



Office of
THE PLANNING BOARD
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RECEIVED
JUL 29 2020
TOWN OF TOWNSEND
TOWN CLERK

Lance J. McNally, Chairman
Veronica Kell, Clerk

Charles Sexton-Diranian, Member
Carol Hoffses, Associate Member

Laura Shifrin, Vice Chair
Jerrilyn T. Bozicas, Member

Planning Board Meeting Minutes
Monday, July 13, 2020, at 6:30 PM
VIRTUAL MEETING

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

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TOWN CLERK

PUBLIC ACCESS ZOOM MEETING LINK:

<https://us02web.zoom.us/j/4370746322?pwd=51FoUUUVWa0tuZWVDSHZkM21kUFNHUT09>

Zoom Meeting ID: **437 074 6322**

Zoom Meeting Password: **9inAZk**

PRELIMINARIES:

1.1 A. Call the meeting to order and roll call. Laura Shifrin, Vice Chair called the meeting to order at 6:33 P.M. Roll call was taken as follows;

Present: Laura Shifrin, Vice Chairman, Veronica Kell, Clerk, Charles Sexton-Diranian, Member, Carol Hoffses, Associate Member.

Absent: Lance McNally, Chairman Jerrilyn Bozicas.

Others Present: Elizabeth Faxon, Planning Board Administrator.

Adam Costa, Town Counsel (joined the meeting at 7:00 P.M. – left the meeting at 8:00 P.M.)

Acting Chair L. Shifrin announced the error in the numbering of the posted agenda and changed the item numbers in the “preliminaries” section to include the letter “A”. Board members approved.

1.2 A. Chairman’s additions or deletions – Chair read the following aloud;

“† Per the Governor’s Order, and during the State of Emergency now-in-effect or until sooner rescinded, public bodies are relieved from the requirement that they conduct their meetings in a public place that is open and physically accessible to the public;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

CSD made a motion to appoint Carol Hoffses to full member status for the purposes of voting. VK seconded. Roll Call vote was taken as follows; AYE – L. Shifrin, V. Kell, C. Sexton-Diranian. The motion carried. L. Shifrin appointed C. Hoffses to full member status.

1 APPOINTMENTS AND HEARINGS:

1.1 6:45 P.M. Continuation of Public hearing - 48 Fitchburg Road major Stormwater management permit application.

Present: Ziad Ramadan, Applicant; Kyle Burchard, Goldsmith, Prest and Ringwall Inc. Engineer.

† 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.

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Others present: Michael Seikman, public.

The Board discussed the final comments included in the Town's peer review engineer's letter dated July 10, 2020, the site plan entitled residential development Stormwater management permit grading drainage and pavement plan revision date 07-10-2020. Mr. Ziad explained that he had submitted the required revisions of the plans, Stormwater report, and Operation and Maintenance manual for the second round of peer review by the Town Engineer (GEI). GEI has completed the second review and issued a final letter indicating the project meets requirements and, GEI has no further concerns. V. Kell made note to Page 4 of the final peer review letter wherein a reference to micro-pools and drywells on page 6 of the Operation and Maintenance Plan. Mr. Burchard confirmed those references will be removed from the document.

V. Kell Made a motion to grant a Stormwater management permit for 48 Fitchburg Road and sign out of session. C. Sexton-Diranian seconded. A roll call vote was taken as follows; AYE – L. Shifrin, V. Kell, C. Sexton-Diranian, C. Hoffses. The motion carried.

1.2 7:15 P.M. Continuation of public hearing – Seaver Road definitive subdivision approval application and major Stormwater management permit application.

Present: Paul Grasewicz, GRAZ engineering, and Michael Duran, representing Applicant.

Adam Costa, Townsend Town Counsel.

Members of the public: Bob Aylott, Jaleen Seikman, Michael Seikman, Ona Brown, Michael Brown, Richard Cohen, John Massida & Sherrill Burgess.

Paul Grasewicz presented 2 sheets of a reconfigured Seaver Road definitive subdivision plan by sharing it the meeting screen. He recapped the previous proposal as a 3 lot subdivision with the addition of widening the entire length of Seaver Road to a width of 18' and bring Seaver Road back as a Town Road. He noted the Board members did not show strong support of said layout. He pointed out that this revision of the proposal contains a shorter extension of the road, retains the cul-d-sac, one building lot of approximately 5 acres, and 7.6 acres as open space. He noted that at previous public hearings, he felt preference was given to maintaining open space versus widening of Seaver Road as a public benefit. Mr. Grasewicz stated the open space parcel would be conveyed to the Town or, another conservation organization with interest in conservation.

Mr. Duran requested the withdrawal of a document that was submitted to the Planning Board office which contained a design of the residence to be built on Lot 1. No comment from the Board. L. Shifrin acknowledged that a number of emails were received in the Planning Board office hours before the public hearing and, that Board members were not able to review them. Mr. Duran stated that the Applicant would like to hear feedback from the Planning Board on the new proposal which he contended was a much lesser impact of only 1 building lot and, abundant open space.

