

TOWN OF STOW
PLANNING BOARD

Minutes of the November 9, 2022 Planning Board meeting

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

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

Planning Board Member Updates

John Colonna-Romano said that the director of the Recreation Department attended a meeting of the Community Preservation Committee (CPC) to discuss improvements to the vacant “school lot” in Gleasondale. John Colonna-Romano said the project could be eligible for funding by the CPC if requested. Lori Clark asked if the Gleasondale Neighborhood Committee had been consulted by the Recreation Department. Margaret Costello said that some neighbors had been consulted and expressed concerns about noise and loss of occasional parking on the lot.

Nancy Arsenault noted recent meetings of the Economic Development & Industrial Commission and asked if they have been able to confirm new mission statement language. Karen Kelleher said that the Select Board may need to finalize a draft first before it can be reviewed and approved by the EDIC.

Margaret Costello asked if someone from the Town is ensuring compliance with a requested vegetative buffer at two houses on Hallocks Point Road. Assistant Planner Malcolm Ragan said the vegetative buffers were described in recorded ANR plans after the Town exercised a right of first refusal for land held in Chapter 61, and then sold some of that land to allow construction of the two houses. Conservation Director Kathy Sferra said that the buffers were flagged in the field by the housing developer and that she is reasonably confident that the vegetative buffers have been respected. Kathy Sferra said that the buffer requires leaving standing trees in place, and that some small amount of undergrowth was cleared to build a recreational trail on the new conservation land.

Planner’s Report

Planning Director Valerie Oorthuys said that next meeting will be a continuation of the Public Hearing for the Cottages at Wandering Pond Active Adult Neighborhood, which will focus on the Traffic Impact Assessment and the Planning Board’s consultant peer review. Valerie Oorthuys said that a full peer review of the site plans by the Board’s consulting engineer is still anticipated.

Valerie Oorthuys said that staff are developing a scope of work for design services for new sidewalks along a section of Crescent Street. Valerie Oorthuys said a procurement process was conducted to select multiple engineering firms that could be contracted for the work, and that the department will visit the site with one of those firms.

Valerie Oorthuys said that the Eversource Transmission Line project along the former Mass Central Rail ROW will begin installing erosion controls this month and that construction is expected to conclude in fall 2024.

Valerie Oorthuys said staff are mindful of deadlines for compliance with new multifamily zoning requirements for MBTA communities, and that a draft of the required action plan will be presented to the Board at a later meeting ahead of a January 31, 2023 deadline.

Proposed Amendment to the Wireless Service Facility Overlay District

Karen Kelleher recalled amendments proposed by Verizon, and said that if the Board decides to move forward with any amendment to the Wireless Service Facility Overlay District, it should conduct a full review with the broader needs of the community in mind. Nancy Arsenault said that two new developments will increase the wireless service demand in the southern part of town. Karen Kelleher said that the proposal to give the Board some flexibility on setbacks should include some guiding parameters. Karen Kelleher said that the Board should further consider criteria for establishing a reasonable setback to wireless towers.

Lori Clark said she wants to know why the proposed location in the Stow Acres parking lot was agreed to, and who made that decision to create the carve out in the recorded Conservation Restriction. Conservation Director Kathy Sferra said the owner of Stow Acres had been in discussions with Verizon about a proposed tower, and fully understood that it would not meet zoning requirements. Kathy Sferra said the Conservation Commission agreed to the carve out with that understanding so that Verizon would have a chance to request zoning changes from the Planning Board. Kathy Sferra said that Verizon seems to be under a mistaken assumption that the site is somehow “pre-approved” by being a possible allowed use under the terms of the Conservation Restriction.

Karen Kelleher asked if Verizon seriously considered any alternative locations that are already within the Wireless Service Facility Overlay District. Lori Clark said that she is not in favor of the zoning bylaw amendment as it has been written by the attorney representing Verizon. Nancy Arsenault noted that Stow Acres stands to lose out on revenue from the lease agreement if the cell tower is not located on their property. Kathy Sferra said that she does not think that would impact ongoing partnerships between the town and Stow Acres related to the housing redevelopment and wetland restoration projects.

John Colonna-Romano asked if anyone knew the motivation behind the current 1,000 ft setback requirement. Lori Clark asked staff to research that bylaw provision and provide examples of setbacks in other area towns. John Colonna-Romano said that a lower setback requirement could be reasonable. Lori Clark said that placing the tower close to homes may lower the values of those properties.

