

AGENDA
SELECT BOARD
October 12, 2021
7:00 p.m.
Town Building & Zoom

The public may attend the Select Board meetings in-person or may continue to participate via remote Zoom access. Until further notice, all visitors are required to wear a mask regardless of vaccination status.

Join Zoom Meeting

<https://zoom.us/j/98658945845?pwd=TS9WY3VSRWlidjVLLzByYmNZV2hGQT09>

Meeting ID: 986 5894 5845

Passcode: 561121

1. Public input
2. Board Member comments
3. Recognition
4. Appointments:
 - Promotion of Detective Cassandra Scott to the position of Sergeant
 - Promotion of Acting Sergeant David Goguen to the position of Sergeant
5. Town Administrator's Report
6. Discussion and Possible Vote
 - Approve the Special Town Meeting Warrant
 - Approve and Sign Disclosure Form for Daniel Nicholson
 - Planning Board Request for Comments - Proposed Amendments to the Stow Zoning Bylaw
 - Planning Board Request for Comments – Petition for a Hammerhead Lot Special Permit and Site Plan Approval at 57 Barton Road
 - Nashoba Regional Agreement Amendment Subcommittee appointment
7. Strategic Planning
 - Continued policy discussion, if any
 - Continued Workplan and Goals, if any
 - Continued meeting schedule discussion, if any
8. Meeting minutes
 - September 28, 2021
9. Correspondence
10. Adjournment

Posted Thursday, 10/7/2021
2 p.m.

APPOINTMENTS



Town of Stow
Office of the
Town Administrator

380 Great Road
Stow, MA 01775
Tel: 978-897-2927

Denise M. Dembkoski
Town Administrator
townadministrator@stow-ma.gov

Dolores Hamilton
Assistant Town Administrator
assttownadmin@stow-ma.gov

October 7, 2021

Select Board
380 Great Road
Stow, MA 01775

To the Honorable Select Board:

Please accept this letter of recommendation for the promotion of two highly deserving police officers to the role of Sergeant, Detective Cassandra Scott and Acting Sergeant David Goguen.

As you know, the two sergeant vacancies opened up with the promotion of Chief Sallese and Lieutenant Thraen. The Notice of Promotion was posted on August 1st in accordance with departmental policy. There was a total of four applicants for the two positions.

The first step in the process was to have the candidates answer a number of essay questions. From there, an interview with the Promotional Board was scheduled and three candidates were interviewed. After that, an interview with area Police Chiefs was scheduled for the three candidates.

From there, myself, the Police Chief, and Assistant Town Administrator, reviewed the applications, essays, and results of the first two interviews. We then ranked the three candidates on a number of factors: written essays, two interviews, training, education, experience, and seniority. Each candidate was ranked for each category as 1st, 2nd, or 3rd. From there, we conducted our own interview of the candidates.

While all three candidates brought something different to the table, the top candidate was Cassandra Scott. Detective Scott interviewed extremely well, clearly articulating her time with the department and how she would move the department forward with 21st century policing. It is evident that her education (two Masters Degrees) and the lengthy training she has undertaken, has suited her well and prepared her for this role. Detective Scott joined the department in 2013 and was promoted to Detective in 2015. Additionally, and unrelated to her rank in the process, I am thrilled to be recommending the first woman in Stow's history to hold a command officer position. It gives me great pleasure to present her as a candidate for Sergeant.

The second candidate being put forth for Sergeant is the current Acting Sergeant David Goguen. Dave has been with the Stow Police Department for 36 years and will bring a tremendous amount

of experience to his new permanent role. Dave knows the department, the town, and is very well respected by the members of the department. I am pleased to present him as a candidate for Sergeant.

Having this command staff in place is imperative to the productive operations of the Stow PD. As we work through the accreditation process and embrace the new police reform, having Scott and Goguen in place will allow the Chief more flexibility with oversight, policy implementation, and overall management of the Department.

I ask that you ratify my recommendation and appoint these two dedicated and deserving officers to the position of Sergeant.

Very truly yours,

A handwritten signature in blue ink that reads "Denise M. Dembkoski". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Denise M. Dembkoski
Town Administrator

DISCUSSION & POSSIBLE VOTE

Approve the
Special Town Meeting Warrant



WARRANT FOR OCTOBER 30, 2021 SPECIAL TOWN MEETING

To either of the Constables and Town Clerk of the Town of Stow, in the County of Middlesex,
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Stow, qualified to vote in Elections and Town Affairs, to assemble in

HUGH MILL AUDITORIUM AT THE HALE MIDDLE SCHOOL, 55 HARTLEY ROAD, STOW, MA

In said Town on
SATURDAY, THE THIRTIETH DAY OF OCTOBER 2021
AT 10:00 A.M.

Then and there to act on the following Articles, namely:

ARTICLE 1. Unpaid Bills

To see if the Town will vote to raise and appropriate, pursuant to any applicable statute, a sum, or sums of money, to be expended by the Town Administrator, to pay for unpaid bills of the Town, from previous fiscal years, or to take any other action related thereto.

(Town Administrator)

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
Police Department	MHQ	\$170.10	Cruiser Evaluation

The Finance Committee recommends XXX of this article. Passage of this article increases expenditures.

We were billed for this work in October for a cruiser evaluation conducted in March 2021. Due to lack of staffing at their end, MHQ was just able to bill for it.

ARTICLE 2. Barton Road Dam Safety Improvements

To see if the Town will vote to raise and appropriate the sum of Sixty Thousand Dollars (\$60,000) or any other sum, for the purpose of addressing the immediate deficiencies in the Barton Road Dam in Stow, including the payment of professional, administrative, and construction expenses and any other incidental costs; or take any other action relative thereto.

(Town Administrator)

The Finance Committee recommends XXX of this article. Passage of this article increases expenditures.

On Friday, August 20, 2021, a failure occurred in the Barton Road Dam, which caused part of the road to be undermined and collapse. The Town implemented the Dam Emergency Action Plan and contacted our engineering firm to address the needed repairs. Repairs were made over the subsequent days. These funds are needed to cover the deficit expense of the repairs.

ARTICLE 3. Senior Property Tax Work-off

To see if the town will vote to accept Massachusetts General Law Chapter 59, Section 5K, which establishes a property tax work-off program for taxpayers who are over 60 years of age. Further, to allow an approved representative to perform services for an eligible taxpayer physically unable to provide services to the town. To be effective for any fiscal year beginning on or after July 1, 2021, or take any other action relative thereto.

(Board of Assessors)

The Finance Committee recommends XXX of this article. Passage of this article DOES NOT increase expenditures. Funding comes out of the overlay account.

This provision is already allowed for, but reacceptance brings us up to the new DOR standards. Additionally, this will allow proxy workers to work on behalf of those physically unable to do so.

ARTICLE 4. Veterans Property Tax Work-off

To see if the town will vote to accept Massachusetts General Law Chapter 59, Section 5N, which establishes a property tax work-off program for veterans (as defined in G.L. C. 4, Section 7, Clause 43). Further, to allow an approved representative to perform services for an eligible taxpayer physically unable to provide services to the town. To be effective for any fiscal year beginning on or after July 1, 2021 or take any other action relative thereto.

(Board of Assessors)

The Finance Committee recommends XXX of this article. Passage of this article DOES NOT increase expenditures. Funding comes out of the overlay account.

This would allow Veterans to benefit from a work-off program and to allow proxy workers to work on behalf of those physically unable to do so.

ARTICLE 5. Stow Acres North Course Acquisition

To see if the Town will vote to raise and appropriate, transfer, borrow or otherwise expend the sum of four million dollars (\$4,000,000), or any lesser sum to acquire by purchase or as otherwise provided by the General Laws, approximately 115 +/- acres of land on Randall Road in Stow owned by Stow Holdings, LLC and shown as the entirety of Assessors' Map Sheet R11, Lot 11A and a portion of Assessors Map R11, Lot 25B-3, and to expend a portion of said funds for the costs associated therewith, including legal, title, appraisal, engineering, and other costs or fees,

and further, to authorize the expenditure of up to two million two hundred thousand dollars (\$2,200,000) from the Community Preservation Unreserved Fund Balance and three hundred thousand dollars (\$300,000) from the Community Preservation Open Space Fund Balance to acquire said parcels for open space and recreation purposes;

and further to transfer approximately 24 acres of said land to the care, custody and control of the Conservation Commission for passive recreation and conservation purposes in accordance with MGL Chapter 40, Section 8C; and transfer approximately 90 acres of said land to the care, custody and control of the Recreation Commission in accordance with MGL Chapter 45, Section 3, said land and separate parcels to be shown on a plan recorded at the Middlesex South Registry of Deeds;

and further, to authorize the Treasurer, with the approval of the Select Board, to borrow, transfer from available funds, or receive from gifts and/or grants, the balance of the funds for this acquisition, and further, to authorize the conveyance of any conservation restrictions or easements, lease or license agreements required by MGL Chapter 44B and/or to further the purpose and intent of this acquisition, including, but not limited to entering into agreements with Stow Holdings, LLC or its assigns, regarding continued short term use of portions of the Premises for golf;

and further to authorize the Select Board to enter into such agreements, execute such documents and apply for and solicit grants under the Land and Water Conservation Fund Act, Chapter 132A Section 11, or any other state or federal program in any way connected with the scope of this Article, or receive gifts as may be available for reimbursement to the Town for these purposes; and take any other action relative thereto.

(Conservation Commission, Recreation Commission, and Community Preservation Committee)

The Finance Committee recommends XXX of this article. Passage of this article increases expenditures.

This article approves expenditures of up to \$2.5 million in Community Preservation funds currently in hand toward the acquisition of the majority of the North Course at Stow Acres Golf Course on Randall Road for conservation and recreation purposes as shown on the map printed in the warrant. The balance of the funds needed will come from grants and fundraising. The purchase cannot proceed until the full amount is raised.

Stow Acres North Course Aquisition



Map created 10/6/2021 by M Regan
Data: Town of Stow, MassGIS

ARTICLE 6. Amend Zoning Bylaw Section 6.3 Signs

To see if the Town will vote to amend the Zoning Bylaw by amending section 6.3 to read in its entirety as stated below in sections A, B, and C of this article; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.
(Planning Board)

The Finance Committee recommends XXX of this article. Passage of this article DOES NOT increase expenditures.

The Planning Board is proposing a targeted amendment to the portion of the Zoning Bylaw that regulates signs for the purpose of allowing businesses in certain districts to continue to use internally illuminated signs, such as "open" signs, until such time as a more thorough review of sign bylaws may take place. This amendment would permit a single internally illuminated sign up to three (3) square feet in size for each establishment within the Business, Compact Business, Industrial, and Refuse Disposal zoning districts. Internally illuminated signs would remain prohibited in the Residential and Recreation-Conservation Districts. A severability clause has also been added to ensure that should one section of the sign bylaw face judicial review, other sections may remain in effect.

A) Amend Section 6.3.1.5 to read in its entirety as stated below:

6.3.1.5 SIGNS which are oscillating, flashing or operating with moving parts are not permitted;

B) Amend Section 6.3.3 to read in its entirety as stated below:

6.3.3 On Site - Permanent - PERMANENT SIGNS are permitted subject to the General Regulations of following subsections:

6.3.3.1 Residential and Recreation-Conservation Districts:

- 1. One (1) ON-SITE SIGN is permitted not exceeding five (5) square feet in area on State numbered highways and three (3) square feet in area elsewhere.
- 2. One (1) ON-SITE SIGN pertaining to the rent, lease or sale of land or BUILDING(s) not exceeding three (3) square feet in area. All such SIGNS shall be removed within seven (7) days of rental, lease or sale of land or BUILDING.
- 3. One ON-SITE SIGN pertaining to agriculture, as permitted in Sections 3.1.1.2, 3.1.1.3, 3.1.1.5, and Section 3.2.1,1, each not exceeding sixteen (16) square feet in area, may be ERECTED.
- 4. Internally illuminated SIGNS are not permitted.

6.3.3.2 Business, Compact Business, Commercial, Industrial and Refuse Disposal Districts:

1. For each establishment, one (1) ON-SITE SIGN attached to the facade of the BUILDING not exceeding the lesser of one square foot for each one lineal foot of business, commercial or industrial BUILDING frontage or eighty (80) square feet in area.
2. Window SIGNS in total may be the larger of 30% of the window or three (3) square feet.
3. For each establishment, one (1) internally illuminated window SIGN not exceeding three (3) square feet.
4. One (1) primary free standing SIGN visible from the main public way not exceeding twenty (20) square feet in area.
5. In the case of multiple businesses in the same BUILDING or sharing the same access and/or parking facilities, only one SIGN is permitted per principal access.
6. If the business is on a corner LOT and the primary SIGN is not visible from the intersecting road, a secondary SIGN not larger than 50% of the primary SIGN is permitted.
7. One (1) ON-SITE SIGN pertaining to the rent, lease or sale of land or BUILDING(s) not exceeding six (6) square feet in area. All such SIGNS shall be removed within seven (7) days of rental, lease or sale of land or BUILDING.

C) Insert new Section 6.3.7.9 to read in its entirety as stated below:

6.3.7.9 Severability – If any provision of this section, or the application thereof to any person or circumstance, shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this section are hereby declared to be severable.

ARTICLE 7. Amend Zoning Bylaw Sections 3.10 Table of Principal Uses and 3.6.3 Uses Allowed by Special Permit in the Industrial District

To see if the Town will vote to amend the Zoning Bylaw by amending Sections 3.10, and 3.6.3, as stated below is sections A and B of this article; and further than non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

(Planning Board)

The Finance Committee recommends XXX of this article. Passage of this article DOES NOT increase expenditures.

The purpose of this update is to allow private schools, colleges and dance/music academies in the Industrial District of Stow. With the bulk of the Industrial District either already developed or considered for future development, private school uses offer a development option that invites fewer trucks and industrial disturbance, and is generally more in keeping with the rural, residential character of Stow.

