TOWN OF STOW
PLANNING BOARD

Minutes of the March 7, 2023 Planning Board Meeting

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

Absent: Lori Clark

Karen Kelleher called the meeting to order at 7:00pm

Public Input
Mark Forgues, 9 White Pond Road, asked if any changes to the Lower Village Zoning Bylaw had been made by the Board, in response to comments made last week by residents and business owners? He expressed his concern about the public not having enough time to make comments prior to submittal. Karen Kelleher responded that the Board has not finished with the public comment, and noted that there is a public forum happening on March 28th. Valerie Oorthuys said a final draft is anticipated before the April 3rd deadline. She said a later part of tonight's meeting is for a debriefing of last week's forum and that she had not yet heard any of the Board member's reactions to those public comments. She also stated that there will be two forums in addition to the one planned for March 28th.

Planning Director's Report
Hiring Process
Valerie Oorthuys updated the Board on the status of the interview process for the Assistant Planner position. At this point, the hiring process will be limited to Planning, the Assistant Town Administrator and Karen Kelleher, who had been asked to represent the ZBA.

Verizon Wireless
Verizon Wireless will not be able to attend tonight's meeting, in favor of spending more time on their alternatives analysis. They understand that the Board is also looking at the Wireless Overlay District in order to understand if changes should be made to better accommodate wireless communications. The Board has previously talked about the opportunity of changing the height of existing towers to allow for more co-located facilities. The Board's packets include a review of other town's bylaws. Karen Kelleher said she thought Stow's setback is a lot larger than most of them, but the height is similar. John Colonna-Romano agreed that many setbacks are defined as the height of the tower, plus a few percent.

Board Training Opportunities
There is still time to sign up for an upcoming Citizen Planner Training Sessions. Members discussed the topic briefly, noting that the information from upcoming sessions (and that of previous presentations) may be available to share.

Request to Amend Wireless Service Facility Overlay District
Karen Kelleher noted that Verizon would not be present for this discussion. Karen Kelleher said a piece of correspondence from a resident was included in tonight's packet, but there is no application before the Board.

Bennett Daley, 32 Randall Road, stated he provided a letter to the Board and introduced himself as a resident on Randall Road and an abutter to Stow Acres where the cell tower location is being proposed. He noted a few points beyond the letter he had previously submitted to the Board. His first point was that the Spindle Hill Cell tower only benefits a singular carrier network, as all three are owned by one. The 2nd point was that the proposed cell tower has a location next to the intended conservation walking path, which would pose a threat to public safety for children and families, as it they'd be going past barbed wire fencing and industrial equipment. His final point referenced study done 20 years ago, that he feels has served and protected Stow's residents and was in reaction to the cell tower at Spindle Hill and Hillcrest Avenue. Karen Kelleher recommended that further remarks be saved for a future meeting. She said the Board would welcome additional comments in writing, but made it clear that no application for a cell tower on that property is on the table. She further stated that as the zoning exists today, an application would not even be allowed to be submitted, because it is not in the overlay district. John Colonna-Romano agreed that a zoning change would have to be made first, and followed by a town meeting vote, before any plans for a cell tower at that location could move forward.

Public Hearing
The Cottages At Wandering Pond Active Adult Neighborhood Special Permit, Athens Street

Karen Kelleher stated the applicant requested the Board continue the public hearing without testimony to March 14th and asked for a motion to continue the public hearing.

John Colonna-Romano motioned to continue the Public Hearing to March 14th at 7:30pm
Margaret Costello seconded.
Roll Call Vote: Nancy Arsenault- **Yea**.; John Colonna-Romano- **Yea**; Margaret Costello- **Yea**;
Karen Kelleher – **Yea**

Lower Village Zoning Amendments
Board members discussed the public forum held on February 28, 2023.

Nancy Arsenault said she advertised the forum on social media and thought there were a lot of people who dialed in to the meeting for the first time. Nancy Arsenault said the information may be overwhelming and suggested a summary slide to be included at the end of the forum. Nancy Arsenault said she believed people had left the zoom meeting early when the public conversation became dominated by one or two residents, and therefore, stifled. One solution would be to encourage others to speak by sending in questions or comments ahead of time. A second solution could be that they are sent on a chat that only the host can see, which may be less intimidating and an easier way to get a comment across.

John Colonna-Romano commented about the relationship between the water issue and zoning, stating it will be too late to change the zoning once the water problem is solved, that zoning takes a long time to get in place because it has to go through town meeting. He stressed that this point needs to be understood by the public.

Board members agreed it should be made clear that the bylaw does not impact all parcels that are currently within the Business District. Board members agreed that future presentations or discussions should highlight the need to talk about the impact of short- term actions versus long-term vision.

Nancy Arsenault asked if a graphic could be used in the presentation of the architectural design and layout for improvements at the Old Beef and Ale property, so as if to say this has been permitted and an evidence of type of things that fit the new bylaw, accepted already by this business owner? Members noted it may be confusing that the owner took the care to achieve the architectural vision without having the bylaw in place first. Valerie Oorthuys noted the owner is also a resident and has met with the Board several times to discuss the visual preference survey, architectural design and landscaping. Debbie Woods pointed out that the application could have the added benefit of showing that the bylaw works for business, rather than against it.

Valerie Oorthuys said it is important to say that Dunkin is happy to come in knowing that they don't have permission to operate a drive-through.

