

TOWN OF STOW  
PLANNING BOARD

Minutes of the October 8, 2019 Planning Board Meeting

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

Voting Associate Member: Megan Birch-McMichael

Associate Member: Mark Jones

Lori Clark called the meeting to order at 7:00pm.

**Discussion of Meeting Minutes**

**Minutes of October 1, 2019**

*Karen Kelleher moved to approve the minutes as amended.*

*Margaret Costello seconded.*

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

**Executive Session Minutes of October 1, 2019**

*Karen Kelleher moved to approve the minutes as drafted.*

*Margaret Costello seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Margaret Costello, Len Golder, Karen Kelleher, John Colonna-Romano- Yea).**

**Members' Updates**

Mark Jones said the Zoning Board of Appeals met recently to review draft Special Permit Rules and Regulations.

Margaret Costello said that residents of Gleasondale Village are meeting with the Board of Selectmen tonight to discuss the creation of a trail system on the Kane Land.

John Colonna-Romano said the Community Preservation Committee met to discuss the potential Town purchase of Highrock Church and the Stow Acres Driving Range. CPC members expressed interest in purchasing the Driving Range.

Karen Kelleher said the Complete Streets Committee is meeting this week. One topic for discussion is a potential request at Special Town Meeting for bidding and awarding services for the two State-funded Complete Streets projects.

**Planner's Report**

*CrossTown Connect Pilot Program*

Jesse Steadman said that staff continue to work with CrossTown Connect to plan an alternative shuttle stop to transport residents to the South Acton Commuter Rail, aside from the preferred location of the Shaw's Plaza.

*On Demand Transportation*

Jesse Steadman said the inter-municipal steering committee managing the Community Compact grant for an on-demand transportation pilot program through Uber or Lyft has continued to work toward hiring a Program Manager and to clarify language for an inter-municipal agreement.

#### *Special Town Meeting*

Jesse Steadman said a Special Town Meeting will be held in mid-November in order to request funds to fix the elevator in Town Building. The Complete Streets Committee will meet this week to discuss a warrant article for construction administration and bidding and awarding services for two Complete Streets Projects. Jesse Steadman said this would be an opportunity to put forth zoning changes such as outdoor dining or eliminating phased growth. Karen Kelleher noted that the Phased Growth bylaw has not been needed for some time, and Town Counsel has previously recommended its removal. Jesse Steadman said Stow's Housing Choice Initiative application was denied last year due to the bylaw. The Housing Choice Initiative provides access to capital grants, and the application period will lapse prior to Annual Town Meeting. The Board discussed reasons to keep the Phased Growth bylaw until the Board has other ways to respond to growth.

#### **Regency at Stow Bond Reduction Request – Boxboro Road**

The Planning Board reviewed a bond release request from Toll Brothers for the Boxboro Road bond. Karen Kelleher said she would like to receive feedback from the Highway Department prior to releasing the bond. The Board agreed to continue the discussion at a future meeting.

#### **Public Hearing**

#### **Special Permit and Site Plan Approval, 108-118 Great Road**

Lori Clark opened the public hearing for a Special Permit and Site Plan Approval at 108-118 Great Road.

*Karen Kelleher moved to waive the reading of the public hearing notice.*

*Margaret Costello seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Margaret Costello, Len Golder, Karen Kelleher, John Colonna-Romano- Yea).**

#### *Present:*

Dan Carr, P.E., Stamski and McNary

John Cramer, Applicant

Dan Carr said the Special Permit and Site Plan Approval application is to allow the razing of the vacant Beef N'Ale restaurant and to replace it with a two-story retail and office building.

Dan Carr said the septic system for 108-118 Great Road was replaced over the summer and will be reconnected to 108 Great Road after construction of the proposed building is complete. The septic system is oversized in comparison to the regulations for retail and office space, to allow flexibility in future uses such as a restaurant space.

Dan Carr said the plans have been coordinated with improvements under construction along Great Road. There are three curb cuts leading to Great Road, and the lots include excess paving and parking areas. Dan Carr said extraneous pavement behind 108 Great Road is proposed to be removed, thereby reducing the amount of impervious surfaces on site.

Dan Carr reviewed the site plan, noting the location of the septic leach field in the rear of the 118 Great Road lot, within the residential district. Dan Carr said there are catch basins collecting runoff

at low points between the two buildings, which was historically piped to 92 Great Road though this has been capped off by the property owner. Dan Carr said the plans include a proposed subsurface infiltration chamber which will have the capacity for a 10 year storm.