A) Amend Section 3.10 - Table of Principal Uses as stated below:

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
General Uses									
Agriculture	Y (4)	N	Y	Y	Y	Y	Y	Y	NR
Conservation	Y	Y (5)	Y	Y	Y	Y	Y	Y	NR
Recreation	SPA (4)	N	N	SPP	N	SPP	SPA	SPP	(3)
Residential Uses									
Single Family DWELLING	Y (4) (11)	N	Y SPP(11)	N	N	N	N	N	(3)
Single Family DWELLING with ACCESSORY APARTMENT	SPP (4) (7) (11)	N	SPP (7) (11)	N	N	N	N	N	(3)
Duplex DWELLINGS	SPP (4) (11)	N	N	N	N	N	N	N	(3)
Multi-Family DWELLING	SPP(4) (11)	N	N	N	N	N	N	N	(3)
Conversion to 2-Family DWELLING	SPA (4)	N	N	N	N	N	N	N	(3)
Combined Residence/ Home Occupation	Y (4)	N	Y	N	N	N	N	N	NR
Bed & Breakfast Home	Y (4)	SPA (1)	N	N	SPP (3)	N	N	N	R
Bed & Breakfast Home or Establishment	SPA (1) (4)	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Boarding House or Rooming House	Y (4)	N	Y	N	N	N	N	N	R
Playgrounds	SPA (4)	N	N	N	N	N	N	N	(3)
Conservation Areas, Farming and Horticulture, Orchards, Nurseries, Forests, Tree Farms, Sale of Farm Produce	Y (4)	N	Y	Y	Y	Y	Y	Y	R
Storage of Farm Vehicles	Y (4)	N	N	N	N	N	N	N	NR

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
ACCESSORY BUILDINGS & Uses	Y (4)	Y	Y	SPP	SPP	Y	SPA	SPP	(3)
Hammerhead LOTS	SPP (4)	N	N	N	N	N	N	N	(3)
INDEPENDENT ADULT LIVING RESIDENCE	N	SPP (9) (11)	N	N	N	N	N	N	(3)
ACTIVE ADULT NEIGHBORHOOD	N	N	N	SPP (10)	SPP (10)	N	N	N	(3)
Common Drives	Y	N	N	N	N	N	N	N	R
Institutional Uses									
CHILD CARE FACILITY	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
FAMILY DAY CARE HOME	Y (6) (4)	N	Y	N	N	N	N	N	R
Private Schools & Colleges, Dance & Music Studios	SPA (4)	N	N	SPP (3)(14)	N	N	N	N	(3)
Nursing Homes	SPA (4)	N	N	N	N	N	N	N	(3)

Day Camps, Overnight Camps, and Camp Sites	N	N	N	SPP	N	SPP	N	SPP	(3)
Municipal	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Public Service Corporation	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Religious	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Educational (Non-Profit)	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Wireless Communication Facilities	SPP (8)	N	N	SSP(8)	SSP(8)	SPP (8)	N	SSP(8)	(3)
<u>Business & Commerical Uses</u>									
TOURIST HOMES, or LODGING HOUSEs	N	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Business or Professional Offices	N	SPP (1)	SPP	SPP (2)	SPP (1)	N	N	SPP (2)	(3)
Retail Stores or Service Establishments	N	SPP (1)	SPP	N	SPP (1)	N	N	N	(3)
Banks	N	SPP	SPP	N	SPP	N	N	N	(3)
U.S. Post Offices	N	SPP	SPP	N	N	N	N	N	(3)
Salesrooms for Automobiles, Bicycles, Farm Implements, Boats, and Similar Equipment	N	SPP	N	N	SPP (1)	N	N	N	(3)
Restaurants, including those offering accessory outdoor service on a patio or seating area	N	SPP	N	SPP	SPP	SPP	N	SPP	(3)
Country Clubs or Other MEMBERSHIP CLUBs	N	SPA	N	SPP	N	SPP	N	SPP	(3)
Golf Courses	SPP (4)	N	N	SPP	N	SPP	N	SPP	(3)
Ski Areas, MARINAs & Boat Landings	SPA(4)	N	N	SPP	N	SPP	N	SPP	(3)
Cross Country Ski Areas	SPP (4)	N	N	N	N	N	N	N	(3)
Parking Areas for Employees, Customers or Visitors	N	SPP	SPP	SPP	SPP	N	N	SPP	(3)
HOTELS MOTELS	N	SPA	N	N	N	N	N	N	(3)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
Theaters, Bowling Alleys, Skating Rinks, Clubs or Assembly within the BUILDING	N	SPA	N	N	N	N	N	N	(3)
Funeral Home, Mortuaries or Crematories	N	N	N	N	SPP	N	N	N	(3)
Veterinary Hospitals, Stables & Kennels, Raising or Breeding of Animals for Sale, and Boarding Animals	SPA(4)	N	N	N	N	N	N	N	(3)
Printing, Publishing or Commercial Reproduction or Photo Processing Establishments, Offices, Medical or Dental Labs, and Research Laboratories	N	N	N	N	SPP (2)	N	N	N	(3)
Building Materials Salesrooms & Yards, Contractor's Yards, Wholesale Distribution Plants, Storage Warehouses	N	N	N	N	SPP	N	N	N	(3)
Gasoline Service Stations, Garages or Repair Shops	N	SPA	N	N	N	N	N	N	(3)
Utility Structures, Passenger Depots and Terminals	N	N	N	N	SPP	N	N	N	(3)
Screened Storage	N	N	N	SPP	SPP	N	N	SPP	(3)
Cafeterias for Employees	N	N	N	SPP	N	N	N	SPP	(3)
Access to Industrial Zoned Land	N	Y	N	N	N	N	N	N	(3)
Retail Store as part of a REGISTERED MARIJUANA DISPENSARY	N	SPP (1)(12)	N	N	N	N	N	N	(3)
MARIJUANA RETAILER	N	N	N	N	N	N	N	N	(3)
Industrial Uses									
Manufacturing Enterprises	N	N	N	SPP	N	N	N	SPP	(3)
Research Laboratories with Incidental Assembly or Manufacture	N	N	N	SPP (2)	N	N	N	SPP (2)	(3)
Sanitary Landfill	N	N	N	N	N	N	N	SPS	(3)
Refuse Transfer Station	N	N	N	N	N	N	N	SPS	(3)
Refuse Incinerator	N	N	N	N	N	N	N	SPS	(3)
COMMERCIAL SOLAR PHOTOVOLTAIC RENEWABLE ENERGY INSTALLATION	SPP	SPP	N	Y	Y	SPP	N	Y	(3)
CRAFT MARIJUANA CULTIVATOR COOPERATIVE	N	N	N	N	N	N	N	N	(3)
MARIJUANA CULTIVATOR	N	N	N	N	N	N	N	N	(3)
MARIJUANA PRODUCT MANUFACTURER	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
MARIJUANA RESEARCH FACILITY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA INDEPENDENT TESTING LABORATORY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA MICROBUSINESS	N	N	N	N	N	N	N	N	(3)

- (1) Uses permitted by right provided that the BUILDING is less than 1,000 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
- (2) Uses permitted by right provided that the BUILDING is less than 1,500 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
- (3) All uses requiring a Special Permit are subject to Site Plan Approval requirements as part of the special permit process.
- (4) Refer to Section 7.3.3.3 of this Bylaw to determine parking requirements for uses permitted in the Residential District.
- (5) Allowed in accordance with the provisions of M.G.L., Ch. 40A, Section 3.
- (6) Allowed as accessory use only.
- (7) Allowed without special permit in accordance with Section 8.1.2 of this Bylaw.
- (8) Wireless Service Facilities shall be allowed by special permit only on land located in the Wireless Service Facility District.
- (9) The total number of INDEPENDENT ADULT UNITS shall not exceed 6% of the total single family DWELLING UNITS in Stow.
- (10) An Active Adult Neighborhood shall be allowed by Special Permit only on land located in the Active Adult Neighborhood District.
- (11) Provisions of Section 8.9, Inclusion of Affordable Housing, may apply.
- (12) The retail component of a REGISTERED MARIJUANA DISPENSARY is allowed by Special Permit within the Business District, in accordance with Section 5.5 of the BYLAW and pursuant to Department of Public Health Regulations 105 CMR 175.000 and Cannabis Control Commission Regulations 935 CMR 500.
- (13) MARIJUANA RESEARCH FACILITIES, MARIJUANA INDEPENDENT TESTING LABORATORIES, and MARIJUANA PRODUCT MANUFACTURERS are allowed in the REGISTERED MARIJUANA ESTABLISHMENT Overlay District, pursuant to Section 5.5 of the BYLAW, and Cannabis Control Commission regulations 935 CMR 500.
- (14) A special permit for Private Schools and Colleges, Dance and Music Studios located in the Industrial District shall reference an executed Development Agreement negotiated by and between the Applicant and the Select Board. The execution of said Development Agreement is a condition precedent to Special Permit approval by the Planning Board.

Prohibited Uses - All uses not specifically named in the text of the bylaw are prohibited.

B) Amend Section 3.6.3, Uses Permitted by Special Permit in the Industrial District, by adding Section 3.6.3.10 to read in its entirety as stated below:

3.6.3.10 Private Schools & Colleges, Dance & Music Studios, inclusive of USES that are ACCESSORY to the primary academic USE, including but not limited to: onsite dormitories for students and staff; incidental retail USES for supplies, equipment, food service and concessions, and athletic fields and complexes.

ARTICLE 8. Amend Zoning Bylaw Sections 1.3 Definitions, 9.2.7.14 (Special Permit Conditions)

To see if the Town will vote to amend the Zoning Bylaw by amending Sections 1.3, and 9.2.7.14 as stated below in sections A and B of this article; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

(Planning Board)

The Finance Committee recommends XXX of this article. Passage of this article DOES NOT increase expenditures.

A sidewalk along the entire frontage of a property is currently required as part of Special Permit approval in Stow. This amendment provides both the Planning Board and property owners greater flexibility in reaching compliance Special Permit requirements. Rather than focus solely on sidewalks, the amendment also aligns with the Town's Complete Streets Policy and provides a menu of options for complying with the Special Permit requirements depending on the specific nature of the site and the preference of the property owner.

A) Amend Section 1.3 Definitions by inserting a new definition to read in its entirety as stated below:

1.3 Definitions

COMPLETE STREETS IMPROVEMENT – A sidewalk, walkway, path, or other contributing component designed in accordance with the Town of Stow's Complete Streets Policy. A contributing component may include but not be limited to signage, pavement markings, wheelchair ramps, crosswalks, curb improvements, and restoration of buffer strips. COMPLETE STREETS IMPROVEMENTs shall be designed and/or constructed in accordance with the guidance, standards and

recommendations as defined in the Stow Complete Streets Policy, dated February 1, 2016, as amended.

B) Amend Section 9.2.7.14 (Special Permit Conditions) to read in its entirety as stated below:

9.2.7.14 Conformance with Complete Streets Policy

The purpose of this Section is to make efficient and ongoing progress on the Town's Complete Streets Prioritization Plan by creating a safe, comfortable and accessible street network for all road users regardless of age, ability or income levels. This section shall provide for Complete Streets improvements developed in a context sensitive manner that balances streetscape improvements with the Town's historic, rural character.

9.2.7.14.1 Applicability

This Section shall apply to all Special Permit Approvals pursuant to Section 9.2 of the Zoning Bylaw. Special Permits granted by the Zoning Board of Appeals, in accordance with Section 3.9 of the BYLAW shall be exempt from the provisions of Section 9.2.7.14 and all subsections.

9.2.7.14.2 A sidewalk, walkway or path shall be required along the entire frontage of a LOT. Alternatively or in addition, the Special Permit Granting Authority may accept other COMPLETE STREETS IMPROVEMENTS as it deems necessary to accommodate the safe movement of pedestrians and bicyclists. Said sidewalks, walkways, paths or COMPLETE STREETS IMPROVEMENTS may be located on the LOT or within the layout of the STREET, with the Town's permission, depending on the nature of the work and upon obtaining the necessary permits. Construction of COMPLETE STREETS IMPROVEMENTS, including alterations of existing STRUCTURES and parking areas and LOTS, as well as changes in use, shall be designed in a manner which complies with the provisions of the Zoning Bylaw and Complete Streets Policy as amended, to provide adequate drainage of surface water and safe vehicular, pedestrian, and bicycle access.

9.2.7.14.3 The Planning Board may waive the requirements of Section 9.2.7.14.2, only where the Board makes one or some combination of the following findings:

- Construction of a sidewalk, walkway or path would adversely affect an "Environmentally Sensitive Area," as defined in Appendix J of the Planning Board Handbook;
- Construction would require easements from property owners that have not yet been attained by the Town of Stow for the purpose of constructing a sidewalk, walkway or path or are not willing to be granted to the Town as part of the proposed improvements;

- Construction could be detrimental to the safety of motorists, cyclists and pedestrians, due to the creation of an isolated segment of constructed sidewalk, walkway or path
- Future connections to the improvement are unsupported on the Town's Complete Streets Prioritization Plan or otherwise unlikely due to environmental, topographical or right-of-way constraints.

In the event the Planning Board waives the requirements of Section 9.2.7.14.3, the Board may accept one or some combination of the following offers:

- An offer, acceptable by the Board, to design a sidewalk, walkway or path or other COMPLETE STREETS IMPROVEMENT in another area of Town, outside of the immediate vicinity of the Special Permit locus;
- An offer of a fee in lieu of construction of a sidewalk, walkway or path into an account identified specifically for construction of COMPLETE STREETS IMPROVEMENTs in the Town of Stow, in accordance with Appendix J of the Planning Board Handbook;
- An offer of fifty percent (50%) of the total fee in lieu of construction of a sidewalk, walkway or path into an account identified specifically for construction of COMPLETE STREETS IMPROVEMENTs in the Town of Stow, in accordance with Appendix J of the Planning Board Handbook AND grant of a sidewalk easement to the Town of Stow for the future construction of a sidewalk, walkway, path, or other COMPLETE STREETS IMPROVEMENT along the frontage of the subject LOT or SITE;
- An offer of fee interest in land along the frontage of the subject LOT or SITE, and which is of adequate dimension to provide for future construction of a sidewalk, walkway, path, or other COMPLETE STREETS IMPROVEMENT;
- An offer to provide engineering, survey or design services in lieu of construction, for the future construction of a COMPLETE STREETS IMPROVEMENT with a value no less than 75% of the fee-in-lieu amount as described in Appendix J of the Planning Board Handbook.

ARTICLE 9. Amend Zoning Bylaw Sections 1.3 Definitions, 5.4.9 (ACTIVE ADULT NEIGHBORHOOD Overlay District Special Housing Standards), and 7.3 Schedule of Minimum Parking

To see if the Town will vote to amend the Zoning Bylaw by amending Sections 1.3, 5.4.9, and 7.3 as stated below in sections A, B, and C of this article; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

(Planning Board)

The Finance Committee recommends XXX of this article. Passage of this article DOES NOT increase expenditures.

Following the revisions to the Active Adult Neighborhood Overlay District approved by voters at the May 2021 Annual Town Meeting, the Planning Board discovered inconsistencies between the floor area definitions of different allowed housing types. The proposed amendment would clarify the building requirements by providing a single definition of floor area for units in an Active Adult Neighborhood.

The Planning Board has also recognized that the parking needs of an Active Adult Neighborhood may be different than a traditional residential development. The amendments to Section 7.3 would exempt Active Adult Neighborhoods from the Schedule of Minimum Parking and instead allow the Planning Board greater flexibility in regulating parking in Active Adult Neighborhoods by placing relevant standards in the Active Adult Neighborhood Rules and Regulations.

A) Amend Section 1.3 Definitions, by amending the following definition to read in its entirety as stated below:

COTTAGE DWELLING - A detached one-family dwelling that does not exceed 1,800 sq. ft. of FLOOR AREA.

B) Amend Section 5.4.9.4 (Special Housing Standards) to read in its entirety as stated below:

5.4.9.4 At least 30% of total number of units in an AAN shall have a FLOOR AREA below 1,800' square feet. At least 50% of those units below 1,800' square feet shall be comprised of detached housing types.

