

Memo

To: Planning Board
From: Jesse Steadman – Town Planner; Malcolm Ragan – Assistant Planner
Cc: Bruce Wheeler - Habitech, Inc.; George Dimakarakos – Stamski and McNary, Inc.; Sue Carter – Places Associates, Inc.; Kathy Sferra – Conservation Director
Date: July 28, 2022
Re: Staff Review of Cottages at Wandering Pond

Summary

Habitech, Inc. has submitted Active Adult Neighborhood Plans for 141 units on 114 acres. The Plans represent an evolution from early concepts, incorporating staff and Planning Board comments and goals, which has overall resulted in a proposal that greatly improves upon AAN development in Stow. Prominent improvements include 15% of units to be constructed and restricted to affordable incomes, the permanent preservation of over 60% of the land area, improvements to pedestrian connectivity, designs that incentivize community interaction, a more robust mitigation of potential traffic impacts and a commitment to constructing fossil fuel free homes.

The below review examines the Plans with an eye toward regulatory compliance with the Zoning Bylaw and Rules and Regulations for Active Adult Neighborhoods. Technical review of stormwater, drainage, and erosion and sedimentation plans will be provided under separate cover by Places Associates, Inc.

Number of Units

Section 5.4.9.1 states that the total number of DWELLING UNITS in the AAN Overlay District shall not exceed thirteen percent (13%) of the total number of single-family DWELLING UNITS in the Town of Stow. Staff have confirmed that the number of units proposed is in keeping with the Bylaw calculation.

Unit Composition

A Unit Composition Table in conformance with Section 3.20 of the AAN Rules has been submitted. Overall, Staff find the unit mix in compliance with Zoning Bylaw standards, including Section 8.9 Inclusionary Housing. Details below:

- Affordable units will be constructed per Section 5.4.7.1;
- Affordable units are spaced throughout the development, including in cottages and single family detached units. Although the affordable units are among the smaller units provided, market rate units are also offered at the smaller size range, complying with Section 8.9.5.1 of the Bylaw, which intends to keep affordable units from being easily distinguished from market rate units;
- 30% of the units will be below 1800' square feet in conformance with Section 5.4.9.4 of the Bylaw;
- Maximum bedrooms for each unit are limited to two.

Age Targeted Design Standards

Section 5.4.8.1 requires several design standards to aid aging in place. The Application could include further specificity to ensure compliance with this section. Details below:

- a. No zero step entrances are shown in the development. According to 5.4.8.2, the Applicant may ask for a waiver of the requirement if they can demonstrate that some units are provided a zero step where practicable;
- b. Exterior doorways are equipped with a 36" clear passage. Consideration should be given to making the first floor bedroom, bathroom and kitchen accessible via wheelchair, given many of the interior doorway openings appear less than 36" wide. Such consideration would further comply with Section 5.4.8.1.

Cottage Dwellings

Staff are pleased to see the Cottage Dwellings incorporated into the development as they diversify the housing offering, and provide opportunities for community interaction. Below are details regarding compliance with the Bylaw and considerations for further improving the Cottage Dwelling site plan:

- a. *Number of Units and Combined Common Area Opportunity*
Cottage Dwelling neighborhoods are limited to 18 units. 21 units are provided. This requires the creation of two distinct cottage neighborhoods. Given that two roads are proposed to access each end of the cottage neighborhood, staff believe that a single contiguous common area could be provided via Section 5.4.10.3. However, the Plan should be updated to reflect the 1000 square foot Common Area requirement per unit.
- b. *Stormwater Infrastructure in Common Area*
Section 5.4.10.3(c) states that stormwater infrastructure may not be counted toward the open space requirement for Cottage Dwellings. A stormwater basin is proposed at the southern end of the Common Area. The Plan should be amended to include a compliance table and consideration should be given to limit the impact of the stormwater infrastructure within the primary Cottage Dwelling Common area.
- c. *Common Area Landscaping*
The plans originally showed vegetation to be retained in the Cottage Dwelling open space. After the sitewalk over the winter, Staff and the Applicant agreed that the proposed landscaping would improve the common area as a place for communal gathering. Updated landscape plans for the cottage development show walkways and landscaping, in conformance with the Bylaw and AAN Rules. The updated landscape Plans have improved the value of the common area adjacent to the treatment facility by providing an eyebrow walkway, adding shade trees and removing underbrush.
- d. *Attached Garages*
During the bylaw development phase, the Applicant requested that the Planning Board revise the Rules and Regulations for Active Adult Neighborhoods to allow for attached garages. Section 3.26.5 of the ANN Rules were subsequently amended to allow for an attached or detached garage provided the architectural values of the Cottage Dwelling were not compromised. The Planning Department overlooked the prohibition on attached garages in the Zoning Bylaw however, creating a prohibition in Zoning and an allowance in the Rules and Regulations. The Zoning Bylaw cannot be waived.

