

PLANNING BOARD

2004 Annual Report

A five-member elected board with one appointed associate voting member, the Planning Board has specific statutory requirements. The Board reviews and approves the division of land under the State Subdivision Control Law (MGL c. 41) and the Stow Subdivision Rules and Regulations; serves as a special permit granting authority under the State Zoning Act (MGL c. 40A) and the Stow Zoning Bylaw; and guides the process of Zoning Bylaw amendments under the State Zoning Act (MGL c. 40A).

Under State Law, the Board is charged with the responsibility of protecting the health, safety and welfare of Stow's residents. Guided by the Massachusetts General Laws, the Stow Zoning Bylaw, the 1996 Stow Master Plan, and citizens' comments and concerns, the Board strives to preserve and enhance the integrity of Stow's character through the use of these regulatory tools, while safeguarding property owners' rights. We recommend and specify changes to development proposals to achieve these goals. Board members and staff strive to work with both applicants and residents to help shape projects so as to minimize impact to the community.

At the annual election, Laura Spear was elected to a 5-year term. Following the election, the Board elected Bruce Fletcher to serve as Chairman, Don McPherson as Vice-Chairman and Ernie Dodd as Clerk. Kathleen Willis was appointed as the Voting Associate Member. The Associate Member's voting power is limited to special permit applications, in the case of absence, inability to act or conflict of interest on the part of any member of the Planning Board or in the event of a vacancy on the Board. Donna Jacobs and Ruth Kennedy were appointed as Non-Voting Associate Members. Malcolm FitzPatrick and Karen Kelleher were designated to endorse ANR Plans (Subdivision Approval Not Required). The Board's representatives on the Community Preservation Committee were Laura Spear and Bruce Fletcher. The Board's representative on the Master Plan Committee was Ernie Dodd. The Board's representative on the Metropolitan Area Planning Council was Donna Jacobs.

Development Plans:

In 2004, the Planning Board met with developers and discussed the potential for 53 new detached, single-family dwellings, 3 accessory apartments and 66 Active Adult Neighborhood units. Plans reviewed by the Board and/or Public Hearings held included the following:

Eight (8) ANR (**A**pproval under the Subdivision Control Law **N**ot **R**equired) plans creating eight (8) new building lots:

1. Boon Road – creating 1 new building lot
2. Barton Road – creating 3 new building lots
3. Off Boxboro Road and Taylor Road – lot line adjustment
4. White Pond Road – creating 1 new building lot
5. Randall Road – lot line adjustments
6. Harvard Road – creating 1 new building lot
7. White Pond Road – lot line adjustment
8. Red Acre Road – creating 2 new building lots

Three (3) Subdivision Plans comprising forty-five (45) lots:

1. Derby Woods, located off of Harvard Road and Dunster Drive – 33-lot Planned Conservation Development Subdivision, approved January 24, 2004
2. Taylor Road Planned Conservation Development Plan – 6 lots under review

3. Meadow Brook Estates (Micky's Way), located off of Harvard Road – 6-lot Planned Conservation Development subdivision under review

Three (3) Special Permit and/or Site Plan Approval Plans comprising 3 units:

1. Accessory Apartment, located on West Acton Road - approved
3. Accessory Apartment, located on Bradley Lane - approved
4. Accessory Apartment on Old Bolton Road - approved
5. A 2,052 square foot addition to the existing Butternut Farm Golf Country Club clubhouse - approved
6. A new parking area for the existing Butternut Farm Golf Country Club clubhouse - under review
7. A new 66-unit Active Adult Neighborhood off of Hudson Road - conceptual plan review

Fees Collected:

Expenses incurred for processing these applications are offset by fees collected:

Special Permit Fees:	\$ 875.00
Subdivision Fees:	1,828.00
ANR Fees:	3,250.00
Misc. Copy Fees:	<u>5,250.00</u>
2004 Total Fees Collected:	\$11,203.00

Development Inspections:

With the assistance of the Board's Consulting Engineer, Susan C. Sullivan, P. E., the Board monitored ongoing construction of seven (7) Subdivisions and two (2) Special Permits:

1. Country Club Estates (Fairway Drive), a 7-lot subdivision, located off of Edson Street
2. Wildlife Woods, a 67-lot subdivision, located off of Sudbury Road
3. Pilot Point, a 4-lot subdivision, located off of Boxboro Road
4. Red Fox Run (Cranberry Circle), a 5-lot subdivision, located off of Hudson Road
5. Orchard View (Brandymeade Circle) a 12-lot subdivision, located off of West Acton Road
6. Marble Hill, a 3-lot subdivision, located off of Taylor Road
7. Meadowbrook (Trefry Lane), a 17-lot subdivision, located off of Boxboro Road
8. Faxon Farm Assisted Living Residence and Office Building Special Permit
9. Bose Special Permit, elimination of the Old Bolton Road entrance and construction of a new access road and traffic light on Route 117

The Board continued to work closely with:

- The Zoning Enforcement Officer (the Building Commissioner) and the Board's Consulting Engineer in addressing zoning violations on Special Permit and Subdivision developments.
- The Zoning Board of Appeals on the 96-unit Comprehensive Permit (The Villages at Stow) off of Great Road.
- The School Building Committee, providing input on sites under consideration for expansion of existing schools or construction of a new school.