C. Sexton made a motion to continue the public hearing of Seaver Road definitive subdivision approval application and major Stormwater management permit application to July 27, 2020 at 7:15 P.M. V. Kell seconded. A roll call vote was taken as follows; AYE – L. Shifrin, V. Kell, C. Sexton-Diranian, C. Hoffses. The motion carried.

Mr. Grasewicz stated he would send a letter to the Planning Board office explaining the circumstances of the new proposal and accompanying 2 sheets of revised plans immediately. He further stated more engineering work and redesign of Stormwater infrastructure will be required. He presented the revised interim plan dated 7-10-2020 to the Board to understand if the Board favors this scenario over the previous one.

1.3 7:45 P.M. Continuation of public hearing – Modification of Open Space Preservation Development special permit and modification of Campbell Farm definitive subdivision approval – 187 & 199 North End Road.

The continued public hearing was opened at 7:45 P.M. No substantive discussion occurred.

C. Sexton-Diranian made a motion to continue the public hearing for the modification of open space preservation development special permit and definitive subdivision of 187 & 188 North End Road – Campbell Farm to July 27, 2020 at 6:45 P.M. A roll call vote was taken as follows; AYE – L. Shifrin, V. Kell, C. Sexton-Diranian, C. Hoffses. The motion carried.

2 WORKSESSION:

- 2.1** Vote to recommend that the Board of Selectmen appoint Carol Hoffses as the Associate Planning Board member for a term to end June 30, 2021. – C. Sexton-Diranian made a motion to recommend to the Board of Selectmen the reappointment of Carol Hoffses as the Associate Planning board member for a term to end June 30, 2021. V. Kell seconded. A Roll call vote was taken as follows; AYE – Shifrin, Kell, Sexton-Diranian. The motion carried.
- 2.2** Reorganization of the Planning Board officials. – V. Kell made a motion to nominate the following individuals to the Townsend Planning Board offices: Lance McNally as Chairman, Laura Shifrin as Vice Chairman, Charles Sexton-Diranian as Clerk. A Roll call vote was taken as follows; AYE – L. Shifrin, V. Kell, C. Sexton-Diranian, C. Hoffses. The motion carried.
- 2.3** Master Plan committee discussion. – V.Kell read aloud Ch. 78 Sec. 1 of the Charter describing the Master Plan Committee membership and responsibilities of the Planning Board. The terms of the members of the MPC expired on June 29, 2020 at the Town election. V. Kell asked the Board to consider options, given that the Planning Board will need to consider whether or not additional members other than ex-officio members will be required at this time and to take in to account the anticipated workload. C. Sexton Diranian asked if there are any reason to postpone reappointment of committee members under the current State of Emergency. L. Shifrin noted that 2.5 years has elapsed since the original convening of the Master Plan Committee and that the Planning Board has an obligation to the Town ensure that the Master Plan update is completed. C. Sexton Diranian stated that other Boards, Committees and staff are relying on the expected information that will be contained in the final Master Plan update document. L. Shifrin pointed out that the Town's eligibility for State grant funding is hindered and jeopardized by the lack of an updated and approved Master Plan. She further proposed that the Planning Board may thank the committee for their work, request all documents produced in this effort and, take a lead on completing the Master plan update as a progressive project. V. Kell suggested that the Board not make reappointments of members to the Master Plan committee at this time to allow the Board time to examine the draft Master Plan update created over the past 2.5 years as well as the draft economic policy that was completed by FXM Associates so the Board can assess the work going forward. She further proposed after the assessment has been made the Board, then appoint Master Plan committee members if the Board was so inclined based on the assessment of workload and timeline. Town Counsel joined the meeting and answered questions from the Board on the topic of the roles, requesting documents, options, and appointments. After reviewing the wording in the Charter, Town counsel answered a question from V. Kell that the Planning Board in not under obligation to make any appointments to the Master Plan Committee. V. Kell confirmed that the terms of the appointed members of the Master Plan Committee expired on June 29, 2020, the date of the Annual Town Election. Town counsel addressed the question of a committee operating under the continuity of government statute but did not opine on whether this would apply to a committee which was formed under the authority of the Board, but not by obligation of the Board. He noted that there is no harm in the Board taking a vote to clarify and, enter into the record their intent to not reappoint members of the committee. L. Shifrin asked if the State of Emergency, COVID19 legislation would have impact on this Master Plan Committee reappointment discussion. Town counsel replied it would not since the Town election has occurred on June 29, 2020.

L. Shifrin stated if the motion carries, Board members would direct the Planning board administrator to write a letter to the Chair of the Master Plan committee and, request all documentation prepared in the

effort to date. V. Kell asked to include gratitude for the work of the Master plan committee to date and once we reassess where we are and how to proceed, we hope they will have interest should the Board decide to appoint Master plan committee members in the future. V.Kell made a motion that the Planning Board not make reappointments of the Members of the Master Plan committee at this time to allow the Planning Board time to examine the draft Master Plan update created over the past 2.5 years and the draft economic policy study that was completed by FXM Associates in 2019 in order to assess the workload going forward. C. Sexton-Diranian seconded. A Roll call vote was taken as follows; AYE – L. Shifrin, V. Kell, C. Sexton-Diranian, C. Hoffses. The motion carried

Discussion on the motion: L. Shifrin directed the Planning Board Administrator draft a letter as discussed, and forward it to the Board for input. Board members also directed the administrator file a public records request concurrently with the letter to the Chair of the Master Plan Committee.