C) Amend Section 7.3 Schedule of Minimum Parking – General Requirements, by inserting new section 7.3.1.1 as stated below:

7.3 Schedule of Minimum Parking - General Requirements

7.3.1 Comparable USE Requirement - Where a USE is not specifically included in the Schedule of Minimum Parking, it is intended that the regulations for the most nearly comparable USE specified shall apply. Alternative off-street parking standards to those shown below may be accepted if the applicant demonstrates to the satisfaction of the Permit Granting Authority (or BUILDING INSPECTOR if no special permit or site plan approval is required), or their designee, that such standards are adequate for the intended USE.

7.3.1.1 Section 7.3 shall not apply to DWELLINGs, COTTAGE DWELLINGs or indoor community facilities proposed as part of the Active Adult Neighborhood Overlay District in Section 5.4 of the Bylaw. Parking Schedules shall adhere to the requirements of the Planning Board's Active Adult Neighborhood Rules and Regulations as amended.

7.3.2 Mixed Use Facilities - BUILDINGS or LOTS which contain more than one USE are considered mixed use facilities. In the case of mixed uses, the requirements shall be the sum of the requirement calculated separately for each use, so that adequate space shall be provided to accommodate all vehicles anticipated on the premises at any one time. Parking spaces for one USE shall not be considered as providing the required spaces for any other USE, except when it can be clearly demonstrated that the need for parking occurs at different times.

ARTICLE 10: Amend Zoning Bylaw Sections 3.10 Table of Principal Uses, 5.5 Registered Marijuana Establishment Overlay District, and 10 Temporary Moratorium on Recreational Marijuana Establishments

To see if the Town will vote to amend the Zoning Bylaw by amending Sections 3.10, 5.5, and 10 as stated below in sections A, B, C, D, E, F, and G of this article; and further than non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.
(Planning Board)

The Finance Committee recommends XXX of this article. Passage of this article DOES NOT increase expenditures.

In 2018 Town Meeting approved a Registered Marijuana Overlay District which prohibited all categories of recreational marijuana establishments, unless or until voters allowed such categories of uses through a subsequent Town wide ballot vote. At the ballot, Stow voters approved testing laboratories, marijuana product manufactures, and marijuana research facilities as permitted uses in the Registered Marijuana Overlay District. These proposed amendments update the Zoning Bylaw to reflect this election outcome, eliminating language regarding the voting process, and to make it clear which uses are currently permitted in the overlay district. The amendments also remove the language of Section 10, the previous Temporary Moratorium on Recreational Marijuana Establishments, which is no longer in effect due to passage of the Registered Marijuana Overlay District.

A) Amend Section 3.10 - Table of Principal Uses as stated below:

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
<u>General Uses</u>									
Agriculture	Y (4)	N	Y	Y	Y	Y	Y	Y	NR
Conservation	Y	Y (5)	Y	Y	Y	Y	Y	Y	NR
Recreation	SPA (4)	N	N	SPP	N	SPP	SPA	SPP	(3)
<u>Residential Uses</u>									
Single Family DWELLING	Y (4) (11)	N	Y SPP(11)	N	N	N	N	N	(3)
Single Family DWELLING with ACCESSORY APARTMENT	SPP (4) (7) (11)	N	SPP (7) (11)	N	N	N	N	N	(3)

Duplex DWELLINGS	SPP (4) (11)	N	N	N	N	N	N	N	(3)
Multi-Family DWELLING	SPP(4) (11)	N	N	N	N	N	N	N	(3)
Conversion to 2-Family DWELLING	SPA (4)	N	N	N	N	N	N	N	(3)
Combined Residence/ Home Occupation	Y (4)	N	Y	N	N	N	N	N	NR
Bed & Breakfast Home	Y (4)	SPA (1)	N	N	SPP (3)	N	N	N	R
Bed & Breakfast Home or Establishment	SPA (1) (4)	SPA (1)	N	N	SPP (1)	N	N	N	(3)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
Boarding House or Rooming House	Y (4)	N	Y	N	N	N	N	N	R
Playgrounds	SPA (4)	N	N	N	N	N	N	N	(3)
Conservation Areas, Farming and Horticulture, Orchards, Nurseries, Forests, Tree Farms, Sale of Farm Produce	Y (4)	N	Y	Y	Y	Y	Y	Y	R
Storage of Farm Vehicles	Y (4)	N	N	N	N	N	N	N	NR
ACCESSORY BUILDINGS & Uses	Y (4)	Y	Y	SPP	SPP	Y	SPA	SPP	(3)
Hammerhead LOTS	SPP (4)	N	N	N	N	N	N	N	(3)
INDEPENDENT ADULT LIVING RESIDENCE	N	SPP (9) (11)	N	N	N	N	N	N	(3)
ACTIVE ADULT NEIGHBORHOOD	N	N	N	SPP (10)	SPP (10)	N	N	N	(3)
Common Drives	Y	N	N	N	N	N	N	N	R
<u>Institutional Uses</u>									
CHILD CARE FACILITY	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
FAMILY DAY CARE HOME	Y (6) (4)	N	Y	N	N	N	N	N	R
Private Schools & Colleges, Dance & Music Studios	SPA (4)	N	N	N	N	N	N	N	(3)
Nursing Homes	SPA (4)	N	N	N	N	N	N	N	(3)
Day Camps, Overnight Camps, and Camp Sites	N	N	N	SPP	N	SPP	N	SPP	(3)
Municipal	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Public Service Corporation	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Religious	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Educational (Non-Profit)	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Wireless Communication Facilities	SPP (8)	N	N	SSP(8)	SSP(8)	SPP (8)	N	SSP(8)	(3)
<u>Business & Commerical Uses</u>									
TOURIST HOMES, or LODGING HOUSEs	N	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Business or Professional Offices	N	SPP (1)	SPP	SPP (2)	SPP (1)	N	N	SPP (2)	(3)
Retail Stores or Service Establishments	N	SPP (1)	SPP	N	SPP (1)	N	N	N	(3)

Banks	N	SPP	SPP	N	SPP	N	N	N	(3)
U.S. Post Offices	N	SPP	SPP	N	N	N	N	N	(3)
Salesrooms for Automobiles, Bicycles, Farm Implements, Boats, and Similar Equipment	N	SPP	N	N	SPP (1)	N	N	N	(3)
Restaurants, including those offering accessory outdoor service on a patio or seating area	N	SPP	N	SPP	SPP	SPP	N	SPP	(3)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	Flood Plain Wetlands	Refuse Disposal	Site Plan Approval
Country Clubs or Other MEMBERSHIP CLUBS	N	SPA	N	SPP	N	SPP	N	SPP	(3)
Golf Courses	SPP (4)	N	N	SPP	N	SPP	N	SPP	(3)
Ski Areas, MARINAS & Boat Landings	SPA(4)	N	N	SPP	N	SPP	N	SPP	(3)
Cross Country Ski Areas	SPP (4)	N	N	N	N	N	N	N	(3)
Parking Areas for Employees, Customers or Visitors	N	SPP	SPP	SPP	SPP	N	N	SPP	(3)
HOTELS MOTELS	N	SPA	N	N	N	N	N	N	(3)
Theaters, Bowling Alleys, Skating Rinks, Clubs or Assembly within the BUILDING	N	SPA	N	N	N	N	N	N	(3)
Funeral Home, Mortuaries or Crematories	N	N	N	N	SPP	N	N	N	(3)
Veterinary Hospitals, Stables & Kennels, Raising or Breeding of Animals for Sale, and Boarding Animals	SPA(4)	N	N	N	N	N	N	N	(3)
Printing, Publishing or Commercial Reproduction or Photo Processing Establishments, Offices, Medical or Dental Labs, and Research Laboratories	N	N	N	N	SPP (2)	N	N	N	(3)
Building Materials Salesrooms & Yards, Contractor's Yards, Wholesale Distribution Plants, Storage Warehouses	N	N	N	N	SPP	N	N	N	(3)
Gasoline Service Stations, Garages or Repair Shops	N	SPA	N	N	N	N	N	N	(3)
Utility Structures, Passenger Depots and Terminals	N	N	N	N	SPP	N	N	N	(3)
Screened Storage	N	N	N	SPP	SPP	N	N	SPP	(3)
Cafeterias for Employees	N	N	N	SPP	N	N	N	SPP	(3)
Access to Industrial Zoned Land	N	Y	N	N	N	N	N	N	(3)
Retail Store as part of a REGISTERED MARIJUANA DISPENSARY	N	SPP (1)(12)	N	N	N	N	N	N	(3)
MARIJUANA RETAILER	N	N	N	N	N	N	N	N	(3)
Industrial Uses									
Manufacturing Enterprises	N	N	N	SPP	N	N	N	SPP	(3)

Research Laboratories with Incidental Assembly or Manufacture	N	N	N	SPP (2)	N	N	N	SPP (2)	(3)
Sanitary Landfill	N	N	N	N	N	N	N	SPS	(3)
Refuse Transfer Station	N	N	N	N	N	N	N	SPS	(3)
Refuse Incinerator	N	N	N	N	N	N	N	SPS	(3)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
COMMERCIAL SOLAR PHOTOVOLTAIC RENEWABLE ENERGY INSTALLATION	SPP	SPP	N	Y	Y	SPP	N	Y	(3)
CRAFT MARIJUANA CULTIVATOR COOPERATIVE	N	N	N	N	N	N	N	N	(3)
MARIJUANA CULTIVATOR	N	N	N	N	N	N	N	N	(3)
MARIJUANA PRODUCT MANUFACTOR	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA RESEARCH FACILITY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA INDEPENDENT TESTING LABORATORY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA MICROBUSINESS	N	N	N	N	N	N	N	N	(3)

- (1) Uses permitted by right provided that the BUILDING is less than 1,000 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
- (2) Uses permitted by right provided that the BUILDING is less than 1,500 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
- (3) All uses requiring a Special Permit are subject to Site Plan Approval requirements as part of the special permit process.
- (4) Refer to Section 7.3.3.3 of this Bylaw to determine parking requirements for uses permitted in the Residential District.
- (5) Allowed in accordance with the provisions of M.G.L., Ch. 40A, Section 3.
- (6) Allowed as accessory use only.
- (7) Allowed without special permit in accordance with Section 8.1.2 of this Bylaw.
- (8) Wireless Service Facilities shall be allowed by special permit only on land located in the Wireless Service Facility District.
- (9) The total number of INDEPENDENT ADULT UNITS shall not exceed 6% of the total single family DWELLING UNITS in Stow.
- (10) An Active Adult Neighborhood shall be allowed by Special Permit only on land located in the Active Adult Neighborhood District.
- (11) Provisions of Section 8.9, Inclusion of Affordable Housing, may apply.

- (12) The retail component of a REGISTERED MARIJUANA DISPENSARY is allowed by Special Permit within the Business District, in accordance with Section 5.5 of the BYLAW and pursuant to Department of Public Health Regulations 105 CMR 175.000 and Cannabis Control Commission Regulations 935 CMR 500.
- (13) MARIJUANA RESEARCH FACILITIES, MARIJUANA INDEPENDENT TESTING LABORATORIES, and MARIJUANA PRODUCT MANUFACTURERS are allowed in the REGISTERED MARIJUANA ESTABLISHMENT Overlay District, pursuant to Section 5.5 of the BYLAW, and Cannabis Control Commission regulations 935 CMR 500.

Prohibited Uses - All uses not specifically named in the text of the bylaw are prohibited.

B) Amend Section 5.5.1 to read in its entirety as stated below:

5.5.1 Establishment - The REGISTERED MARIJUANA ESTABLISHMENT Overlay District is intended to provide for the siting and establishment of a REGISTERED MARIJUANA ESTABLISHMENTS, including REGISTERED MARIJUANA DISPENSARIES, in accordance with M.G.L c.94G, Massachusetts Department of Public Health regulations set forth in 105 CMR 725.000, and Cannabis Control Commission regulations set forth in 935 CMR 500.000.

This Section 5.5 is adopted for the purpose of regulating such uses as REGISTERED MARIJUANA ESTABLISHMENTS in the Town of Stow.

C) Delete section 5.5.4.5.1

D) Amend Section 5.5.5 Location Requirements to read in its entirety as stated below:

5.5.5 Location Requirements

5.5.5.1 All aspects of a REGISTERED MARIJUANA ESTABLISHMENT, including but not limited to sales, distribution, acquisition, cultivation, manufacture, processing, dispensing, and administration shall be contained within a building or structure. No REGISTERED MARIJUANA ESTABLISHMENT shall allow cultivation, processing, manufacture, sale or display of MARIJUANA PRODUCTS to be visible from a public place without the use of binoculars, aircraft or other optical aids.

The Planning Board may only allow outdoor activity at the site of a REGISTERED MARIJUANA ESTABLISHMENT under the following circumstances:

- The REGISTERED MARIJUANA ESTABLISHMENT utilizes vehicles as part of regular activity, in accordance with all safety, security and storage requirements of 935 CMR 500.

5.5.5.2 No REGISTERED MARIJUANA ESTABLISHMENT, including the retail component of a REGISTERED MARIJUANA DISPENSARY in the Business District, shall be located within a building which houses residential DWELLING UNITS.

- 5.5.5.3 Manufacturing and extraction of MARIJUANA PRODUCTS shall not occur in any BUILDING containing assembly, education, health care, ambulatory health care, residential board and care, detention or correctional facilities.
- 5.5.5.4 No REGISTERED MARIJUANA ESTABLISHMENT shall be located within a moveable structure, trailer or truck. All sales related to the retail component of a REGISTERED MARIJUANA DISPENSARY shall be conducted within a building or through home deliveries to qualified adults or patients pursuant to 935 CMR 500 or 105 CMR 725 as amended. Nothing in this Section shall be cause to preclude the lawful transportation of MARIJUANA PRODUCTS as allowed through 935 CMR 500 or 105 CMR 725.000.
- 5.5.5.5 No REGISTERED MARIJUANA ESTABLISHMENT shall be permitted within (500') five hundred feet of the lot line of a pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12). The distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the REGISTERED MARIJUANA ESTABLISHMENT is or will be located.
- 5.5.5.6 The establishment and operation of the retail component of a REGISTERED MARIJUANA DISPENSARY may only be permitted in the Business District in accordance with all applicable laws and regulations as stated in 935 CMR 500, Massachusetts Department of Public Health regulations set forth in 105 CMR 725.000 and the provisions outlined in this Section 5.5 - REGISTERED MARIJUANA ESTABLISHMENT Overlay District of the Zoning Bylaw. Despite the provisions herein, regarding the siting of the retail component of a REGISTERED MARIJUANA DISPENSARY, the retail component of a REGISTERED MARIJUANA DISPENSARY shall be governed by the provisions outlined in this Section 5.5 - REGISTERED MARIJUANA DISPENSARY Overlay District.

E) Amend Section 5.5.8.1.1 to read in its entirety as stated below:

- 5.5.8.1.1 In addition to the limitations provided in Section 5.5 of the Zoning Bylaw, the retail component of a REGISTERED MARIJUANA DISPENSARY shall be limited to 2500 square feet of gross floor area where such establishment is located at the street level of a BUILDING or STRUCTURE.

