# ZBA SPECIAL PERMIT APPLICATION 

# LOT 3 PACKARD ROAD <br> MAP R-17 PARCEL 20D 

PREPARED FOR:<br>THE METACOM REALTY TRUST

## CONTENTS

## PROJECT NARRATIVE

ZBA SPECIAL PERMIT APPLICATION
ASSESSORS MAP R-17 (LOCUS INDICATED)
CERTIFIED ABUTTERS LIST
CURRENT DEED
REFERENCED RECORDED PLANS
PROPOSED DWELLING FLOOR PLAN \& BUILDING ELEVATION
PROPOSED PLOT PLAN
SITE DEVELOPMENT PLAN
STORMWATER REPORT

## PROJECT NARRATIVE <br> LOT 3 PACKARD ROAD, STOW <br> August 7, 2023

Lot 3 Packard Road (Stow Assessor's Map R-17 Parcel 20D) is a 2.77 -acre lot located on the west side of Packard Road approximately 0.2 miles north of the intersection of Packard Road and Great Road. A Special is requested under Section 4.1.6 of the Zoning Bylaw for construction of a dwelling on a pre-existing nonconforming lot. Determination of lot status as pre-existing non-conforming was made under a Special Permit issued by the Zoning Board of Appeals on February 6, 2023. The lot is currently developed and utilized for agricultural purposes (an apple orchard). The grade across the site is gentle to rolling with soil conditions observed in the field by test pits to be well drained with a relatively deep water table (estimated seasonal high groundwater at approximately 7-8 feet at the dwelling build site). These are favorable site characteristics for development of the site for the intended single-family dwelling use.

The site is traversed by a stream that enters the lot from the northwest and flows southeasterly through the lot to a culvert under Packard Road at the southeast corner. There is a bordering vegetated wetland adjacent to the stream. These two resource areas were delineated with numbered flags by Caron Environmental Consulting LLC in September of 2022 and surveyed for location. An Order of Conditions for lot development has been issued by the Stow Conservation Commission under DEP File No. 299-735.

The development proposal involves improvement of an existing orchard path from Packard Road that crosses the intermittent stream with a culvert and headwalls with sufficient width to support a driveway for a singlefamily dwelling. The access point at Packard Road requires widening for maneuverable roundings and safe sight lines at the intersection. This widening will require removal of approximately 6 feet of existing stone wall on either side of the driveway and one 12 " pine tree at the entrance. The proposed driveway is to be constructed in the same location as the orchard path and is proposed to be widened to 12 feet with a compacted gravel surface from the street to the dwelling site. Placement of steel plates for tracking heavy trucks required for construction is proposed to protect the culverts during construction. There is a paved apron proposed at the driveway terminus at the dwelling garage (approximately $35-\mathrm{ft} \times 24-\mathrm{ft}$ with a turnout by the garage proposed to be paved).

Electric and telecom utilities are proposed to be brough overhead from Packard Road to a new utility pole on the dwelling side of the stream at the driveway edge, thence run underground from the new utility pole along the south driveway edge to the dwelling. Only a small portion of the proposed dwelling encroaches into the $100-\mathrm{ft}$ buffer zone with most of the work within the buffer zone being driveway construction and installation of electric and telecom utilities to the dwelling from the public way.

A staked straw wattle erosion control barrier is proposed to be installed along the down-gradient limit of work within the buffer zone as shown on the proposed Notice of Intent Plan. This erosion control barrier is to be maintained in place, inspected regularly, and replaced as necessary during construction until all site work is complete, and all areas disturbed by construction activities have been established with stabilizing surface cover, vegetation, mulch, or wood chips. Two temporary stockpile areas have been proposed, \#1 on the
south side of the driveway approximately 120 feet from Packard Rd (approximately 65 -ft from adjacent wetlands, and $\# 2$ at the end of the driveway in front of the proposed dwelling (outside the $100-\mathrm{ft}$ buffer zone) - see plan for proposed locations of the proposed stockpile areas.

