prohibited
  - (c) Pyrotechnics are prohibited
  - (d) A maximum of five (5) heavy armored vehicles (e.g. tanks) are permitted for each Demonstration / Exhibition at any given time
  - (e) They can be Noise Generating but must meet the Noise Specifications

**B. SITE RELATED RESTRICTIONS AND PROVISIONS**

1. Visitor and commercial access to Museum and Site shall be from the Hudson Main Street access road over the Hudson Land. Access from Barton Road would be allowed for residential type traffic and traffic accessory to residential uses, e.g. mail and fedex deliveries, residential guests, etc. The Collings Foundation will be given a reasonable period of time to transition and acclimate unknowing visitors to the Hudson Main Street access.
2. The Museum's website and other advertising or public relations publications shall cite the Hudson address as the Museum's primary address.
3. The Museum's temporary signage and traffic control for Major Events will be as generally provided by the Collings Foundation historically for its events, and will be coordinated with and enforced by the Town of Stow police department.
4. Access to the Site for Site work and construction equipment shall be from the Main Street Hudson access over the Hudson Land. Site work and construction vehicles and equipment that need to pass over and access from Barton Road (i.e. as opposed to the Hudson Main Street access over the Hudson Land) given Site construction requirements shall be kept to a reasonable minimum, be temporary in nature and duration, and shall have access therefrom within generally stated dates and during daylight hours, as set forth on a site work/construction phasing plan to be provided to the Planning Board prior to the start of any such work. Site work necessary for access and road construction shall occur

at the beginning of the phasing schedule. Site work access vehicles or equipment shall not cross the Lake Boon Dam.

5. All outdoor amplified sound systems and public address speakers shall be commensurate with the type of outdoor activity being conducted, and sound shall be within the Noise Specifications (except to the extent associated with Major Events). There will be no amplified outdoor sound other than during daylight hours (i.e. sunrise to sunset).
6. The outdoor areas of the Site shall not be used for any “gun clubs” (organized groups engaging in gun use) or gun firing ranges.
7. The parties agree that additional paving as suggested by the Town Engineer will not be required, and the on-Site parking will be configured and allowed as per the Application.
8. The Collings Foundation, Inc. will comply with the separate requirements of the Stow Conservation Commission, consistent with its Order of Conditions dated June 17, 2015 (No. 299-0588).

**C. SPECIAL PROCESSES AND PROCEDURES**

1. The Stow Board of Selectmen, police and fire departments, and “Stow Independent” (or other local newspaper in general circulation in the Town) shall each receive descriptive advance notice of the Major Events, not later than fourteen (14) days prior to the date of the Major Event, and said notice to fire department will include a description of the Pyrotechnics to be used at such Major Event.
2. The Town of Stow retains all rights of enforcement against unreasonable noise, as it would as to any other property owner and event in the Town, except as to the four annual Major Events defined above .
3. The Town of Stow retains all rights to enforce the Town Bylaw with respect to private gun use on land, as it would as to any other property owner in the Town; but the foregoing shall not deprive the Museum from Gunfire for Major Events, or for the private use of guns on the Site as would be allowed ordinarily under the Town Bylaw as to any other land in the Town.
4. The Museum’s use of Pyrotechnics (and materials comprising the same) where allowed herein on the Site, shall be subject to all state and federal regulations governing transport, storage, use and handling and permitting of the same. The Museum shall demonstrate compliance with such permitting requirements prior to the occurrence of the applicable Major Event.
5. Future building permit applications by the Collings Foundation, Inc. for additional buildings (provided the plans conform with the technical filing requirements of the Stow

building department and Massachusetts building code, and the applicable filing fee is paid) ,i.e. beyond those contemplated in the current Application, shall be allowed, provided such buildings are consistent with or subordinate and accessory to the Museum Structures and to the Museum's allowed uses as set forth in Section A.1 above (and subject to those restrictions) There shall be no change in use from the existing Collings Foundation mission and proposed Museum mission (i.e., automobile, aircraft and military history) Any other buildings or uses shall be subject to the Stow Zoning Bylaw and other regulatory requirements..

6. The parties agree that Collings will file for a building permit(s) for its New Museum Construction at the earliest practicable time, and is entitled to receive its building permits for its New Museum Construction (provided the plans conform with the technical filing requirements of the Stow building department and Massachusetts building code, and the applicable filing fee is paid) based on the provisions of this Agreement; and that no further proceedings before the Planning Board shall be required for such issuance.
7. Collings shall provide its construction phasing plans to the Town of Stow Building Inspector and Consulting Engineer (and the Planning Board) prior to the start of New Museum Construction. The Town's Consulting Engineer shall review and inspect project construction in accordance with typical construction oversight standards in the Planning Board's Rules and Regulations for Special Permits and Site Plan Approval
8. The parties acknowledge that in prior proceedings before the Planning Board, certain issues were raised and addressed, and those particular concerns are set forth in Exhibit C attached hereto.
9. Collings and the Board of Selectmen will confer in good faith prior to each Major Event, and reach agreement on Collings' compliance with all reasonable public safety, fire and health related issues, consistent with prior practice in the past, in lieu of any requirement as may exist for an entertainment license for the Major Events and/or Demonstrations/Exhibitions.
10. Nothing in this Settlement Agreement waives any obligations pursuant to state law or Town of Stow regulations not otherwise waived or addressed by this Agreement.

**D. STATUS OF THE LITIGATION AND THIS SETTLEMENT AGREEMENT**

1. The Parties shall simultaneous enter into an Agreement for Judgment, in form and substance attached hereto as Exhibit B, and shall jointly petition the Court for entry of such Judgment on the record.
2. Simultaneously, the Parties shall jointly request a "Nisi Order" from the Court, such that the Judgment will be final upon notice to the Court of the issuance of a building permit by the Town of Stow to the Collings Interests for the New Museum Construction.

3. The Parties agree this Settlement Agreement is deemed to have been prepared jointly by the parties. If any ambiguity exists, it shall not be interpreted against any of the parties by reason of authorship. Each of the Parties hereby represent and warrant to each other that execution of this Settlement Agreement by the signatories appearing below, as to each such Party (a) has been duly authorized by all requisite votes, consents, or other required actions fully empowering the signatory to execute and bind the Party; and (b) no other action is required or necessary for this Settlement Agreement to be binding and enforceable as against such Party so executing.
4. This Settlement Agreement is the entire agreement between the parties and fully supersedes and replaces any and all prior and contemporaneous agreements, representations, promises or understandings of any kind between the parties. No modification, amendment or waiver of any of the provisions of this Settlement Agreement shall be effective unless in writing and signed by the parties. The Parties acknowledge that (a) this Settlement Agreement is the result of good faith negotiations; (b) the parties and their counsel have carefully reviewed and examined this Settlement Agreement; and (c) by signing this Settlement Agreement, no party is relying on any representation by any other party except as otherwise set forth in this Settlement Agreement.
5. This Settlement Agreement and any disputes arising under or in connection with it shall be construed and governed by the laws of Massachusetts.
6. The Parties agree that the terms of this Settlement Agreement are contractual and not merely recital, and that any of the Parties may seek enforcement hereof by commencement of an action in the Land Court Department of the Trial Court.
7. All conditions and restrictions contained herein are intended by the parties to remain in effect and operative for the longest period permitted by law.
8. This Settlement Agreement may be executed in counterparts, each of which shall be an original but all of which together shall constitute one and the same instrument. Facsimile signatures shall be considered as valid signatures as of the date thereof, although the original signature pages shall thereafter be exchanged and appended to this Settlement Agreement.

Exhibits Attached

EXHIBIT A APPLICATION DOCUMENTS

EXHIBIT B AGREEMENT FOR JUDGMENT

EXHIBIT C PRIOR CONCERNS LIST

IN WITNESS WHEREOF, this Settlement Agreement has been executed by the parties as of the date(s) stated below.

THE COLLINGS FOUNDATION, INC.

By: [Signature]

its duly authorized President

THE TOWN OF STOW PLANNING BOARD

[Signature]

Lori Clark, Chair

THE TOWN OF STOW BOARD OF SELECTMEN

[Signature]  
Brian P. Burke, Chairman

[Signature]  
Donald P. Hawkes

[Signature]  
Ingeborg Hegemann

[Signature]  
Thomas E. Ryan III

[Signature]  
James H. Salvie

THE TOWN OF STOW

by:

[Signature]  
William J. Wrigley, Town Administrator

**COLLINGS FOUNDATION, INC. vs. TOWN OF STOW PLANNING BOARD  
SETTLEMENT AGREEMENT**

---

**EXHIBIT A – THE APPLICATION**

**APPLICATION**

Plans and associated documents, as part of the Application, originally submitted for the Board’s deliberation are identified below.

- EXHIBIT 1            1. Plan entitled “The Collings Foundation Site Development Plan”, dated January 20, 2015, revised through May 18, 2015, prepared by Andrews Survey and Engineering, Inc., consisting of the following sheets:

Cover Sheet	
C1.0	Overall Plan
C2.1 - C2.6	Site Plan
C3.1 – C3.2	Erosion and Sediment Control Plan
C4.1 – C4.2	Wetland Crossing and Replication Plan
C5.0 – C5.3	Landscape and Lighting Plan
C6.1 – C6.2	Construction Details

2. Plan Sheets entitled “Landscape Plan,” dated 5.18.2015  
L5.1 – L5.3

- EXHIBIT 2            Supplementary documents required by the Rules, consisting of the following:

- Application for Site Plan Approval, by Andrews Survey and Engineering dated February 5, 2015
- Application for Erosion Control Special Permit, by Andrews Survey and Engineering dated February 5, 2015
- Development Impact Statement Form
- Supplement to Development Impact Statement – “Measures to Mitigate Impacts.”
- Certified List of Abutters by the Stow Board of Assessors
- Certified List of Abutters by the Hudson board of Assessors

- Stormwater Management Report, by Andrews Survey and Engineering, Inc. dated January 20, 2015, revised April 22, 2015
- Storm Water Pollution Prevention Plan (SWPPP), dated April 22, 2015

EXHIBIT 3

American Heritage Museum Exhibit Designs”

- Cover Sheet
- Sheet EX 01 – EX 12

EXHIBIT 4

Architectural Floor Plans by AHP Architects, dated April 23, 2014

- A. 101 – First Floor Plans
- A. 102 – Mezzanine Plan
- A. 201 – Exterior Elevations
- A. 202 – Exterior Elevations

**COLLINGS FOUNDATION, INC. vs. TOWN OF STOW PLANNING BOARD**

**SETTLEMENT AGREEMENT**

---

**EXHIBIT B – AGREEMENT FOR JUDGMENT**

See Document attached hereto



**COMMONWEALTH OF MASSACHUSETTS**

**MIDDLESEX, SS**

**LAND COURT DEPARTMENT**  
**Misc. Case No: 2015-000374 (KCL)**

**THE COLLINGS FOUNDATION, INC.**

**Plaintiff**

**v.**

**LORI CLARK, STEPHEN QUINN, ERNEST  
DODD, LEONARD GOLDBERGER, and  
MARGARET COSTELLO, as they are  
members of the STOW PLANNING BOARD;  
and,**

**THE TOWN OF STOW, and,**

**CHARLES KERN, JAMES H. SALVIE, BRIAN  
P. BURKE, DONALD P. HAWKES and  
THOMAS E. RYAN, III, as they are members of  
the STOW BOARD OF SELECTMEN**

**Defendants**

**AGREEMENT FOR JUDGMENT**

The Parties in the above captioned matter hereby assent to the Court's entry of a Judgment incorporating the terms and conditions of that certain Settlement Agreement dated as of May \_\_\_\_, 2017, attached hereto as Exhibit A.

PLAINTIFF

---

DEFENDANTS

---

---

---

---

---

**COLLINGS FOUNDATION, INC. vs. TOWN OF STOW PLANNING BOARD  
SETTLEMENT AGREEMENT**

---

**EXHIBIT C – PRIOR CONCERNS ADDRESSED AND TO BE ADDRESSED**

See Document attached hereto

## **EXHIBIT C**

### **[Source Document: Notice of Decision Dated August 26, 2015]**

Where noted below that the provision is “Addressed in the Application and the Site Plans”, the Parties will cooperate in good faith to ensure compliance.

#### **Provisions Addressed in Section 8.3.4.C:**

Due to comments and concerns regarding traffic safety and congestion on Barton Road, the Applicant proposes to construct a variable width access road to the proposed 66,000+/- square foot museum building, an existing 32,000+/- square foot museum building and a 7500+/- square foot barn/office building, beginning at 586 Main Street in Hudson and running approximately 2,222 feet through parcel 3 on Hudson Assessor's Map 35 and 1745' (feet) in Stow, over parcels shown on the Town of Stow Assessor's Map as R-25, parcels 13, 16B and Map U-2, parcel 54.

Resolution: Addressed in the Application and Site Plans

The Town of Hudson Planning Board Decision dated February 12, 2015 for the proposed access road at 568 Main Street contains the following conditions: no salt or de-icing agent will be applied to the road; A lockable gate shall be installed.

Resolution: Addressed in the Application and Site Plans

The Town of Hudson Planning Board Decision dated February 12, 2015 for the proposed access road at 568 Main Street contains the following conditions: no salt or de-icing agent will be applied to the road; A lockable gate shall be installed.

Resolution: Agreed.

#### **Provisions Addressed in Section 8.3.4.D:**

An abutter at the Public Hearing raised concern that his home is 200 feet from the event grounds and that the access road will be at grade with his house. The abutter noted at the Hearing that he would be in favor of a landscaped berm higher than the previously proposed 6 foot barrier, and stretching at least 100 feet due to the wide open view of the Applicant's property. The abutter noted that the berm could help mitigate the visual and noise impacts to his property.

Resolution: Addressed in the Application and Site Plans

#### **Provisions Addressed in Section 8.3.4.E**

As a result of the site visit, the parties agreed on a plan revision including moving the proposed access road twenty two (22) feet to the west to accommodate an eight foot (8') tall berm proposed east of the access road and just west of the abutting property owner's parcel boundary.

Resolution: Addressed in the Application and Site Plans

**Provisions Addressed in Section 8.3.4.F:**

Section 7.2.5.2 of the Bylaw requires the remaining spaces to be labeled on the plan and properly designed as an integral part of the parking layout with adequate drainage provided for both the partial and total parking areas.

The remaining spaces marked as reserve, along with adequate drainage designs, are shown on the plans.

Resolution: Addressed in the Application and Site Plans

Section 7.2.5.5 requires a covenant in recordable form and to be recorded at the Registry of Deeds for the construction of future parking.

Resolution: To be recorded upon completion of construction

The Application proposes to construct 70 parking spaces.

- 47 parking spaces are included on a recycled asphalt pavement lot at the north entrance of the museum, including seven (7) handicapped spaces
- 23 parking spaces are labeled as overflow and located on a concrete pad to the south of the museum building.

Resolution: Addressed in the Application and Site Plans

**Provisions Addressed in Section 8.3.4.G**

Sheet L.5.2 of the Application shows proposed landscaping for the provided museum parking spaces and reserve parking spaces in conformance with Section 7.7.4, 7.7.5, and 7.7.6.

Resolution: Addressed in the Application and Site Plans

The Planning Board finds that the existing forested areas at the site provide sufficient screening for the event parking area, reserve parking area and proposed museum parking areas to conform to Sections 7.7.4, 7.7.5, 7.7.6 of the Zoning Bylaw.

Resolution: As stated

**Provisions Addressed in Section 8.3.4.H**

A memo from the Board's consulting engineer indicates that additional lighting may be warranted along the access drive to assist entering and exiting drivers in inclement weather.