F) Amend Section 5.5.9 to read in its entirety as stated below:

Planning Board Action

- 5.5.9 In evaluating the proposed REGISTERED MARIJUANA ESTABLISHMENT Special Permit application, the Planning Board shall consider the general objectives of the Zoning Bylaw, as well as the degree to which the following criteria are met:

- a) The REGISTERED MARIJUANA ESTABLISHMENT proposal complies with all requirements for a Special Permit, including the Stow Zoning Bylaw, the Site Plan Approval Rules and Regulations, Rules and Regulations for a REGISTERED MARIJUANA ESTABLISHMENT, all requirements pursuant to the Department of Public Health Regulations 105 CMR 725.000, Cannabis Control Commission regulations 935 CMR 500.000 and M.G.L. c.94G.
 - b) Issuance of a Special Permit for the retail component of a REGISTERED MARIJUANA DISPENSARY shall not exceed the limitation on the number of such establishments pursuant to Section 5.5.4.3 of the Zoning Bylaw.
 - c) The site is designed to create safe, secure and efficient access and egress to customers and employees using multiple modes of transportation, including vehicle, bicycle and pedestrians.
 - d) Traffic generated by clients, employees and delivery schedules from the REGISTERED MARIJUANA ESTABLISHMENT shall not create a substantial adverse impact on nearby residential uses.
 - e) Loading and refuse disposal areas are designed to be safe, secure and shielded from abutting uses.
 - f) The hours and methods of transportation are not substantially detrimental to surrounding USEs.
 - g) The REGISTERED MARIJUANA ESTABLISHMENT has provided documentation to show compliance with 527 CMR 1 – the Comprehensive Fire Code and Chapter 38 of the National Fire Protection Association (NFPA) standards for *Marijuana Growing, Processing, or Extraction Facilities*.
 - h) The building and site have been designed in a manner consistent and compatible with nearby structures of a similar size and use and in a manner that mitigates any negative aesthetic impact imposed by the required security conditions, measures and restrictions stated in the Department of Public Health Regulations pursuant to 105 CMR 725.000 and Cannabis Control Commission Regulations pursuant to 935 CMR 500.000.
- 5.5.9.1 The Planning Board shall consider the recommendation of the Board of Health, the Conservation Commission, the Town’s consulting engineer, and other Boards, Departments and agents, in making said findings.
- 5.5.9.2 The Planning Board may require changes to the “REGISTERED MARIJUANA ESTABLISHMENT Site Plan” and impose additional conditions, safeguards and limitations, as it deems necessary, to secure the objectives of this Bylaw.

G) Amend Section 10 by deleting Section 10 and all subsections

And you are directed to serve this warrant by posting copies attested by you calling same at the Town Building and at each of at least seven (7) other public places at least fourteen (14) days before the time of holding said meeting.

Hereof, fail not and make due return of the warrant with your doings thereon to the Town Clerk or Select Board on or before the time of said meeting.

Given under our hands this 12th day of October in the year 2021.

SELECT BOARD

Ellen Sturgis, Chair
Megan Birch-McMichael, Clerk
Zackory Burns
Cortni Frecha
James H. Salvie

Please bring this copy with you. There will not be extra copies of the warrant available at Special Town Meeting.

Anyone with a disability requiring special arrangements for Town Meeting should contact Town Clerk Linda Hathaway at (978) 897-5034 by 2 p.m. on Friday, October 22, 2021.

APPENDIX A – Annotated Versions of the Zoning Bylaw Articles

Annotated Version

Additions are **underlined**

Deletions are ~~strike through~~

ANNOTATED ARTICLE 6. Amend Zoning Bylaw Section 6.3 Signs

To see if the Town will vote to amend the Zoning Bylaw by amending section 6.3 as stated below in sections A, B, and C of this article; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

(Planning Board)

A) Amend Section 6.3.1.5 to read in its entirety as stated below:

6.3.1.5 SIGNS which are oscillating, ~~internally illuminated~~, flashing or operating with moving parts are not permitted;

B) Amend Section 6.3.3 to read in its entirety as stated below:

6.3.3 On Site - Permanent - PERMANENT SIGNS are permitted subject to the General Regulations of following subsections:

6.3.3.1 Residential and Recreation-Conservation Districts:

1. One (1) ON-SITE SIGN is permitted not exceeding five (5) square feet in area on State numbered highways and three (3) square feet in area elsewhere.
2. One (1) ON-SITE SIGN pertaining to the rent, lease or sale of land or BUILDING(s) not exceeding three (3) square feet in area. All such SIGNS shall be removed within seven (7) days of rental, lease or sale of land or BUILDING.
3. One ON-SITE SIGN pertaining to agriculture, as permitted in Sections 3.1.1.2, 3.1.1.3, 3.1.1.5, and Section 3.2.1,1, each not exceeding sixteen (16) square feet in area, may be ERECTED.
4. Internally illuminated SIGNS are not permitted.

6.3.3.2 Business, Compact Business, Commercial, Industrial and Refuse Disposal Districts:

1. For each establishment, one (1) ON-SITE SIGN attached to the facade of the BUILDING not exceeding the lesser of one square foot for each one lineal foot of business, commercial or industrial BUILDING frontage or eighty (80) square feet in area.

2. Window SIGNS in total may be the larger of 30% of the window or three (3) square feet.
3. For each establishment, one (1) internally illuminated window SIGN not exceeding three (3) square feet.
4. One (1) primary free standing SIGN visible from the main public way not exceeding twenty (20) square feet in area.
5. In the case of multiple businesses in the same BUILDING or sharing the same access and/or parking facilities, only one SIGN is permitted per principal access.
6. If the business is on a corner LOT and the primary SIGN is not visible from the intersecting road, a secondary SIGN not larger than 50% of the primary SIGN is permitted.
7. One (1) ON-SITE SIGN pertaining to the rent, lease or sale of land or BUILDING(s) not exceeding six (6) square feet in area. All such SIGNS shall be removed within seven (7) days of rental, lease or sale of land or BUILDING.

C) Insert new Section 6.3.7.9 to read in its entirety as stated below:

6.3.7.9 Severability – If any provision of this section, or the application thereof to any person or circumstance, shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this section are hereby declared to be severable.

Annotated Version

Additions are underlined

Deletions are ~~strike through~~

ANNOTATED ARTICLE 7: Amend Zoning Bylaw Sections 3.10 Table of Principal Uses and 3.6.3 Uses Allowed by Special Permit in the Industrial District

To see if the Town will vote to amend the Zoning Bylaw by amending Sections 3.10, and 3.6.3, as stated below is sections A and B of this article; and further than non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

A) Amend Section 3.10 - Table of Principal Uses as stated below:

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
<u>General Uses</u>									
Agriculture	Y (4)	N	Y	Y	Y	Y	Y	Y	NR
Conservation	Y	Y (5)	Y	Y	Y	Y	Y	Y	NR
Recreation	SPA (4)	N	N	SPP	N	SPP	SPA	SPP	(3)

Residential Uses									
Single Family DWELLING	Y (4) (11)	N	Y SPP(11)	N	N	N	N	N	(3)
Single Family DWELLING with ACCESSORY APARTMENT	SPP (4) (7) (11)	N	SPP (7) (11)	N	N	N	N	N	(3)
Duplex DWELLINGs	SPP (4) (11)	N	N	N	N	N	N	N	(3)
Multi-Family DWELLING	SPP(4) (11)	N	N	N	N	N	N	N	(3)
Conversion to 2-Family DWELLING	SPA (4)	N	N	N	N	N	N	N	(3)
Combined Residence/ Home Occupation	Y (4)	N	Y	N	N	N	N	N	NR
Bed & Breakfast Home	Y (4)	SPA (1)	N	N	SPP (3)	N	N	N	R
Bed & Breakfast Home or Establishment	SPA (1) (4)	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Boarding House or Rooming House	Y (4)	N	Y	N	N	N	N	N	R
Playgrounds	SPA (4)	N	N	N	N	N	N	N	(3)
Conservation Areas, Farming and Horticulture, Orchards, Nurseries, Forests, Tree Farms, Sale of Farm Produce	Y (4)	N	Y	Y	Y	Y	Y	Y	R
Storage of Farm Vehicles	Y (4)	N	N	N	N	N	N	N	NR
ACCESSORY BUILDINGS & Uses	Y (4)	Y	Y	SPP	SPP	Y	SPA	SPP	(3)
Hammerhead LOTs	SPP (4)	N	N	N	N	N	N	N	(3)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
INDEPENDENT ADULT LIVING RESIDENCE	N	SPP (9) (11)	N	N	N	N	N	N	(3)
ACTIVE ADULT NEIGHBORHOOD	N	N	N	SPP (10)	SPP (10)	N	N	N	(3)
Common Drives	Y	N	N	N	N	N	N	N	R
Institutional Uses									
CHILD CARE FACILITY	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
FAMILY DAY CARE HOME	Y (6) (4)	N	Y	N	N	N	N	N	R
Private Schools & Colleges, Dance & Music Studios	SPA (4)	N	N	N SPP (3) (14)	N	N	N	N	(3)
Nursing Homes	SPA (4)	N	N	N	N	N	N	N	(3)
Day Camps, Overnight Camps, and Camp Sites	N	N	N	SPP	N	SPP	N	SPP	(3)
Municipal	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Public Service Corporation	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Religious	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Educational (Non-Profit)	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Wireless Communication Facilities	SPP (8)	N	N	SSP(8)	SSP(8)	SPP (8)	N	SSP(8)	(3)
Business & Commercial Uses									

TOURIST HOMES, or LODGING HOUSES	N	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Business or Professional Offices	N	SPP (1)	SPP	SPP (2)	SPP (1)	N	N	SPP (2)	(3)
Retail Stores or Service Establishments	N	SPP (1)	SPP	N	SPP (1)	N	N	N	(3)
Banks	N	SPP	SPP	N	SPP	N	N	N	(3)
U.S. Post Offices	N	SPP	SPP	N	N	N	N	N	(3)
Salesrooms for Automobiles, Bicycles, Farm Implements, Boats, and Similar Equipment	N	SPP	N	N	SPP (1)	N	N	N	(3)
Restaurants, including those offering accessory outdoor service on a patio or seating area	N	SPP	N	SPP	SPP	SPP	N	SPP	(3)
Country Clubs or Other MEMBERSHIP CLUBS	N	SPA	N	SPP	N	SPP	N	SPP	(3)
Golf Courses	SPP (4)	N	N	SPP	N	SPP	N	SPP	(3)
Ski Areas, MARINAs & Boat Landings	SPA(4)	N	N	SPP	N	SPP	N	SPP	(3)
Cross Country Ski Areas	SPP (4)	N	N	N	N	N	N	N	(3)
Parking Areas for Employees, Customers or Visitors	N	SPP	SPP	SPP	SPP	N	N	SPP	(3)
HOTELS MOTELS	N	SPA	N	N	N	N	N	N	(3)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
Theaters, Bowling Alleys, Skating Rinks, Clubs or Assembly within the BUILDING	N	SPA	N	N	N	N	N	N	(3)
Funeral Home, Mortuaries or Crematories	N	N	N	N	SPP	N	N	N	(3)
Veterinary Hospitals, Stables & Kennels, Raising or Breeding of Animals for Sale, and Boarding Animals	SPA(4)	N	N	N	N	N	N	N	(3)
Printing, Publishing or Commercial Reproduction or Photo Processing Establishments, Offices, Medical or Dental Labs, and Research Laboratories	N	N	N	N	SPP (2)	N	N	N	(3)
Building Materials Salesrooms & Yards, Contractor's Yards, Wholesale Distribution Plants, Storage Warehouses	N	N	N	N	SPP	N	N	N	(3)
Gasoline Service Stations, Garages or Repair Shops	N	SPA	N	N	N	N	N	N	(3)
Utility Structures, Passenger Depots and Terminals	N	N	N	N	SPP	N	N	N	(3)
Screened Storage	N	N	N	SPP	SPP	N	N	SPP	(3)
Cafeterias for Employees	N	N	N	SPP	N	N	N	SPP	(3)
Access to Industrial Zoned Land	N	Y	N	N	N	N	N	N	(3)

Retail Store as part of a REGISTERED MARIJUANA DISPENSARY	N	SPP (1)(12)	N	N	N	N	N	N	(3)
MARIJUANA RETAILER	N	N	N	N	N	N	N	N	(3)
Industrial Uses									
Manufacturing Enterprises	N	N	N	SPP	N	N	N	SPP	(3)
Research Laboratories with Incidental Assembly or Manufacture	N	N	N	SPP (2)	N	N	N	SPP (2)	(3)
Sanitary Landfill	N	N	N	N	N	N	N	SPS	(3)
Refuse Transfer Station	N	N	N	N	N	N	N	SPS	(3)
Refuse Incinerator	N	N	N	N	N	N	N	SPS	(3)
COMMERCIAL SOLAR PHOTOVOLTAIC RENEWABLE ENERGY INSTALLATION	SPP	SPP	N	Y	Y	SPP	N	Y	(3)
CRAFT MARIJUANA CULTIVATOR COOPERATIVE	N	N	N	N	N	N	N	N	(3)
MARIJUANA CULTIVATOR	N	N	N	N	N	N	N	N	(3)
MARIJUANA PRODUCT MANUFACTURER	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
MARIJUANA RESEARCH FACILITY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA INDEPENDENT TESTING LABORATORY	N	N	N	SPP (13)	SPP (13)	N	N	N	(3)
MARIJUANA MICROBUSINESS	N	N	N	N	N	N	N	N	(3)

- (1) Uses permitted by right provided that the BUILDING is less than 1,000 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
- (2) Uses permitted by right provided that the BUILDING is less than 1,500 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
- (3) All uses requiring a Special Permit are subject to Site Plan Approval requirements as part of the special permit process.
- (4) Refer to Section 7.3.3.3 of this Bylaw to determine parking requirements for uses permitted in the Residential District.
- (5) Allowed in accordance with the provisions of M.G.L., Ch. 40A, Section 3.
- (6) Allowed as accessory use only.
- (7) Allowed without special permit in accordance with Section 8.1.2 of this Bylaw.
- (8) Wireless Service Facilities shall be allowed by special permit only on land located in the Wireless Service Facility District.
- (9) The total number of INDEPENDENT ADULT UNITS shall not exceed 6% of the total single family DWELLING UNITS in Stow.

- (10) An Active Adult Neighborhood shall be allowed by Special Permit only on land located in the Active Adult Neighborhood District.
- (11) Provisions of Section 8.9, Inclusion of Affordable Housing, may apply.
- (12) The retail component of a REGISTERED MARIJUANA DISPENSARY is allowed by Special Permit within the Business District, in accordance with Section 5.5 of the BYLAW and pursuant to Department of Public Health Regulations 105 CMR 175.000 and Cannabis Control Commission Regulations 935 CMR 500.
- (13) MARIJUANA RESEARCH FACILITIES, MARIJUANA INDEPENDENT TESTING LABORATORIES, and MARIJUANA PRODUCT MANUFACTURERS are allowed in the REGISTERED MARIJUANA ESTABLISHMENT Overlay District, pursuant to Section 5.5 of the BYLAW, and Cannabis Control Commission regulations 935 CMR 500.
- (14) A special permit for Private Schools and Colleges, Dance and Music Studios located in the Industrial District shall reference an executed Development Agreement negotiated by and between the Applicant and the Select Board. The execution of said Development Agreement is a condition precedent to Special Permit approval by the Planning Board.