Stormwater from new roof impervious cover is proposed to be infiltrated on site with an HDPE chamber drywell system that will collect and infiltrate roof runoff. This mitigation will offset impervious cover increases generated by that portion of the proposed roof and paved driveway apron. By minimizing development area, grade, surface cover alterations, infiltrating roof runoff and constructing most of the driveway of permeable gravel rather than paving, drainage will not be significantly impacted by lot development.

The temporary and permanent mitigating measures (temporary erosion controls, roof infiltration) proposed will protect the site from erosion during construction and mitigate drainage conditions with the proposed onsite roof infiltration system. A separate Erosion Control permit under Section 3.8 of the Bylaw will not be required as the total proposed site disturbance is $26,636 \mathrm{sf}$, well under the $32,000 \mathrm{sq} . \mathrm{ft}$. threshold that would require such a permit.

The proposed site development plan and stormwater calculations demonstrate that proposed lot development adequately mitigates stormwater impacts (ZBL Sec. 3.8.1.9) and erosion and sediment control impacts (ZBL Sec. 3.8.1.10).


## TOWN OF STOW ZONING BOARD OF APPEALS APPLICATION FOR:

X SPECIAL PERMIT
$\square$ DIMENSIONAL VARIANCESIGN VARIANCE
APPEAL of DECISION OF BUILDING INSPECTOR/ZONING ENFORCEMENT OFFICER/SIGN OFFICER

File one (1) copy of the Application (including plans and reports as required by the Rules and Regulations), folded to fit neatly within a legal sized file folder, to the Town Clerk.


File nine (9) copies of the Application (including plans and reports as required by the Rules and Regulations), folded to fit neatly within a legal sized file folder, to the Zoning Board of Appeals along with an Application fee payable to "Town of Stow" in the amount required by the Rules and Regulations. Refer to the Rules and Regulations for details on the information required.

| APPLICANT'S NAME Jeffrey D. Smith, Trustee, Metacom Realty Trust | PHONE \# (978) 857-8919 |
| :---: | :---: |
|  | EMAIL: <br> jsmith@hhwarreninsurance.com |
| MAILING ADDRESS: P.O. BOX 331 STOW, MA 01775 |  |
| LOCATION AND STREET ADDRESS OF SITE LOT 3 PACKARD ROAD (PART OF MAP R-17 PARCEL 20D) |  |
| AREA OF SITE_ 2.77 AC sq. ft./acres | FRONTAGE_184.69 _ linear feet |
| ZONING DISTRICT RESIDENTIAL | TOWN OF STOW ASSESSOR'S <br> MAP Number(s) _R-17 Parcel Number(s) 20D |
| SOUTH MIDDLESEX REGISTRY OF DEEDS BOOK AND PAGE NO.(s): BK 74973 PG 207 or LAND COURT CERTIFICATE OF TITLE NO.(s): NA |  |
| PROPERTY OWNER(S) NAME <br> Jeffrey D. Smith, Trustee, Metacom Realty Trust | PHONE NO. (978) 857-8919 <br> EMAIL jsmith@hhwarreninsurance.com |
| APPLICATION FEE MADE PAYABLE TO TOWN OF STOW $\$ 250+(15$ abut x $\$ 2)=\$ 280.00$ | \$250.00 PLUS \$2.00 FOR EACH LISTED ABUTTER |

Appendix 1 - Zoning Board of Appeals Application
Adopted: 05/03/21
Effective 06/07/21