The Planning Board finds that lighting along the proposed driveway is not necessary.

The Application does not indicate any lighting fixtures in the proposed museum parking area other than two fixtures at the main entrance.

There are no fixtures indicated in the vicinity of the seven (7) handicapped parking spaces.

Resolution: As stated; additionally, there will be no Major Events beyond sunrise to sunset as set forth in the Settlement Agreement.

#### **Provisions Addressed in Section 8.3.4.K**

Section 3.8.1.9 of the Bylaw requires that all projects considered under Site Plan Approval shall contain adequate drainage designs to show that pre-development surface water runoff rates and volumes and erosion and sedimentation rates shall not be increased so as to avoid erosion damage, sedimentation or uncontrolled surface water runoff.

Resolution: Addressed in the Application and Site Plans

The Planning Board finds that although the site contains well drained soils and is large enough to reasonably accommodate the required drainage, there are several requirements that have not been met to confirm conformance with Section 3.8.1.9 of the Bylaw, Section 4.13 of the Special Permit Rules and Regulations, and the Planning Board Stormwater Policy, which is meant to both ensure that peak runoff is no greater after the development is completed, and that water quality will meet required Department of Environmental Protection standards:

- No soil testing in the of the Stormwater basins/infiltration areas were provided.
- The Long Term Pollution Prevention Plan does not address all items listed in the DEP checklist for Stormwater Report, Standard 4: Water Quality for Construction, including:
  - Erosion and dust control
  - Maintenance of temporary construction entrance
  - Requirement for stockpiles to be covered or stabilized if not in use for more than 21 days.

Resolution: Will comply with DEP Requirements

Section 3.8.1.10 (7) requires a Stormwater Pollution Prevention Plan where more than one acre or more land will be disturbed.

The Planning Board finds the Applicant has submitted a draft Stormwater Pollution Prevention Plan.

Resolution: Addressed in the aforesaid draft Plan

**Provisions Addressed in Section 8.3.6**

A septic tank, proposed leach field and proposed leach field reserve area are shown on the Application plans. There is nothing in the record confirming approval of the sewage disposal system in accordance with the Department of Environmental Protection Title V requirements or Stow Board of Health regulations.

Resolution: Application now pending and will be procured prior to Building Permit

The Planning Board finds no confirmation of the required water quality analyses and pumping test results, in accordance with Department of Environmental Protection regulations 310CMR22, and as noted in the letter from Purnachander Rao, Permit Manager for the Massachusetts Department of Environmental Protection Drinking Water Program.

Resolution: Collings will comply.

Based on input from the Board's consulting engineer, the existing refueling area contains no catchbasin or concrete pad to contain fuel spills, such as is included in the vehicle washing area.

Resolution: Collings will provide spill kit.

The Planning Board finds that the recommendations provided by the Board's consulting engineer, including, but not limited to fueling trainings, spill prevention protocol, and/or supplies to protect against a spill at the refueling area could help mitigate the concerns expressed herein.

Resolution: Collings will provide spill kit.

The Application indicates a fire protection well at the northwest corner of the proposed museum building.

Resolution: Collings will comply

A septic tank, proposed leach field and proposed leach field reserve area are shown on the Application's plans. There is nothing in the record confirming approval of the sewage disposal system in accordance with the Department of Environmental Protection Title V requirements or Stow Board of Health regulations.

Resolution: Application now pending and will be procured prior to Building Permit

The Planning Board agrees with their consulting engineer's recommendation that the planting of large species of evergreens at the southeast corner of the proposed museum would help break up the massing and scale of the building. The Planning Board further finds that the plan was

not modified to include the recommendations.

Resolution: Deemed not necessary – not visible from Barton Road and no main access from Barton Road as per Settlement Agreement

The Planning Board agrees with their consulting engineer's recommendation that the Tree Planting Details be modified to show a slice in the lower sections of burlap on the planted trees to encourage the spread of roots in the dry, sandy soils. The Planning Board further finds that the plan was not modified to include the recommendations.

Resolution: Collings will comply

The Planning Board agrees with their consulting engineer's recommendation of having snow plow operations and overall maintenance procedures in place to address the maintenance of the well landscaped islands and foundations in the proposed parking areas. The Planning Board further finds that the plan was not modified to include the recommendations.

Resolution: No islands/foundations – deemed moot

The Planning Board agrees with their consulting engineer's recommendation that the proposed rhododendron and witch hazel on the landscaped berm may not be able to survive on exposed, sand based soil, and that there are other plants more appropriate for the soil and landscape conditions. The Planning Board further finds that the plan was not modified to include the recommendations.

Resolution: Collings will comply

The Planning Board agrees with their consulting engineer's recommendation that sheets L-5.1 and L5.2 regarding the turf grass parking area do not indicate the separation between full sun and shade varieties of turf to be established.

Resolution: All predominately sun fields – deemed moot

The plan was not revised to show sufficient depth of loam on the landscaped berm for retaining organic matter.

The Application lacks specific identification of slope stabilization materials and maintenance procedures on the landscaped berm.

Resolution: Collings will take all appropriate measures to maintain plantings as circumstances warrant

#### **Provisions Addressed in Section 8.3.7**

The Planning Board further finds the Application does not contain mitigating measures as recommended by the Board's consulting engineer, including but not limited to, the creation of spill prevention and cleanup plans, spill notification procedures and inspections.

Resolution: Collings will provide spill kit



The Planning Board further finds that no revisions to the plans were submitted based on the Board's consulting engineer's recommendations that catch-basins along the southerly concrete pad could be made waterproof and affixed with a valve to contain and facilitate the cleanup of spills.

Resolution: Collings will provide spill kit

The Application notes a removable barricaded egress to be used by emergency vehicles but does not include the barricades in the detail sheets or provide indication on whether a public safety plan has been created for the events, or how the barricaded egress will fit into the Fire and Police Department procedures.

The Application shows pedestrian and traffic circulation extending over five properties of varying ownership, but provides no indication of applicable access easements to confirm the ability of emergency vehicles to access the site at different times of the year and for the site plan to function as intended.

A pedestrian circulation path extends along the western end of the grass parking area, but includes no indication of temporary barricades to prohibit exiting vehicles.

A bus turnaround area is located along the pedestrian circulation path, but contains no indication of temporary fencing or barricades to separate buses from pedestrian corridors.

The proposed portable toilet area is shown in the same location as the geo-cell bus parking area.

Resolution: Collings will coordinate the foregoing to the reasonable satisfaction of Stow police, fire department and public safety officials.

There is no visitor entrance to service this overflow area and no indication on the plan that pathways, sidewalks or signage indicating the entrance location exist.

Resolution: Collings will coordinate the foregoing to the reasonable satisfaction of Stow police, fire department and public safety officials.

The Application does not include any easements for the proposed parking located on 137 Barton Road. The Planning Board further finds that it is unable to confirm the parking plan can function as intended without easements over property not owned by the Applicant.

Resolution: Not applicable since main access is not on Barton Road per the Settlement Agreement.

[End of Text]

## Joyce Sampson

---

**From:** policechief  
**Sent:** Thursday, July 22, 2021 7:25 AM  
**To:** townadministrator; firechief; c1fire; health  
**Cc:** Joyce Sampson; Phoebe Haberkorn  
**Subject:** RE: Collings Foundation Event

Hi,

Following the agreement keeping the cars entering from Hudson, the police department have no issues with the event. All Officers and Dispatchers will be notified in case any calls or complaints do come in. All calls will be logged and an after event report will be sent to your office.

*Michael Sallese, Chief of Police  
Stow Police Department  
305 Great Road  
Stow, MA 01775  
978-897-4545*

**From:** townadministrator <townadministrator@stow-ma.gov>  
**Sent:** Thursday, July 22, 2021 7:18 AM  
**To:** policechief <policechief@stow-ma.gov>; firechief <firechief@stow-ma.gov>; c1fire <c1fire@stow-ma.gov>; health <health@stow-ma.gov>  
**Cc:** Joyce Sampson <jsampson@stow-ma.gov>; Phoebe Haberkorn <phaberkorn@stow-ma.gov>  
**Subject:** Collings Foundation Event

Good Morning,

My apologies on the delay, but I was just made aware of the settlement agreement the Town has with the Collings Foundation that requires the parties to confer prior to one of their Major Events to ensure compliance with public safety, fire, and health related issues consistent with prior practice and with the agreement. (A copy of the settlement is attached)

Please let me know if your department is satisfied with the logistics of the event planned for August 7<sup>th</sup> & 8<sup>th</sup> (flyer attached).

I have added this to the Select Board agenda for next Tuesday.

Thank you!

Very truly yours,

*Denise*

Denise M. Dembkoski  
Town Administrator  
Town of Stow  
380 Great Road  
Stow, MA 01775

## Joyce Sampson

---

**From:** firechief  
**Sent:** Thursday, July 22, 2021 7:21 AM  
**To:** townadministrator; policechief; c1fire; health  
**Cc:** Joyce Sampson; Phoebe Haberkorn  
**Subject:** Re: Collings Foundation Event

Denise,

The Fire Department is currently processing the required Cannon/Mortar firing permit for the event. We have no other pending issues.

Joe

[Get Outlook for iOS](#)

---

**From:** townadministrator <townadministrator@stow-ma.gov>  
**Sent:** Thursday, July 22, 2021 7:17:43 AM  
**To:** policechief <policechief@stow-ma.gov>; firechief <firechief@stow-ma.gov>; c1fire <c1fire@stow-ma.gov>; health <health@stow-ma.gov>  
**Cc:** Joyce Sampson <jsampson@stow-ma.gov>; Phoebe Haberkorn <phaberkorn@stow-ma.gov>  
**Subject:** Collings Foundation Event

Good Morning,

My apologies on the delay, but I was just made aware of the settlement agreement the Town has with the Collings Foundation that requires the parties to confer prior to one of their Major Events to ensure compliance with public safety, fire, and health related issues consistent with prior practice and with the agreement. (A copy of the settlement is attached)

Please let me know if your department is satisfied with the logistics of the event planned for August 7<sup>th</sup> & 8<sup>th</sup> (flyer attached).

I have added this to the Select Board agenda for next Tuesday.

Thank you!

Very truly yours,

*Denise*

Denise M. Dembkoski  
Town Administrator  
Town of Stow  
380 Great Road  
Stow, MA 01775  
(978) 897-2927

[Like us on Facebook](#)

**Transfer of Class II License  
from Infinite Automotive  
to Car Lot Express, Inc.  
92 Great Road**

**Additional Documentation  
available in the Select Board office:**

- o CORI for Oleksii Savchenko**
- o Workers' Compensation Insurance Affidavit**
- o MA Used Car Dealer's Bond**



THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF STOW

**APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE OR  
ASSEMBLE SECOND HAND MOTOR VEHICLES OR PARTS THEREOF**

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a Class II License to Buy, Sell, Exchange, or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. Name and address of the concern: CAR LOT EXPRESS inc.

92 GREAT RD, STOW, MA

2. Is the above concern an individual, co-partnership, an association, or a corporation?

CORPORATION.

3. If an individual, state full name and residential address: \_\_\_\_\_

4. If a co-partnership, state full names and residential addresses: \_\_\_\_\_

5. If an association or a corporation, state full names and residential addresses of the principal officers:

OLEKSII SAVCHENKO (10AK Ridge dr, #1, Maynard, M

6. Are you engaged principally in the business of buying, selling, or exchanging motor vehicles?

YES

If Yes, is your principal business the sale of new motor vehicles? NO

Is your principal business the buying and selling of second hand motor vehicles? YES

Is your principal business that of a motor vehicle junk dealer? NO

7. Give a complete description of all the premises to be used for the purpose of carrying on this business:

PARKING LOT FOR VEHICLE STORAGE AND DISPLAY.  
OFFICE FOR DOCUMENTATION PREPARATION.  
GARAGE AREA FOR RECONDITIONING AND MAINT.

8. Are you a recognized agent of a motor vehicle manufacturer? NO

If yes, state the name of the manufacturer: \_\_\_\_\_

9. Have you signed a contract as required by Section 58, Class I? NO

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES If Yes, which city, town? ACTON

If yes, did you receive a license? YES For what year? 2017-2021

11. Has any license issued to you, in Massachusetts or otherwise, to deal in motor vehicles or parts thereof ever been suspended or revoked? NO

**EVERY QUESTION MUST BE ANSWERED WITH THE FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE, IF ISSUED.**

Signature of Applicant:  \_\_\_\_\_

Address of Applicant: 10AK RIDGE DR, #1, Maynard, MA

Phone Number of Applicant: 617. 981. 1498


## AFFIDAVIT

I, OLEKSII SAVCHENKO, of MAYNARD, MA.  
(Print Name) (Town & State of residence)

hereby state that I have applied for a Class II Auto Dealer's with the TOWN OF STOW, MA and with that in mind, I hereby attest, under the pains and penalties of perjury, that the following statements are true to the best of my knowledge and belief:

1. I have filed with the Town Clerk, or will file within seven (7) days of the signing of this Affidavit, a Certificate of Doing Business concerning this application.
2. Pursuant to MGL Chapter 62C, Section 49A, I hereby certify that I/we, to the best of my/our knowledge and belief, have filed all state tax returns and paid all state taxes under the law; and have paid all local taxes which may be due to the Town of Stow.

Signed under the pains and penalties of perjury this 01 day of  
July, 2021.

