

AGENDA
BOARD OF SELECTMEN
January 13, 2009
7:00 p.m.
Town Building

Public Input

Chairman's Comments

Town Administrator's Report

Meeting Minutes

Public Hearing

- 7:15 p.m. Petition from Colonial Spirits (Nickrosz, Inc) for liquor license change

Visitors

- 7:30 p.m. Sudbury Road tree removal: Tree Warden Bruce Fletcher, Superintendent of Street Mike Clayton, and HL&P engineer Jim Kennedy

Action/Discussion

- Mutual Aid Agreement on regional health support
- Appointment of Call Firefighter/EMT
- Proposed bylaw amendment for paper ballots
- Community Preservation Act surcharge abatements

Selectmen's Master Planning

Liaison Reports, if any

Correspondence

Adjournment

Posted 1/09/09

Correspondence

Town:

Stow TV annual report to Comcast, rec'd 12/8/08
Letter from CPC Chairman in response to Selectman's info request, rec'd 12/11/08
Request from Bolton for Fence Viewer, rec'd 12/11/08
CC of resident letter to Planning Board on Lower Village plans, rec'd 12/15/08
Boston MPO letter on ARRT funding, rec'd 12/19/08
Two resident letters on proposed Lake Boon drawdown, rec'd 12/19 and 1/5
Resident letter on Highway dept brush drop-off, rec'd 12/21/08
Planning Board decision on Highgrove Estates (West Acton Rd) subdivision plan, rec'd 12/23/08
ZBA decision on 105 Barton road porch and deck, rec'd 12/29/08
Verizon announcement of local cable channel access (Channel 32), rec'd 12/31/08
HL&P notice of rate changes, rec'd 1/5/09
Planning Board memo on follow-up to STRAP funds, rec'd 1/8/09
Planning Board memo on CPA surcharge, rec'd 1/8/09



Town of Stow
BOARD OF SELECTMEN

Stow Town Building
380 Great Road

Stow, Massachusetts 01775

(978) 897-4515 selectmen@stow-ma.gov Fax (978) 897-4631

LICENSING BOARD FOR THE TOWN OF STOW
(Board of Selectmen)

Notice is hereby given under Chapter 138 of the General Laws that Nickrosz Spirits, Inc., d/b/a Colonial Spirits of Stow, Leslie Scott Wilson, Manager, 117 Great Road, Stow, has applied for a change of location within the Linear Retail shopping center.

A public hearing will be held on the license application on Tuesday, January 13, 2009 at 7:15 p.m. in the Stow Town Building, 380 Great Road.

Thomas H. Ruggiero
Chairman, Board of Selectmen

Posted 12/30/08

Print 1x, The MetroWest Daily News, 1/2/09 issue

DEC 9 2008

Nickrosz Spirits, Inc.
Stow Shopping Center
Great Road
Stow, MA 01775
(978) 897-2303

Yan

December 5, 2008

Board of Selectmen
Town Of Stow
Stow, MA 01775

Dear Selectmen:

I respectfully request your approval to relocate the premises of our store within the Stow Shopping Center. The new store will be located adjacent to the existing store in the former Video Signals premises. This relocation will make possible the expansion of the Shaw's Supermarket into our present location.

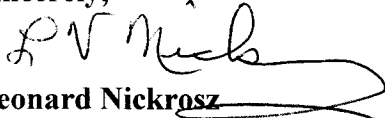
In connection with this request, please find enclosed the following items, which are requested in the "Matrix of Liquor License Transactions" or elsewhere in the ABCC Blue Book published by the Massachusetts Alcoholic Beverage Control Commission:

1. Form 43. One original and two copies.
2. Form 997.
3. \$200.00 fee payable to the Commonwealth of Massachusetts.
4. Vote of Corporate Board.
5. Floor Plans of the new premises.
6. Document showing legal right to occupy the premises.

After you receive this letter and the enclosed documents, kindly advertise the hearing in the appropriate newspaper in accordance with ABCC procedures and supply me with such notice, so I may obtain a certified list of abutters. I will then notify the abutters by certified mail.

Thank you for your time and consideration.

