

16 Gleasondale Rd., Suite 1-1 Stow, Massachusetts 01775 Phone: (978) 461-2350 Fax: (978) 841-4102 www.foresite1.com

ZBA SPECIAL PERMIT APPLICATION

LOT 3 PACKARD ROAD MAP R-17 PARCEL 20D

PREPARED FOR: THE METACOM REALTY TRUST

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PROJECT NARRATIVE LOT 3 PACKARD ROAD, STOW 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 non-conforming 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 single-family 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-ft x 24-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-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-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 on-site 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 sf, well under the 32,000 sq.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:

□ SPECIAL PERMIT □ DIMENSIONAL VARIANCE □ SIGN 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.

Received and Filed with Town Cle	erk
Date	
Stow 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	PHONE #
Jeffrey D. Smith, Trustee, Metacom Realty Trust	(978) 857-8919
	EMAIL:
	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 PARCE	EL 20D)
,	,
AREA OF SITE 2.77 AC sq. ft./acres	FRONTAGE 184.69 linear feet
ZONING DISTRICT	TOWN OF STOW ASSESSOR'S
RESIDENTIAL	MAP Number(s) R-17 Parcel Number(s) 20D
	\
SOUTH MIDDLESEX REGISTRY OF DEEDS BOOK AN	ND PAGE NO.(s): BK 74973 PG 207
	· ,
or LAND COURT CERTIFICATE OF TITLE NO.(s): NA	
.,	
PROPERTY OWNER(S) NAME	PHONE NO. <u>(978) 857-8919</u>
Jeffrey D. Smith, Trustee, Metacom Realty Trust	EMAIL jsmith@hhwarreninsurance.com
APPLICATION FEE MADE PAYABLE TO	
TOWN OF STOW	\$250.00 PLUS \$2.00 FOR EACH LISTED ABUTTER
\$250 + (15 abut x \$2) = \$280.00	
Ψ=0 · (10 π5π π μ=)	

Appendix 1 - Zoning Board of Appeals Application

Adopted: 05/03/21 Effective 06/07/21

TYPE OF APPLICATION

☐ Special Permi	t Check the	appropriate box	(below		
	☐ Section	n 3.2.2 of the Zo	ning Bylaw (Resi	dential District Use)	
	☐ Section	n 3.3.3 of the Zo	ning Bylaw (Busi	ness District Use)	
				onforming Use or St n-conforming vacant	
	☐ Section	n 4.1.3 of the Zo	ning Bylaw (Two	or more dwelling ho	uses)
	☐ Section	n 4.1.4 of the Zo	ning Bylaw (Floo	dplain)	
		n 4.1.6 of the Zo		le Family dwelling o	n non-conforming
			ng Bylaw (Table on a non-conformity	of Dimensional Requ /.	uirements) for
	☐ Section Error)	5.1.1.7 of the Z	oning Bylaw (Flo	odplain Overlay Dist	trict – Mapping
	☐ Other				
☐ Variance (Section 4.4 (Dimensional Requirements) of the Zoning Bylaw)		d Setback – Zoning Bylaw	Existing Setback	Proposed Setback	Variance Requested
,	Front yard	feet	feet	feet	feet
	Side Yard	feet	feet	feet	feet
	Rear Yard	feet	feet	feet	feet
	Other	(Describe)			
☐ Variance – Se (Signs) of the	ection 6.3.7.7 Zoning Bylaw		description of and	d justification for vari	ance.
	cision of the missioner/Zon Officer/Sign O	ing	description of and	d justification for app	eal.

