



Office of
THE PLANNING BOARD
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R E C E I V E D
 JUL 21 2022
 TOWN OF TOWNSEND
 TOWN CLERK

Laura Shifrin, Chair
 Carol Hoffses, Member

Robert Therrien, Clerk

Mike Virostko, Vice Chair
 Ian Ortiz Santiago, Assoc. Member

PLANNING BOARD MEETING

Monday June 13, 2022, at 6:30 PM

VIRTUAL MEETING ONLY

All are invited to attend

VIA: ZOOM PER EXTENSION OF 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://zoom.us/j/99910323149?pwd=eElJbk9VdStFV2hmakFyQU9VQ0NaQT09>

Meeting ID: 999 1032 3149

Passcode: 725379

1 PRELIMINARIES: votes may be taken.

- 1.1 Call the meeting to order and roll call. Chair Laura Shifrin called the meeting to order at 6:40 pm. Board members present: Michael Virostko, Ian Ortiz Santiago, Carol Hoffses, Laura Shifrin, Robert Therrien.
- 1.2 Recital of The Pledge of Allegiance of the United States.
- 1.3 Announce meeting is being recorded.
- 1.4 Chairman's Additions/Deletions to Agenda unforeseen prior to 48 hours of this meeting. None.
- 1.5 Review Volunteer response Forms received for Planning Board vacancy. The full Planning Board member vacancy is filled by Ian Ortiz Santiago. A vacancy is now posted for a Planning Board associate Member.
- 1.6 Approval of minutes. None.

[†] In accordance with actions related to an extension to the remote meeting provisions of the Governor's March 11, 2020, Executive Orders until July 15, 2022, this meeting will be held remotely.

- 2 **PUBLIC HEARINGS: votes may be taken.** Chair Laura Shifrin stated that due to a ministerial error, two different notices advertising different times were advertised to the public, therefore the public hearing on the project of 32 Main St, scheduled for 6:45 will be held at the later of the posted times being 7:45 pm during this meeting. Robert Therrien made a motion to continue the public hearing for 32 Main Street until 7:45 pm during this meeting. Carol Hoffses seconded. A roll call vote was taken as follows; YES – R.T., C.H., M.V., I.O.S., L.S. The motion carried 5-0-0.

- 2.1 **7:45 pm continuation of public hearing – 32 Main Street Assessors Map 33, Block 60, Lot 0.** Site Plan review special permit – 32 Main Street – to construct and operate a food truck park. Applicant: Anthony Sabatino, ASC Enterprises, Inc., Present: Giovanni Fodera, Fodera Engineering Inc. representing Mr. Anthony Sabatino.
Others Present: David Vigeant, Townsend Water Superintendent, Niles Busler, abutter, Kym Craven.
Mr. Fodera presented the project summary. He stated the currently in use as a single family residential use and the proposal is a food lot for food trucks with picnic area, 66 parking spots connected to a driveway access looping around to enter and exit via the same curb cut to Rt. 119. There is a separate driveway area for the food trucks to enter and exit. The rental of food truck spaces will be on a monthly or seasonal basis depending on the client. He commented that it is a unique concept and the first of this type in Townsend. He noted that because of the unique nature of this project, it was difficult to calculate the amount of parking spaces that would be suitable. He pointed out the location of the dumpster on the plan and noted that more landscaping could be beneficial in the design. He noted that a better review of the Towns' bylaws would benefit the project in planning and design. He stated the parking area will be gravel and the food truck picnic areas will be mulched and canopied with existing tree cover and new tree plantings. The lot is designed to create a picnic and campsite setting. He commented that this design and idea was modeled after a project implemented in Middleton MA, and then displayed photos of that project for example. He pointed out ADA parking spots on the plan. He displayed a photometrics plan and noted a preliminary idea of the proposed lighting arrangement. He presented a Stormwater management plan and outlined the plan for stormwater runoff management and a pointed out the proposed detention pond at the back of the property. He noted close proximity of the site to the rail trail and noted there is no current infrastructure in the site plan to connect to this feature due to topography of the site. C. Hoffses expressed concern regarding the curb cut sight distances for entering and exiting the property. She also mentioned the close proximity of the entrance/exit to the fire hydrant as a concern. Mr. Giovanni explained that there is a 15' setback requirement from the hydrant to the entrance/exit which is met. He acknowledged the steep slope existing along Rt. 119 and stated that grading to comply with the requirements of sight distance for the entrance/exit will be addressed. In response to a Board members question, the engineer confirmed there is no architectural design available for the bath house/restroom facilities and that would be forthcoming later in the permitting process. David Vigeant spoke with concerns about the project design and planning with respect to the Town water supply and the fire hydrant. He

