

TOWN OF STOW PLANNING BOARD

Minutes of the April 18, 2006, Planning Board Meeting.

Present: Planning Board Members: Bruce E. Fletcher, Ernest E. Dodd, Laura Spear and Kathleen Willis

Planning Coordinator: Karen Kelleher

The Meeting was called to order at 7:30 PM.

MARCIA RASMUSSEN, CONCORD PLANNING DIRECTOR

Marcia Rasmussen, Concord Planning Director, met with the Board to discuss Concord's Cluster bylaws. Bruce Fletcher said it appears that Concord has several zoning options for cluster and open space developments and asked Marcia to explain the bylaws and what works and what doesn't work for them.

Marcia Rasmussen explained that up until 1973, Concord had a bylaw that allowed for apartments and with the sale of a farm, the Town chose to place a moratorium on apartments. A Housing Policy Sub-Committee was established in response to concerns about housing types; the high price range of housing, imbalance of housing for different age groups, and preservation of open space. This Committee came up with a Planned Residential Development (PRD) Bylaw, deleting the provision for apartments and tenement houses in the Business District and Garden Apartments in the Residence C District. The Bylaw did not have an affordability component. The bylaw was revised in the 1990s.

Residents did not want to increase population. A Transfer of Development Right (TDR) Bylaw is in place, but has never been used. Concord has 4 Residential Zoning Districts with lot area requirements of 10,000 sq. ft., 20,000 sq. ft., 40,000 sq. ft. and 80,000 sq. ft. Approximately 1/3 of the town is sewerred and they have no intention of providing more. Septic systems are not a problem because soils are mostly sand and gravel.

The Merriam Close Development is their most successful PRD. It is comprised of a mix of single family and multi-family dwellings. The units were moderately priced when first built and are now selling in the price range of \$600,000.00. The units are in condominium ownership.

Marcia explained they also have a Cluster Bylaw that is primarily used by the Housing Trust. They have a three-story, 19-unit brick condominium building at the Maynard/Acton/Concord line, near the Thoreau Club.

The Residential Compound bylaw was created to meet the needs of farmers. It is used to create large lots and allows farmers to create additional house lots on a farm. It has worked effectively in a couple of instances. The requirement is for a minimum of 200' of frontage on an existing public way and if you have 40 acres, you can have 5 lots served by a common driveway. A Land Trust who worked out an arrangement with a farmer for an Agricultural Preservation Restriction used this bylaw. Two Residential Compounds were developed (Monument Street near the Colonial Inn and Tanglewood Drive).

The Planned Residential Development (PRD) Bylaw includes a density bonus. Therefore, the Zoning Board of Appeals is the Permit Granting Authority.

The Residential Cluster Bylaw could be done with an Approval Not Required (ANR) plan. It provides the ability to configure lots to save existing homes by allowing access from adjacent land. This bylaw was used for a 42-acre former farm; creating units in the front. They didn't have to dig out the backland, which contained significant wetlands abutting Town land.

Bruce Fletcher asked how they control the size of units. Marcia explained that the approval includes architecture and size of the units with a restriction that they can't add on. Laura Spear asked if they can counter the need for larger footprint because of the profit margin. Marcia said they had instances where the Town approved a porch enclosure and conversion of a garage.

Marcia said they require 10% affordable for subdivisions greater than 4 lots. They encourage that the units be built on-site, however, in all cases, they end up contributing toward an affordable housing fund. Bruce Fletcher asked if they require the units count toward the 10% 40B requirement. Marcia said they look more at providing a range of housing. Marcia noted that they also require affordable housing in the business zone. If more than 6 units are proposed, they must provide 10% or at least 1 affordable unit(s).

Marcia Rasmussen said Concord is currently going through a building phase for elementary schools – three schools with 500 students each. Ernie Dodd said that Stow is working on the premise of no increase in density so that schools will not be impacted.

Stormwater Management – Marcia Rasmussen outlined Stormwater Management work in process:

- Working on NPDES Phase 2
- Amending Subdivision Rules
- Preparing educational brochures
- Adding criteria for site plan review
- Looking at LID techniques – Most designers say they have had success in this area.
- In standard subdivisions with private ways, maintenance of retention basins is left up to the homeowners

Senior Housing – Marcia Rasmussen said they don't have an AAN Bylaw, but they do have a Continuing Care Facility (N. E. Deaconess Association) that is currently being renovated. They also have a 32-unit affordable apartment building. Volunteers of America proposed an Assisted Living Development, which is not counted by the State towards Concord's 40B requirements. Members noted concern that many seniors don't meet the affordable eligibility requirements because they own a home, which is considered an asset.

Low Impact Development (LID) Techniques - Members discussed the fact that they want to encourage LID techniques. Marcia Rasmussen advised that they need to define and document what they want, such as: gardens; no berms; less impervious surface; bio retention areas; use of pervious materials for pathways; and dealing with stormwater management using grass swales instead of subsurface pipes.

SUBDIVISION RULES

Members discussed potential amendments to the Subdivision Rules and Regulations and agreed to the following:

Section 5 (Performance Guarantee) – Ernie Dodd suggested changes to be further discussed at the next working meeting.

