



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

RECEIVED
 FEB 15 2022
 TOWN OF TOWNSEND
 TOWN CLERK

Lance J. McNally, Chairman
 Carol Hoffses, Member

Michael Virostko, Clerk

Laura Shifrin, Vice Chair
 Julie Byars, Member
 Ian Ortiz Santiago, Assoc. Member

PLANNING BOARD meeting minutes

Monday January 24, 2022, at 6:30 PM

VIRTUAL MEETING ONLY

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

PUBLIC ACCESS ZOOM MEETING LINK: Join Zoom Meeting

<https://us02web.zoom.us/j/85444016534?pwd=eXlWem02NEZrQzVQTXg4WWtnVjRDQT09>

Meeting ID: 854 4401 6534

Passcode: 671003

1 PRELIMINARIES: votes may be taken.

- 1.1 Call the meeting to order and roll call. Lance McNally, Chair called the meeting to order at 6:32pm. present: Carol Hoffses(CH), Member, Julie Byars(JB), Member, Laurie Shifrin(LS), Vice Chair, Michael Virostko(MV), Clerk, Ian Ortiz Santiago(IOS), Assoc Member, Lance McNally(LM), Chair. Others present: Selectman Chaz Sexton Diranian, Mike Crowley, Land Use Coordinator, Beth Faxon, Planning Board Admin., Hartley Pleshaw, TCAM, Karen Chapman MRPC (arrived at 7:01pm) Bill Rideout, Master Plan Committee (MPC). Selectwoman Veronica Kell (arrived at 6:40pm), Bill Cadogan (7:00pm).
- 1.2 Chairman's additions or deletions. None noted.
- 1.3 Approval of minutes January 10, 2022. CH made a motion to approve the minutes of 1-10-2022. JB seconded. A roll call vote was taken as follows: YES – CH, JB, MV, LS, LM. The motion carried 5-0-0.

2 APPOINTMENTS AND HEARINGS: votes may be taken.

- 2.1 6:40 PM. Presentations by **Karen Chapman**, Montachusett Regional Planning Commission (MRPC), Planning and Development Director.
 - DLTA Program Year 15 Eligible Activities and Implementation Schedule – K. Chapman provided slides and information on the District Local Technical Assistance (DLTA) Program – Year 15. 2.8 million dollars are divided and

† In accordance with actions related to an extension to the remote meeting provisions of the Governor's March 11, 2020, Executive Orders until April 1, 2022, this meeting will be held remotely.

provided to 13 regional planning commissions. MRPC receives about \$200,000 annually to provide free technical services to its member communities. Priority funding areas are 1. Planning ahead for housing, 2. planning ahead for growth, 3. supporting the community compact and 4. assisting MBTA communities (brand new).

- Multi-Family Zoning Requirement for MBTA Communities. – the Massachusetts economic development bill was signed in 2021 which added section 3A to the Chapter 40A Zoning Act. The purpose is to encourage MBTA communities to adopt zoning districts where multifamily zoning is allowed as of right, and that meet other requirements set forth in the statute. Compliance Guidelines were promulgated by the Department of Housing & community Development (DHCD) for multi-family districts. She illustrated by map that Townsend is considered an MBTA adjacent community as such our unit capacity # is determined at 357 which is 10% of the existing housing stock. Provision are to be made for construction of 750 multifamily units in the new multifamily zoning district. The Town can pass such a zoning amendment /bylaw for compliance or can elect out of this process in lieu of forgoing funding from specific grants. Other levels of partial compliance were explained. M Crowley commented that he would submit the required form indicating acknowledgement of the mandate, responsible persons contact information, intent to request technical assistance and intention of the Town. He would also be amenable to preparing a presentation for the Select Board. Chair McNally commented that there is a lot of synergy from other Towns on this new multifamily housing planning requirement and we can collaborate with other communities and avoid duplicating works. Check on Townsend's GIS mapping compliance under this new law. K. Chapman will be sending a response letter from MRPC to the DHCD commenting on the guidelines promulgated under this new legislation by March 31, 2022. She offered to include comments from the community and also suggested the Town may want to send their own comments separately.

2.2 7:00 PM. Presentation **Michael Crowley**, Land Use Coordinator

- Conservation Restrictions (CR) and §145-39 Open Space Preservation Development.

Mike Crowley shared a comprehensive overview of Conservation Restrictions and Open Space Preservation Development Zoning bylaws with the meeting. Some of the important highlights follow here: A conservation restriction is an Agreement that is agreed to by a landowner and another party to restrict activities that result in unwanted environmental impact and preserve land for a variety of conservation initiatives and benefits. Under the CR, the property owner forgoes any rights that are determined to be misaligned with the preservation of open space and ecological habitat. Conservation Restriction agreements once finalized follow the subject parcel of land in perpetuity and are very deliberate and precise. The agreement is entered into by the organization that is responsible for the monitoring of the parcel i.e., a municipality, a Land trust, etc. LM added that Deed restrictions can be subject to expiration and a CR is the only way to protect the property in perpetuity.

He then provided points of information regarding the Open Space Preservation Development Zoning Bylaw.

- Eligible parcels are 10 contiguous acres of upland.
- Design standards that dictate housing be built in clusters a located close together.
- no less than 30% of the land shall be devoted to open space and no more that 50% of the open space can be wetlands.
- No more than 20% of the open space can be covered with impervious development.

He then compared it to the Open Space multifamily development (OSMD) Zoning Bylaw which is similar but noted some differences:

- 10 dwellings units are required instead of 10 contiguous acres.
- 60% of the property is put aside as open space and only half of that can be wetlands.
- Designed for larger project with larger parcel of open space.