suggested the hydrant could be moved, and after proposed project grading is complete, branch off of the existing 6-inch line to service the proposed project water supply. The engineer would need to locate a water meter on site and route the water supply to the proposed bath house and separate out to each truck station from there. The engineer needs to locate the septic system on the plan which impacts where the water line would be placed. Mr. Busler, abutter commented that the project must be in compliance with the Townsend lighting bylaw which has wording in regard to light trespass or shining light beyond the property boundary. He suggested privacy fencing be installed along the side yard and expressed due diligence be undertaken with respect to proper disposal of trash generated by the proposed business. He also mentioned planning for wildlife control at the site. Kym Craven expressed her excitement about the project proposal and suggested some privacy fencing and small shrubs along the property line for buffering the byproducts of the proposed activity of the site for neighbors. She recommended using roll away barrels for trash and encasing them in a wooden structure or pvc "wood like" material which would have secure latching. She mentioned flow to and from the proposed business to the rail trail and suggested construction of some switchback staircasing with a bike lock and signage at the rail trail level. She commented that this proposal is an innovative food service area and is good for Town's businesses, and connectivity to the rail trail would be a benefit. She suggested considering bike racks on the site and propane heaters during cooler weather. She asked that the engineer convey a welcome to the applicant to the Town and would be happy to facilitate any meetings to incorporate this business proposal as a destination off the rail trail. Referral comments were received from the Board of Health, who commented about necessary permits, duration of food trucks on site, septic system approval, public water supply, and management of refuse, and pest management plan. The Building Commissioner who stated concerns with accessibility and the proposed surface of the parking area. The Board of Selectmen who commented on the need to address security off hours, excessing parking spots, and duration of food trucks on site. The Conservation Agent requested confirmation from the Applicant via field visit that no wetland or stream features are located within 200' of the parcel boundary. The Fire department commented that the hydrant located near the driveway must remain clear of obstacles and obstructions. The Land Use Coordinator's comment contained a primary concern of traffic at the entrance, including visibility for pedestrians, bikes, and vehicular traffic. The comment included an update that the applicant has submitted a complete stormwater management application for the project. The Police chief commented on the security of the site in the off season as well as ensuring sufficient lighting for security and safety, adequacy of restrooms and, concern about location of overflow parking if needed. The Water Department commented that the applicant should contact the Department for consultation, concern that the hydrant is too close to driveway, no water meter is shown on plan, the water supply infrastructure needs to comply with requirements. A letter was read from abutters Michele and Niles Busler dated March 8, 2022. An email was read from concerned citizen Joan Savoy. Mr. Fodera stated that he would be conferring with his client to discuss a course of action and would not be prepared to

continue with substantive revisions and new information for a few months. M.V. made a motion to continue the public hearing of 32 Main Street site plan review special permit to September 26th, 2022, at 6:45pm. C.H. seconded the motion. A roll call vote was taken as follows; YES – R.T., C.H, M.V., I.O.S., L.S. The motion carried 5-0-0.

C.H. made a motion to approve contracting a consultant to conduct a peer review of the Stormwater management application and plan for 32 Main Street and collect the associate peer review consulting fee of \$2500 from the Applicant. I.O.S. seconded the motion. A roll call vote was taken as follows; YES – R.T., C.H, M.V., I.O.S., L.S. The motion carried 5-0-0.

