

TOWN OF STOW
PLANNING BOARD

Minutes of the December 11, 2018 Planning Board Meeting

Planning Board Members Present: Lori Clark, Margaret Costello, Len Golder, Karen Kelleher, John Colonna-Romano

Voting Associate Member: Megan Birch-McMichael

Associate Member: Mark Jones

The meeting was called to order at 6:30pm.

Discussion of Meeting Minutes

Minutes of December 4, 2018

Karen Kelleher moved to approve the minutes as drafted.

Len Golder seconded

VOTED: 5-0 Unanimously in favor (Lori Clark, Len Golder, Margaret Costello, Karen Kelleher, John Colonna-Romano –Yea).

Executive Session Minutes of December 4, 2018

Karen Kelleher moved to approve the minutes as drafted.

Margaret Costello seconded.

VOTED: 5-0 Unanimously in favor (Lori Clark, Len Golder, Margaret Costello, Karen Kelleher, John Colonna-Romano –Yea).

Public Input

None.

Member Updates

None.

Lower Village Business District Assessment and Market Analysis Presentation

Present:

Peg Barringer, FinePoint Associates

Economic Development and Industrial Commission members: Kevin Whalen, Jen Gero, Serena Howlett, Tom Farnsworth

Lower Village Revitalization Subcommittee Members: Jim Salvie, Jonathan Bransfield

Peg Barringer presented the Business District Assessment and Market Analysis for Lower Village, completed through a grant from the Massachusetts Downtown Initiative. The report covers market demographics, sales leakage, survey data from residents and Lower

Village businesses, and recommendations for next steps. The report is available through the Planning office.

Peg Barringer said Lower Village has a smaller number of restaurants than is typically found in a business district. Additionally, Lower Village has an 11% vacancy, which is lower than the national average for commercial districts.

Peg Barringer discussed a comparative business mix analysis, showing establishment types that are often found in business districts but are not included in Lower Village. These include establishments such as a wider variety of restaurants, outdoor dining, additional recreation facilities, gift shops, high end consignment, and additional types of professional offices.

John Colonna- Romano asked about the demographics of the survey respondents. Peg Barringer said there were 303 respondents for the resident survey, with the business owners completing a separate survey.

Linda Hathaway, 76 Crescent Street, noted that survey results are not scientific, given its distribution. Linda Hathaway asked if multiple surveys per household were submitted. Peg Barringer agreed that respondents are likely those most interested in Lower Village, though the survey tool was able to limit responses to one survey per device used.

Margaret Costello asked how annual expenditures were found for residents within the two identified trade areas. Peg Barringer said it is possible to predict what households spend given demographics and that data can be purchased based on profile.

Kevin Whalen asked if the business survey was inclusive of only brick and mortar stores in Lower Village, or if it included any online or at home businesses. Peg Barringer said it only considered brick and mortars. Peg Barringer said that the number of home based businesses is not above average, though it may account for less of a need for office spaces.

Len Golder commented on the amount of sales leakage from supermarkets, as Lower Village does have a grocery store. Peg Barringer said residents are likely showing preference for different types of stores and that the average American family now shops at 5 different supermarkets.

Jesse Steadman asked if any of the statistics were a surprise. Peg Barringer said that it is typical for affluent communities to have more restaurants and gift shops in the business district. While Lower Village has a lot of doctor's offices, there are not lawyer's offices or offices for website or graphic design. Peg Barringer said many of the businesses surveyed described dissatisfaction with the aesthetic appeal of the district, which is not typical.

Jonathan Bransfield asked if this report would be able to entice a restaurant to locate in Lower Village. Peg Barringer said that a restaurant may not have to locate in Lower Village to get the market opportunity. The restaurant would need a clear path to open in Lower Village.

Peg Barringer discussed recommendations for the Town, including conducting a feasibility analysis for the creation of a public water supply, updating zoning regulations for increased flexibility and a 'village center' feel, connecting recreational and agritourism attractions to Lower Village, and activating public spaces.

Peg Barringer said it should be clear to anyone entering Lower Village that they are in Stow's business district. This can be created through design guidelines so that buildings have unifying architectural elements, or uniform lighting.

