



Office of
THE PLANNING BOARD
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Townsend, Massachusetts 01469
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RECEIVED
DEC 23 2020
TOWN OF TOWNSEND
TOWN CLERK

Lance J. McNally, Chairman

Laura Shifrin, Vice Chair

Carol Hoffses, Associate Member

Charles Sexton-Diranian, Clerk

Jerrilyn T. Bozicas, Member

Planning Board Meeting minutes

Monday, November 30, 2020, at 6:30 PM

MEETING REMOTELY

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

PUBLIC ACCESS ZOOM MEETING LINK: Join Zoom Meeting

<https://us02web.zoom.us/j/82551104895?pwd=N0tOMmwvYk9ZamdLME5MVksyeWFvdz09>

Meeting ID: 825 5110 4895 Passcode: 190782

1 PRELIMINARIES: votes may be taken.

- 1.1** Call the meeting to order and roll call. Chairman Lance McNally called the meeting to order at 6:34 PM.

Board Members present: Lance McNally, Chairman, Laura Shifrin, Vice Chair, Charles Sexton-Diranian, Clerk, Jerrilyn Bozicas, Member and Carol Hoffses, Associate Member. Chairman McNally appointed Carol Hoffses to full member status for the meeting.

Others present: Elizabeth Faxon, Planning Board administrator, Veronica Kell, Selectwoman, Hartley Pleshaw, TCAM, Gary Amadon (left @ 7:00 p.m.), Christopher McDermott, MRPC, David Vigeant, Water superintendent (left @ 7:15 p.m.), Stanley Dillis, Ducharme & Dillis, CDG., Inc. Gregory Boucher, Esq. (7:00 p.m.-7:30 p.m.) Kym Craven (left @ 6:40 p.m.) Mark Cran (8:00 p.m.-8:15 p.m.) Joan Wolkowicz (8:00 p.m.) Peter Cunningham (8:00 p.m.)

- 1.2** Chairman's additions or deletions. None noted.

- 1.3** Approval of minutes 11-16-2020. Change word "interesting" to "interested". Add all the attendees of the meeting to the top of the document. J. Bozicas made a motion to approve the minutes of 11-16-2020. C. Sexton-Diranian seconded. YES – C. Sexton-Diranian, C. Hoffses, J. Bozicas, L. McNally ABSTAIN – L. Shifrin.

2 APPOINTMENTS AND HEARINGS: votes may be taken.

- 2.1 ANR - West Meadow Road –** Mr. Dillis stated that the owner is creating two Lots and one Parcel. The 94.6 acre Lot 2 is scheduled to be sold to Massachusetts Fish and Wildlife. Chairman Lance

† Per the Governor's Order, and during the State of Emergency now-in-effect or until sooner rescinded, public bodies are relieved from the requirement that they conduct their meetings in a public place that is open and physically accessible to the public;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

McNally noted that the owner's names as written on the ANR Form-1 application are not correct. Mr. Dills confirmed and will send the corrected application to the Administrator.

C. Sexton-Diranian made a motion to accept the waiver of the required 1'-40' scale on the ANR plan. L. Shifrin seconded. YES – C. Sexton-Diranian, J. Bozicas, C. Hoffses, L. Shifrin, L. McNally.

J. Bozicas made a motion to approve the ANR of 59 West Meadow Road. L. Shifrin seconded. YES - C. Sexton-Diranian, J. Bozicas, C. Hoffses, L. Shifrin, L. McNally

2.2 6:45 PM – continuance of public hearing – application for a stormwater management permit.

Applicant: Ambros Corporation Present: Stan Dillis, Gary Amadon **Location:** 3 Wheeler Road. Map #4 Block #9 Lot #1 **Project:** the application for a stormwater management permit is filed in conjunction with an application for an Earth Excavation special permit under review by the Zoning Board of Appeals. The applicant proposes to remove 109,000 cubic yards of material which is above the threshold requiring a Stormwater permit.

