

TOWN OF STOW
PLANNING BOARD

Minutes of the December 13, 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

Karen Kelleher motioned to approve the minutes of November 15, 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

Planning Director Valerie Oorthuys confirmed that a letter from several Hudson Road residents has been provided to the applicants for the Cottages at Wandering Pond.

Planning Board member updates

John Colonna-Romano said the Green Advisory Committee (GAC) is planning to bring a warrant article to Annual Town Meeting that would opt Stow into the new specialized stretch energy code that has been promulgated by the Dept. of Energy Resources. John Colonna-Romano said the main goal of the GAC is still to create a climate action plan, which they have recently begun drafting. John Colonna-Romano said an information packet regarding the opt in energy code has been provided to the Select Board ahead of a presentation in January. John Colonna-Romano said the GAC hopes to have the climate action plan completed and published by summertime.

Planner's Report

Planning Director Valerie Oorthuys updated the Board on the Making the Connections grant program, a partnership of several MetroWest towns that has funded a no-cost taxi rides service for Stow seniors over the past year. Valerie Oorthuys said the towns' consultant is drafting the final report for the previous year, which includes many lessons learned and summarizes a transportation needs survey that was distributed to residents. Valerie Oorthuys said that the taxi rides program will continue in 2023 but with new funding from MassDevelopment.

Valerie Oorthuys recounted a public forum the previous Wednesday which investigated closing one segment of the triangular intersection of Marlborough Road and Route 62. Valerie Oorthuys said two stages of intersection realignment were presented and the Traffic Safety Advisory Committee agreed to advance the first option soon. Valerie Oorthuys said that closing both lanes of the segment to be closed will require installation of a stop sign and therefore a vote to amend the traffic rules & orders by the Select Board. John Colonna-Romano asked how the pilot realignment will be assessed. Valerie Oorthuys

said it will mostly be from resident feedback, but the Town will also collect data from traffic counters that have been installed in that area.

Stow Acres North Course – Approval Not Required (ANR) Plan Review

Conservation Director Kathy Sferra said that this plan would divide the North Course parcel and allow the open space preservation and housing project to move forward. Valerie Oorthuys said that staff review of the plan identified an incorrect note that should be removed prior to endorsement, and said that a waiver of the fee has been requested.

Mark Jones noted that one of the lots that would be created by this plan is noted as “not a building lot”, and asked if that could prevent construction of a structure on the site if later master planning for the Town’s acquisition identifies a need for one. Kathy Sferra said that portion of the site is anticipated to be primarily used for passive recreation once the golf lease ends. Kathy Sferra said that if a structure was proposed for the recreational (nonbuilding) lot, there is enough frontage and area to apply for a Hammerhead Lot Special Permit to allow construction.

John Colonna-Romano asked how the proposed lot divisions were agreed to and if all parties are happy with the outcome. Kathy Sferra said the dividing line with the housing parcel was the subject of many negotiations between the Town, developer, and owner of Stow Acres. Kathy Sferra said the lot line shown closely follows the boundary presented to Town Meeting for the vote that authorized acquisition of most of the North Course.

Valerie Oorthuys said it is typical to waive ANR fees for Town sponsored projects.

*Karen Kelleher motioned to waive the application fee for the Stow Acres North Course ANR endorsement
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 motioned to endorse the ANR plan dividing the Stow Acres North Course, subject to removal of an incorrect note regarding Zoning Board of Appeals decisions for the site
John Colonna-Romano seconded*

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

The Planning Board verified upcoming meetings on January 10, 17, and 24; February 7 and 15 (Wednesday); and March 7, 14, 28. Margaret Costello said she will not be available for January 10. Voting Associate member Mark Jones confirmed he was in attendance at the Public Hearing set to be continued to that meeting, and will be available to vote on the requested permit.

FY 2024 Budget Discussion (continued below)

Valerie Oorthuys said she revised the draft budget memo to separate line item requests for Engineering/Consultant expenses and the upcoming comprehensive planning effort. Valerie Oorthuys

said staff support for the Zoning Board of Appeals will be brought into the Planning Department next fiscal year but will separately request their budget. Valerie Oorthuys said the ZBA has not yet voted on a FY2024 budget, which is likely to include an increase in advertising expenses. Karen Kelleher asked if staffing has been increased to account for the extra work being taken on by the Planning Department. Valerie Oorthuys said the Planning Department may request that admin staff shared with the Board of Health work more hours in the Planning Department.