Serena Howlett asked if there is excess parking in Lower Village and whether there is the opportunity for infill development. Peg Barringer said that survey respondents were satisfied with parking, which is not typical for business districts, as residents and businesses usually ask for more parking. Jesse Steadman said that a previous study looked at parking capacity in the shopping plaza and found that parking spaces closer to the fitness center and Emma's Café are typically full and the spaces closer to the road are less utilized. Peg Barringer agreed that infill development can create the feeling of a village and said Maynard Crossing will appear as a lifestyle development, meaning that it will be landscaped to look like there are streets though it will only have one owner.

Jen Gero said she is pleased to have the data to support what is felt about Lower Village and said that she feels the lack of a public water supply is the largest issue.

Jesse Steadman asked if not having a commuter rail stop in Stow will be a significant limiting factor. Peg Barringer said that adjacent towns with thriving business districts, such as Maynard and Hudson, also have no commuter rail. Peg Barringer suggested allowing flexibility in zoning to pull activities outside and onto the Lower Common to create a relationship between residents and the district.

Jesse Steadman asked for an example of a town with a successful business district without evening street lighting or sign lighting. Peg Barringer could not find an example and said that a little light is needed on building facades or on streets to provide a sense of place.

The Planning Board agreed the report provides clear recommendations for next steps focused on village center zoning and placemaking.

Public Hearing

Definitive Subdivision and Erosion Control Special Permit, Hallocks Point Road

Present:

Paul Alphen, Alphen & Santos, P.C.

Jeff Brem, P.E., Meisner Brem Corporation

Sarah Bailin, Owner

Jeff Brem reviewed the list of requested waivers, noting the applicant has withdrawn the request for a waiver from Section 7.9.6a as the test holes have been completed. Jeff Brem

said more guidance is needed on the request for a waiver from Section 7.8- Street Classification Table.

Jeff Brem said the purpose of Parcel X is not yet resolved, though this will be discussed further with the Conservation Commission. Jeff Brem said Parcel X is separated from Lot 7 because it isn't needed for Lot 7 to meet acreage requirements.

Jeff Brem said the driveway on Lot 3 will be slightly modified at the entrance given comment from the Conservation commission.

Jeff Brem said the roadway is proposed to be improved to subdivision standards, though the applicant would prefer not to clear to a 50 foot width. Jeff Brem said he feels it is a minor roadway rather than a single access street. Jeff Brem said he would have to offset the centerline of the road were it to have a 50 foot right of way. Mark Jones noted the right of way does not dictate a limit of clearing for the road. Jeff Brem said he feels the 50 foot right of way is more appropriate if the subdivision were to include water, sewer, or drainage lines underground. Mark Jones said the Board needs to consider planning for future improvements. Jeff Brem said Parcel X is being offered as a public benefit in exchange for the waiver and it could be taken off the table if the waiver is not granted.

Megan Birch-McMichael asked for further explanation of the request for a waiver from Section 8.3 of the Subdivision Rules and Regulations, as placing utilities underground was stated as a reason to have a 50 foot right of way. Jeff Brem said this is an issue for curvy roads and said Sudbury Road has a 40 foot right of way. Lori Clark said this should not be considered justification for a right of way limit on Hallocks Point Road and the Board is typically not looking for larger roads.

Karen Kelleher asked about buffering the subdivision from Sudbury Road. Jeff Brem said this is being discussed with the Conservation Commission and the proposed subdivision would include a buffer, though not 300 feet. The Board discussed the applicant providing an easement along the frontage of the property so the right of way may be accessed.

Jeff Brem said the proposal includes an island in the cul-de-sac which may include three maple trees. Jeff Brem said the area would not be irrigated and the soils are sandy. The Conservation Commission is discussing this item further.

Jeff Brem mentioned the comment from Places Associates on the non-agricultural application of nitrogen fertilizers, saying that phosphorus is more of a concern. Paul Alphen commented that there is no issue with testing in accordance with the request from Places Associates.

Jeff Brem said the plans could provide a driveway apron, rather than providing grading and pavement to match abutters' driveways. Paul Alphen said if abutters want a connection, the owner would have to provide permission. Lori Clark said the Board would want the developer to work with the abutters to confirm expectations. Jeff Brem said the developer

will not be the builder of the subdivision so the Board may want to include a condition in the decision regarding matching abutters' driveways.

