

TOWN OF STOW
PLANNING BOARD

Minutes of the May 9, 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

Planning Board Member Updates

Nancy Arsenault said that she attended the Library forum, and the consultants seemed surprised that some residents didn't like the design. She described it as boxy and industrial. She also noted that the patio ran up against backyards, which conflicts with the zoning.

John Colonna-Romano added that Green Advisory Committee is meeting with library committee to talk about the heating and cooling systems.

Mark Jones announced that his participation as an associate member for the Planning Board has come to an end, as he will no longer be resident of Stow. Members wished him well, but expressed sincerely that the Planning Board would feel his loss.

Planner's Report

Gleasondale Mill

The owner of the mill is looking to submit a special permit to allow for artist lofts for some displaced artists from Maynard. The owner has had discussions with both the Building Commissioner and Fire Chief, but needs time before his sketches are replaced with architectural renderings. Members agreed that there are fire and safety concerns for locating artist workspace there, though the building itself is ample in size and parking is readily available.

Mapledale Trail Opening

The Conservation Commission recently hosted a walk of three-mile loop around the south course of Stow Acres, which has just opened.

Cottages at Wandering Pond

No plans have been received and it is assumed that the Public Hearing will be continued.

Hudson Road Intersection Improvements

The public hearing was held for the notice of intent. The order of conditions is expected to be provided soon, which will help get to the 75% of the design plans. Engineers at Green International Affiliates are also helping with the MassWorks grant application, which is due on June 2nd.

Review of Technical Memo

The Planning Director noted the draft of the RFP for the Town Center Transportation Improvements and the lengthy, technical memo from the Boston Metropolitan Planning Organization is online for members to review before the next meeting. She said the Complete Streets Committee will also review the RFP,

which she said is smaller in scope, due to the parsing out of the Crescent Street sidewalk project. She asked if members had questions or comments to share with the consultant. She noted that she had also met with Library's consultants, but admitted it was too early in the process for detailed plans. Members continued to talk about Library renovations. Nancy Arsenault reported that public opinion appeared unreceptive to the idea of Common Road becoming one way. Members commented on the traffic at this location, noting public safety concerns and ideas for mitigation.

Public Comments:

Michael Jordan, 166 Packard Road, noted his interest in a protected left turn at the light from Library hill eastbound onto Great Road, particularly during the peak AM hours.

Q&A – Zoning Articles on Town Meeting Warrant

Michael Jordan, 166 Packard Road, voiced a concern about the amount of residential housing being allowed by the Lower Village bylaw. The Planning Director noted that small scale residential housing is being encouraged, but as a secondary use, above ground floor tenant spaces which will be a draw for new businesses in the district. The resident stressed that he did not wish to see useful stores, selling groceries and hardware supplies, leave the district due to size restrictions or lack of parking.

Leigh Hilderbrandt, 196 Great Road, asked if there had been any changes to the warrant after it was reviewed by Town Counsel and went to print. The Planning Director noted no notable changes with the exception of the language around special event permits of the Select Board, clarifying the allowance of curbside pickup for food service, and the definitions of specialty retail center and craft brewery.

Leigh Hilderbrandt asked how changes in the bylaw would help fill the vacancies in Lower Village, should Linear Retail remain. Lori Clark stated the Board can not control how Linear conducts business, but the bylaw clearly creates new options for making business decisions. She reiterated that the bylaw is not being made for any particular business owner or targeting any specific property owners. Nancy Arsenault added that the vacancies in the plaza are no longer a result of a water problem, as Linear has addressed the challenges it faced there in the past. Members agreed the plaza continues to have a high vacancy rate for a number of reasons.

Katie Fisher, 1 White Pond Road, initiated a brief discussion about the bylaw's condominium requirements as it pertains to commercial development. Valerie Oorthuys confirmed that additional development, reconstruction, or infill requires a special permit and site plan approval.

Dorothy Granat, 11 White Pond Road, received confirmation from the Board that her concerns would be addressed through the language included in the rules and regulations of the special permit, as well as the public hearing process. Guidance to sustainability in design, green infrastructure and buffer requirements were among the topics discussed.

Planning Board Comments:

John Colonna-Romano noted the Planning Board is making tradeoffs on both sides of many issues with the new bylaw and it is hard to know where to draw the line even through continued discussions. He acknowledged that by working with the consultants they have built flexibility into the bylaw for business

owners to be creative, but that they have left in enough controls to prevent negative impacts from potentially happening in the district.

Margaret Costello agreed, noting that plans for improvements to the area have been talked about for years, and the bylaw is the Board's best effort to protect Stow from the pressure of land development.

Nancy Arsenault stated that it was time to act and she does not want to see a ghost town plaza, with empty store fronts. She noted that businesses need more attractive options in a changing retail environment. Karen Kelleher agreed, saying it was time to move forward and change the bylaw.

Lower Village Business District Zoning Amendments

Town Meeting was talked about at length, particularly the discretion of the Moderator. Members debated if they should prepare a Board opinion for the anticipated amendment regarding the drive-thru petition.

Karen Kelleher moved to not support an amendment proposed to allow food service directly from a window to a car drive thru establishments and authorize the Planning Chair to report this to Town Meeting as the Board's opinion.

John Colonna-Romano seconded.

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

Members created a bullet list in support of this opinion, including the following reasons:

- Not just one business, not about Starbucks
- Not good planning to cater zoning bylaw to a single property owner
- Not bringing people in for business
- Traffic congestion
- Competing space concerns
- Aesthetics
- # of surrounding towns that don't allow
- Trash
- This one point which would leave a lot of holes in the rest of the bylaw
- Not simple, this is a complex/serious amendment
- Unfair/lower standard in allowing this amendment

The rest of the discussion centered around the Board making a recommendation to amend the Lower Village Business District bylaw in the event that it becomes necessary at Town Meeting.

John Colonna-Romano moved in the event the Lower Village Business District Bylaw is amended to allow food service drive thru with service direct to vehicles, Planning Board would still recommend passage of the bylaw as the advantages outweigh the disadvantages and authorize the Planning Chair to report to Town Meeting as the Board's opinion.

Karen Kelleher seconded.

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

Members agreed to set aside some time to meet, just prior to Town Meeting.

Executive Session in Accordance with M.G.L. Ch. 30A s.21(a)(3) for the purpose of discussing strategy with respect to litigation (Stow v. Howard Stein Hudson)

Lori Clark stated that she finds that an open discussion would have a detrimental effect on the Board's litigating position.

Karen Kelleher moved to enter into Executive Session to discuss litigation and to adjourn the regularly scheduled meeting of the Planning Board thereafter.

Margaret Costello seconded.

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

Respectfully Submitted,

Julie Windzio