It was noted by M. Crowley that the site plan review proposal for the Food lot includes a gravel parking lot which is out of compliance with the requirement in the bylaw that states parking shall be paved unless a waiver is granted via the site plan review process. The perviousness of the material of the parking lot surface will have an impact on the Stormwater management plan and should be determined prior to sending the application out for peer review. Mr. Fodera was not able to confirm which surface the parking area at the time of the public hearing. The Board will wait contract with an engineering peer review consultant until the Applicant confirms the material surface of the parking lot.

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

- 3.1 Townsend Master Plan Update. Chair Laura Shifrin commented about including an addendum to the Master Plan Update document. This addendum includes the goals of the updated 2022 Housing Production Plan and a statement of the Planning Board's intent to maintain the Master Plan by review and update of one section each year. In future worksession, the Board will ensure that each element required by the State is included in the Master Plan update document provided by the Master Plan committee prior to Planning Board approval of the document. The Board may update irrelevant and/or dated information in the document that does not meet current standards prior to approval.

- 3.2 Safe Routes to School (S.R.T.S). There was no update.

- 3.3 Stormwater management permitting process and regulations. M. Crowley reopened the discussion on Townsend Stormwater management bylaw and Stormwater management regulations. He introduced the concept of a creating a "no significant impact" category in addition to the existing major and minor project categories. He drafted and presented an application form for applicants proposing small projects to help with his determination of what category these projects may be assigned to. The Board discussed the options and decided instead of creating a new category, they would make a change to the Stormwater Bylaw regulations by the following vote. Upon a motion made by Mike Virostko and seconded by Ian Ortiz Santiago it was voted: to change the first two words. "All projects" to "All projects determined as major or minor" of regulation 175-44 A. which states:
"All projects. The stormwater plan shall describe the nature and purpose of the proposed development, pertinent conditions of the site and adjacent areas, proposed

erosion and sedimentation controls during construction, and proposed best management practices (BMPs) for the permanent management and treatment of stormwater. The stormwater plan shall contain sufficient information for the Authority to evaluate the environmental impact, effectiveness, and acceptability of measures proposed for reducing adverse impacts from stormwater runoff.” A roll call vote was taken as follows; YES – M.V., C.H., I.O.S., R.T, L.S. The motion carried 5-0-0. The Planning Board will continue to review and discuss the Stormwater management bylaw and Stormwater management regulations at the next Board meetings. M. Crowley made a few recommendations for the Board to discuss and define the difference between permeable and impermeable, encouraging the use of green recharge infrastructure to capture stormwater runoff before it enters the Town’s treatment system, and clearly defining the impact of expanding impermeable surfaces on reconstruction projects, and codifying regulations in a manner that makes the permitting process accessible to residents.

- 3.4 Stormwater Permit Inspection Reports/other related correspondence. Staff is editing the Certificate of Completion form to issue on the 22 West Meadow Road project.

4 CORRESPONDENCE: votes may be taken.

- 4.1 Notices from Townsend/other Towns. Open Space and Recreation Survey is open, and all are encouraged to take the survey and share with residents. Legal notices were read.

5 ADJOURN: Votes may be taken.

- 5.1 Next scheduled Planning Board meeting is scheduled for June 27, 2022. At the request of Chair Laura Shifrin, the meeting on 6/27/22 will begin at 7:30pm. Upon a motion made by C.H. and seconded by M.V. it was VOTED: to adjourn the meeting at 8:57pm. A roll call vote was taken as follows; YES – M.V., C.H., I.O.S., R.T, L.S. The motion carried 5-0-0.

Respectfully submitted,

Approved on: July 18, 2022

Beth Faxon, Planning Board Admin.

Items on file:

1. Letter dated March 8, 2020, to the Planning Board from Busler. Re: 32 Main Street
2. Email from Joan Savoy to Beth Faxon re: 32 Main Street Planning Board public hearing.
3. Planning Board Application for site plan review special permit for 32 Main St.
4. Open Space and recreation survey access information.
5. Draft form for applicants proposing small scale projects re: determination of Stormwater Management permit exemption or filing.