John Colonna-Romano said the existing roadway is not paved, and asked if the plan proposes the paved road would match the grade of the unpaved road so that the new roadway matches existing driveways at the same elevation. Jeff Brem agreed that it is preferable to match the edge of paving and curbing with the driveways.

Drainage

Jeff Brem said he contacted DEP regarding the definition of a bathing beach and determined that they feel 'near' means abutting the area cordoned off for swimming. Paul Alphen said they would like Places Associates to confirm this understanding.

Margaret Costello said residents swim in all areas of Lake Boon and are not confined to swimming at Pine Bluff. Jeff Brem said DEP distinguishes between a bathing beach and bathing water. Margaret Costello said she feels the Board should protect the lake as a whole. Jeff Brem said if the development were within proximity of a bathing beach, MassDEP's Standard 6 for Critical Areas would apply, meaning the stormwater management facilities would be double in size and the access to them would be widened as well. Jeff Brem said he is unsure of the cost benefit of this, as the facilities are intended to manage stormwater.

Lori Clark asked if easements are provided in association with the stormwater facilities. Jeff Brem said there are above ground easements.

Jeff Brem said the stormwater facility on Lot 7 is a raingarden. Lori Clark asked about the reliability of its maintenance. Paul Alphen said it would be included in the Declaration of Restrictive Covenants and the deed.

Jeff Brem said the stormwater facility on Lot 6 is a detention basin. Paul Alphen added the Town would be allowed to maintain it.

Margaret Costello asked what the distance is between Lake Boon and the stormwater management facility. Jeff Brem said it is 50 feet.

Megan Birch-McMichael expressed concern for the use of pesticides. Jeff Brem said the plans include Low Impact Development (LID) techniques, and that having a buffer from Lake Boon is beneficial. Jeff Brem said future owners would need to apply through the Conservation Commission for permission for further work. Jeff Brem said that most of the development is under Conservation Commission jurisdiction, except for a small area of Lot 2.

Paul Alphen commented on Places Associate's concern for the ability to extinguish use of Hallocks Point Road past 38 Hallocks Point Road. Paul Alphen said the deeds of the existing houses granted easements only east of their property bounds, not west. Paul Alphen said

he is unsure why the assessor's maps show the road going farther west, though he is comfortable there are no easement rights on Lot 3 or 4.

John Colonna-Romano asked about the location of the existing utility pole at the western end of Hallocks Point Road. Jeff Brem said that a house was located there at one point.

Jeff Brem said after discussing with the Conservation Commission, the applicant has decided to provide an easement on Lot 4 to access Lot 3 so that the driveway servicing Lot 3 is shorter than what is currently shown on the plans. Jesse Steadman said the Fire Chief would like to ensure the road and driveways have an SU-30 turning radius.

Mark Jones asked if the entirety of the cul-de-sac is under Conservation Commission jurisdiction. Jeff Brem said only the parts of the cul-de-sac that make up frontage for Lot 3.

Jeff Brem said that there is an existing dock on Lot 5, which belongs to the owner of the abutting property. Mark Jones asked about the condition of the dock. Jeff Brem said it is not in good repair. Steven Butler, 34 Hallocks Point Road, said the existing dock is his and that if asked he may move it. Lori Clark said the Board typically does not create subdivision plans that bring conflict with abutters. Karen Kelleher said that the placement of the dock should be agreed upon at this stage of permitting. The Board agreed that they would like Sarah Bailin to resolve the issue with the dock owner prior to approval of the plans.

Waiver Requests

Jeff Brem said the centerline of the cul-de-sac will be staked. Jeff Brem said the wells and septs are shown for most properties on the plan.

Jeff Brem said there are two trees that would need to be cut along the right of way in front of Lot 5. Lori Clark said those details need to be clearly indicated on the plans.

Jeff Brem said the applicant is requesting a waiver from Section 8.3 of the Subdivision Rules and Regulations so that the utilities may be placed above ground. Jeff Brem said utility poles already exist on the road and service the existing homes. Jeff Brem said current residents of Hallocks Point Road would incur costs if the utilities were moved underground.

Jeff Brem said the applicant is requesting a waiver from Section 8.6.1 requiring sloped granite curbing. Jesse Steadman said the Highway Superintendent agreed that cape cod berm is preferable.