  
Signature of Class II License Applicant

NUMBER

32

THE COMMONWEALTH OF MASSACHUSETTS

Town of Stow

FEE

\$100

USED CAR DEALER'S LICENSE - CLASS II.  
TO BUY AND SELL SECOND-HAND MOTOR VEHICLES

In accordance with the provisions of Chapter 140 of the General Laws with amendments thereto Dennis Scatini, dba Infinite Automotive is hereby licensed to buy and sell second-hand motor vehicles at No. 102 Great Road, Stow on premises described as follows:

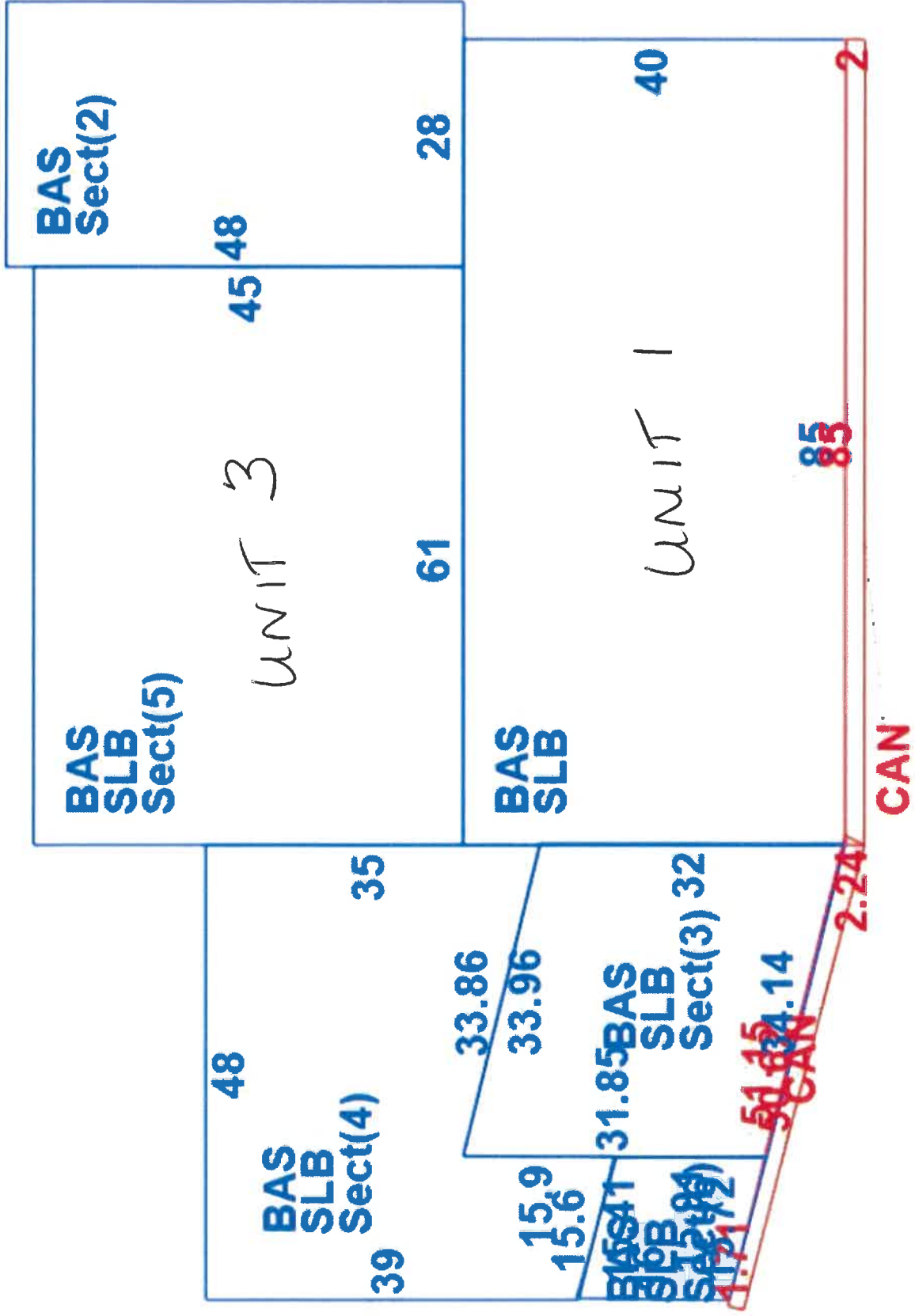
November 24 20 20

*[Signature]*  
Catherine  
E. H. H. H.

THIS LICENSE EXPIRES JAN. 1, 2022.  
THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE UPON THE PREMISES.  
(OVER)







## Joyce Sampson

---

**From:** Richard Presti <rich.presti@gmail.com>  
**Sent:** Tuesday, July 20, 2021 11:00 AM  
**To:** selectmen  
**Cc:** townadministrator  
**Subject:** Re: Car Lot Express, Inc

J,

YES to both questions.

Infinite is completely vacating the Premises.

Car Lot Express is "taking over" and using the same areas that are currently being leased/used by Infinite...for the same purposes.

On Tue, Jul 20, 2021 at 10:37 AM selectmen <[selectmen@stow-ma.gov](mailto:selectmen@stow-ma.gov)> wrote:

Hello,

Thank you for the information. Could you please answer these two questions:

To clarify, is Infinite Automotive vacating your premises completely?

Is Car Lot Express using the same units for the same purposes?

Best regards,

Joyce

---

**From:** Richard Presti <[rich.presti@gmail.com](mailto:rich.presti@gmail.com)>  
**Sent:** Tuesday, July 20, 2021 10:22 AM  
**To:** Joyce Sampson <[jsampson@stow-ma.gov](mailto:jsampson@stow-ma.gov)>  
**Cc:** selectmen <[selectmen@stow-ma.gov](mailto:selectmen@stow-ma.gov)>; townadministrator <[townadministrator@stow-ma.gov](mailto:townadministrator@stow-ma.gov)>  
**Subject:** Re: Car Lot Express, Inc

Joyce,

92 Great Rd. Unit #1. Office/showroom area. The number of vehicles displayed inside is very dependent on their size. For example , Infinite has had as many as 6-7 full sized vehicles "inside" the showroom at one time. If one were to

put much smaller cars in there , then many more vehicles could be displayed . From a market perspective , there is a trend toward smaller vehicles.

92 Great Rd. Unit #3. This area has always been for repairs/reconditioning...going back to the property being ERKKINEN Buick. It is still in much the same condition as it was 50 years ago. It is a functioning “repair shop”. It is intended to continue on in this capacity .

102 Great Rd. Car lot and shack. I’m unclear on how to answer this. I don’t have a specific number of vehicles that the lot will hold , as , much like the showroom area, the number of cars is very dependent on the size/type of vehicles. I only rent a specific “area” to a tenant. From that point on , it is not relevant to me whether the tenant puts 5 vehicles within that area , or twenty five. Historically , the number of vehicles within the rented area varies dramatically by seasons, and closely follows anticipated sales activity. For example , inventory will normally be extremely low during the winter months, and higher in the spring /fall.

I hope this helps, but if there are any additional questions , please let me know , and I’ll do my best....

Thank you.

On Tue, Jul 20, 2021 at 9:32 AM Joyce Sampson <[jsampson@stow-ma.gov](mailto:jsampson@stow-ma.gov)> wrote:

Hello Mr. Presti,

To clarify, is Infinite Automotive vacating your premises completely?

Is Car Lot Express using the same units for the same purposes?

- 92 Great Road Unit 1 as the sales office and inside display area – how many cars would be inside?
- 92 Great Road Unit 3 as the repair shop/reconditioning area.
- 102 Great Road car lot and building/shed – how many cars does the lot hold?

Best regards,

Joyce

**From:** Richard Presti <[rich.presti@gmail.com](mailto:rich.presti@gmail.com)>  
**Sent:** Monday, July 19, 2021 3:43 PM  
**To:** Joyce Sampson <[jsampson@stow-ma.gov](mailto:jsampson@stow-ma.gov)>  
**Subject:** Re: Car Lot Express, Inc

Joyce ,

Yes, he will be utilizing/ renting Unit 1, which is also currently being rented by Infinite Automotive as their "sales office and inside display area" , as well as Unit 3 , which was also utilized by Infinite Automotive as their repair shop/ reconditioning area.

Thank you for all your help on this.

Do you think I should contact the Clerks office about either of these tenants?

On Mon, Jul 19, 2021 at 10:04 AM Joyce Sampson <[jsampson@stow-ma.gov](mailto:jsampson@stow-ma.gov)> wrote:

Hello Mr. Presti,

Regarding Car Lot Express, Inc and the application of Oleksii Savchenko, we are using 102 Great Road on the Class II license, as this is the address on the Class II License that he is replacing. This is a legal address according to the Town Clerk's email, which stated in part:

The town assigned street numbers for your property (Assessors' Map R29, parcel 83) are 92, with unit numbers 1-5, for the building and 102 for the auto sales lot which had a small building/shed on it at the time it was given the 102 street number. These numbers were assigned many years ago when the property was owned by Wayne Erikken. Attached is the diagram for 92 Great Road.

However, we would like to know if Mr. Savchenko will also be using the office listed as 92 Great Road, Unit #1. If so, then this will be listed as part of the description on the Class II License for Car Lot Express, Inc.

## Joyce Sampson

---

**From:** policechief  
**Sent:** Tuesday, July 20, 2021 5:38 PM  
**To:** Joyce Sampson  
**Subject:** RE: comments requested - Class II License Application

Hi Joyce,

I have completed a public records request on the applicant. While I have not found anything that would cause me to recommend against the license, I do have an increased concern on the amount of police interaction that applicant has had with his previous business in Acton.

Thank you,

*Michael Sallèse, Chief of Police  
Stow Police Department  
305 Great Road  
Stow, MA 01775  
978-897-4545*

---

**From:** Joyce Sampson <jsampson@stow-ma.gov>  
**Sent:** Wednesday, July 7, 2021 4:00 PM  
**To:** policechief <policechief@stow-ma.gov>; firechief <firechief@stow-ma.gov>; planning <planning@stow-ma.gov>; building <building@stow-ma.gov>  
**Cc:** townadministrator <townadministrator@stow-ma.gov>; selectmen <selectmen@stow-ma.gov>  
**Subject:** comments requested - Class II License Application

Hello,

The Select Board has received an application for a Class II used car sales license from Car Lot Express, Inc. at 102 Great Road. This will replace the existing Class II license of Infinite Automotive which is currently at that location. (We have heard that there may be a second Class II application that will be submitted soon for the same property.)

We have this tentatively scheduled for the Tuesday, July 27<sup>th</sup> Select Board meeting and ask that you submit any comments in advance. Thank you!

Best regards,

*Joyce*

Joyce Sampson | Executive Assistant  
Town Administrator & Select Board Office  
Town of Stow | 380 Great Road | Stow, MA 01775  
978-897-4515 | [www.stow-ma.gov](http://www.stow-ma.gov)

In reviewing the application,  
the applicant stated he held an active  
Class II license in Acton.

We contacted the Acton Select Board office  
and following is the response.

## Joyce Sampson

---

**From:** Lisa Tomyl <ltomyl@acton-ma.gov>  
**Sent:** Wednesday, July 21, 2021 11:16 AM  
**To:** Joyce Sampson  
**Subject:** RE: Wheeler Dealer, Inc  
**Attachments:** Wheeler Dealer.pdf

Hi Joyce,

He was listed once as a manager in 2018, but has never been an owner in Acton for a Class II license.

Regards,

Lisa Tomyl  
Executive Assistant  
Office of the Town Manager  
Town of Acton  
472 Main Street  
(o): 978.929.6611  
[ltomyl@actonma.gov](mailto:ltomyl@actonma.gov)  
[www.actonma.gov](http://www.actonma.gov)  
pronouns: she/her/hers

---

**From:** Joyce Sampson [mailto:[jsampson@stow-ma.gov](mailto:jsampson@stow-ma.gov)]  
**Sent:** Wednesday, July 21, 2021 11:12 AM  
**To:** Lisa Tomyl  
**Subject:** RE: Wheeler Dealer, Inc

**EXTERNAL EMAIL \* Caution is Advised \***

Hello again,

Per our earlier conversation, is Oleksii Savchenko also listed as a manager, or does he have no affiliation with Wheeler Dealer anymore? The owner and manager is Vigen Allakhverdov?

Also, could you confirm if Oleksii Savchenko is currently listed as an owner on a Class II License in Acton, or if he has ever applied for, or been listed as an owner in the past, between 2017-2021?

My Town Administrator would like to see a copy of the Class II License for Wheeler Dealer, if you could please scan and send it. Thank you!

Best regards,

*Joyce*

---

**From:** Lisa Tomyl <ltomyl@acton-ma.gov>  
**Sent:** Wednesday, July 21, 2021 10:30 AM



**To:** Joyce Sampson <[jsampson@stow-ma.gov](mailto:jsampson@stow-ma.gov)>  
**Subject:** RE: Wheeler Dealer, Inc

Hi Joyce,

It was nice speaking with you today. The history is Wheeler Dealer, Inc. was granted a Class II license in 2017 and is still operating as of 2021, however the current owner is now listed as also the manager. I have nothing further regarding your applicant.

Lisa Tomy  
Executive Assistant  
Office of the Town Manager  
Town of Acton  
472 Main Street  
(o): 978.929.6611  
[ltomy@actonma.gov](mailto:ltomy@actonma.gov)  
<https://link.edgepilot.com/s/7d0ba352/lgmELCjHCkagaIenZysKJw?u=http://www.actonma.gov/>  
pronouns: she/her/hers

---

**From:** Joyce Sampson [<mailto:jsampson@stow-ma.gov>]  
**Sent:** Wednesday, July 21, 2021 10:16 AM  
**To:** Lisa Tomy  
**Subject:** Wheeler Dealer, Inc

**EXTERNAL EMAIL \* Caution is Advised \***

Hi Lisa,  
Thank you so much for speaking with me this morning.  
Before I speak with my TA, I just want to verify that Wheeler Dealer, Inc does have a Class II license that was renewed for 2021.  
My notes have 2018 written down, and I am not sure if that is when you said they first came before the Board or first opened.  
Thanks again!

Best regards,  
*Joyce*

Joyce Sampson | Executive Assistant  
Town Administrator & Select Board Office  
Town of Stow | 380 Great Road | Stow, MA 01775  
978-897-4515 | <https://link.edgepilot.com/s/c1b34ebe/hyN-7JldDEyLQqpHZelwqg?u=http://www.stow-ma.gov/>

## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

## Joyce Sampson

---

**From:** planning  
**Sent:** Wednesday, July 14, 2021 11:30 AM  
**To:** selectmen  
**Cc:** townadministrator  
**Subject:** Class II License - 92 Great Road  
**Attachments:** ZBA Decision.pdf

Hi Joyce,

On December 20, 2017, the Zoning Board of Appeals issued a determination on the request to reverse the Building Commissioner's denial of requests to enforce the Zoning Bylaw. That Decision includes detailed information on the nature of the use at the subject property. It should provide the Board of Selectmen with the most complete information regarding the relevancy of the class II license request as it relates to the pre-existing non-conforming use at the property.

Best,

Jesse Steadman  
Town Planner | Town of Stow

*Stow Planning Department*  
380 Great Road  
Stow, MA 01775  
P: 978-897-5098  
[www.stow-ma.gov](http://www.stow-ma.gov)

**TOWN OF STOW**  
**ZONING BOARD OF APPEALS**  
**NOTICE OF DECISION**

**Applicant:** Kathleen Fisher, 1 White Pond Road

**Relief**

**Requested:** Reversal of Building Inspector's denial of requests to enforce the Zoning Bylaw dated June 30, 2017 and August 7, 2017 with respect to locus.

**Locus:** 84-92 Great Road  
Assessor's Map R-29, Parcels 85A and 83  
Owner: Presti Family Limited Partnership<sup>1</sup>

**Sitting:** Edmund C. Tarnuzzer, Jr., Chairman, Charles Barney, William Byron, Bruce Fletcher, Mark Jones

**Decision of the Board:**

Pursuant to G.L. c. 40A, ss. 8 and 15 and Section 9.1 of the Zoning Bylaw, and following public hearing, the Zoning Board of Appeals voted 5-0 to *affirm in part and reverse in part* the Building Inspector's Decisions.

**Record**

(Fisher) Application for Hearing received July 31, 2017, with exhibits  
Presti Packet dated August 12, 2017, with exhibits  
(Fisher) Application for Hearing received September 1, 2017, with exhibits  
Katie Fisher Enforcement Appeal, Supplemental Materials  
(Presti) Memorandum in Opposition to Appeal of Building Commissioner's Denial of Zoning Enforcement, with exhibits, dated October 2, 2017  
Correspondence dated October 2, 2017 from Craig Martin, Building Inspector  
(Presti) Supplemental Memorandum in Opposition to Appeal of Building Commissioner's Denial of Zoning Enforcement, with exhibits, dated October 19, 2017 (original and revised)  
Memorandum of Stow Planning Department dated October 19, 2017  
Correspondence dated October 19, 2017 from Mark Forgues, with exhibits  
(Fisher) Letter of Christopher Alphen, Esq. dated November 9, 2017

---

<sup>1</sup> The Assessor's property record cards states the parcels' owner to be "Presti Family Limited Partnership Presti Management Corporation." According to records of the Secretary of State, the Presti Management Corporation is the sole general partner of the Presti Family Limited Partnership.

