

Joyce Sampson

From: Joyce Sampson
Sent: Tuesday, August 10, 2021 4:00 PM
To: mdf030@aol.com
Subject: RE: 92-102 Great Road Change in Use

Dear Mr. Forgues,

Thank you for your email. This is to confirm that it has been received. The Select Board's agenda and all relevant documentation was posted and distributed on Friday. Any documentation received after that time will be included as correspondence for the following agenda, or you may reach out to Select Board members individually. 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

From: mdf030@aol.com <mdf030@aol.com>
Sent: Tuesday, August 10, 2021 10:35 AM
To: [townadministrator](mailto:townadministrator@stow-ma.gov) <townadministrator@stow-ma.gov>
Cc: mdf030@aol.com
Subject: 92-102 Great Road Change in Use

Dear Select Board Members and Town Administrator,

I have a few questions that I would like the board to answer for me regarding the property at 84-102 Great Road in regard to them operating multiple class II auto dealerships. My belief is that a Special Permit is required as this is not a grandfathered use to have multiple car dealerships. Originally it was Erriken Buick and was only one dealership and a repair shop. According to the Stow's Zoning by Laws any change of uses requires a Special Permit. This clearly is a change in use. My question is has a Special Permit been applied for and if not, is the town requiring one?

My second concern is that when Stepping Stones School left the premises the public water system became inactive as of 10/19/2012. Mr. Presti was notified of this as the attached letter shows. According to DEP regulations the total number of employees, customers, and uses that serves an average of at least 25 individuals daily at least 60 days of the year. Living next door gives me the opportunity to see the activity really well and it looks like right now the limits exceed the requirements, and a public water supply is needed to operate. Currently with Infiniti Auto, the repair shop, and TSS sign shop alone meets those requirements.

Although the failed car dealership may not have a large volume of employees and customers the sign shop and repair shop easily exceeds those limits. Both working 6 and 7 days a week to keep up with their business growth. Two new Class II dealerships with the anticipation of business growth certainly will be way over the required need for a public water supply. DEP regulations also do not allow the grandfathered public water supply to be re-activated and a new source would be required to operate. Has written permission from the DEP been presented to the Board or Town allowing the well to be used as a public water supply? My belief is that the town is allowing this property to operate illegally and now would be a good time to stop. I would rather see an empty lot and not place the people who use the current services be at risk of a water supply that could harm them permanently.

I would also like to mention that there are many Zoning Regulations that are not being followed and never will with Mr. Presti as the owner unless the Town steps up and enforces them. Back in 2010 one man (Craig Martin, Building Inspector) made a decision to grandfather uses on this property without any communication with any abutter or anyone else in town. This practice of good old boy deals needs to stop. When Infiniti Auto applied for their original license to

operate the previous car dealership had been shut down for several years and no cars had been sold there. This alone violated the zoning bylaws, but the Board still issued a new license. Please enforce the zoning bylaws on this property and have a special permit required for future uses.

Thank You

Mark D Forgues

Mark D Forgues
Owner of 9 White Pond Road
Home Residence of 39 Adams Drive
Stow, Ma 01775



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Central Regional Office • 627 Main Street, Worcester MA 01608 • 508-792-7850

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BOARD OF HEALTH

RICHARD K. SULLIVAN, JR.
Secretary

KENNETH J. KIVMEL
Commissioner

October 19, 2012

Presti Family Limited Partnership
c/o Presti Management Corp.
585 Massachusetts Avenue
Acton, MA 01720

RE: PWS Town: Stow
PWS Name: 92 to 102 Great Road
PWSID#: 2286025
310 CMR 22.00
- Public Water System Inactivation

ATTN: Richard Presti

Dear Mr. Presti,

The Massachusetts Department of Environmental Protection (MassDEP), Bureau of Resource Protection, has received notification that a former tenant at your facility located at 92 - 102 Great Road in Stow, (Stepping Stones School) has vacated the property as of June 2012. Remaining tenants include uses for auto repair, landscaping, contracting, and equipment storage totaling approximately 7 employees.