Dan Carr said the applicant is asking for a waiver from the provision of a landscape plan and a stormwater report, as the impervious surface has been reduced and the subsurface infiltration chamber is proposed.

Margaret Costello asked for more information about the utilities and whether they will be placed underground. Dan Carr said existing utilities will be used. John Cramer said the utility plan hasn't been finalized, as it will depend on how the building is laid out. John Cramer said the plan is to keep utility lines overhead, unless trenching is more feasible. John Cramer said a lighting plan will be created at a time closer to when the construction plan is finalized.

#### *Public Comment*

Mark Forgues, 9 White Pond Road, said the building plans appear to show a one-story building and asked how many people it would serve. Dan Carr said the building is two-story, with 4,000sqft of retail on the lower level and 4,000sqft of office space on the second level.

Katie Fisher, 1 White Pond Road, asked if the plans include an elevator to access the second floor, and whether the building would be ADA accessible. Dan Carr said the building would not include an elevator, though the entrance to the retail space is ADA accessible.

Sally Griffin, 29 Lanes End Road, asked for the dimensions of the proposed building in comparison to the existing building. Dan Carr said the eastern wall of the building will remain in the same place and the building will expand to the west.

Sally Griffin asked about the location of parking spaces. Dan Carr said parking spaces for 108-118 Great Road will primarily remain the same, with two parallel handicap accessible spaces along the eastern wall of the building and parking spaces between and behind both buildings, as well as perpendicular to the road in front of 118 Great Road.

Katie Fisher asked if there would be additional parking in the back of the 118 Great Road parcel. Dan Carr said there would not be parking over the leach field and noted that the back of the parcel is residentially zoned.

Sally Griffin asked what types of retail would be located on the first floor. Lori Clark said that the bylaw does not require the applicant to specify the types of retail, other than to determine a calculation for the amount of parking spaces to be provided.

Mark Forgues said that he feels the proposal does not provide enough parking. Lori Clark said the zoning bylaw dictates the amount of parking spaces to provide. Lori Clark added that the Planning Board has discussed the potential of reducing parking requirements.

Kerri Reese, 20 Eliot Drive, asked if the proposal includes any green spaces or the reduction of hardscapes. Dan Carr said the application includes a request for a waiver of the landscaping plan, though the proposal includes a reduction in pavement.

Mark Forgues asked if the application includes any additional waivers. Dan Carr said the application includes a waiver from the provision of a stormwater report, as the proposal reduces

impervious surfaces. Mark Forgues said he thinks it would be a benefit to the town to have the stormwater report.

Sally Griffin asked about the water sources to be used for the proposed building. Dan Carr said there is an existing well that serves both 108 and 118 Great Road. Mark Forgues asked for more detail on the public water supply. Lori Clark said the Department of Environmental Protection is responsible for that permitting. Katie Fisher asked if the Planning Board shares applications with the Board of Health for their comment. Lori Clark said yes, every application is shared with Town Departments for comment.

Len Golder asked for more information about a signage plan. John Cramer said he would like a sign similar to the former freestanding sign.

Len Golder asked for more information about landscaping. John Cramer said the proposal does not include landscaping, though this could be reevaluated after construction is complete on Great Road.

John Colonna-Romano asked what the difference in height is between the existing building and the proposed building on 108 Great Road, and whether there are plans to renovate the building at 118 Great Road. John Cramer said the former Beef N'Ale is a three story building, and the proposed building is a two story building. John Cramer said he intends to renovate 118 Great Road after 108 Great Road is complete.

Margaret Costello asked why the application indicates the average weekday traffic counts would be reduced. Dan Carr said that the traffic calculation assumed a maximum capacity for a 67 seat restaurant. Lori Clark asked if the application precludes a restaurant. John Cramer said it does not preclude a restaurant, though whether the space is leased to a restaurant is dependent on the market interest and the capacity of the public water supply. Mark Jones asked if the owner is familiar with previous conversations with Lower Village property owners regarding the creation of a shared public water supply on Town-owned land, noting that the option is still available if owners are willing and motivated. John Cramer said he is familiar with these discussions.

Margaret Costello said she would encourage the utilities to be placed underground, and would not be in favor of granting a waiver from the provision of a stormwater report and landscaping plan. Karen Kelleher added that the application has been sent to the Board's consulting engineer for review and the Board has not yet received their comments. Dan Carr asked if a Landscape Architect would be required to create the landscaping plan. The Board agreed the landscaping plan could be created by a professional without the certification.