Memorandum of Stow Planning Department and Building Department dated November 9, 2017  
Presti Packet dated November 9, 2017, with exhibits

### **Facts and Procedural History**

Locus consists of two adjoining parcels identified as 84 and 92 Great Road. 84 Great Road has no frontage on Great Road and is accessed over 92 Great Road. Both parcels are located in a Business District. A residence and one additional structure (barn) are located on 84 Great Road, the "rear parcel." A third structure is located on 92 Great Road near its frontage, occupied by a number of businesses leasing space from property owner Presti. Portions of the locus are used by these and other businesses for exterior storage. Ms. Katie Fisher owns and resides at property locate at 1 White Pond Road, which abuts the 92 Great Road parcel near the main structure.

In letters dated April 7, 2017, and May 22, 2017, Ms. Fisher requested that the Building Inspector issue cease and desist orders to stop commercial traffic on locus. By letter dated May 26, 2017, the Building Inspector advised that his inspection of the property had determined that Mr. Presti's tenants were using the site for "storing materials which consist of trucks, cars, snow-plowing equipment, trailers, building and construction materials, piles of cord wood, wood chippers, clean dumpsters and school buses." The Building Inspector further advised that these uses were "grandfathered," i.e., lawful pre-existing nonconforming uses, and that as zoning enforcement officer he had no control over traffic.

In a letter dated June 8, 2017, Ms. Fisher requested from the Building Inspector information on any permits issued for construction and excavation activities occurring on the Presti property. In a letter dated June 30, 2017, the Building Inspector advised that no permits had issued for construction on locus, but that he would inspect the premises to determine if a permit were required. He further advised that the amount of soil removed from locus was below the threshold set by the Earth Removal Bylaw triggering a permit requirement. He further advised that he would meet with Mr. Presti regarding other issues raised by Ms Fisher.

In a letter dated July 24, 2017, counsel for Ms. Fisher requested further information from the Building Inspector, and alleged a number of zoning and other violations on locus. By letter dated August 7, 2017, the Building Inspector responded, finding 1) the challenged uses to be lawful, pre-existing nonconforming uses, requiring no special permits; 2) no zoning violation with respect to site lighting, vehicle parking, landscaped buffers, or traffic. The Building Inspector further advised that certain environmental and other concerns raised by Ms. Fisher should be addressed to other Town departments.

Ms. Fisher timely appealed the Building Inspector's June 30, 2017 and August 7, 2017 enforcement denials to the Board. Both appeals claim that certain uses on the property are not permitted under the Zoning Bylaw; are not protected as pre-existing nonconforming uses; and require a special permit. Several Zoning Bylaw violations, are also alleged, including violations of Bylaw provisions relating to lighting, landscaping, and parking.

Public hearing on the first appeal opened on September 11, 2017 and immediately continued without testimony to October 2 2017, when public hearing on the second appeal opened.<sup>2</sup> The two appeals were heard together on that date; continued to October 19, 2017 and November 9, 2017, when public hearing closed. On November 16, 2017, the Board voted unanimously to uphold the Building Inspector in part and reverse in part, as discussed further below.

### **Prior Determinations**

A decision of the Board dated January 19, 2001, addressing the storage and display of boats on locus for sales and repairs, found that locus had been used for auto sales and service since 1936; that "similar continuous uses of the property and building have been made since 1936, up to and including the current tenant, Bay State Boat Works"; that "[s]ince the garage was first opened in 1936, a portion of the building occupied by the boat sales and repair shop has continually been used for the sale to the public of automobiles, tires, and now boats"; and that "[e]ach of these sales operations has continually made effective use of outside displays and storage of the goods for sale." The decision concluded that the outside display and storage of boats was a lawful preexisting nonconforming use and that no zoning violation had occurred.

On June 14, 2010, Mr. Presti requested a determination as to whether special permits were needed for certain tenants "currently renting space and storing items outside" on locus. On July 13, 2010, the Building Inspector advised that no special permits were needed as storage of vehicles, equipment and materials "are the same or consistent with the past uses of the site recognized as grandfathered uses. . . ." See July 13, 2010 letter from Building Inspector to Mr. Presti.

### **Findings of Fact**

The Board makes the following findings of fact based on the record evidence, including the written submissions and testimony of Ms. Fisher, Mr. Presti, the Town Planning and Building Departments, and members of the public:

1. Information regarding use of locus dates to 1936, when the Erkinen family purchased the property. No zoning bylaw then existed in Stow. At that time a restaurant and gas station operated on locus.
2. Uses on the property grew to include a Buick dealership, new and used car sales, repairs, and a body shop. Other uses on the property by tenants over the years consisted of retail, storage and display of vehicles and materials, including a tire company, boat sales and service, body shop, and storage of vehicles and equipment by landscapers and contractors.
3. The above uses - automotive and other vehicle (boat) sales and service; related retail; outside storage and display - were ongoing in 1968, when the Town adopted a Zoning Bylaw, placing the westerly portion of the front of locus in a Business District and the easterly and rear

---

<sup>2</sup> By agreement, the time for filing a decision in both appeals was extended to December 22, 2017.

portions in a Residential District. . To the extent any of the above uses were not permitted in the Business or Residential Districts, or allowed only by special permit, such uses were lawful, preexisting nonconforming uses. In 2004, the portion of locus zoned Residential was rezoned Business.

4. The above uses continued through a change in ownership of locus from the Erkinen family to Presti in 2004. Since 2004, documented use of locus has included used car sales; car repairs, boat sales and service; towing; auto body shop; bus storage; contractor, landscaping and tree businesses, including outside storage of materials and equipment; hobby shop; car wrapping; container storage; tile sales; a school<sup>3</sup>; and residential use (the dwelling on the rear parcel). [*Presti grids*]. Tenants have changed over the years, but uses continuing without interruption consist of automotive and other vehicle (boat) sales and service; related retail; and outside storage and display.

5. There has been no abandonment of the automobile sales use, notwithstanding the waxing and waning of automobile sales since 2004. Although not dispositive on its own, licenses to conduct vehicle sales (Class II) have been issued by the Town continuously during this time, to the present day, to a number of businesses operating on locus. Neither the intent to abandon the automobile sales use, nor voluntary conduct carrying the implication of abandonment was demonstrated. See Town of Orange v. Shay, 68 Mass.App.Ct. 358, 363 (2007)

6. Current uses on the property include: used automobile sales and service; automobile leasing; towing; car wrapping; bus company storage; landscaping business and storage; contractor business and storage; tree business and storage; container storage; and residential.

7. All of the above uses, except residential use, include outside storage. The automobile sales use includes outside display.

8. The three structures on locus predate the adoption of zoning in 1968.

9. Exterior lighting fixtures on locus are not "full cutoff." Cut sheets from Hudson Light and Power do not provide a lumen count, but the lighting fixtures are 128 Watts and the cut sheets indicate that they are not full cutoff.

10. Although occurrences of odor and dust emanating from locus were reported by Ms. Fisher, which reports the Board does not discount, there are currently no such emanations from the property.

#### **Applicable Law and Discussion<sup>4</sup>**

<sup>3</sup> Stepping Stones School, closed in 2015.

<sup>4</sup> Section 3.9.6 of the Stow Zoning Bylaw governs changes to nonconforming uses and structures. Certain criteria contained in Section 3.9.6.1 and Section 3.9.6.2 are applicable *if it is determined, through application of the Powers test*, that the proposed use is a "change or substantial extension" of the existing nonconforming use.

General Laws c. 40A, s. 6 "provides that a nonconforming use of land, if lawfully created, is exempt from subsequently enacted zoning provisions." Oakham Sand and Gravel Corp. v. Town of Oakham, 54 Mass.App.Ct. 80 (2002). To preserve the protection afforded a preexisting, nonconforming use under G.L. c. 40A, s. 6, any subsequent use of the property must not constitute a "change or substantial extension" of the protected nonconforming use. Id., citing Ka-Hur Enterprises, Inc. v. Zoning Bd. of Appeals of Provincetown, 40 Mass.App.Ct. 71, 74 (1996). If any subsequent use *does* constitute a "change or substantial extension" of the nonconforming use, a special permit is required under G.L. c. 40A, s. 6, granted only if the changed use is determined to be not substantially more detrimental to the neighborhood than the existing nonconforming use. See G.L. c. 40A, s. 6; Cumberland Farms, Inc. v. Jacob, 2015 WL 5824402 at p. 10 (Land Court, Oct. 6, 2015 (Long, J.), citing Barron Chevrolet, Inc. v. Town of Danvers, 419 Mass. 404, 410 (1995).

Not *all* changes to a preexisting nonconforming use trigger the requirement of a special permit. A three-pronged test is applied to the facts of each case to determine whether such requirement is triggered (the "Powers" or "Chuckran" test<sup>5</sup>): (1) Whether the proposed use reflects the nature and purpose of the prior use, (2) Whether there is a difference in the quality or character, as well as the degree, of use, and (3) Whether the current use is 'different in kind in its effect on the neighborhood. Derby Refining Co. v. City of Chelsea, 407 Mass. 703, 712 (1990); Almeida v. Arruda, 89 Mass. App. Ct. at 243. If the use in question is consistent with all three Powers considerations - in other words, if the answers are yes, no, and no, respectively - the use is protected under G.L. c. 40A, s. 6 without further inquiry. See Cumberland Farms, Inc. v. Jacob, supra at p. 10, citing Barron Chevrolet, Inc. v. Town of Danvers, 419 Mass. at 413. If the Powers test is failed, a special permit is required. Id.

The Board has reviewed the existing uses on locus and has first considered whether these uses are permitted in the Business District under Section 3.3 of the Zoning Bylaw. For those uses that are not permitted in the Business District (for example, outside storage), the Board has considered whether these uses are lawfully nonconforming; that is, whether the uses were in existence in 1968 when the Zoning Bylaw was adopted, rendering them nonconforming. The Board has applied the Powers test to determine whether each of the current uses is a "change or substantial extension" of the lawful, preexisting nonconforming uses. The Board has also examined the evidence to determine whether any of the preexisting nonconforming uses have been abandoned as that term is used in the Zoning Bylaw.<sup>6</sup>

Based on the above examinations, the Board concludes that *automobile sales* are permitted under Section 3.3.2.3; to the extent the *outside display and storage of automobiles* are not allowed under that section of the Bylaw, such outside display and storage of automobiles were lawfully in

---

<sup>5</sup> Powers v. Building Inspector of Barnstable, 363 Mass. 348 (1973); Bridgewater v. Chuckran, 351 Mass. 20 (1966).

<sup>6</sup> Section 3.9.3 of the Zoning Bylaw provides that "if the nonconforming use is discontinued or abandoned for a period of two or more years, it shall not be reestablished except upon a special permit granted by the Board of Appeals."

existence in 1968 and for decades prior. The Board finds no abandonment of the automobile sales use, where neither an intent to abandon the use nor voluntary conduct carrying the implication of abandonment was demonstrated. Applying the Powers test to the current automobile sales use, including outside display and storage, the Board finds that the current outside display and storage *of automobiles* is not a "change or substantial extension" of the preexisting nonconforming use. However, the Board finds that the outside display or storage of vehicles *other than automobiles* is a change or substantial extension of the preexisting nonconforming use, as this is an increase in intensity and has greater impacts on the neighborhood. The storage of trucks and buses might be said to reflect the "nature and purpose" of the original nonconforming use, storage of automobiles. However, trucks and buses have a different character and visual impact on the neighborhood; further, the entry and exit of trucks and buses for storage or display on locus generates more noise than cars entering and exiting the property, producing a greater impact on the neighborhood. Under G.L. c. 40A, s. 6, a special permit is required for the outside display or storage of vehicles other than automobiles.

The Board further concludes that certain *automobile service* use is permitted under Section 3.3.3.3, subject to certain limitations and requirements. The Board finds that to the extent *automobile service* use on the property exceeds the limitations of this Bylaw section, such automobile services were lawfully in existence in 1968 and for decades prior. Applying the Powers test to the current automobile service use, the Board finds that the current use is not a "change or substantial extension" of the preexisting nonconforming use. The current automobile service use has not enlarged or expanded the area of locus occupied, and has not increased the noise level or visual impact of this use.

The Board further concludes that the *automobile leasing and towing* uses are allowed at least in part under Section 3.3.2.1 and 3.3.2.2, which permit "service establishments" and "business or professional offices." To the extent these uses include activity outside the building, they do not conform to the Bylaw, but they are consistent with the automobile-related services that have been located on the property since the 1930s. Applying the Powers test to the *automobile leasing and towing uses*, the Board finds that the current use is not a "change or substantial extension" of the preexisting nonconforming use. The leasing and towing uses of the property do not occupy a greater portion of locus, nor do they increase the noise level or visual impact on the neighborhood, from the prior nonconforming automobile-related services

The Board further concludes that the *car wrapping* use is permitted as a "service establishment" under Section 3.3.2.1 or as a "business or professional use" under Section 3.3.2.2. This business has no manufacturing element. It provides to customers computer-aided design and printing, followed by application of the printed product to their vehicles. To the extent the car wrapping use includes activity outside the building, it does not conform to Section 3.3.2.1, but the use is wholly consistent with the automobile-related services that have been located on the property since prior to 1968. Applying the Powers test to the *car wrapping use*, the Board finds that the current use is not a "change or substantial extension" of the preexisting nonconforming use. Application of the printed product to vehicle exteriors creates no greater noise, visual impact, or vibration than other automobile services previously provided on locus.



The Board further concludes that the *contractor, landscaper and tree businesses, with associated storage of equipment, including containers*, are not permitted uses under Bylaw Section 3.3. The Board finds that certain storage of equipment by businesses is a lawfully nonconforming use, having been in existence prior to the 1968 Zoning Bylaw adoption. The Board further finds, however, that the storage of equipment, including containers, has changed and expanded since that time. Applying the Powers test to the *contractor, landscaper, and tree businesses, including associated storage of equipment*, the Board finds that the current use is a "change or substantial extension" of the preexisting nonconforming use. The current storage by multiple tenants of a variety of equipment does not reflect the "nature and purpose" of the storage use in 1968, which centered on automobiles. Further, there is a difference in the quality, character, and degree of storage use since that time. The area of locus used for storage has expanded since 1968, and that for this purpose, portions of the property have been cleared and the topography altered. The types of containers stored on the property have grown to include clean dumpsters, which generate noise when being moved on and off the property. As a result of these changes to the appearance and noise generated on the property, the current storage use has an effect "different in kind" on the neighborhood than the prior storage use. A special permit is required for the businesses and associated storage of equipment

The Board further concludes that to the extent the main structure on locus containing the above uses does not conform to the dimensional requirements of Bylaw Section 3.3.1, such requirements are inapplicable to the structures and uses contained within. All buildings on locus are lawfully nonconforming, having been constructed prior to 1968.

Section 7.7.4.1 of the Bylaw requires a landscaped buffer to screen parking and loading areas on property adjacent to a Residential district. The appellant argues that this requirement applies to locus and that zoning violation exists where no such landscaped buffer screens locus from her property. Parking, loading and storage uses have occurred on locus since well prior to the 1968 adoption of the Zoning Bylaw. Under G.L. c. 40A, s. 6, "a nonconforming use of land, if lawfully created, is exempt from subsequently enacted zoning provisions." Oakham Sand and Gravel Corp. v. Town of Oakham, 54 Mass.App.Ct. 80 (2002). We have found that these uses to be lawfully preexisting on locus, and accordingly that the requirements of Section 7.7.4.1, enacted no earlier than 1968, do not apply. Accordingly, we find no violation of this Section.