Prohibited Uses - All uses not specifically named in the text of the bylaw are prohibited.

B) Amend Section 3.6.3, Uses Permitted by Special Permit in the Industrial District, by adding Section 3.6.3.10 to read in its entirety as stated below:

3.6.3.10 Private Schools & Colleges, Dance & Music Studios, inclusive of USES that are ACCESSORY to the primary instructional USE, including but not limited to: onsite dormitories for students and staff; incidental retail USES for supplies, equipment, food service and concessions, and athletic fields and complexes.

Annotated Version

Additions are underlined

Deletions are ~~strike through~~

ANNOTATED ARTICLE 8. Amend Zoning Bylaw Sections 1.3 Definitions, 9.2.7.14 (Special Permit Conditions)

To see if the Town will vote to amend the Zoning Bylaw by amending Sections 1.3, and 9.2.7.14 as stated below in sections A and B of this article; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

(Planning Board)

A) Amend Section 1.3 Definitions by inserting a new definition to read in its entirety as stated below:

1.3 Definitions

COMPLETE STREETS IMPROVEMENT – A sidewalk, walkway, path, or other contributing component designed in accordance with the Town of Stow’s Complete Streets Policy. A contributing component may include but not be limited to signage, pavement markings, wheelchair ramps, crosswalks, curb improvements, and restoration of buffer strips. COMPLETE STREETS IMPROVEMENTs shall be designed and/or constructed in accordance with the guidance, standards and recommendations as defined in the Stow Complete Streets Policy, dated February 1, 2016, as amended.

B) Amend Section 9.2.7.14 (Special Permit Conditions) to read in its entirety as stated below:

~~9.2.7.14— A sidewalk, walkway or path shall be required along the entire frontage of a LOT. The Special Permit Granting Authority may also require other walkways and paths as it deems necessary to accommodate the safe movement of pedestrians and bicyclists. Said sidewalks, walkways or paths may be located on the LOT or within the layout of the STREET, with the Town’s permission, depending on the nature of the work and upon obtaining whatever permits are required, construction, alterations of existing STRUCTURES and parking areas/LOT, and changes in use are designed in a manner which complies with the provisions of the Bylaw as to demonstrate protection of visual and environmental qualities and property values of the Town, and assurances of adequate drainage of surface water and safe vehicular and pedestrian access, and all other requirements of the Bylaw.~~

9.2.7.14 Conformance with Complete Streets Policy

The purpose of this Section is to make efficient and ongoing progress on the Town’s Complete Streets Prioritization Plan by creating a safe, comfortable and accessible street network for all road users regardless of age, ability or income levels. This section shall provide for Complete Streets improvements developed in a context sensitive manner that balances streetscape improvements with the Town’s historic, rural character.

9.2.7.14.1 Applicability

This Section shall apply to all Special Permit Approvals pursuant to Section 9.2 of the Zoning Bylaw. Special Permits granted by the Zoning Board of Appeals, in accordance with Section 3.9 of the BYLAW shall be exempt from the provisions of Section 9.2.7.14 and all subsections.

9.2.7.14.2 A sidewalk, walkway or path shall be required along the entire frontage of a LOT. Alternatively or in addition, the Special Permit Granting Authority may accept other COMPLETE STREETS IMPROVEMENTs as it deems necessary to accommodate the safe movement of pedestrians and bicyclists. Said sidewalks, walkways, paths or COMPLETE STREETS IMPROVEMENTs may be located on the LOT or within the layout of the STREET, with the Town’s

permission, depending on the nature of the work and upon obtaining the necessary permits. Construction of COMPLETE STREETS IMPROVEMENTS, including alterations of existing STRUCTURES and parking areas and LOTS, as well as changes in use, shall be designed in a manner which complies with the provisions of the Zoning Bylaw and Complete Streets Policy as amended, to provide adequate drainage of surface water and safe vehicular, pedestrian, and bicycle access.

9.2.7.14.3 The Planning Board may waive the requirements of Section 9.2.7.14.2, only where the Board makes one or some combination of the following findings:

- Construction of a sidewalk, walkway or path would adversely affect an “Environmentally Sensitive Area,” as defined in Appendix J of the Planning Board Handbook;
- Construction would require easements from property owners that have not yet been attained by the Town of Stow for the purpose of constructing a sidewalk, walkway or path or are not willing to be granted to the Town as part of the proposed improvements;
- Construction could be detrimental to the safety of motorists, cyclists and pedestrians, due to the creation of an isolated segment of constructed sidewalk, walkway or path
- Future connections to the improvement are unsupported on the Town’s Complete Streets Prioritization Plan or otherwise unlikely due to environmental, topographical or right-of-way constraints.

In the event the Planning Board waives the requirements of Section 9.2.7.14.3, the Board may accept one or some combination of the following offers:

- An offer, acceptable by the Board, to design a sidewalk, walkway or path or other COMPLETE STREETS IMPROVEMENT in another area of Town, outside of the immediate vicinity of the Special Permit locus;
- An offer of a fee in lieu of construction of a sidewalk, walkway or path into an account identified specifically for construction of COMPLETE STREETS IMPROVEMENTs in the Town of Stow, in accordance with Appendix J of the Planning Board Handbook;
- An offer of fifty percent (50%) of the total fee in lieu of construction of a sidewalk, walkway or path into an account identified specifically for construction of COMPLETE STREETS IMPROVEMENTs in the Town of Stow, in accordance with Appendix J of the Planning Board Handbook AND grant of a sidewalk easement to the Town of Stow for the future construction of a sidewalk, walkway, path, or other COMPLETE STREETS IMPROVEMENT along the frontage of the subject LOT or SITE;
- An offer of fee interest in land along the frontage of the subject LOT or SITE, and which is of adequate dimension to provide for future construction

of a sidewalk, walkway, path, or other COMPLETE STREETS IMPROVEMENT;

- An offer to provide engineering, survey or design services in lieu of construction, for the future construction of a COMPLETE STREETS IMPROVEMENT with a value no less than 75% of the fee-in-lieu amount as described in Appendix J of the Planning Board Handbook.

Annotated Version

*Additions are **underlined***

Deletions are ~~strike through~~

ARTICLE 9: Amend Zoning Bylaw Sections 1.3 Definitions, 5.4.9 (ACTIVE ADULT NEIGHBORHOOD Overlay District Special Housing Standards), and 7.3 Schedule of Minimum Parking

To see if the Town will vote to amend the Zoning Bylaw by amending Sections 1.3, 5.4.9, and 7.3 as stated below in sections A, B, and C of this article; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

(Planning Board)

A) Amend Section 1.3 Definitions, by amending the following definition to read in its entirety as stated below:

COTTAGE DWELLING - A detached one-family dwelling that does not exceed 1,800 sq. ft. of livable floor area (~~meaning the heated floor area of the building above finished grade, excluding non-dwelling areas such as attic space, basement or detached garage~~). FLOOR AREA.

B) Amend Section 5.4.9.4 (Special Housing Standards) to read in its entirety as stated below:

5.4.9.4 At least 30% of total number of units in an AAN shall have a ~~gross floor area~~ FLOOR AREA below 1,800' square feet. At least 50% of those units below 1,800' square feet shall be comprised of detached housing types.

C) Amend Section 7.3 Schedule of Minimum Parking – General Requirements, by inserting new section 7.3.1.1 as stated below:

7.3 Schedule of Minimum Parking - General Requirements

7.3.1 Comparable USE Requirement - Where a USE is not specifically included in the Schedule of Minimum Parking, it is intended that the regulations for the most nearly comparable USE specified shall apply. Alternative off-street parking standards to those

shown below may be accepted if the applicant demonstrates to the satisfaction of the Permit Granting Authority (or BUILDING INSPECTOR if no special permit or site plan approval is required), or their designee, that such standards are adequate for the intended USE.

7.3.1.1 Section 7.3 shall not apply to DWELLINGs, COTTAGE DWELLINGs or indoor community facilities proposed as part of the Active Adult Neighborhood Overlay District in Section 5.4 of the Bylaw. Parking Schedules shall adhere to the requirements of the Planning Board’s Active Adult Neighborhood Rules and Regulations as amended.

7.3.2 Mixed Use Facilities - BUILDINGs or LOTS which contain more than one USE are considered mixed use facilities. In the case of mixed uses, the requirements shall be the sum of the requirement calculated separately for each use, so that adequate space shall be provided to accommodate all vehicles anticipated on the premises at any one time. Parking spaces for one USE shall not be considered as providing the required spaces for any other USE, except when it can be clearly demonstrated that the need for parking occurs at different times.

Annotated Version

Additions are underlined

Deletions are ~~strike through~~

ANNOTATED ARTICLE 10: Amend Zoning Bylaw Sections 3.10 Table of Principal Uses, 5.5 Registered Marijuana Establishment Overlay District, and 10 Temporary Moratorium on Recreational Marijuana Establishments

To see if the Town will vote to amend the Zoning Bylaw by amending Sections 3.10, 5.5, and 10 as stated below is sections A, B, C, D, E, F, and G of this article; and further than non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

(Planning Board)

A) Amend Section 3.10 - Table of Principal Uses as stated below:

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
<u>General Uses</u>									
Agriculture	Y (4)	N	Y	Y	Y	Y	Y	Y	NR
Conservation	Y	Y (5)	Y	Y	Y	Y	Y	Y	NR
Recreation	SPA (4)	N	N	SPP	N	SPP	SPA	SPP	(3)
<u>Residential Uses</u>									
Single Family DWELLING	Y (4) (11)	N	Y SPP(11)	N	N	N	N	N	(3)
Single Family DWELLING with ACCESSORY APARTMENT	SPP (4) (7) (11)	N	SPP (7) (11)	N	N	N	N	N	(3)

Duplex DWELLINGS	SPP (4) (11)	N	N	N	N	N	N	N	(3)
Multi-Family DWELLING	SPP(4) (11)	N	N	N	N	N	N	N	(3)
Conversion to 2-Family DWELLING	SPA (4)	N	N	N	N	N	N	N	(3)
Combined Residence/ Home Occupation	Y (4)	N	Y	N	N	N	N	N	NR
Bed & Breakfast Home	Y (4)	SPA (1)	N	N	SPP (3)	N	N	N	R
Bed & Breakfast Home or Establishment	SPA (1) (4)	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Boarding House or Rooming House	Y (4)	N	Y	N	N	N	N	N	R
Playgrounds	SPA (4)	N	N	N	N	N	N	N	(3)
Conservation Areas, Farming and Horticulture, Orchards, Nurseries, Forests, Tree Farms, Sale of Farm Produce	Y (4)	N	Y	Y	Y	Y	Y	Y	R
Storage of Farm Vehicles	Y (4)	N	N	N	N	N	N	N	NR
ACCESSORY BUILDINGS & Uses	Y (4)	Y	Y	SPP	SPP	Y	SPA	SPP	(3)
Hammerhead LOTS	SPP (4)	N	N	N	N	N	N	N	(3)
INDEPENDENT ADULT LIVING RESIDENCE	N	SPP (9) (11)	N	N	N	N	N	N	(3)
ACTIVE ADULT NEIGHBORHOOD	N	N	N	SPP (10)	SPP (10)	N	N	N	(3)
Common Drives	Y	N	N	N	N	N	N	N	R

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
<u>Institutional Uses</u>									
CHILD CARE FACILITY	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
FAMILY DAY CARE HOME	Y (6) (4)	N	Y	N	N	N	N	N	R
Private Schools & Colleges, Dance & Music Studios	SPA (4)	N	N	N	N	N	N	N	(3)
Nursing Homes	SPA (4)	N	N	N	N	N	N	N	(3)
Day Camps, Overnight Camps, and Camp Sites	N	N	N	SPP	N	SPP	N	SPP	(3)
Municipal	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Public Service Corporation	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Religious	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Educational (Non-Profit)	Y (5) (4)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	Y (5)	R
Wireless Communication Facilities	SPP (8)	N	N	SSP(8)	SSP(8)	SPP (8)	N	SSP(8)	(3)
<u>Business & Commerical Uses</u>									
TOURIST HOMES, or LODGING HOUSES	N	SPA (1)	N	N	SPP (1)	N	N	N	(3)
Business or Professional Offices	N	SPP (1)	SPP	SPP (2)	SPP (1)	N	N	SPP (2)	(3)
Retail Stores or Service Establishments	N	SPP (1)	SPP	N	SPP (1)	N	N	N	(3)
Banks	N	SPP	SPP	N	SPP	N	N	N	(3)
U.S. Post Offices	N	SPP	SPP	N	N	N	N	N	(3)
Salesrooms for Automobiles, Bicycles, Farm Implements, Boats, and Similar Equipment	N	SPP	N	N	SPP (1)	N	N	N	(3)
Restaurants, including those offering accessory outdoor service on a patio or seating area	N	SPP	N	SPP	SPP	SPP	N	SPP	(3)
Country Clubs or Other MEMBERSHIP CLUBS	N	SPA	N	SPP	N	SPP	N	SPP	(3)
Golf Courses	SPP (4)	N	N	SPP	N	SPP	N	SPP	(3)
Ski Areas, MARINAs & Boat Landings	SPA(4)	N	N	SPP	N	SPP	N	SPP	(3)
Cross Country Ski Areas	SPP (4)	N	N	N	N	N	N	N	(3)
Parking Areas for Employees, Customers or Visitors	N	SPP	SPP	SPP	SPP	N	N	SPP	(3)
HOTELS MOTELS	N	SPA	N	N	N	N	N	N	(3)
Theaters, Bowling Alleys, Skating Rinks, Clubs or Assembly within the BUILDING	N	SPA	N	N	N	N	N	N	(3)
Funeral Home, Mortuaries or Crematories	N	N	N	N	SPP	N	N	N	(3)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
Veterinary Hospitals, Stables & Kennels, Raising or Breeding of Animals for Sale, and Boarding Animals	SPA(4)	N	N	N	N	N	N	N	(3)
Printing, Publishing or Commercial Reproduction or Photo Processing Establishments, Offices, Medical or Dental Labs, and Research Laboratories	N	N	N	N	SPP (2)	N	N	N	(3)
Building Materials Salesrooms & Yards, Contractor's Yards, Wholesale Distribution Plants, Storage Warehouses	N	N	N	N	SPP	N	N	N	(3)
Gasoline Service Stations, Garages or Repair Shops	N	SPA	N	N	N	N	N	N	(3)
Utility Structures, Passenger Depots and Terminals	N	N	N	N	SPP	N	N	N	(3)
Screened Storage	N	N	N	SPP	SPP	N	N	SPP	(3)
Cafeterias for Employees	N	N	N	SPP	N	N	N	SPP	(3)
Access to Industrial Zoned Land	N	Y	N	N	N	N	N	N	(3)
Retail Store as part of a REGISTERED MARIJUANA DISPENSARY	N	SPP (1)(12)	N	N	N	N	N	N	(3)
MARIJUANA RETAILER	N	SPP (12)(20) N	N	N	N	N	N	N	(3)
Industrial Uses									
Manufacturing Enterprises	N	N	N	SPP	N	N	N	SPP	(3)
Research Laboratories with Incidental Assembly or Manufacture	N	N	N	SPP (2)	N	N	N	SPP (2)	(3)
Sanitary Landfill	N	N	N	N	N	N	N	SPS	(3)
Refuse Transfer Station	N	N	N	N	N	N	N	SPS	(3)
Refuse Incinerator	N	N	N	N	N	N	N	SPS	(3)
COMMERCIAL SOLAR PHOTOVOLTAIC RENEWABLE ENERGY INSTALLATION	SPP	SPP	N	Y	Y	SPP	N	Y	(3)
CRAFT MARIJUANA CULTIVATOR COOPERATIVE	N	N	N	SPP (13)(14) N	SPP (13)(14) N	N	N	N	(3)
MARIJUANA CULTIVATOR	N	N	N	SPP (13)(15) N	SPP (13)(15) N	N	N	N	(3)