The Applicant has since requested that the Zoning Bylaw be amended at the next available opportunity. Given the likely (yet uncertain) outcome of a Town Meeting vote on a bylaw amendment, the Planning Board could consider the following options:

- approving the plans contingent on a Town Meeting vote either in the fall of 2022 or Spring of 2023;
- Structuring the Decision to condition that in the event a proposed bylaw amendment fails, there will be a requirement to submit plans for detached garages, or;
- Require a design for the cottages that represents both potential outcomes, with an acknowledgement that a zoning amendment outcome will determine which design is pursued.

e. Rain Gardens

The Plans show a number of small rain gardens in front of the Cottage Dwellings, feeding into the primary detention basin. There is no detail provided for the rain gardens. Detail should include landscaping for the basins, as well as include them in an Operations and Maintenance plan to ensure long term viability. The Applicant should also provide detail to ensure sufficient drainage and recharge of the basins to minimize the potential for them to become mosquito breeding grounds.

f. Buffer to Common Area

The eastern most Cottage Dwellings face a sidewalk and relatively narrow strip of forest which faces the proposed wastewater treatment plant. A landscaped buffer should be considered to mitigate the proximity of the treatment plant, particularly due to the relatively mature pine forest in this location, which does not provide much under-story screening. The notation of tree cover on the plans, denotes tree canopy and is not necessarily indicative of a visual screen.

Architecture

Section 5.4.11.1 of the Bylaw requires a series of mandatory design findings.

a. Architecture

The dwellings generally include elements of New England vernacular architecture, conforming to the standards.

b. Proportion/Scale/Massing

From the frontage, the buildings are in general keeping with acceptable proportions. The addition of porches provide helpful human scaled elements. Several architectural standards in the bylaw are not relevant, as no multi-family buildings are proposed. From the side vantage, buildings do appear larger, with a greater massing, although the walkout basements and tapered grading help to keep the frontage vantage from being overly imposing.

c. Orientation

Overall, building orientation is toward the street, and the associated sidewalks. With the exception of the Cottage Dwellings, garages are proposed in the front of the homes. This represents a compromise, as the comments during the open space design phase were to tighten

up the development to reduce the footprint. Given that exercise, there is less spacing between the units, and a general inability to provide side garage access.

However, it does appear possible that certain end units, perhaps along Lily Pad Lane, portions of Wildflower Way, Stepping Stone and Wandering Pond could include side garage orientation to break up the pattern of repeated garages.

Street Network and Connectivity

Section 5.4.11.1 includes a number of standards to guide overall connectivity and street design.

d. Street Network

The variety of streets offered appear in keeping with the design standards. Road widths range from 22' feet in width, to 18' feet (see road design below for details), and are arranged in a series of eyebrows, single access streets and loops.

- Street names should be added to plan sheets to aid in review.

e. Connectivity

Staff believe that the development overall, conforms with the key components of connectivity:

- The community building and community amenities are situated at the geographic center of the site, with relatively equal access between units in the north and south of the site.
- Sidewalks have been proposed throughout the site, connecting each of the various road types with amenities at the community center, as well as to Hudson Road.
- An emergency access utilizes an access road along the southern boundary, connecting the western loop roads with the main access off Hudson Road.

