

TOWN OF STOW  
PLANNING BOARD

Minutes of the October 3, 2017 Planning Board Meeting

Planning Board Members Present: Lori Clark, Ernie Dodd, Len Golder, Margaret Costello,  
Karen Kelleher

Voting Associate Member: Mark Jones

Non-Voting Associate Member: John Colonna-Romano

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

**Correspondence**

Margaret Costello noted a letter from Regency at Stow regarding their fee in lieu of affordable housing built on site. Margaret Costello said that she feels the amount of the fee in lieu allows builders an easy incentive to opt out construction, when constructing those units would benefit the Town. Ernie Dodd said that for Active Adult Neighborhoods such as Regency at Stow, it is difficult to find qualifying seniors, as their assets are usually high. Margaret Costello said that more effort should be put into a regional marketing strategy for affordable housing units.

**Public Input**

*Kathleen Fisher, 1 White Pond Road*, asked about the construction timeline of the Lower Village Traffic Improvement Project and whether a plan featuring updated property lines in relation to the Great Road right of way at 1 White Pond Road has been submitted to the Planning Department. Jesse Steadman said that the Planning Department anticipates receiving that plan as well as other requested information for the project from the consultant this week. Jesse Steadman said that the selected contractor for the project has been given a Notice of Award. Jesse Steadman said that pre-construction, he would like to have a meeting or discussion with abutters to cover traffic management questions, and he said he would notify abutters as soon as more information comes in. The Planning Board agreed that to better notify residents and visitors of the construction project, signage on Great Road should be used as well as a schedule of construction published in the local newspaper.

**Member Updates**

John Colonna-Romano asked about the next steps for the utility poles at Regency at Stow, noting that more trees have been cut down. Lori Clark said that the developer will provide a plan for restoring the access road and the frontage to its prior condition. Jesse Steadman noted that a representative plans to attend the next meeting to discuss other updates, and this can be part of that discussion.

Mark Jones said that the Zoning Board of Appeals has received numerous applications recently, and of interest is a Variance request and Special Permit application regarding a lot on Peabody Drive. Mark Jones said that Peabody Drive was part of a subdivision permitted through a cluster bylaw, which was an early concept of a Planned Conservation Development. Mark Jones said he wondered how the Zoning Board of Appeals should handle these types of requests, considering that if Peabody Drive is considered a grandfathered Planned Conservation Development, it would have less restrictive setback requirements. Mark Jones suggested as well that a map could be created showing the locations of lots subdivided using cluster bylaws as a reference for variance requests.

Len Golder arrived.

Mark Jones said that before the Zoning Board of Appeals is also a significant Appeal of Unfavorable Action of the Building Commissioner related to the property at 92 Great Road.

Karen Kelleher noted that a kiosk on the Assabet River Rail Trail in Maynard offered a good map of businesses in the area, and suggested that a map could be made for Stow.

Ernie Dodd said that the Planning Board may want to find time on a future agenda to discuss warrant articles for the May Annual Town Meeting. Ernie Dodd said that Town Meeting will likely have to consider Recreational Marijuana bylaws.

Mark Jones said that another application in front of the Zoning Board of Appeals regards lots that were subdivided before the Town's adoption of Zoning and are non-conforming. Mark Jones said that these pre-existing non-conforming grandfathered lots can't be controlled with the Town's setback minimums. Karen Kelleher said that other towns have created a required form for applicants to submit along with a Special Permit application. Karen Kelleher said that one concern with these types of lots is whether they are under common ownership with other adjacent parcels.

### **Planner's Report**

#### **Lower Village Construction Update**

Jesse Steadman gave an update on the Lower Village Traffic Improvement Project, stating that the Town provided an extension to E.T.&L. to allow more time to execute the Agreement for the project, due to the short amount of time allocated to contacting the Town's Bond Counsel.

#### **Collings Foundation Road**

Jesse Steadman said that the road to access the Collings Foundation from Hudson is in, and is expected to be utilized for the upcoming weekend's events. The Town's consulting engineer will inspect the site shortly. Margaret Costello noted that she would like signage to remain on Barton Road until the Foundation is granted an occupancy permit. Jesse Steadman said that notice has been given to the Collings Foundation to record the Hammerhead Lot Special Permit and Approval Not Required plan.

### **Regency at Stow**

Jesse Steadman said that Toll Brothers submitted a third of the payment in lieu of constructing affordable homes, as requested.

