

TOWN OF STOW
PLANNING BOARD

Minutes of the August 23rd, 2022 Planning Board meeting

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

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

Minutes

*Karen Kelleher moved to approve the minutes of July 19th, 2022 as amended
John Colonna-Romano seconded*

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

Correspondence

Assistant Planner Malcolm Ragan said that the Cemetery Department has been considering a purchase of granite fence posts and has suggested replacement fence posts for Lower Village be included in that order. Malcolm Ragan said there is free cash/stabilization funding available to fund the fence post purchase, and that the Planning Department is awaiting an updated price quote from the manufacturer before making a purchase. Malcolm Ragan said the Planning Department will follow up with the Cemetery and/or Highway Departments as necessary.

Planning Board Member Updates

Nancy Arsenault asked for an update on the Masters Academy proposal at the former Bose campus. Planning staff reported that no new information is available to share at this time. Mark Jones asked if there is PFAS contamination at the Bose site. Malcolm Ragan said that there are detectable levels of PFAS in the single operational well and a Department of Environmental Protection Release Tracking Number (RTN) associated with the site, although untreated levels are well below the Massachusetts Maximum Contaminant Level of 20 nanograms/liter and the treatment system continues to be effective at removing PFAS from finished drinking water. Malcolm Ragan reported that Bose tested several private wells in the vicinity of the property in the last couple years.

Planner's Report

Assistant Planner Malcolm Ragan reported that the Economic Development & Industrial Commission (EDIC) has posted an agenda to meet and discuss their mission statement, following feedback from both the Select Board and the Planning Board.

Malcolm Ragan said that construction is proceeding at the Spring Hill Estates and the contractor has been providing required stormwater reports regularly. Malcolm Ragan said that the developer of the Joanne Drive subdivision will provide a proposed revision to the planting plan at a future meeting, having argued that street trees were impractical on some areas of steep slope along the newly constructed roadway.

Malcolm Ragan said that the selection committee for the Lower Village Water Feasibility Study will be meeting later in the week and is on course to make an award for that contract by September 1. Malcolm Ragan said that design signalization of Hudson Rd/Route 117 is moving forward and consultant Green International has started survey work.

Malcolm Ragan said that several town officials attended a meeting with representatives of MassDOT to receive feedback on a preliminary design for improvements to Track Road. Malcolm Ragan said that MassDOT believed that the need to allow for recreational use while maintaining vehicle access to Crow Island could be met with some version of the preliminary cross section created by Green International. Malcolm Ragan said that Green International will assist the Town with necessary filings to secure a project number that will allow federally earmarked funds to be expended. Malcolm Ragan said that representatives of MassDOT were quite clear that it would be impossible to secure federal funds for construction if a stone dust surface treatment was used.

Malcolm Ragan said that leftover funds from a previous round of funding from the MassDOT Shared Streets will be expended to complete pavement markings around Town Center and to complete installation of some additional signage to supplement the new pedestrian warning lights. Malcolm Ragan reported that the Planning Department has signed a contract with Green International to complete a peer review of the Traffic Impact Assessment completed as part of the application process for the Cottages at Wandering Pond Active Adult Neighborhood project.

Margaret Costello said she is nervous that Green International's conceptual cross section for Track Road, which she said was negatively received by Stow residents, is being presented to MassDOT as the current preferred alternative. Malcolm Ragan explained that that previous cross section is far from finalized and only for discussion purposes at this point, and that Green International is still under contract to present multiple cross section alternatives.

The Board scheduled meetings for October 4th and 18th, with the potential to add an October 25th date if needed.

Introduction with incoming Planning Director Valerie Oorthuys

The Board and incoming Planning Director Valerie Oorthuys introduced themselves. Valerie Oorthuys provided an overview of her professional work in Wellesley and Bolton since being Stow's previous Assistant Planner. Valerie Oorthuys said that she staffed many committees in Bolton while serving as Town Planner there and initiated a Master Planning process as well.

John Colonna-Romano asked Valerie Oorthuys to list some of her priorities for the Stow Planning Department. Valerie Oorthuys said there are many projects already in progress that she will continue to advance. Valerie Oorthuys also identified last mile transportation options and advancing climate resiliency as important goals for the department.

Lori Clark asked Valerie Oorthuys for some reactions to new zoning requirement for multifamily housing that have been promulgated by the state. Valerie Oorthuys said she supports the goals of the new requirements but recognized that such development could have impacts on the character of existing neighborhoods, requiring careful planning and outreach.