The Board finds sufficient evidence that the lighting fixtures on locus do not conform to Zoning Bylaw. Sections 3.8.1.5 prohibits exterior lighting from shining on adjacent properties or towards any street in such a manner as to create a nuisance or hazard; Section 3.8.1.5. 6 requires that all exterior lighting fixtures with an output in excess of 2000 lumens is required to be "full cutoff." The exterior lighting fixtures on locus are not "full cutoff." Cut sheets from Hudson Light and Power do not provide a lumen count, but the lighting fixtures are 128 Watts and the cut sheets indicate that they are not full cutoff. The lighting fixtures must be adjusted so as to comply with Section 3.8.1.5, including subsections (1)-(6), of the Zoning Bylaw.

The Board finds no evidence of any other violations of the Zoning Bylaw on locus.

## **Conclusion**

Based on the record and for the reasons above, the Board upholds in part and reverses in part the Building Inspector's two denials of Ms. Fisher's zoning enforcement requests. Special Permits are required for the uses identified above *only*; the other uses discussed are lawfully nonconforming and/or do not constitute a "change or substantial expansion" of such preexisting nonconforming uses. For a period of sixty days, no cease and desist order shall issue with respect to the uses identified above as requiring a special permit. After such sixty-day period, if no application for a special permit has been filed with the Board, such cease and desist order may issue.

Lighting on locus shall be modified in accordance with the Zoning Bylaw.

SIGNATURE PAGE FOLLOWS

Appeals of this decision may be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A and shall be filed within twenty (20) days after the date this decision is filed with the Stow Town Clerk.

STOW ZONING BOARD OF APPEALS

*December 20, 2017*

Received and filed

Volume III, Page 750 and 762

*Rosella E. Hathaway*  
Town Clerk of Stow

*Ernest Termyant*

*Charles R. Perry*

*William P. Ryan*

*Mark Jones*

*Ernest E. Stetson*

# Green Energy Discussion

Town Administrator to introduce proposal

Arnie Epstein and Sharon Brownfield to present

- Creation of a Green Advisory Committee
- Climate Action Plan

**Name:** Stow Green Advisory Committee

**Mission:**

The mission of the Committee is to assist the Select Board and Town Administrator in developing programs and projects to foster energy conservation, energy efficiency, renewable energy generation and sustainability planning. This Committee will gather study and evaluate information that will help determine approaches for improving the energy efficiency of municipal buildings and vehicles. Investigate alternatives for energy technologies and identify funding opportunities to help the Town achieve its energy and sustainability related goals. Specific goals include:

- Reducing greenhouse gas emissions
- Mitigating environmental impacts
- Advancing the community towards a clean energy future.

Additionally, the Committee shall develop and recommend approaches for influencing the town residents and businesses to maximize their environmental sustainability through educational outreach, information programs and incentives.

1. Serve as a resource to the Select Board and Town department heads on energy related issues.
2. Oversee the development and monitor the implementation of the Town's Climate Action Plan.
3. Oversee the Town's Green Communities Energy Reduction Plan and apply for Green Communities grants.
4. Suggest what new rules and regulations should be adopted regarding climate and energy resilience for the town to the Select Board.
5. Begin discussions with Stow Public Schools and the regional schools regarding energy efficiencies operations and serve as resource to the schools and develop strategies and proposals that emphasize coordination particularly in alternative energy.
6. Identify and develop grant opportunities that meet the mission of this committee and are consistent with Select Board's goals.
7. Work with other local communities to identify regional sustainability and energy initiatives.
8. Assist in aligning Stow with state and federal laws and regulations regarding greenhouse gas emissions and energy.
9. Assist in the development of a page on Town's web site with information on the Committee's activities and related information.

The committee will also work with the town's volunteer environmental and energy organizations including Sustainable Stow and Stow Conservation Trust.

### **Membership Requirements and Expectations**

The Green Advisory Committee will be composed of 9 members with representation made up from the following:

- 1 Member appointed by the Select Board
- 1 Member appointed by the Planning Board
- 1 Member appointed by the Zoning Board
- 1 Member appointed by the Conservation Commission
- 1 Member appointed by the EDIC
- 2 Members appointed by the Town's Energy Manager
- 2 At-Large Community Members

All members shall be appointed for a term of one (1) year with the initial expiration date of June 30, 2022.

Minimum requirements of at-large members: Must be a registered voter of the Town of Stow. Preference will be given to applicants who can demonstrate knowledge of energy conservation, sustainability, environmental and climate impacts. Must be available to attend the majority of scheduled meetings.

## **Stow Climate Action Plan**

The Town of Stow recognizes the urgency of action to address climate change and is committed to do its part.

With the passage of the landmark state climate legislation in March 2021 (An Act Creating A Next-Generation Roadmap for Massachusetts Climate Policy – S.9), it is time for Stow to determine what must be done locally to align ourselves with the overall state target of “net zero” greenhouse gas emissions by 2050.

The Stow Climate Action Plan (SCAP) will be developed under the authority of the Green Advisory Committee and in collaboration with the Community Resilience Building Workshop Summary of Findings. The development of SCAP is anticipated to be approximately one year. The deliverable will be a document that identifies both the actions and greenhouse gas emissions reduction targets for the town. It is recognized that the town can not undertake all the needed actions on its own and will rely on both state and federal support. It is expected that SCAP will be periodically revised to reflect ongoing changes both within and outside the town.

Once completed, the SCAP report will.

- Help Stow residents and business understand the benefits and implications of pursuing goals to reduce Stow’s greenhouse gas emissions.
- Help town boards and committees and the Stow master plan, incorporate actions and goals in their work to support the SCAP emissions reductions targets.

Once there is an initial release of the SCAP, the Green Advisory Committee will be responsible for issuing periodic reports of progress and identifying areas which require further work and an update to the SCAP.

---

# Bike for the Woods

## Sunday, August 29, 2021

This race has been done in prior years.  
The race route and information has been  
submitted to Public Safety for comment.



July 27<sup>th</sup>

**townadministrator**

---

**From:** jamessalvie  
**Sent:** Wednesday, June 16, 2021 8:27 PM  
**To:** townadministrator; esturgis  
**Cc:** policechief  
**Subject:** 2021 Bike for the Woods

Hi — I'm wondering if at a meeting in the near future we could discuss the Bike for the Woods's request to use a portion of the Lower Common in connection with its 2021 charity bike ride.

(I'll be recusing myself from this matter even though I have no fiduciary role. I'm just a volunteer. I'll speak, if speaking is even necessary, from the other side of the table.)

As you might know, the Bike for the Woods is a fundraiser for the Stow Conservation Trust. It is similar to the old Run for the Woods that hasn't happened in a couple of years. It typically occurs on a Sunday morning in late August and generally involves 100 to 120 riders, so it's not huge. This year we are hoping to schedule it for Sunday, August 29 with registration starting at 8 a.m. All riders should be done no later than 2 p.m.

There are several routes, specifically a family friendly 5 miler, an intermediate 14 mile route, a 37 mile route that goes to Littleton and back, and a "metric century" of 64 miles that extends to the south into Bolton, Hudson and Marlborough. Links to the routes can be found here: <https://bikeforthewoods.org/> All the routes are very scenic, passing by conservation land in Stow and neighboring towns, and hilly enough to be challenging.

We are looking specifically to use a portion of the Lower Common (by the old Papa Ginos) for a registration desk and tables with food. Riders will congregate there from approximately 7:30 to the official start at 9:00, then loop back when they are done with their rides. Since the rides are of varying length, after 9 there will not be a large congregation of riders at any one time. The riders doing the 64 mile will visit that location twice, since their route loops back after 37 miles, then finishes up with the loop to the south, and returns them to the start. There is no need to close any roads nor for any police details.

The event is covered by the Stow Conservation Trust's insurance. Typically, the Trust renews their insurance at the beginning of August so the current policy will expire before the event. In the past, the Board has approved the event conditioned on evidence of the policy renewal being sent to the office before the day of the event. The route in Stow is the same as in past years except we are asking to move the start to Lower Village rather than its traditional start in front of First Parish (the church is expecting a big crowd that day).

I'm cc'ing Chief Sallese and asking him to have someone review the route.

There is no urgency, so taking this up at one of our July meetings would be fine.

Thanks for your consideration.

Jim

## Phoebe Haberkorn

---

**From:** firechief  
**Sent:** Tuesday, July 20, 2021 9:29 AM  
**To:** Phoebe Haberkorn; policechief; highway  
**Subject:** RE: Comment requested for upcoming events

As in the past, my only concern is routes clashing with Apple traffic!

Joe

Joseph Landry  
Fire Chief  
Stow Fire Department  
511 Great Road  
Stow,MA 01775

All information transmitted is intended only for the use of the intended recipient or the entity, employee, or agent to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the recipient of this message is not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately, destroy all copies, and return the message at the above email address.

**From:** Phoebe Haberkorn  
**Sent:** Monday, July 19, 2021 12:03 PM  
**To:** policechief <policechief@stow-ma.gov>; firechief <firechief@stow-ma.gov>; highway <highway@stow-ma.gov>  
**Subject:** Comment requested for upcoming events

Hello Everyone,

Earlier this office sent information about 4 different bicycle rides: Bike for the Woods (8/29), MS Bike MS (9/18), Ride to Defeat ALS (9/19), and Bicycles Battling Cancer (9/25). Individual plans and maps were sent with the initial request for input. Since the Select Board will be considering these events at their meeting next Tuesday, July 27, our office is asking to receive comments and input from Public Safety by this Thursday, July 22. Some comments have been received already, and we appreciate that, but the Board will want Public Safety approval before granting permits for these events.

If you need to receive the information again, please let us know.

Thank you for making time to respond to this request.

Regards,  
Phoebe

## Joyce Sampson

---

**From:** highway  
**Sent:** Wednesday, July 14, 2021 11:46 AM  
**To:** Joyce Sampson; policechief; firechief  
**Cc:** selectmen  
**Subject:** RE: 2021 Bike for the Woods

Joyce,

We have it on our schedule to check the route to make sure it is ready for the large amount of bike to ride the route. State road is all as it was paved last year. The other routes need some attention.

Steve Nadeau  
Superintendent of Streets  
Stow Highway Department  
88 South Acton Road  
Stow, MA 01775  
Highway Departments Hours of Operations M-F 6:30AM to 2:30PM  
Tel# 978-897-8071  
FAX# 978-897-5682

**From:** Joyce Sampson <[jsampson@stow-ma.gov](mailto:jsampson@stow-ma.gov)>  
**Sent:** Wednesday, July 14, 2021 10:01 AM  
**To:** policechief <[policechief@stow-ma.gov](mailto:policechief@stow-ma.gov)>; firechief <[firechief@stow-ma.gov](mailto:firechief@stow-ma.gov)>; highway <[highway@stow-ma.gov](mailto:highway@stow-ma.gov)>  
**Cc:** selectmen <[selectmen@stow-ma.gov](mailto:selectmen@stow-ma.gov)>  
**Subject:** FW: 2021 Bike for the Woods

Hello,

Our office has received a request regarding the "Bike for the Woods" event. Please let our office know of any issues the Select Board should be aware of, before granting a permit. This is scheduled for the Tuesday, July 27 meeting, and we would request any feedback by Thursday, July 22. Thank you!

Best regards,

*Joyce*

Joyce Sampson | Executive Assistant  
Town Administrator & Select Board Office  
Town of Stow | 380 Great Road | Stow, MA 01775  
978-897-4515 | [www.stow-ma.gov](http://www.stow-ma.gov)

**From:** jamessalvie <[jamessalvie@stow-ma.gov](mailto:jamessalvie@stow-ma.gov)>  
**Sent:** Wednesday, June 16, 2021 8:27 PM  
**To:** townadministrator <[townadministrator@stow-ma.gov](mailto:townadministrator@stow-ma.gov)>; esturgis <[esturgis@stow-ma.gov](mailto:esturgis@stow-ma.gov)>  
**Cc:** policechief <[policechief@stow-ma.gov](mailto:policechief@stow-ma.gov)>  
**Subject:** 2021 Bike for the Woods

Hi — I'm wondering if at a meeting in the near future we could discuss the Bike for the Woods's request to use a portion of the Lower Common in connection with its 2021 charity bike ride.

## Joyce Sampson

---

**From:** policechief  
**Sent:** Monday, July 19, 2021 7:59 AM  
**To:** Joyce Sampson  
**Subject:** RE: 2021 Bike for the Woods  
**Attachments:** Bike for Woods 2021.pdf

Hi Joyce,

The police department does not have any reasons that the permit should not be issued. Attached is the Stow Police Operations plan for the Bike for the Woods. This plan was given to the organizers to review, so they know what to expect from the Stow Police Department.

Any questions please let me know.

*Michael Sallese, Chief of Police  
Stow Police Department  
305 Great Road  
Stow, MA 01775  
978-897-4545*

**From:** Joyce Sampson <jsampson@stow-ma.gov>  
**Sent:** Wednesday, July 14, 2021 10:01 AM  
**To:** policechief <policechief@stow-ma.gov>; firechief <firechief@stow-ma.gov>; highway <highway@stow-ma.gov>  
**Cc:** selectmen <selectmen@stow-ma.gov>  
**Subject:** FW: 2021 Bike for the Woods

Hello,

Our office has received a request regarding the "Bike for the Woods" event. Please let our office know of any issues the Select Board should be aware of, before granting a permit. This is scheduled for the Tuesday, July 27 meeting, and we would request any feedback by Thursday, July 22. Thank you!

Best regards,

Joyce

Joyce Sampson | Executive Assistant  
Town Administrator & Select Board Office  
Town of Stow | 380 Great Road | Stow, MA 01775  
978-897-4515 | [www.stow-ma.gov](http://www.stow-ma.gov)

**From:** jamessalvie <jamessalvie@stow-ma.gov>  
**Sent:** Wednesday, June 16, 2021 8:27 PM  
**To:** townadministrator <townadministrator@stow-ma.gov>; esturgis <esturgis@stow-ma.gov>  
**Cc:** policechief <policechief@stow-ma.gov>  
**Subject:** 2021 Bike for the Woods

Hi — I'm wondering if at a meeting in the near future we could discuss the Bike for the Woods's request to use a portion of the Lower Common in connection with its 2021 charity bike ride.

(I'll be recusing myself from this matter even though I have no fiduciary role. I'm just a volunteer. I'll speak, if speaking is even necessary, from the other side of the table.)

As you might know, the Bike for the Woods is a fundraiser for the Stow Conservation Trust. It is similar to the old Run for the Woods that hasn't happened in a couple of years. It typically occurs on a Sunday morning in late August and generally involves 100 to 120 riders, so it's not huge. This year we are hoping to schedule it for Sunday, August 29 with registration starting at 8 a.m. All riders should be done no later than 2 p.m.

There are several routes, specifically a family friendly 5 miler, an intermediate 14 mile route, a 37 mile route that goes to Littleton and back, and a "metric century" of 64 miles that extends to the south into Bolton, Hudson and Marlborough. Links to the routes can be found here: <https://bikeforthewoods.org/> All the routes are very scenic, passing by conservation land in Stow and neighboring towns, and hilly enough to be challenging.

We are looking specifically to use a portion of the Lower Common (by the old Papa Ginos) for a registration desk and tables with food. Riders will congregate there from approximately 7:30 to the official start at 9:00, then loop back when they are done with their rides. Since the rides are of varying length, after 9 there will not be a large congregation of riders at any one time. The riders doing the 64 mile will visit that location twice, since their route loops back after 37 miles, then finishes up with the loop to the south, and returns them to the start. There is no need to close any roads nor for any police details.