Megan Birch-McMichael asked if the porch on the proposed structure would be elevated above the roadway. Dan Carr said it would be 2 to 2.5 feet above the elevation of Great Road.

Megan Birch-McMichael asked if the proposed structure would be ADA compliant. Dan Carr said it would be, as an ADA compliant walkway and ramp would lead to the building entrance.

Karen Kelleher asked if there would be space for outdoor seating. John Cramer said there would be room, if the space is leased to a restaurant.

Karen Kelleher noted that the Board's vision for future zoning changes in Lower Village includes moving buildings closer to the road. While the Planning Board doesn't have authority to provide a variance, this request would have to go to the ZBA. John Cramer said that he shares the vision,

though the time required by a second public hearing process might dissuade him from changing the plans.

Lori Clark asked if the applicant has an outdoor lighting plan for the Board to review. John Cramer said the outdoor lighting would be added to the plan when they are closer to construction.

Lori Clark said the Town has strict lighting and signage bylaws and encouraged the applicant to include those items in this application. Lori Clark noted that the building at 118 Great Road is not in compliance with lighting allowed on signs.

Lori Clark asked if the applicant has considered interlot connections. Dan Carr noted that 92 and 108 Great Road share a driveway. John Cramer added that he would be interested in what the adjacent uses are in order to consider additional connections.

John Colonna-Romano asked for the applicant's thoughts on the recommendation from the Police Department to make one driveway an enter only and the other an exit only. John Cramer said he is still considering the recommendation.

Lori Clark asked if the parking provided at 108 and 118 Great Road meets the bylaw. Dan Carr said it does, noting a chart on sheet 3 of the site plan describing the existing parking spaces and the proposed parking spaces related to retail and office use. John Colonna-Romano said the number of parking spaces may meet the bylaw, but it should be discussed whether they are provided in convenient areas of the site.

Katie Fisher said the Special Permit decision for this application should not contradict the previous Special Permit for 118 Great Road. The Board agreed the previous Special Permit would need to be reviewed.

Kerri Reese asked the applicant for more information about the vision of this property and the types of uses that would locate there. John Cramer said he is familiar with previous planning efforts and would like to see a restaurant located in the building as well as other types of retail. John Cramer noted that he has found it difficult to sell restaurant space in a small town.

Sally Griffin asked about the maintenance of the leach field. Dan Carr said the septic tanks, located near the 118 Great Road building, would continue to be regularly pumped, though there is a life span to the leach field. Katie Fisher asked for the capacity of the septic system. Dan Carr said he would review the detail and provide it to the Board.

The Board discussed the waiver from providing a landscaping plan, noting that future zoning revisions will likely include additional landscaping requirements as requested through previous planning processes. Jesse Steadman said staff can share plans that indicate the locations of trees that were removed along the frontage of the property during the course of the Route 117 road construction project. Jesse Steadman said the wooden post and rail fence that was previously installed at the frontage of the former Beef N'Ale is stacked at the Highway Department should the applicant choose to reinstall it. The Board agreed they are not amenable to providing the waiver from providing a landscaping plan, though they would accept a landscaping plan that has not been prepared by a Landscape Architect.

The Board discussed the request for a waiver from providing a stormwater report. Jesse Steadman said the Board's consulting engineer has not yet provided comment and while it isn't typical to see a full stormwater report it may be helpful to see Places Associates' comments on the capacity of the

underground infiltration system and the soil types on site. The Board agreed they are not amendable to providing the waiver from providing a stormwater report. The Board agreed the public hearing should be continued to incorporate Places Associates' comments and to continue to discuss landscaping and other site plan elements.

*Len Golder moved to continue the public hearing for a Special Permit and Site Plan Approval at 108-118 Great Road until November 5, 2019 at 7:30pm.*

*John Colonna-Romano seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Margaret Costello, Len Golder, Karen Kelleher, John Colonna-Romano- Yea).**

### **Athens Street Concept Plans and Zoning Amendment Discussion**

*Present:*

George Dimakarakos, P.E.- Stamski and McNary, Inc.

Bruce Wheeler- Habitech, Inc.

The Board discussed a concept plan for a 66 unit age-restricted neighborhood off Athens Lane. The concept plan includes a 2,000 foot single access road. George Dimakarakos noted the Fire Department is more concerned with the width of the road than with it being single access. George Dimakarakos said an emergency access road is also proposed.