Considerations for improvement

Given the focus on pedestrian accessibility and connectivity in this development, Staff note several considerations for further discussion:

- No road striping or markings are shown on the plans. Plans should include a road striping plan.
- Crosswalks should be shown at sidewalk crossings. Other traffic calming mitigation measures noted in the Zoning Bylaw should be utilized where there may be concern regarding greater speeds. In the event, no other mitigation techniques are available, the Applicant may consider the potential for rectangular rapid flashing beacons as a last resort for addressing potential speed issues.
- Granite curbing may be warranted at prominent corners where crosswalks are located for pedestrian protection.
- There are several existing trails and unimproved roads within the development, including the southern emergency access, Goshen Lane, and a loop trail around the drumlin which provides access to the proposed wells. It is unclear from the plans which trails and access points in the development will be improved or otherwise incorporated into the trail network. Will they be footpaths? Stone dust, woodchips or primitive nature paths?
- Per Section 5.4.11.4 of the Bylaw, branded or otherwise uniform signage should be used to direct residents to trail connections and access points within the Open Space. The

Planning Board should seek comment on trail connections or improvements from the Conservation Commission or other entity that may assume monitoring responsibilities.

- A trail and proposed gazebo were noted during a preliminary consultation with the Applicant. The location of those features, as well as detail on the structures should be included in the Application.
- There are no details on sidewalk construction. The sidewalks in the Cottage Dwelling Common Area are not labelled as to width or materials used.

Wetland/Culvert Crossings

The Applicant will be scheduling a Notice of Intent filing with the Conservation Commission, preferably concurrent the Planning Board Special Permit. A July 20, 2022 memo has been submitted by the Conservation Director. Staff will allow further comments regarding the crossings to be addressed by the Conservation Commission and Places Associates, Inc. It should be noted that floodplain elevations are not shown on the plans, making such review impossible to complete.

Open Land Design Process

The Applicant has paid particular attention to the design requirements of Section 5.4.12. An overview of the process, pursuant to Section 3.11 of the AAN Rules, can be found in the Application.

During the development's concept stage, several sitewalks took place to gain feedback on the most notable conservation resources on the site, including walks with the Conservation Director, Town Planner and President of Stow Conservation Trust. Based on those initial conversations, the Applicant undertook the following:

- Reorganized the arrangement of dwellings to create a larger buffer between the development and Hale Corzine Woodlands to the west;
- Tightened up unit spacing on the drumlin to provide a greater buffer and preserve nice woodlands on the north side of the drumlin;
- Considered dwellings along both side of Stepping Stone Lane, to further condense development impacts, although the grades were found to be prohibitive.

Size of the Open Land

Section 5.4.13 requires that at least 50% of the site is conserved as Open Land. The Applicant is offering ~73 acres of Open Land, equal to 64% conserved as Open Land.

Pocket Open Land

Section 5.4.13.3 allows 5% of the total Open Land to be calculated as Pocket Open Land. The Application includes approximately 3.6% Pocket Open Land.

The intent of the Pocket Open Land is to preserve the wooded feel of the development. However, both pocket open spaces contain stormwater infrastructure, which although allowed under the Bylaw, does detract from the overall wooded feel. The Board could suggest that the basin at the top of the drumlin be reconfigured to allow for more tree preservation, given its high visibility location at the top of the hill.

Similarly, the pocket open land at the western end of the development is primarily made up of stormwater infrastructure. Given that this area will function as the backyard to many units, consideration should be given to reducing grading or providing a more extensive landscape plan to reduce the open affect its design will create. Further, a retaining wall is proposed at the northeastern end of the basin, that may be up to 10' feet high, requiring review by a structural engineer. Fencing will need to be proposed at the top of the basin and a detail shown on the plan.

Ownership of Open Land

The Application includes a draft Master Deed, indicating the expectation for HOA ownership of the Open Land, with a Conservation Restriction held by a third party. Under Section 5.4.13.7, the Planning Board may establish the timing of the conveyance of the Open Land. A plan of drainage and utility easements for the Open Land will be required.

Utilities

Section 3.24.9 of the ANN Rules requires notation for proposed utilities.

- *Water*
Water Service is proposed via three Public Water Supply wells at the northwestern corner of the site. Buried water and sewer service is shown throughout, together with a wastewater treatment facility located just east of the cottage neighborhoods at the southeast corner of the site. Water infrastructure will be permitted via DEP, through the Drinking Water Program regulations and a Small Wastewater Treatment Facility General Permit. No details on pump testing or other information related to source approval have been provided via the Application.
- *Electrical*
The plans include no information regarding electrical utilities, including the number of existing poles to be utilized, the drop point to underground infrastructure, or the location of underground wires. It's possible the information is included in the plans, but the number of layers shown on the Site Development Plans make it difficult to differentiate.
- *Lighting*
The location of 94 Post Lights is shown on the Lighting Schedule sheets L1 and L2. No detail is provided to establish whether the proposed lighting will comply with full-cutoff requirements of the Zoning Bylaw. There are no details for proposed lighting on individual dwelling types proposed.

