

TOWN OF STOW PLANNING BOARD

Minutes of the May 16, 2006, Planning Board Meeting.

Present: Planning Board Members: Ernest E. Dodd, Malcolm S. FitzPatrick, Laura Spear, Kathleen Willis and Leonard Golder

Planning Coordinator: Karen Kelleher

The Meeting was called to order at 7:35 PM.

ELECTION OF OFFICERS:

Chairman

Kathleen Willis moved to nominate Ernie Dodd as Chairman. The motion was seconded by Laura Spear and carried by a vote of four in favor (Malcolm FitzPatrick, Laura Spear, Kathleen Willis and Leonard Golder) and one abstention (Ernie Dodd).

Vice Chairman

Kathleen Willis moved to nominate Laura Spear as Vice Chairman. The motion was seconded by Malcolm FitzPatrick and carried by a vote of four in favor (Ernie Dodd, Malcolm FitzPatrick, Kathleen Willis and Leonard Golder) and one abstention (Laura Spear).

Clerk

Malcolm FitzPatrick moved to nominate Lenny Golder as Clerk. Lenny Golder refused the nomination. There was no second to Malcolm FitzPatrick's motion. Laura Spear moved to nominate Kathleen Willis as Clerk. The motion was seconded by Lenny Golder and carried by a vote of four in favor (Ernie Dodd, Malcolm FitzPatrick, Laura Spear and Leonard Golder) and one abstention (Kathleen Willis).

ANR Plan Endorsement

Laura Spear moved to authorize Malcolm FitzPatrick and Karen Kelleher to endorse ANR Plans. The motion was seconded by Kathleen and carried by a unanimous vote of five members present (Ernie Dodd, Malcolm FitzPatrick, Laura Spear, Kathleen Willis and Leonard Golder).

PLANNING BOARD REPRESENTATIVES

Members agreed to Malcolm FitzPatrick's suggestion that the Planning Board set policy for Planning Board designees to convey to various committees.

Community Preservation Committee Designee

Ernie Dodd moved to nominate Laura Spear as the Planning Board's Community Preservation Committee Designee. The motion was seconded by Lenny Golder and carried by a vote of four in favor (Ernie Dodd, Malcolm FitzPatrick, Kathleen Willis and Leonard Golder) and one abstention (Laura Spear).

Master Plan Committee Designee

Malcolm FitzPatrick moved to nominate Ernie Dodd as the Master Plan Committee Designee. The motion was seconded by Laura Spear and carried by a vote of four in

favor (Malcolm FitzPatrick, Laura Spear, Kathleen Willis and Leonard Golder) and one abstention (Ernie Dodd).

School Building Task Force

Kathleen Willis moved to nominate Ernie Dodd as the School Building Task Force Designee. The motion was seconded by Lenny Golder and carried by a vote of four in favor (Malcolm FitzPatrick, Laura Spear, Kathleen Willis and Leonard Golder) and one abstention (Ernie Dodd).

OPEN MEETING LAW WORKSHOP

Ernie Dodd urged all members to attend the Open Meeting Law Workshop scheduled for May 31, 2006 at 7:00 PM.

HOUSING PARTNERSHIP

Mike Kopczynski, Eric Bachtell, Margie Lynch and Suzanne Morin of the Housing Partnership met with the Board to discuss common goals.

Mike Kopczynski noted that the Housing Partnership intends to meet with the various committees that deal with housing (Planning Board, Zoning Board of Appeals, Community Preservation Committee and Housing Authority) to see that all are roughly on the same page.

Kathleen Willis asked Mike Kopczynski to give a synopsis of the Housing Partnership. Mike Kopczynski explained that the Board of Selectmen created the Housing Partnership in 2005 to:

- 1) Develop an affordable housing action plan for the Town;
- 2) Review and negotiate with developers on housing proposals, prior to their formal submission to Town boards;
- 3) Identify local, state, and federal resources to further housing development; and
- 4) Increase public awareness of Stow's housing needs.