Section 7.7.3 (Special Purpose Streets) – Amend to read as follows:

~~“Cul-de-Sac Single Access~~ Street (Dead End Streets) - A street with a single means of ingress and egress and having a turnaround. ~~Cul-de-sacs~~ Single access streets shall be designed according to anticipated ADT level.”

Section 7.8 (Table - Street Design Standards) –:

Change the reference “Cul-de-sac” to “Single Access Street”

Delete the row titled “Minimum Centerline Radius”

Change Minimum Road Crown from ¼”/ ft to 3/8”/ft.

Delete Footnote 1

Section 7.8.1.1 – Amend to read as follows:

“The approval of a rural lane shall be contingent upon the voluntary execution by the subdivider and binding upon his heirs, successors and assigns, of a covenant running to the Town that such rural lane shall not be presented to Town Meeting for acceptance nor be petitioned for the Town to provide maintenance. Said covenant shall be recorded by the Applicant in the Middlesex County Registry of Deeds, or filed with Land Court, as appropriate, and shall be cross referenced to each plan to which it pertains.”

Section 7.8.1.3 – Amend to read as follows;

~~“Rural lanes shall have a paved width of eighteen feet (18’), constructed with “Cape Cod Berms” on both sides.~~ Each side of the paved roadway shall have a three (3) foot wide packed gravel shoulder. The pavement and foundation of the roadway shall conform to the standards set forth in these Rules for residential streets.”

Section 7.8.2 – Amend to read as follows:

~~“Additional Standards for Cul-de-Sac Single Access Streets”~~

Section 7.8.2.2 – Amend to read as follows:

~~“Cul-de-Sac Single access~~ streets shall not exceed five hundred feet (500') in length (as measured from the point of intersection with existing street through the ~~cu-de-sac~~ turnaround) nor serve more than eight ~~(8?) Or 10?)~~ dwelling units. The Board may allow a ~~cul-de-sac~~ street terminated with a cul-de-sac to be extended to one thousand, five hundred feet (1,500') in length when the following additional terms and conditions are met. No waiver will be granted unless the following conditions are met, in which case the cul-de-sac street may be extended to one thousand, five hundred feet (1,500') in length.”

Members noted that the limitation on the number of lots (8) served by a Cul-de-sac is contradictory with Section 7.8.3.3. Members agreed to amend Section 7.8.2.2 by changing the reference cul-de-sac to single access street and inserting the words “ terminated with a cul-de-sac” to read as follows:

Section 7.8.2.2.a – Amend to read as follows:

~~“A minimum property line diameter of one hundred fifty feet (150’); a minimum pavement diameter of one hundred thirty two feet (132’); and a minimum inside pavement radius of forty feet (40’).”~~

Section 7.8.2.2.c – Amend to read as follows:

~~“The subdivider applicant shall provides a method of fire protection satisfactory to the Board with a covenant running with the land and binding upon his heirs, successors and assigns that for all dwelling units constructed on lots with frontage on the cul-de-sac shall be provided with a residential sprinkler system. “~~

Section 7.8.2.2.d – Amend to read as follows:

"The ~~subdivider~~ applicant provides a minimum of ten percent of the land suitable for development (excluding wetlands) contained within the Subdivision to be dedicated for open space, parks or future public facilities and infrastructure. A covenant limiting said land shall be provided in a form suitable for recording at the Registry of Deeds or Land Court as appropriate."

Section 7.8.2.2.e – Amend to read as follows:

"~~If the subdivision is a Planned Conservation Development as defined in the Stow Zoning Bylaw then in such case,~~ the 500 foot ~~cul-de-sac~~ single access street limit shall not apply to a conceptual plan drawn for the purpose of determining the maximum number of building lots as required in the Stow Zoning Bylaw."

Section 7.8.3 – Amend to read as follows:

"Additional Design Standards for ~~Cul-de-Sac Streets~~ Turnarounds"

Section 7.8.3.1 through 7.8.3.2 - Bruce Fletcher agreed to further research these sections for discussion at the next meeting.

Section 7.8.3.3 – Amend to read as follows:

There shall be no more than ~~10?~~ **OR 8?** residential dwelling units on a cul-de-sac street or series of streets having only one terminus onto a through street. To construct more than 10 dwelling units ~~a secondary means of access, adequate in the opinion of the Board, shall be provided.~~ a) ~~Where a proposed residential subdivision will increase any number of existing dwelling units on an existing cul-de-sac or single access street to more than 10,~~ the Board may require alternate means of access to a through street or improvements on the existing single access street or within the adjacent street network, in order to ensure adequate safety and access to all dwellings in the proposed subdivision.

Section 7.8.4.5 – Delete

~~"Street lines at intersections shall be cut back to provide for sideline radii of not less than 25 feet."~~

Section 7.8.4.7 – Amend to read as follows:

"Adjacent access street intersections within a network of existing and/or proposed access streets shall have a minimum centerline offset of 125' (see sketch)."

Section 7.8.4.8 – Amend to read as follows:

"An intersection of access streets adjacent to an intersection with an arterial or collector street shall have a minimum centerline offset of 300' from the arterial or collector street. (see sketch)"

Section 7.8.4.10 – Delete:

~~"Street jogs with centerline offsets of less than one hundred fifty feet (150') will not be permitted."~~

ADJOURNMENT

The meeting adjourned at 10:30 PM.

Respectfully submitted,

Karen Kelleher
Planning Coordinator