



Town of Stow Conservation Commission

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TO: Zoning Board of Appeals
FROM: Kathy Sferra, Stow Conservation Director K S
On Behalf of the Stow Conservation Commission
CC: Mark O'Hagan
RE: Residences at Stow Acres Comments
DATE: January 17, 2024

The Stow Conservation Commission voted at its meeting on January 16, 2024 to send the following preliminary comments to the Zoning Board of Appeals with regard to the proposed 40B applications at the Stow Acres North Course.

As members of the ZBA are aware, the Town has been working with Stow Acres and with MCO & Associates for nearly four years to create and implement a collaborative vision for conservation, recreation, and housing for Stow Acres. As part of this process, a detailed assessment occurred of the most appropriate locations for housing development on the larger 350+ acre property and the location of the proposed development is the area that was deemed most suitable for housing development. The town has voted overwhelmingly – on two occasions – to set aside the remainder of the land at Stow Acres for continuing golf and for municipal conservation and recreation purposes. While those elements have moved forward more quickly than the proposed 40B development that is now before you, we want to reiterate the importance of the housing aspect of the plan in the overall community support for this project. Notably, this was not the area or the type of development that MCO & Associates *originally* wanted to pursue on the site when they began initial discussions with Stow Acres – but they were willing to roll up their sleeves and engage with Town officials to design and build the type of development that the community wanted to see. Obviously, there will be site issues to be addressed through the review process, but we would ask that the ZBA keep in mind that is not only a “friendly” 40B, but one that has been fully designed in partnership with the Town and has enabled the other elements of the vision to move forward.

The Commission has already been involved with several permit issues on the project site. On January 25, 2023, the Commission issued an Order of Conditions for the development of water supply wells at the rear of the property near Elizabeth Brook. Previously, on January 25, 2022, the Commission issued an Order of Resource Area Delineation for the site confirming the boundaries of wetlands on the property. This ORAD is binding on the Town and on the applicant for a period of three years – meaning that the boundaries of the wetlands on site are fixed for the purposes of this application. Copies of both approvals are attached. Please note that there are several areas where resource areas were not identified and which we would expect would be reviewed as part of the application, including the boundaries of floodplain on the lot.

The applicant is requesting that the ZBA waive compliance with the provisions in the Stow Local Wetlands Bylaw and Regulations with regard to the proposed project. If granted, this means that the Commission would review and approve the project solely under the requirements of the Massachusetts Wetlands Protection Act and associated regulations. The Bylaw is more stringent than the Act, particularly with regard to the requirement for a 35' buffer to wetlands, so the ZBA is being asked to waive these more stringent requirements given the public interest in providing affordable housing the site. The Commission's review generally encompasses wetland impacts, erosion and sediment control, and stormwater management. **We would like to request that you set aside one of your hearing sessions for a discussion of wetlands-related issues with members and staff of the Conservation Commission. At that time, we would like to collaborate with you on review of those elements of the projects that relate to wetlands issues and perhaps agree on some recommended conditions. We would expect to provide you with more detailed site-specific comments with regard to areas of concern at that time.**

Thank you and we look forward to working with you on the review of this project. Please let me know if you have any questions.