Joint Board Discussion with Select Board – Town Charter Review

Lori Clark said the Planning Board recognizes the valuable contributions the Select Board can make to development of a Comprehensive Plan but that Massachusetts General Law is very clear that responsibility to oversee that plan lies with the Planning Board. Select Board chair Megan Birch-McMichael said that the charter should be revised in accordance with clear requirements of Mass General Law, but that the Select Board wishes to maintain a clear role in the comprehensive planning process. Select Board member Hector Constantzos said he disagrees that there is any conflict between the existing Town Charter language and Mass General Law. Lori Clark said the Planning Board is clearly identified in MGL C. 81D as the body charged with developing, revising, and accepting a Comprehensive Plan. Ingeborg Hegemann Clark said the existing Town Charter language is vague and could create uncertainty about each Board's responsibilities, and that she is open to removing language referencing a Comprehensive Plan from the Town Charter altogether.

Planning Board non-voting associate Deb Woods, speaking in her capacity as chair of the Charter Review Committee, said she would appreciate the Planning Board and Select Board reaching agreement on verbiage for any charter language referencing a Comprehensive Plan.

Karen Kelleher said that there is no clear need to define Comprehensive Plan responsibilities in the Town Charter and recommended that a policy be adopted by one or both boards to clearly establish expectations. Hector Constantzos insisted that there is no conflict between Mass General Law and the Select Board's current responsibility for the Comprehensive Plan in the current Town Charter. Megan Birch-McMichael said Mass General Law is explicit that the Planning Board is the authority that may vote to accept a new Comprehensive Plan.

The Boards further discussed specific language revisions to the Town Charter. Megan Birch-McMichael said the Select Board wishes to preserve their authority to appoint the members of the Comprehensive Plan committee. Karen Kelleher suggested a shared appointing authority for the two at-large positions on that committee. Cortni Frecha said the appointing authority is something of a formality, as the Select Board is likely to appoint members recommended by the Planning Board. Ingeborg Hegemann Clark agreed that Comprehensive Plan Committee appointment should continue to be the responsibility of the Select Board. The Select Board voted on two motions to recommend revisions to the Town Charter to clarify roles and responsibilities for the Comprehensive Plan.

Deb Woods said that the Charter Review Committee would like to receive proposed amendments in writing as soon as possible.

PUBLIC HEARING CONTINUANCE – Cottages at Wandering Pond Active Adult Neighborhood

Lori Clark opened the hearing at 8:05pm.

Lori Clark introduced Sue Carter, the Planning Board's consulting engineer from Places Associates, Inc.

George Dimakarakos, applicant's engineer, said that further revisions to the site plans will require a complete technical review by the Board's engineer. George Dimakarakos introduced traffic engineer Jeff Dirk from Vanasse & Associates to discuss traffic impacts and hydrological engineer Don Provencher to discuss drinking and irrigation water topics.

Sue Carter said that a complete technical review for the 72 page plan set would have been impossible to present as part of this public hearing, and suggested that such review take place in a meeting between the applicants and staff. Sue Carter said she provided a review memo to the Planning Board with 10 general categories.

First topic was the culvert under the proposed access over Athens Street. Sue Carter said she is concerned with how the design of the culvert narrows at its downstream outlet, which could lead to frequent blockages and difficulty of maintenance. Sue Carter said the area is known to have active beavers who would have an easy time damming a culvert of the proposed design. Sue Carter said the results could be serious because this is the sole proposed access to the site. Sue Carter said that both proposed stream crossings for the development should be fully completed as part of the first construction phase.

Second topic were recommendations made by the Stow Fire Chief. Sue Carter reported that the Fire Chief will require operational firefighting cisterns on the site before any Building Permits are issued. Sue Carter said that all structures should be a maximum of 1000 ft away from a cistern, and that all cisterns must have enough space for a fire truck turnout. Sue Carter said the Fire Chief will not allow any street parking in the development at the currently proposed road width. Sue Carter said that two of the proposed road names are too similar and will not be approved for 911.

Third topic was parking spaces. Sue Carter said that additional guest parking should be provided throughout the development to ensure no on street parking takes place and to provide convenience for residents.

Fourth topic was insufficient parking spaces at the club house. Sue Carter said many residents are more likely to drive to the clubhouse from their unit. Sue Carter said Clubhouse lacks some site plan details like handicap ramps and lighting for pool and Pickleball courts. Sue Carter said she is concerned about the grass paving, as similar paving was later replaced at another similar development in Stow.

Fifth, there are no provisions for locating a mailroom on site. The Postal Service is unlikely to deliver directly to residents' doors in this sort of development. Sue Carter said the applicant should locate mailboxes on a plan, with a preferred location being the central common building.

Sixth, the construction phasing plans. Sue Carter said the current phasing plans focus on unit development schedule and are lacking detail on how site infrastructure and utilities will be phased. Sue Carter said that both proposed stream crossings should be part of phase 1.

Seventh, features such as crosswalks and curb ramps, streetlights, and significant planting should be shown on the civil engineering plans, not just the landscaping plans.