The event is covered by the Stow Conservation Trust's insurance. Typically, the Trust renews their insurance at the beginning of August so the current policy will expire before the event. In the past, the Board has approved the event conditioned on evidence of the policy renewal being sent to the office before the day of the event. The route in Stow is the same as in past years except we are asking to move the start to Lower Village rather than its traditional start in front of First Parish (the church is expecting a big crowd that day).

I'm cc'ing Chief Sallese and asking him to have someone review the route.

There is no urgency, so taking this up at one of our July meetings would be fine.

Thanks for your consideration.

Jim



## Town of Stow POLICE DEPARTMENT

305 Great Road  
Stow, Massachusetts 01775

(978) 897-4545  
FAX (978) 897-3692

Michael Sallèse  
Chief of Police

# Stow Conservation Trust's annual Bike for the Woods

August 29, 2021

Prepared By: Chief Sallèse and Safety Officer Kusz

The Bike for the Woods is a family friendly ride to support the Stow Conservation Trust, which protects open space in the town of Stow, MA. The next ride will be August 29, 2021.

On-site registration starts at 8:30am, and the ride begins at 9am and runs through approximately 12PM. The starting line is at the Stow Shopping Plaza at 113 Great Road.

There are several different routes that are taken during this event spanning from a five mile bike ride up to a 64 mile bike ride.

### **Stow Routes:**

-5-mile loop is flat and kid-friendly, going on South Acton Road which has a wide shoulder, and back down Red Acre Road



-14-mile route heads up a sharp hill on Taylor Road then into Harvard. Not for children under 10.



-37-mile route loops north with challenging hills in Stow and Harvard. Not recommended for kids under 12 as it is hilly and requires multiple gears. Ride through Stow, Harvard, Littleton, and Acton. You can cut off 10 miles by taking a right at the Lemonade Stand on Foster Street, mile at mile 13



-metric century (64 miles) starts with the hilly 37-mile route and then follows a southern loop. Ride through Stow, Harvard, Littleton, Bolton, Acton, and Hudson



**Here is a list of the routes that will include Stow Town roads for all the rides:**

Library hill Road, Crescent Street, Great Road, Packard Road, Taylor Road, Harvard Road, Boxboro Road, West Acton Road, Tuttle Road, Red Acre Road, South Acton Road, Common Road, No Name Road, Garner Road, Gardner Road, Walcott St, Hudson Road, Randall Road, Sudbury Road, State Road, Chestnut Street, Marlborough Road, Gleasondale Road, Whitman Street

**Participants:**

In 2019 the ride had approximately 100-150 riders that participated in this event. This year's event plans to have between 150-200 riders.

**Patrol Cars:**

Due to the several different routes that riders will be taking their will be participants spread out all over Stow ranging from back roads to Route 117 and Route 62. Patrol cars are to remain vigilant for any problems that may arise on high traffic roads. Also patrol cars are to assist with any traffic problems that may arise.

**Details:**

No details are required for this event.

**Sign Board:**

The signboard will be posted in the center of town to notifying all motorists of the event

**Signs:** Spray painted arrows on pavement, clearly marked, including all splits



**Notifications:**

The public will be notified via Facebook/Twitter/Instagram

A list of maps will be printed out and a copy of instructions placed in dispatch for patrol officers to review

Stow Fire and EMS will be notified prior to the ride and the morning of

**Weather policy:** In the event of dangerous weather, the ride will be cancelled. A cancellation notice will be posted on the events webpage as well as public safety social media.

# Ride to Defeat ALS

## Sunday, Sep. 19, 2021

This race has been done in prior years.  
The race route and information has been  
submitted to Public Safety for comment.

## Phoebe Haberkorn

---

**From:** firechief  
**Sent:** Monday, June 14, 2021 9:00 AM  
**To:** selectmen  
**Subject:** RE: Stow - 2021 Permit Request for the Ride to Defeat ALS fundraising bike ride on Sunday, September 19, 2021

Joyce,

The Fire Department is good with this event. Any primary concerns would be Apple Orchard Traffic but we have not had an issue to date.

Thanks

joe

Joseph Landry  
Fire Chief  
Stow Fire Department  
511 Great Road  
Stow,MA 01775

All information transmitted is intended only for the use of the intended recipient or the entity, employee, or agent to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the recipient of this message is not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately, destroy all copies, and return the message at the above email address.

---

**From:** selectmen  
**Sent:** Friday, June 11, 2021 10:10 AM  
**To:** policechief <policechief@stow-ma.gov>; firechief <firechief@stow-ma.gov>; highway <highway@stow-ma.gov>  
**Cc:** Joyce Sampson <jsampson@stow-ma.gov>  
**Subject:** FW: Stow - 2021 Permit Request for the Ride to Defeat ALS fundraising bike ride on Sunday, September 19, 2021

Good morning,

Now that COVID restrictions have been lifted, our office is receiving many of the requests for bike rides and road races, many of them familiar from past years. The request below is for the Defeat ALS bike ride, one of the regulars. Please let our office know of any issues the Select Board should be aware of, before granting a permit. This will be scheduled either for the June 22 or July 13 meeting.

Thank you in advance for your help!  
Phoebe

## Phoebe Haberkorn

---

**From:** policechief  
**Sent:** Tuesday, July 20, 2021 5:37 PM  
**To:** firechief; Phoebe Haberkorn; highway; townadministrator  
**Subject:** RE: Comment requested for upcoming events

Hi all,

I spoke to Emily who is the organizer for the MS Ride. Originally this ride happens in July and is not an issue with the Apple Traffic. After looking at the map, and speaking with Emily I will be sending her a list of roads that should be avoided on weekends in Stow. She will be back to work on August 2, 2021 and will redo the route and get back to me.

As far as the ALS Ride. This ride only touches Stow on State Road and should be cleared out before 11am. I am not concerned on the apple traffic with this race.

The Battle for Cancer ride is planning on coming down Boon Road, some around 9 or 10, but some around 11:30-1pm on a Saturday during Apple Season. I have spoken to Mark the individual who is organizing the race. I explained to Mark about the concern of apple traffic. Usually, this event happens in June so it has never been an issue. He stated that he is only expecting 50 bicyclists to come through Stow, however he is going back to the organization to see if they can change the route, possible go down Cox St in Hudson, to Main St, to State Road in Stow to Sudbury. I will be talking to him tomorrow.

Bike for Woods is at the end of Summer and the apple season is usually not in full swing and I would expect traffic to be light and not impact the riders.

*Michael Sallese, Chief of Police  
Stow Police Department  
305 Great Road  
Stow, MA 01775  
978-897-4545*

**From:** firechief <firechief@stow-ma.gov>  
**Sent:** Tuesday, July 20, 2021 9:29 AM  
**To:** Phoebe Haberkorn <phaberkorn@stow-ma.gov>; policechief <policechief@stow-ma.gov>; highway <highway@stow-ma.gov>  
**Subject:** RE: Comment requested for upcoming events

As in the past, my only concern is routes clashing with Apple traffic!

Joe

Joseph Landry  
Fire Chief  
Stow Fire Department  
511 Great Road  
Stow, MA 01775

## Phoebe Haberkorn

---

**From:** Myke Farricker <mykefarricker@gmail.com>  
**Sent:** Thursday, June 10, 2021 5:49 PM  
**To:** selectmen  
**Subject:** Stow - 2021 Permit Request for the Ride to Defeat ALS fundraising bike ride on Sunday, September 19, 2021  
**Attachments:** 2018 70 Mile Map and Cue Sheet for Ride to Defeat ALS.pdf; ALS Stow 2021 Certificate of Insurance.pdf; 2018 50 Mile Map and Cue Sheet for Ride to Defeat ALS.pdf

Phoebe - Hello again! Hope you're doing well. It's that time of year again. I'm writing to request a permit for this year's 2021 Ride to Defeat ALS bike ride (formerly known as the Positive Spin for ALS) to raise money for research and patient care for those afflicted with ALS, or Lou Gehrig's disease. Over the past 20 years of our ride, we've raised over \$22.3 million in donations. Last year we held our ride virtually because of the pandemic. We're excited about getting back together with all of our riders this year.

Here is the information for the ride (all the same as last year) -

- The ride will take place on Sunday, September 19th.
- Our ride is sponsored and insured again this year by the Massachusetts Chapter of the National ALS Association. I've attached a copy of the Certificate of Insurance that names the Town of Stow as an additional insured.
- The ride begins and ends at The Longfellow Tennis & Health Club, 524 Boston Post Road in Wayland, with starting times of 7:00 a.m.(70 miles), 9:00 am (50 miles), 10:00 am (25 miles), and 11:00 am (10 miles).
- The ride routes are the same as all the previous years. I've attached 2018 cue sheets for the 50 and 70 mile rides; as well as a copy of the current Certificate of Insurance for the Town of Stow.

The riders in the 50 and 70 mile rides will be the riders coming thorough Stow. By the time they get to Stow, they will be spaced out in groups of 1-3 riders usually. So there shouldn't be a big group of riders coming through Stow at any one time.

We will be putting up road signs in the ground again this year as we have done in all the past years. We will be putting the signs up the day before the ride, Saturday, September 18th, and we will take all the signs down at the end of the day of the ride, Sunday, September 19th. The signs will be put on metal stakes into the ground - we will not be attaching any signs to any trees or poles.

Thank you for your help again this year and in the previous years. You've always been a big supporter of the ride. Please let me know if you need anything else from me, and if I need to send this permit request to anyone else in the Town of Stow government. And please confirm that you received this email. Thank you.

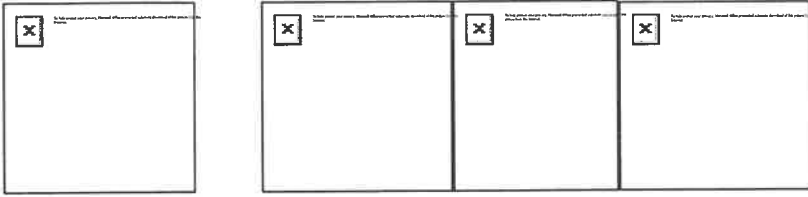
Hope all is well.

Take care,

Myke Farricker  
Co-Chair of the 2021 Ride to Defeat ALS (formerly known as the Positive Spin for ALS Bike Ride)

Myke Farricker, General Manager, Longfellow Health Clubs, Wayland & Natick, MA

Longfellow Tennis & Health Club, Wayland	524 Boston Post Road, Wayland, MA 01778	508.358.7355
Longfellow Health Club, Natick	203 Oak St, Natick, MA 01760	508.653.4633
Longfellow Tennis Club, Natick	16 Michigan Drive, Natick, MA 01760	508.653.4606



Longfellow Health Clubs - Recipient of the First Annual "**Sustainable Business of the Year Award**" from the Sustainable Business Network of Massachusetts in 2015

Longfellow Health Clubs - designated as one of the "**Top Places to Work in Massachusetts**" by the Boston Globe in 2012

Longfellow Health Clubs - Recipient of the "**Outstanding Community Service Award**" at the 2011 International Health and Racquet Sports Association's Annual Convention

[www.longfellowhealthclubs.com](http://www.longfellowhealthclubs.com)

Find us on Facebook: [www.facebook.com/Longfellowclubs](https://www.facebook.com/Longfellowclubs)

Num	Dist	Type	Name	Miles
1.	0.0	[E]	Start of route	0.2
2.	0.2	→	R onto US-20 W/Boston Post Rd	0.3
3.	0.5	→	R onto Old County Rd	0.3
4.	0.8	↑	Continue onto River Rd	0.5
5.	1.4	←	Bear L onto Water Row. CAUTION: Oncoming traffic has R of way	0.3
6.	1.7	↑	CAUTION: Cross Route 27 and continue straight on Water Row.	0.5
7.	2.2	←	L onto Plympton Rd	1.1
8.	3.3	→	R onto Concord Rd.	0.1
9.	3.4	↑	Continue Straight on Concord for 70 Mile Route.	0.4
10.	3.8	←	Bear L to continue on Concord Rd.	0.8
11.	4.7	↑	Continue Straight. Concord Rd becomes Pantry Rd.	0.7
12.	5.3	↑	Continue Straight. Pantry Rd becomes Dakin Rd at RT 117	0.7
13.	6.0	↑	Continue Straight. Dakin Rd becomes Old Pickard Rd	0.6
14.	6.7	←	Sharp L onto Old Marlboro Rd	0.8
15.	7.5	↑	Continue Straight. Old Marlboro Rd becomes Powers Rd	0.7
16.	8.2	←	L onto Powder Mill Rd	0.1
17.	8.2	↑	Continue Straight. Powder Mill Rd becomes Moseman Rd at RT 117	0.6
18.	8.8	→	R onto Wallia Rd	1.4
19.	10.2	→	R onto Marlboro Rd	0.4
20.	10.6	→	R onto MA-27 N/Maynard Rd	0.1
21.	10.7	←	L onto Fairbank Rd	0.7
22.	11.3	⏸	REST STOP @ Atkinson Pool. Open 7:45am - 12:30pm.	0.2
23.	11.5	→	R onto Hudson Rd	0.2
24.	11.7	←	L onto Dutton Rd for first quarter of 70 Mile Route	0.6
25.	12.2	←	L onto Pratts Mill Rd	1.0
26.	13.3	→	Sharp R onto Peakham Rd	1.5
27.	14.8	→	R onto French Rd. CAUTION: Short distance until next turn!	0.0
28.	14.8	→	R onto Old Garrison Rd	0.6
29.	15.4	↑	Continue Straight. Old Garrison Rd becomes Dutton Rd	1.5
30.	16.9	→	R onto Hudson Rd for first quarter of 70 Mile Route	0.2
31.	17.1	←	L onto Fairbank Rd	0.2
32.	17.3	⏸	REST STOP @ Atkinson Pool. Open 7:45am - 12:30pm.	0.7
33.	17.9	→	R onto MA-27 S/Maynard Rd. CAUTION: Short distance until next turn!	0.1
34.	18.0	←	L onto Marlboro Rd	0.4
36.	18.4	↑	Continue Straight to stay on Marlboro Rd	0.5
36.	19.0	←	Slight L to stay on Marlboro Rd/Marlborough Rd	0.5
37.	19.5	→	R onto Haynes Rd	0.3
38.	19.7	→	R onto Pantry Rd	0.2
39.	19.9	↑	Bear R to stay on Concord Rd	0.8
40.	20.7	←	L onto Lincoln Rd. CAUTION: Oncoming Traffic has R of Way	0.9
41.	21.6	→	R onto Water Row	1.9
42.	23.5	→	CAUTION: Sharp R onto MA-27 N/Old Sudbury Rd to continue 70 Mile Route	1.4
43.	24.8	↑	Continue Straight. Old Sudbury Rd becomes Hudson Rd	0.4
44.	25.2	↑	CAUTION: 70 MILE ROUTE CONTINUES STRAIGHT AS RT 27 GOES TO THE R.	1.7
45.	25.9	↑	CAUTION: Continue Straight past Dutton Rd for remaining 70 Mile Route	1.4
46.	28.3	↑	Continue Straight. Hudson Rd becomes Sudbury Rd	0.3
47.	28.6	←	Slight L onto State Rd	0.3
48.	28.9	↑	Continue Straight. State Rd becomes Main St	3.6
49.	32.6	⏸	REST STOP @ Assabet River Bicycles Open 8:45am - 11am	0.8
50.	33.3	↑	At the traffic circle, continue straight onto MA-62 W/MA-85 N/Main St	0.1