Sincerely,



Leonard Nickrosz
President

THE COMMONWEALTH OF MASSACHUSETTS
ALCOHOLIC BEVERAGES CONTROL COMMISSION

FORM 43

124600005
License Number

Stow, MA
City/Town

12-5-08
Date

Type of Transaction (Please check all relevant transactions)

- New License New Officer/Director Pledge of License
- Transfer of License Change of Location Pledge of Stock
- Change of Manager Alter Premises Other _____
- Transfer of Stock

Nickrosz Spirits, Inc.
Name of licensee

043403429
FID of Licensee

Colonial Spirits of Stow
D/B/A

Leonard Nickrosz
Manager

117 Great Road 01775
Address: Number Street Zip Code

Annual All alcohol, wine & malt Package Store
Annual or Seasonal Category: All Alcohol, Wine & Malt Type: Restaurant, Club, Package Store
Hotel, General on Premise, Etc.

Premises:

Description of Licensed Property: Stow shopping center; one customer entrance and salesroom in front; delivery entrance and storeroom in rear

Application was filed: 12/8/08 9am
Date & time

Advertised: 1/2/09 METROWEST DAILY NEWS
Date & Publication
Abutters Notified Yes No

Person to Contact regarding this transaction: Leonard Nickrosz
117 Great Road
Stow, MA 01775

The Local Licensing Authorities
By: _____

Alcoholic Beverages Control Commission
Cheryl Marshall
Executive Director

Remarks: _____

PETITION FOR LICENSE TRANSACTION

The Commonwealth of Massachusetts

December 5, 2008

Change of Location

Pledge of Stock

Pledge of License

Change of Corporate Name

Change of D/B/A

Change of Manager

Change of License Type


Cordials and Liqueurs Permit

To the

Licensing Board for the

The undersigned respectfully petition for

approval to relocate the premises of our store
within the Stow Shopping Center. The new store will be
located adjacent to the existing store in the former Video
Signals premises.


Signed

President
Title

Stow Selectmen's Office

From: Bruce E. Fletcher [bruceefletcher@verizon.net]
Sent: Monday, January 05, 2009 2:55 PM
To: 'Susan McLaughlin'
Cc: Bill Wrigley; 'Mike Clayton'
Subject: Sudbury Road tree hearings

Hi Susan,

As mentioned back in December, we heard objections to the removal of trees on Sudbury Road by HL&P at the hearing held on December 5th. The hearing on December 19th for tree removals on Sudbury Road for sidewalk construction came in the middle of a snowstorm, so we can only assume that the same objections would have been heard. So I am appealing the decision for both locations to the Selectmen, as required by Statute. The legal notices and hearing reports are attached hereto. As I'm sure you recall from the last one, there is no need for another hearing unless the Selectmen so choose. But we would like to get on the agenda sometime. No rush. HL&P needs to negotiate with one of the abutters who is willing to withdraw his objection if they plant a new vegetative screen by his house, and I don't know how long it will take for them to come to an agreement, so your meeting on the 27th would probably be fine, or even after that.

If you want the letters received, for inclusion with the report, I can drop them off sometime. Let me know what a good date for you is.

Thanks,

Bruce

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Town of Stow
HIGHWAY DEPARTMENT
88 South Acton Road
Stow, MA 01775
978-897-8071
Fax 978-897-5682

NOTICE OF PUBLIC HEARING FOR TREE CUTTING

In accordance with MGL Ch. 87, a Public Hearing will be held by the Stow Tree Warden on Friday, December 5, 2008, commencing at 2:00 PM, at the intersection of Sudbury Road and North Shore Drive for the purpose of hearing any objections to the cutting and/or removal of the trees listed below on Sudbury Road between North Shore Drive and Kingland, as requested by the Hudson Light and Power Department for the purpose of installing new power lines. Objections or other comments may also be submitted in writing to the Highway Department at the address shown above, prior to the hearing, but must be received by the Tree Warden prior to the close of the hearing.

The following list begins opposite North Shore Drive and ends near Pole #80 just west of Kingland. The trees can be identified by numbers painted on the pavement in front of each tree, which correspond to the list below.

