



Office of
THE PLANNING BOARD
272 Main Street
Townsend, Massachusetts 01469
978-597-1700 X1722 planning@townsendma.gov

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OCT 03 2023
TOWN OF TOWNSEND
TOWN CLERK

Laura Shifrin, Chair (2025)

Carol Hoffses, Vice Chair (2026)

Robert Therrien, Member (2024)

Andrew Shepherd, Clerk (2028)

Tony Lopez, Member (2024)

Michael Virostko, Associate Member (2024)

PLANNING BOARD'S MEETING Minutes

August 28, 2023, 6:30 PM Selectmen's Chambers

272 Main Street, Townsend MA, AND via ZOOM for convenience

Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting will not be suspended or terminated if technical problems interrupt the virtual broadcast, unless otherwise required to by law. Members of the public with an interest in a specific agenda item should make plans for in-person attendance.

I. PRELIMINARIES – VOTES MAY BE TAKEN:

1.1 Call the meeting to order and roll call. Chair Laura Shifrin called the meeting to order at 6:34 pm. Board members present in person: Laura Shifrin, Carol Hoffses, Robert Therrien, Andrew Shepherd. absent: Tony Lopez.

Others present: Elizabeth Faxon, Planning Board Admin, Hartley Pleshaw, TCAM host. Jessica Consolvo, Land Use Coordinator (remotely at 6:45pm).

1.2 Pledge of Allegiance. Conducted with expressed appreciation for veterans and first responders.

1.3 Chairman's Additions or Deletions. None.

1.4 Approval of minutes 7-24-2023, 8-14-2023. C. Hoffses made a motion to approve the minutes of 7-24-2023, 8-14-2023. R. Therrien seconded the motion. A. Shepherd noted a misspelling of his last name, Admin will correct. A roll call vote was taken as follows: YES – R. Therrien, A. Shepherd, C. Hoffses, L. Shifrin. The motion carried 4-0-0.

II. APPOINTMENTS & BUSINESS: - VOTES MAY BE TAKEN:

2.1 (6:45 pm) public hearing - 66 Bayberry Hill Road – major stormwater management permit application for construction of a shared driveway providing access to two single family residential dwellings at **66 Bayberry Hill Rd.** (Assessor's Map 9, Block 32 Lot 0) zoned RB. The Applicant estimates 120,000-sf of land disturbance with 1,800-cy of fill and disturbance to steep slopes for the project. The land disturbance proposed is above the threshold requiring a major stormwater management permit. Mr. Stan Dillis, Dillis & Roy CDG., Inc. representing the applicant was present in person. The public hearing was opened, and a site plan was shared on screen.



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Mr. Dillis described the proposed project as a shared driveway to serve two residential homes on the back of the lot. The paved driveway will require a wetland crossing and the Conservation Commission has already approved the proposal. Each residence has a septic system and well. The stormwater runoff from the created impervious surface will be captured and treated by a series of small detention infiltration basins. The system is designed to capture the runoff from the 100 year storm. The stormwater management permit application and associated documents are currently undergoing peer review by the Town's engineering consultant. The width of the driveway is 12ft with turnouts for emergency vehicles. Mandatory referrals were received from the Conservation Commission with the following comment: "if any changes to the plans are made during the stormwater review, please notify the Conservation Commission". Comment received from the Land Use coordinator was "Recommend special erosion and sedimentation care in steep slope areas. Consider tree plantings along the driveway to help the drainage and runoff.". Comment from Board of Selectmen was "The selectboard respects the work the Planning Board does and to proceed in the best interest of the Town.". A. Shepherd made a motion that the public hearing for 66 Bayberry Hill Rd. be continued to September 11, 2023, at 6:45pm. C. Hoffses seconded the motion. A roll call vote was taken as follows: A roll call vote was taken as follows: YES – R. Therrien, A. Shepherd, C. Hoffses, L. Shifrin. The motion carried 4-0-0.

2.2 (7:15 pm) 22 Main St. Best Friends Veterinary Hospital project status update. The Board heard an update on the status of the MADOT access permit from Stan Dillis, representative of the owner. He indicated that MADOT provided comment on the application requiring an adjustment to the orientation of the handicap parking space and that final approval is still pending. He also stated that no site work on the approved plan of record has occurred. The owner was not in attendance. The owner was asked to provide an updated construction schedule to the Planning Board. An Update will be provided at the next scheduled meeting.



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III. WORK SESSION: - VOTES MAY BE TAKEN:

3.1 Planning Board Administrator Updates and Reports. Applications.

Site visits/compliance. 22 Main St. –A letter was issued to the owner on Aug 14th, requesting proof of compliance with the conditions of the special permit issued for Best Friends Veterinary Hospital and attendance on Aug 28th Board meeting.

27 Scales Lane – request for certificate of completion for major stormwater management permit. Awaiting a response to the Land Use Department letter issued to the owner on Aug 8th regarding reasons for changes to the plan and remediation for erosion control measures. SM permit #SM2019-03. 25 Harbor Trace - Harbor Trace PFAS water treatment plant – site visit conducted on Aug. 16th and project is following SM Permit. #SM2023-02 Campbell Way - Campbell Farm OSPD definitive subdivision – inspection report received on Aug 9th, site visit on Aug. 16th. Noted some sedimentation removal work and swale regrading is needed. The SM system appears to be functioning well and as approved. The department issued a letter outlining compliance measures and the owner is working to resolve identified items. SM Permit #SM2023-03. Stormwater management permit compliance - SM8 Monthly inspection reports received from Wheeler Road, Campbell Farm OSPD, Harbor Trace. Planning Board meeting materials pre-meeting review - The offer is extended to all Planning Board members to come into the land use office and review meeting materials before meetings. Staff continue to assist members with questions and information on projects under the Boards review during these sessions. Townsend Fare Free MART service (Montachusett Regional Transit Authority) shuttle bus service has issued a revised schedule. The shuttle no longer runs on Sundays but has lengthened the number of hours between pick up and drop offs on Saturdays. The changes are posted on the Town website. A Special Town Meeting date of 09/26/2023 has been set and the Warrant is anticipated to be opened and closed in the 9/5/23 Board of Selectmen meeting. MBTA communities update asked MRPC to look at feasibility of two areas that are mapped without restrictions: (1) South of Saunders Rd, South of Scales Ln, North of Blood Rd; (2) West of Rt 13, between Bayberry Hill Rd & Old City Rd.