Chairman McNally reconvened the public hearing. The Board reviewed the draft decision for approval of the Stormwater management permit. L. McNally noted a formatting error on the indent for the public hearing. The Decision reflects approval of issuing a Stormwater management permit.

C. Sexton-Diranian made a motion to approve the Decision and to grant a stormwater management permit for 3 Wheeler Road. J. Bozicas seconded. YES - C. Sexton-Diranian, J. Bozicas, C. Hoffses, L. Shifrin, L. McNally. The motion carried.

J. Bozicas made a motion to close the public hearing on 3 Wheeler Road. C. Sexton-Diranian seconded. YES - C. Sexton-Diranian, J. Bozicas, C. Hoffses, L. Shifrin, L. McNally. The motion carried.

2.3 7:15 PM – continuance of public hearing – application for renewal of a cell tower site plan review special permit.

Applicant: SBA Towers V, LLC.

Location: 12 Ball Road. Map#45 Block #2 Lot #0 **Project:** application for renewal of a special permit for an existing cell tower located at 12 Ball Road.

Present: Gregory Boucher, on behalf of the Applicant

Chairman McNally reconvened the public hearing. The Board reviewed the draft decision for 12 Ball Road site plan review special permit renewal. C. Sexton-Diranian asked if the Board received the requested wording from the Applicant regarding allowing space on the tower for Town municipal emergency services communications. Administrator noted that wording pertaining to granting space on the tower for EMS was received today from the Applicant and was not incorporated into the draft decision that was under review by the Board. The draft Decision will be amended with the correction regarding the allotment of cell tower space for EMS as a condition and not a contingency of issuing the renewal of the special permit. The wording provided by the Applicant will be included as a condition of the draft Decision and sent to Town counsel for review. The contingency sentence will be removed from the draft decision. L. Shifrin noted that the statements of facts should be in chronological order and Administrator will correct. C. Sexton-Diranian made a motion to continue the public hearing of 12 Ball Road to December 7, 2020 at 6:45 p.m. C. Hoffses seconded. YES - C. Sexton-Diranian, J. Bozicas, C. Hoffses, L. Shifrin, L. McNally. The motion carried.

2.4 8:00 PM – continuance of public hearing – site plan review special permit.

Applicant: Squannacook Greenways, Inc. **Location:** MBTA property lot abutting 9 Center St. Map #51 Block #136 Lot#0 & Map# 51 Block #57 Lot #0 **Project:** proposed construction of 12 parking spaces to provide parking for access to the Squannacook Rail Trail at MBTA lot abutting 9 Center Street.

Present: Stan Dillis, Bill Rideout, Mark Cran

Chairman McNally reconvened the public hearing for the Depot Street Rail Trail parking area at 8:00 p.m. Mr. Dillis stated that the proposal is for 12 parking spaces for the public to access the Rail Trail