51.	33.4	→	Bear R onto MA-85N/Lincoln St	1.3
52.	34.8	↑	Continue Straight. Lincoln St becomes Hudson Rd	0.6
53.	35.3	←	L onto Century Mill Rd/Mill Rd	1.0
54.	36.3	↑	Continue Straight. Mill Rd becomes S Bolton Rd	1.1
55.	37.3	↑	Continue Straight. S Bolton Rd becomes Berlin Rd	0.5
56.	37.8	→	R onto Wataquodock Hill Rd	0.3
57.	38.1	→	R onto MA-117 E/Main St	1.5
58.	39.6	⏸	REST STOP @ Cultivate Care Farms Open 9:30am - Noon	1.4
59.	41.0	←	L onto East End Rd	0.7
60.	41.6	↑	Continue Straight. East End Rd becomes Slow Rd	1.2
61.	42.8	→	R onto Ekridge Rd	0.7
62.	43.5	↑	Continue Straight. Ekridge Rd becomes Taylor Rd	0.3
63.	43.8	↑	Straight onto Garner Rd	0.2
64.	44.0	←	L onto Pio Name Rd	0.2
65.	44.2	→	R onto Taylor Rd	2.1
66.	46.3	→	Slight R onto Saxboro Rd	0.5
67.	46.7	←	L onto S Acton Rd. CAUTION: Cross W Acton Rd.	1.7
68.	48.4	↑	Continue Straight. S Acton Rd becomes Slow St	0.7
69.	49.1	←	L onto Martin St	0.4
70.	49.4	→	R onto Central St	0.3
71.	49.7	→	Slight R onto MA-27 S/Main St. CAUTION: Short distance until next turn!	0.1
72.	49.8	←	L onto School St	0.5
73.	50.3	←	L onto Piper Rd	0.8
74.	51.1	⏸	REST STOP @ Acton Business Park. Open 10:00am - 1:30pm.	0.1
75.	51.2	↑	Cross Massachusetts Ave and continue onto Taylor Rd	0.4
76.	51.6	→	R onto Minor Ave	0.6
77.	52.2	→	R onto Concord Rd	0.0
78.	62.3	→	CAUTION: Bear L to stay on Concord Rd	0.7
78.	53.0	→	R onto MA-119 E/Massachusetts 2A E/Great Rd. CAUTION: Busy road	0.1
80.	53.1	←	L onto Pope Rd	1.3
81.	54.4	→	R onto Strawberry Hill Rd	2.0
82.	56.4	←	L onto Barrette Mill Rd	0.7
83.	57.1	→	R onto Lowell Rd	1.0
84.	58.0	→	R onto Kayes Rd	0.3
85.	58.4	→	R onto MA-62 W/Main St	1.2
86.	59.6	←	L onto Old Road to 9 Acre Corner. CAUTION: Merging Traffic!	0.1
87.	59.7	↑	Continue Straight. Cross Route 2	1.8
88.	61.5	→	R onto Sudbury Rd	0.7
89.	62.2	↑	Continue Straight, crossing Route 117	0.5
90.	62.7	↑	Continue Straight. Sudbury Rd becomes Concord Rd	2.0
91.	64.6	←	L to stay on Concord Rd	0.8
92.	65.4	←	L at Lincoln Rd	0.1
93.	65.5	⏸	REST STOP @ Lincoln Sudbury High School Open 10:30 AM - 2 PM (NOTE: This Rest Stop will only be open the second time you ride by)	0.8
94.	66.3	→	R onto Water Row	1.9
95.	68.2	↑	CAUTION: Cross Route 27 and continue on Water Row	0.3
96.	68.4	→	Slight R onto River Rd	0.5
97.	69.0	↑	River Rd becomes Old County Rd	0.3
98.	69.3	←	L onto US-20 E/Boston Post Rd	0.3
99.	69.6	←	L onto Minuteman Dr	1.2
100	70.8	⏸	End of route	0.0



**EMERGENCY CALL 9-1-1**

**Event HQ & SAG Support 443-417-897**

**Rules of the Road**

- Follow traffic laws. They apply to cyclists, too!

- Keep your helmet on while riding.

- No headphones. It is illegal to ride with headphones in the State of Massachusetts

- No speaking or texting on a cell phone while riding. Safely pull over and stop use your phone.

- If you need to pull over, warn cyclists behind you. Safely pull over and stop use your phone.

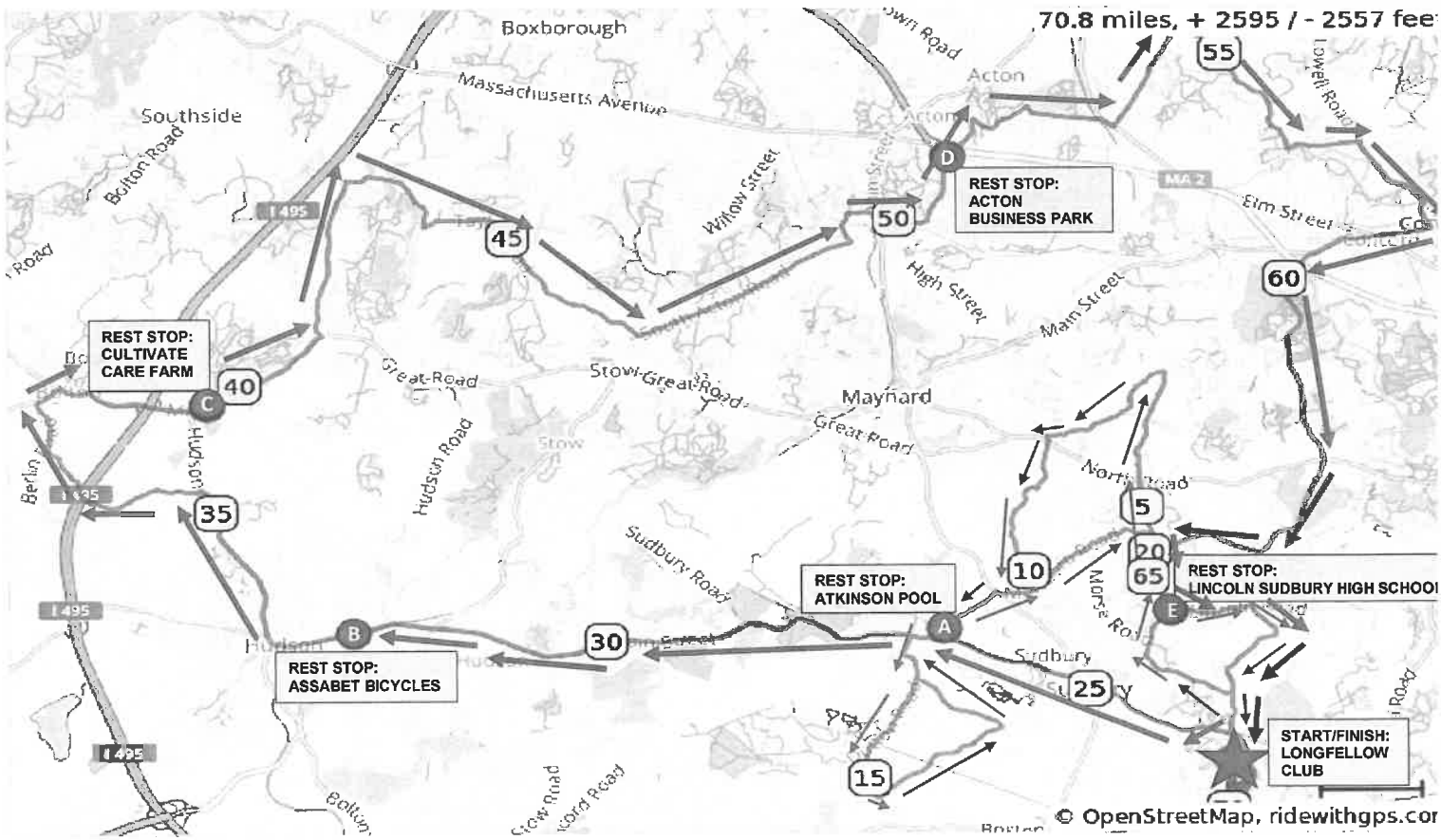
- Call out hazards to warn cyclists around you. Rep hazard warnings to those behind you.

- Avoid collisions. Call out "slowing" or "stopping" to warn riders behind you.



**70 MILE RIDE**  
**SUNDAY, SEPTEMBER 23, 2018 | 7:00AM**  
 70 Mile participants follow BLUE markers

**EMERGENCIES: CALL 911**  
**Event Headquarters & SAG**  
**Support: 443-417-8972**





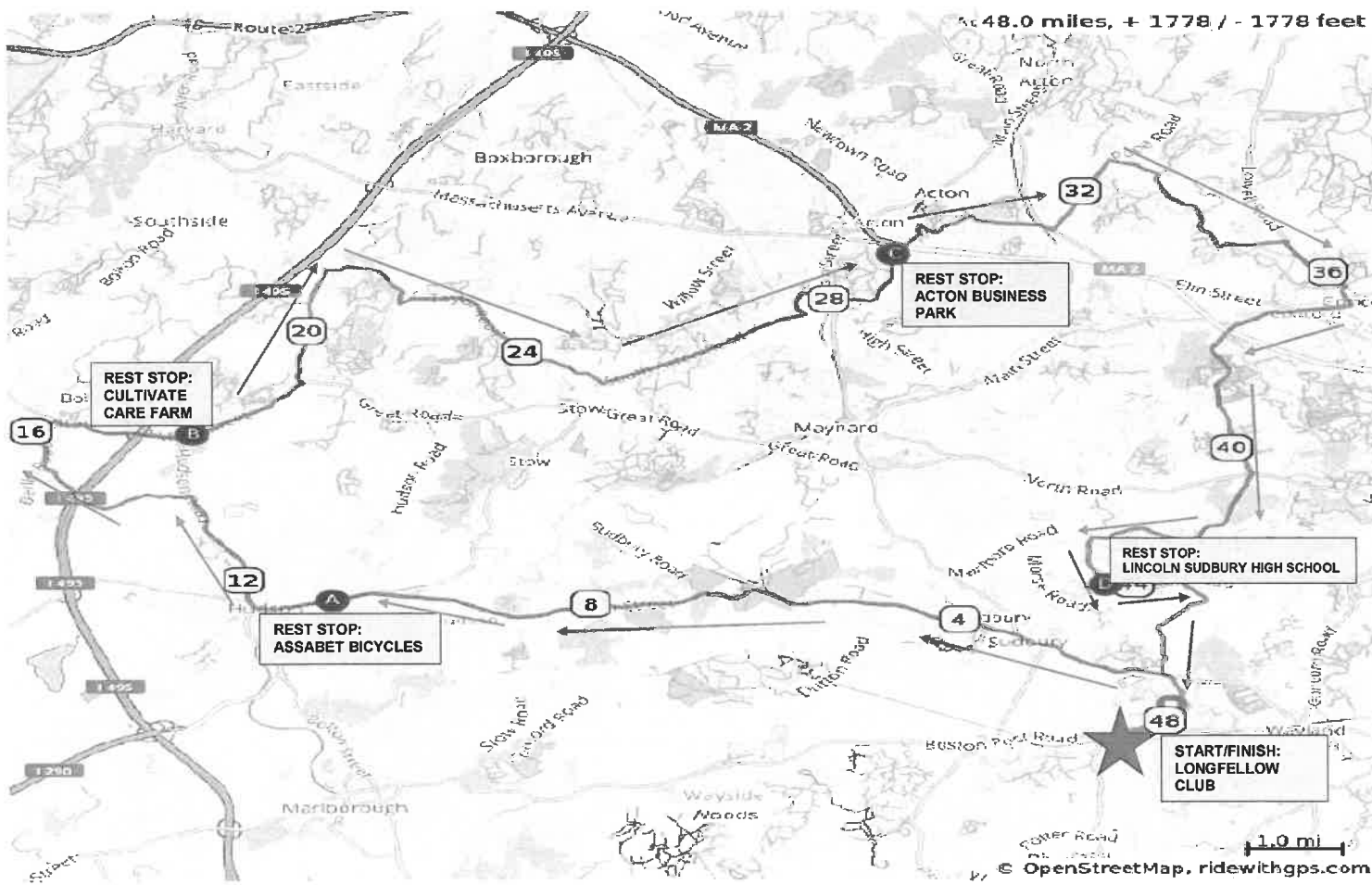
# RIDE

to Defeat ALS

The ALS Association

**50 MILE RIDE**  
 SUNDAY, SEPTEMBER 23, 2018 | 8:30AM  
 50 Mile participants follow ORANGE markers

**EMERGENCIES: CALL 911**  
 Event Headquarters & SAG  
 Support: 443-417-8972



Dist	Type	Note	Mile
0.0	Start of route		0.2
0.2	R	Onto US-20 W/Boston Post Rd	0.3
0.5	R	Onto Old County Rd	0.3
0.8	Continue	Onto River Rd	0.6
1.4	L	Onto Water Row CAUTION: Oncoming traffic has R of Way	0.3
1.7	L	Onto MA-27 N/Old Sudbury Rd. CAUTION: 60 MILE TURNS ONTO OLD SUDBURY ROAD (other routes continue straight)	1.4
3.0	Continue	Straight. Old Sudbury Rd becomes Hudson Rd	0.4
3.4	CAUTION	: 50 MILE ROUTE CONTINUES STRAIGHT AS RT 27 GOES TO THE R	3.1
6.5	Continue	Straight. Hudson Rd becomes Sudbury Rd	0.4
8.8	L	Onto State Rd	0.3
7.1	Continue	Straight. State Rd becomes Main St	3.6
10.8	REST STOP	@ Aaaaber River Bicycles Open 8 - 11am	0.8
11.6	At the	traffic circle, continue straight onto MA-82 W/MA-85 N/Main St	0.1
11.8	Bear	R onto MA-85 N/Lincoln St	1.3
13.0	Continue	Straight. Lincoln St. becomes Hudson Rd	0.6
13.6	L	Onto Century Mill Rd/Mill Rd	1.0
14.6	Continue	Straight. Mill Rd becomes S Bolton Rd	1.1
15.6	Continue	Straight. S Bolton Rd becomes Benia Rd	0.6
18.1	R	Onto Wataquodock Hill Rd	0.3
16.3	R	on Main S/RT 117	1.6
17.8	REST STOP	@ Cultivate Care Farms Open 9:30am - Noon	1.4
19.2	L	Onto East End Rd	0.7
19.8	Continue	Straight. East End Rd becomes Stow Rd	1.2
21.0	R	Onto Eldridge Rd	0.7
21.7	Continue	Straight. Eldridge Rd becomes Taylor Rd	0.3
22.0	Continue	straight onto Camer Rd	0.2

Dist	Type	Note	Mile
22.2	L	Onto Mo Nanna Rd	0.2
22.4	R	Onto Taylor Rd	2.1
24.6	Continue	straight onto Boxboro Rd	0.6
24.9	L	Onto S Action Rd. CAUTION: Cross W Action Rd	1.7
26.0	Continue	Straight. S Action Rd becomes Stow St	0.7
27.3	L	Onto Martin St	0.4
27.6	R	Onto Central St	0.3
27.9	Slight	R onto MA-27 S/Main St. CAUTION: Short distance until next turn!	0.1
28.0	L	Onto School St	0.6
28.6	L	Onto Piper Rd	0.7
29.2	REST STOP	@ Acton Business Park. Open 10:00am - 1:30pm.	0.2
29.4	Cross	Massachusetts Ave and continue onto Taylor Rd	0.4
29.8	R	Onto Minot Ave	0.7
30.6	R	Onto Concord Rd	0.0
30.5	CAUTION	: Bear L to stay on Concord Rd	0.7
31.2	R	Onto MA-119 E/Massachusetts 2A E/Great Rd. CAUTION: Busy road	0.2
31.4	L	Onto Pope Rd	1.2
32.8	R	Onto Strawberry Hill Rd	1.9
34.6	L	Onto Barrets Mill Rd	0.7
35.3	R	Onto Lowell Rd	1.0
36.2	R	Onto Keyes Rd	0.3
36.8	R	Onto MA-82 W/Main St	1.3
37.8	L	Onto Old Road to 9 Acre Corner. CAUTION: Merging Traffic.	0.1
37.9	Continue	Straight. Cross Route 2	1.8
39.7	R	Onto Sudbury Rd	0.7
40.4	Continue	Straight. crossing Route 117	0.6
40.9	Continue	straight, Sudbury Rd becomes Concord Rd	2.0

Dist	Type	Note	Mile
42.8	L	to stay on Concord Rd	0.8
43.7	L	Onto Lincoln Rd	0.0
43.7	REST STOP	@ Lincoln Sudbury High School (Open 10:30 AM - 2 PM)	0.8
44.5	R	Onto Water Row	1.8
46.3	CAUTION	: Cross Route 27 and continue on Water Row.	0.3
46.8	Slight	R onto River Rd	0.6
47.2	R	River Rd becomes Old County Rd	0.3
47.5	L	Onto US-20 E/Boston Post Rd	0.3
47.8	L	Onto Minuteman Dr	0.2
48.0	End of	route	0.0



**EMERGENCIES:  
CALL 911**

**Event HQ & SAG Support:  
(443) 417-8972**

### Rules of the Road

- Follow traffic laws. They apply to cyclists, too!
- Keep your helmet on while riding.
- No headphones. It is illegal to ride with headphones in the State of Massachusetts.
- No speaking or texting on cell phones while riding. Safely pull over and stop to use your phone.
- If you need to pull over, warn cyclists behind you and then get completely out of the path of other riders.
- Call out hazards to warn cyclists around you. Repeat hazard warnings to those behind you.
- Avoid collisions. Call out "slowing" or "stopping" to warn riders behind you.

