

TOWN OF STOW
PLANNING BOARD

Minutes of the October 8, 2014 Planning Board Meeting

Planning Board Members Present: Lori Clark, Mark Jones, Len Golder, Steve Quinn, Ernie Dodd

Not Present: Voting Associate Member, Margaret Costello

Lori Clark called the meeting to order at 7:05pm

Discussion of Meeting Minutes:

Planning Board Minutes of August 13, 2014

Steve Quinn moved to accept as drafted.

Mark Jones seconded

VOTED: (4-0) in favor (Ernie Dodd Abstained; Lori Clark, Len Golder, Mark Jones, Steve Quinn in favor)

Planning Board Minutes of September 17, 2014

Ernie Dodd moved to accept as modified.

Steve Quinn seconded.

VOTED: (5-0) Unanimously in favor. (Ernie Dodd; Lori Clark, Len Golder, Mark Jones, Steve Quinn in favor)

Correspondence

The Collings Foundation - Members discussed a letter received from the Collings Foundation inviting the Board to tour the Collings Foundation Facilities – noting that as many of the past and present activities are consistent with the planned future use of the proposed museum, they believe that such a tour would significantly add to the process of reaching an informed decision on the pending application. Members thought it would be helpful to tour the facilities and would be available evenings or a Sunday afternoon. Karen Kelleher will contact Mr. Collings to arrange a time for the tour.

Member Updates

Mark Jones said he forwarded information regarding the law and history of public access to privately maintained ways, accepted streets, ancient ways, and highways. Karen will forward the information to board members.

Mark Jones reported that he submitted an application for one of the three vacant positions on the Zoning Board of Appeals. He also noted that Bill Byron also applied for one of the position.

Planner's Report

Karen Kelleher updated the Board on ongoing activities in the Planning Department

Collings Foundation

Because the voting associate member is not available this evening, Mr. Collings requested that the meeting be continued without testimony to November 5.

We continue to receive letters both in support and opposing the Collings Foundation Application.

In the meeting packets is a memo and associated documents relevant to the Dover Amendment. Members are urged to review those documents in preparation of the November 5 public hearing, where the Board agreed to focus on board member discussion about the Dover amendment.

There are several other outstanding issues relative to the application noted on the last page of the memo.

Karen also noted that Steve O'Connell of Andrews Survey and Engineering, Inc, representing the Collings Foundation called to advise they may withdraw the application currently before the Board and submit a new application with the new plan showing access from Hudson. On November 5th they would like to withdraw the application and then begin the new public hearing on the same evening. Karen explained that the Board should, once received, vote to accept the withdrawal in the public hearing. Karen also noted that it is unreasonable to expect a public hearing on the new application to be held on November 5. They need to file a new complete application, addressing all outstanding issues, before the public hearing is noticed and the Town needs time to distribute the plans and have the peer review complete before the hearing. She recommends that they wait until they have a decision from Hudson so the access issue is definitive. Members agreed. Karen will contact Steve O'Connell and advise that the Board expects a complete application and that the hearing will be scheduled no sooner than a month from the date of filing.

Springhill Estates

Assistant Planner Jesse put together a proposed map depicting potential open space areas for the Springhill Estates plan, based on Input from the Conservation Commission, Open Space Committee and Stow Conservation Trust. A copy of the plan and letter are included in the meeting packets.

Greg Roy, of Ducharme and Dillis will be forwarding updated plans for Places Associate's review next week.

Ernie Dodd requested that Karen ask Mike Clayton, Supt. of Streets, to take a look at the utility pole on Walcott Street to see if it could possibly be moved. The pole is located just before the driveway – on the corner at the top of the hill.

Regional Housing Services

Karen and Jesse met with Nathan Robinson, of Metro West Collaborative Development and Mike Kopczynski of the Stow Affordable Housing Trust (SMAHT). Nathan is the new Regional Housing Representative. The purpose of the meeting was for Nathan to introduce himself and to provide an update on the inventory they have been working on. He shared a spreadsheet indicating the affordable units in Stow. They have compiled documentation on all of the units to ensure deed restrictions are in place. We discussed Stow's needs and it appears what is lacking is monitoring the fee ownership units, which is something the Regional Housing Services office can take on. Their goal is to reach out to the owners and remind them of the key points of the deed restriction. With regard to the rental units (Plantation and Pilot Grove), Nathan will request that Community Housing provide them with a copy of the annual reports they submit to DHCD.

