

TOWN OF STOW  
PLANNING BOARD

Minutes of the June 1, 2021 Planning Board meeting

Planning Board members present: Lori Clark, Margaret Costello, Karen Kelleher, John Colonna-Romano, Mark Jones (voting associate), Nancy Arsenault

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

*Karen Kelleher moved to approve the minutes of the May 25, 2021 meeting as amended  
John Colonna-Romano seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy A -**Yea**

**Correspondence**

*Signage Bylaw Enforcement Letters*

Nancy Arsenault addressed correspondence from the owner of Emma's café regarding enforcement letters sent to several business for signage bylaw violations. Nancy Arsenault commented that many businesses in Stow use internally lit open signs, and that these signs provide a clear benefit to the community. Lori Clark reminded the Planning Board that the Economic Development & Industrial Commission (EDIC) had reviewed this bylaw in the past. Nancy Arsenault informed the Board that Acton's zoning bylaw specifically allows open signs. Nancy Arsenault said it was time to re-evaluate the signage bylaw.

Jesse Steadman said the Planning Board should expect correspondence about the sign bylaw from the EDIC. Jesse Steadman said the EDIC had previously listed general issues they had with the bylaw but had not reached a set of recommendations. Jesse Steadman reminded the Board that consultants for the Lower Village Revitalization Committee would soon be reviewing zoning and would provide some recommendations on how district-specific signage regulations could be modified to ensure compliance with recent case law. Lori Clark suggested that the Lower Village Revitalization subcommittee and the EDIC collaborate to update the signage bylaw. Karen Kelleher said she was surprised to hear that the businesses in Stow Plaza would be assessed the fines and not the landlord. Nancy Arsenault said that some other towns require that business signage come down after a tenant has left, and suggested inclusion of a similar provision in any update.

*137 Harvard Road – Erosion Control Special Permit*

Abutter Kathleen Konno asked if what is shown on the submitted plan represent permanent erosion control features. Jesse Steadman said that erosion controls noted on the plan as temporary would be removed after construction is completed. Jesse Steadman said he had sent a letter to the applicant which identified gaps in the original submission. Kathleen Konno said that an engineer recently spent several hours at the site. Jesse Steadman said that questions would be best received after the Board's consulting engineer has had a chance to review the preliminary plan and give time for changes to be made.

Jon Mascia requested that the Board visit the site. Lori Clark said that during the public hearing the Board would decide if a site visit is necessary. Karen Kelleher asked if there was something specific which he wanted the Planning Board to see, and Jon Mascia responded that he has experienced flooding in his front yard. Jon Mascia asked if he needed to get permits for tree clearance on his property from the Planning Board, and Karen Kelleher replied that he would not need permission from the Planning Board for tree clearance on his own property.

#### *Nan's Market Special Permit*

Karen Kelleher asked when the Planning Board would deliberate on the Special Permit application for Nan's Market. Lori Clark said that the Board should discuss broad points of the application before any decision language is drafted.

#### **Public Input**

Mark Forgues said that he had not heard an update about drainage issues at White Pond Road. Jesse Steadman said he had talked to the Highway Superintendent about setting up a time to visit the site. Jesse Steadman said he was surprised that the issue had not been resolved after his last conversation with the Highway Department.

#### **Planning Board Member Updates**

Karen Kelleher informed the Board that the request to the Zoning Board of Appeals for a setback variance at 44 Deerfield Lane has been withdrawn following the hearing. Karen Kelleher said that the plan is being reworked.

#### **Planner's Report**

Jesse Steadman said on the 15<sup>th</sup> the Board will discuss the release of escrow funds for Jillian's Lane. Jesse Steadman said that the Board's consulting engineer has confirmed that as-built drawings are complete, and all stormwater infrastructure is installed and operating as expected. Jesse Steadman said the final as-builts would be included in the upcoming meeting packet, and that the Board's involvement with Jillian's Lane should be concluded.

Jesse Steadman informed the Board of a scheduled presentation from Sustainable Stow during the July 13 meeting. Jesse Steadman said he spoke to the Town Administrator regarding energy efficiency measures and that a new committee would be convened shortly to make specific recommendations on possible town-wide requirements.

