

TOWN OF STOW  
PLANNING BOARD

Minutes of the November 10, 2020 Planning Board Meeting

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

Voting Associate Member: Mark Jones

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

**Discussion of Meeting Minutes**  
**Minutes of October 27, 2020**

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

*John Colonna-Romano seconded.*

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

**Correspondence**

Karen commented on correspondence concerning 61 West Acton Road and noted Section 3.2.2.3 of the Zoning Bylaw provides an option to convert a one-family dwelling to a two-family dwelling by Special Permit Granted by the Zoning Board of Appeals. The Board discussed whether the property is grandfathered for an accessory apartment as an Inn Keepers residence is already permitted. Jesse Steadman will follow up with the Building Inspector over regarding the discussion.

Margaret Costello commented on the Complete Streets Committee Memo, in regards to the representation of committee members on the recently created Transportation Working Group Advisory Committee, stating that the manner and requirements for becoming a member is concerning given that she believes any resident representation on the Committee is helpful regardless of their background and area of expertise. Lenny Golder agreed. Lori Clark suggested that anyone who has similar concerns should send their comments to the Town Administrator since this is not a committee the Planning Board has jurisdiction over.

Margaret Costello noted her disappointment that the Conservation Commission appears to not want to manage the open land associated with the Spring Hill Estates Subdivision. Jesse Steadman explained that the developer has now reached out to the Conservation Commission regarding land ownership given that the Stow Conservation Trust had requested a contribution to a stewardship fund if the property was to be accepted. The developer did not want to make that additional payment and has instead looked to the Conservation Commission for potential ownership. The Commission has indicated their interest in accepting the property, given the history of trouble the Board has had regarding Homeowners Associations managing land.

Jesse Steadman also commented on Sue Carters email saying they are closing the loop on inspections and funding of the bonds. Karen Kelleher voiced concern about a separate bond for each property and questioned how the Board will manage multiple different builders involved in site work.

John Colonna-Romano questioned the information detail on the As-Built Grading Plan for 137 Barton Road (Collings Foundation) indicating that “engineered topsoil” is still shown on the plan although the Special Permit was modified to allow loam instead. Margaret Costello stated that she did not see the plantings that were required per the Special Permit Modification indicated on the plan. Jesse Steadman said that he felt it was typical for As-Built plans to not include landscaping. The Board indicated they would prefer to see the landscaping clusters added to the as-built and for the landscaping plan requiring such plantings to be referenced on the Plan.

Jesse Steadman stated that Sue Carter reviewed the marked up plans and there is a scheduled site visit next Tuesday at 11am with Kathy Sferra and Sue Carter. Board Members are invited to attend. Karen Kelleher recused herself from the discussion given her position as an abutter to the project.

### **Member's Updates**

None

### **Public Input**

Resident John Mascia commented on 137 Harvard Road Status. Jesse Steadman said that the owner has been in contact with the building inspector and that the owner is now working with Foresite Engineering. Jesse Steadman further explained that there will be an upcoming agenda item for Scott Hayes to show what type of work was completed and gain feedback on the most important components of an Erosion Control Plan.

### **Public Hearing**

#### **Hammerhead Lot Special Permit 44 Hiley Brook Road**

Present:

Scott Hayes, Foresite Engineering  
Michael Teliszewski, Abutter  
Christina Siniawski, Abutter

Lori Clark called the Public Hearing for a Hammerhead Lot Special Permit at 44 Hiley Brook Road to order at 7:30pm.

#### **Karen Kelleher moved to waive the reading of the Notice of the Public Hearing.**

*The motion was seconded by Margaret Costello.*

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

Scott Hayes, of Foresite Engineering, represented the applicants, James and Janis Dow. Scott Hayes indicated that the Applicant initially considered the potential to create a two-lot subdivision. Due to property constraints they determined that the best approach would be a Hammerhead Lot, the survey shows a 10 acre parcel consisted of 6.5 acres of residentially zoned land and 3.5 acres of land zoned Residential/Conservation, noting the flood plain. Scott Hayes said that the requirements for the current home (Lot 2) on the plan would be met by utilizing the hammerhead lot Special Permit process, with sufficient frontage and setbacks meeting the Section 6.1 of the Zoning Bylaw.

Lori Clark opened the discussion to Board members and others to comment. Michael Teliszewski and Christina Siniawski of 41 Hiley Brook Road commented on the location of their septic system,

indicating it was not shown on the Plan. They also had concerns about the gravel driveway opposite their property. Scott Hayes indicated he contacted the Board of Health and had to piece together the information as some of the files go back as far as 11 years. He indicated that the lot design shows there will be 200 feet to the back of the lot for a septic system.

