



Office of
THE PLANNING BOARD

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TOWN OF TOWNSEND
TOWN CLERK

Laura Shifrin, Chair
Carol Hoffses, Member

Robert Therrien, Clerk

Mike Virostko, Vice Chair
Ian Ortiz Santiago, Member

PLANNING BOARD MEETING Minutes

November 7, 2022, at 7:00 PM

SELECTMEN'S CHAMBERS, 272 MAIN STREET, TOWNSEND, MA.
And remotely via TCAM hosted ZOOM for convenience

All are invited to attend
Join Zoom Meeting

Meeting ID: **836 1697 9548** Passcode: **784923**

1 PRELIMINARIES: votes may be taken.

- 1.1 Call the meeting to order and roll call. After a period of technical difficulties with the meeting room equipment, Chair Laura Shifrin called the meeting to order at 7:21 PM. Roll call was taken. Present: Robert Therrien (in person), Carol Hoffses (in person) Laura Shifrin (in person). Absent: Michael Virostko and Ian Ortiz Santiago. Others present: Beth Faxon, PB Admin., Hartley Pleshaw, TCAM Atty. Adam Costa, Sallie Thurber, Gary Shepard
- 1.2 Recital of The Pledge of Allegiance of the United States. Conducted with expressed gratitude to veterans and those in military service.
- 1.3 Announce meeting is being recorded. Noted.
- 1.4 Chairman's Additions/Deletions to Agenda unforeseen prior to 48 hours of this meeting.
- 1.5 Review Volunteer response forms received for Planning Board vacancy.
- 1.6 Approval of Planning Board meeting minutes October 24, 2022, and September 12, 2022. C. Hoffses made a motion to approve the minutes of October 24, 2022, and September 12, 2022. R. Therrien seconded. A roll call vote was taken as follows: YES – R. Therrien, C. Hoffses, L. Shifrin. The motion carried unanimously.

2 **PUBLIC HEARINGS : votes may be taken.**

- 2.1 **7:30 pm continuation of public hearing** – Locus property: 22 Main Street. (Map 41 Block 6 Lot 0)
Site Plan Review Special Permit.
Applicant: Sallie Thurber.
proposed project: a change in use to operate a veterinary clinic in the Outlying Commercial District.
 Present: Sallie Thurber Applicant. Gary Shepard
- 2.2 The public hearing was reconvened at 7:31pm. Chair Shifrin stated that the public hearing was opened on August 22, 2022, continued to October 3, 2022, and again to November 7, 2022. The Board expressed concern that the Applicant had not submitted required documents for the site plan review special permit application. S. Thurber said she contacted an architect in September 2022 to complete the project's topographical site plan. She said this person did not follow through and lost contact with them. She made additional attempts to contract a licensed professional without success. Chair Shifrin noted that a prolonged period has elapsed since the Applicant was denied a waiver for a professionally engineered site plan and inquired as to why the site plan was not received. Ms. Thurber replied she has been following all the Codes in the work that she is doing at the site. Mr. Therrien noted that a licensed civil engineer should be preparing the site plan who is certified to work to a standard required to address the design standards depicted in the Bylaw. He stated that she can contract with a local surveyor who also does civil engineering to produce a acceptable site plan. He further stated that the Planning Board bylaws, regulations, and Code are clear on what information is required for a site plan. He further noted that the Applicant is operating a business in a non-conforming existing residential building which needs to be changed to be compliant as a commercial business. He reminded the Applicant that the Planning Board cannot move forward unless they have a comprehensive application any may offer another extension. Mr. Gary Shepard stated that he installed a septic system upgrade at the property. Mr. Shepard offered to give the Applicant guidance and help them find a civil engineer to obtain the appropriate drawings depicting existing conditions and proposed conditions. Mr. Therrien asked if the Applicant would notify the Board when they have engaged a professional engineer to produce the site plan and provide an estimated delivery date. Town Counsel offered commentary to the Board stating that the history and the current operation of the business at the site is relevant in the decision-making process to continue the public hearing for multiple sessions without added information or documents received from the Applicant. He stated that the Board need not be concerned with violations, building code violations, or zoning violations as they are the responsibility of the Zoning Enforcement/Building Commissioner to enforce. He further stated that there is no time limit on the special permit process, once the public hearing is open you can keep that public hearing open indefinitely and then explained the pros and cons to such actions. He noted that if the Board asks for