Margaret Costello asked about the anticipated composition of an energy committee. Jesse Steadman said the committee would be appointed by the Select Board, but that the Planning Board would likely have some input on composition. Jesse Steadman suggested that Margaret Costello compile some recommendations for people to serve on the committee. John Colonna-Romano asked what the scope of the committee would be. Jesse Steadman said the Planning Board should provide some input on scope to the Town Administrator and the Select Board.

Jesse Steadman said that planning staff would provide the Board a brief presentation about the Bose property during the June 22 meeting. Jesse Steadman said the presentation would cover the overall economic outlook for similar properties in the I-495 region and the permitting history of the Bose site.

Jesse Steadman informed the Board that he would be meeting with Gleasondale residents about the former school lot located at 461 Gleasondale Road. Jesse said that residents have assembled plans to improve the lot to serve as a small park.

Jesse Steadman said staff are assembling a grant application for feasibility study for a Lower Village public water supply. Jesse Steadman said the purpose of the study was to provide a clear view of likely challenges and to get an estimate on potential costs. Jesse Steadman said it was difficult to have discussions with businesses about partnering on a public water supply without at least a broad estimate of costs. Jesse Steadman said completing the feasibility study could move conversations beyond conjectures.

### **Annual Appointments and Reorganization**

*Karen Kelleher nominated Lori Clark to serve as Chair*

*John Colonna-Romano seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

*Margaret Costello nominated Karen Kelleher to serve as Vice Chair*

*John Colonna-Romano seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

*Margaret Costello nominated Jesse Steadman and John Colonna-Romano as designees for ANR Plan Endorsements*

*Karen Kelleher seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

*Karen Kelleher nominated John Colonna-Romano for Community Preservation Committee Representative*

*Margaret Costello seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

*Margaret Costello nominated Jesse Steadman to serve as representative to the Minuteman Advisory Group on Interlocal Coordination (MAGIC)*

*Karen Kelleher seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

*John Colonna-Romano nominated Jesse Steadman to serve as liaison to the Metropolitan Area Planning Council (MAPC)*

*Karen Kelleher seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

*Karen Kelleher nominated Margaret Costello to serve as liaison to the Gleasondale Steering Committee*  
*John Colonna-Romano seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

*Karen Kelleher nominated Nancy Arsenault to serve as liaison to the Lower Village Revitalization Subcommittee*

*John Colonna-Romano seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

Jesse Steadman reminded the Board that the EDIC would appoint a Planning Board liaison in the near future.

Several members of the Board commented that virtual meetings have worked well for the past year and seems to have increased participation by the public in planning matters. Board members expressed hope that the virtual option would remain available in the future.

### **Bond Reduction – Joanne Drive**

Builder Chuck Black said that the cistern had been installed, and piping had been installed on Saturday, but that additional work is needed to be done to have it operational within two weeks. Chuck Black said the phase one bond had been for approximately \$90,000. Chuck Black requested a bond reduction of \$30,000 from the Board for work done on the fire cistern. Jesse Steadman said he spoke with the Planning Board's consulting engineer, who had said that the Board could consider reducing the bond for the cost of the materials. Karen Kelleher said that the materials are largely installed but she would like to hold off until fire chief signs off that the cistern is operational. John Colonna-Romano said that if the materials are there, some of the costs are already covered. Margaret Costello said that this is an industry standard request and she is fine with the request. Chuck Black said that he would not request the Board vote to reduce the bond at this meeting, and that he was satisfied to have provided the Board an update on site work.

Chuck Black said that a bonding figure for Lot 2 would be ready for the June 15 Planning Board meeting. Chuck Black said that he had met with a site abutter about providing them some additional screening to what had been approved in the definitive subdivision plan. Chuck Black said a house specific site plan for

the second lot would be provided to the Board, which will feature a precise location for the new house. Karen said that there was no requirement for the house placement but that the Board appreciated Chuck taking this step.

### **156 Great Road – Special Permit Deliberation and Vote**

The Board reviewed the most recent draft of the Special Permit decision. Board members requested that a provision allowing them to extend the construction timeline if requested by the applicant be included in the decision. Margaret Costello clarified that the Town Clerk's signature started the timer on special permit appeals.

