

TOWN OF STOW
PLANNING BOARD

Minutes of the July 18, 2023, Planning Board Meeting

Planning Board members present: Lori Clark, Karen Kelleher, Margaret Costello, Nancy Arsenault, John Colonna-Romano, Deb Woods (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 9, 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 27, 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 - **Abstained**.

Review of Correspondence

The Board discussed an email from Sarah Cleary, 159 Crescent Street, regarding exterior lighting at Nan's Rustic Kitchen and Market. John Colonna-Romano reviewed the regulations identified in the email and stated that the regulations restrict a business in a residential district to not have exterior lights illuminated 30 minutes after sunset, except for safety; he asked for clarification on this as a business may be open past sunset, particularly in winter months. Lori Clark replied by stating that the regulation is under the interpretation of the building commissioner. Further looking into the regulations, Valerie Oorthuys stated that her interpretation was that the business must not have exterior lights illuminated 30 minutes after closing for business. Lori Clark had asked Valerie Oorthuys to respond to the email.

Karen Kelleher asked if the lighting rules and regulations need to be revisited by the Board. Valerie Oorthuys stated that it may not be necessary as previous building commissioners may not have interpreted the exterior lighting as a violation like the current building commissioner. Karen Kelleher stated that the regulation of no exterior lighting illumination 30 minutes after sunset may need to be amended. Valerie Oorthuys agreed and stated that it will be an easy amendment to make.

On the topic of Nan's, Margaret Costello asked if there has been a resolution to special events, citing an event on Nan's property that included interacting with farm animals. Valerie Oorthuys stated she received correspondence that said that she was incorrect to assume it was a special event as there was no guarantee that there would be over 35 people attending. Lori Clark replied saying that there may be a discrepancy between the intention of the Board's decision on special events and the Select Board's definition of

Special Event. She continued by stating that she believes that the transition from the Board to the Select Board, regarding special permits, was poor and context was missing. John Colonna-Romano added that working with the Select Board may be needed to make both board's definition of a special event compatible.

Margaret Costello added that there should have been documentation of the Board's intent on Nan's Special Permit sent to the Select Board. Lori Clark replied by stating that the Special Event criteria of the Select Board was not reviewed for compatibility before issuing the Permit; she called for the Board to review the criteria and for future action to follow based on the findings. Karen Kelleher suggested meeting with the Select Board to discuss Nan's. Lori Clark asked Valeri Oorthuys to collect special event criteria and information regarding Nan's Special Permit Decision.

Public Input

Bennet Daley, 32 Randall Road, asked if there would be an article in the Special Town Meeting warrant regarding a proposed wireless service tower previously proposed by Verizon to be on the South Course of Stow Acres Country Club. Valerie Oorthuys stated that she is unaware of any article regarding the tower; she added that the last update on the proposed tower was that Verizon was looking for alternative locations. She stated that Verizon could put in a citizen's petition, but she is unaware that they have. Lori Clark added that the last standing of the Board was not in support of the proposed location and that they asked Verizon to consider alternative locations that are compliant with the current bylaw. Bennet Daley thanked the Board and offered to support the Board if Verizon proposes the tower again.

Planning Board Members' Updates

Nancy Arsenault shared that she attended the School Committee meeting about adopting a green building policy for rebuilding Nashoba Regional High School. She stated that the State will reimburse \$2 million for construction costs, reducing the construction cost to \$241 million. She continued that the School Committee is nervous that the high costs of construction will deter residents in Stow, Bolton, and Lancaster from voting to approve the new school. She stated that she believes that the details of the project are not well communicated.

Margaret Costello shared a study in Chicago, IL, found that the temperature in underground subway stations has risen by 27 degrees in the past 70 years. She stated that the increase in temperature is impacting buildings.

Nancy Arsenault shared that she talked with the owner of Colonial Spirits who told her that he was receiving fines for having an "Open" sign. Lori Clark stated that having one "Open" sign per business is not in violation of the sign ordinance. Valerie Oorthuys stated she will ask the Building Commissioner if Colonial Spirits is receiving fines.

Karen Kelleher stated that the Randall Library renovation project proposal to turn Common Road into a one-way road; she asked the Board if there should be input regarding this alteration. Lori Clark asked if the alteration was being reviewed by an engineer from Library renovation project. Valerie Oorthuys responded by sharing that there is not sufficient information to make Common Road one-way, but it can be examined in the upcoming Town Center Transportation Improvement study. She added that the Traffic Safety Advisory Committee will be discussing the recommendation to transform the road into a one-way despite no formal recommendation from an engineer.

