



Office of
THE PLANNING BOARD
 272 Main Street
 Townsend, Massachusetts 01469
 978-597-1722 Planning@townsendma.gov

RECEIVED
 OCT 19 2021
 TOWN OF TOWNSEND
 TOWN CLERK

Lance J. McNally, Chairman
 Carol Hoffses, Member

Michael Virostko, Clerk

Laura Shifrin, Vice Chair
 Julie Byars, Member

Planning Board Meeting minutes
Monday September 27, 2021, at 6:30 PM
VIRTUAL MEETING ONLY

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

<https://us02web.zoom.us/j/84504557790?pwd=c2lXeUhhQ0sveW5QWjR2Wjc1akRzUT09>

Meeting ID: 845 0455 7790 Passcode: 926084

All are invited to Attend - Materials and documents are available in electronic format upon request by emailing bfaxon@townsendma.gov.

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 6:32 PM. Present: Julie Byars, Member, (J.B.), Carol Hoffses, Member (C.H.), Lance McNally, Chairman (L.M.), Michael Virostko, Member (M.V.). Others present: Elizabeth Faxon, Planning Board Admin., Hartley Pleshaw, TCAM, Selectman Charles Sexton-Diranian, Joseph Flynn. Chairman's additions or deletions. ADD: 4.4 proposed amendment to 145-26 keeping of fowl in residential districts.
- 1.2 Approval of minutes August 23, 2021, and September 13, 2021. C. Hoffses made a motion to approve the minutes of August 23, 2021. J. Byars seconded. A Roll call vote was taken as follows; YES – C.H., J.B., M.V., L.M. The motion carried. The Admin reports that the 9/13/21 minutes were not completely drafted prior to the meeting and Chairman McNally deferred Board approval to the next scheduled meeting on 10/18/21.

[†] Per the Governor's Order, and during the State of Emergency now-in-effect or until sooner rescinded, public bodies are relieved from the requirement that they conduct their meetings in a public place that is open and physically accessible to the public;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.

2 PUBLIC HEARINGS & APPOINTMENTS: votes may be taken.

- 2.1 **6:45 pm. Continued public hearing - 5 Turnpike Road – Site Plan Review special permit** – proposed 58 new parking spaces and re-pavement of 117 existing parking spaces. Map 50 Block 57 Lot 0. RA3 Zoning District.

Applicant: Michael Parretti, Trustee Country Estates Condominium Trust.

At 6:45pm prior to the opening of the continuance of the public hearing, Board Member Michael Virostko made an announcement that he is a property owner in Country Estates, 5 Turnpike Road and therefore is recusing himself due to a recently created conflict of interest.

At 6:47 pm., Chairman McNally opened the continuation of the site plan review special permit on the application of Michael Parretti regarding the property located at 5 Turnpike Road, Country Estates. He confirmed that Michael Virostko, Planning Board Member, recused himself from the public hearing and that 3 of 5 Planning Board Members remain to participate in the matter. The Applicant has requested that the Planning board authorize a continuation of the public hearing to October 18, 2021, so they may continue to work on redesigning portions of the site plan and to address comments raised at the 9-13-21 public hearing. Chairman McNally suggested the Board continue the public hearing and noted that with 3 of 5 Members able to participate, the Board is not in position to approve a special permit due to the requirement of a super majority vote of approval. He noted that the Planning Board is accepting applications to fill the vacant Associate Planning Board Member position. C. Hoffses made a motion to continue the public hearing for 5 Turnpike Road site plan review special permit to October 18, 2021, at 6:45pm. J. Byars seconded. A roll call vote was taken as follows: YES – C.H., J.B., L.M. The motion carried. Discussion ensued as to how to address the situation of not meeting the required number of Board Members to act on a special permit. C. Sexton-Diranian offered to bring up the question during his scheduled Town Counsel meeting and convey this information to the Admin. at a later time.

3 WORKSESSION: votes may be taken.

- 3.1 Townsend Master Plan 2021 Final DRAFT Version 1. Karen Clement sent an update that the Master Plan Committee has not met, and the next meeting is not scheduled as of the update. The Planning Board office is awaiting receipt of the next Version of the Townsend Master Plan 2021 Final Draft.
- 3.2 District Technical Local Assistance Grant – Townsend Master Plan 2021 – status update. The grant expires on 12/31/2021 and the scope must be completed by then. Admin. will update at next scheduled meeting.

- 3.3 Safe Routes to School (SRTS) update. Carol Hoffses. - None currently.
- 3.4 Townsend Municipal Vulnerability Preparedness & Hazard Mitigation Plan implementation. – Core Team Members and Staff. No update.
- 3.5 Townsend Walkability & Bike-ability Study & Unified Planning Work program update. Staff. MRPC updates both draft reports are pending release from MRPC. C. Sexton-Diranian requested a copy of the correspondence from MRPC with details of the contents of the traffic study report. Admin. will send this to him.
- 3.6 Memo from Board of Selectmen to Planning Board dated 9-16-2021 re: renewal Applications for 2021 licenses Alcoholic Beverages/Common Victualler/Class I, II, & III licensees. Admin. is checking Land Use files to ascertain compliance with Decisions issued by the Planning Board or Zoning Board of Appeals for the applicants on the list requesting renewal of licenses. The Board of Selectmen will review the applications for renewal in October.