Margaret Costello expressed a concern about the traffic on Route 117 and does not want to see any one business impact the flow, since the size of the road remains the same and an increase in traffic flow should be protected against. John Colonna-Romano brought up the idea of walkability, and members agreed, that even if you had to drive to get to the Lower Village Business District, walking safely from business to business would be a positive improvement within that area.

Karen Kelleher noted questions about non-conformity and enforcement issues that arose through the public forum. Valerie Oorthuys stated the Town clearly has a couple of enforcement issues now and any change in zoning won't make a difference in what is still required of those owners, as they have Special Permits. Karen Kelleher said the problem is how to get a long-term message across, as hopefully the new bylaw will encourage property owners to want to make improvements, by working under it, or alternatively, by deciding to sell. Valerie Oorthuys said she believes the bylaw will make parcels in Lower Village more lucrative. If there are more allowances on site, more can be done and the hope is that it leads to redevelopment, or infill development.

John Colonna-Romano noted that language in the draft bylaw should be clarified around buffer requirements where there is a change in district and where there is an abutting residential use. John Colonna-Romano continued by saying these can be addressed through the Special Permit process, however it wouldn't be a requirement as written. Valerie Oorthuys suggested addressing this with Peter Flinker and his use of visuals in taking a look at the amount of buffering as it relates to green space landscaping, or functional open space, in prospective parcels. It may be beneficial to increase the buffer anyhow, because it may not be enough green space. Karen Kelleher noted that flexibility exists in the draft bylaw no matter how it is zoned.

John Colonna-Romano noted that the Board received the comment at the public forum that the Special Permit process is too burdensome. Margaret Costello reminded members that Lower Village is a small area which impacts a lot of people.

Karen Kelleher asked if any dates had been decided for the rest of the upcoming forums? Valerie Oorthuys said she was looking into the week of March 20th to hold forums at the Pompositicut Community Center and Meeting House, with the hope of hearing back from more people, during daytime hours.

Dorothy Granat, 11 White Pond Road, expressed that she was still concerned with the amount of change in the buffers for residents and that this may benefit businesses in the Lower Village, more than other

parts of town. She also expressed confusion with the Lower Village Business District Boundary itself, and stated that residential properties should be removed from the District and put into Residential, which she feels would offer protection against redevelopment.

Mark Forgues, 9 White Pond Road, stressed that he did not see the Board as being anti-business as stated previously, and believes the Board is very much business oriented. He's in agreement that the businesses in Lower Village need to be fixed, but expressed his concern that the zoning changes might unevenly impact the District's property owners.

Hector Constantzos, 34 Meeting House Lane, noted that the upcoming forum planned for Meeting House in March might not be well attended, as some residents might be at work during the day and still out of town for the winter. Valerie Oorthuys said she will try to be thoughtful about location/time of day in order to welcome residents to come to any upcoming meetings, whether it be in person or on zoom, day or night.

John Colonna-Romano noted that language in the draft bylaw refers to the height limit of a building as 35 feet and just three stories. Leigh Hilderbrandt, 196 Great Road, asked for confirmation that two different restrictions on height currently exists in the bylaw. Valerie Oorthuys said she would review for inconsistencies to be sure the bylaw reflects what the Building Inspector requires.

John Colonna-Romano speculated about design potential and gave a hypothetical for Linear rebuilding with the same footprint. Karen Kelleher suggested the developer could be encouraged to improve the visual, by adding infill. Valerie Oorthuys went on to say that Peter Flinker offered a hypothetical, phased approach which the developer, or a future buyer, may wish to take. It has to do with reclaiming pavement and shrinking the parking lot, to create more open space and more tenant space over time.

Discussion shifted to the special permit allowing for mobile food trucks and pop-up markets in the area, provided that applicants obtain an event permit through Select Board beforehand.

John Colonna-Romano questioned how internal access drives are being treated, questioning how to handle those driveways, access drives or alleyways that would be right up against the property border, but not in the residential district. Valerie Oorthuys suggested the Board firm this up in the bylaw, as members agree with granting a larger buffer through a special permit when it is next to a residential use. Karen Kelleher suggested adding something in the bylaw about an abutting residential use. Members agreed this would need to be handled with care, however, as business uses often change. Valerie Oorthuys summarized that it would have to be a purely residential use, and not mixed use.

Nancy Arsenault followed this thought by asking about the access drive behind the shopping plaza, parallel to Red Acre Road. Members agreed this type of situation is problematic and should be discouraged. Valerie Oorthuys noted the complication that a driveway can be along a property line and there are no setbacks for driveways. She suggested adding more language around landscapes, buffers or screened buffers. John Colonna-Romano noted that in this instance it wouldn't be allowed in the in new bylaw, however, because there is a change in the zoning, which is different than having a residential use in this district.

Leigh Hilderbrandt, 196 Great Road, commented as a follow up to the letters she sent, in which she had requested the Board move her property out of the business district and into residential. When she asked

for the rationale behind the Board's opinion, Karen Kelleher responded that the Board had decided to focus on the zoning of the area, instead of the rezoning, at this time.

Margaret Costello motioned to adjourn.
John Colonna-Romano seconded.
Roll Call Vote: Karen Kelleher- **Yea**; John Colonna-Romano- **Yea**; Margaret Costello- **Yea**; Nancy Arsenault- **Yea**.

Respectfully submitted,
Julie Windzio