Chairs of BOS and PB are invited to staff planning meetings starting in early Sept to help facilitate communication. MRPC is expected to have a draft bylaw prepared for early September. For October, we'll focus on finalizing bylaw language for formal



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presentation/hearing at Planning & BOS meetings; and target other public outreach opportunities.

EOHLC revised the 3A Guidelines to offer MBTA communities a path to receive some credit for mixed-use development zoning districts – we anticipate receiving a summary update on this from MRPC in September.

Community outreach – Land use staff are working on community engagement suggestions from the last Planning Board meeting.

3.2 Planning Board application and service fee schedule - The fees schedule is formulated into a table for reference. The fee for ground mounted solar is codified in the bylaw and the Board is asked if it would approve of removing the fee via amendment to the bylaw at the Fall Town meeting. The fee will be included in the fee schedule table appended. The Board reviewed a Planning Board Fee schedule in the table. Noted that the Special permit for non-discretionary site plan review for solar/wind energy installation should be \$300.00 unless changed by vote of Town meeting because it is in the zoning bylaw. The revised site plan review application currently states \$350 and needs correction to \$300 and eliminate the \$1,200 fee for new construction and the \$200 fee for modification. Recommendation was made to amend all the bylaws that contain Planning Board fees by removing all the fees and adding a fee Table which will be appended at the end of the Planning Board regulations in the Code. Site compliance inspections were discussed briefly as a new addition to the fees table. Board members are in favor of adding this charge but would discuss it later.

3.3 Announcements/Communications.

Update to compliance guidelines for MBTA communities. Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act. Revised on August 17, 2023. R. Therrien provided comment to the Board regarding the challenges that communities are facing as they work towards compliance with the multifamily zoning districts required under Section 3A. He noted that the Compliance Guidelines for Multi-family Zoning Districts Under Section 3A are being revised and in his opinion it is in response to many complaints that are being made by communities trying to achieve compliance. It was noted that the minimum density for housing units for Townsend's category is 15 units/acre and this is very difficult to zone considering the lack of public sewerage and partial public water supply. Mr. Therrien proposed that the Town meet the minimum requirements to achieve compliance with the law. He questioned how successful the new law will be and he comments that there appears to be resistance by some communities to reaching compliance. Chair Shiffrin commented that she believes we should be doing what is best for the community by attempting to get more than one overlay district



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approved and complying with our Action Plan. Mr. Therrien mentioned the possibility of zoning for other housing types such as tiny housing and in that spirit having a housing product for everyone. Robert Therrien announced that he has been appointed to the Bylaw review committee.

CHAPA MBTA Monthly Learning Session recording and presentation. Noted and the topic was affordable housing, zoning with 40R, pre-approval review, economic feasibility studies for higher affordable housing in the compliance procedure. The video is provided for review upon request to the Land Use staff. MJTC update. Not discussed. MRPC update. Not discussed. Mathew Matos resigned as Conservation Agent effective 9/7/2023. Noted.

Allison Weissensee was appointed as Housing and Grant Administrator to the Land Use Department with a start date of 09/05/2023. Noted.

3.4 Planning Board regulations and bylaw review. Planning Board regulation §175-13 Definitive subdivisions was not discussed. The Board reviewed a Planning Board Fee schedule in the table. Noted that the Special permit for non-discretionary site plan review for solar/wind energy installation should be \$300.00 unless changed by vote of Town meeting because it is in the zoning bylaw. The revised site plan review application currently states \$350 and needs correction to \$300 and eliminate the \$1,200 fee for new construction and the \$200 fee for modification. Recommendation was made to amend all the bylaws that contain Planning Board fees by removing all the fees and adding a fee Table which will be appended at the end of the Planning Board regulations in the Code. Site compliance inspections were discussed briefly as a new addition to the fees table. Board members are in favor of adding this charge but would discuss it later.

A. Shepherd read the notices from other Towns. A discussion regarding hammerhead lots ensued. Admin will research any existing bylaws related to special permits for hammerhead lots from abutting communities for reference.

V. ADJOURNMENT - VOTES MAY BE TAKEN

4.1 Next Planning Board are scheduled for 9-11-23, 10-2-23, 10-16-23, 10-30-23.

A. Shepherd made a motion to adjourn the meeting at 7:38pm. C. Hoffses seconded. A roll call vote was taken as follows: YES – R. Therrien, A. Shepherd, C. Hoffses, L. Shifrin. The motion carried 4-0-0.

Respectfully submitted,
Elizabeth Faxon
Planning Board Admin.



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Approved on: October 2, 2023

Items on file:

1. Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act. Revised on August 17, 2023.
2. 66 Bayberry Hill Road Stormwater management application, Operation and Maintenance Plan, Stormwater report and site plan.
3. 22 Main Street Planning Board Decision site plan review special permit – Best Friends Veterinary Hospital.
4. Draft Planning Board fee Table.