

TOWN OF STOW  
PLANNING BOARD

Minutes of the April 4, 2023 Planning Board meeting

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

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

**Correspondence**

Members discussed the benefits of creating a Frequently Asked Questions (FAQ) document for the Lower Village Bylaw. Margaret Costello stated that she agreed with resident, Mark Harnett, who wrote a letter this week to share with the Board that he was in favor of having the power lines buried. Feelings were unanimous, though it was noted this remains cost prohibitive.

**Public Input**

Mark Forgues, 9 White Pond Road, expressed his concern to the Board that the bylaw was being rushed.

Dorothy Granat, 11 White Pond Road, noted she had a problem with the language in the bylaw and the lack of information surrounding the water feasibility, and the means by which it could actually be enforced.

Katie Fisher, 1 White Pond Road, stated she feels the bylaw needs more time and would like to see it delayed. She asked about condos and non-conforming uses. She expressed concern about the Board's authority for enforcement. The Chair encouraged her to add her questions to the FAQ.

Charlie Hartford, 95 Taylor Road, asked for confirmation that the Citizen's Petition for drive-thrus in the Business District would still be placed in the Warrant for Town Meeting, even though the Board voted not to recommend approval. John Colonna-Romano confirmed that it will still appear in the Warrant and said that it is important to note that the Town already allows for the operation of a drive-thru, however, not with food service. He offered the bank as an existing example.

Laurel Cohen, Gleasondale Road, stated her concern with the Lower Village bylaw, noting she doesn't want to lose the supermarket or the pharmacy. It was noted that the Board is trying to encourage further development with more allowed uses.

**Planning Board Member Updates**

John Colonna-Romano reported the Green Advisory Committee would talk to Capital Planning and if they come to an agreement, the Select Board would be approached about instituting a policy to abandon the use of fossil fuels in new town construction, if feasible.

Margaret Costello noted her support of the Warrant Article for funds to improve the School Lot in Gleasondale. John Colonna-Romano noted the Community Preservation Committee had unanimously voted to move the project forward. Members debated how to weigh in on this and other relevant articles, once the warrant gets finalized.

### **Planner's Report**

Valerie Oorthuys reported that Nancy's Airfield Café will become a farm to table restaurant called "Fourth and Field". She also stated that the Attorney General extended the hybrid meeting format, through open meeting law, through March 2025.

### **Joint Boards Meeting with Select Board: Lower Village Business District Zoning**

Members of the Planning Board and Select Board discussed the proposed bylaw for the Lower Village Business District.

Hector Constantzos said he liked the plan, but expressed there is confusion over the drive-thru petition. He asked for clarification in terms of the order and impact between two articles on the warrant. Lori Clark said that a modification to the drive-thru law is anticipated, but whatever the situation or proposal at Town Meeting, it would need to coexist with the Lower Village Business District bylaw. He suggested turning the focus on drive-thrus, as opposed to Starbucks and noted it would be worth mentioning at Town Meeting that zoning changes take years to enact. Members agreed that it is hard for most people to understand that zoning is a way to "influence over time".

Jim Salvie, Town Moderator, commented that it is possible to effectively amend a citizen's petition. The article itself shouldn't be changed. A motion, in theory, can vary to some extent but needs to stay in scope and whether the scope is more narrow on a citizen's petition is up for debate. He said he would reach out to Linear's attorney and his advice would be to get any proposed amendment language to him, sooner rather than later. He added that he is anticipating two amendments; one to the citizen petition, and the other to the Lower Village Business District zoning bylaw.

Megan Birch-McMichael asked if there was a way to limit the number of drive-thrus in town, even if there is a vote in favor. Lori Clark noted that limitations through zoning aren't feasible and limiting to one parcel would be considered spot zoning. It was noted that a drive-thru proposal would still need to come before the Planning Board through the special permit, with a specific application. Members agreed that too much focus has been on Starbucks, and not enough on the Lower Village bylaw.

Ellen Sturgis added that Starbucks might be the destination that other businesses in the plaza benefit from, but she feels it is a terrible location for a drive-thru. John Colonna-Romano agreed, stating the Town has no guarantee of Starbucks coming, or even how long they would stay, if the Town approves the drive-thru. One member cautioned about zoning an entire district around one business. Ellen Sturgis suggested this could be noted at Town Meeting and said she would like to see a concept plan for the south side of Route 117, opposite the plaza, where the change to existing vacancies could be transformative.

