

TOWN OF STOW
PLANNING BOARD

Minutes of the April 7, 2020 Planning Board Meeting

Planning Board Members Present: Lori Clark, Karen Kelleher, Margaret Costello, 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 March 31, 2020

Karen Kelleher moved to approve the minutes as amended.

John Colonna-Romano seconded.

Roll Call Vote: Lori Clark- Yea; Margaret Costello- Yea; Karen Kelleher- Yea; John Colonna-Romano-Yea; Len Golder- Yea.

Public Input

Kathy Konno, 138 Harvard Road, stated concern with site clearing occurring at 137 Harvard Road, noting that the construction is causing runoff to cross Harvard Road onto her property. Jesse Steadman said that during the last week, the concern was brought to the attention of the Conservation Coordinator and the Building Inspector, resulting in the Building Inspector issuing a Cease & Desist.

John Mascia, 153 Harvard Road, also noted his concern with site clearing and runoff stemming from 137 Harvard Road, tying the concern to increased runoff on Harvard Road from Wedgewood Pines Country Club.

Member's Updates

Mark Jones said the Zoning Board of Appeals met this week to review several applications, though the public hearings were continued. The public hearing for Plantation Apartment's Comprehensive Permit modification application has been scheduled for May 11, 2020.

Planner's Report

Regency at Stow

A resident at 21 Westview Lane alerted staff that puddling remains a problem where her driveway meets the road. Jesse Steadman said he would be in touch with the Highway Superintendent and the Board's consulting engineer for their assessment in order to agree on a path forward with Toll Brothers.

Emergency Rental Assistance Program

Housing consultants at MetroWest Collaborative Development, members of the Stow Municipal Affordable Housing Trust and Planning staff have discussed the potential for an Emergency Rental Assistance Program to help those who have been impacted by the effects of the coronavirus. Rental

Assistance Programs use Community Preservation Act (CPA) funds to cover costs. The potential for a program will be discussed at SMAHT's meeting of April 13, 2020.

Lower Village Traffic Improvement Project

Jesse Steadman said that Green International will be surveying 92 Great Road this week in order to finalize their recommendations related to stormwater runoff along the eastern edge of the property.

Collings Foundation Special Permit Letter

Karen Kelleher recused herself as an abutter to the Collings Foundation.

Present:

Mark Sargent, Project Manager - J.M. Coull, Inc.

The Planning Board reviewed a draft letter to the Collings Foundation, revised from the previous week due to members' split agreement on the approach to remediation; two members leaned toward allowing remediation through using soils elsewhere on site and two members felt the remediation should be carried out without further site disturbance. The updated draft letter states that until the initial unpermitted work is remediated the Board would not entertain any application or proposal for a new museum building. The draft letter notes two options for a path forward: either work is completed as laid out in the existing Special Permit with remediation using soils originating offsite; or to request the Board consider a Special Permit modification to allow remediation using soils from on-site, without consideration of a proposal for a new museum building. Lori Clark said this draft letter has been revised since the Planning Board's last meeting, after discussion with Town Counsel and the Conservation Coordinator.

The Board also reviewed a letter from J.M. Coull, Inc., proposing that the Special Permit is modified to allow remediation to the currently excavated area using soils originating from an elevated plateau to the west of the access road on parcel 16B, rather than the area to the west of the existing museum structure.

Mark Sargent stated that he would serve as the primary contact for the Planning Board through the permitting and construction phase, as agreed upon with Bob Collings, Sr. and Rob Collings, Jr.

Megan Birch-McMichael requested that future plans provided to the Board include all parcels as the site, rather than only showing select parcels.

John Colonna-Romano moved to approve the letter to the Collings Foundation and J.M. Coull as amended.

Margaret Costello seconded.

Roll Call Vote: Lori Clark- Yea; Margaret Costello- Yea; John Colonna-Romano-Yea; Len Golder- Yea.

Zoning Board of Appeals Covenant Discussion

Karen Kelleher recused herself as an applicant to the Zoning Board of Appeals.

Mark Jones said the existing covenant with Plantation Apartments I will need to be addressed in order to allow the development of Plantation Apartments II. The existing covenant restricts the number of units allowed along Johnston Way and states that the Town will not be asked to accept the road. Mark Jones said it may be helpful for ZBA members to learn how the Planning Board

utilizes covenants when approaching this discussion. Mark Jones noted how unique this issue is, as covenants are not usually seen with Comprehensive Permits.

The Board agreed to look at the scenarios in which covenants are typically used and what items are included in them, in order to provide guidance while not offering an opinion on the Plantation Apartment's request for a covenant modification.

Executive Session in Accordance with M.G.L. Ch. 30A s.21(a)(3) for the purpose of discussing strategy with respect to ongoing litigation

Lori Clark stated that she finds that an open discussion would have a detrimental effect on the Board's litigating position.

Karen Kelleher moved to enter into Executive Session to discuss potential litigation and to adjourn the regularly scheduled meeting of the Planning Board thereafter.

Len Golder seconded.

Roll Call Vote: Lori Clark- Yea; Margaret Costello- Yea; Karen Kelleher- Yea; John Colonna-Romano-Yea; Len Golder- Yea.

Meeting Adjourned.

Respectfully Submitted,

Valerie Oorthuys