The Board made final edits to the Special Permit decision.

*Karen Kelleher moved to DENY the request to withdraw the Special Permit Application, APPROVE the request for Site Plan Approval, and APPROVE the Special Permit decision as drafted and amended  
John Colonna-Romano seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Mark Jones -**Yea**

*John Colonna-Romano moved to authorize Karen Kelleher to sign the decision on the Board's behalf  
Nancy Arsenault seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

### **Release of Lots 4 & 5 – Spring Hill Estates**

Jesse Steadman said that there was an approved escrow and development agreement with the developer legally bound to pay inspection fees. Jesse Steadman informed that only lot 3 has been released so far. Karen Kelleher asked if there were any known issues at the site. Jesse Steadman said that they hadn't been submitted regular NPDES forms but are back to proving those regularly. Margaret Costello commented that there is a lot of water at the bottom of the hill near the lots 4 and 5. Jesse Steadman said that the site appeared to be handling rainfall well.

*Karen Kelleher moved to release lots 4 and 5 of Spring Hill Estates  
Margaret Costello seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

### **Stow Acres Consulting Budget and MOU Approval**

Jesse Steadman said that the Planning Board would be sharing consulting costs with the developer during the planning process for Stow Acres. Karen Kelleher suggested that references to the Planning Department be changed to "Town of Stow" in the agreement.

Jesse Steadman said that part of the services is to create a pattern book for the eventual comprehensive permit, which can provide a degree of certainty for design outcomes. Mark Jones asked if a future comprehensive permit would be administered as a Local Initiative program, Jesse Steadman responded that it would be.

*Karen Kelleher moved to approve the MOU with MCO & Associates and the scope of services with Dodson & Flinker, Inc. regarding the Stow Acres Master Planning effort as drafted and amended John Colonna-Romano seconded*

**Roll Call Vote:** Lori Clark -**Yea**; Karen Kelleher -**Yea**; John Colonna-Romano -**Yea**;  
Margaret Costello -**Yea**; Nancy Arsenault -**Yea**

### **Planning Board Workplan Update**

Jesse Steadman said he would be receiving a timeline for services from the consultant hired to assess zoning in Lower Village soon. Jesse Steadman said it was likely that a zoning bylaw amendment for the Business District would be a goal for 2022 Annual Town Meeting.

Jesse Steadman reminded the Board that they still need to finalize Rules and Regulation for the updated Active Adult Neighborhood (AAN) overlay district. Karen Kelleher asked when an application from a prospective developer for Athens Lane was expected. Jesse Steadman said the engineer was still asking questions about the bylaw and appeared to still be in a design phase. Jesse Steadman said he would update on the status of Athens Lane soon.

Jesse Steadman said recent common driveway discussions made it clear that subdivision road standards needed to be updated. Karen Kelleher said that the Planning Board should meet with the Fire Chief soon. Lori Clark suggested also discussing cistern requirements with the Fire Chief.

Jesse Steadman suggested a tiering system for language requiring traffic studies for Special Permits.

Mark Jones suggested working on a town-wide noise bylaw. Mark Jones said the Zoning Board of Appeals would like some control over times of days for construction work. Karen Kelleher commented that most decisions condition hours of work, and Mark Jones responded that it would be good to have something stronger to cite for enforcement purposes.

Margaret Costello suggested striking out all Fee-in-lieu options for affordable units. Lori Clark asked if there was anything preventing a removal of the language. Jesse Steadman said there was nothing preventing this language for being removed. Mark commented that SMAHT could be defunded by removing the language. Jesse Steadman commented that SMAHT would prefer to see units built.

Karen Kelleher said the Select Board had discussed convening a Master Plan committee in the near future. Jesse Steadman said that the Planning Board had discussed the idea of a living plan and needs to determine best practices in accordance with this goal. Lori Clark commented that certain sections could be amended annually.

Board members discussed schedules:

Board scheduled a new meeting for June 29

No meeting July 6

Meetings July 13 and 20

Margaret Costello may be absent for much of August

Nancy Arsenault will be absent for July 13 meeting

*Karen Kelleher moved to adjourn*

*Nancy Arsenault seconded*

Respectfully submitted,

Malcolm Ragan