



Office of
THE PLANNING BOARD

272 Main Street
Townsend, Massachusetts 01469
978-597-1700 X1722 planning@townsendma.gov

RECEIVED
NOV 08 2022
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

October 24, 2022, at 6:30 PM

SELECTMEN'S CHAMBERS, 272 MAIN STREET, TOWNSEND, MA.
And remotely via TCAM (Townsend Community Access Media) hosted ZOOM for
convenience

All are invited to attend

Join Zoom Meeting at the following link:

<https://us02web.zoom.us/j/88228005058?pwd=cEpXVUFNYjVOV0JoUGRWT0pyTCs1UT09>

Meeting ID: 882 2800 5058 Passcode: 687352

1 **PRELIMINARIES:** votes may be taken.

- 1.1 Call the meeting to order and roll call. Chairperson Laura Shifrin (in person) called the meeting to order at 6:30pm. Roll call of Members present: Laura Shifrin, Carol Hoffses (in person), Robert Therrien (in person), Ian Ortiz Santiago (remote). Absent: Michael Virostko. Others present: Beth Faxon, Planning Board Admin (in person left the meeting at 7:00pm), Hartley Pleshaw, TCAM representative. Charles Sexton-Diranian (remote)
- 1.2 Recital of The Pledge of Allegiance of the United States. Respectfully conducted.
- 1.3 Announce meeting is being recorded. Announced.
- 1.4 Chairman's Additions/Deletions to Agenda unforeseen prior to 48 hours. Addition, approval of draft Planning Board October 3, 2022, minutes. C.H. made a motion to accept the minutes of October 3, 2022. I. O. seconded the motion. A roll call vote was taken as follows; Yes – I.O, C.H., R. T. and L.S. The motion carried. Addition

under correspondence re: MBTA (Massachusetts Bay Transit Authority) communities guidelines update.

- 1.5 Review Volunteer response forms received for Planning Board associate member vacancy. None were received and the associate Planning Board member vacancy was announced to the public.

2 **APPOINTMENTS: votes may be taken.**

- 2.1 **6:45pm public hearing** – Proposed zoning amendment to Townsend Zoning Bylaw 145-54.1 Age restricted development. Chairperson Shifrin read the legal notice and opened the public hearing at 6:45pm. Present: Gary Amadon (remote), Bill Cadogan (in person, left the meeting at 7:45pm), Joan Savoy (in person, left the meeting at 7:45pm) and Stan Dillis (in person joined the meeting at 7:00pm).

Joan Savoy asked for the reasoning of striking section (ii) “a permanent conservation restriction running to or enforceable by the town shall be recorded for the common open space area and shall include restrictions that the land be retained in perpetuity for conservation or passive recreation.” Chairperson Shifrin responded this was being removed as part of the age restricted development bylaw. She commented that the Planning Board is working to make the bylaw more practical and user friendly for development and new construction. The Conservation Restriction (CR) requirement was not necessary as part of the requirements. She continued to note the importance of the work of the Board of Health in the development process regarding protecting our water supply and natural resources from contamination by septic systems. She added that the Wetland Protection Act is in place and enforced to protect wetlands and natural resources. Mr. Cadogan expressed concern that if the zoning bylaw changed in the future, the open space in the age restricted development bylaw could be considered “developable” if not protected by a CR. It was discussed that the Board of Health would not allow development if the impact on health was present. Mr. Cadogan commented that the Zoning Board of Appeals found the addition of the waiver clause in item (iv) to be arbitrary and felt some criteria should be designated such as the special permit criteria or findings of fact, as a framework to follow prior to granting a waiver. Chairperson Shifrin stated that the suggestion of creating a framework for granting a waiver is a good suggestion and, providing the Applicant with clarity on what the Planning Board would be willing to grant a waiver on. This will be discussed with Town counsel. Mr. Cadogan then expressed an interest in amending the minimum lot size in the applicability section of the age restricted development bylaw to be reduced from two acres to one acre in the Downtown commercial district. R. Therrien agreed with this suggestion based on his experience with creating a sense of arrival in a village.

Stan Dillis commented that he agreed with the reduction of lot size for the age restricted development bylaw. He added that from a design point of view the bylaw the challenge is on a smaller lot once septic is designed in, and the 30% open space is preserved then there may only be space available for one unit.

Comments received from the public were read into the record. Referral comments received from the Board of Health, the Conservation Commission and the Zoning Board of Appeals were read into the record.