Eighth topic dealt with stormwater management. Sue Carter said she noted implausible depths to groundwater at some locations and inconsistency in soil absorption rates listed in the HydroCAD output. Sue Carter said she also has concerns about the overall buildability of some of the stormwater infrastructure, and that some detail is missing from some smaller swales and rain gardens.

Ninth, Sue Carter requested additional detail regarding construction phasing, including erosion control measures during extreme weather events. Sue Carter said the steep slopes on the drumlin create a risk for erosion events during construction. Sue Carter said that such details should be included in the construction phasing plan.

Tenth, the landscaping plan should be revised to a typical civil engineering format. Sue Carter noted that one of the proposed trees has the potential to grow to 100 ft in height. Pathways around the project do not have any detail on surface. Sue Carter said no details on streetlights or signage is included and should be worked on by a landscape architect.

Sue Carter said that the Planning Board will need to make some judgement decisions regarding the appropriate number of parking spaces and how to distribute them around the development. Karen Kelleher said guest parking should be dispersed throughout the site, especially given that on-street parking will not be available. Sue Carter asked the Board's preferred ratio of guest parking spaces. Sue Carter said she will provide guest parking ratios at similar developments for the Board's consideration as part of a later review.

Resident Mark Forgues (9 White Pond Road) asked if the development as proposed will be permitted as an Active Adult Neighborhood Special Permit, noting that children will be allowed in the development. Lori Clark confirmed that the units will not be age restricted, a requirement for the district that was removed in the most recent revision in response to changes in state fair housing rules. Mark Forgues said that a 2-bedroom limit will not limit the number of new children enrolled in the school district. Mark Forgues said that the proposed layout extends beyond the boundaries of the Active Adult Neighborhood Overlay District. Mark Forgues asked if units will be sold during construction and said that the single site access will create a safety issue. Mark Forgues said the Planning Board should deny the permit outright if only a single site access is provided.

Ken Duchi (209 Hudson Road) asked if the Board had a chance to read a letter signed by him and 20 other households near the proposed site access. Lori Clark said the Board did receive and review that letter. Lori Clark said that letter contains further concerns about the single site access, and also questions about the long term impacts of drinking and irrigation wells. Lori Clark said there are also questions regarding the environmental conditions of the site given a history of illegal dumping.

Responding to the letter, George Dimakarakos said that the wastewater permit from the Department of Environmental Protection must be renewed every 5 years and the site owner will be required to maintain detailed logs. George Dimakarakos said the applicants shall comply with all federal, state and local laws regarding environmental protection, and that many layers of compliance will ensure no risk to the town or residents.

Hydro engineer Don Provencher said that the first of two rounds of permits for the drinking wells have been approved, establishing a protective radius around each well and providing a baseline flow rate. Don Provencher said the location of the wells near the hydrological barrier that is the existing stream will limit

the geographic area of the drawdown on the aquifer. Don Provencher said he also looked at the amount of recharge available at site, assuming an average of 46 inches of rainfall per year. Don Provencher said that approximately 23 inches of rainfall would be expected to infiltrate into the soils at the site, and that the soil types will be able to accommodate this volume. Don Provencher said a conservative estimate that assumes the whole site is glacial till would have a daily recharge capacity of over 44,000 gallons per day (gpd), well in excess of anticipated 32,000 gpd expecting to be drawn for drinking water. Don Provencher said that the site will not be “mining” groundwater at the site. Don Provencher said these kinds of calculations are needed to ensure that wells will not draw more than can be recharged into the soil.

John Colonna-Romano asked if further analysis that assumes an extreme case of prolonged drought could be completed. George Dimakarakos said that Don Provencher’s estimates were very conservative and did not account for the more permeable soils present. Don Provencher said that deep bedrock aquifers are relatively resilient in the face of drought, and that responses are different to surficial aquifers.

Don Provencher said that the bedrock wells will be tested for any contaminants during a five-day pumping test. Don Provencher said that common contaminants like iron and manganese can be easily removed by pumping and distribution equipment.

Clifford Martin (Heather Lane, Arbor Glen Active Adult Neighborhood) said he is chair of water committee for his community for the last 6 years. Clifford Martin asked if there will be irrigation wells on the site, and recalled an estimate for such wells at Arbor Glen for as much as 40,000 gpd. George Dimakarakos said that they are still working on pulling together calculations for irrigation wells once more is certain about the site plan.

Katie Fisher (1 White Pond Road) asked if the DEP reviews irrigation wells. Don Provencher said provided the withdrawal does not exceed 100,000 gpd, DEP does not have jurisdiction over an irrigation well. Don Provencher said those private wells would be under the jurisdiction of the local Board of Health.

