

TOWN OF STOW
PLANNING BOARD

Minutes of the April 5, 2022 Planning Board Meeting

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

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

*Karen Kelleher Motioned to approve the minutes of March 15, 2022 as amended
John Colonna-Romano seconded*

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

Planning Board Member Updates

John Colonna-Romano said the Green Advisory Committee (GAC) had a meeting with Hudson Light & Power (HLP) to discuss the need for battery storage capacity in Stow, which can help “shave the peak” during high demand and can also make renewable energy generation more practicable. John Colonna-Romano asked the Board if they believe battery storage facilities are allowed under current zoning. Board members responded that such facilities are not anticipated by the current Zoning Bylaw. John Colonna-Romano said such a facility would likely need to be operated directly by the Town or Hudson Light & Power to meet HLP’s requirements. John Colonna-Romano said the facility would probably be too large to be sited indoors. Lori Clark said that batteries are susceptible to the elements, and the Planning Board would need to know more about the specifics of such a facility before considering how such a use could fit within the Zoning Bylaw. John Colonna-Romano said that the idea is in very early, exploratory stages, and he will try to find out more details from the GAC. John Colonna-Romano said HLP identified areas within their network that are best suited for the facility, including near the center of Stow.

Voting Associate Mark Jones said the Zoning Board of Appeals (ZBA) concluded a Public Hearing regarding an appeal of the Building Commissioner’s determination that the issuance of Class II used car licenses at 92 Great Road by the Select Board did not constitute an expansion of a pre-existing non-conforming use. Mark Jones said that the ZBA decision could be appealed to the Land Court, and that further zoning determination requests related to the 92 Great Road property are possible and likely.

Margaret Costello reported on a recent Open Space Committee meeting, in which members viewed a presentation by mapping professionals from MassAudubon about the potential for web-based mapping software for creating a climate resilient parcel inventory. Margaret Costello said the Open Space Committee also discussed how to create pedestrian connectivity between the Gleasondale neighborhood and the future recreation areas of the Stow Acres south course.

Margaret Costello asked about the process for applying the \$750k earmarked by the federal government for final Track Road design. Town Planner Jesse Steadman said a contract with engineering firm Green International for initial design concepts was never fully concluded, and the Planning Department will ask for a complete set of design alternatives and construction estimates. Jesse Steadman said that once design

alternatives are proposed, there will be additional opportunities for public engagement and decision making through an ad-hoc working group. Margaret Costello said that she is concerned about impacts of developing a through street connecting White Pond Road to Sudbury Road. Karen Kelleher said that the previous design proposal never assumed the road would be a way accessible to general vehicle traffic.

Lori Clark reported on a recent meeting of the Economic Development & Industrial Commission (EDIC) that she and Karen Kelleher attended, in which the EDIC discussed a proposal to hire a consultant to draft new signage regulations for the Town. Lori Clark reported that the EDIC eventually resolved to review a draft sign bylaw that staff prepared and revisit the consultant proposal at a later date with more specific problems to be addressed. Lori Clark added that the PB could continue to meet with the EDIC to make sure they understand concerns raised with the Sign bylaw draft. Karen Kelleher added that it was apparent from the meeting that some EDIC members do not trust the Planning Board, Planning Staff, or Town Counsel to draft or review a signage bylaw. Lori Clark said she is concerned the EDIC is acting beyond its charge by seeking zoning bylaw review and drafting, and that their charge to represent Stow businesses should focus them more on specific feedback on proposed sign regulations from that perspective.

Sustainable Stow – Presentation on Proposed Climate Warrant Article

Sustainable Stow members Rick Lent and Jen Sylvester said they have submitted a citizen's petition for a Town Meeting warrant article, a non-binding resolution committing Stow to rapidly reduce emissions.

Jen Sylvester and Rick Lent provided a presentation that detailed the current and anticipated impacts of climate change from the local to global scale, as well as the efforts Stow has taken to date to mitigate and adapt to these impacts. Jen Sylvester and Rick Lent provided an overview of the draft warrant article, which is a non-binding resolution to support implementation of strategies and infrastructure to mitigate climate impacts, support the protection of open spaces, ensure costs are fairly distributed, and advocate for federal and state officials to update regulations and provide funding for necessary climate measures.

Sustainable Stow members said the similar resolutions have been passed or proposed in many other towns in Massachusetts, and that passing such a resolution in Stow can help send the message to state officials that towns want and need the necessary legal tools and resources to meet climate goals.