## TYPE OF APPLICATION

| $\square$ Special Permit | Check the appropriate box below |
| :--- | :--- |
|  | $\square$ Section 3.2.2 of the Zoning Bylaw (Residential District Use) |
|  | $\square$ Section 3.3.3 of the Zoning Bylaw (Business District Use) |
|  | $\square$ Section 3.9 of the Zoning Bylaw (Non-Conforming Use or Structure) <br> (attach copy of form Appendix 7 for non-conforming vacant lots) |
|  | $\square$ Section 4.1.3 of the Zoning Bylaw (Two or more dwelling houses) |
|  | $\square$ Section 4.1.4 of the Zoning Bylaw (Floodplain) |
|  | X Section 4.1.6 of the Zoning Bylaw (Single Family dwelling on non-conforming <br> lot in single ownership) |
| $\square$ Section 4.4 of the Zoning Bylaw (Table of Dimensional Requirements) for |  |
| expansion of an existing non-conformity. |  |


| $\square$ Variance (Section 4.4 (Dimensional Requirements) of the Zoning Bylaw) | Required Setback Current Zoning Bylaw |  | Existing <br> Setback | Proposed Setback | Variance Requested |
| :---: | :---: | :---: | :---: | :---: | :---: |
|  | Front yard | __feet | _feet | feet | feet |
|  | Side Yard | __feet | feet | ___feet | feet |
|  | Rear Yard | __feet | __feet | ___feet | $\ldots$ _feet |
|  | Other | (Describe) |  |  |  |

Variance - Section 6.3.7.7
(Signs) of the Zoning Bylaw
Appeal of Decision of the Building Commissioner/Zoning Enforcement Officer/Sign Officer

Attach description of and justification for variance.

Attach description of and justification for appeal.

## DESCRIPTION AND JUSTIFICATION FOR THE PROPOSED REQUEST:

Attach detailed description and justification for request.
Any additional maps, plans, photographs, deeds, or documents which the Applicant wishes to submit should be enclosed with each copy of this Application.

The undersigned hereby certify that the information on this Application 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.

## APPLICANT

| Date: August 7, 2023 |
| :--- |
| Name: |
| Jeffrey D. Smith, Trustee |

## OWNER'S KNOWLEDGE AND CONSENT

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


TRUST, CORPORATION OR COMPANY KNOWLEDGE AND CONSENT


[^0]

|  |  |  | $\overline{\Omega 0}$ |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 202 | EL6tL | SLLTO | $\forall W$ | MOIS |  |  | （1） |
| LII | 2t＜0t | s＜lto | vw | Mols |  |  | ronownva gyoivioju |
| 22 L | $0895 \varepsilon$ | s＜lı0 | $\forall \mathrm{W}$ | MOIS |  | W7311 ${ }^{\text {a }}$－ |  |
| LL5 | ${ }_{\text {r }}^{\text {¢ } 519}$ | SLLTO | VW | Mos |  |  | 「M3YON甘 XJIG9n3 |
| ITS |  | SLLLTO | ${ }_{* W}^{*}$ | MOIS |  | 7NN＊NOSYGanv |  |
| 625 | かなても | SLLT0 | ＊w | Mois | Oy वy४¢ | 1 INVOO NOSYBCNV |  |
| 788 | EzzIL | SLLIO | VW | Mols | वy व४४ | Ө7\％W W WHvajs | OIAVOT39ヤNLYUH |
| 2 zz | عL6tL | SLLT0 | ＊W | MoIs |  |  |  |
| O¢E | 2zzoを | SLLTO | VW | MOIS | $96 \times 0808$ |  | O N3YYVM NOSYGONV |
| 2 zz | EL6tL | SLLTO | $\forall W$ | MOIS | OVOy LV3y9 Est |  |  |
| 698 | 06002 | S＜＜0 | $\forall W$ | MOIS | OVOY |  |  |
| 961 <br> 955 | 920EL | SLLLO | $\forall W$ | mos | Oy Oy४ | S3at | НЈПษНЭ 708 ¢ |
| ${ }^{565}$ | TL06ז | 5＜LT0 | $\forall W$ | Mos |  | HIWS－LHOIM $V$ Sn |  |
| SLI | 00821 | s＜LTo | ＊W | MOLS |  | NOISSIWWOS NOILVA ${ }^{\text {a }}$ SNOS | MOLS SO NMOL |
| $\begin{array}{\|l\|} \hline \begin{array}{l} \text { 3vivd } \\ \text { a3ac } \end{array} \\ \hline \end{array}$ | $\begin{array}{\|l\|} \hline \text { yоооя } \\ \text { аээа } \\ \hline \end{array}$ | $3002$ | 3ivis | แว | Ssyuaor 9nnivw | z 3wvo żnmo |  |