Lori Clark, regarding Karen Kelleher's question, stated that she believes that the Board should provide input on the proposed alteration to Common Road, but will need sufficient information from an engineer first. Karen Kelleher expressed concern that the timing of the Library project is not in sync with the Town Center study, calling for input from the Board to predate the findings of the study.

The Board discussed the decision-making process for making Common Road a one-way road. Members articulated that deciding before sufficient information is premature. John Colonna-Romano asked who is ultimately responsible for approving or denying the proposed alteration. Valerie Oorthuys stated the Select Board will be making the decision. She continued to state that making Common Road a one-way has been discussed among other departments for years. The Board shared concerns including the lack of input, impacts to traffic flow, safety, and the variability in traffic counts.

Lori Clark asked the Board if correspondence from the Board should be sent to the Library Building Committee. Karen Kelleher supported the idea of sending correspondence to the Committee. Lori Clark suggested discussing the content of the correspondence at a future meeting.

Planning Director's Report

Hudson Road and Great Road Intersection

75% design plans for the intersection of Hudson Road and Great Road have been submitted. Easements from two abutters are still needed; the easements will need to be brought to Annual Town Meeting in 2024.

Track Road

An agreement between Green International Affiliates, the Town and MassDOT has been made for conceptual plans.

Stow Acres Climate Resilience Plan

The first working group meeting for the Stow Acres Climate Resilience Plan was held on July 13.

The Residences at Stow Acres

The developer for the new housing development on the Stow Acres North Course is anticipated to file for a comprehensive permit in late July or early August. The developer intends to hold a meeting with abutters prior to submitting the permit application.

Vote on Recommendation of Layout Alteration Plan, Box Mill Bridge

Valerie Oorthuys presented a plan showing the proposed layout alteration of Box Mill Road. She explained that the right of way will be extended south; the extension will be over the present location of Carver Hill Orchard's driveway. She included that the right of way will be widened slightly where the Box Mill Bridge is located for ease of future maintenance and grading along Elizabeth Brook.

John Colonna-Romano asked about the proposed temporary bridge's location relative to the proposed layout alteration. Valerie Oorthuys stated that the temporary bridge will be located to the east of the current bridge; she added that the temporary bridge will be constructed on easements which are shown on an easement plan. Karen Kelleher inquired more about the easements. Valerie Oorthuys highlighted the general areas of easements on the layout plan and noted that she can share an easement plan for the true locations of the easements.

Nancy Arsenault asked how long the construction of the bridge will take. Valerie Oorthuys stated that it is anticipated to last three construction seasons and it will begin in 2024. In response, Nancy Arsenault asked if there are anticipated challenges for acquiring the right of way and easements. Valerie Oorthuys stated that she is not aware of any challenges as offer letters from the property owners effected have recently been mailed. She included that the Conservation Department has been overseeing the entire project.

Karen Kelleher asked for clarification on what the Board is voting on. Valerie Oorthuys replied that the Board is voting on recommending the proposed layout like voting to recommend accepting a right of way as a public way at Town Meeting.

Margaret Costello asked about the status of the utility lines at the site. Valerie Oorthuys stated that the utility lines will be moved to the East side of the bridge and will remain above ground. In response, Margaret Costello asked why the utility lines are getting relocated above ground if they are slated to be relocated. Valerie Oorthuys stated that relocating the utilities underground was requested but was ultimately not included by MassDOT in the project; she believes that cost was the reasoning. Margaret Costello was unsatisfied with MassDOT, stating that the cost should not supersede the value of relocating the utility lines underground. She suggested that the Town should be persistent in asking for the utility lines to be relocated underground when any utility lines are slated for relocation.

Karen Kelleher motioned to recommend Layout of Land: Box Mill Road Over Elizabeth Brook as shown on the plan prepared by Green International Affiliates dated June 26, 202,3 to the Select Board.

John Colonna-Romano seconded.

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

Margaret Costello asked if the Board would consider asking for the utility lines to be relocated underground. Karen Kelleher supported Margaret Costello's ask. Lori Clark stated that the letter to the Select Board could include language that expresses that the Board is supportive of underground utility lines for all projects.

Discussion of Special Town Meeting Warrant Articles

Valerie Oorthuys presented potential articles for the Board to consider for the September Special Town Meeting. She identified that the Box Mill Road Bridge alteration will be presented by the Select Board. Regarding the Town Center Transportation Improvement study, she proposed asking for additional funding since the funding allocated to the study will likely not be enough.

The Board did not identify any additional articles for Special Town Meeting.

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