Michael Teliszewski raised concern over the width of Hiley Brook Road saying due to the current conditions of the curve and the proximity of his walkway, vehicles already drive across his front yard destroying his walkway. Michael said there is no area on the roadside for construction vehicles even with opening up the stone wall as the road is too narrow by the power pole. Len Golder asked about the existing driveway. Scott Hayes said it is about 450 feet long. Len Golder asked about sight lines and how much clearance would there be? Scott Hayes said looking at the intersection, Lot one would be at the crest of the hill allowing a site line of 150 feet from both sides with limited shoulders. Lori Clark said that with the questions and comments brought forth the board required more time to be able to review the request.

**Karen Kelleher moved to continue the hearing to November 17<sup>th</sup>, 2020 at 7:30pm**

*Len Golder seconded..*

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

### **Zoning Strategy Workshop**

Presentation by Dodson & Flinker, Inc:

- Peter Flinker
- Bob Mitchell
- Judy Barrett

Jesse Steadman provided an overview of the Lower Village Planning process, which includes three interlinked components: Streetscape upgrades; zoning updates and water infrastructure improvements.

Peter Flinker reviewed the history of the Lower Village Revitalization effort, indicating that the purpose of this effort is to move from the vision expressed in the Lower Village Revitalization Sub-Committee's final report toward guiding principles and zoning language which will help the Town move in the direction of its goals.

The consultant team framed their presentation in regards to "How we put all the pieces into place." The Lower Village was designed using the strip mall pattern, while a traditional New England village center is often characterized by buildings close to the street with sidewalks. The team provided a few examples of village centers that offer a different approach. The design would be the best idea of what the town wants, then market businesses to meet that design model rather than allow the business to dictate the design.

Bob Mitchell discussed the guiding principles for Lower Village as to the planning and review process, land use, and design. Planning and review process includes providing predictable, fair and objective review process, and having the flexibility to adapt to change market opportunities. The concept to fit zoning to local capacity for review and to create zoning that follows the principles and encourages development in accordance with them, but does not create impediment to carrying out the vision. Land use should provide a diverse mix of uses; create a broad range of housing opportunities, with compact and efficient layouts with a walkable village organized around the

public realm. The concept would promote a unified and connected vehicular circulation which would provide a range of transportation choices that protect and enhance the natural environment. The design would be to create the gateway to Stow with a distinct sense of place, promoting authentic architecture responding to local traditions, coordinating lighting, landscape, streetscape, and signage promoting the creation of shared public spaces, with right size parking that support universal accessibility that is sustainable and energy efficient.

Judy Barrett presented the concept of by right uses verses form based; where by right use recognizes the base code and master plan, therefore recalculating the plan based on guidelines. Len Golder brought up specific reasons for certain zoning requirements being explicitly stated. Bob Mitchell responded that there are pros and cons in having strict requirements. He added looking at the past 8 months and how the pandemic dramatically changed how businesses operated, and how many towns moved towards outdoor dining where the concept prior was strictly opposed, adding that the government regulations really emphasized the need for flexibility.

John Colonna-Romano brought up the special permit process. Bob Mitchell commented that it is important to think about which businesses could be developed by right, and which businesses are less preferable and therefore suited to the Special Permit process. Lori Clark said the board tries to provide more general use descriptions to avoid running afoul of state statutes, and Bob Mitchell replied that it is OK to have choices, but the danger of being too specific in the design can sometimes eliminate creative outcomes.

Resident participation included questions and comments about the land use, with Dorothy Flood-Granat saying she was unhappy with commercial use at the 92 Great Road property that has a used car dealership. Lori Clark replied that this particular use was grandfathered.

John Colonna-Romano brought up mixed-use developers, asking how the town can compete with other towns? Lori Clark commented on connecting with business owners. Judy Barret responded, saying how you market the district offers economic incentives that zoning should recognize.

Jennifer Surwillo of 9 White Pond Road asked why Commercial businesses were being sought when they pay the same as residential uses in the Town's tax code. Lori Clark said it goes back to creating the vision that residents have expressed for an improved Lower Village Business District.

Jennifer Surwillo asked about the new building construction at 108 -118 Great Road and what businesses are going to be there. A discussion followed about parking and walkability where several residents commented on the lack of accessibility especially with traffic on Route 117. Mark Jones mentioned that Route 117 divides the lower village and that there are really two different business districts.

The final portion of the workshop focused on the zoning bylaw update and recommendations that the consultants would be focusing on as the project progressed. Bob Mitchell stated that change in the district can be achieved with design and streetscape concepts. Bob Mitchell reviewed the zoning bylaws pointing out which sections can be improved upon to remove impediments to successful development in line with the Town's vision.

The presentation concluded with several residents very happy to be able to participate. Jesse Steadman noted that the next steps would include an additional meeting to discuss case studies of how other communities have upgraded their zoning to achieve district improvements. Margaret Costello brought up the new building plans for 108-118 and Lori commented about building height

adding we have a lot to think about. Ernie Dodd commented on the master plan and the discussion of the current bylaws.

Planners report was moved to next meeting.

Meeting Adjourned.

Respectfully Submitted,

Susan Ostrander