which is under construction. The latest revision of the plan proposes the access to the parking area off of Depot Street instead of Center Street. The parking area will be gravel containing 12 parking spaces with one handicapped accessible. The topography of the site is flat. Grass, topsoil and a brush pile will be removed, and gravel will be placed. The site is gently sloping towards a recharge trench. Signage will be provided. The placement of the parking spaces can be flipped from the North side of the parking area to the southside of the parking area adjacent to the Rail Trail corridor. The underlying soils are sand, and infiltration of runoff is good. The parking lot is self-contained within the MBTA property and access is proposed from Depot Street. Mandatory referrals were read into the record by the Clerk. Comments from the Building Commissioner and the Highway Department were addressed by Mr. Dillis who stated that eliminating the handicapped space would be a solution to some of the issues raised in the comments. He stated that there is a handicap parking space at another Rail Trail parking area in Town near the Harbor. He noted that the entire Rail Trail is designed to be handicap accessible. Mr. Dillis commented that the gravel surface is preferred and that removal of the handicap space would allow for such use instead of pavement. P. Cunningham stated that the entire rail trail is a compacted stone dust surface which is handicap accessible and compliant. Mr. Dillis stated that the maintenance would be entirely the responsibility of the Applicant, Squannacook Greenways Inc. with no expectation of involvement of the Town. Mr. Rideout stated that the plan is to maintain the entire Rail trail with volunteers and the parking area is included. Chairman McNally asked for revised plan indicating the discussed changes. Mr. Dillis stated he will remove the handicap spot and flip the parking spaces up against the Rail Trail in an attempt to help with traffic flow in the area. A secondary referral will be sent to the Highway dept., Building Inspector, Conservation, ZBA. C. Sexton Diranian made a motion to continue the public hearing of the Depot Street Rail Trail parking area to December 7, 2020 at 7:15 p.m. J. Bozicas seconded. YES - C. Sexton-Diranian, J. Bozicas, C. Hoffses, L. Shifrin, L. McNally. The motion carried. C. Sexton-Diranian made a motion to authorize the Administrator to draft a decision to approve the project and review by Town counsel. C. Hoffses seconded. YES - C. Sexton-Diranian, J. Bozicas, C. Hoffses, L. Shifrin, L. McNally. The motion carried.

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

- 3.1 Townsend Master plan committee update. K. Craven provided the update. She noted the Committee meet on 11/24/2020 and finalized all comments prepared for the vendor of the Economic Development Plan under their review. The Water Chapter was received by Mr. Melanson for Committee review and will be sent to Planning Board Members. The next scheduled meeting is on 12/08/2020. Chairman McNally noted that at the 11-16-2020 Planning Board meeting, Board Members took no action on the appointment of Cynthia Donovan Schuster, and deferred her appointment to today's agenda. He added that Ms. Schuster will need to be sworn after the Board appoints her and before she can participate in the next meeting.
- 3.2 Draft proposal Scenic Roads Regulations. Chairman McNally shared his findings after comparing neighboring Towns Scenic Roads bylaws. A document compiling Scenic roads bylaws and regulations of the adjoining Towns has been created. He noted that Ashby has the most comprehensive bylaw with regards to Scenic Road. A draft Scenic Roads bylaw amendment proposal was drafted and distributed to the Board for discussion at the next meeting. Which includes the language that you could not modify a stonewall or cutting of trees within the Towns public right of way. If the property owner is greater than 25' from the center of the road a special permit is not required.
- 3.3 DLTA MRPC Townsend's draft age restricted housing development zoning bylaw. Board Members reviewed the Draft Age restricted development bylaw proposal and considered including wording for affordable housing. L. McNally commented that further clarification is needed regarding the enforcement of the age restriction criteria. Planning Board administrator will forward this question to town counsel. MRPC will add wording describing the age criteria such as one owner must be 55 years old or older. The Board discussed the idea of mandating affordable units as part of the bylaw proposal. After discussion, Board Members were in agreement that it would be best left as is in the interest of keep the bylaw less restrictive. Mr. Diranian commented that a developer is interested in including affordable units, they would be referred to the Townsend Housing Authority during the permitting process. L. Shifrin stated that in the last round of surveys the need for affordable housing

is documented and clearly still in need of being addressed. She proposed the idea of including wording in this bylaw to include the option of affordable housing. Board Members were reluctant to over restrict development by adding the requirement for affordable housing and to propose a less complicated bylaw. C Hoffses pointed out that if affordable units are required then it would tend towards families and that is somewhat contradictory to the age-restricted element of the bylaw proposal. Chairman McNally reviewed that the purpose of the proposal is to provide some zoning relief for age-restricted housing. The way the bylaw is written allows for both affordable and market rate at the choice of the developer. The Board was in agreement to add specific criteria for age restricted ownership and to ask Town counsel for recommendations and opinion for enforcement of the age restriction criteria.