### **Zoning Board of Appeals Job Opening**

Jesse Steadman said that the notice and description for the Zoning Board of Appeals Administrative Assistant position will be posted tomorrow.

### **Regional Housing Services Forum**

Jesse Steadman said that the Regional Housing Services is looking to hold a forum in the spring to bring together companies that list affordable units for rent and sale and folks looking for affordable housing.

### **Gleasondale Bridge Update**

Jesse Steadman said that representatives from MassDOT and Howard Stein Hudson will hold a staff level meeting on October 4 to discuss updates on the process of the Gleasondale Bridge redesign.

### **Complete Streets Prioritization Plan**

Jesse Steadman said that he anticipates the Board of Selectmen will enter into a contract with Howard Stein Hudson at their meeting on October 10<sup>th</sup>.

### **Minor Modification for Infrastructure Commitment Endorsement, Spring Hill Estates**

The Board discussed the decision for Minor Modification #1 of the original Definitive Subdivision and Erosion Control Special Permit. The decision reflects the addition of language around the timing by which a letter committing to completing the roads and utilities shall be submitted to the Board, by eliminating the requirement prior to endorsement of the plans. This modification was discussed in greater detail during the Board's meeting of September 26, 2017.

*Ernie Dodd moved to approve Minor Modification #1, dated October 3, 2017, of the Spring Hill Estates Definitive Subdivision and Erosion Control Special Permit as drafted and amended.  
Len Golder Seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Ernie Dodd, Margaret Costello, Len Golder, Karen Kelleher-Yea).**

### **Discussion and Vote on Timing of Sidewalk Easement Submittal, Spring Hill Estates**

The Board discussed the decision for Minor Modification #2 of the original Definitive Subdivision and Erosion Control Special Permit. The decision reflects the modification of language requiring the sidewalk easement to be recorded prior to the issuance of a Building Permit. This modification was discussed in greater detail during the Board's meeting of September 26, 2017.

*Ernie Dodd moved to approve Minor Modification #2, dated October 3, 2017, of the Spring Hill Estates Definitive Subdivision and Erosion Control Special Permit as drafted and amended.*

*Karen Kelleher Seconded.*

**VOTED: 5-0 Unanimously in favor (Lori Clark, Ernie Dodd, Margaret Costello, Len Golder, Karen Kelleher-Yea).**

### **Lower Village Traffic Improvement Project**

Jesse Steadman provided a brief update on the few remaining easement agreements needed for the Lower Village project. Jesse Steadman said that he spoke with E.T.&L. regarding their estimated construction timelines and ensuring access to businesses along Great Road.

### **Public Hearing**

#### **Definitive Subdivision Plan and Planned Conservation Development and Erosion Control Special Permit and Site Plan Approval, Joanne Drive**

Lori Clark opened the Public Hearing at 8:30pm.

Lori Clark noted that she will not be a voting member for this application.

**Present:** *Rich Harrington, Stamski and McNary, Inc.*

Rich Harrington noted that he is in receipt of a memo dated October 3 from the Planning Department, as well as a letter dated September 12 from Places Associates. Rich Harrington noted comments from the Fire Chief, regarding additional gravel treatment on the shoulders on Joanne Drive for the fire apparatus. Rich Harrington said that the road is super elevated, negating the need for curbing.

Rich Harrington discussed the headwall across Sudbury Road which drops into Lot 1, saying that MassDEP noted that wetland vegetation would be altered by shadowing. Because of this, a replication area is necessary. Jesse Steadman asked if the wetland replication would require an easement. Rich Harrington said that it would be within the right of way and that Places Associates recommended providing an easement along the stream.

Lori Clark asked the Board members for any comments from their site walk of Joanne Drive from September 24.

Ernie Dodd noted the slope of the proposed location of Joanne Drive at Sudbury Road, and asked about car queuing. Rich Harrington agreed that the road drops down, as noted on Sheet 13 of the plans. Rich Harrington said that a level area for a car or two could be made.

The Board discussed the need for signage to deter vehicles from using Joanne Drive and Forest Drive as an alternate route for Sudbury Road traffic. Rich Harrington said that a sawhorse could be added at the entrance, or a one-way sign could be added.

Ernie Dodd said that the proposed location of Joanne Drive appears to require clearing a lot of big trees.

Lori Clark noted that a connection between the driveway at 35 Sudbury Road and Joanne Drive will need to be completed once Joanne Drive is constructed.

Lori Clark said that there should be about 20 feet of vegetation to screen the subdivision from existing homes.