Zoning Bylaw Amendments:

The following Zoning Bylaw amendments were brought forth to Town Meeting by the Board and were unanimously adopted:

- A housekeeping amendment intended to encourage the use of common driveways.
- A reduction in the lot area requirement for multi-family dwellings in an effort to encourage more affordable housing, while still meeting health and safety requirements.

- A housekeeping amendment to give the Planning Board more flexibility in identifying where walkways should be located in developments subject to a Special Permit.
- A Zoning Map amendment to address citizens' concerns, stated at the October 2003 Special Town Meeting, by rezoning a portion of a Business zoned property on Great Road to Industrial, consistent with the zoning for the remainder of this split-zoned parcel.
- A Zoning Map Amendment to rezone the residentially-zoned portions of 2 parcels of land on Great Road in Lower Village to Business, so that each parcel is zoned entirely as Business, allowing for more flexibility in site planning and encourage re-development in a manner consistent with existing uses, and recommendations of the Lower Village Committee, a sub-committee of the Planning Board.

Street Acceptance:

The following Streets were brought to Town Meeting for Acceptance:

- Brandymeade Circle – accepted, contingent upon completion of outstanding items, which were not met
- Cardinal Court – accepted
- Cricket Court – accepted
- Fox Court – accepted
- Indian Ridge Road – accepted, contingent upon completion of outstanding items, which were not met
- Lanes End - accepted
- Robinwood Lane - accepted
- Salamander Lane - accepted
- Wildlife Way - accepted
- Woodpecker Court- accepted

Litigation:

The Planning Board continued to work closely with Town Counsel in the ongoing litigation on a bond for completion of the Whispering Woods (Kettell Plain Road) Subdivision.

Planning Efforts:

The Board's work plan also included efforts to maintain Stow's rural character, Lower Village planning, pathways/sidewalk planning, assessment of the Town's future land needs, the potential need for a public water supply in Lower Village, updating Rules and Regulations and Zoning Bylaws, light pollution, and affordable housing.

With the Town of Bedford, the Board filed a joint Priority Development Fund grant application for assistance in drafting Mixed Use - Village Zoning District bylaws, intended to promote the development of affordable and market rate housing through the use of village zoning bylaws that will create two village zoning districts (Lower Village and Gleasondale).

The Board released a Request for Proposals to conduct a Traffic Planning Study for the Lower Village to: evaluate existing vehicular, pedestrian and bicycle transportation conflicts; project future changes in traffic patterns as a result of future build-out; evaluate existing proposals to solve specific problems; and identify and define potential improvements to vehicular, pedestrian and bicycle transportation conflicts, solutions and suggested actions that are in harmony with the Town's goal to enhance the Lower Village as the vital business center of our community, focusing on creating an identity for our historic Lower Village, consistent with the rural character of Stow.

The Board was pleased to hold its first of a series of Planning Summits. The Summit was well attended with representation from many Town boards and committees. Those in attendance agreed upon a list of priority issues, and follow-up assignments were made:

1. West Stow Planning (Planning Board and Master Plan Committee)
2. Affordable Housing (Housing Authority and Master Plan Committee to make a recommendation to the Board of Selectmen)
3. Municipal Planning (to be determined)
4. Concentrated Development (Planning Board)

The Board thanks the following subcommittee members for their ongoing efforts:

Lower Village Planning Committee: Chairman Don McPherson, Bruce Fletcher, Karen Gray, John Hoenshell, Karen Kelleher, Lucille King, Barbara Sipler, Laura Spear and Russ Willis; and Associate Members Tom Farnsworth and T. L. Neff.

Light Pollution Sub-Committee: Russ Willis, Bill Chiariaro and Greg Troxel.

The Light Pollution Subcommittee researched and began drafting proposed bylaw changes. The committee provided language for mitigating conditions for Special Permits, generally providing that exterior lighting be full cutoff design. The Sub-Committee drafted an open letter to businesses for publication in local newspapers that pointed out lighting-related aspects of the current sign bylaw, including the restriction that signs may not be lit from 9 p.m. to 5 a.m. unless the business is open and that that sign lighting may shine only on the sign and the ground or buildings on the same lot as the sign - not into the sky, onto other properties or onto roads.

The Board is committed to keeping an open line of communication with other Stow Town Boards, Committees, Departments, the general public, and area towns. We are working with the Web Site Committee in creating a Planning Board Page to include meeting agendas, minutes, news items and a list of Frequently Asked Questions.

None of the planning efforts would be possible without the enormous contributions by Stow residents, who serve as volunteers on the boards and committees and Town staff. It is a pleasure to continue working with all of you.

Our very capable professional consultants were Susan Sullivan of David E. Ross Associates, Inc., Town Counsel Jon Witten and Patty Daley of Daley and Witten, LLC.

As can be seen by this report, the Board had another busy year, but this amount of work would never have been possible without the tireless and competent efforts of Karen Kelleher and Lois Costello, who not only work hard for the Board, but also for the general public with whom they interact on a daily basis.

Bruce E. Fletcher, Chairman
Malcolm S. FitzPatrick
Laura Spear
Donna Jacobs, Associate
Karen Kelleher, Planning Coordinator

Donald G. McPherson, Vice Chairman
Ernest E. Dodd, Clerk
Kathleen Willis, Voting Associate
Ruth Kennedy, Associate
Lois Costello, Office Assistant