

TOWN OF STOW  
PLANNING BOARD

Minutes of the May 15, 2019 Planning Board Meeting

Planning Board Members Present: Karen Kelleher, Margaret Costello, Len Golder, John Colonna-Romano

Voting Associate Member: Megan Birch-McMichael

Associate Member: Mark Jones

Absent: Lori Clark

Karen Kelleher called the meeting to order at 7:00pm.

**Discussion of Meeting Minutes**

**Executive Session Minutes of April 9, 2019**

*Margaret Costello moved to approve the minutes as written.*

*John Colonna-Romano seconded.*

**VOTED: 4-0 Unanimously in favor (Len Golder, Margaret Costello, Karen Kelleher, John Colonna-Romano- Yea).**

**Minutes of April 23, 2019**

*Len Golder moved to approve the minutes as amended.*

*Margaret Costello seconded.*

**VOTED: 4-0 Unanimously in favor (Len Golder, Margaret Costello, Karen Kelleher, John Colonna-Romano- Yea).**

**Minutes of May 2, 2019**

*Margaret Costello moved to approve the minutes as amended.*

*Len Golder seconded.*

**VOTED: 4-0 Unanimously in favor (Len Golder, Margaret Costello, Karen Kelleher, John Colonna-Romano- Yea).**

**Public Input**

None.

**Member Updates**

John Colonna- Romano said that the Community Preservation Committee discussed potential strategies for securing the Stow Municipal Affordable Housing Trust (SMAHT) more funds, noting the goal of addressing foreclosures in affordable units. John Colonna-Romano said he feels increasing the stock of affordable rental units may help the need. Len Golder said he feels more could be done to support owners of affordable units stay in their homes, by connecting them with programs such as the Home Affordable Refinance Program (HARP). Mark Jones said it may be helpful to have the ability to apply CPC funds towards a lien on a home.

Karen Kelleher said Linear Realty is preparing an application to the Zoning Board of Appeals for a temporary freestanding sign. Karen Kelleher said the Planning Board may want to alert Linear Realty that their tenants do not have the ability to display goods in the parking lot where Christmas Trees are typically sold, as was discussed at a previous meeting.

Mark Jones said the Zoning Board of Appeals recently held three public hearings for nonconforming lots along the Lake, and noted it would be helpful to have a conversation regarding creating a special zoning district along Lake Boon so that undersized lots may conform to zoning.

### **Planner's Report**

#### *Housing Choice Designation*

Jesse Steadman said that the application to the State's Housing Choice Initiative was denied because of the Town's Phased Growth Bylaw. The program director alerted staff that any bylaw restricting the building of homes would disqualify the Town from the designation and associated capital grants.

#### *Melone Erosion Control Special Permit*

Jesse Steadman said that J. Melone & Sons will be on an upcoming agenda to request a minor modification of their Erosion Control Special Permit for 77 White Pond Road, as they are changing the location of the infiltration basin to update their effluent treatment facility.

### **Lower Village Revitalization Subcommittee Final Report**

*Lower Village Revitalization Subcommittee Members Present:* Megan Birch-McMichael (Chair), Jonathan Bransfield, Tom Farnsworth, Jim Salvie

Megan Birch-McMichael said the committee was organized last year to provide the Board with zoning recommendations, built off of previous planning work. The Committee also worked with the consultant responsible for the Lower Village Business District Assessment and Market Analysis, and results from that study are incorporated into the final report. Megan Birch-McMichael pointed the Board to the Committee's vision statement for the district and to the timeline of planning efforts stated in the report. Megan Birch-McMichael said the report provides four goals and associated action steps to shape the district as a traditional New England village. The Committee envisions providing a zoning consultant with the report to provide clear direction.

Karen Kelleher said the report should be revised to show a distinction between Lower Village and the Business District.

Mark Jones noted the example of current floor to area ratio requirements may not be accurate as 92 Great Road includes multiple parcels.

Karen Kelleher said that when mentioning wayfinding signage, directions to the Assabet River National Wildlife Refuge, Track Road, and nearby open space should be included.

Jesse Steadman asked the Board to consider whether the charge of the committee should be updated to allow them to continue work on the action steps listed in the report. Jesse Steadman said that once the Planning Board accepts the report, a public forum should be held.

Jim Salvie pointed the Board to the goal of identifying approaches for public water infrastructure in Lower Village. Jim Salvie said that engaging business and property owners in the conversation is needed, and should be done throughout the process of completing a feasibility study and completing case studies of public water infrastructure in comparable towns. Karen Kelleher noted that this work should be done hand in hand with zoning, so that when water is available, the appropriate zoning is already in place to guide development.

Kathy Sferra, Conservation Coordinator, said that the Conservation Commission owns a parcel of land that could be used as a limited water supply for businesses. Kathy Sferra asked that the Conservation Commission's memo on the parcel be included as an appendix in the final report, as it states steps to be taken prior to using the parcel for water. The parcel is intended to serve only 92, 108, 118, and 148-156 Great Road. Karen Kelleher said she would like this noted in the report.

