

TOWN OF STOW
PLANNING BOARD

Minutes of the July 11, 2023, Planning Board Meeting

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

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

Approval of Meeting Minutes

Karen Kelleher motioned to approve the minutes of April 11, 2023, as amended.

John Colonna-Romano seconded.

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

Karen Kelleher motioned to approve the minutes of May 2, 2023, as amended.

John Colonna-Romano seconded.

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

Karen Kelleher motioned to approve the minutes of June 6, 2023, as amended.

John Colonna-Romano seconded.

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

Review of Correspondence

Karen Kelleher acknowledged the two emails received from Leigh Hilderbrandt on June 23, 2023, and July 10, 2023, regarding 148-156 Great Road. She stated that the Board could not consider the correspondence as the Public Hearing had closed.

Public Input

There was no public input.

Planning Board Members' Updates

Nancy Arsenault shared that she attended the Zoning Board of Appeal's Public Hearing of the Randall Library renovation project on July 10, 2023. She stated that details of the project were presented, and she felt that decisions regarding the project were finalized without public input. She added that the project has increased in scope and may not align with what was approved at Town Meeting. She asked Valerie Oorthuys if she knew what the project was going to bring to the next Town Meeting. Valerie Oorthuys stated that the project may ask for additional funding, but she is unsure if the design of the library will be brought to the Meeting. Nancy Arsenault concluded that she is opposed to making Common Road a one-way Road, an idea presented at the Hearing.

John Colonna-Romano continued the discussion of the library by sharing that the Green Advisory Committee has been working with the Library Design Committee about the proposed HVAC system. He stated that there are lots of problems that need to be worked on.

Nancy Arsenault, regarding the library project, stated that the library's print collection space is not expanding; she is concerned that residents are expecting this change when they voted in favor of the renovation.

Margaret Costello expressed gratitude towards the Board for the work that has commenced on the Kane Land access trail. She also shared that when she was swimming in Lake Boon, she could not feel where the cold water from the underground aquifers is entering the lake. She indicated that action should be taken to collect informal data from the community to support long term action.

Margaret Costello stated that she is nervous about a wireless service tower that is proposed on Lambert Hill. Her concern with the proposal is that a decision could be made without a quality public process and that the tower will be visible to all residents in Gleasondale. Valerie Oorthuys responded that Lambert Hill is not in the Wireless Service Facility Overlay District, and that an application for a new wireless service tower will be brought to the Board.

Nancy Arsenault shared that the pylon sign at Stow Shopping Center has several panels from former tenants. She believes that recently vacated businesses, like Verizon, had their panels covering other businesses that vacated prior, like Serendipity; when the recent vacancy panel was removed, it revealed a much older vacancy panel. She added that it makes the shopping center appear abandoned and neglected. She asked the Board if there are plans for a business centered committee who will work on revitalizing the area. Valerie Oorthuys replied by stating that the lower village subcommittee may get revitalized in the next year if the Board deems it needed. Lori Clark added that the subcommittee would need to have specific goals and objectives.

Planning Director's Report

Kane Land Access Path

Construction of the Kane Land Access Path began on Tuesday, July 11, 2023, after a one-day rain delay. The project is estimated to take two weeks to complete. Lisa Coolidge will be working with Gleasondale Residents on trail alignments for continuing the trail into the Kane Land. Rule and regulations for walking on the property are to be determined and will need approval from the Select Board.

Box Mill Bridge

The Select Board will be sending the Planning Board a layout alteration for the Box Mill Bridge. The Select Board is requesting the Planning Board to vote on including the alteration to Town Meeting. If approved by the Planning Board, the Select Board will vote to include the alteration on the Town Meeting Warrant.

Margaret Costello asked if the property taken will be done under eminent domain, if it is a permanent taking, and if the taking is friendly with the property owners. Valerie Oorthuys stated that the Town will be sending offer letters to the property owners based on a just assessment for the purchase of property; if not accepted, eminent domain will be conducted. There will be permanent and temporary takings. She did not directly report if the takings are friendly with the property owners but made it clear that the Town is strictly following property taking protocol. Karen Kelleher asked if there is compensation for both temporary and permanent takings; Valerie Oorthuys replied that there will be compensation for both.

Bransfield Tree Company – 63-65 White Pond Road

A modification application for the Special Permit granted to Bransfield Tree Company has been submitted to the Board. The modification includes moving the proposed building footprint. The Conservation Commission is also having a public hearing on this property.