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

Signature D. S. M. Mistry

OWNER'S KNOWLEDGE AND CONSENT

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

Date: August 7, 2023

Name:
Jeffrey D. Smith, Trustee

Signature

Name:
Jeffrey D. Smith, Trustee

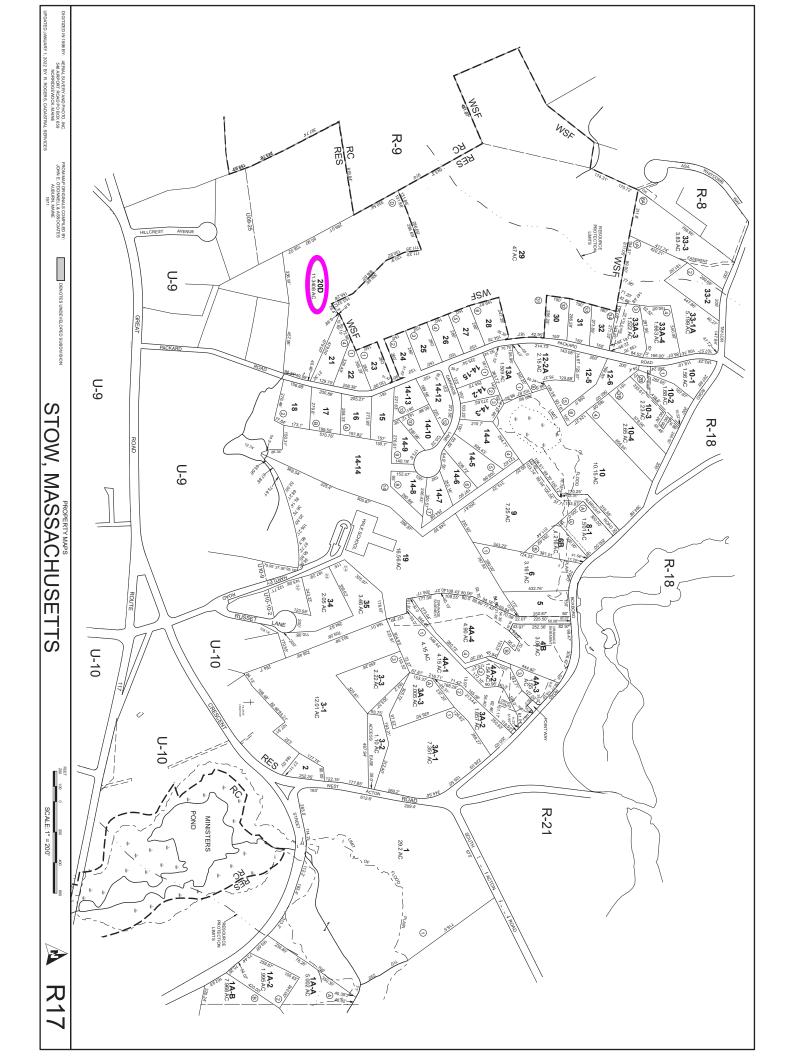
TRUST, CORPORATION OR COMPANY KNOWLEDGE AND CONSENT

Date: August 7, 2023

Name:
Jeffrey D. Smith, Trustee

Signature

77554



ABUTTERS LIST Packard Road MAP R-17 PARCEL 20D

Page 1 of 1

207	74973	01775	MA	STOW	23 HILLCREST AVE	THE METACOM REALTY TRUST	SMITH, JEFFREY D. (TRUSTEE)	0 GREAT RD	00R-17 00020D
117	10742	01775	MA	STOW	96 PACKARD RD	TR CACCIATORE REALTY TRUST	CACCIATORE RAYMOND J	0 PACKARD RD	00R-17 000029
122	35680	01775	MA	STOW	66 PACKARD ROAD	BARRETT DANIEL M	BARRETT ELIZABETH A	66 PACKARD RD	00R-17 000023
577	61581	01775	MA	STOW	54 PACKARD RD	BENEDICK ERICA D	BENEDICK ANDREW J	54 PACKARD RD	00R-17 000022
511	43747	01775	MA	STOW	101 PACKARD RD		SONNICHSEN DOROTHY G	0 PACKARD RD	00R-17 000021
330	30222	01775	MA	STOW	PO BOX 46	ANDERSON ANN L	ANDERSON WARREN D	41 PACKARD RD	00R-17 000018
529	44214	01775	MA	STOW	45 PACKARD RD	ANDERSON JOANN T	ANDERSON ERIC A	45 PACKARD RD	00R-17 000017
484	71223	01775	MA	STOW	53 PACKARD RD	SERAFIM AMALIA	HARTNAGEL DAVID	53 PACKARD RD	00R-17 000016
242	74973	01775	MA	STOW	453 GREAT RD		DEBORAH A. WOODS AND THOMAS E. RYAN I	0 PACKARD RD	000U-9 0033-2
330	30222	01775	MA	STOW	PO BOX 46	ANDERSON ANN L	ANDERSON WARREN D	0 PACKARD RD	000U-9 00036B
242	74973	01775	MA	STOW	453 GREAT ROAD		DEBORAH A. WOODS AND THOMAS E. RYAN,	0 PACKARD RD	000U-9 00031C