Mark Jones asked whether a parcel off Deerfield Lane could be used for a water supply. Kathy Sferra said the parcel has a Conservation Restriction on it, and the Town was told the legislative process cannot be used to amend it. Kathy Sferra said the Heritage Lane parcel and the Kunelius property may be feasible, though it is not known whether they would provide sufficient water.

John Colonna-Romano said it may be helpful to see what the timeline could look like going forward, noting any dependencies.

Len Golder asked if the committee might choose to list smaller items to be passed at a Town Meeting, such as updating the zoning bylaw to allow outdoor dining.

Karen Kelleher said the report should be updated so that the Board can vote on its approval at an upcoming meeting.

### **Highgrove Estates Lot Release**

Jesse Steadman said Highgrove Estates, off West Acton Road, was permitted in 2011. The covenant was amended in 2015 to state that prior to the issuance of the final Occupancy Permit, the as-built plans for the parcels would be submitted. Jesse Steadman said that Places Associates plans to complete a final inspection.

*John Colonna-Romano moved to release Lot 2 contingent upon Places Associates review and authorized a member of the Planning Board to sign the release.*

*Len Golder seconded.*

**VOTED: 4-0 Unanimously in favor (Len Golder, Margaret Costello, Karen Kelleher, John Colonna-Romano- Yea).**

### **Hallocks Point Road Definitive Subdivision Deliberation**

Present:

Jeff Brem, P.E. Meisner Brem Corporation

Sarah Bailin, Owner

The Planning Board discussed a draft decision for the Hallocks Point Road Definitive Subdivision.

The Board agreed to add language stating that docks are governed by the Restrictive Covenant through the Conservation Commission. Language will also be added to describe options for

fulfilling sidewalk requirements along Hallocks Point Road. A description of the preferred location for street trees will be updated.

Kathy Sferra, Conservation Coordinator, noted that the donation of Parcel X would not need to go to Town Meeting.

The Board discussed the request for a waiver from installing all utility lines underground. The Board discussed language around recommending the developer offer to place utility lines underground for the three existing homes along Hallocks Point Road.

The Board agreed to add a condition stating that Places Associates must approve an erosion control plan with the developer prior to commencement of construction. Language will also be added to the decision to clarify timing of inspections through construction.

The Board agreed the timing of the recoding of deed restrictions needs to be clarified.

Margaret Costello stated her preference for any docks that may be constructed by the homeowners to go through the typical permitting process. The Board agreed to add a condition to the decision clarifying that homeowners would need to go through the Conservation Commission for a Notice of Intent in order to construct a dock.

The Board discussed the request for a waiver from providing a 300 foot open space buffer from Sudbury Road. Margaret Costello said she feels strongly that the waiver should not be granted, with the understanding that Lot 1 and Lot 7 would not be able to be constructed. Margaret Costello noted that the applicant has also asked for a waiver from providing a minimum of 10 percent of the developable land as open space, and that she feels this is a very rural area of Town that will be significantly altered through this development. Margaret Costello stated she feels that Parcel X does not provide enough of a benefit to the Town.

Karen Kelleher agreed that the Board should consider the benefits the Town is gaining. John Colonna-Romano said he feels the donation of Parcel X is important because the Town's dock encroachment may be corrected. Jesse Steadman said the intent of the regulation is to maintain the streetscape and the rural character of the Town, noting that other subdivisions in Stow met the requirement due to site restrictions, such as wetlands buffering an existing road from a new subdivision road. Margaret Costello said that Taylor Road and Boxboro Road offer good examples of how the character of the Town is maintained when houses are set back from the road. John Colonna-Romano said that if the waiver is not granted, the Inclusion of Affordable Housing is no longer applicable due to the loss of two buildable lots. Jesse Steadman suggested the Board could restrict clearing in the other lots, or require a plan modification to create a screen with additional native vegetation. Margaret Costello said she feels the 40 foot buffer of open space is inadequate, even with additional vegetation.

The Planning Board agreed not to grant the waiver from the filing fee for construction of the roadway, as the current condition of Hallocks Point Road does not ease any administrative burden.

Jeff Brem asked if applicants may be granted a waiver from Section 7.8.22 of the Subdivision Rules and Regulations as a whole? Jeff Brem asked if such a waiver were denied, could the applicant then not construct a road to a different street classification? Karen Kelleher said the Board had determined Hallocks Point Road to be a single access street, the length of which necessitates the waiver requests. The Board agreed to add a finding stating that the road is a single access street.

The Board agreed to continue deliberations at their next meeting.

**Lower Village Traffic Safety Improvement Project**

Jesse Steadman said meetings with abutters will continue this week, with residents and property owners discussing specific site issues with staff and engineers at Green International Affiliates. Green International will review the technical traffic analysis done by the previous engineer to ensure that the traffic design is sound. The Board agreed to hold a site walk with members of the Cemetery Committee on Saturday, May 18<sup>th</sup>.

**Meeting Adjourned.**

Respectfully Submitted,

Valerie Oorthuys