## Middlesex South Registry of Deeds

## Electronically Recorded Document

This is the first page of the document - Do not remove

## Recording Information

| Document Number | $: 100665$ |
| :--- | :--- |
| Document Type | : DEED |
| Recorded Date | $:$ June 26, 2020 |
| Recorded Time | $: 10: 09: 30$ AM |
|  |  |
| Recorded Book and Page | $: 74973 / 207$ |
| Number of Pages(including cover sheet) | $: 3$ |
| Receipt Number | $: 2480649$ |
| Recording Fee (including excise) | $: \$ 839.00$ |
|  |  |
| ************************************************ |  |
| MASSACHUSETTS EXCISE TAX |  |
| Southern Middlesex District ROD \# 001 |  |
| Date: 06/26/2020 10:09 AM |  |
| Ctrl\# 319679 05262 Doc\# 00100665 |  |
| Fee: \$684.00 Cons: \$150,000.00 |  |
| $* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * ~$ |  |

Middlesex South Registry of Deeds Maria C. Curtatone, Register<br>208 Cambridge Street<br>Cambridge, MA 02141<br>617-679-6300<br>www.middlesexsouthregistry.com

## QUITCLAIM DEED

We, PEDER O. FIELD and FAITH B. FIELD, being married to each other, of Stow, Massachusetts

For consideration paid and in full consideration of ONE HUNDRED FIFTY THOUSAND AND 00/100 ( $\$ 150,000.00$ ) DOLLARS,

Grant to JEFFREY D. SMITH, TRUSTEE OF THE METACOM REALTY TRUST $\mathbf{u} / \mathbf{d} / \mathbf{t}$ June 25, 2020, as evidenced by a Certificate of Trust pursuant to M.G.L. c. 184, §35, recorded with the Middlesex South District Registry of Deeds herewith, PO Box 331, Stow, MA 01775
with QUITCLAIM COVENANTS,
A parcel of land consisting of 11.34 acres $+/-$ and shown as Parcel $D$ on a plan dated February 17, 2020, entitled "Plan of Land on Great Road \& Packard Road in Stow, Massachusetts" prepared by Foresite Engineering and recorded with Middlesex South Registry of Deeds as Plan No. 413 of 2020.

Meaning and intending to convey a portion of the premises conveyed to the Peder O . Field and Faith B. Field dated August 11, 1976 recorded with the Middlesex South District Registry of Deeds in Book 13058, Page 328. Also being a portion the premises described in a deed conveyed to Faith B. Field dated July 30, 1969 recorded in Book 11718, Page 69.

The premises being conveyed are not homestead property of the Grantors.

WITNESS our hands and seals this $25^{112}$ day of June, 2020.


## COMMONWEALTH OF MASSACHUSETTS

## Middlesex, ss.

On this $25^{\text {th }}$ day of June, 2020, before me, the undersigned notary public, personally appeared Peder O. Field and Faith B. Field, proved to me through satisfactory evidence of identification which were MSS Duvets censes , to be the person whose name is signed on the preceding or attached document and acknowledged to me that they signed it voluntarily for its stated purpose as their free act and deed.


Notary Public:
My Commission Expires:




## Shoreham



Specs

- Floors:
- Bedrooms: 3
- Bathrooms: 3+
- Sq. Feet: 2240


28'x40' - 1120SF





[^0]:    Appendix 1 - Zoning Board of Appeals Application
    Adopted: 05/03/21
    Effective 06/07/21