Ingeborg Hegemann Clark confirmed that tonight's edits of the bylaw would be the last before the document goes into the warrant. She questioned the impact of the visual images provided by Peter Flinker, as existing structures might not be seen for the value they add, but instead as problems in need of being torn down. She cautioned against presenting the traditional New England style without defining specific design standards. She noted she is excited about the prospect of multiple uses, with parking behind, but warned against encouraging traffic connectivity across Route 117.

Deb Woods she that didn't think a Starbuck's drive-thru is a silver bullet for success in the plaza. She asked if the citizen's petition can be amended on Town Meeting floor. Valerie Oorthuys said a resident would need to propose an amendment. Members discussed what kind of efforts Linear Retail was making to fill vacancies at the plaza. Members shared the opinion that Stow seemed low on the retailer's list of priorities.

Linda Hathaway, Crescent Street, noted the Lower Village would be a perfect location for a restaurant, and several inquiries had been made over the years, but she believes the plaza has always had a water issue. She said if Linear Retail was working to resolve the issue, the Town could be more hopeful. She added she was not in favor of allowing drive-thrus in Stow.

Valerie Oorthuys addressed a question from Hector Constantzos, who asked how the bylaw would impact the safety of pedestrians, with regard to movement between the businesses and across Rt 117. She said allowing internal streetscapes would help direct traffic, if placed properly, but noted that traffic would need to be assessed again, separately, as the district slowly develops the vision. She added that zoning doesn't typically call out road traffic specifically, but the Board would have to be creative.

Mark Forgues, 9 White Pond Road, asked about the special permit process, as it related to drive-thrus. Dunkin Donuts was mentioned and discussed briefly.

### **Lower Village Business District Zoning Amendments**

The Planning Board reviewed the draft warrant article, discussing language around special events, like mobile food trucks/pop-up markets, and then tackled the inconsistencies with regard to side/rear setbacks, abutting districts, abutting residential uses and pre-existing non-conforming uses. Redundancies in fencing and parking facilities within landscape buffers were noted.

Leigh Hilderbrandt, 196 Great Road, noted several inconsistencies in the bylaw regarding zoning buffers. Terms of residential protection and flexibility were discussed, as well as the table of principle uses, and a definition of membership clubs. Valerie Oorthuys made a note to clarify with the Building Commissioner.

Lori Clark reminded members that they have yet to come to consensus about the boundary of the district. John Colonna-Romano acknowledged it was a complex issue. He argued from both sides before saying that he would leave the property in the district, long term. The Planning Chair summarized the majority of the Board is for leaving it, but added this item would be put to vote at Town Meeting.

Valerie Oorthuys confirmed there is compliance within the district, regarding an earlier question from a resident about water resource protection. She said only a small portion at Meeting House is within the area in question. Dorothy Granat, the resident who had raised the concern, noted that some towns are doing more with regard to protecting wells and she was hopeful Stow would use the guidelines that are already out there in moving forward.

Mark Forgues, 9 White Pond Road, asked a final question about allowed uses, and expressed his concern about dry cleaning.

Members discussed communication strategy and creating the FAQ. Valerie Oorthuys noted that she would put together a draft, but also suggested that interested Board members could write a letter to the editor for the paper or upload brief descriptions on social media, such as the Town's Facebook page.

Members discussed the timing of public outreach, and options to create individually or as a group. The topic of the drive-thru petition resurfaced and was discussed briefly. Members agreed to share the recording of the public hearing for the drive-thru with Stow TV. They also gave final comments on what to include in the Planning Board's summary going on the warrant.

Mark Forgues, 9 White Pond Road, gave his opinion that the wording makes it seem like the existing zoning is to blame for the current vacancies within the district. Members agreed to rework the statement to be less negative.

It was agreed that the goal of the statement is show how changes to the zoning bylaw can help the Board influence the look and feel of the development in the district for the long term.

*Margaret Costello motioned to adjourn.*

*John Colonna-Romano seconded.*

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

Respectfully submitted,  
Julie Windzio