

**STOW ELDERLY HOUSING CORPORATION
PLANTATION APARTMENTS LTD. PARTNERSHIP
APPLICATION FOR CHAPTER 40B COMPREHENSIVE PERMIT
AND
FOR MODIFICATION OF CHAPTER 40B COMPREHENSIVE PERMIT
AUGUST 2, 2010**

The joint public hearings were held in Stow Town Building and opened at 7:50 p.m. on the application filed by **Stow Elderly Housing Corporation, 22 Johnston Way, Stow** for (1) Comprehensive Permit under Mass. General Laws Chapter 40B for a 37-unit apartment building at **252 Great Road** on 2.3 acres and subdivision of the existing house and auxiliary buildings onto 20,080 square feet, shown on Stow Property Map U-11 as Parcel 10; and (2) the application filed by **Plantation Apartments Ltd. Partnership and Stow Elderly Housing Corp.** for approval of amendment to the Chapter 40B Comprehensive Permit dated September 21, 1982 for a 50-unit rental development for low income elderly and disabled persons, for the purpose of accommodating the proposed Plantation II development, shown on Stow Property Map U-11 as Parcel 13-1.

Board members present: Edmund Tarnuzzer, Michele Shoemaker, Charles Barney (associate), William Byron (associate), Andrew DeMore (associate).

Mr. Tarnuzzer chaired and read the notices of hearing as they had appeared in the *Beacon Villager* on July 15 and July 22, 2010. The hearing notices had been forwarded to all abutters by certified mail, return receipt. Present were Miriam Lemoine, 260 Great Road and Gregory Reynolds, 15 DeVincent Drive with attorney Daniel Hill.

At the opening, Mr. Tarnuzzer announced that it was proposed to hear the two applications concurrently. The applicants were in agreement.

Representing the applicants were Peter Munkenbeck, real estate consultant; Nina Schwarzschild, real estate consultant; attorney Rita Schwantes of Klein Hornig LLP; Michael Binette of The Architectural Team; Scott Hayes of Foresite Engineering; Landscape architect Tom Ryan; Housing Board members Gregory Jones, Ellen Cataldo and Bruce Fletcher. Representing the Selectmen was James Salvie. It was noted there were no other boards or departments represented. Also present was Town Counsel Jonathan Witten.

Ms. Schwantes distributed copies of an amended Exhibit II of the application entitled, "Exceptions Required Under Town of Stow Local Bylaws and Regulations and M.G.L. Chapter 41, Sections 82K-81GG".

Housing Board member Gregory Jones presented an overview of the proposal. Other members of the Board are John Clayton, Arthur Lowden, Ellen Cataldo, Bruce Fletcher, Marjorie Alessio, Jeffrey Smith and Deborah Woods. The corporation is non-profit, established in 1979 by the Town of Stow, for the purpose of providing affordable housing. In 2005 Plantation I was refurbished with new roofs, windows, etc. Initially the purpose was for elderly

housing, but in 1992 Pilot Grove Apartments was constructed under the SHARP program with 60 units for mixed income. In 2004 the Town acquired 37 units of Pilot Grove with Community Preservation Funds for permanent affordability restriction. In 2007 the septic system was replaced.

The proposed Plantation II is intended as supportive housing with 37 one-bedroom apartments for what may be described as frail elders. Being adjacent to Plantation I, it will be administered by the same support personnel. Funding sources are incomplete, however, HUD 202 program is being pursued. The proposal is the result of experience at Plantation I. When residents there become ill or frail and not able to take care of themselves, they are transferred to nursing homes. Before it closed, those individuals could be moved to Whitney Homestead that offered supportive care. Mr. Jones said there is need for that type of care while providing independent housing. Minuteman Home Care will provide services.

Ellen Cataldo gave some of the particulars with regard to the supportive aspect. Minuteman will have an office and staff in the building to assist with daily living. Minuteman also provides services to Plantation I and to others in the town. There will be a meal site in the large community area that will become a social event. It would be available to all in I and II and to other seniors in town. The units are designed to allow elders to live in their own apartments. A market study was performed and revealed that the senior population is the fastest growing in town, and the 60-80 age group will continue to grow. The study included survey of the inventory of affordable housing in the area, contact with residents and families. It was determined there is need for this type of housing. Some of the residents at Plantation I have either been Stow residents or have family in Stow. It is felt that trends will continue, and it is the hope that elders can be serviced for a long time.

Michael Binette of The Architectural Team displayed drawings of the proposed site and building. He said they were attempting to create a design that will fit in with the existing Plantation I development and in keeping with the town. The interior layout is such to create spaces that will allow residents to interact. The proposed structure has three floors with short distances to elevators. The common spaces are close to elevators to accommodate residents. Mr. Binette said that a three-story building is more cost effective to construct. There are front porch areas at the main entrance where residents could gather for socializing.

Mr. Tarnuzzer said he had concern about a three-story building, especially as related to fire safety. Mr. Binette responded that fire protection is such as to first stop fire. There will be a sprinkler system throughout, including the attic spaces. Systems are designed to shut down in the event of fire. Building codes are intended to ensure a high level of protection. The design will meet and exceed every building code. Mr. Binette advised that his firm is accustomed to dealing with this type of housing. Every unit is a space with a one-hour fire-rated level of protection due to the type of building materials and construction to be employed. Every unit is compartmentalized with specific requirements.

Scott Hayes of Foresite Engineering took the floor and described the site as consisting of 2.3 acres with access off Johnston Way. It is located within the residential district and abuts properties along DeVincent Drive to the east. It is proposed to improve Johnston Way with widening from the current 16 feet. The standard width for a rural road is 18 feet, and it might be possible to widen to 20 feet. Flaring out the entrance at Great Road and trimming back vegetation will improve sight lines. Access to the site from Johnston Way will be via a 24-ft. wide drive. There will be five handicap accessible parking spaces. A walkway is proposed to the rear of the site to connect to an existing system. The site is flat with excellent soils. Runoff will be directed to filter beds and designed to accommodate a 100-year storm event. Electric and gas service will be brought in from Great Road. Currently, options are being explored for water supply, one being connection to a Pilot Grove Hill well.

