



Office of
THE PLANNING BOARD
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TOWN OF TOWNSEND
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Lance J. McNally, Chairman

Carol Hoffses, Associate Member

Charles Sexton-Diranian, Clerk

Laura Shifrin, Vice Chair

Jerrilyn T. Bozicas, Member

Planning Board Meeting minutes

Monday, November 16, 2020, at 6:30 PM

VIRTUAL MEETING

VIA: ZOOM PER GOVERNOR'S ORDER SUSPENDING CERTAIN PROVISIONS
 OF THE OPEN MEETING LAW, G.L. c. 30A, § 20†

PUBLIC ACCESS ZOOM MEETING LINK: Join Zoom Meeting

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<https://us02web.zoom.us/j/83441863581?pwd=SDerY2RiQ0pSN2pNaUI4M0NmTDVtQT09>

Meeting ID: 834 4186 3581

Passcode: 912242

1 PRELIMINARIES: votes may be taken.

1.1 Call the meeting to order and roll call. Chairman Lance McNally called the meeting to order at 6:30 p.m. Roll Call: Lance McNally (L.M.), Chair, Charles Sexton-Diranian (C.S.D.), Clerk, Carol Hoffses (C.H.), Associate member. Absent: Laura Shifrin, Vice Chair, Jerrilyn Bozicas, Member. Chairman McNally appointed Carol Hoffses to full member status for this meeting. Others present: Elizabeth Faxon, Planning Board administrator, Jerry Racette, TCAM, Hartley Pleshaw, TCAM. John Hume, MRPC, Christopher McDermott, MRPC. Andrea Wood (7:45 p.m.), Bill Rideout (7:30 p.m.), Gary Amadon, Gregory Boucher, Joan Wolkowicz.

1.2 Chairman's additions or deletions. Chairman McNally added 3.9 a Board discussion on the options for broadcasting of Planning Board meetings.

1.3 Approval of minutes 09-14-2020 and 09-28-2020. C.S.D made a motion to approve the minutes of 09-14-2020. C.H seconded. A roll call vote was taken as follows: C.S.D – aye, C.H – aye, L.M – aye. The motion carried. C.S.D made a motion to approve the minutes of 09-28-2020. C.H seconded. A roll call vote was taken as follows: C.S.D – aye, C.H – aye, L.M – aye. The motion carried.

2 APPOINTMENTS AND HEARINGS: votes may be taken.

2.1 ANR – Warren Road – Map #32 Block #2 Lot #0 - Applicant(s): Kenneth Tulley & Kevin Smith. Present: Stanley Dillis, Ducharme & Dillis, CDG, Inc. This ANR creates 3 Lots and one parcel that will be conveyed to an abutter. The site was recently the locus of an earth excavation operation. CSD made a motion to waive the requirement of 1" = 40' scale of the Warren Road. ANR plan. CH seconded. Roll call vote was taken as follows: CSD – aye, CH – aye, LM – aye. The motion carried. CSD made a motion to approve the ANR for Warren

† Per the Governor's Order, and during the State of Emergency now-in-effect or until sooner rescinded, public bodies are relieved from the requirement that they conduct their meetings in a public place that is open and physically accessible to the public; provided, however, that all public bodies shall ensure public access to deliberations through adequate, alternative means, which include (but are not limited to) telephone, internet or satellite enabled audio or video conferencing or other technology that enables the public to clearly follow the proceedings of the public body while they are occurring. The Order also allows remote participation by all members of a public body; and waives the requirements that a quorum and the chair be physically present at the meeting location.

Road. CH seconded. A roll call vote was taken as follows; CSD – aye, CH – aye, LM – aye. The motion carried.