Eric Bachtell said the Housing Partnership is interested in creating diversity in housing, addressing Middle Income (up to 120% of median income) as well as Affordable Housing needs as defined by the State (up to 80% of Median Income). Their mission is to help create affordable housing.

Mike Kopczynski said they would like to know how they can coordinate efforts and function in support of Planning Board efforts. Margie Lynch said she is hopeful that by the mere presence of the Housing Partnership, a developer will be willing to work with them and suggested that the Planning Board encourage developers to meet with the Housing Partnership before making a formal application. Karen Kelleher suggested that the Housing Partnership be added to the Board's distribution list for input on new housing plans.

Laura Spear noted that the Planning Board and the Housing Partnership have consistent goals to create affordable housing. She noted that the Planning Board would like to ensure that affordable housing is integrated throughout town and not built all in one location. Eric Bachtell said that Stow's bylaws that require 1-½ acre minimum lot sizes may be inconsistent with the goal to create affordable housing. Ernie Dodd noted the fact that Stow is on private septic, and water dictates lot size.

Malcolm FitzPatrick noted that the Inclusionary Affordable Housing Bylaw was a step in the right direction. However, he is not happy with the cluster bylaw because it doesn't allow for imagination in site planning. He feels the following issues should be addressed:

- 1- The Affordable units should be of the same quality and size as the market units, inside and out.
- 2- The Developers should be encouraged to build units rather than making a cash donation.
- 3- The Permit Granting Authority should negotiate harder with developers. He noted that the Town had a Housing Partnership in the 1980s and found they had no recognition from the Zoning Board of Appeals.
- 4- The Town needs oversight on advertising for a change in use from ownership to rental and also to ensure creation of affordable units.

Eric Bachtell said the Housing Partnership met with Habitech and the Zoning Board of appeals to review the marketing plan for the Villages at Stow and had them make changes. Other than that, he has not seen any marketing materials for the Villages at Stow.

Mike Kopczynski said they met with Bob Barrell who explained that Stow's affordable housing plan is not his main focus. He works mainly for the Town of Hudson and the Housing Authority meets only four times a year.

Eric Bachtell said Stow has the tools in place. However, it has been 14 years since Stow created new affordable units. He noted that Villages at Stow will add 24 units and some AAN affordable units will be constructed. He would rather see units constructed.

Laura Spear said the problem is the cost of land, and clearly we need land to create units. Eric Bachtell said that the Town could use Affordable Housing funds to purchase land and develop a 40B with greater density for affordable housing.

Laura Spear noted that the Board is also looking at a mixed-use bylaw that will help toward housing diversity. Mike Kopczynski asked if Village Zoning is similar to Chapter 40R. Laura Spear said Village Zoning is separate from 40R and noted that it is difficult working with DHCD. The Community Preservation Committee has been working for a long time on an Affordable Restriction Program and has not yet received approval. Karen Kelleher said she attended the same workshop in Bolton as Mike Kopczynski did and came away with a different observation than Mike did. Karen noted that the density requirements in 40R are not feasible for communities such as Stow. Mike Kopczynski said he had a conversation after the meeting and was led to believe that communities that do not have water and sewer or public transportation would be eligible for waivers.

Karen Kelleher reported that MAPC will be working with legislators to write a 40R-like law for communities like Stow.

Members discussed the possibility of creating a Transfer of Development Rights (TDR) Bylaw. It was noted that many communities have a TDR on the books; however, it is seldom used. Karen Kelleher noted that we discussed building a requirement for TDR into the Village Zoning Bylaw and were told by Mark Raccicot that we would have to offer a higher density in order to make it work.

Malcolm FitzPatrick noted that people still want 1½ -acre lots. Lenny Golder noted that small-scale developments add children, but not necessarily cost, noting that one additional child does not require a new classroom or a new teacher. He noted it gets more costly in the long term.

Laura Spear noted the issues are more than financial. Traffic and environmental issues are also a concern. Lenny Golder said most of Stow's traffic generation is from traffic coming from and going through town.

