



Office of
THE PLANNING BOARD
272 Main Street
Townsend, Massachusetts 01469
978-597-1722 bfaxon@townsend.ma.us

Rec'd Townsend Town Clerk
30 JUL '19 PM 7:31

Lance J. McNally, Chairman

Laura Shifrin, Vice Chair

Veronica Kell, Clerk

Charles Sexton-Diranian, Member

Jerrilyn T. Bozicas, Member

Planning Board minutes

Monday, July 15, 2019, at 6:30 PM
Townsend Memorial Hall, Selectmen's Chambers
272 Main Street, Townsend, MA 01469

1 PRELIMINARIES:

- 1.1** Call the meeting to order. Chairman Lance McNally called the meeting to order at 6:30 p.m.

Roll call: Chairman Lance McNally (LM), Vice Chairman Laura Shifrin (LS)
Clerk Veronica Kell (VK), Jerrilyn Bozicas (JB), Charles Sexton-Diranian (CSD).
Others present: Elizabeth Faxon, Planning Board administrator
Lyndsy Butler, Land Use Coordinator.

- 1.2** Additions or Deletions to Agenda not reasonably anticipated by the Chair 48 Hours in advance of the meeting. OSPD bylaw review discussion request.

- 1.3** Approval of minutes 6/24/19.

JB motioned to approve the minutes of 6/24/19, VK seconded. All in favor. The motion carried.

2 HEARINGS AND APPOINTMENTS:

- 2.1 7:00 p.m. Continued public hearing site plan review special permit and Stormwater management permit.**

Applicant: Brett King, WK Realty Trust

Location: 27 Scales Lane

Project: The applicant is requesting a Site Plan Review Special Permit and Stormwater management permit for construction of a building, parking area, access road and Stormwater management system at the property located at **27 Scales Lane.**

(Assessor's Map 18, Lot 65, Block 0).

Chairman McNally reconvened the public hearing for site plan review and Stormwater permit for 27 Scales Lane at 7:00 p.m.

Present: Stanley Dillis, Ducharme & Dillis, CDG. Inc.

Owen Gannon, Graves Engineering, Inc.

Brett King, applicant

Chairman McNally noted that a draft site plan review special permit Decision for 27 Scales Lane is available for each Board member.

Stan Dillis presented the project. He noted that Graves Engineering Inc. has conducted a technical peer review of the Stormwater and that Ducharme & Dillis has addressed all of the findings. The site is approximately 6 acres on Scales lane and zoned industrial. The applicant is proposing to construct a building to store equipment. There is an access road and a Stormwater management system containing two basins. There is a gravel parking area surrounding the

building and a plant layout area to place commercially grown potted plants. He noted there is another existing building on the site and an approval from the Conservation Commission. Mr. Gannon, Graves Engineering Inc. noted the change of outfall from the Stormwater basin and confirmed that the Stormwater redesign submitted is acceptable. Chairman McNally noted the parking requirement as it pertains to the bylaw and because this is not employee parking or customer parking, the requirement was not applicable. Brett King stated he will be the primary driver and, responsible for moving the equipment on and off the site. The Board considered the draft decision for the site plan review. Mr. Dillis commented that 85% of the site plan review process is the Stormwater. The Townsend Stormwater agent reviewed the Stormwater report and asked about the source of the imported soils. Mr. Dillis stated there will be some soils and gravel brought in to underlay the gravel area and support the proposed storage building. Changes to the penultimate draft included; page 3. "The proposed building is for building storage only and will not be occupied". Editing "as the property is in the industrial district and is consistent with the other uses in the area."

L.S. motioned that the Board approve the Decision as amended. J.B. seconded. All in favor. The motion carried.

J. B. motioned to approve the special permit for 27 Scales Lane to be built according to the plan. C. S. D. seconded. Roll call vote: yes- L.M, L.S., C.S.D, V.K., J.B.

C. S. D motioned to close the site plan review special permit public hearing and continue to the Stormwater permit public hearing to July 29, 2019 at 7:00 p.m. JB seconded. All in favor. The motion carried.

The Board reviewed an invoice from Graves's engineering, Inc. in the amount of \$1,349.60 for consulting services to the Town for the 27 Scales Lane Stormwater review.

L.S. motioned to approve payment of the invoice received in the amount of \$1,349.60 for consulting services for the 27 Scales Lane Stormwater review. J.B. seconded. All in favor. The motion carried.

3 WORKSESSION:

- 3.1** § 145-89 Recreational Marijuana establishment's bylaw and regulations implementation discussion. A Draft recreational marijuana overlay map is under review in the Land Use department. Chairman McNally asked for a presentation to the planning board once the final version is available.
- 3.2** § 145-47 OSMD bylaw to include 55+ and/or 55+ community development bylaw discussion. Board members plan to prepare and recommend a warrant article at Fall ATM regarding an amendment to the OSMD bylaw to address the 55+ community development. Continued to the next meeting for rewording of the bylaw text in worksession.
- 3.3** Master Plan Committee. Chairman McNally tabled to the next meeting. An update was received and relayed to the Planning Board on June 25, 2019. A mediation meeting was scheduled for July 8th, 2019 with both the Planning Board and the Master Plan Committee and was cancelled due to a vote of the Master Plan committee members deciding to decline participation. Chairman McNally would like to have both the Boards meet to understand the progress, tasks and schedule of the Master Plan. He continued that the Planning Board would like the opportunity to comment on the process and assist with the work product with consideration of the Planning Boards

role in the approval process of the Master Plan update. The Master Plan Committee will be on the next Planning board meeting agenda.

