

TOWN OF STOW
PLANNING BOARD

Minutes of the November 14, 2023, Planning Board Meeting

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

Planning Board members absent: Karen Kelleher

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

Review Minutes

Margaret Costello motioned to approve the minutes of October 3, 2023, as amended.

John Colonna-Romano seconded.

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

Review Correspondence

John Colonna-Romano asked if the Select Board's Appointed Board and Committee Code of Conduct policy applies to the Planning Board. Valerie Oorthuys responded that it applies to appointed Boards and is recommended for elected Boards. Nancy Arsenault asked if the public comment time allocation portion of the policy should be followed by the Board. Lori Clark responded that the policy does not apply to the Board but stated that the policy may be limiting to the Board. Valerie Oorthuys stated that portion of the policy may be intended to encourage residents to submit comments in writing, so that Boards may opt to take up issues raised on future agendas.

Lori Clark called out Section B of the Select Board's Appointed Board and Committee Code of Conduct policy which stated that Board members should refrain from stating their voting stance in the middle of a Public Hearing. She agrees that a Board member should have an open mind during the duration of a Hearing.

John Colonna-Romano stated he was confused by the letter from a resident regarding 136 Old Bolton Road. Lori Clark asked who is responsible for answering the concerns in the letter. Valerie Oorthuys stated that she will follow up with other departments listed on the letter to ensure the resident has heard a response.

Margaret Costello asked who is responsible for monitoring erosion control during and after site disturbance. Valerie Oorthuys stated that it depends on the permit issued. She stated in the case of a typical single-family dwelling, it is typically the building inspector's responsibility.

Margaret Costello stated that she appreciated the information shared from the 495/MetroWest Partnership email regarding the work of the Housing Bond Bill.

Public Input

Leigh Hilderbrandt, 196 Great Road, asked for updates regarding the Erosion Control Special Permit for 148-156 Great Road. Valerie Oorthuys stated that the Town Administrator has issued letters to the property owner; there has been no response from the property owner.

Mark Forgues, 1 White Pond Road, asked if the Board has the authority to review Special Permits after they are issued. Lori Clark responded that Special Permits have language that allow for their review after they are issued. She stated that the review of Special Permits is a priority of the Board.

Mark Forgues, 1 White Pond Road, asked if there has been an application for 124 Great Road as there has been site disturbance. Valerie Oorthuys stated that the property owner has ceased work on site and is working with an engineer and the Board of Health on septic requirements.

Mary Mintz, 26 White Pond Road, shared concerns about the Special Permit process at 63-65 White Pond Road. Valerie Oorthuys stated that the Board is unable to comment as there is an open Public Hearing.

Dorothy Granat, 11 White Pond Road, asked if the property owner of 124 Great Road is aware of the 50-foot buffer required under the Lower Village Business District. Valerie Oorthuys stated that she does not know if the property owner knows; she stated that the property owner has been informed about the permitting process.

Dorothy Granat, 11 White Pond Road, asked if there has been work on reviewing the Lighting Bylaw. Valerie Oorthuys stated that there has not been work on review of the Bylaw as it is low priority on the Board's priority list.

Mark Forgues, 1 White Pond Road, asked if the dimensional regulations apply to 124 Great Road after they submitted an Approval Not Required (ANR) subdivision plan for the site prior to the adoption of the Lower Village Business District Zoning. Valerie Oorthuys stated that the ANR plan maintains the allowed uses of the previous zoning, but the site must conform to the dimensional requirements of the site's current zoning district.

Dorothy Granat, 11 White Pond Road, asked about the future use of 56 Harvard Road. Valerie Oorthuys stated that the property is in the Residential Zone and may accommodate a home-based business use by-right or may go through the Special Permit process with the Zoning Board of Appeals if they wish to allow additional uses.

Planning Board Member Updates

Nancy Arsenault stated that she spoke to the owner of Russell's Convenience Store; the owner referenced potentially expanding the use at the Store and asked for any updates about what is being proposed. Valerie Oorthuys stated that the owner is proposing to have prepared foods available in addition to the existing convenience store uses. She stated that this expansion of use will need a Special Permit, though the main concern for the site is the need to improve the well and septic system.

Nancy Arsenault asked if an application for 108-118 Great Road has been submitted. Valerie Oorthuys stated that the Planning Department has received an application for a restaurant use at the site (Dunkin'). The public hearing will be scheduled for December 12, 2023.