George Dimakarakos provided the Board with a market report describing the demand of age-restricted housing, based on demographic trends through 2025. George Dimakarakos said age restricted neighborhoods don't introduce school aged kids, preserve open space, create trail systems, and don't overload the Town's public safety resources. The Board disagreed, acknowledging that age restricted neighborhoods do increase public safety calls. George Dimakarakos said he believes only 8% of public safety calls went to Active Adult Neighborhoods in September 2019.

Lori Clark said the market study shows current demand but does not consider a time when the demand is not there yet the age restriction is still in place. Lori Clark questioned how many age-restricted neighborhoods Stow needs. Margaret Costello said she feels Maynard and Hudson should be included in the market study, as they are adjacent towns and have a number of 55+ neighborhoods under construction or completed. Bruce Wheeler said he would bring these questions to the consultant.

Lori Clark said that the Department of Housing and Community Development almost did not allow the affordable units provided at Regency at Stow to be included in the Subsidized Housing Inventory because the neighborhood did not allow children under the age of 18. George Dimakarakos said this could be addressed in a bylaw revision.

Karen Kelleher said the existing Active Adult Neighborhoods in Stow aren't serving the vision the Board had, whether subsidized or not. Karen Kelleher noted the amount of detached units on the concept plan and said that detached units are sold at higher prices.

Mark Jones said if the bylaw were to be revised, he would be interested in increasing the percentage of affordable homes to 15-20%. George Dimakarakos said that the concept plan is based on raising the cap, and if the percentage of affordable units required were to be increased, the density allowance should also be increased. Jesse Steadman noted that a development of more than 66 units would be required by the Department of Environmental Protection to install a

wastewater treatment plant, meaning that a density increase would likely only be an incentive if it were very large.

Bruce Wheeler said he is willing to update the market study to incorporate more housing diversity.

Mark Forgues, 9 White Pond Road, said that creating 66 units on a 37 acre property is not desirable, as he would like the town to maintain its population and amount of open space. John Colonna-Romano noted that growth can be beneficial, citing the ability of the Town to balance its budget last year with the addition of property taxes from the 66 units at Regency at Stow. Mark Jones noted that without the developer's interest in mutually beneficial bylaw changes, the proposal could be developed as a Comprehensive Permit, limiting the Town's oversight.

Karen Kelleher asked if the applicant has control over the abutting property as well. Bruce Wheeler said he has an ownership position, though no specific plan for the site. Bruce Wheeler said that he is a residential developer and interested in creating mutually beneficial age-restricted developments. Karen Kelleher said she would prefer to consider the properties as a whole. Bruce Wheeler said he would rethink the plan for both properties.

Lori Clark said the Board will need to understand longer term demand to be better positioned to consider raising the cap. Lori Clark restated the Board's desire to increase housing diversity and to understand the properties as a whole, rather than only the properties included in the concept plan.

The Board discussed traffic generated by the development, and the potential size of the homes. Bruce Wheeler said the size of the homes would likely be dictated by demand.

Mark Jones said that the Planning Board is undertaking a planning process with the Town's residentially-zoned golf courses, to provide zoning updates which would allow flexibility in potential future development. Jesse Steadman said the types of housing being discussed through that process includes housing that encourages aging in place such as cottage homes or developments with a continuum of care. Jesse Steadman said the Board would need to better understand the feasibility of developing these types of neighborhoods.

George Dimakarakos asked what the timeline is to have a warrant article at Town Meeting. Lori Clark said revisions to a bylaw would need to be created now, as it takes time to draft the language and hold public meetings. The warrant for Annual Town Meeting typically closes in March. Lori Clark noted it may also be possible to plan for a future Special Town Meeting, which are frequently scheduled for the fall.

Bruce Wheeler said he would like to continue the discussion and to meet again in another month.

#### **Gleasondale Village Local Historic District**

Valerie Oorthuys said the Gleasondale Neighborhood Area Subcommittee was formed in 2017 to consider historic preservation strategies through public outreach and study of historic districts, bylaws, and policies. Through this work, they have decided to pursue a Local Historic District for Gleasondale Village and have surveyed the neighborhood to determine current support for a customized district. Margaret Costello said 45 residents responded to the survey, which listed a dozen items that could be included in a future bylaw and allowed respondents to select which items should be regulated, not regulated, or if design guidelines should be created for the item. The results show there is support for design guidelines and regulation for many items.