Table of Principal Uses (Continued)

Principal Uses	Residential	Business	Compact Business	Industrial	Commercial	Recreation Conservation	FloodPlain Wetlands	Refuse Disposal	Site Plan Approval
MARIJUANA PRODUCT MANUFACTORY	N	N	N	SPP (13) (16)	SPP (13) (16)	N	N	N	(3)
MARIJUANA RESEARCH FACILITY	N	N	N	SPP (13) (17)	SPP (13) (17)	N	N	N	(3)
MARIJUANA INDEPENDENT TESTING LABORATORY	N	N	N	SPP (13) (18)	SPP (13) (18)	N	N	N	(3)
MARIJUANA MICROBUSINESS	N	N	N	SPP (13)(19) N	SPP (13)(19) N	N	N	N	(3)

- (1) Uses permitted by right provided that the BUILDING is less than 1,000 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
- (2) Uses permitted by right provided that the BUILDING is less than 1,500 square feet GROSS FLOOR AREA, there is only one BUILDING per LOT, all parking spaces are located only in the rear yard, Site Plan Approval is granted, and 50% of the LOT area is open space.
- (3) All uses requiring a Special Permit are subject to Site Plan Approval requirements as part of the special permit process.
- (4) Refer to Section 7.3.3.3 of this Bylaw to determine parking requirements for uses permitted in the Residential District.
- (5) Allowed in accordance with the provisions of M.G.L., Ch. 40A, Section 3.
- (6) Allowed as accessory use only.
- (7) Allowed without special permit in accordance with Section 8.1.2 of this Bylaw.
- (8) Wireless Service Facilities shall be allowed by special permit only on land located in the Wireless Service Facility District.
- (9) The total number of INDEPENDENT ADULT UNITS shall not exceed 6% of the total single family DWELLING UNITS in Stow.
- (10) An Active Adult Neighborhood shall be allowed by Special Permit only on land located in the Active Adult Neighborhood District.
- (11) Provisions of Section 8.9, Inclusion of Affordable Housing, may apply.
- (12) ~~MARIJUANA RETAILERS and the Retail~~ The retail component of a REGISTERED MARIJUANA DISPENSARY ~~are~~ is allowed by Special Permit within the Business District, in accordance with Section 5.5 of the BYLAW and pursuant to Department of Public Health Regulations 105 CMR 175.000 and Cannabis Control Commission Regulations 935 CMR 500.
- (13) ~~MARIJUANA CULTIVATORS, CRAFT MARIJUANA CULTIVATOR COOPERATIVES, MARIJUANA RESEARCH FACILITIES, MARIJUANA INDEPENDENT TESTING LABORATORIES, and MARIJUANA PRODUCT MANUFACTURERS, MARIJUANA MICROBUSINESSES, and MARIJUANA~~

~~TRANSPORTERS~~ are allowed in the REGISTERED MARIJUANA ESTABLISHMENT Overlay District, pursuant to Section 5.5 of the BYLAW, and Cannabis Control Commission regulations 935 CMR 500.

- ~~(14) Notwithstanding the allowances stated in the Table of Principal Uses, CRAFT MARIJUANA CULTIVATOR COOPERATIVES shall be prohibited in all Districts in the Town of Stow upon a vote to prohibit such USE at the October 1, 2018 Town Meeting and an affirming vote to prohibit at a local Stow election.~~
- ~~(15) Notwithstanding the allowances stated in the Table of Principal Uses, MARIJUANA CULTIVATORS shall be prohibited in all Districts in the Town of Stow upon a vote to prohibit such USE at the October 1, 2018 Town Meeting and an affirming vote to prohibit at a local Stow election.~~
- ~~(16) Notwithstanding the allowances stated in the Table of Principal Uses, MARIJUANA PRODUCT MANUFACTURERS shall be prohibited in all Districts in the Town of Stow upon a vote to prohibit such USE at the October 1, 2018 Town Meeting and an affirming vote to prohibit at a local Stow election.~~
- ~~(17) Notwithstanding the allowances stated in the Table of Principal Uses, MARIJUANA RESEARCH FACILITIES shall be prohibited in all Districts in the Town of Stow upon a vote to prohibit such USE at the October 1, 2018 Town Meeting and an affirming vote to prohibit at a local Stow election.~~
- ~~(18) Notwithstanding the allowances stated in the Table of Principal Uses, MARIJUANA INDEPENDENT TESTING LABORATORYS shall be prohibited in all Districts in the Town of Stow upon a vote to prohibit such USE at the October 1, 2018 Town Meeting and an affirming vote to prohibit at a local Stow election.~~
- ~~(19) Notwithstanding the allowances stated in the Table of Principal Uses, MARIJUANA MICROBUSINESSES shall be prohibited in all Districts in the Town of Stow upon a vote to prohibit such USE at the October 1, 2018 Town Meeting and an affirming vote to prohibit at a local Stow election.~~
- ~~(20) Notwithstanding the allowances stated in the Table of Principal Uses, MARIJUANA RETAILERS shall be prohibited in all Districts in the Town of Stow upon a vote to prohibit such USE at the October 1, 2018 Town Meeting and an affirming vote to prohibit at a local Stow election.~~

Prohibited Uses - All uses not specifically named in the text of the bylaw are prohibited.

B) Amend Section 5.5.1 to read in its entirety as stated below:
--

5.5.1 Establishment - The REGISTERED MARIJUANA ESTABLISHMENT Overlay District is intended to provide for the siting and establishment of a REGISTERED MARIJUANA ESTABLISHMENTS, including REGISTERED MARIJUANA DISPENSARIES, in accordance with M.G.L c.94G, Massachusetts Department of Public Health regulations set forth in 105 CMR 725.000, and Cannabis Control Commission regulations set forth in 935 CMR 500.000.

~~At the May 2, 2017 Annual Town Meeting, the Town of Stow adopted Section 10 of the Zoning Bylaw — Temporary Moratorium on RECREATIONAL MARIJUANA ESTABLISHMENTS. This Section 5.5 is adopted for the purpose of regulating such uses as REGISTERED MARIJUANA ESTABLISHMENTS in the Town of Stow. Section 10 — Temporary Moratorium on RECREATIONAL MARIJUANA ESTABLISHMENTS shall no longer be in effect.~~

C) Delete section 5.5.4.5.1:

~~5.5.4.5.1 In the event that a prohibition or ban on a category of REGISTERED MARIJUANA ESTABLISHMENT as defined in M.G.L. Ch.94G, 935 CMR 500 or in Section 1.3 of this Zoning Bylaw has been approved at a local Stow election in a manner that affirms such prohibition pursuant to M.G.L. c.94G §A(2)(i), the specific category of the applicable REGISTERED MARIJUANA ESTABLISHMENT shall be deemed prohibited in Stow and all provisions, standards and permissions outlined in Section 5.5 of this Zoning Bylaw shall be deemed non-applicable.~~

D) Amend Section 5.5.5 Location Requirements to read in its entirety as stated below:

5.5.5 Location Requirements

5.5.5.1 All aspects of a REGISTERED MARIJUANA ESTABLISHMENT, including but not limited to sales, distribution, acquisition, cultivation, manufacture, processing, dispensing, and administration shall be contained within a building or structure. No REGISTERED MARIJUANA ESTABLISHMENT shall allow cultivation, processing, manufacture, sale or display of MARIJUANA PRODUCTS to be visible from a public place without the use of binoculars, aircraft or other optical aids.

The Planning Board may only allow outdoor activity at the site of a REGISTERED MARIJUANA ESTABLISHMENT under the following circumstances:

- The REGISTERED MARIJUANA ESTABLISHMENT utilizes vehicles as part of regular activity, in accordance with all safety, security and storage requirements of 935 CMR 500.
- ~~The REGISTERED MARIJUANA ESTABLISHMENT is licensed under 935 CMR 500 as a MARIJUANA CULTIVATOR. Under such determination, the Planning Board may permit a MARIJUANA CULTIVATOR to operate in outdoor cultivation facilities. Outdoor cultivation facilities shall be screened and secured in accordance with Section 5.5.6 of this Zoning Bylaw, and in accordance with 935 CMR 500.110.~~

5.5.5.2 No REGISTERED MARIJUANA ESTABLISHMENT, including the retail component of a REGISTERED MARIJUANA DISPENSARY in the Business District, shall be located within a building which houses residential DWELLING UNITS.

- 5.5.5.3 Manufacturing and extraction of MARIJUANA PRODUCTS shall not occur in any BUILDING containing assembly, education, health care, ambulatory health care, residential board and care, detention or correctional facilities.
- 5.5.5.4 No REGISTERED MARIJUANA ESTABLISHMENT shall be located within a moveable structure, trailer or truck. All sales related to a ~~MARIJUANA RETAILER~~ and the retail component of a REGISTERED MARIJUANA DISPENSARY shall be conducted within a building or through home deliveries to qualified adults or patients pursuant to 935 CMR 500 or 105 CMR 725 as amended. Nothing in this Section shall be cause to preclude the lawful transportation of MARIJUANA PRODUCTS as allowed through 935 CMR 500 or 105 CMR 725.000.
- 5.5.5.5 No REGISTERED MARIJUANA ESTABLISHMENT shall be permitted within (500') five hundred feet of the lot line of a pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12). The distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the REGISTERED MARIJUANA ESTABLISHMENT is or will be located.
- 5.5.5.6 The establishment and operation of a ~~MARIJUANA RETAILER~~, or the retail component of a REGISTERED MARIJUANA DISPENSARY may only be permitted in the Business District in accordance with all applicable laws and regulations as stated in 935 CMR 500, Massachusetts Department of Public Health regulations set forth in 105 CMR 725.000 and the provisions outlined in this Section 5.5 - REGISTERED MARIJUANA ESTABLISHMENT Overlay District of the Zoning Bylaw. Despite the provisions herein, regarding the siting of ~~MARIJUANA RETAILERS~~, including the retail component of a REGISTERED MARIJUANA DISPENSARY, ~~MARIJUANA RETAILERS~~, and the retail component of a REGISTERED MARIJUANA DISPENSARY shall be governed by the provisions outlined in this Section 5.5 - REGISTERED MARIJUANA DISPENSARY Overlay District.

E) Amend Section 5.5.8.1.1 to read in its entirety as stated below:

5.5.8.1.1 In addition to the limitations provided in Section 5.5 of the Zoning Bylaw, ~~MARIJUANA RETAILERS~~ and the retail component of a REGISTERED MARIJUANA DISPENSARY shall be limited to 2500 square feet of gross floor area where such establishment is located at the street level of a BUILDING or STRUCTURE.

F) Amend Section 5.5.9 to read in its entirety as stated below:

Planning Board Action

5.5.9 In evaluating the proposed REGISTERED MARIJUANA ESTABLISHMENT Special Permit application, the Planning Board shall consider the general objectives of the Zoning Bylaw, as well as the degree to which the following criteria are met:

- a) The REGISTERED MARIJUANA ESTABLISHMENT proposal complies with all requirements for a Special Permit, including the Stow Zoning Bylaw, the Site Plan Approval Rules and Regulations, Rules and Regulations for a REGISTERED MARIJUANA ESTABLISHMENT, all requirements pursuant to the Department of Public Health Regulations 105 CMR 725.000, Cannabis Control Commission regulations 935 CMR 500.000 and M.G.L. c.94G.
- b) Issuance of a Special Permit for a ~~MARIJUANA RETAILER~~ or the retail component of a REGISTERED MARIJUANA DISPENSARY shall not exceed the limitation on the number of such establishments pursuant to Section 5.5.4.3 of the Zoning Bylaw.
- c) The site is designed to create safe, secure and efficient access and egress to customers and employees using multiple modes of transportation, including vehicle, bicycle and pedestrians.
- d) Traffic generated by clients, employees and delivery schedules from the REGISTERED MARIJUANA ESTABLISHMENT shall not create a substantial adverse impact on nearby residential uses.
- e) Loading and refuse disposal areas are designed to be safe, secure and shielded from abutting uses.
- f) The hours and methods of transportation are not substantially detrimental to surrounding USEs.
- g) The REGISTERED MARIJUANA ESTABLISHMENT has provided documentation to show compliance with 527 CMR 1 – the Comprehensive Fire Code and Chapter 38 of the National Fire Protection Association (NFPA) standards for *Marijuana Growing, Processing, or Extraction Facilities*.
- h) The building and site have been designed in a manner consistent and compatible with nearby structures of a similar size and use and in a manner that mitigates any negative aesthetic impact imposed by the required security conditions, measures and restrictions stated in the Department of Public Health Regulations pursuant to 105 CMR 725.000 and Cannabis Control Commission Regulations pursuant to 935 CMR 500.000.

5.5.9.1 The Planning Board shall consider the recommendation of the Board of Health, the Conservation Commission, the Town’s consulting engineer, and other Boards, Departments and agents, in making said findings.

5.5.9.2 The Planning Board may require changes to the “REGISTERED MARIJUANA ESTABLISHMENT Site Plan” and impose additional conditions, safeguards and limitations, as it deems necessary, to secure the objectives of this Bylaw.

G) Amend Section 10 by deleting Section 10 and all subsections

SECTION 10.