John Colonna-Romano stated that the Community Preservation Committee will be having a Public Meeting to explain the status of the previously funded projects and provide information about Community Preservation funds.

Lori Clark shared that there will be a Comprehensive Plan Committee meeting on November 20.

Public Hearing: Modification of a Contractor's Yard Special Permit, Erosion Control Special Permit, and Earth Removal Special Permit and Site Plan Approval, 63-65 White Pond Road

Lori Clark stated that the applicant has requested a continuance of the public hearing, as a second peer review letter has not yet been provided.

Margaret Costello motioned to continue the hearing for the modification of a contractor's yard Special Permit, Erosion Control Special Permit, and Earth Removal Special Permit and Site Plan Approval at 63-65 White Pond Road without testimony to December 5, 2023, at 8:00pm.

John Colonna-Romano seconded.

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

Planning Director's Report

Housing Production Plan

Staff hosted a public forum with the Metropolitan Area Planning Council for the update to the Housing Production Plan. Staff presented existing conditions of Stow's housing characteristics and gathered feedback from the public regarding perceived needs in Stow. The next steps for the plan include identifying potential development locations and collecting more data through a survey and focused groups.

Debbie Woods stated that she found the data presented at the forum to be surprising. Valerie Oorthuys and the Board briefly described some factors that they observed that have influenced changes in Stow's housing stock.

Stow Acres Climate Resilience Master Plan

The Town hosted a well-attended Fall Festival at the Stow Acres Country Club Clubhouse. A public forum is being planned for February to present concept plans for the town-owned portion of the North Course. A survey for proposed uses on the site is open to the public and will be closing on November 20, 2023.

Comprehensive Plan Committee

The Comprehensive Plan Committee will meet on November 20, 2023. The meeting will be focused on discussing members' opinions of plan components.

Joanne Drive Subdivision

The final street paving for Joanne Drive has been completed. The developer is working on creating as-built plans so that the street can be accepted as a public way at the May 2024 Annual Town Meeting.

Planning Board Member Updates, Continued

Lori Clark stated that the Select Board is reviewing several policies, one of which requires meetings to be video recorded and sent to StowTV within 24 hours of the meeting adjourning. She stated that the Planning Board is referenced in the policy. Valerie Oorthuys stated that the policy is a recommendation for elected boards; however, the Select Board intends to make the policy a General Bylaw at a future Town Meeting.

Margaret Costello asked if the meeting video recordings will be posted indefinitely. Valerie Oorthuys stated that having the videos available indefinitely is the goal of the Select Board; she noted that the official record of the meetings will still be the Meeting Minutes.

Lori Clark expressed concern about the Town having to pay for storage of all the meetings video recordings.

Margaret Costello expressed opposition to the policy. She stated that she is uncomfortable being recorded and has privacy concerns. She stated that the Board has discussed posting meeting recordings previously, but the Board has not been in favor of posting meeting recordings.

Lori Clark expressed that she is supportive of increasing transparency with public processes but would like each board to make their own decisions regarding what they do.

Nancy Arsenault noted that watching one meeting may put topics out of context as topics are often discussed at multiple meetings.

Margaret Costello provided an example of how other organizations do not retain meeting video recordings after the meeting minutes are approved. She agreed with Lori Clark's previous statement that posting a video recording of each meeting should be decided by the Board.

Lori Clark stated that other boards and committees did not have the chance to discuss the policies prior to the Select Board reviewing, and potentially adopting, the policy.

Appointment: Subdivision Approval Not Required (ANR) Plan Review and Endorsement, First Parish Church, 353 Great Road, Assessor's Map U-10 Parcels 34-1, 34-2A, 34-3

Present: Lee Coopridier and Jenni Patterson Edgerton on behalf of First Parish Church

Lori Clark welcomed Lee Coopridier and Jenni Patterson Edgerton. She asked them to provide the Board with some context about the ANR plan.

Lee Coopridier presented an overview of the existing conditions of the First Parish Church lots including the lot lines, the structures on the lots and a memorial garden. He stated that the Church is proposing to adjust the lot lines to accommodate the future expansion of the memorial garden and to dissolve lot lines that are no longer needed. He noted that a bolder on the site is referenced on subdivision plans to be a boundary marker. He stated that the lots conform to current area and frontage requirements under the present subdivision standards.