Mr. Tarnuzzer asked about the possibility of water from the town of Maynard or the Harvard Acres source. Mr. Hayes responded that Harvard Acres is not an option at this time. Mr. Tarnuzzer inquired into the matter of water pressure for the site. Mr. Hayes replied that the water supply will meet pressure requirements. Options are still being evaluated.

Peter Munkenbeck said it is expected that the Board's permit will have language requiring resolution of water quality and pressure. There are real options but the applicant needs to have a permit in order to proceed with funding and planning.

Town Counsel Witten said he would agree that many of the Board's concerns could be conditioned on both water and wastewater disposal. The Board needs a concrete proposal with regard to the water supply. Mr. Munkenbeck replied that the applicant will return with a proposal for quantity, quality and a water supply.

Miriam Lemoine, an abutter at 260 Great Road, was concerned about proposed widening of Johnston Way and about possible landtaking. Mr. Munkenbeck responded there will be no landtaking. The pavement will be widened by three feet and will fit within the existing right of way. Neighbors will not be asked for land.

The existing dwelling on the parcel will have 75 feet of frontage on Great Road, while the new building will have no frontage or minimum frontage. Mr. Tarnuzzer inquired as to whether the new development will have actually 38 units rather 37, if including the existing dwelling. Mr. Munkenbeck agreed and added that there will be clarification in a subsequent submittal. Mr. Witten advised that the Board of Appeals does not have authority to endorse a subdivision plan, rather it is the Planning Board. The matter will have to be addressed at some point. Mr. Munkenbeck said the applicant is trying to reduce the cost of the project by being able to market rate the existing house, perhaps at \$250,000 to \$300,000. CPC funding could be a possibility.

Landscape architect Tom Ryan of Ryan Associates described his plan. There are gaps in plantings along the lot line with DeVincent Drive properties. It is proposed to move some of the

existing white pine trees to fill the gaps, as well as to add other shrubbery for screening. There will be plantings around the building and shade trees to the rear.

Mr. Munkenbeck addressed the matter of a three-story building vs. a two-story building. He said there was little chance of obtaining support for a two-story building from the state agency. The proposed building will be with a defined 35-ft. height, and exception has not been requested from that zoning requirement. Mr. Witten advised that the Board could consider the population with regard to the waiver requests. Economics are not driving this 40B as related to a for-profit proposal.

Attorney Rita Schwantes reviewed the waivers as submitted in the application and in the amendment. Regarding the existing dwelling: the subdivision of the lot, the frontage requirement, the odd shaped lot, setbacks, Title 5 requirements, etc. As regards amendment of the Plantation I 40B permit already in place, amendment is requested to allow improvements in widening Johnston Way, storm drainage, and for use of those improvements by Plantation II. Mr. Witten did not believe that MEPA regulations applied, but requested flows from Plantation I.

The applicant was asked if the Plantation I and Plantation II are under common ownership. Mr. Munkenbeck replied they are under common control by Stow Elderly Housing Corp. The individual properties will be under separate legal ownership.

Mr. Byron asked if the first floor could be depressed into the ground in order to reduce the building height. Mr. Munkenbeck responded there would be concern about water damage with below-grade accommodations in the event of storm runoff. Also, below-grade spaces would be difficult for elders.

Attorney Daniel Hill, representing abutter Gregory Hill, commented on the concerns of his client. First was that of water supply. He had understood water service would be from Assabet Water Co. at Harvard Acres. He wished details on a specific option for water. There will be a large septic system in close proximity to wells on DeVincent Drive. He did not believe there will be compliance with Title 5 regulations and requirements. A review was requested to determine the hydrology of the site. Also, there is concern for the financial feasibility of the project. Mr. Reynolds would like to see the building moved further away from the existing housing.

Mr. Munkenbeck responded. The septic and storm water drainage proposed is located as far as possible from any neighboring property. The septic is designed for 5,500 gpd, but actually there will be a good deal less, probably 3,700 gpd, given water-saving devices. Financing is not in place now, but Mr. Munkenbeck was confident that the project can proceed to the conclusion of financing and construction. The HUD 202 program will be pursued, which the State prefers. He is confident the State will step in if HUD is not successful. Moving the building closer to Plantation I would require property transfer and many adjustments to be made. As regards water usage, not much is anticipated. There will not be dishwashing as food will be brought in to be served, and everything will thereafter leave the site.

Mr. Witten advised that the Planning Board has asked its engineer to review the plans. He suggested the Board of Health conduct its review. (Note: Copies of the applications had been forwarded to the Planning Board, Board of Health, Conservation Commission and others seeking comments, etc.) As to the comment of possible municipal ownership, Mr. Witten advised that terms and conditions of a permit would be different. Mr. Munkenbeck replied the application stands alone without municipal title. As regards the requested waivers from the Zoning Bylaw, the Planning Board's recommendations will be sought.

The applicant submitted to the Board two checks, each for \$10,000, to be placed into separate accounts under the care of the Treasurer-Collector from which are to be paid the invoices for the services of various consultants to the Board and Town Counsel concerning the Chapter 40B applications of Plantation I and II and Pilot Grove I and II, which hearing was scheduled to open August 16th.

At 9:55 p.m. the hearing was adjourned to be continued to Thursday, August 5, 2010 at 7:30 p.m. in Stow Town Building.

Respectfully submitted,
Catherine A. Desmond
Secretary to the Board