The developer planning a project pursuant to either of these open space Bylaws will determine who the open space is conveyed to. It can be the homeowner's association, a land trust, MA Division of Fisheries and Wildlife, and the Town. The open space conveyance under the Bylaw is permanent and the Applicant works with their engineer and the Planning Board to iron out the details of the oversight and management & accessibility.

3 **WORKSESSION: votes may be taken.**

- 3.1 Final Townsend Master Plan 2021 copy status. Bill Rideout confirmed a pdf. copy of the Master Plan Committee final version of the Townsend Master Plan including appendices has been transmitted to the Planning Board. In response to a request for a copy of the document in a Word file, Bill Rideout offered to upload the Master Plan and the associated appendices into the common SharePoint folder created for Planning Board and MPC collaboration. The final Economic Development Plan will also be uploaded.
- 3.2 Unified Planning Work Program project proposal discussion. Due 2/8/2022. Joint meeting with Board of Selectmen to select final project for the Town. Noted. The date of the joint meeting with the Board of Selectmen was corrected to 2/1/2022. Priority choice is Rt. 119 and Rt. 13.
- 3.3 Review §145-26 Residential District Bylaw DRAFT Amendment – §145-26 A (10) (a) Raising or keeping of fowl in residential districts. J. Byars proposed wording for the zoning bylaw amendment. The Board reviewed the proposal. After the words "The raising or keeping of a small flock of fowl" the following words are to be inserted:

"(female chicks and hens, but no roosters) not to exceed 20 for non-commercial use by residents. Roosters may be kept by residents on lots of

one acre or more in size. All fowl, including roosters, must be kept in a coop or pen enclosure that is not less than 10 feet from a lot line and 50 feet from a residential dwelling". Admin confirmed that the Building Commissioner had reviewed and was in favor of this proposal.

Discussion ensued as to the setback distance requirement for location of the coop or housing to a residential dwelling and whether or not to specify abutters dwelling. MV commented that regulating this distance for the property and flock owner might not be best practice, but instead confirm that the setback is in place to protect the abutter. The recommendation was to add the word "*abutting*" before the wording "*residential dwelling*". MV then suggested increasing the setback to 40 or 50 feet. Board Members agreed that changing the setback to 50 feet was appropriate. CH made a motion to send the new language to the proposed amendment to keeping of fowl in residential districts zoning bylaw to town counsel for review. JB seconded. A roll call vote was taken as follows: YES – CH, JB, MV, LS, LM. The motion carried 5-0-0.

- 3.4 Safe Routes to School (S.R.T.S) update. - Carol Hoffses. Carol undated that she met with Emy Hoff, Townsend Recreation Director and Rachel O'Donnell SRTS State rep. to review the checklist of recommended activities under the program and inform more about the program. Many of the activities are already underway in the recreation department or in the planning stages. One of the activities Carol mentioned was that the students do currently walk to school in the mornings from the rec center to Spaulding Memorial School. They discussed the safety of the Highland Street and School St. intersection. This intersection is an area of concern, and the recommendation is to look at grants available under the Safe Routes to School Program to address this. The Recreation department is organizing a bike rodeo in the spring and the SRTS program rep. informed them that they will be donating some helmets and reflective vests for this event. The SRTS rep is scheduled to start dismissal and arrival evaluations at Spaulding Memorial and Hawthorne Brook schools in February 2022.
- 3.5 Draft Townsend Planning Board 2021 Annual report - Due 1/28/2022. CH made a motion to approve the Annual Planning Board 2021 report. LS seconded the motion. A roll call vote was taken as follows: YES – CH, JB, MV, LS, LM. The motion carried 5-0-0.
- 3.6 Townsend Municipal Vulnerability Preparedness & Hazard Mitigation Plan implementation. – Core Team Members and Staff. Admin noted that implementation needs to move forward, and grant administrator needs update. Admin will update grant administrator.
- 3.7 Townsend Housing Production Plan (HPP) review. – Planning Board has a joint meeting scheduled with the Townsend Housing Authority on Jan. 27, 2022, to review the Draft HPP.
- 3.8 Walkability Report and Intersection Analysis Report. - A meeting will be scheduled with the DOT on the next steps.
- 3.9 Annual Town Election Monday April 25, 2022 – we need to keep reminding our current elected officials that those whose terms are expiring at the Town Election

and wish to run again, should get papers from the Town Clerks office. The associate Member may run for a full member seat via this process.

4 CORRESPONDENCE: votes may be taken.

4.1 Notices from Townsend/other Towns. Admin read the notices.

5 ADJOURN: votes may be taken.

- 5.1 Next Planning Board meetings scheduled jointly with Townsend Housing Authority for January 27, 2022 @ 7:00 pm & jointly with Board of Selectmen on February 2, 2022 @ 6:10 pm. - The joint Planning Board and Board of Selectmen meeting date was corrected to February 1, 2022.

CH made a motion to adjourn the meeting at 8:00 pm. JB Seconded. A roll call vote was taken as follows: A roll call vote was taken as follows: YES – CH, JB, MV, LS, LM. The motion carried 5-0-0.

List of items on file:

1. Townsend Master Plan 2021 pdf. copy
2. Unified Planning Work Program project solicitation memo from MRPC
3. Draft Townsend Housing Production Plan (HPP)
4. Townsend Municipal Vulnerability Preparedness & Hazard Mitigation Plan
5. Walkability Report and Intersection Analysis Report
6. Review §145-26 Residential District Bylaw DRAFT Amendment – §145-26 A (10) (a) Raising or keeping of fowl in residential districts.
7. Draft Townsend Planning Board 2021 Annual report.

Respectfully submitted,

Approved on: February 14, 2022

Elizabeth Faxon

Planning Board Administrator