Mark Jones suggested that the decision could condition the removal of existing trash and refuse from the land. Rich Harrington said that anything remaining on the land related to the screening of gravel will be taken out.

Rich Harrington and the Board discussed the letter from Places Associates. Rich Harrington offered comments on several of the listed suggestions. Rich Harrington said that he will add temporary construction easements to the plan. Rich Harrington said that the applicant requested a waiver to locate a smaller basin in the cul-de-sac, rather than including landscaping.

Rich Harrington said that tree detail can be added to the plan, and noted that the plan does not show trees in the Open Space area for clarity of reading the plans. Jesse Steadman said that he had recently spoken with the Tree Warden, who provided a new list of preferred species and recommended clustering trees rather than spacing them every 40 feet. Rich Harrington suggested that the decision condition a conversation with the Tree Warden to decide on the number, species, and placement of trees.

Rich Harrington noted that the applicant requested a waiver for street lights.

Rich Harrington said that he is aware of Soil Group A, and will add a beehive structure at Lot 1. Rich Harrington said that limiting fertilizers with phosphorus will be in a homeowner's agreement.

Rich Harrington said that the curbing on the roadway extension of Forest Road can be removed, and an additional foot of compacted gravel can be added. Rich Harrington said that he is flexible with the distance and method, as this is related to safety and response time.

Rich Harrington and the Board discussed the memo from the Planning Department. Rich Harrington said that the owner would like the Open Space to be owned by the Homeowners' Association. Rich Harrington said that Lot 6 and 7 are at different elevations, and therefore a common drive is not recommended. Rich Harrington said that Parcel 11 was not included in this application because it is not physically contiguous and undevelopable. Lori Clark noted that it may be advantageous to include it, as it may come back in question in the future.

Lori Clark asked if there is any public input regarding this application.

Scott Bracci, of 48 Forest Road, asked for further information on the correspondence from the Fire Chief. Jesse Steadman clarified that it was related to achieving safety without widening the paved road, as the Fire Chief wanted to ensure apparatus could navigate easily over the Forest Road extension and that the extension could be plowed.

Laura Acosta, of 47 Forest Road, asked about the drainage off of Lot 1. Lori Clark noted that it is State Law that development cannot increase the rate or volume of stormwater runoff.

Chris Spear, of 42 Forest Road, noted that runoff flows to the proposed extension of Forest Road. Ernie Dodd said that the plans include installing a culvert and a paved apron to direct water to the basin.

Keith Acosta, of 47 Forest Road, asked for clarification around how the development would restore runoff rates and volume, and the impacts to his property. Rich Harrington said that the intention is not to restore the exact location of runoff, but to divert it and lessen it. Rich Harrington said that he would discuss this location with the Highway Department. Ernie Dodd asked if Keith Acosta would prefer pavement or grass. Keith Acosta and Scott Bracci responded that they would prefer grass.

Keith Acosta said that he appreciated the conversation around the one-way street signage, and wondered what the narrowest width the Forest Road extension could be. Ernie Dodd responded that the State Fire regulations dictate that 20 feet is the narrowest.

Laura Acosta asked about the need for connecting Forest Road and Joanne Drive. The Board responded that it is a safety matter for residents of Joanne Drive, as well as a need to increase safety in Town. The Board noted the balance between meeting safety needs and reducing traffic in the neighborhood. Lori Clark clarified that the Planning Board adopted Rules and Regulations supporting the need for increased safety.

Abutters at Forest Road discussed property devaluation, community impacts, and public safety. The Board noted that an extension road must be 20 feet wide, and open and passable year round. Abutters suggested signs such as “No Entrance” or “Emergency Access Only”. Jesse Steadman said that more comments from the Highway and Fire Departments would be needed regarding pavement and surface requirements and the use of a cobblestone entrance.

Scott Bracci asked for more information about the fire cistern. Rich Harrington said that it would be a 30,000 gallon underground tank, and that a good example of this is at the end of Trefry Lane, off of Boxboro Road.

Scott Bracci asked for additional screening from the development, saying that a 20 foot buffer is not enough in the winter.

The Board agreed that they should not close the Public Hearing without comments from the Highway and Fire Departments.

*Ernie Dodd moved to continue the Public Hearing until 7:15pm on October 17, 2017.  
Karen Kelleher Seconded.*

**VOTED: 4-0 In favor (Ernie Dodd, Margaret Costello, Len Golder, Karen Kelleher-Yea;  
Lori Clark-Abstained).**

**Meeting Adjourned.**

Respectfully Submitted,

Valerie Oorthuys