Mike noted that Stow has an informal agreement with Hudson for them to monitor the two Section 8 units. Mike asked about other services Metro West Collaborative Development provides as they will be updating the Housing Production Plan and will also need to do some market analysis noting the opportunity for affordable housing on town-owned land and also the Gleasondale Mill. Nathan explained that Metro West Collaborative is also a development company. They just responded to an RFP from the Town of Harvard. He also noted that for small projects it is helpful to apply for "scattered" tax credits, where you can combine multiple sites making them more financially viable. Nathan agreed that it would be a good idea for Metro West to meet with SMAHT to further discuss these issues. Nathan also mentioned a group called Art Space, who does affordable housing for artists that sounded interesting for the Gleasondale Mill.

Adams Drive

DEP has approved the decommissioning of the well at 38 Adams Drive.

The Town Administrator received an offer from the owner for the town to purchase the hammerhead lot with the water tank, and is looking for input from the Planning Board. Because the Town Administrator was looking for input before the Board's meeting, Karen responded with her personal opinion. If the Planning Board has any comments it can be included as an executive session item on next week's agenda.

Green Communities Working Group

The Stow Energy Working Group is looking into whether Stow should pursue a Green Communities Designation. We initially thought the Stow was not eligible for because we are served by a municipal company. However the working group found that one home in Stow is served by an investor-owned utility, therefore Stow meets that criterion. There are five other criteria:

- 1 – Provide as-of right siting n designated locations (Stow allows Commercial Solar Installations as of right in the Industrial, Commercial and Refuse Disposal Districts)
- 2 – Adopt an expedited application and permit process where approval is less than one year from date of application (Stow's site plan approval process is 125 days or less)
- 3 - Establish energy use baseline and develop a plan to reduce energy use by 20% within 5 years

- 4 - Purchase only fuel—efficient vehicles
- 5 - Adopt the stretch code

Crow Island

Rob Albright submitted a request to modify the Special Permit for Crow Island to construct a hangar. Karen forwarded the application and original special permit to Town Counsel for guidance. The existing Special Permit was for commercial recreational uses, i.e., athletic events and stationary exhibit of automobiles and aircraft. Based on the website it appears that the primary use is aircraft activity, including flight instruction.

Permit Team Meeting

At the October Permit Team Meeting:

We met with representative from Bose to talk about their volunteer program. We are putting together a list of opportunities to present to them.

Jill Kern, GIS Analyst gave a presentation on GIS describing work to date and how departments can better utilize GIS

We also discussed concept proposals for 323 Great Road which have been passed on to the UMass Students.

Town Center Planning

A Public Forum is scheduled for the evening of Wednesday, October 29.

Stow Away Inn

A couple is very interested in purchasing the Stow Away Inn and change the use to a café and gift shop. They also talked about retaining a couple of the B&B rooms. They and their Engineer Greg Roy are scheduled to meet with the Board on October 22 to discuss preliminary plans.

Highgrove Estates

Jim Fenton of Distinctive Acton Homes, Inc. submitted a draft covenant, proposing to hold back the occupancy permit for the last dwelling until such time construction of the road and related infrastructure is complete. Karen will forward the document to Town Counsel for review.

Public Hearing Continuation - The Collings Foundation

Karen Kelleher reported that Mr. Collings, by email, dated September 30, 2014, requested that the Public Hearing be continued to November 5, 2014 without testimony because the voting associate member will not be in attendance. Ernie Dodd

At 7:40 pm Lori Clark opened the Collings Foundation Public Hearing Continuance.

Ernie Dodd moved to continue the public hearing without testimony to November 5, 2014 at 7:30 pm at Hale Middle School.

Steve Quinn seconded.

VOTED: (5-0) Unanimously in favor. (Ernie Dodd; Lori Clark, Len Golder, Mark Jones, Steve Quinn in favor)

Lower Village – Discussion with Steve Steinberg

Steve Steinberg met with the Board to discuss future Lower Village uses. He owns three properties on the south side of Route 117 (the former Beef and Ale site; the property abutting the site to the west; and 132 Great Road). He is aware of the Town's ongoing planning efforts to improve route 117 and a well agreement on town property. He would like to share his thoughts about potential uses for the Board to consider as they address zoning issues.

Steve Steinberg noted that retail has radically changed. There are almost no retail stores left with everything going to the internet or big box stores. What is left is things that you can't do on the internet, such as restaurants, martial arts, beauty salons. Small retail stores are a thing of the past. His properties in Stow are 40-50% vacant. The problem with office space is that Stow is too far from routes 495 and 128.

Steve Steinberg said apartments would be good for Stow. There is a need and he is hoping that the Board would add apartments as a permitted use. He said there is no sense in adopting zoning if the uses are not economically viable. Mixed use is good but he would prefer all apartments.