John Colonna-Romano asked about the frontage of Proposed Lot 2A along Common Road. Lee Coopridier identified the frontage along Common Road and noted that the right of way extends further than the edge of the pavement.

Lori Clark asked a question about the reference to the Zoning Board of Appeals and Planning Board decisions on the ANR plan and if the Planning Board's decisions needs to be referenced. Valerie Oorthuys stated that it is a requirement to have Zoning Board of Appeals' decisions on the ANR, though helpful to see the Planning Board decisions as well.

Nancy Arsenault asked if there is space on Proposed Lot 2A for a septic system as the lot currently has a cesspool. Lee Coopridier stated that he believes there is enough space to the east of the existing dwelling on the lot that can accommodate a septic system. John Colonna-Romano noted that the Board is not making any determination that a septic system can be accommodated. Valerie Oorthuys agreed, stating that the Board is ensuring that the lot conforms to current zoning; the Board of Health will make septic system determinations.

John Colonna-Romano motioned to approve the Subdivision Approval Not Required Plan entitled "Plan Of Land On Great Road In Stow, Massachusetts - #353 & #339 Great Road."
Margaret Costello seconded.

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

Margaret Costello moved to authorize Valerie Oorthuys to endorse the Subdivision Approval Not Required Plan entitled "Plan Of Land On Great Road In Stow, Massachusetts - #353 & #339 Great Road."

John Colonna-Romano seconded.

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

Appointment: Request for Minor Modification, Wedgewood Pines Country Club, for the addition of protective netting

Present: Joe Pittorino of Wedgewood Pines Country Club

Lori Clark welcomed Joe Pittorino to the meeting. She acknowledged that the Board has received the request for improvements to the golf course's driving range. She asked Joe Pittorino to provide the Board with an overview of what he is proposing.

Joe Pittorino stated that the country club is asking for a minor modification to its Special Permit. He stated that a protective netting is proposed to prevent golf balls from leaving the driving range and entering a nearby subdivision. He stated that the driving range has been temporarily modified, but he is seeking a permanent solution. Joe Pittorino stated that the permanent protective netting will be supported by 27 vertical poles spaced 50 feet apart.

Lori Clark opened the discussion up to members of the Board.

Nancy Arsenault asked what the distance between the protective netting and property line will be. Joe Pittorino stated that it is approximately 70 yards.

Margaret Costello asked for clarification about the siting of the driving range and the subdivision referenced. Joe Pittorino stated that the driving range is located to the south of the extension of Dunster Drive. Valerie Oorthuys noted that the pictures of protective netting submitted to the Board are examples of the netting, rather than the existing condition of the golf course.

Lori Clark asked Joe Pittorino if he has any information regarding the impact of the protective netting to the movement of wildlife. Joe Pittorino stated that he does not have information on the impact to wildlife, but he can provide information from the netting manufacturer.

Lori Clark asked what the dimensions of the netting will be. Joe Pittorino stated that the netting will be in a horseshoe shape 220 yards long and 70 yards wide. Following his response, Lori Clark asked what will be on the other side of the protective netting. Joe Pittorino responded that there is a forested area and an emergency fire road behind the proposed netting.

Nancy Arsenault asked if the netting will be visible from any of the nearby dwellings. Joe Pittorino stated that one dwelling will see a pole and that he believes no other dwellings will be able to see it.

Nancy Arsenault asked if the protective netting will be hung throughout the entire year and what maintenance plan will be. Joe Pittorino stated that the netting will be hung throughout the entire year. He stated that there is a ten-year warranty on the netting, so any damage to the netting will be covered by the manufacturer.

Margaret Costello asked for further clarification on the length of the protective netting. Joe Pittorino stated that one side of the netting will be 220 yards, another will be 70 yards, and the last side will be approximately 150 yards.

Margaret Costello asked Joe Pittorino if he had spoken to the Conservation Department regarding wildlife instead of relying on the manufacturer's response. He stated that he has not spoken to the Conservation Department. Valerie Oorthuys stated that she had spoken with the Conservation Department; she stated that the Conservation Department would like a steel netting (or similar heavy weighted material) as it is harder for birds to become tangled. Joe Pittorino stated that he will be using a nylon netting. Valerie Oorthuys stated that the Conservation Department would like the netting to be 1 foot above the ground to allow wildlife to pass under. She stated that it would be helpful for the Board to have the specifications of the proposed material.