Gleasondale Mill

The owner of the Gleasondale Mill has submitted an application for artist spaces and gun manufacturing. A public hearing will be scheduled for a future Board Meeting.

Randall Library

The Zoning Board of Appeals held a hearing for the Randall Library renovation project on July 10, 2023, for a special permit and variance. The hearing was continued to August 7. The Zoning Board of Appeals is reviewing the site plan but not reviewing the design of the building.

Comprehensive Plan

A consultant has been selected for technical assistance on the comprehensive plan with an anticipated start in August. The Comprehensive Plan Advisory Committee will be having their first meeting on July 24 prior to the start of the consultant.

Town Center Transportation Improvements

A question-and-answer meeting was held on July 11 to meet with prospective consulting firms for design and engineering services for transportation improvements to Town Center. Seven firms attended the meeting, each with a few representatives. Proposals are due on July 21 at 1pm.

Margaret Costello asked that First Parish Church of Stow and Acton be included in discussions of the Library and any changes to Common Road as a result of the Town Center Transportation Improvement project. She cites that the Church has been there longer than the Library and it is one of the properties located along Common Road. Valerie Oorthuys stated that she will be intentional in inviting the Church to further discussions.

Subdivision Approval Not Required (ANR) Plan Review and Endorsement, Elizabeth Brook Apartments, Assessors Map U-11 Parcels 13-1B3 and 10A-A1

Recused: Karen Kelleher, Deb Woods

Present: Stan Dillis, Rita Schwantes

Stan Dillis presented to the Board on behalf of the applicant. He stated that the applicant is seeking endorsement of the ANR plan that outlines the perimeter of Elizabeth Brook Apartments. The ANR plan creates one parcel from multiple parcels.

Rita Schwantes added that the ANR plan is consistent with the decision granted by the Zoning Board of Appeals and modification requested. She continued that the current buildings, Plantation Apartments and the single-family dwelling, and the proposed buildings, the 37-unit apartment building and wells, will all be on one parcel under one single owner.

Lori Clark invited the Board to ask questions. John Colonna-Romano asked for reassurance that the proposed structures do not need to be included on the ANR plan as they are not part of the ANR decision. Stan Dillis confirmed that proposed buildings do not need to be included since they do not exist yet. Rita

Schwantes added that the building plans for the new buildings have been submitted to the Building Department for review if the Board would like to see them.

Margaret Costello asked about the construction of a new gravel road. Rita Schwantes responded that the new road is to service the wells for the development.

Rita Schwantes stated that the plan has a note that the Chapter 40B permit decisions are to be recorded with the registry of deeds following the completion of litigation with property abutters.

John Colonna-Romano motioned to endorse Plan of the Land in Stow, Massachusetts for the Owner Plantation Apartments Limited Partnership dated January 20, 2023.

Margaret Costello seconded.

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

Review of Revised Site Plan, 148-156 Great Road

Present: Richard Harrington

Valerie Oorthuys presented a memo that she authored to the Board highlighting what the plan accomplishes and what remains. She added that a written narrative would be beneficial to accompany the plan.

Richard Harrington provided a verbal description of the work proposed in the plan. He described:

- the limit of work to be 60 feet from property lines and existing buildings,
- the addition of streetscape improvements along Great Road,
- the reduction in an outdoor dining patio area,
- compliance with the current Lower Village Zoning bylaws, and
- changes to the grading and landscaping.

He added that outdoor dining is allowed use with site plan approval in the Lower Village. The Board clarified that outdoor dining is currently not allowed on the site.

Lori Clark asked Richard Harrington if he had any comments on the memo from Valerie Oorthuys. He replied by stating that the point of the plan was to serve as a progress sketch while the Board deliberated.

Richard Harrington continued by asking if grading of the site could commence while Stow House of Pizza is closed through July. He added that erosion control would be added to reduce erosion, even though it is not identified on the plan. Lori Clark, in response, asked for clarification that the plan is a progress sketch. Richard Harrington replied that it was a progress sketch, and it will help him guide further design and engineering.

Karen Kelleher asked Richard Harrington if he intends to update the plans to meet all the components listed in the memo from Valerie Oorthuys before construction and grading begins. Richard Harrington state that he hopes to get the grading complete while Stow House of Pizza is closed, and then submit planting plans in Fall. Lori Clark stated that the decision requires an approved plan before any work commences.

Lori Clark asked Richard Harrington if he is asking for a change in the approved decision. Richard Harrington replied that he would like the plan approved for interim grading. He justified that it will be removing an eyesore from the site. Lori Clark asked Richard Harrington again if he is asking for a change in the approved decision by seeking approval of a partial plan and providing modifications to the plan later. Richard Harrington did not provide an answer to the question.