Landscape Plans

Section 3.24.8 of the ANN Rules requires submission of a landscape plan. An updated landscape plan has been provided subsequent to original Application filing, showing the location of street trees and some landscaping. Staff have the following recommendations:

- Staff suggest that landscaping proposed along the borders of the wetland areas be a mix of native plants as appropriate to avoid sharp distinctions between mowed lawn and natural areas. This could potentially be achieved through the use of meadow grass mixes and a mowing plan that allows some areas to be mowed only in the fall;
- The vegetation to be preserved within the island of the site's primary intersection is not ideal from an entry standpoint, made up mostly of underbrush and pine. Staff believe the landscape plan for the Village Green is a welcome improvement;
- Staff recommend that the street trees be clustered in some locations. This would allow the same number of trees to be provided, even though certain areas, such as those in close proximity to detention basins are unfit. Clustering further provides an opportunity to mimic more natural landscape patterns.
- The Cottage Dwelling Common Area is discussed under Cottage Dwellings in this memo.

Goshen Lane Rights

During a preliminary Staff meeting, the Conservation Director discussed the potential for improvements to be made at a large wetland crossing, west of the developed area along the former Goshen Lane, which is

one of the Town's most ecologically important culverts. In the event this mitigation measure is pursued during the Conservation Commission Notice of Intent process, the Applicant should provide clear legal evidence that they have rights to deconstruct the crossing or whether the rights to other property owners for Goshen Lane require the crossing to be improved in some manner.

Residents have inquired into whether Athens Lane is a county road or a private way. Again, rights for use of Athens Lane, as submitted during preliminary discussions in 2019, should be added to the Application.

Community Center

The Application includes a Community Center, with an attached gazebo, function room, commercial kitchen, pickleball courts and inground pool. The description of the facility in the Application is light on detail and more of a marketing product.

Parking

The Application provides 28 spaces, equal to 20% of the dwelling units in the development, which complies with the Zoning Bylaw. However:

- Parking space dimensions are not shown;
- No detail on the handicap accessible parking spaces are provided. It is unclear whether the proper clearance is provided.
- No sign details are provided.
- Bike racks or other similar infrastructure should be provided per 3.27.1(2) of the AAN Rules.

Miscellaneous Community Center Considerations

Although staff believe the overall siting of the Community Center and associated amenities works well on the site and complies with key bylaw provisions for design and siting, below are considerations for plan amendments:

- No details are provided on the surface treatment and construction of the walkways surrounding the community center. All walkways should be ADA compliant;

No need to be known to issue Building Permits. The plan states that electric vehicle charging will be an option for all units, as required by section 5.4.17(k) of the Zoning Bylaw and section 3.24.13 of the Rules & Regulations.

Although the Energy Efficiency Plan states that all units will comply with the updated stretch code, there is no reference to possible compliance with the "specialized opt-in code" that will be available for adoption by Towns by early 2023. Although it is not certain that Stow will adopt this new opt-in code, members of Sustainable Stow have stated they intend to seek adoption at the earliest possible Town Meeting. If passed, most if not all units constructed will be governed by this new opt-in energy code.

Development Schedule

A revised development schedule was submitted on July 26, outlining the phases of the development and indicating that *"at the time that each active phase is being built, only the next sequenced phase's infrastructure will be under construction."*

Staff recommend that a phasing plan accompany the narrative to ensure compliance with the direction proposed. Further, the Applicant should clarify the infrastructure under construction in subsequent phases. Grubbing and grading of house lots should be avoided until the phase is ready to be implemented.

Master Deed Review

- detail for the pool fence or site plan has been provided;
- Unclear whether the pickleball courts will be fenced and whether a walkway will be provided;
- Staff discussed removing scraggly vegetation from the island in front of the community center and replacing with a detailed landscape plan;
- See other comments in landscaping section of this memo;
- ADA compliant doorways on the interior of the community center should be provided as practicable.
- During a preliminary meeting, the Applicant indicated plans for a community garden. No garden is shown on the plans. Language in the Master Deed should accompany the community gardens ensuring that any compost or loam brought on-site is free of invasive species, including Japanese knotweed and jumping worms.