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

- 4.1 Notices from Townsend/other Towns. Admin read the legal notices received.
- 4.2 Update Rail Trail parking Lot – “No Left Turn” sign installed and Squannacook River Rail Trail Phase 1 Celebration on Saturday September 25, 2021 @ 2:00pm. Noted.
- 4.3 Email from USGS-FEMA Risk MAP projects in New England to Chaz Sexton - Diranian and copied to Lance J. McNally , Chairman Townsend Planning Board. Re: Prelim – EAP to Town of Townsend [Flood Insurance Rate Maps (FIRM)]. Noted and Board Members have been provided the link to review and comment on the preliminary FIRM maps for Townsend.
- 4.4 In response to several resident complaints, the building department and a citizen attended a Planning Board meeting in 2019 to ask that the Planning Board consider amending bylaw 145-26 for clarity and defining enforceable statements in the wording of the bylaw. The Planning Board in response recommended that the building commissioner submit appropriate changes to the bylaw to make the enforcement of the bylaw less ambiguous. The matter was dropped, and Chairman McNally proposed taking the same action of asking the Building Commissioner to provide proposed changes to the existing bylaw for the Planning Board to review. C. Hoffses read the Building Commissioners letter regarding the bylaw changes, and she is in favor of restricting ownership of roosters in the residential zone. C. Sexton-Diranian noted that the Building Commissioners letter points out some things for the Board to consider, such as keeping your animals on your own property. He is mindful of the deep history of Townsend as a farming community, however the Right to Farm community designation is applicable to commercial use and the issues are being identified in the residential zones on smaller acreage lots. Chairman McNally surmised the two issues that have been raised by the building commissioner: the containment of animals on the owner’s property and the noise. He also noted that Townsend has several farms that are zoned residential. C. Sexton Diranian suggested that the Planning Board work with the Board of Health and the Building Department on this topic. Chairman McNally asked for the Building Commissioners input on what amendment to TBL 145-26 A. (10) would help alleviate current enforcement issues. C. Sexton-Diranian noted that Special Town meeting is on the horizon and the amendment to

the bylaw can be proposed via the process. Admin will send a navigation guide to the online Town of Townsend Code @ eCode Bylaws & Rules/Regulations | Townsend MA, and the link to §145-26 Residential districts to Board Members. The Building Commissioners suggested amendment/ wording will be sent to Board Members for review.

5 INVOICES: votes may be taken.

- 5.1 Toner Cartridge replacement for Lexmark printer \$45.89. J. Byars made a motion for the Board to approve the toner cartridge expense of \$45.89. C. Hoffses seconded. A roll call vote was taken as follows; YES – C.H., J.B., M.V., L.M. The motion carried.
- 5.2 Office supplies \$134.45. W.B. Mason Order S117544869 Hoffses made a motion to approve the office supply order in the amount of \$135.45 payable to W.B. Mason order #S117544869. J. Byars seconded. A roll call vote was taken as follows; YES – C.H., J.B., M.V., L.M. The motion carried.

6 ADJOURN: votes may be taken.

- 6.1 Next Planning Board joint meeting with Townsend Housing Authority scheduled for October 14, 2021 @ 7:00 pm. Noted.
- 6.2 Next Planning Board meeting scheduled for October 18, 2021 @ 6:30 pm.

C. Hoffses made a motion to adjourn at 7:15 pm. J. Byars seconded. A roll call vote was taken as follows; YES – C.H., J.B., M.V., L.M. The motion carried.

Items on file:

- 1. Authorization Form To Continue Public hearing received by Planning Board office from Stanley Dillis, Dillis & Roy re: 5 Turnpike Rd. Country Estates Site Plan Review special permit.
- 2. Email to Beth Faxon from George Snow, MRPC. Dated 9-23-2021. Re: Townsend UPWP grant work Walkability & Bikeability study and intersection studies.
- 3. Email to Beth Faxon from Sheri Bean, MRPC. Dated 9-24-2021. Re: Townsend UPWP grant work Walkability & Bikeability study and intersection studies.
- 4. BOS memo to Planning Board. Dated 9-16-2021. RE: re: renewal Applications for 2021 licenses Alcoholic Beverages/Common Victualler/Class I, II, & III licensees.
- 5. Email from Bill Rideout to Beth Faxon. Dated 9-10-2021. Subj: Rail Trail parking lot – No Left Turn sign.
- 6. Email from USGS-FEMA Risk MAP projects in New England to Chaz Sexton -Diranian and copied to Lance J. McNally, Chairman Townsend Planning Board. Re: Prelim – EAP to Town of Townsend [Flood Insurance Rate Maps (FIRM)].
- 7. Email to Beth Faxon from Eric Chartrand. Dated 9-22-2021. Subj: Request to revise Bylaw 145-26 A. (10) (a) Accessory Residential Use Keeping Fowl. And associated letter to Board of

Selectmen from Eric Chartrand re: revision of Townsend Zoning Bylaw §145-26 A. (10) (a)
Accessory Residential Use Keeping Fowl.

Respectfully submitted,
Elizabeth Faxon, Planning Board Admin.

Approved on: October 18, 2021

Materials are available electronically upon request via email to:
bfaxon@townsendma.gov

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+1 312 626 6799 US (Chicago)

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