Dorothy Granat (11 White Pond Road) asked about the timeframe for the average precipitation figures for the region. Dorothy Granat asked if the applicant will test any abutting’s wells. Don Provencher said that the 46 inches/yr has been average for the past several decades, and that these are standard benchmarks used by engineers. Don Provencher said that average rainfall is more relevant to the calculations for bedrock aquifers. Don Provencher said that monitoring abutting private wells becomes a very challenging prospect because the water level will fluctuate frequently depending on if pumps are running, making impacts hard to observe. Don Provencher said that abutting wells might have to be shut down for several days in order to establish a baseline for comparison. Don Provencher said that installing monitoring devices in private drinking wells creates a risk that installation of a monitoring device into a private drinking well could create an opportunity to introduce contaminants. Don Provencher said that DEP did not recommend any private well monitoring on abutting properties in their initial approvals.

Jeff Dirk of Vanesse and Associates introduced himself as the transportation engineer responsible for the traffic impact assessment. Jeff Dirk said the Board has now received a complete peer review of that study from Green International. Jeff Dirk said earlier comments from the Board on a draft study allowed for development of a comprehensive transportation plan, with special attention given to Hudson Road. Jeff Dirk noted that 80% of additional vehicle trips will transit the Hudson Road/Route 117 intersection, and pointed out that the Town is securing designs for signalization and seeking grant funding for later

construction. Jeff Dirk said that queuing on Hudson Road northbound at the intersection will be increased by 7 to 8 cars without signalization.

Jeff Dirk said the resident letter was correct to note the % increase of traffic, but argued that the percent increase should be judged against the relatively low traffic counts in the existing condition. Jeff Dirk said that a recent road safety audit completed for the Hudson Road/Route 117 intersection should be helpful to secure MassWorks grants funds for construction of the signal.

Jeff Dirk said the Town's Complete Street Prioritization Plan from 2018 includes sidewalks and bike lanes be installed on Hudson Road, with some possible proposed alternatives. Jeff Dirk said the applicant is committed to providing funding for design of a possible shared use path along Hudson Road. Jeff Dirk said that based on Board comments, additional safety improvements were recommended at the intersections of Hudson Road and Walcott St/Edson St, including stop sign installation, pavement markings, and brush clearing.

Kathy Sferra reiterated that the stream crossings are crucial for this project and must be carefully assessed. Kathy Sferra asked that the applicant file a Notice of Intent with the Conservation Commission soon so that both Board's reviews can happen concurrently.

Margaret Costello said she does not agree with the assumption that 80% of traffic would travel north from the development. Margaret Costello said the four-way intersection south of the site in Hudson would be impacted.

Mark Forgues said he was bothered by Jeff Dirk's belief that the town is assured to receive grant money for the signalization of the Hudson Road/Route 117 intersection. Mark Forgues said it was in bad taste and amounted to buying off the town to suggest construction of sidewalks along Hudson Road approaching the development.

Sue Carter asked if there is any interest from the applicant to create a play area in the vicinity of the pool. George Dimakarakos said that that option has not yet been considered. Bruce Wheeler said that they will review the estimates about the number of children anticipated at the development.

George Dimakarakos said engineers will meet with staff next Thursday, after which there will be another revision to the site plans, which should require about a month. Valerie Oorthuys suggested continuing the Public Hearing to January 24, 2023.

Fred Meyers (Arbor Glen resident) said he applauds issues documented by Hudson Road residents. Fred Meyers asked why July was picked for vehicle counts in the traffic study. Fred Meyer asked if the 3 wells will serve the entire project's drinking needs, and will not satisfy any irrigation needs. The applicant confirmed.

*Karen Kelleher motioned to continue the hearing to January 24th, 2023 at 7:30pm.
John Colonna-Romano seconded*

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

Deliberation – 108-118 Great Road Special Permit

Board discussed screening at the rear of the property line and around an existing dumpster behind the building at 118 Great Road.

Margaret Costello said she will provide the Board with information regarding the electric utility connections at the site, outlining her concerns about the design. Margaret Costello asked that her concerns be provided in a letter to the site owner as well as Hudson Light & Power.

Karen Kelleher motioned to approve the decision for a Special Permit and Site Plan Approval for 108-118 Great Road

John Colonna-Romano seconded

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

Budget Discussion (cont.)

Mark Jones said that additional staff hours should be budgeted to handle new Planning Department responsibilities with the Zoning Board of Appeals. The Board suggested additional administrative staff hours to be budgeted for the next fiscal year, regardless of anticipated staffing levels.

Karen Kelleher noted that the ZBA is appointed by the Select Board and wondered if they can provide some staffing support to assist the Planning Department.

Lori Clark said the Finance Committee has pushed back on Planning Department staffing levels in the past, but said this is justified because the department's responsibilities are constantly expanding. Karen Kelleher said that a budget cover letter should emphasize how many Boards and committees are supported by Planning staff.

Karen Kelleher motioned to approve the budget request subject to additional staff time for ZBA duties

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 motioned to adjourn

Margaret Costello seconded

Respectfully submitted,
Malcolm Ragan