- 3.4** Project identification and nomination update: Montachusett region Comprehensive Economic Development Strategy document. (MRCEDS). Land use staff submitted an approved general downtown commercial improvement project for inclusion in the MRCEDS document, entitled "Revitalization of Downtown Townsend"
- 3.5** Bylaw amendments update. §145-26 A 10 a. Residential districts accessory use. Keeping poultry and fowl in residential district. E.F. read aloud suggested wording as an amendment to the current bylaw "all facilities for keeping one or more animal or fowl shall be securely fenced to prevent the escape of the animals or fowl, at no time shall animals or fowl be allowed to roam unattended or onto neighboring property" CSD suggested that if fencing is required it would be anywhere on the property not necessarily around the chicken coop. Discussion ensued regarding the word "fence" being too restrictive. Edit to "contained on your property" Conclusively Board members felt that to add and number (1) under "a." of the current bylaw to read as follows: "at no time shall animals or fowl be allowed to roam unattended or onto neighboring property" at the end of the existing bylaw would be another suggestion. The administrator will follow up with the zoning enforcement officer and BOH and start the statutory bylaw amendment process.
- 3.6** Municipal Vulnerability Preparedness program update. Land use staff spoke with Beals & Thomas Inc. engineering firm regarding the certification of Townsend as an MVP community thus establishing eligibility for grant money through the State MVP program. B & T is offering to work with Townsend on the initial grant application on a pro-bono basis. The Planning Board Administrator, town staff and the engineering firm will work collaboratively to complete the initial application for a planning grant.
CSD motioned that the Planning Board administrator pursue the initial work on the MVP grant application in conjunction with Beals & Thomas contingent upon receipt of references. JB seconded. All in favor. The motion carried.
- 3.7** Montachusett Joint Transportation Committee (MJTC) representative appointment.
CSD motioned to appoint Veronica Kell as the Townsend Planning Board representative on the Montachusett Joint Transportation Committee. L.S. seconded. All in favor. The motion carried.
- 3.8** (3.8) 146-36 Accessory Apartment bylaw implementation discussion. CSD has asked to be invited to the next ZBA and BOH meetings to discuss the implementation of the accessory apartment bylaw. Outstanding areas to define are if the owner of an accessory apartment is no longer housing a family member and the enforcement procedures. Additionally, outbuildings that were previously unoccupied would need to be addressed.

- 3.9 MRPC update.** L.S. attended the most recent MRPC meeting. The administrator will forward the status reports to Board members for specific project updates.
- 3.10 Planning board filing fees –** L. Butler specified that the fees for permitting should be changed to reflect that the applicant be obligated to cover the cost of the legal ad and mailings. Board members agreed that the applicant should cover these associated fees. The planning Board administrator will proceed with informing the applicant upon receipt of an application, that they are responsible for the cost of publication of the public hearing. L.B noted that per the regulations the Town may use registered mail to notify abutters. Recipient does sign for registered mail. The post office can produce a list of recipients for this mailing method. A permit application fee comparison chart of similar towns was provided to Board members for consideration. The Board was advised that if any changes to permit fees were requested, they would require a Board vote.

4 CORRESPONDENCE:

- 4.1** Notices from Townsend/Other towns. Clerk, V. K. read the legal notices aloud.
- 4.2** Letter from Ducharme & Dillis requesting a waiver from the requirement of \$10,000 consulting fee be submitted with the 187 North end Road Campbell Farm definitive subdivision application. The applicant is asking to deposit any required funds per the cost estimate obtained by The Planning board for the consultant performing technical review services on the project.

Present: Stan Dillis

Board members discussed the waiver request. Discussion involved the increased security for the Town of having the funds present in an account at the onset of the permitting process. Comments regarding the high cost of development due to these application requirements were made. Comments with regards to flexibility on the part of the permit granting authority were made.

J.B. motioned to grant the waiver as written. C.S.D. seconded. Roll call vote: YES – L.S., C.S.D, L.M., J.B., V.K. – abstained.

C.S.D. motioned to adjourn the meeting at 8:37 p.m., L.S. seconded. All in favor.

Respectfully submitted,

Elizabeth Faxon

Planning Board Administrator

Approved on: July 29, 2019

Items on file:

1. 27 Scales Lane revised plans and Stormwater report. Received July 10, 2019
2. Letter to Townsend Planning Board from Graves Engineering re: 27 Scales Lane Stormwater review. Dated July 10, 2019.
3. Memo To: Planning Board from: Brad Harris Transportation Project director re: Appointment to MJTC.
4. MRCEDS project identification form re: Revitalization of Downtown Townsend project
5. Letter from Ducharme & Dillis to Townsend Planning Board re: Campbell Farm Definitive Subdivision waiver for inclusion of \$10,000 consulting fee with application.
6. Fee schedule comparison
7. Invoice #35068 Graves Engineering, Inc.
8. MVP program information from Beals & Thomas, Inc.
9. Exhibit #I Cut and Fill exhibit 27 Scales Lane