- 2.2 ANR -- 198 North End Road – Map 38 Block 14 Lot 0 - Applicant Kevin Smith.**
 Present: Stanley Dillis, Ducharme & Dillis, CDG, Inc. Mr. Dillis pointed out the note on the ANR plan for Lot 2 which indicates that it is not a buildable lot even though it meets the frontage and the acreage due to lack of practical access via Brookline Road. CSD made a motion to waive the requirement of 1" = 40' scale of the 198 North End Rd. ANR plan. CH seconded. Roll call vote was taken as follows; CSD – aye, CH – aye, LM – aye. The motion carried. CSD made a motion to approve the ANR for 198 North End Road. CH seconded. A roll call vote was taken as follows; CSD – aye, CH – aye, LM – aye. The motion carried.

2.3 6:45 PM – public hearing – application for a stormwater management permit.

Applicant: Ambros Corporation **Location:** 3 Wheeler Road. Map #4 Block #9 Lot #1 **Project:** The applicant proposes to remove 109,000 cubic yards of material which is above the threshold requiring a Stormwater permit.

Chairman McNally opened the public hearing at 6:51 p.m. Present: Gary Amadon, Applicant, S. Dillis, representative. Mr. Dillis explained that the project has been permitted with an earth excavation special permit, NOI, and Stormwater management permit three years ago and the permits lapsed. The owner has applied for and been reissued permits for the Earth excavation and NOI and seeks the reissuance of the Stormwater management permit. The work is underway and approximately one third of the way to completion. Based on the recent findings of the Conservation Commission there are no issues with runoff or erosion on the site. CSD made a motion to ask the administrator to draft a decision in favor of granting the stormwater management permit without a peer review for discussion at the next Planning Board meeting. CH seconded. A roll call vote was taken as follows; CSD – aye, CH – aye, LM – aye. The motion carried. CSD made a motion to continue the public hearing for 3 Wheeler Road on November 30, 2020 at 6:45 p.m. CH seconded. A roll call vote was taken as follows; CSD – aye, CH – aye, LM – aye. The motion carried.

2.4 7:15 PM – public hearing – application for renewal of a cell tower site plan review special permit.

Applicant: SBA Towers V, LLC. **Location:** 12 Ball Road. Map#45 Block #2 Lot #0.

Project: application for renewal of a special permit for an existing cell tower located at 12 Ball Road.

Chairman McNally opened the public hearing at 7:15 p.m.

Present: Gregory Boucher, representative for the Applicant. Mr. Boucher stated that no substantial change has occurred since the previous special permit renewal five years ago. The comment received from the fire Department was as follows: "emergency services would like to be allocated space on the tower for emergency communications unless there is already said language in the original agreement that will carry forward." Mr. Boucher commented that he would like to consult with the Applicant with respect to this comment, and he doesn't anticipate any problem accommodating. He agreed to draft wording for the Planning Board to include in the Decision to address the request from the Fire Department. C.S.D. made a motion to ask the administrator to draft a decision in favor of the special permit renewal incorporating language provided by the Applicant for the Planning Board to review at the 11-30-2020 Board meeting. C.H. seconded. A roll call vote was taken as follows; CSD – aye, CH – aye, LM – aye. The motion carried. CSD made a motion to continue the public hearing for 12 Ball Road cell tower special permit renewal on November 30, 2020 at 7:15 p.m. CH seconded. A roll call vote was taken as follows; CSD – aye, CH – aye, LM – aye. The motion carried.

2.5 8:00 PM – public hearing – site plan review special permit.

Applicant: Squannacook Greenways, Inc. **Location:** 9 Center St. Map #51 Block #136 Lot #0 & Map# 51 Block #57 Lot #0. Project: proposed construction of 12 parking spaces to provide parking for access to the Squannacook Rail Trail at 9 Center Street.

Present: Stan Dillis, Ducharme & Dillis, CDG., Inc. Bill Rideout, Joan Wolkowicz, Chairman McNally opened the public hearing at 8:01 p.m. Mr. Dillis explained that the exact parcel ID is not available due to an inconsistency with the Assessors records and would like to continue to the next meeting to acquire the information and correct the application. C.S.D. made a motion to continue the public hearing for Squannacook Greenway's Inc. at Center Street to November 30, 2020 at 8:00 p.m. C.H. seconded. A roll call vote was taken as follows; C.S.D – aye, C.H – aye, L.M – aye. The motion carried.