Board Comments to Charter Review Committee

Lori Clark noted that state statute still uses the term “Master Plan” and the Planning Board and future charter should draw a clear equivalency with “Comprehensive Plan”.

The Board discussed a list of their proposed amendments to the Town Charter. Topics included the powers of the Planning Board to appoint its own associate members, changing references to Master Plan to “comprehensive plan”, authority to appoint a master plan committee, and voting procedures for committees.

Deb Woods cautioned Board members to consider whether provisions that contain potential conflicts should even be included in the Town Charter, and noted that the Charter may only be reviewed every 10 years with a two-year implementation cycle. Kathy Sferra agreed and noted that other Town Charters almost never mention the duties to develop a Master Plan. Karen Kelleher noted that the Planning Board's authority to create a Master Plan is established by MGL Ch 41 §81D. Karen Kelleher wondered if the Planning Board could reference that responsibility in its mission statement and remove reference to a Master Plan from the charter altogether.

The Board decided to request that the Master Plan Committee appointing authority should not be specified in the Town Charter, but if it shall be included, that the Planning Board and Select Board share appointing responsibilities.

Valerie Oorthuys said she will request a joint meeting with the Select Board in coming weeks to discuss this topic further.

Lower Village Zoning Amendments

The Board reviewed the purpose section of the current zoning bylaw draft, which lists a range of goals of the rezoning effort.

Lori Clark noted that the Board had requested some visual aids to both test the bylaw as drafted and to communicate the proposed changes to the public. Valerie Oorthuys said that consultant firm Dodson & Flinker is now under contract to provide those visual aids, but final delivery will not be for several months yet. Valerie Oorthuys suggested the Board host an initial public forum to explain the goals and overall approach of the proposed revisions.

Nancy Arsenault said that the Board should be clear to communicate that this bylaw lays out a long-term plan for development and will not result in site changes in the immediate term. John Colonna-Romano said that the public should be informed that a redevelopment of Linear Retail may not result in a good outcome based on what is currently allowed under the Zoning Bylaw, and that the Board would have limited control over what is developed.

Lori Clark said that the provisions of the Bylaw should be linked to the goals in the opening statement. Valerie Oorthuys said that some outreach documents for recent changes to the Active Adult Neighborhood bylaw provide an example of how to do this successfully.

Nancy Arsenault noted that the Planning Board has not provided a clear link between prohibition of vehicle service stations and the goals of the bylaw. Margaret Costello disagreed, stating that such a use is clearly counter to the stated goals of creating a pedestrian-oriented business district.

The Board tentatively scheduled a January 10 public forum. Karen Kelleher recommended that a specific presentation be made to the residents at Meetinghouse at Stow. Lori Clark said that outreach to other boards should also happen before the proposal is brought to Town Meeting. Lori Clark noted that the Green Advisory Committee just hosted two forums for members of Town Committees and suggested the Planning Board do something similar.

Comprehensive Plan Outreach

Valerie Oorthuys presented an outline of initial outreach activities ahead of creation of a Master Plan Committee.

1. Framework Building
2. Formation of Comprehensive Plan Committee
3. Visioning Exercises
4. Existing Conditions Analysis

Valerie Oorthuys explained that framework building would include distribution of a short survey, which will have a secondary effect of alerting residents to the beginning of the planning process. Board members noted that the recent survey distributed by the Open Space and Recreation Committee received around 400 responses. Lori Clark said it is in the Planning Board's best interest to inform the Select Board about this plan for initial outreach. The Board agreed to provide information about beginning the Comprehensive/Master Planning process in writing.

Workplan Review

The Board discussed articles they hope to bring to Annual Town Meeting, which include amendments to the Lower Village Business District, amendments to the Active Adult Neighborhood Overlay District, striking of the Phased Growth Bylaw, and possibly some amendment to the Wireless Service Facility Overlay District. The Board also discussed bringing an improved stormwater bylaw to a Town Meeting in 2024.

Lori Clark said the Board should revisit goals for revisions to the Sign Bylaw at an upcoming meeting. Lori Clark also asked staff to prepare a schedule for meetings in the lead up to Annual Town Meeting.

Karen Kelleher motioned to adjourn
Margaret Costello seconded

Respectfully submitted,
Malcolm Ragan