Chaz Sexton Diranian spoke in agreement with the suggestion of reducing the minimum lot size to one acre. The 30% open space requirement was based on the original 2-acre minimum lot size. He opined that if the lot size is reduced, then open space requirement should be comparatively, and that the waiver provision should be an instrument for the Planning Board to allow design flexibility. He is in favor of increasing housing in town while being sensitive to the area. He is in favor of establishing a framework the Planning Board is subject to for granting waivers of this bylaw which will give the Applicant information on what is negotiable in terms of design and applicability.

Discussion was had regarding overlay districts in Town. The 40R overlay district is being considered as are mixed use district for re-development of existing structures. R Therrien explained that the Planning Board is working through the zoning bylaws and the regulations with a specific focus on encouraging housing development while maintaining the character of the Town. The Board of Health is the limiting regulatory authority when developing land.

R. Therrien commented that when regulating the height of the buildings, he would prefer to see stories instead of height measured in feet. He noted that the height in the age restricted bylaw is 32' which is lower than in other zoning bylaws in Town. He mentioned that imposing this height restriction can be problematic for architects in the design process. He spoke to the usefulness of the overlay district to achieve many of the goals of development of revitalizing a suffering commercial entity. The overlay district approach would give the owner of the property with vacancies some relief with equal benefit to the Town. He noted that Townsend does need to keep the commercial base, increase the residential base and have higher density housing where it is appropriate. C.H. made a motion to close the public hearing at 7:40pm. I. O. seconded the motion. A roll call vote was taken as follows; Yes – R. Therrien, C. Hoffses, I. Ortiz, and L. Shifrin.

3 WORKSESSION: votes may be taken.

- 3.1 ZBA mandatory referral – 5 Madison Ave Accessory Apt. The Board offered the following comment to return to the ZBA. “The Planning Board supports the Applicant in this application”.
- 3.2 Planning Board regulations review. Article II Chapter 175. The revisions made to site plan review special permit 145-43 were incorporated. The Admin will meet with Town counsel on 10/27/2022 to go over the edits and will ask for a recommendation of which Town meeting timewise would be best for this amendment to be brought for a vote.

4 CORRESPONDENCE: votes may be taken.

- 4.1 Citizens Planner Training Collaborative Fall schedule of courses. Noted.
- 4.2 Stormwater Permit project updates. Inspection Reports/other related correspondence. Stormwater Inspection report form SM8 was received from the 3-Wheeler Road.
- 4.3 Notices from Townsend/other Towns. summarized and read aloud by Admin.
- 4.4 Safe Routes to School (SRTS) Program. - C. Hoffses. A meeting has been scheduled with the Recreation Department and the new SRTS representative in November.
- 4.5 Letter from Stan Dillis, CDG, Inc. to Townsend Planning Board re: Campbell Farm Development. The reason for the letter is to request final approval of the definitive subdivision plan, special permits and the stormwater management permit. Admin will schedule a site walk. Stan Dillis noted that an as-built plan was submitted and commented that the Applicant would like to close out the Stormwater management permit. He noted that not all the houses are built and contended that it is appropriate for the owner to pursue the final approval of the stormwater management permit

prior to the final construction. This will be verified by the Land Use staff and determined prior to the site walk.

5 ADJOURN: Votes may be taken.

- 5.1 Next scheduled Planning Board meeting is scheduled for Monday, November 7, 2022. Chair Shifrin announced that the next planning board meetings are scheduled for November 14, 2022, and December 12, 2022.

C. H. Made a motion to adjourn the meeting at 7:45pm R. T. Seconded the motion. A roll call vote was taken as follows. A roll call vote was taken as follows; Yes – R. Therrien, C. Hoffses, I. Ortiz, and L. Shifrin.

Items on file:

1. Draft amendment proposal to 145-54.1 Age restricted Development bylaw.
2. Warrant Article 2022 Special Town meeting ~ amendment to 145-54.1 Age restricted Development bylaw.
3. Citizens Planner Training Collaborative Fall schedule of courses.
4. Stormwater Inspection report form SM8 was received from the 3-Wheeler Road.
5. Letter from Stan Dillis, CDG, Inc. to Townsend Planning Board re: Campbell Farm Development.
6. ZBA mandatory referral 5 Madison Ave
7. Redline draft revisions to Townsend Zoning Bylaw Section 145-42 Site plan review special permit.

Submitted by: Beth Faxon, Planning Board Administrative Assistant

Approved on: November 7, 2022.