~~TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS~~

10.1—Purpose

~~By vote at the State election of November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law, Chapter 334 of the Acts of 2016, An Act The Regulation and Taxation of Marijuana Act, and as amended by Chapter 351 of the Acts of 2016, became effective December 15, 2016, and requires the Governor to appoint a Cannabis Control Commission which shall adopt final regulations governing RECREATIONAL MARIJUANA ESTABLISHMENTS by April 1, 2018.~~

~~Currently, a RECREATIONAL MARIJUANA ESTABLISHMENT is not a permitted use in the Town and any regulations promulgated by the Cannabis Advisory Board and Cannabis Control Commission are expected to provide guidance to the Town in regulating RECREATIONAL MARIJUANA ESTABLISHMENTS.~~

~~The regulation of RECREATIONAL MARIJUANA ESTABLISHMENTS raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of RECREATIONAL MARIJUANA ESTABLISHMENTS and address such novel and complex issues, as well as to address the potential impact of evolving State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of RECREATIONAL MARIJUANA ESTABLISHMENTS and other uses related to the regulation of recreational marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for RECREATIONAL MARIJUANA ESTABLISHMENTS so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives.~~

10.2—Definition

~~RECREATIONAL MARIJUANA ESTABLISHMENT—A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed recreational marijuana-related business.~~

10.3—Temporary Moratorium

~~There is hereby established a temporary moratorium on the use of land or structures for a RECREATIONAL MARIJUANA ESTABLISHMENT, the moratorium shall be in effect until December 31, 2018, or any date prior. During the moratorium period, the use of land or structures for a RECREATIONAL MARIJUANA ESTABLISHMENT shall be prohibited.~~

~~Nothing contained in this Article shall be construed to permit, or authorize to be permitted, the use of land or structures for any activity involving marijuana, other than as a RECREATIONAL MARIJUANA ESTABLISHMENT.~~

10.4—Planning Process

~~During the temporary moratorium established in section 10.3, the Town shall undertake a planning process to address the potential effects of RECREATIONAL MARIJUANA ESTABLISHMENTS and other land uses and structures related to the use of marijuana for medical purposes, shall consider the final regulations promulgated by the State of Massachusetts, and shall make recommendations regarding the adoption of new Zoning Bylaw provisions governing the location, operation and effects of RECREATIONAL MARIJUANA ESTABLISHMENTS and other land uses and structures related to the use of marijuana for recreational purposes.~~

YOUR voice



YOUR choice



The Stow Council On Aging (COA) wants to know what you are most interested in. We also want to identify senior residents' concerns and needs as they think about growing older.

Please take the Stow COA Survey:

<https://www.surveymonkey.com/r/YourVoiceYourChoice>



- You must be a Stow resident (or acting on behalf of a Stow resident) to complete this survey
- Paper copies are available at the COA
- If you have questions or need help in filling out the survey, please call the COA office at (978) 897-1880
- Each member of a household can complete the survey but only one survey should be completed per person
- The survey will be available until October 31



No-Fare Rides for Eligible Stow Residents!

Are you:

- Over the age of 50?
- Mobility Impaired?
- In financial need?
- Active Duty Military/Veteran?
- An Essential Worker?

Go to tinyurl.com/gostowtaxi
to fill out an application!

Or contact **Gigi Lengieza, Stow COA Office
Manager & Transportation Coordinator** at
978-897-1880 or **COAAdminAsst@Stow-
MA.gov**

GO Stow is a collaboration between the Planning Dept. and Council on Aging. Funded with a grant from the Metropolitan Area Planning Council's COVID-19 Taxicab, Livery, and Hackney Transportation Partnership.


Approve & Sign the
Disclosure Form for
Daniel Nicholson

**DISCLOSURE BY SPECIAL MUNICIPAL EMPLOYEE
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT
AS REQUIRED BY G. L. c. 268A, § 20(d)**

SEP 27 2021

SELECTED

	SPECIAL MUNICIPAL EMPLOYEE INFORMATION
Name of special municipal employee:	Daniel Nicholson
Put an X beside one statement.	<p>I am a special municipal employee because:</p> <p><input type="checkbox"/> I am a selectman in a town with a population of 10,000 or fewer people;</p> <p><input type="checkbox"/> I am not a mayor, alderman or city councilor, and</p> <p><input checked="" type="checkbox"/> I serve in a municipal position for which no compensation is provided.</p>
Title/ Position	Recreation Commission Member, Town of Stow
Fill in this box if it applies to you.	If you are a special municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization. N/A
Municipal Agency/ Department:	Recreation Commission, Town of Stow
Agency Address:	509 Great Road Stow, MA 01775
Office phone:	(978) 637-2984
Office e-mail:	recreation@stow-ma.gov
	Check one: <input type="checkbox"/> Elected or <input checked="" type="checkbox"/> Non-elected
Starting date as a special municipal employee.	5/1/2012
BOX # 1	ELECTED SPECIAL MUNICIPAL EMPLOYEE
Select either STATEMENT #1 or STATEMENT #2.	<p>I am an elected special municipal employee.</p> <p><input type="checkbox"/> STATEMENT #1: I had a financial interest in a contract made by a municipal agency before I was elected to a compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p><input type="checkbox"/> STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency.</p> <p>My financial interest in a contract made by a municipal agency is:</p> <p><input type="checkbox"/> A compensated, non-elected position with a municipal agency.</p> <p><input type="checkbox"/> A contract between a municipal agency and myself.</p> <p><input type="checkbox"/> A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p><input type="checkbox"/> Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
Write an X by your financial interest.	
BOX #2	NON-ELECTED SPECIAL MUNICIPAL EMPLOYEE
Select either STATEMENT #1 or STATEMENT #2.	<p>I am a non-elected special municipal employee (compensated or uncompensated).</p> <p><input type="checkbox"/> STATEMENT #1: I had a financial interest in a contract made by a municipal agency, other than an employment contract, before I took a non-elected, compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p>My financial interest in a contract made by a municipal agency is:</p>

<p>Write an X by your financial interest.</p>	<p>___ A contract between a municipal agency and myself, but not an employment contract.</p> <p>___ A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p>OR</p> <p>___ STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency.</p> <p>My financial interest in a contract made by a municipal agency is:</p> <p>___ A compensated, non-elected position with a municipal agency.</p> <p>___ A contract between a municipal agency and myself.</p> <p>___ A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p>X Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular</p>
<p>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</p>	
<p>Name and address of municipal agency that made the contract</p>	<p>This is the "contracting agency." Stow Recreation Commission, 509 Great Road, Stow, MA 01775</p>
<p>Write an X to confirm this statement.</p>	<p><u>X</u> In my work as a special municipal employee for my Municipal Agency, I participate in or have official responsibility for activities of the contracting agency.</p>
<p>FILL IN THIS BOX OR THE NEXT BOX</p>	<p>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND YOU.</p> <p>- Please explain what the contract is for. Park maintenance work</p>
	<p>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND ANOTHER PERSON OR ENTITY</p> <p>- Please identify the person or entity that has the contract with the municipal agency. - What is your relationship to the person or entity? - What is the contract for?</p>
<p>What is your financial interest in the municipal contract?</p>	<p>- Please explain the financial interest and include the dollar amount if you know it. I will be paid for park maintenance work.</p>
<p>Date when you acquired the financial interest</p>	<p>TBD</p>
<p>What is the financial interest of your immediate family?</p>	<p>- Please explain the financial interest and include the dollar amount if you know it. N/A</p>
<p>Date when your immediate family acquired the financial interest</p>	<p>N/A</p>
<p>Employee signature:</p>	<p>Daniel Nicholson </p>
<p>Date:</p>	<p>9/23/2021 9-23-21</p>

**APPROVAL OF EXEMPTION
BY THE CITY COUNCIL, BOARD OF ALDERMEN, BOARD OF SELECTMEN,
TOWN COUNCIL OR DISTRICT PRUDENTIAL COMMITTEE**

Name:	
Name of approving body: Write an X by one selection.	<input type="checkbox"/> City Council <input type="checkbox"/> Board of Aldermen <input type="checkbox"/> Board of Selectmen <input type="checkbox"/> Town Council <input type="checkbox"/> District Prudential Committee
Title/ Position	
Agency Address:	
Office phone:	
APPROVAL OF § 20(d) EXEMPTION	
	<p>We have received a disclosure under G.L. c. 268A, § 20(d) from a special municipal employee who seeks to have a financial interest in a contract made by a municipal agency of this city or town. We understand that the special municipal employee participates in, or has official responsibility for, activities of the municipal agency that made the contract. We approve this exemption under § 20(d) regarding the financial interest identified by the special municipal employee.</p>
Signature:	On behalf of the Council, Board or Committee identified above, I sign this approval.
Date:	

Attach additional pages if necessary.

File your completed, signed, approved Disclosure with the city or town clerk.

Planning Board
Request for Comments:
Amendments to the Stow
Zoning Bylaw



Town of Stow
PLANNING BOARD
 380 Great Road
 Stow, Massachusetts 01775-1122
 (978) 897-5098
 FAX (978) 897-2321

TO: Board of Assessors
 Conservation Commission
 Board of Health
Select Board
 Stow Municipal Affordable Housing Trust

Building Commissioner
 Highway Superintendent
 Open Space Committee
 Historical Commission

FROM: Julie Windzio, Planning Department Assistant

DATE: September 27, 2021

RE:

Attached please find the proposed amendments to the Stow Zoning Bylaw.

The Public Hearing is scheduled for October 19, 2021.

In addition to comments related to your specific jurisdiction, we would also appreciate your comments on this application as it relates to any of the following municipal needs that may be appropriate for such changes.

Affordable Housing	Agriculture	Library	Municipal Parking	Open Space	Recreation
Community Center/Senior Center	Schools	Town Offices	Well/Septic		

Department: _____

Signature: _____

Date: _____



Town of Stow
PLANNING BOARD
380 Great Road
Stow, Massachusetts 01775-1122
(978) 897-5098
www.stow-ma.gov

September 27, 2021

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Stow Planning Board will hold a Public Hearing on Tuesday, October 19th at 7:30 p.m., accessed via Zoom Video Conferencing at <https://us06web.zoom.us/j/85167075658>, Meeting ID: 851 6707 5658 and accessed via phone by dialing 16465588656, Meeting ID 851 6707 5658#, to discuss proposed amendments to the Stow Zoning Bylaw by:

- Amending Section 9.2.7.14
For the purpose of aligning existing Special Permit sidewalk requirements with the Town of Stow Complete Streets Policy;
- Amending Section 1.3, Definitions
For the purpose of amending the definition of Cottage Dwelling and adding new definition for Complete Streets Improvement;
- Amending Section 5.4, Active Adult Neighborhood
For the purpose of citing FLOOR AREA as a metric for determining unit size;
- Amending Section 7.3.1 Schedule of Minimum Parking
For the purpose of providing parking standards for Cottage Dwellings;
- Amending Section 6.3 – Signs
For the purpose of amending standards for internally illuminated signs;
- Amending Section 3.10 – Table of Principal Uses
For the purpose of removing unnecessary references to prohibited categories of Registered Marijuana Establishments;
- Amending Section 5.5 – Registered Marijuana Establishments
For the purpose of removing unnecessary references to prohibited categories of Registered Marijuana Establishments.
- Amending Section 10 – Recreational Marijuana Establishment Moratorium
For the purpose of deleting Section 10 from the Zoning Bylaw;

The proposed text may be viewed at the Office of the Planning Board or Office of the Town Clerk during normal business hours.

Lori Clark, Chairman

Posted 2x: September 29th and October 6th Edition of Stow Independent

Planning Board

Request for Comments:

Petition for a Hammerhead Lot
Special Permit and Site Plan
Approval at 57 Barton Road



Town of Stow
PLANNING BOARD

380 Great Road
 Stow, Massachusetts 01775-1122
 (978) 897-5098
 FAX (978) 897-2321

TO: Board of Assessors
 Conservation Commission
 Board of Health
Select Board
 Stow Municipal Affordable Housing Trust

Building Commissioner
 Highway Superintendent
 Open Space Committee
 Historical Commission

FROM: Malcolm Ragan, Assistant Planner

DATE: September 29, 2021

RE: Petition for a Hammerhead Lot Special Permit and Site Plan Approval at 57 Barton Road

Attached please find the above referenced Petition for a Special Permit and Site Plan Approval, titled "Hammerhead Lot Special Permit for Lot 2," dated September 2, 2021, prepared by Dillis & Roy Civil Design Group for Daryl McKay in accordance with Section, 6.1, 9.2 and 9.3 of the Stow Zoning Bylaw and the Rules and Regulations for Special Permits and Site Plan Approval. The land is located in the Residential District of Stow MA, at 57 Barton Road, as shown on Assessors Map U-1 Parcel 53. The Public Hearing is scheduled for October 26, 2021.

In addition to comments related to your specific jurisdiction, we would also appreciate your comments on this application as it relates to any of the following municipal needs that may be appropriate for this property:

Affordable Housing	Agriculture	Library	Municipal Parking	Open Space	Recreation
Community Center/Senior Center	Schools	Town Offices	Well/Septic		

Department: _____

Signature: _____

Date: _____

TOWN OF STOW PLANNING BOARD

PETITION

FOR

SPECIAL PERMIT

RECEIVED

SEP 07 2021

TOWN OF STOW
PLANNING BOARD

File completed Petition with the Town Clerk and then present 14 separate copies of the Petition, folded to fit neatly within a letter-sized file folder, to the secretary for the Planning Board along with a Petition fee payable to "Town of Stow" in the amount required by the Rules and Regulations for Special Permits. Refer to the "Rules and Regulations for Special Permits" for details on the information required.

Please type or print this Petition.

PETITIONER'S NAME: Daryl McKay PHONE #: 781-771-1686

MAILING ADDRESS: 57 Barton Road, Stow, MA

LOCATION AND STREET ADDRESS OF SITE: 57 Barton Road

AREA OF SITE: 287,317 sq. ft. FRONTAGE: 382.10' linear feet

ZONING DISTRICT: Res. ASSESSOR'S MAP NO.(s): U-1 PARCEL NO.(s): 53

SOUTH MIDDLESEX REGISTRY OF DEEDS BOOK AND PAGE NO.(s): b.63014 p.479
or LAND COURT CERTIFICATE OF TITLE NO.(s): _____

PROPERTY OWNER: Daryl & Julie McKay PHONE #: 781-771-1686

MAILING ADDRESS: 57 Barton Road

DETAILED DESCRIPTION OF THE PROPOSED SPECIAL PERMIT:

Hammerhead Lot Special Permit for Lot 2 (Zoning Bylaw 6.1)

Please complete the following check list for your Petition indicating with a check mark the information included. If an item is not applicable to your Petition, write "N/A" in the blank. If any applicable items are missing attach additional sheets explaining the omission. Note that this list is not a complete description of the requirements for a complete Petition; it is each Petitioner's responsibility to prepare a complete Petition according to the "Rules and Regulations for Special Permits" as adopted by the Planning Board and available from the Planning Board's secretary. A Petition lacking any required information in the appropriate format may not be accepted or may be cause for denial of said Petition.

Appendix 1

If any Special Permits or variances have been filed previously for this site please attach copies of the decisions.