- 3.4 DLTA MRPC Townend Chapter 43D feasibility grant. The priority development sites selected by the Board were mapped and distributed to Board Members for review. The Board has received detail on the application process and is ready to approach owners of Priority Development site owners for a conversation about the CH43D program and the detail necessary for including their property at a PDS in the application. Pending completion of the correspondence with PDS owners, and populating the Application Form, the Town will be prepared to submit to the State. Additionally, a warrant article to ask Town meeting to adopt M.G.L CH 43D program will be necessary. Administrator will produce article for Town meeting warrant. Board members will review the maps and L. Shifrin will prepare to discuss the program with identified PDS property owners.
- 3.5 Safe routes to school (SRTC) update. –C. Sexton-Diranian is working with Veronica Kell and Rachel O'Donnell on this program. He noted that at this point they are canvassing what the interest is from the schools. He will be able to share more after they can meet. Administrator offered to set up a Zoom meeting with a school representative, SRTC rep, Selectwoman Kell and Mr. Diranian. Mr. Diranian noted that a SRTC committee will be formed after confirmation is received that the school is interested in the SFTC program.
- 3.6 appointment of master plan committee member Cynthia Donovan Schuster. J. Bozicas made a motion to appoint Cynthia Donovan Schuster to the Master Plan Committee. C. Hoffses seconded. YES – C. Sexton-Diranian, C. Hoffses, J. Bozicas, L. McNally ABSTAIN – L. Shifrin. The motion carried.

4 **CORRESPONDENCE: votes may be taken.**

- 4.1 Notice from Town Counsel re: COVID-19 Advisory Massachusetts Chapter 201 of the Acts of 2020. – Administrator updated the Board that the statutory timelines have been reinstated by the Governor. The Board can continue to meet remotely.
- 4.2 Notices from Townsend/other towns. – Townsend Housing Authority and the Townsend Affordable Housing trust have worked together to provide a program titled COVID-19 Rental & Mortgage Assistance to help income eligible households impacted by COVID-19. More information is posted on the Town main page of the website. Notices from other Towns were read.

5 **SCHEDULE AND ADJOURN: votes may be taken.**

- 5.1 Next Planning Board meeting tentatively December 7, 2020. L. Shifrin recommended that Planning Board members watch the recording of the 11-24-2020 Master Plan Committee Zoom meeting which is on the Town of Townsend YouTube channel. C. Sexton-Diranian made a motion to adjourn at 8:23 p.m. L. Shifrin seconded. YES – C. Sexton-Diranian, C. Hoffses, J. Bozicas, L. McNally ABSTAIN – L. Shifrin. The motion carried.

Respectfully submitted,

Elizabeth Faxon

Planning Board Administrator.

Approved on: December 21, 2020

Items on file:

1. Draft Decision Stormwater Management permit 3 Wheeler Road & Associated Stormwater permit.
2. Draft Decision 12 Ball Road Cell Tower site plan review special permit renewal.

3. Email to Planning Board Administrator from Gregory Boucher, Esq. re: Townsend Planning Board continued public hearing 12 Ball Road cell tower site plan review special permit renewal application. Proposed language for the Decision. Dated 11-30-2020 2:37 PM
4. Zoning Amendment bylaw proposal: Townsend Age Restricted housing development.
5. Depot Street – Squannacook Greenways, Inc. Rail Trail parking lot application and site plan revised 11-25-2020.
6. COVID -19 Advisory; Chapter 201 of the Acts of 2020.
7. De-leading of residence notification.
8. COVID-19 Rental and Mortgage Assistance program brochure
9. Local Rapid recovery planning assistance application announcement.
10. TIP Development Memorandum 11-13-2020.
11. Scenic Roads Act bylaw proposal.

Materials are available digitally on request by emailing bfaxon@townsendma.gov

Topic: TOWNSEND PLANNING BOARD (via Jerry Racette, TCAM, Zoom meeting room)

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

Join Zoom Meeting

<https://us02web.zoom.us/j/82551104895?pwd=N0tOMmwvYk9ZamdLME5MVksyeWFvdz09>

Meeting ID: 825 5110 4895

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