Lori Clark, in response to not receiving an answer to the question, reiterated that the applicant cannot do whatever they feel like regarding the Special Permit decision. Richard Harrington did not respond to Lori Clark's comment. However, he responded to the earlier question that he would like the Board to authorize grading on the site. He continued that if grading cannot begin on the site, he will add more detail to the plan. He noted that the work that is included in the Special Permit Decision is not in the area marked on the plan's area of disturbance.

Lori Clark stated that she understands the way that the project will be phased, but the decision is clear that a full plan is needed for approval. She asked the Board for further comments or questions.

Karen Kelleher stated that she is frustrated with the project as it has been two years without a plan. She stated that she does not find an extension of more time to be appropriate. Lori Clark asked what is preventing a final plan from being produced based on the Special Permit Decision and comments given during the meeting. Richard Harrington cited the change in zoning.

Richard Harrington changed the course of discussion by asking for feedback on the grading. He changed the conversation again to talk about changes in the Lower Village that were independent of the proposed work on the site. Regarding the latter change in conversation, Karen Kelleher asked to focus on the site, and Lori Clark asked Richard Harrington for a clear request for the Board to consider. In response, Richard Harrington stated that he attended the Board's meeting because he received an email from Valerie Oorthuys that included the memo. He added that he does not have anything to ask of the Board.

Lori Clark asked the Board for remaining feedback and questions. Nancy Arsenault asked if there is any way that a phased approach could be allowed, such as requiring submissions to Valerie Oorthuys every few days. Lori Clark responded that the Board cannot do that unless there is a request to change the conditions of the Special Permit. John Colonna-Romano added that he would like to see progress made on the site; he added that he believes that the applicant is asking for trust moving forward despite a lack of trust in the past. Deb Woods also shared her frustration and wants to ensure that no precedent is made by the Board to allow applicants to not follow the conditions of a Special Permit. Margaret Costello agreed with Deb Woods and further expressed her frustration.

John Colonna-Romano stated that references to outdoor dining should be removed from the plans as they are currently not permitted. He continued by stating that the site can be prepared to allow outdoor dining in the future, such as creating a flat area where a future patio could go, but direct references to outdoor dining must not be included on the plan.

Richard Harrington thanked the Board for the feedback provided. He then discussed his goal of protecting his client's rights under the changes to the Zoning Bylaw. The Board collectively stated that the changes to the Zoning Bylaw do not have an effect on the Special Permit. Lori Clark stated that a specific ask must be brought to the Board for a change to the Special Permit.

Richard Harrington thanked the Board again for the feedback.

Lori Clark requested Valerie Oorthuys to send correspondence to the applicant summarizing what was discussed at the meeting. Valerie Oorthuys stated that she will.

Comments to Conservation Commission on Draft Open Space and Recreation Plan

Karen Kelleher began the preliminary discussion of the comment memo by stating that she was impressed by the draft plan and the work that the Planning Department Staff made towards drafting comments. She stated that she agrees with the comments. John Colonna-Romano stated that he is very supportive of the comment regarding meeting the needs of different age groups in the Town. Lori Clark applauded the document's authors for a very thorough plan.

The Board reviewed specific comments in the memo. John Colonna-Romano, regarding population growth and build out studies, added that there should be information about the increase in the number of school age children in Town. Lori Clark supported the comment about the conditions of existing facilities, Karen Kelleher agreed. John Colonna-Romano stated that he supports the comment about protecting trees in town, referencing the work conducted by the Green Advisory Committee.

Lori Clark asked the Board if there should be anything added to the memo. There were no further comments from the Board.

Karen Kelleher motioned to approve the 2023 Update to the Open Space and Recreation Plan with an offer of several consideration as written in the memo Open Space and recreation Plan / Planning Board Recommendation and Comments.

John Colonna-Romano seconded.

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

Appointment of Voting Associate Member

Lori Clark stated that there was one applicant for the Voting Associate Member from current Non-Voting Associate Member Deb Woods. The Board collectively commented that she would make a great addition to the Board.

Karen Kelleher motioned to appoint Deb Woods as Voting Associate Member for a one-year term.

John Colonna-Romano seconded.

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

Adjournment

Karen Kelleher motioned to adjourn at 8:30pm.

John Colonna-Romano seconded.

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

Respectfully Submitted,
Michael Slagle