369	70490	01775	MA	STOW	29 PACKARD ROAD	HAMBLIN, MICHAEL W AND MARY A TTEES	HAMBLIN, MICHAEL W & MARY A HAMBLIN THAMBLIN, MICHAEL W AND MARY A TTEES	29 PACKARD RD	0000-9 000036
196	73076	01775	MA	STOW	37 PACKARD RD		CAROL EHRLICH	37 PACKARD RD	0000-9 000035
565	67542	01775	MA	STOW	36 PACKARD RD	ANGELIDES GREGORY M	ANGELIDES TESSA	36 PACKARD RD	000U-9 000034
594	19071	01775	MA	STOW	PO BOX 331	LISA WEIGHT-SMITH	SMITH JEFFREY D	23 HILLCREST AV	0000-9 000025
175	12800	01775	MA	STOW	380 GREAT RD	CONSERVATION COMMISSION	TOWN OF STOW	O HARVARD/TAYLOR RDS	000R-9 000080
DEED PAGE	DEED	E CODE	STATE	СПҮ	MAILING ADDRESS	OWNER NAME 2	OWNER NAME 1	PROPERTY LOCATION	MAP/PARCEL

Certified by the Stow Board of Assessors:

Stuart Carter, MAA

Date Certified or Re-Certified:

Bk: 74973 Pg: 207

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 208 Cambridge Street Cambridge, MA 02141 617-679-6300 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 u/d/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.

Bk: 74973 Pg: 209

WITNESS our hands and seals this 25th day of June, 2020.

Faith B. Fiel

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

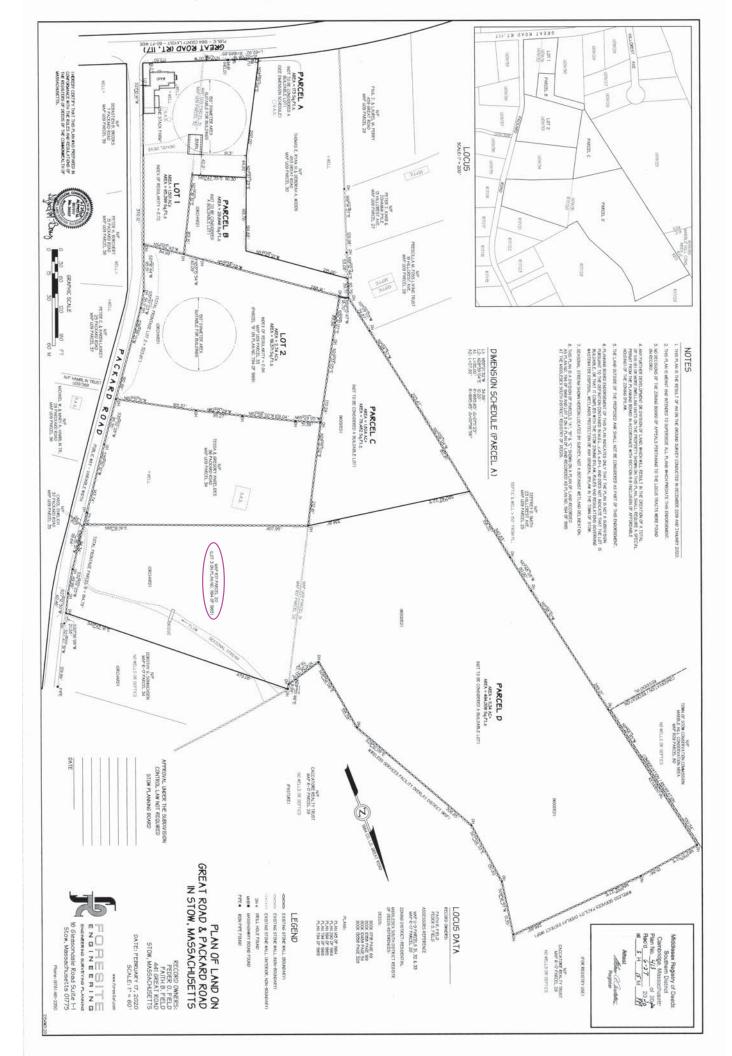
On this 25th day of June, 2020, before me, the undersigned notary public, personally appeared Peder O. Field and Faith B. Field, proved to me through satisfactory evidence of identification which were <u>INFO DAVICE</u>, to be the person whose name is signed on the preceding or attached document and acknowledged to me that they signed it voluntarily for its stated purpose as their free act and deed.