Ernie Dodd said we also need to think about Stow's elderly and not forcing them out of Town, noting that many are not eligible for affordable housing because of their assets.

Kathleen Willis asked if the Housing Partnership has any thoughts on how Affordable Housing Funds can be used. Eric Bachtell said they would like to do a survey of municipal owned lands. He said the least expensive way to build is if we can find land. They are hoping that the Community Preservation Committee can help.

Mike Kopczynski suggested than an option for TDR could be to transfer rights onto municipal owned land.

Malcolm FitzPatrick said he feels that Accessory Apartments should be by Special Permit and should have an affordable restriction.

Ernie Dodd noted that Stow is really lacking in rental units and also on the low end of affordable units. It was noted that all of the affordable units at the Villages at Stow are 3-bedroom units.

Laura Spear asked Mike Kopczynski if they ever got the names of friendly 40B developers from DHCD as they (DHCD) promised. Mike responded no, they have not.

Kathleen Willis said she feels it is important to not have large-scale developments with affordable units concentrated in one place.

Karen Kelleher noted that Elm Ridge Road is a good example of a 40B development. Eric Bachtell agreed and said there is a misconception on what an affordable housing development really is.

Mike Kopczynski said they plan to meet with other Boards and Committees.

Malcolm FitzPatrick said he would like to see general guidelines for the Town on affordable housing. Laura Spear suggested that the Selectmen came up with a policy on 40B developments in the past.

Kathleen Willis said she would like to hear back from the Housing Partnership after they meet with other Boards and Committees. Karen Kelleher suggested that a Joint Boards' meeting be scheduled after the Housing Partnership completes their meetings with the various Boards.

Ernie Dodd said he would like to keep density so that build out is as neutral as possible. He thinks that the Village Zoning Bylaws will not pass town meeting, if it is not development-neutral.

Lenny Golder said we need to look at a distinction between income range and assets.

Malcolm FitzPatrick asked if the Community Preservation Committee can subsidize income levels. Laura responded her understanding was that CPC funds must be used to create new affordable units in perpetuity and cannot be used to make existing affordable units more affordable.

STOW HOUSE OF PIZZA SITE

Laura Spear said she stopped by a house off of Dudley Court and was surprised to see how bad the view of the Stow House of Pizza parking lot is. Members noted there is a need for the required landscaping to be completed.

MEETING SCHEDULE

Members agreed to meet at 7:00 PM rather than 7:30 PM.

SITE REPORTS

Members reviewed Malcolm FitzPatrick's site report on Trefry Lane, Derby Woods, Brandymead Circle and Cider Mill Road, dated May 16, 2006. Karen Kelleher said she forwarded it to Sue Sullivan and asked her to comment on it. Malcolm FitzPatrick said that all subdivision plans should have a general statement on how the drainage should function so that Board Members can understand when they view the site.

Karen Kelleher noted that Sue Sullivan's report on Derby Woods seemed to be the opposite of Malcolm FitzPatrick's observations. She also noted that Sue Sullivan noted that none of the drainage plans are designed for continuous rains.

SIGN BYLAW SUBCOMMITTEE

Karen Kelleher will ask Linear Retail (Shopping Center owners) and Rich Presti (owner of the former Erkkinen Property) to participate.

TOPICS FOR WORKING MEETING

Members agreed to discuss the following at the next working meeting:
Subdivision Rules – Continue review and schedule public hearing
General Bylaw Review – Street Acceptance and Erosion Control
Sidewalks – Establish a Sidewalk Committee

BUTTERNUT FARM

Karen Kelleher reported that she received a telephone call from Butternut Farm Country Club advising that all required work at the Maintenance Building is complete and requesting that the bond be released. Karen advised them that a site visit will be scheduled upon receipt of a request in writing.

The meeting adjourned at 10:00 PM.

Respectfully submitted,

Karen Kelleher
Planning Coordinator