John Colonna-Romano reported that the Green Advisory Committee voted 4-1 to support the draft resolution, with two abstentions. John Colonna-Romano said some members abstained from the vote because they are also members of Sustainable Stow, and were concerned about the appearance of a conflict of interest.

Lori Clark asked Sustainable Stow members what they expect or hope for impact of such a non-binding resolution. Rick Lent said he mostly hopes that members of the Town Government keep the goals and priorities of the resolution in mind and act accordingly to further climate goals.

Board members said they are supportive of the proposed warrant article, and said that it would provide additional justification to aggressively pursue climate change mitigation goals. Lori Clark said that the Planning Board shares the hope that the state will soon offer municipalities more of the tools needed to meet ambitious emission reduction targets.

Rick Lent said education is the most important tool to assist developers to create electrified, non fossil fuel housing. Rick Lent said that most developers are used to doing things a certain way and are inclined to believe all-electric housing will always be more expensive to develop, which with new technological advances is not necessarily the case.

Resident Wes Fisher said he commends the efforts of Sustainable Stow to bring the climate resiliency article to Town Meeting. Wes Fisher said that it is clear that great efforts are needed for Stow to reduce its emissions output.

Nan's Market Special Permit Modification – Deliberations

Lori Clark reminded attendees that the Public Hearing is closed, and the Board cannot take further input regarding the Special Permit application.

The Board reviewed the revised Special Permit modification draft.

The Board discussed the allowance for outdoor events in depth. Jesse Steadman said that the current draft defers event permitting to a Select Board process, who will have the authority to deny event permits that would be overly impactful to the surrounding neighborhood or if a history of problems emerges.

The Board made numerous amendments to the draft Special Permit involving compliance timelines, definitions of special events, and site circulation requirements. The Board agreed to view a revised decision and take a vote at the April 19th meeting.

Review DRAFT Hammerhead Lot Zoning Amendment

Jesse Steadman said there will be a Public Hearing for the proposed zoning amendment on May 3rd, which will also review proposed amendments to zoning and rules & regulations for wireless facilities. The Board reviewed the draft amendment, which specifies that dimensional requirements for Hammerhead Lots be met entirely within the Residential District, and also includes correction of a typo. The Board did not request any changes.

Collings Foundation Tank Demonstrations

Jesse Steadman said that a response received from the Collings Foundation, in response to an earlier Planning Board letter reminding them of the limitations on outdoor demonstrations, showed a difference in interpretation as to what constitutes a “demonstration” under the settlement. The Board requested they be provided with the relevant language of the agreement at the next meeting so that they could draft a response to the latest letter from the Collings Foundation.

Lori Clark asked what the Board's options are if the Town disagrees with the interpretation of the settlement. Jesse Steadman said that the Town should make all attempts to reach an agreement without resorting to court ordered enforcement of the settlement terms. John Colonna-Romano and Lori Clark said that the Town should be requiring clear reporting of the events that have taken place at the Collings Foundation. Lori Clark said the next correspondence from the Board should be very specific about what information is requested from the Collings Foundation.

Other Business

Jesse Steadman said staff will need to work out how to schedule upcoming agendas to allow adequate time to discuss proposed zoning amendments. Lori Clark recalled that the Economic Development & Industrial Commission (EDIC) is expected to provide feedback on the draft sign bylaw prepared by staff and is eager to work with the Planning Board on developing that effort.

Karen Kelleher said that the Planning Board should try to return to a rhythm of having monthly working meetings without any scheduled appointments.

The Board scheduled meetings for May 3rd, 10th, and 17th.

Planner's Report

Jesse Steadman said two representatives of Linear Realty have agreed to a meeting with members of the Planning Board and the EDIC on April 28 to discuss ongoing issues at the shopping plaza and identify possible new opportunities from new developments planned in Stow.

Jesse Steadman said he is working with the developer at Spring Hill Estates/Pennie Lane to clarify the responsibilities of a Homeowners Association to continue requisite erosion controls and inspections.

Jesse Steadman said that staff will be meeting with the owner of Stow House of Pizza to discuss a possible request for a Special Permit modification.

Jesse Steadman said he will be meeting with the Conservation Commission at an upcoming meeting to discuss a proposal to utilize some protected parcels for water supply for a possible Lower Village water system, the study for which has been funded by American Rescue Plan Act (ARPA) and the Select Board.

*Karen Kelleher motioned to adjourn
Nancy Arsenault seconded*

Respectfully submitted,

Malcolm Ragan