# Select Board Committee Assignments

## Select Board Committee Assignments

### **PENDING:**

Capital Planning Committee

Lower Village Revitalization Subcommittee

Library Building Committee (Jim Salvie, no term designated when appointed)

Community Preservation Committee (former liaison role)

### **COMPLETED:**

Complete Streets Committee Jim Salvie

MAGIC Select Board Rep Zack Burns

SMAHT Cortni Frecha

Town Hall Restoration Committee Cortni Frecha

Tri-Town Megan Birch-McMichael

### **SERVING:**

Local Access Channel Advisory Committee James Salvie, 2-year term expires 2022

MAPC Select Board Alternate Ellen Sturgis, 3-year term expires 2023

# **STRATEGIC PLANNING**

# Strategic Planning

- Role in budgeting/finance
- Continued policy discussion, if any
- Continued Workplan and Goals discussion, if any
- Continued meeting schedule discussion, if any

Stow Select Board Meeting Schedule  
July 2021 - June 2022

Date	Specifics/Notes	
<b>July</b>		
6	Strategic Planning Workshop	
13	<b>MEETING</b>	
20	No Meeting	
27	<b>MEETING</b>	
<b>August</b>		
3	No Meeting	
10	<b>MEETING</b>	
17	No Meeting	
24	<b>MEETING</b>	
31	No Meeting	
<b>September</b>		
7	No Meeting	
14	<b>MEETING</b>	
21	No Meeting	
28	<b>MEETING</b>	
<b>October</b>		
5	No Meeting	
12	<b>MEETING</b>	
19	No Meeting	
26	<b>MEETING</b>	Set Annual License Fees
<b>November</b>		
2	No Meeting	
9	<b>MEETING</b>	Tax Classification Hearing
16	No Meeting	
23	<b>MEETING</b>	Class II and Common Victualler License Renewals
30	No Meeting	
<b>December</b>		
7	No Meeting	
14	<b>MEETING</b>	Renew Liquor License
21	No Meeting	
28	No Meeting	
<b>January</b>		
4	No Meeting	
11	<b>MEETING</b>	Vote on Annual Town Meeting and Election Date - Open ATM Warrant
18	No Meeting	
25	<b>MEETING</b>	
<b>February</b>		
1	No Meeting	
8	<b>MEETING</b>	
15	No Meeting	
22	<b>MEETING</b>	Town Administrator - Financial State of the Town

Stow Select Board Meeting Schedule  
July 2021 - June 2022

Date	Specifics/Notes	
<b>March</b>		
1	No Meeting	
8	<b>MEETING</b>	
15	No Meeting	
22	<b>MEETING</b>	Veterans Officer Appointment - Close Town Meeting Warrant
29	No Meeting	Ballot Questions to Town Clerk
<b>April</b>		
5	No Meeting	
12	<b>MEETING</b>	
19	No Meeting	
26	<b>MEETING</b>	
<b>May</b>		
3	TOWN MEETING - TENTATIVE	
10	<b>MEETING</b>	Re-Organization Meeting
17	No Meeting	
24	<b>MEETING</b>	
31	No Meeting	
<b>June</b>		
7	No Meeting	
14	<b>MEETING</b>	Annual July 1st Appointments
21	No Meeting	
28	<b>MEETING</b>	



# MINUTES

Select Board Meeting Minutes  
Tuesday, July 13, 2021  
Stow Town Building & via Zoom

Present in the Warren Room: Chair Ellen Sturgis; Megan Birch-McMichael; James Salvie; Town Administrator Denise Demboski

Absent: Cortni Frecha

Also present: Chief Michael Sallese, Lt. Darren Thraen, Marcy Eckel, Andy Riecker, Frank Ramsbottom, Katie Fisher

Chair Sturgis called the meeting to order at 7 p.m.

**Public Input:** None.

**Board Member Comments:** Board member Birch-McMichael met with Sen. Jamie Eldridge to discuss infrastructure and what we can do in the future.

Chair Sturgis congratulated Don and Nancy McPherson on the Aviation Month event that Minute Man Airfield hosted last month.

The Cultural Council is hosting a series of events this week, and on Thursday there is a free concert at Pine Bluff Recreation Area from 5 – 6:30 p.m.

### **Appointments**

#### Andy Riecker - Library Board of Trustees

Marcy Eckel, Chair of the Library Trustees and Andy Riecker were present. Mr. Riecker's first job was working at his town library, and he has always promoted libraries wherever he has lived. Ms. Eckel said they had a robust response to the opening, and they encouraged the other candidates to consider running for something during the next election cycle.

Board member Salvie asked why this was not a joint appointment between the Library Trustees and the Select Board per the Charter. Ms. Eckel said the Library Trustees met last Thursday and voted for Andy Riecker, and their board realized they could not get a quorum for this meeting.

Board member Salvie clarified that this is supposed to be a joint meeting on the same night, of both boards together, whether it be for the Library Trustees, the Board of Health, the Assessors, or another elected board. He does not want this to become the standard operating procedure.

The Town Administrator said going forward the board should post a meeting and as many of the members that can attend should be here and actively participate in the discussion. The Board thanked Mr. Riecker for volunteering.

*Board member Salvie moved to appoint Andy Riecker to the Randall Library Board of Trustees until the next election. Board member Birch-McMichael seconded the motion, and it passed unanimously.*

#### Francis Ramsbottom – Building Commissioner/Facilities Manager

Mr. Ramsbottom has worked in Acton for 14 years and has lived in Hudson for 25 years. He is looking forward to working in Stow. The Town Administrator had an internal working committee who interviewed 5 candidates from the pool of applicants, and Mr. Ramsbottom was the unanimous choice of the committee.

*Board member Salvie moved to appoint Francis Ramsbottom as the Building Commissioner/Facilities Manager through May 31, 2022 and subject to annual appointment thereafter. Board member Birch-McMichael seconded the motion, and it passed unanimously.*

Nicholas Whelan – full-time Highway/Tree Grounds Driver-Laborer

Raymond Arsenault - full-time Highway/Tree Grounds Driver-Laborer

*Board member Salvie moved to appoint Nicholas Whelan and Raymond Arsenault to the positions of full-time Highway/Tree Grounds Driver-Laborer. Board member Burns seconded the motion, and it passed unanimously.*

### **Amendments to Police Uniform, Clothing, and Individual Equipment Policy**

Chief Sallese is proposing changes to how the police carry their duty gear, and to the existing tattoo policy.

The current traditional belt is very heavy and is typically carried for an entire 30-year career. He would like the option to change to an outer carrier vest that will move the equipment from the hips to 3 inches higher on the body and be supported by the shoulders. The vest can be removed when officers are in the station. Lt. Thraen said it also makes the equipment easier to reach. A firearm will still be in a secured holder at the waist. This will be optional and paid for from an officer's existing clothing allowance.

Prior to 2017 there was no restriction or policy regarding tattoos. The existing tattoo policy that went into effect in 2018 does not allow for tattoos to be shown. Many police departments are relaxing their tattoo policy as they have become more of a societal norm. The department currently has two employees who are adhering to the policy and are wearing long sleeves due to the location of their tattoos. The Chief is asking for a change to the policy that will give him the discretion to allow or not allow a tattoo to be uncovered and seen.

*Board member Salvie moved to approve the amendments proposed by Chief Sallese to policy 4.36 Uniforms, Clothing, and Individual Equipment, and moved to approve the change in the policy regarding tattoos being conditioned on a review by Town Counsel. Board member Burns seconded the motion, and it passed unanimously.*

### **Police Accreditation Update**

Lt. Thraen will be the Accreditation Manager; he has been going to the training and looking into the policies. The department was nationally accredited in 1988 and this lapsed in 1998 so the department has to start over. It is a one to two-year process, with multiple steps: application and acceptance; self-assessment, which is the step they are at currently; a mock facility tour, and more. There may need to be some small modifications to the building, such as adding an automated accessible door button at the entrance door. Once accredited, the fee is \$1800 for 3 years.

The Town Administrator added that a capital plan should be made regardless of the timeliness of the building assessment for accessible doors, upgrading the interrogation room, and other items to improve safety.

### **Board of Health - Trash Collection and Options**

Board of Health members Mary McDowell, Merrily Evdokimoff, and Marcia Rising were present via Zoom.

Chair Mary McDowell reconfirmed that residents of Stow have to contract for private rubbish and recycling removal; there is no town-wide collection. If the Town wanted to pursue this it would be a group project between multiple departments and would go to Town Meeting. The cost is very high to do this, and many municipalities are paying more money as the cost of recycling is increasing. Some towns can't cover the cost as it was not in the budget. We cannot use transfer stations in other towns.

Regarding Waste Management (WM), the Health Agent was in contact with them daily during the recent issue and provided updates to the BOH and the Town Administrator. The BOH permits the haulers to come into town, however, the contract is between the resident and the hauler. The BOH has no jurisdiction over the individual contracts. Ms. McDowell believes that WM is back on schedule.

The Flu Clinic will be Saturday, October 16th from 10 a.m. to 12 noon. It will be inside and appointments will be required. There will be more details to follow.

### **Fiscal Year 2021 – Year End Transfers**

There are ten transfers to be approved. The Finance Committee met tonight and they approved these transfers.

*Board member Salvie moved to approve the year end transfers listed on a sheet provided tonight titled “General Fund End of Year Budget Transfers per MGL Chap. 44 Sec 33B.” totaling \$85,146. Board member Burns seconded the motion, and it passed unanimously.*

### **Sign Hallock Point documents**

There are 3 documents to be signed regarding the Hallock Point property. There are 2 deeds, one for \$630,000 for the property that the Town is selling, and one for \$370,000 for the land that the Town is keeping. There is also the formal easement that the Board approved in a prior Executive Session.

*Board member Salvie moved to execute the Hallock Point closing documents made available to the Board tonight by the Town Administrator. Board member Burns seconded the motion, and it passed unanimously.*

### **Strategic Planning**

Every meeting will have some time for strategic planning and policy review.

Instead of having liaisons, the Board would like to meet with individual boards and committees to have more complete conversations board to board and to hear their work plans and how they intersect with the Select Board work plans. There will be a joint meeting in November between this Board, the Finance Committee, and the Capital Planning Committee to kick off the budget season. Chair Sturgis would also like to include the Community Preservation Committee at this meeting.

There are 3 tiers to these meetings with other boards and committees. Tier one is a general update and what the board or committee is working on this year so that the Select Board can do its job; tier two is the financial discussion so there is a consistent message at Town Meeting; and tier three is “hot issues”, such as covid or the recent issue with Waste Management. This Board needs to be clear as to why the boards and committees are coming to the Select Board, and most meetings will be tier one.

The first goal of the Board is to establish a work plan and goals for the Town Administrator, who will create a draft of goals with target dates. Under each category there will be approximately 3 tasks. The Board would also like a draft of this past year’s accomplishments.

### **Town Administrator’s (TA) Report**

- MassDOT is closing Gleasondale Road from Sudbury Road to Marlboro Road overnight Thursday, July 15 to allow Hudson Light & Power to relocate utilities on the bridge before full construction begins. There will be a portion of Gleasondale without power overnight and HL&P has notified the residents.
- Beginning this week, the gate at Pine Bluff will be closed on Friday and Saturday nights at 11 p.m. by the police, and the police will still patrol the area. There will be a capital project moving forward to include cameras and updated internet access for Pine Bluff and for Community Park.
- Congresswoman Lori Trahan has notified the TA that Stow will receive a \$750,000 grant for funding of improvements to Track Road to connect to the Assabet Trail and possible access to the train station. Town Planner Jesse Steadman and Select Board member Jim Salvie helped to get the project submitted in a timely manner. This is an amazing win and will be a game-changer.
- The TA spoke with Representative Kate Hogan and will be putting together a meeting in August with two Select Board members and some department heads to discuss issues in town and how the state may be able to assist the Town.

- The TA will be interviewing for the Assistant Town Administrator soon, and has begun the Fire Chief process.
- The Library Building Committee has selected a vendor, designLAB architects.

### **Meeting Minutes**

June 22, 2021: Board member Salvie moved to approve the meeting minutes of the June 22, 2021 meeting. Board member Burns seconded the motion, and it passed unanimously.

July 6, 2021: Board member Salvie moved to approve the meeting minutes of the July 6, 2021 special meeting. Board member Burns seconded the motion, and it passed unanimously.

### **Correspondence**

Board member Birch-McMichael asked if the emails coming to the Board for Nan's Market are also being sent to the Planning Board. The TA said these are for the possible phase two of the liquor license process.

### **Adjournment**

At 9:22 p.m. Board member Salvie moved to convene Executive Session pursuant to MGL c. 30A, sec.21 (a) (2), to conduct a strategy session in preparation for contract renewal with Brad Brightman, Treasurer/Collector, and to adjourn thereafter. Board member Burns seconded the motion, and it passed unanimously on a roll call vote.

Respectfully submitted,

*Joyce Sampson*

Executive Assistant

### **Documents used at this meeting:**

Police 4.36 Uniforms, Clothing, and Individual Equipment policy

End of Year Budget Transfers

Hallock Point deeds and easement

Meeting Minutes June 22, 2021

Meeting Minutes July 8, 2021

*Documents and correspondence can be found in the Select Board's Office in the meeting folder.*

# **CORRESPONDENCE**

- NONE -

# CORRESPONDENCE

Additional correspondence on file in the office:

## Board of Appeals

- Notice of Public Hearing:
  - Monday, August 16, 2021 at 7:40 p.m.
  - 123 Barton Road
- Notice of Public Hearing:
  - Monday August 16, 2021 at 8 p.m.
  - 8 Davis Road