Jeff Brem said the applicant is requesting waivers from Section 8.7 and 8.10, as sidewalks and street lighting do not exist on Sudbury Road. Karen Kelleher asked about the provision of a sidewalk easement along Sudbury Road. Paul Alphen asked whether the Town would prefer a tree buffer or a sidewalk easement. The Board agreed that both are important. Paul Alphen said it should be clear that the buffer area is subject to a sidewalk easement.

Regulations

Jeff Brem said the Conservation Commission had not provided an indication of whether they would accept Parcel X. The Board agreed they would seek comment from the Conservation commission, Board of Selectmen, and the Recreation Department.

Jeff Brem asked for clarification on Places Associates' comment on extreme weather conditions. Jesse Steadman said this may reference the need for careful maintenance of erosion control measures during construction.

Steve Butler asked why most of the drainage infrastructure is on the south side of Hallocks Point Road. Jeff Brem said that the proposal works with existing contours, and the northern areas are quite steep.

The Planning Board agreed that more information is needed in order to close the public hearing.

*Margaret Costello moved to continue the public hearing to January 15, 2018 at 7:30pm.
Karen Kelleher seconded.*

VOTED: 5-0 Unanimously in favor (Lori Clark, Len Golder, John Colonna-Romano, Margaret Costello, Karen Kelleher- Yea).

Joanne Drive Legal Documents and Definitive Subdivision Endorsement

Present:

Steve Bjorklund, on behalf of the applicant

The Planning Board reviewed revised legal documents associated with the Joanne Drive Subdivision.

Jesse Steadman said the timing of the provision of trails along the Open Space should be included in the decision to ensure it is completed prior to issuance of a certificate of occupancy. The Board agreed this should be done through a minor modification.

Steve Bjorklund said the documents were signed by an invalid corporation. Mark Jones asked about the validity of the signatures on the legal documents, as the corporation was dissolved in 1979. Mark Jones said he believes the corporation will have to file with the Secretary of State for each of the last 40 years in order to gain a current certificate. Karen Kelleher asked if this issue could be covered in the upcoming minor modification, so that proof of the corporation is provided prior to getting the legal documents recorded. Jesse Steadman said this would be discussed further with Town Counsel.

Karen Kelleher moved that the Planning Board endorse the Definitive Subdivision Plan for Joanne Drive and that the recording of the associated legal documents not take place until the Board has received confirmation of the corporation being resurrected from the Secretary of State.

John Colonna-Romano seconded.

Voted: 5-0 Unanimously in favor (Lori Clark, Margaret Costello, Len Golder, Karen Kelleher, John Colonna-Romano- Yea).

Budget Discussion- FY 2020

Jesse Steadman said a draft of the budget for fiscal year 2020 will be ready for the Board's next meeting. When the Board discussed the budget previously, it was not known that the Lower Village project would be delayed another year, which will shift the budget requests.

Jesse Steadman said the Assessors are updating their software system, which could positively impact the selection of a vendor for a public online GIS system.

The Board discussed the hiring of a Town Engineer, given the advancement of Complete Streets projects and the amount of peer review needed for current and future projects. The Board agreed this should be discussed further with adjacent towns and Stow's regional Metropolitan Area Planning Council group.

Lower Village Traffic Improvement Project

Jesse Steadman said there are a few outstanding items to discuss with the construction team now that the road has been winterized, including ongoing claims for vehicle damage and plans for the increased turning radius at White Pond Road. Jesse Steadman said the issue of temporary easements expiring at the end of the year will be discussed with Town Counsel.

Jesse Steadman said the Planning Department is finalizing a scope of work for Places Associates, Inc. to continue to provide peer review services of the project.

The Board discussed the need to determine the remaining budget for the project, once all Change Orders have been processed.

The Board agreed that E.T.&L. Corp should be retained to complete the project. The Board discussed whether retaining Howard Stein Hudson is advisable.

The Board discussed the visibility of the traffic islands, agreeing that there may be reflective materials or signage that could better demarcate them. The Board agreed that the traffic islands should not be paved over. Lori Clark described traffic islands on Route 117 in Lincoln that are leveled with large granite stones. Karen Kelleher suggested that either the Economic Development and Industrial Commission or the Lower Village Revitalization Subcommittee promote adopted islands so that they may include some form of landscaping.

Meeting Adjourned.

Respectfully Submitted,
Valerie Oorthuys