3 WORKSESSION: votes may be taken.

- 3.1 Recommend the appointment of Carol Hoffses as a full member of the Planning Board for a term to expire 2023. L.M. made a motion to recommend the appointment of Carol Hoffses as a full member of the Planning Board for a term to expire 2023. C.S.D seconded. A roll call vote was taken as follows; C.S.D. – Aye, C.H. – Aye, L.M. – Aye. The motion carried.
- 3.2 Townsend Master plan committee update. Bill Rideout comments that the Committee is focused on the economic development draft and is in the process of providing edits to the document to return to the consultant and expect to receive a final version of the plan. The Committee is also collating all of the written work to assemble into the draft Master Plan update. Chairman McNally commented that the Planning Board is interested in helping if the Master Plan Committee has a request. The Committee is targeting early December 2020 to provide a draft of the Master Plan Update.
- 3.3 Scenic Roads Regulations discussion – amendments to 145-24 C (10) in 2014. L.M. reviewed the Scenic Roads bylaw for a neighboring town and remarked that almost any alternation of a stone wall would require a special permit from the Planning Board. Townsend's bylaw regulates any alteration of a stone wall or tree that is within a specific distance from the center of the ROW. The 2014 amendment to the Townsend Scenic roads bylaw/regulation was a clarification of the definition of the ROW and the jurisdictional area. Previous Board discussions included the suggestion of expanding the jurisdictional area to include stone walls that exist along the roadway, even if they are outside of the area as currently defined, in an effort to keep the stone walls intact and protect the character of the Towns scenic roads. The amendment would protect stone walls that are along the roadway, but not necessarily in the ROW. The Board members discussed the need to address this change in the bylaw without being too overly restrictive. L.M. will begin working on the draft amendment and the Planning Board Administrator will collect and provide scenic roads bylaws from abutting towns for the effort.
- 3.4 DLTA MRPC Townsend's draft age restricted housing development zoning bylaw. Board members reviewed the draft age-restricted housing development bylaw provided by MRPC. The following notations were discussed by the Board; 1.) Section 2 remove the "for people with physical disabilities" because housing already exists in Townsend at Atwood Acres. 2.) Section B2 replace the word "visit-ability" with the terms "guest parking and common meeting areas". 3) remove "senior residential development" and insert "age restricted development" 4.) In Section C "uses" insert, delete or change wording for the bylaw proposal to read that a cottage dwelling, or a two family dwelling is allowed by right, without going through a special permit process. 5) remove wording on skilled nursing facilities and assisted living and memory care facilities of which development is already regulated so remove Section 1. C. D. E. & F. and #3 & #4. 6) Move #2 Industrial District and merge into #1 as the industrial district is the least restrictive zoning district. 7) Section E strike independent living units, townhouse dwellings, and assisted living units. 8) Section E. #6 remove assisted living facility and rehabilitation center and insert the same definition as noted earlier for "visit-ability" 9) Section E delete the word "indoor" and "structured" from the parking requirement. 10) format the draft bylaw proposal to be consistent and uniform with current Townsend Zoning Bylaws in terms of font, section numbers, etc. 11) check on any requirement to include wording for ADA compliance. 12) remove the assisted living, continuing care, and independent living facilities from the definitions section. MRPC

will provide and edited draft and the Planning board administrator will coordinate the public hearing for December 7, 2020.