- | | | | |
|--------------|--------------|---------------|--------------|
| 1. 18" maple | 7. 10" pine | 13. 14" oak | 19. 12" oak |
| 2. 16" pine | 8. 16" pine | 14. 9" maple | 20. 21" pine |
| 3. 12" pine | 9. 8" pine | 15. 15" oak | 21. 22" pine |
| 4. 16" pine | 10. 15" pine | 16. 7" oak | 22. 14" pine |
| 5. 18" pine | 11. 14" oak | 17. 12" maple | 23. 11" pine |
| 6. 13" pine | 12. 10" oak | 18. 18" pine | |

The Tree Warden reserves the right to waive any inconsistencies in identification by size and/or species. The Tree Warden may be contacted at 978-430-6359 with questions or comments.

Bruce E. Fletcher
Tree Warden

For publication two times, 11/25/08 and 12/3/08

**REPORT OF PUBLIC HEARING FOR TREE CUTTING,
SUDBURY ROAD, BETWEEN NORTH SHORE DRIVE AND KINGLAND
DECEMBER 5, 2008**

At 2PM Friday, December 5, 2008, the public hearing was opened as planned on North Shore Drive at Sudbury Road. In attendance were Steven Bonadio of 13 Woodpecker Court, Jim Boyle of 8 Foxglove Lane, Kristen Donovan of 3 Blueberry Court, Aims Coney of 371 Sudbury Road, William Gould of Hudson Light & Power, Jim Kennedy of Hudson Light & Power, Michael Clayton the Superintendent of Streets, and myself the Tree Warden.

I had received formal written objections to the removal of these trees prior to the hearing, from Henry M Fisher of 14 Woodpecker Court, Lisa and James Donegan of 14 Fox Court, and Steve Bonadio of 13 Woodpecker Court. I was handed another formal written objection from Jim Boyle of 8 Foxglove Lane at the hearing. Verbal objections were heard from Aims Cooney at the hearing.

Lengthy discussion took place about the purpose of the proposal and alternatives. Bill Gould and Jim Kennedy explained the need to connect the end of the service line at North Shore Drive that comes from Hudson via Lower Main Street and State Road, to the end of the service line near Kingland that comes from Gleasondale Road via Whitman Street, in order to ensure a minimal duration of loss of power to hundreds of homes in the event of a problem on either of those routes by providing power through this new link.

I explained that we had gone over the route of the proposed power lines between North Shore and Kingland and chose a route that would affect the least number of trees. Many, but not all, of the trees proposed for removal currently present with problems such as leaning over the road, or showing signs of stress or damage. Others are backed up by younger trees that should be able to take the place of those being cut, yet further back from the road. Not all of this was discussed with all attendees because the discussion turned towards alternatives.

The question was raised why the power lines couldn't be run down the side of the road opposite the homes, and how many more trees would have to be cut to do that. I didn't have that answer, but after the hearing Bill, Jim, and I walked the route again and determined that 16 additional trees would have to be cut to stay on that one side of the road.

The question was also raised about running underground lines, and Jim Kennedy explained that just as many if not more trees would have to be cut to trench down the side of the road. I verified this after the hearing when we walked the route. It was stated that the cost of going underground was many times the cost of aerial wires.

The question was raised why a connection couldn't be made using the existing wires or conduit in the Wildlife Woods development to connect Kingland with North Shore, and it was explained that the wires are too small to handle the load.

Kristen Donovan suggested that Community Preservation Committee funds may be able to be used to preserve the rural character of the road by helping to pay to put the lines underground. I thought that made some sense, but it wouldn't help preserve all the trees.

Bill Gould asked if planting trees to help screen the house at 13 Woodpecker Court from Sudbury Road in exchange for removing trees #17 and 18 would be acceptable. Steve Bonadio agreed to withdraw his objections if that was done, and I got the impression that he could get the others to drop their objections as well. No decisions were made, but both parties agreed to consider this option.

Mr. Coney of Sudbury Road said he would object to any new overhead wires or loss of trees, and would rather suffer a power loss for a few days than lose the rural character of this stretch of road.

Because of Mr. Coney's objections, I stated that this would have to be appealed to the Selectmen for their decision, if Yakov Levin of HLP wishes to pursue it. Technically, however, if all other objections are withdrawn, Mr. Coney's objections might be moot because they weren't in writing.

The hearing was closed at approximately 2:45PM.

Bruce E. Fletcher
Tree Warden

Stow Selectmen's Office

From: Bruce E. Fletcher [bruceefletcher@verizon.net]
Sent: Monday, January 05, 2009 2:55 PM
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1/6/2009

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