Notary Public:

My Commission Expires:

TREVOR A. HAYDON, JR.
Notary Public
Commonwealth of Massachusetts
My Commission Expires
September 3, 2021

-To Greatin 12+18M D.H. Formerly Road Plan Number 11194 1965
Rec'd St. PT. 22 1965 at 11 155 m A m
With DEED Doc. No. 141
ETHEL A. HERRICK
ROBERT A. FISHER ETUX
Recorded, Book 10936 Page 149 Middlesex Registry of Deeds, So. Dist.
CAMBRIDGE MASS.
lan Number 1194 of 1965 B 2.77t Acres 20,741±S.F. Luxunger Walter DACKARD 073 -69'PB/-BY P. me 6.00 N29-02-12E \$32-38-99 0 40.45 0 REGISTER ≤ ¿¿çe OWIS Naporal es Ocial DOAO 56,638±S.F. \$28°-57-30"W (1.30tAcres) 15100-0 7 4 6 Boxboroughpipe HIJBUUJOJ "E Ben Control LAW no et ux Approval under Date: 370fei3363 Stow Planning Board Harlan E. Tuttle, Surveyor Scale linch=40fee. August9,1965 Ethe Plan of Land in STOW, MASS Owned by A. Herrick the Subdivision COMILEC 14,5 21,75





Shoreham



Specs

• Floors:

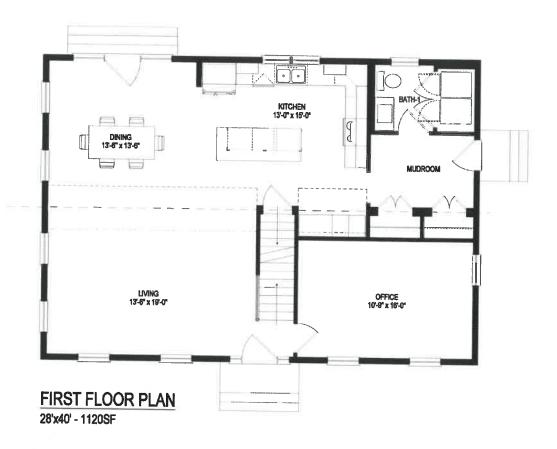
• Bedrooms: 3

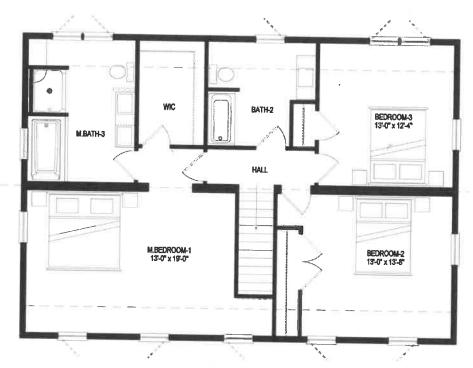
• Bathrooms: 3+

• Sq. Feet: 2240









SECOND FLOOR PLAN

28'x40' - 1120SF