Lori Clark asked how high the protective netting is proposed to be. Joe Pittorino stated that it will be 52 feet tall.

Lori Clark reminded the Board that the goal of the appointment is to determine if the modification is minor. She asked Valerie Oorthuys to see if she can find the criteria as to what constitutes a minor modification.

John Colonna-Romano asked if the protective netting between the driving range and the adjacent hole is needed. Joe Pittorino stated that the netting will improve safety for players on the adjacent hole. He explained that one of the holes was also moved for safety; he added that the hole will not revert to its original location after the netting is installed.

Lori Clark asked the Board for comments related to the determination of whether the modification is minor.

John Colonna-Romano stated it may be beneficial to receive public input as there will be visual impact to one property owner. Joe Pittorino stated that the impacted property owner is present at the meeting.

Warren Jaworowicz, 92 Dunster Drive, stated that he is generally supportive of the proposed protective netting and the work done by Wedgewood Pines Country Club. He stated that he has a concern for the color of the netting, stating that a neutral color, like black or green, would be preferred. He stated that he is aware that he may see a pole but finds the proposed work to be reasonable.

Joe Pittorino asked if protective netting would need the approval of the Board as it is a typical feature of many other golf courses. Lori Clark stated that the country club is under a Special Permit and Site Plan Approval, requiring any changes to the site to be in the purview of the Board.

Valerie Oorthuys stated that the Planning Board's Special Permit Rules and Regulations allows for a modification to be considered minor if it:

- Fixes a scrivener's error,
- Alters an administrative requirement, or
- Amends the site plan to not alter the nature, intensity, or visual impact of the use in which the Special Permit was originally granted.

She added that the criteria also states that any proposed minor modifications related to a topic of consideration during the Special Permit's public hearing will require a Public Hearing. She stated that the original Public Hearing for Wedgewood Pines Country Club was held in the 1980s.

John Colonna-Romano stated that he believes that the modification is on the edge of not being minor.

Lori Clark asked if the protective netting will have a board securing the bottom of the netting as illustrated in one of the pictures presented to the Board. Joe Pittorino stated that a board may be used, but there will need to be something at the bottom of the netting to secure it and prevent it from being blown by the wind.

Nancy Arsenault agreed that the modification is on the edge of not being minor. She stated that the part of the minor modification criteria that may make the modification not minor is the visual impacts of the protective netting even though the abutter affected by the netting is generally supportive. She asked for more information about the visuals of the netting.

Warren Jaworowicz, 92 Dunster Drive, stated that he is familiar with protective netting at other golf courses, and requests that the netting not be a bright color.

Margaret Costello stated that she does not have a stance yet for determining if the modification is minor.

Debbie Woods stated that she believes that the modification is minor in nature.

Members agreed that more information about the materials proposed and feedback from the Conservation Commission is needed. Additional information includes detail on the materials proposed, the construction

(specifically how the protective netting will be fixed to the ground) of the netting, the specific location, dimension of the netting, and for feedback from the Conservation Commission.

Joe Pittorino expressed concern about conditions that may be placed on the project as the project is a substantial cost. Lori Clark suggested asking the manufacturer and installer of the protective netting about their process to clarify concerns of the Board.

The appointment concluded with Joe Pittorino stating that he will provide the Board with more information.

Meeting Scheduling

The Board set the following dates for meetings:

- January 9, 16, and 24, 2024
- February 6, 13, and 20, 2024

Public Input, continued.

Mark Forgues, 1 White Pond Road, stated that he is concerned about the proposed protective netting impact at Wedgewood Pines Country Club for future abutters and asked if the poles supporting the proposed protective netting impact at Wedgewood Pines Country Club need to conform to the Residential Zoning setbacks¹.

Dorothy Granat, 11 White Pond Road, asked for clarification on interpreting a diagram submitted for the proposed protective netting at Wedgewood Pines Country Club. She expressed concerns for wildlife nearby.

Adjournment

Margaret Costello motioned to adjourn.

John Colonna-Romano seconded.

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

Respectfully Submitted,
Michael Slagle

¹ The property is located within the Conservation/Recreation District, not the Residential District