

TOWN OF STOW
PLANNING BOARD

Minutes of the March 21, 2023 Planning Board meeting

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

Absent: John Colonna-Romano

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

Work Session- Lower Village Business District Zoning Update

Residents were welcomed to a working session for the Lower Village bylaw. It was noted that no public input would be taken, but time would be made to review correspondence and go through the latest version of the presentation. Members agreed to go page by page, and stop during the process with individual comments, or to discuss relevant themes as outlined by the Planning Director.

Under the section of Purpose and Applicability, Margaret Costello asked whether an owner wishing to change to a smaller footprint would be required to go through the special permit process. Members agreed that renovation regulations fall under the building inspector, as opposed to the Planning Board. It was suggested that modifications could be addressed through the special permit process. Valerie Oorthuys expressed the importance of allowing owners the flexibility to make changes, that reflect a shift in the market in order to attract new business quickly.

Members asked for language to be added to clarify terms around the Select Board's Special Event Permits.

The threshold of Special Permit and Site Plan Approval was discussed, relative to the first three sections of the proposed bylaw. Members agreed there was a good balance in terms of what the Planning Board needed to review, but the language was still somewhat confusing. A definition of pedestrian-scale was modified using more encouraging language of architectural styling.

Members reviewed allowed uses. The topics of Bed & Breakfasts and Airbnb were talked about briefly. Members noted no inconsistencies in the drive-thru section. Mark Jones asked to refer back to the chart on "allowed uses" for clarification on those that require site plan or special permit.

Members reviewed sections on design standards, touching on topics such as new construction materials, signs, exterior lighting, driveways and street frontage. The concept of buffers was the focus of much debate. In summary, the Board agreed that for an existing residential dwelling unit, in an abutting non-residential zone, used solely for residential use since the date of construction, a landscape buffer and/or fence up to 50 feet could be required. For the residential zone, the buffer would start at 50 feet and could go down to 30 feet. For the non-residential zone, the business district, no buffer is required; except in the case of an existing residential unit, which may result in a landscape buffer up to 50 feet. In addition, if a structure is proposed within 50 feet of an existing residential unit, or if a parcel is split between the residential and non-residential zone, the Board might increase that landscape buffer even further, and require the installation of a fence. Valerie Oorthuys reminded members that the existing bylaw has no minimum side yard setback within the district.

Members talked about parking lots, landscaping, building size requirements, the clarification of a basement as a ‘story’, followed by a brief discussion of what would prevent residential space from becoming the ‘primary use’ in a mixed-use building. Valerie Oorthuys recalled a statement in an earlier draft that said the primary use of a mixed-use development must be retail, office, or other allowed use in the business district and noted this would be based on percentage of floor area.

Members reviewed the bylaw’s inclusion of affordable housing provisions within the mixed-use development section of the bylaw.

Members discussed internal access drives and measures of traffic calming, outdoor dining, sidewalks and landscaping buffers. A long debate followed about using the most intensive use when considering parking requirements. A point was made that buildings are often constructed before tenants are selected, which may result in more parking than necessary if parking is planned assuming the maximum need. The opposite could also be true however, if parking is constructed assuming a minimum need and a new tenant requires additional parking and doesn’t have the needed parking spots. Valerie Oorthuys suggested a phasing plan be requested during parking lot construction. Members agreed, so long as timing and landscaping were taken into consideration. The idea of franchise limitation within the district was brought forward, but all agreed this might present a legal challenge, with regard to zoning.

Members looked at a draft map showing the boundaries of the proposed Lower Village Business District zoning district. Valerie Oorthuys pointed out where split- zoned parcels were modified along the southwestern side of the district. It was noted this was not done on Red Acre Road. Members carefully debated the situation at 196 Great Road. The argument was made that aside from rezoning it, the new language added to the bylaw offered it more protection and also the option to have a business. However, other members questioned if the bylaw and the creation of buffers would be enough. Others debated still, arguing that if a residential property had never been used as business, and was simply a house, what would be the benefit of keeping it in the business district.

Valerie Oorthuys discussed the changes she had made to her presentation. She thanked Deb Woods for the feedback, which was reflected in this version of the presentation. She removed the case studies, except for West Acton. After a run through, members said it was easier to understand. Several small edits were made. She was to asked clarify the term “distinctive sense of place”. Upon hearing her answer, members encouraged her to add this powerful statement to the slide show. Margaret Costello expressed her hope that more residents watch the presentation prior to the Town Meeting. Members thanked the Planning Director for all her hard work.

Karen Kelleher motioned to adjourn.

Margaret Costello seconded.

Roll Call Vote: Lori Clark – **Yea**; Karen Kelleher- **Yea**; Margaret Costello- **Yea**; Nancy Arsenault- **Yea**.

Respectfully submitted,
Julie Windzio