Valerie Oorthuys said the process for creating a Local Historic District is governed through M.G.L. 40C, and begins with the appointment of a Local Historic District Study Committee, appointed by the Board of Selectmen. The Historical Commission has recently voted to support the creation of a Local Historic District.

*Karen Kelleher moved to support the Gleasondale Village Local Historic District Study Committee to be appointed by the Board of Selectmen.*

*Len Golder seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Margaret Costello, Len Golder, Karen Kelleher, John Colonna-Romano- Yea).**

#### **Vote to Dissolve Gleasondale Neighborhood Area Subcommittee**

Valerie Oorthuys said that with the Planning Board's support of the formation of a Gleasondale Village Local Historic District Study Committee, the Gleasondale Neighborhood Area Subcommittee is no longer necessary.

*Karen Kelleher moved to dissolve the Gleasondale Neighborhood Area Subcommittee.*

*Len Golder seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Margaret Costello, Len Golder, Karen Kelleher, John Colonna-Romano- Yea).**

#### **Properties for Town Consideration of Purchase – Highrock Church and Stow Acres Driving Range**

The Board reviewed a memo to the Chapter 61 Quick Response team regarding the potential purchase of Highrock Church and the Stow Acres Driving Range.

The Board agreed that if Highrock Church were to be purchased, the Town should carefully select funding sources as the use of Community Preservation Act funds would limit the use. The Board agreed to add language to the memo to state the importance of maintaining the flexibility of the parcel's use, rather than be tied to a restrictive funding source, as the property holds geographic importance.

The Board agreed that potential future uses at both sites could include housing, though community uses such as recreation, a youth center, or library relocation are also important.

#### **Lower Village Traffic Safety Improvement Project**

Jesse Steadman provided an update on the Lower Village construction. Jesse Steadman said the September payment application from E.T.&L. Corp is being reviewed by Green International. While the payment application notes overruns, they are outmatched by underruns. Jesse Steadman said that costs incurred so far are on track with what was estimated.

Jesse Steadman said the design of the driveways at 1 White Pond Road will be confirmed, to ensure that they have been constructed to the specifications on the plan.

Jesse Steadman said he has been coordinating with the property owner of 148 Great Road to better understand truck parking and deliveries at the property, as they noted some concern with the proximity to the new curb line.

GH Gledhill, Cemetery Superintendent, said that there are still concerns with the installation of the HMA berm along the Lower Village Cemetery. GH said he thought the cape cod berm would be installed on more of the frontage than it was. The HMA berm is not low enough for the

maintenance truck and trailer to cross, limiting how the truck would need to maneuver in order to safely park at the cemetery and limiting the ability of visitors to park. Jesse Steadman said he would ask the engineers to confirm that the berm was built to the anticipated outcome. Jesse Steadman said that while the HMA berm looks especially steep, the final coat of paving will make it seem less abrupt.

The Planning Board reviewed the plan. Margaret Costello said she recalled the Board was not in favor of creating parking along the cemetery, only to allow room for the maintenance truck to have access. Other members recalled from the site walk that more of the berm should have been cape cod rather than HMA. The plan shows that the HMA curbing covers the steps to the east of the property west towards the utility pole, and then it is cape cod berm for the remainder of the frontage. Jesse Steadman said that the area to the west of the utility pole provides room for cars to pull off, with a 12 foot level area which will be regraded for parking. Jesse Steadman clarified the request from the Cemetery Committee includes cutting out curb that was installed days ago, and installing cape cod berm and further levelling off of the area.

GH suggested the possibility of lowering the sidewalk so that the curbing is not as steep. GH noted that the Cemetery Committee may wish to request funds from CPC to add fill between the sidewalk and the rock wall to level out the area to allow parking. GH said he is concerned about lawsuits related to accessibility of the cemetery. Jesse Steadman said the berm, accessibility of the cemetery, and costs would be reviewed by engineers.

Mark Forgues said he believes runoff from the interior of 92 Great Road is still draining onto 1 White Pond Road. Jesse Steadman said the plan does not include a swale or drain to convey water from 92 Great Road to 1 White Pond Road, but rather addresses water on 1 White Pond Road being conveyed to the drain. Jesse Steadman said the functionality of the drain would be reviewed by engineers.

### **Meeting Adjourned.**

Respectfully Submitted,

Valerie Oorthuys