- 2.4 Approval of minutes 06-15-2020. - V. Kell made a motion to accept the minutes of 6-15-2020 as written. C. Sexton-Diranian seconded. A Roll call vote was taken as follows; AYE – L. Shifrin, V. Kell, C. Sexton-Diranian, C. Hoffses. The motion carried
- 2.5 Townsend's Draft Hazard Mitigation -Municipal vulnerability preparedness plan update. Planning Board administrator updated the Board that the Townsends draft HMP-MVP has been completed, reviewed and submitted to both Massachusetts Emergency Management Agency (MEMA) and the Executive office of Energy and Environmental Affairs (EOEEA). The Town will receive feedback comments from these agencies. When the feedback and commentary are received, the Town will have another opportunity, with the consultation of the MVP provider to review and incorporate the comments. The adoption of the 911 addressing Standard, recommended by Chief Boynton will be added to the report. The Board will receive another copy of the draft at this juncture. The finalized document will then be presented to the Board of Selectmen for formal adoption by the Town. C. Sexton-Diranian commented that he was very impressed with the report.
- 2.6 Townsend's MVP Action Grant application & Special Town meeting 2020 warrant article. Planning Board administrator reported that Townsend's MVP Action grant application has been filed to the Executive office of Energy and Environmental Affairs on June 18, 2020. There is fantastic support for the project titled Townsend's Climate Resilience Water Supply Assessment. Boards and Committees, staff and local organizations have written letters of support, offered in-kind and monetary match funding to cover with the 25% match which is the obligation of the Town if we are awarded the grant. V.Kell announced that the Warrant article that is contingent upon award of Townsend's MVP Action grant, will be before the Town at the Annual Town meeting on July 25th, 2020. The location of the Town meeting will be outside of the Senior Center. She read Article 3 – submitted by the Board of Water commissioners to transfer from the water enterprise fund a sum of \$2000.00 to assist the match requirements of the MVP Action grant. Article 4 – submitted by the Board of selectmen, to see if the town will raise and appropriate required funds to have available for the 75% total project cost which will be reimbursed by the grant. The Planning Board administrator will draft a hand out for Town meeting and circulate to Board members for comment.
- 2.7 Safe routes to school Program update. – V. Kell acknowledged support from the Planning Board at the previous Planning Board meeting and has started to assemble a team. She has contacted Chief Sartell and collected emails for other individuals who she will be contacting. The first part of the program is teaching road and bike safety in the schools, she is not sure what the format will be, face to face or virtual. There are a few unknowns in the implementation of the program this year due to COVID19.
- 2.8 Townsend's MASS DOT Shared streets and spaces grant application update. – Grants are being awarded on a rolling basis and Townsend will benefit from moving quickly on this opportunity. Staff is working with a consultant to come up with a proposal and cost estimate. More will be relayed in the next few weeks.

- 2.9 MASS DOT Road Safety Audits (MRPC). – V.Kell informed the Board that she learned about this program at the recent MJTC meeting. In this program Towns can participate by identifying problem traffic areas in their town and MASS DOT and applying for evaluation and recommendations by the State. A Road safety audit (RSA) has not been done in Townsend since 2006. We have an intersection analysis study awarded for Rte. 13 & Main and, the Brick Store intersection under the UPWP program scheduled to begin in the Fall of 2020. V.Kell suggested two potential areas of concern including the intersection at Proctor Road and, in front of the High School across from Harbor Village shopping center as well as in front of Sterlite Corporation. She noted the next MJTC meeting is in September. V.Kell will find out how to formally submit a request. L. Shifrin asked if both the Police and Highway departments would be included. V. Kell replied affirmatively.

3 **CORRESPONDENCE:**

- 3.1 Notices from Townsend/other Towns. Planning Board administrator emailed all notices received to Board members prior to the meeting. - Planning Board administrator will put Scenic Roads legislation discussion on the next planning board agenda.
C. Sexton-Diranian made a motion to adjourn the meeting at 8:25 P.M. V.Kell seconded.
A Roll call vote was taken as follows: AYE – L. Shifrin, V. Kell, C. Hoffses, C. Sexton-Diranian. The motion carried.

Respectfully submitted,

Approved on: July 27, 2020

Elizabeth Faxon

Planning Board administrator

Items on file:

1. GEI Letter peer review final.
2. 48 Fitchburg Road - Revised O & M plan, site plans and Stormwater report.
3. Seaver Road definitive subdivision revised interim plan dated 7-10-2020 2 sheets.
4. Email to Townsend planning Board from Mr. Gardner re: home to be built on Lot 1 dated 7-10-2020. (Withdrawn).
5. Townsend's draft HMP-MVP plan.
6. Townsend's MVP Action grant application.
7. Warrant articles for STM Town meeting July 25, 2020 related to the MVP Action grant application.

TOWNSEND PLANNING BOARD PUBLIC MEETING

Time: Jul 13, 2020 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

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