N/A DEVELOPMENT IMPACT STATEMENT

- _____ Description of proposed or possible uses
- _____ Building coverage, total coverage, and open space areas
- _____ Drainage calculations
- _____ Earth removal calculations
- _____ Traffic study (8 copies)
- _____ List variances and Special Permits previously issued by the Planning Board of Appeals and any needed for this proposal
- _____ Provide copies of any "approval not required" subdivisions
- _____ List any Special Permits or Health Permits required and provide copies of any received
- _____ Note if Conservation Commission approval needed and provide copy of approval if received

X LOCUS PLAN

N/A SITE COMPOSITE PLAN

Design certifications

Legends

General site characteristics -

- Existing and proposed buildings and structures
- Driveway entrances for abutting properties and those across a public way with dimensions
- All underground tanks/structures existing or proposed or abandoned
- Zoning, Flood Plain, and Groundwater Protection District boundaries if applicable
- Yards/setbacks dimensioned

Natural site characteristics -

Waterways

Wetland boundaries and buffers

- Existing and proposed contours
- Open space with square footage calculations

Site improvements -

- Dimensions of traffic lanes
- Label all paved surfaces and note materials

Parking spaces and parking lot landscaping with dimensions

- Building areas for each floor
- Exterior lighting
- Existing and proposed signage
- Outdoor storage areas labeled

Site utilities -

- Stormwater drainage facilities shown & dimensioned
- Underground storage containers with capacities and contents
- Water services
- Fire hydrants on or off site
- Underground utilities
- Fire alarm master box
- Sprinkler feed line
- Solid waste disposal facilities
- Sewage disposal system
- Erosion and sedimentation controls – citation?
- Names of abutting property owners
- Parking calculations

N/A CONSTRUCTION DETAIL PLAN

- Detail of structures
- Landscaping details
- Parking details in compliance with the Stow Zoning Bylaw
- Tabulations of building coverage and open space
- Details of outdoor lighting

N/A LANDSCAPE PLAN

- Certifications
- Legend
- Number, type, & size of trees and shrubs
- Landscape buffers
- Land contours
- Site features
- Limits of work
- Perimeter of trees
- Outdoor lighting structures

N/A BUILDING ELEVATION PLAN

- Certifications
- Scale
- Front, rear, & side elevations with maximum height

N/A FLOOR PLAN

- Certifications
- Scale
- Net floor area/s

Any additional maps, plans, photographs, deeds, or documents which the Petitioner wishes to submit should be enclosed with each copy of this Petition.

Appendix 1

The undersigned hereby Petition the Planning Board for a public hearing and a Special Permit under the Town of Stow Zoning Bylaw approving the Special Permit Petition including the Site Plan described above.

The undersigned hereby certify that the information on this Petition and plans submitted herewith are correct, and that all applicable provisions of Statutes, Regulations, and Bylaws will be complied with.

The above is subscribed to and executed by the undersigned under the penalties of perjury in accordance with Section 1-A of Chapter 268, General Laws of the Commonwealth of Massachusetts.

9/2/21 
Date Signature of Petitioner

OWNER'S KNOWLEDGE AND CONSENT

I hereby assert that I have knowledge of and give my consent to the Petition presented above.

9/2/21 
Date Signature of Owner

Nashoba Regional Agreement
Amendment Subcommittee
appointment

Denise Dembkoski

From: Mary McCarthy <mdhmccarthy@comcast.net>
Sent: Thursday, October 7, 2021 9:43 AM
To: Don Lowe; Denise Dembkoski; opacheco@lanasterma.net
Cc: Leah Vivirito
Subject: Town representatives on Reg. Agreement Amendment Subcommittee

Good morning,

Last night at the School Committee meeting, the SC voted to establish a Regional Agreement Amendment Subcommittee. I have been appointed as the Chair.

We ask for your assistance in finding one volunteer from each town who is a member of the Select Board or Finance?Advisory to serve on the RAAC Subcommittee.

The subcommittee will have 3 members from School Committee, 3 members from town government and 3 members of the public with preference given to School Council members.

I checked and Stow meetings are usually Tuesdays, Lancaster on Mondays and Thursdays for Bolton Select Board.

So the dates we are looking at are mostly Wednesdays: 10/27, 11/10, 11/30 (a Tuesday, but I don't see a Stow meeting), 12/8, 1/5 and 1/19 from 7:00-8:15 for meetings. So 5 or 6 meetings if we get going in October.

There will be some reading of docs between meetings but that shouldn't be overwhelming and with 9 members, if some don't get to their homework, we can work together at the meetings.

We are asking your help in getting out the word to your respective town boards. If we could have one volunteer from each town before the Oct. 20 SC meeting, that would be great, but if not Oct. 20, then by the Nov. 3 SC meeting.

The work will entail changes to the NRSD Regional Agreement beginning with the change of the wording to reflect that the SC now has 11 rather than 8 members. From there we have edits, comments and recommendations from the Department of Elementary and Secondary Education since DESE has already done a preliminary review of our regional agreement. Since the Regional Agreement hasn't been amended since 1994, there are MGL, DESE regulations and SC policies that need to be updated. However, even with these necessary revisions, Christine Lynch at DESE has assured us that our regional agreement is legal and that we are in compliance. (In any regional agreement, current laws and regulations take precedence over what is contained in a regional agreement.)

I am happy to answer any questions that you or board members may have.

We are requesting only one town representative from each town. We look forward to this vital work together with our towns and our community!

Thank you in advance!

Peace,
Mary McCarthy

P.S. In addition to the RAAC subcommittee meetings, the process will include that the draft agreement once the subcommittee is ready, will be available to the public for comments and suggestions before the final RAAC sub meeting when those comments, questions will be addressed. The draft then goes to School Committee for voted approval. Then the voted agreement goes back to DESE for approval before we can submit it to our three towns for inclusion on the warrant for vote and the vote of each town. The final step is the certified vote with the voted agreement goes back to DESE for the Commissioner's signature.

STRATEGIC PLANNING

Strategic Planning

- Continued policy discussion, if any
- Continued Workplan and Goals discussion, if any
- Continued meeting schedule discussion, if any

MINUTES

Select Board Meeting Minutes
Tuesday, September 28, 2021
Stow Town Building & via Zoom

Present in the Warren Room: Chair Ellen Sturgis, Megan Birch-McMichael, Zack Burns, Cortni Frecha, and Town Administrator Denise Dembkoski

Absent: James Salvie

Also present: Chief Michael Sallese, Troy Paradise, Lee Coopridger, Carol Lynn, Martin Meyer, and Katie Fisher

Chair Sturgis called the meeting to order at 7 p.m.

Public Input: none.

Board Member Comments: Chair Sturgis mentioned that Mark Roberts, who was present at the previous Select Board meeting, and his labradoodle “Mocha,” will be in Worcester this Sunday as part of their “4 Wheels 4 Paws 4 Hunger” project.

She asked the Select Board members to let the Town Administrator know when they will be on vacation, for the purpose of scheduling meetings.

Recognition: none.

Appointments

Chief Sallese presented Troy Paradise as the top candidate from 19 applicants for appointment to the Police Department. He recently graduated from Fitchburg State University with a bachelor’s degree in criminal justice and is working towards his master’s degree. He is Police Academy trained. The Board welcomed him to Stow and Chair Sturgis added that it is another great hire by the Chief.

Board member Burns moved to appoint Troy Paradise as Police Patrol Officer through June 30, 2022, subject to approval from the Town Administrator that physical and mental evaluations have been satisfactorily completed. Board member Birch-McMichael seconded the motion and it passed unanimously.

Collings Foundation “Battle for the Airfield” October 9 & October 10, 2021

Rob Collings was present via zoom. He explained that this is a WW II re-enactment weekend that has been done since 2007, with the only recent difference being the entrance road in Hudson. All permits for the pyrotechnics have been filed and there will be a Fire Department detail onsite as in previous years. There are more pre-sale tickets being purchased in the past two years, and tickets are available at the gate subject to availability. There are no covid restrictions in place, the only restriction is the availability of parking and the museum occupancy.

Green Advisory Committee Appointee Interviews

Lee Coopridger, Carol Lynn, and Martin Meyer were present and interviewed for the Select Board’s Green Advisory Committee (GAC) position. As the Select Board appointee, the person selected would also have to report back to the Select Board.

Lee Coopridger, 552 Great Road, has been involved with climate response topics for many years. He is a member of Sustainable Stow and has served on various Town committees over the years. He said we cannot solve the world’s problem, but as a small town we can show small communities how to get behind the state’s program and get to net-zero by 2050.

Martin Meyer, 25 Brookmill Road, has lived in Stow since 2017 and is a member of Sustainable Stow. He wants to get involved in local government, and sustainability has been a passion of his for his entire life. He thinks the idea of sustainability has been in the general mindset for many years, and now is the time to bring it forward with the opportunity to develop and form how we think about this program at a local level.

Carol Lynn, 30 Orchard Drive, has been a resident for 6 years, and is a member of 350 Mass MetroWest and Sustainable Stow. Educating people on why they should do this now is going to be a big issue. There will be a group of people who want to know how this will be beneficial to them, and they will need assistance going through the myriad of incentives that are available. She would like to work on Stow's Climate Action Plan.

Town Administrator Demboski noted that if one of these three candidates is appointed tonight, then Sustainable Stow would have 5 of its 9 members also being members of the GAC, meaning that Sustainable Stow would have a quorum of GAC members and therefore could not meet as a full group and discuss energy-related topics.

The Chair thanked all three of the candidates for stepping up to volunteer, and for all their work with Sustainable Stow. Chair Sturgis told the candidates that the Board would discuss and vote on who to select as the appointee, and that they were welcome to stay. The three candidates left the room. The Chair reminded the Board that they still have not excluded the option of a Board member being on the GAC. The Board was impressed by all 3 of the candidates but felt that Carol Lynn's experience reporting to executive committees, in addition to some other skills, aligned with what the Board was looking for in their representative.

Board member Burns moved to appoint Carol Lynn as Select Board member of the Green Advisory Committee for a term expiring June 30, 2022 and subject to annual appointment thereafter, and

Further, Board member Burns moved to designate the members of the Green Advisory Committee as Special Municipal Employees pursuant to Mass. General Law c.268A. Members must be registered voters of Stow and agree to comply with State Ethics and Open Meeting Law requirements. Board member Birch-McMichael seconded the motion and it passed unanimously.

Precinct Maps

Town Clerk Linda Hathaway joined the meeting and reported that Stow's precincts did not change after the 2020 census. Precinct 1 has 3,627 residents and precinct 2 has 3,547 residents. The Town Clerk presented the Board with the new map.

Board member Burns moved to accept the precinct maps for Stow as presented at the September 28, 2021 meeting. Select board member Birch-McMichael seconded the motion and it passed unanimously.

Hiring for Plowing Season

Chair Sturgis prefers that the Board authorize the Town Administrator to hire any temporary and per diem staff for the Highway Department as needed, not just plow drivers. The Board discussed and agreed to this change.

Board member Burns moved to authorize the Town Administrator to appoint any temporary and per diem staff for the Highway Department through June 30, 2022. Board member Birch-McMichael seconded the motion and it passed unanimously.

Strategic Planning

Chair Sturgis hopes to have a discussion soon about Select Board policies and the need to review outdated policies to either rescind or update. Tuesday, December 7 is the next Strategic Planning meeting, with the first half being budget season kick-off with the Finance Committee and the Capital Planning Committee. The second half is the Board's planning session.

Town Administrator's Report

- The Special Town Meeting (STM) warrant closes on Monday, October 4, 2021 at close of business.
- The Board of Health flu clinic is Saturday, October 16th at the Pompo Community Center. A formal press release was issued today about how to make an appointment. You can also visit our website, Facebook, or twitter accounts.
- The Library Building Committee is seeking feedback on the planned renovation and/or expansion of the library. Feedback boards and surveys are at the library and around town. Additional information is on the Town's website to submit feedback electronically. The deadline to submit feedback is October 4th. There is a library financial stakeholders meeting this Thursday.
- On Wednesday, October 13th at 7 p.m. there will be a Stow Acres Forum about the planned purchase of the North Course, prior to the vote at the STM on October 30th.
- On Thursday, October 14th at 7 p.m. the Finance Committee will hold a public hearing on the warrant articles being presented at the STM.
- Last Thursday the Town Planner and the TA met with the new owners of the Bose property. It is a for-profit master sports academy called The Masters Academy. They are partners with a school in Florida, and the school in Stow will be the only school like it in the northeast. They will keep the existing structures and make about \$28 million in improvements. They will need a zoning change to allow for an education facility in that location. The school will be a combination of a boarding school and a day program for grades 6-12, with boarding starting at grade 8. The first year would be fall of 2023 and would offer hockey, figure skating, basketball, e-sports, and lacrosse. They expect approximately 270 students and would increase enrollment each year. The full projection is about 6-7 years out, with a maximum capacity of 700-750 students with 75% living on campus and 25% commuting. The curriculum is five hours a day of education and 4 hours a day of their master program. The main focus is hockey, but they will also be adding more sports each year, including non-traditional sports such as drone flying, e-coding, e-gaming, etc. The meeting also included talks of building ice rinks and 2 turf athletic fields, and adding walking trails. There is the possibility of utilizing and entering into an agreement about Community Park, and improvements to the Hudson Road and Great Road intersection.
- There will be a press release regarding how we are celebrating Breast Cancer awareness month. On Thursday, October 14th at 7 p.m. the library is hosting a zoom with Sarah Thomas, an ultra-marathon swimmer who holds the world's record for the longest continuous unassisted swim. She is a cancer survivor and will speak about her determination to reach her goals. The Police Chief and the Police Association are selling pink patches for \$10. There will be "awareness and support trees" out front with pink lights and ribbons to which people can add words of support and hang on the tree. Employees have been given pink ribbons and bracelets that they can wear if they choose to do so, and October 14th will be designated as "wear pink day."

Board member Burns asked if the Special Town Meeting will have accommodations for outside participation due to covid. It will not be feasible to have an outdoor component, and all necessary precautions will be taken. The goal is for the best facilitated meeting in the best possible environment. Safety is the top priority.

Chair Sturgis suggested that residents call our local Assessors office, and not the state, if they have questions about the current cyclical inspection program.

Meeting Minutes

Board member Burns moved to accept the meeting minutes of the September 14, 2021 meeting as drafted. Board member Birch-McMichael seconded the motion and it passed unanimously.

Correspondence

Chair Sturgis said there is an enormous amount of information on the website that was not on it a little over a year ago, so please make use of it.

Board member Frecha clarified that when someone communicates with the Select Board office it is included in their packet for them to read in a timely manner. All board members do see the letters and are aware of the conversations that are ongoing." Correspondence" is listed on the agenda in case there is an item that the Board would like to add as an agenda item at a future meeting.

Adjournment

At 8:25 p.m. Board member Burns moved to adjourn. Board member Birch-McMichael seconded the motion and it passed unanimously.

Respectfully submitted,

Joyce Sampson

Executive Assistant

Documents used at this meeting:

Documents can be found in the Select Board's Office in the meeting folder.

CORRESPONDENCE

none

CORRESPONDENCE

Additional correspondence on file in the office:

- Board of Appeals
 - Notice of Public Hearing, 11/1/2021, 8p
 - 36 Crescent Street
- Board of Appeals
 - Notice of Public Hearing, 11/1/2021, 9p
 - 99 Pine Point Road
- Board of Appeals
 - Notice and Decisions
 - 8 Davis Road
 - 123 Barton Road
 - 102 Peabody Road

- Verizon – Fios TV programming change