Non-Voting Associate Member Vacancy Posting

The board reviewed and approved the final draft of the notice of vacancy for a non-voting associate member. Board members discussed whether the Town Charter grants them authority to post a vacancy for the role and make an appointment. Lori Clark said that she and staff have reviewed the Town Charter and believes that the Board has authority to proceed.

Updated Guidelines for Zoning Requirements for Multifamily Housing in MBTA Communities

Assistant Planner Malcolm Ragan presented the updated guidelines for multifamily housing requirements that have been released by the Department of Housing & Community Development. Malcolm Ragan said the major changes include a new category of “adjacent small towns” with reduced requirements compared to those with MBTA stations within their borders, a category which Stow is now included in. Malcolm Ragan said that Stow’s unit requirement has been reduced from 750 to 139 units, and the district minimum size has been reduced from 50 acres to less than 10. Malcolm Ragan said that the compliance timeline has also been pushed back a year to December 31, 2025.

Lori Clark said that the revised guidelines make compliance with the new requirements seem much more achievable. Margaret Costello said that these requirements provide an opportunity to think seriously about the future of transportation patterns and capacity in Stow, and that additional options to access South Acton Commuter Rail will need to be provided. Margaret Costello said Stow should be aspiring to a future which is not so dependent on car travel.

Stow House of Pizza – Ongoing Special Permit Noncompliance

Lori Clark said the Planning Board should decide on next steps to try and bring the applicant into compliance with terms of the Special Permit issued in summer 2021. Karen Kelleher said that the Zoning Enforcement Officer and Assistant Planner visited the site and have reiterated to the applicant and their engineer the requirements under the previous Special Permit, and that those changes be reflected on a site plan submitted to the Planning Board.

Valerie Oorthuys asked if enforcement by the Environmental Protection Agency under stormwater permitting requirements could force some action by the applicant. Malcolm Ragan reported that the applicant has not disturbed more than 1 acre of the site and is therefore not subject to EPA permitting requirements in this case.

Lori Clark suggested the Board meet with the owner in person and request a clear course of action to remediate the site. Nancy Arsenault suggested that the Board be open to asking for accumulated fines to be waived if prompt cleanup is completed. Margaret Costello wondered if the Select Board has authority to revoke the business’s Common Victualler license if they continue to operate in violation of the Planning Board’s decision.

Karen Kelleher suggested that the Board request a letter from Town Counsel. Lori Clark said that Planning and Zoning Enforcement staff should consult with Town Counsel about the Town’s options and what can be included in a letter to the owners. Lori Clark said that the Board should also continue to request the owners meet with the Board directly.

Outreach Efforts for Lower Village Rezoning

The Planning Board discussed reviews and visual aids to assist with public outreach regarding a newly drafted zoning amendment for the Lower Village business district. The Board discussed contracting for conceptual visuals which demonstrate the kinds of development made possible by the zoning changes, as well as some review to check for loopholes in the draft. Lori Clark said that any visuals should be used to assist the Board to communicate the goals of the proposed zoning changes.

The Board requested that staff draft a scope of work for a consultant to both review the drafted bylaw and to develop some concept renderings.

Future of the Lower Village Revitalization Subcommittee

Nancy Arsenault suggested that the Board meet with the current members of the subcommittee and ask for input on refocusing the mission statement. Board members discussed whether some of the charge of the subcommittee in the existing mission statement mirrors some of the duties of the Planning Board or the EDIC. The Board discussed asking the subcommittee to focus on reviewing the current draft of the Lower Village zoning bylaw but wondered if that was enough reason to convene a committee. Lori Clark recalled a previous charge to move a water feasibility study forward but noted that such a project is already funded and being advanced by town staff and the Select Board. The Board discussed reconvening the committee for upcoming Master Plan updates but agreed that there is no clear necessity for the subcommittee at this moment.

Other Business

Margaret Costello said she finds the manner of installation of underground utilities at 38 Hiley Brook unacceptable, and that a new pole installed by Hudson Light & Power (HLP) should not have been located so close to a historic directional marker. Margaret Costello said workmanship to install utilities at 38 Hiley Brook has been sloppy and that the Board should inquire about the need to install a new pole to deliver underground service. Karen Kelleher suggested that HLP be asked to explain why the installation took the form it did. Margaret Costello said the goal going forward should be the minimization of new overhead service poles.

Lori Clark said that HLP could be asked to attend a Planning Board meeting and explain the process leading to a new service connection, which the Board could then use that information to refine its Rules & Regulations. Margaret Costello said she was especially curious to know why additional poles are needed for installation of underground service.

Margaret Costello motioned to adjourn
John Colonna-Romano seconded

Respectfully submitted,
Malcolm Ragan