310 CMR 22.00 Massachusetts Drinking Water Regulations define a Public Water System (PWS) as "a system for the provision to the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days of the year". It should be noted that the number of days do not need to be consecutive.

As you have indicated that the total number of persons served (employees, customers, uses) is currently below the 25-person/60 day regulatory threshold, MassDEP hereby deems the facility served by the on-site well to be inactive as a public water system. Monitoring and operator staffing as specified at 310 CMR 22.00, are not required during the time that the system is inactive, unless otherwise specified by MassDEP.

Please be advised that pursuant to 310 CMR 22.03(1) use of the well(s) on the premises for supplying potable water as a public water system is prohibited without prior written approval from MassDEP.

310 CMR 22.03(1) No source of water used by a public water system, no system of water supply used by a public water system, and no treatment facilities or treatment works used by a public water system shall be deemed by the Department to be safe, fit, or pure, or in any other way approved, and

From: Kathleen Fisher <katiefisher76@gmail.com>
Sent: Tuesday, August 10, 2021 3:41 PM
To: selectmen
Subject: Select Board Note for tonight's Hearing and the other class II License request

Dear Select Board Members,

I ask that you do not approve any transfers or new class II Licenses until conditions and management is improved and the property is thoroughly inspected by all health and safety departments.

When I purchased my home in 2004 I was told by the Planning Board any change in use or increase in volume and size of businesses would require a special permit. I have boxes of complaints from abutters, neighbors and town boards. The number of businesses and uses over the 17 years is extensive. Mr. Presti bought the property just before I purchased mine.

I put in a new septic system, well, fencing, landscaping and I maintain my property at 1 White Pond Road. 84-102 Great Road has not done any of these. I could not bear it if that property was to become worse in looks, health or safety concerns. There has been extensive clearing and leveling of the rear of the property.

This is a fire from the car dealership in Acton. I understand the applicant was the manager there. One of the neighbors sent me this.

<https://patch.com/massachusetts/acton/acton-fire-department-extinguishes-multi-car-fire>

My understanding is that Acton requires the Board of Health to sign off on all permits for car repairs, and dealerships.

The Stow building department had no comment on the transfer or new owners from what I can see.

I ask the town to have a review from all the departments including the Board of Health, as we did, the town did 20 years ago when we had a health officer. Also a letter of history from Building Department and Conservation. Ask for previous history of complaints etc. Jack Wallace (the previous Health Agent) never would have looked at this without a review of the hazards on site and a formal letter.

Currently Tenants leave trash and equipment on the abutters land on the side and in the rear encroaching on the town forest, there are no setbacks. We should also have a formal letter from all the Planning Board Members since they have been trying to clean up the site for many years. The Planning Board sent an enforcement request to Mr. Presti back in 2010.

Who is going to manage the property site and buildings?

I believe there is the main building in front with 3 to 4 businesses currently.

There are/were storage rental outside and inside.

The rental home with a family.

The rear Barn with businesses and storage.

The office/shed on the west side that Wayne built when he lost his business and moved out for Stepping Stones School to move in (1993 to 2012).

There is a Towing company, Trash dumpsters 4-8 on site.

The owner of Infinite was/is responsible for site management, plowing, trash and traffic. I do not know who monitors the Property and facilities for permits or safety inspections.

There should be a plan showing all the rental and business sites and parking on the property. Who is renting where. Where hazardous waste is stored and who removes it.

Water and septic plans, drainage plans. I had a problem with my property flooding from this property. It now is draining into the street drains directly from the Presti property.

There is a lot of negative HISTORY.

Poor management, maintenance, a blatant disregard for neighbors and the Town of Stow as a whole.

Mr. Presti is a Commercial Real Estate Broker and developer; he knows what he is doing.

17 years and thousands in rental income from multiple tenants. It is time to stop creating more problems and clean up this mess.

Thank you,

Kathleen Fisher

Katie Fisher

978-660-4318

1 White Pond Rd.

Stow, MA 01775

Direct: 978-897-3633