Steve Steinberg noted that there are food services in the shopping plaza. However he would like the board to consider drive up windows. Businesses like Panera and Starbucks won't come to Stow without a drive up window. He also noted that he owns a McDonalds in Acton and it has a nice colonial design. Lori Clark noted that she has never seen a drive up for Panera or Starbucks. Steve Steinberg said the new ones do. He said he doesn't understand why Towns don't want drive up. Food places are typically very good about property landscaping and maintenance.

Ernie Dodd said one concern could be trash because everything is served in paper that ends up on the roads. Steve Steinberg said he hasn't seen that as a problem. Mark Jones said all it takes is 2% of the patrons that will throw trash out the window to be problematic. Len Golder said there are traffic issues.

Steve Steinberg said he is not saying that he would come in tomorrow with plans for an apartments and a drive up. Demographics is a big problem. The shopping plaza is too big for Stow – it sucks up all the tenants.

Steve Quinn asked about the demand for apartments in Stow. Steve Steinberg said there is a demand throughout Massachusetts. The biggest demand is 2-bedroom apartments. Steve Steinberg said Avalon apartments in Acton are a good example. Len Golder said he has an apartment in Brookline that he rents and has found this year there is more supply than demand. Steve Steinberg said the demand is there.

Ernie Dodd told Steve Steinberg said that he needs to determine the well yield to determine what can be done.

Lori Clark said mixed use with store fronts on the first floor would be in keeping with the Board's desire for a walkable village. She is not sure about straight up apartments. Steve Steinberg said the entire upstairs of one of his buildings is vacant and he would consider putting a few apartments above, if zoning permitted. At one point he rented that entire space to Digital Equipment and then Collings, but it has been vacant since.

Steve Steinberg said senior citizen housing is what is best for Stow as it would be revenue positive. Mark Jones noted that there is a cost with public safety calls and Council on Aging services.

Karen Kelleher asked board members what they thought about drive up. Lori Clark said it could be interesting if it is behind the building. But any consideration would be site specific and account for traffic and abutter concerns.

Steve Steinberg said he was thinking of combining the Beef and Ale site with the Presti sight, which is a place that drive up might work.

Members said they would need to be careful in crafting a bylaw for drive up because it would be so site specific. Ernie Dodd said he has no problem with drive up, if designed properly, but it would not be an easy sell to Town Meeting.

Steve Steinberg said that CVS and Walgreens needs 80,000 sq. ft. . The Beef and Ale is 20,000 sq. ft.

Len Golder said the Board would need to revisit architectural designs for things like Panera and noted Melrose as an example.

Steve Steinberg said the most potential is if the Beef and Ale site were combined with the Presti site. He said it would be difficult to tear down his building next to Beef and Ale because it is fully occupied. He noted that rent for CVS and Walgreens is typically \$500,000.00 per year and most want a 40 year lease. The reason the rent is so high is because of the development costs.

Steve Steinberg said another use could be a Satellite office for Emerson Hospital or UMass Hospital and Fallon out of Worcester. Ernie likes that idea because it would draw people to Stow.

Members asked Steve Steinberg what he thinks about buildings close to the road. He said it would be fine for apartments but not retail. Retail patrons like to park right next to the door.

ANR Plan – Adams Drive

Ernie Dodd moved authorize Karen Kelleher to endorse the ANR Plan entitled Proposed Lot 3, 38 Adams Drive, Stow, Massachusetts, dated June 30, 2014, revised through September 18, 2014 prepared by Acton Survey & Engineering.

Steve Quinn seconded.

VOTED: (5-0) Unanimously in favor. (Ernie Dodd; Lori Clark, Len Golder, Mark Jones, Steve Quinn in favor)

Planning Board Work Plan

Karen Kelleher noted that due to the Board's focus on Subdivision and Special Permit hearings of late, the Board's focus on Natural Resource Protection Zoning (NRPZ) and Lower Village Zoning has been set aside. She asked the Board to think about prioritizing those efforts.

NRPZ – Karen noted that the Board has gone through the entire document and suggested that she and Jesse update the document to reflect the Board's input and then ask Mark White of Bentley Builders and Rich Harrington of Stamsy and McNary to take a look at it from a developer and engineers perspective before bringing the document back to the Board. Members agreed.

Lower Village Zoning – Members agreed that Lower Village is a higher priority than NRPZ and reviewed a list of action items for potential Lower Village Zoning revisions, prepared by Jesse Steadman. Members agreed that they should first focus on Uses, Dimensional Requirements and Design Guidelines.

Hammerhead Lot Bylaw -Mark Jones said he would like to propose an amendment to the Hammerhead Lot Bylaw next spring to make the access requirement consistent with conventional lots. Karen will draft the proposed bylaw amendment.

Adjourned 10:20pm

Respectfully submitted,

Karen Kelleher
Town Planner