information that the Applicant does not provide, it can certainly close the public hearing and act. Chair Shifrin acknowledged that staff has spent a lot of time providing help and guidance to Ms. Thurber on what is required for permitting this project. R. Therrien made a motion that the public hearing be continued to December 12, 2022, and at that time to have documentation that a certified licensed civil engineer who is qualified to provide the requirements of the site plan drawings has been engaged as well as a projected timeframe that the site plan will be delivered to the Planning Board. C. Hoffses seconded the motion. A roll call vote was taken as follows: YES – R. Therrien, C. Hoffses, L. Shifrin. The motion carried unanimously. C. Hoffses moved to continue the public hearing of 22 Main Street veterinary hospital to December 12, 2022 at 6:45pm. R. Therrien seconded. A roll call vote was taken as follows: YES – R. Therrien, C. Hoffses, L. Shifrin. The motion carried unanimously. The Applicant was instructed to forward any documents or information to the Planning Board office via the Administrative Assistant's email or deliver them via mail or in person.

3 WORKSESSION: votes may be taken.

- 3.1 Review/discuss proposed zoning bylaw amendments to Section 145-54.1 Age restricted development Revision 2. And Section 145-42 Site Plan review special permit. The Board reviewed the Draft proposed zoning amendments individually. The remote only public hearing is scheduled for Nov. 16th, 2022, at 6:45pm. Chair Shifrin requested Town counsels' attendance at the public hearing.
- 3.2 Zoning Board of Appeals Mandatory referral – 75 Pierce Road application for special permit for accessory apartment use. The Board reviewed the application and asked the Admin to forward the following comment to the Zoning Board of Appeals. C. Hoffses made a motion to offer the comment: "The Planning Board is in favor of this proposal." R. Therrien seconded. A roll call vote was taken as follows: YES – R. Therrien, C. Hoffses, L. Shifrin. The motion carried
- 3.3 Discussion - Hazard Mitigation Plan – municipal vulnerability preparedness plan implementation.
- 3.4 Discussion – 2022 Master Plan implementation. tabled to the next meeting.

4 CORRESPONDENCE: votes may be taken.

- 4.1 Memo from Board of Selectmen re: 2022 Special Town meeting. Noted. Warrant articles are due to the Town Administrator by close of business on November 11th, 2022. Place holders for proposed zoning bylaw proposals for Section 145-54.1 Age Restricted Development and 145-42 Site plan review special permit.
- 4.2 Memo from Board of Selectmen's office re: license renewals. Admin will review the list and report to the Board of Selectmen.
- 4.3 Stormwater Permit project updates. Inspection Reports/other related correspondence. Request was received from Campbell Farm for a Certificate of Compliance and compliance review for Cambell Farm Open Space Preservation Development. A site visit will be scheduled with Town staff and the Planning Board on November 9, 2022. A letter was received from Stan Dillis regarding a transfer of ownership of 3 Wheeler Road and a request for extension of the Stormwater management permit. The Planning Board asked the Admin to contact

the Applicant and inform them that an application filing and fee is required for an extension of a Stormwater Management permit.

- 4.4 Notices from Townsend/other Towns. They were summarized and read aloud by the Admin.
- 4.5 Safe Routes to School Program. - C. Hoffses. Reported a meeting is scheduled with the State coordinator and Recreation Department Head Emy Hoff.
- 4.6 Invitation to a joint meeting with Townsend Housing Authority, Zoning Board of Appeals, Townsend Affordable Housing Trust scheduled for November 14, 2022, at 7:00pm. Meeting details are still pending, noted per request of the Townsend Housing Authority.

5 ADJOURN: Votes may be taken.

- 5.1 Next scheduled Planning Board meeting is scheduled for **Wednesday, November 16, 2022, at 6:30pm.**

C. Hoffses made a motion to adjourn the meeting at 8:25pm. R. Therrien seconded. A roll call vote was taken as follows: YES – R. Therrien, C. Hoffses, L. Shifrin. The motion carried.

Items on file:

- 1. Memo from Board of Selectmen's office re: license renewals.
- 2. Letter from Stan Dillis to the Planning Board re: 3 Wheeler Road transfer of ownership and request for extension of the Stormwater management permit.
- 3. Letter from Stan Dillis to the Planning Board re: Campbell Farm OSPD request for compliance review for Planning Board special permits, subdivision approval, and Stormwater management permit.
- 4. Draft redline proposed zoning amendments for Section 145-54.1 Age restricted development and Section 145-42 Site plan review special permit.
- 5. Legal notice of Planning Board public hearing for review of proposed zoning bylaw amendments to Section 145-54.1 and Section 145-42.

Respectfully submitted,

Approved on: December 12, 2022

Beth Faxon

Planning Board Administrative Assistant