- 3.5 DLTA MRPC Townend Chapter 43D feasibility grant. – MRPC has provided GIS maps of the Priority Development sites selected by the Board, a spreadsheet with eligibility criteria assessment for selected sites and an update of the next steps in terms of moving forward with an application, outreach to private owners of PDS properties to participate in the program, and a town meeting vote to adopt M.G.L. 43D.
- 3.6 Safe routes to school update. – Charles Sexton-Diranian. Requested this be deferred to the next meeting on 11-30-2020.
- 3.7 Reappointment of master plan committee members. Kym Craven, Karen Clement, Bill Rideout, Andrea Wood, Don Hayes, Cynthia Donovan Schuster, Todd Melanson. C.S.D. made a motion to appoint Kym Craven, Karen Clement, Bill Rideout, Andrea Wood, Don Hayes, Todd Melanson to a term to expire at the next annual Town election 2020. C.H. seconded. A roll call vote was taken as follows: C.S.D. – Aye, C.H. – Aye, L.M. – Aye. The motion carried. Discussion was had about residency and Committee membership and the board deferred the appointment of C. Schuster to investigate this question further to the next meeting, C.S.D stated willingness in working collaboratively on the Master Plan Update to complete the document as soon as possible. He noted the roles of the Planning Board members and their ex-officio membership, and if any direction is needed it should be done by both the Master Plan committee and the Planning Board. Both Mr. Rideout and Ms. Wood affirmed positive agreement with the discussion. A posting for additional Master Plan Committee members is advertised, and the Planning Board office is accepting volunteers. The Planning Board administrator will provide contact information of the Planning Board members to the Master Plan Committee.
- 3.8 Mandatory referral – Zoning Board of Appeals – 50 Highland Street Appeal. The Board approved the following comment: “The Planning Board supports the Building commissioner in the determination and the Zoning Board of Appeals in the resolution of this matter.” C.S.D. made a motion to send a referral comment noted above. C.H. seconded. A roll call vote was taken as follows: C.S.D. – Aye, C.H. – Aye, L.M. – Aye. The motion carried.
- 3.9 C.S.D. made a motion that the Planning Board has no objections to the uploading of meeting recordings to the Town of Townsend YouTube channel. C.H. seconded. A roll call vote was taken as follows: C.S.D. – Aye, C.H. – Aye, L.M. – Aye. The motion carried.

4 **CORRESPONDENCE: votes may be taken.**

- 4.1 Notices from Townsend/other Towns.
- 4.2 Notification from EEA re: MVP FY21 Action Grant Application - Townsend Water Supply Assessment. Administrator updated that Townsend did not receive funding in this round. Staff attended debriefing call with MVP program officials and received feedback and pointers on how to improve the application for the next round. Townsend has received its MVP community designation from the State.
- 4.3 Notification from DOT re: Townsend shared spaces and streets grant application. Administrator updated that the Town did not receive funding. Feedback has been received from the DOT officials and a new round of “winter” shared spaces and streets grant has been released for future opportunities.
- 4.4 Small business assistance grant program announcement – local COVID19 relief funding. Administrator updated that the program deadline has been extended to December. MRPC is administering the grant and approximately 10 Townsend small business owners have applied. Updated promotional materials have been requested.

5 **SCHEDULE AND ADJOURN: votes may be taken.**

- 5.1 C.S.D. made a motion to adjourn the meeting at 8:30 p.m. C.H. Seconded. A roll call vote was taken as follows: C.S.D – Aye, C.H. – Aye, L.M. – Aye

Respectfully submitted,

Elizabeth Faxon,

Planning Board Administrator

Approved on: November 30, 2020

Items on file:

1. Official MVP designated community letter
2. Townsend MVP Action grant application
3. Townsend Shared Streets and Spaces grant application
4. Small business assistance grants promotional materials.
5. Draft age restricted housing development bylaw
6. Application for ANR – Warren Road
7. Application for ANR – 198 North End Road
8. Application for stormwater management permit 3 Wheeler Road
9. Application for cell tower site plan review special permit renewal 12 Ball Road
10. Application for site plan review special permit MBTA property near Center Street.

Materials are available digitally on request by emailing bfaxon@townsendma.gov

Topic: Townsend planning board meeting.

Time: Nov 16, 2020 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

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