Energy Efficiency

The revised Energy Efficiency Plan states that units will not include fossil fuel utility connections and will be heated and cooled using high efficiency heat pumps. The plan also states that units will be compliant with the updated stretch energy code, which will take effect in Stow on January 1, 2023. Some data on insulation is provided but is not specific enough to run any air leak simulations. These specific values will

- Section 5.2(D)(1) references an age restriction. No age restriction is required. The Applicant has stated their intention to remove the language.
- Section 5.2(D)(2) – Affordability Restriction, should be modified to include reference to the DHCD Affordable Deed Rider and Regulatory Agreement.
- Section 6.1(A) should be amended to include reference to the Special Permit governing use of the site.
- Section 6.1(C) should specify that the affordable units within the development are considered homeownership units and not to be rented.
- Section 6.1(P) should be amended to read: “No Unit shall contain more than 2 bedrooms without the express written approval of the Town of Stow Board of Health and pursuant to and approved Modification of the Special Permit, dated ____.”
- Section 6.3(B) – Alteration of Units, should include language referencing the deed rider’s section on capital improvements to the affordable units.

Traffic Mitigation

Overview of Process to Date

In November of 2021, the Planning Board updated its AAN Rules and Regulations to include tiered requirements for Traffic Study based upon the size of developments proposed. In response to those updated standards, Habitech submitted a Traffic Study by Vanasse and Associates, Inc. on December 21, 2021. In response, the Planning Board submitted comments to Habitech, and an updated Traffic Study report was provided on April 19, 2022.

As part of the updated reported, Vanasse and Associates, Inc. subcontracted with Toole Design Group to complete a Road Safety Audit, which follows Federal Highway Administration guidelines in the review and recommendation of certain roadway segments and/or intersections. The Road Safety Audit included a site visit with Department Heads, the Town Administrator, Public Safety, members of MassDOT, the

Metropolitan Planning Organization, Green International Affiliates, Inc., as well as Vannasse and Associates and the Toole Design Group. The group met in Town Building to discuss potential issues and opportunities, before a visual assessment of the intersection on-site to refine suggested recommendations. Comments on the findings and recommendations have been reviewed by staff and are in the process of being finalized by Toole Design Group.

Summary of Updated Report

- The Planning Board suggested that the Road Safety Audit schedule be updated to ensure it took place prior to project approval. The RSA is currently underway and is expected to be finalized while the Public Hearing is still open.
- The Planning Board noted the absence of any consideration for bike and pedestrian improvements along Hudson Road, such as those described in the Complete Streets Prioritization Plan. The study has been updated to include a statement that “the Applicant has committed to providing a financial contribution to the Town to advance these improvements.”
- The Planning Board noted concern that the baseline traffic counts, which are used to estimate the future build condition, did not accurately reflect post-pandemic conditions. The Study has been updated to adjust the baseline traffic volumes to reflect the reduction in traffic over pre-COVID levels.
- Trip generation in the originally submitted study was based upon senior housing metrics. The Planning Board noted concern that the lack of a restriction on age in the development may mean that more families will be using the provided housing, and therefore change the estimates of trip generation. The study has been updated to assume 50% of the units will be single family residential, providing a higher trip generation calculation.
- The consultant will be reviewing the Edson Street and Walcott Street intersections with Hudson Road. More specifically, the consultant is recommending that a stop sign and line be installed along Edson Street, at its intersection with Hudson Road.
- Outside of the Traffic Study, the Applicant has indicated during preliminary permitting discussions that they are open to investigating the potential for a sidewalk connection between Athens Lane and Edson Street in anticipation of pedestrians coming and going from Randall Road neighborhoods and the improved trail network included in the plans. This is particularly relevant given plans for redevelopment of the Stow Acres North Course.

Next Steps / Traffic Review

On Recommendation from Places Associates, Inc., the Board’s site planning peer reviewing engineer, the Planning Department has requested peer review of the traffic study from three firms in accordance with Chapter 30b requirements. Two firms have replied, and provided a lump sum fee for the review. The Planning Board should discuss this pending review with the Applicant and request a deposit of funds for the work in accordance with Chapter 53G requirements.