



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

RECEIVED
AUG 15 2023
TOWN OF TOWNSEND
TOWN CLERK

Laura Shifrin, Chair (2025)
Carol Hoffses, Vice Chair (2026)

Robert Therrien, Member (2024)

Andrew Shepherd, Clerk (2028)
Vacancy, Member (2024)
Michael Virostko, Associate Member (2024)

PLANNING BOARD'S MEETING MINUTES

July 24, 2023, 6:30 PM Selectmen's Chambers

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

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 6:32 pm. A roll call vote was taken as follows: members present (in person) Carol Hoffses, Robert Therrien, Laura Shifrin. Absent: Andrew Shepherd. Others present: Charles Sexton-Diranian (in person), Board of Selectmen, Beth Faxon, Planning Board Admin. (in person), Hartley Pleshaw, TCAM, Tony Lopez (remote), Jessica Funaiole (remote), Bruce Ringwall GPR, Inc. (remote), Janet Cramb (in person), Howard Scott Baker (in person), James Basile, GPR, Inc. (in person)

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

1.3 Chairman's Additions or Deletions. Introduction of Tony Lopez. Mr. Lopez introduced himself to the Board and expressed his interest in serving the community in the role of Planning Board member. He is the safety director of a local construction company. He has worked as a licensed builder in Massachusetts for 20 years. Carol Hoffses made a motion to recommend the appointment of Tony Lopez to the Planning Board as full member with a term to expire at the next Town election. Robert Therrien seconded the motion. A roll call vote was taken as follows: YES – R. Therrien, C. Hoffses, L. Shifrin. The motion carried unanimously.

1.4 Approval of minutes July 10, 2023. C. Hoffses made a motion to approve the minutes of July 10, 2023. R. Therrien seconded the motion. A roll call vote was taken as follows: YES – R. Therrien, C. Hoffses, L. Shifrin. The motion carried unanimously.

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

2.1 **(6:45 pm) public hearing** – on the application for Age Restricted Development Site Plan review special permit. **Site: Fitchburg Road Assessor's Map 16, Block 39, Lot 2**
Applicant: Howard Scott Baker.



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Chair Shifrin opened the public hearing by reading the legal notice of public hearing. The following 3 Board members were present: L. Shifrin, C. Hoffsos, R. Therrien. James Basile and Bruce Ringwall, GPR, Inc. were present representing the applicant. Mr. Ringwall presented the project with the following comments and notes: The property is located between 92 and 96 Fitchburg Road and the applicant has referenced it tentatively as 94 Fitchburg Road understanding that until the assessors determine this address, this can be used. The parcel is 2.71 acres and has 170 feet of frontage along Fitchburg Road (Rt. 13).

The proposal is for construction of one dwelling with three two-bedroom, one-bathroom units. Each unit has a zero-step entry and are all ADA accessible.

The project meets the required 30% provision for open space of which not more than 2% can consist of wetlands. The proposed open space is 84% of the area of the parcel.

Each unit is required to have two parking spaces, one of which is proposed as an accessory parking garage within the building and one space in front of each unit. With every three units, one guest parking space is required, and this is provided as a double wide space in front of Unit A. This is designed to serve as both a parking space and a turnaround for backing out to exit the parking space. Each unit will have ample space to maneuver and back out of the parking spaces within the parking area in front of the building.

The proposal includes a walkway along the south side of the building that meets all the ADA guidelines residents may use to access the common outdoor space behind the building. Soil testing has been conducted with the Board of Health. The septic system is designed for age restricted which means it processes 150 gallons per unit versus 220 gallons per unit in accordance with Title V and the Townsend Board of Health regulations.

The proposed stormwater management system contains two bio retention rain gardens, and a recharge structure behind the building to catch the clean roof runoff that will flow via a gutter system behind Unit C. A minor stormwater management system has been submitted to the Land Use Department.

Several trees are proposed to be removed for construction. The trees lining the old driveway, one tree near the road on the corner of the proposed walkway and the driveway. The applicant intends to revise the plan set to include a planting plan for the project.



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Referral comments received from Town Boards were read into the record including a comment from the Land Use Coordinator noting contour lines were missing, a proposed landscaping plan is not available, recommended review of parking setbacks, and a recommendation of adding/saving vegetated buffers with the North & South abutters.

The Police Department commented that keeping vegetation low and maintained and the site lines clear along the driveway entrance/exit to maximize safety during ingress/egress of vehicles to Fitchburg Road.

The Fire Department commented that the IBC requires that residential units of 3 or more will need to be sprinklered and monitored with a fire alarm system and the Board of Health commented that the project must abide by all State and local regulations for septic.

Mr. Ringwall responded to referral comments by noting that the appropriate fire alarm and sprinkler system is in the design proposal, and the owner and architect are aware of this requirement. He confirmed that contour line labels would be added to the existing contours on the revised plan and a landscaping plan will be provided in the plan revision.

Mr. Ringwall then referred to a memorandum that was submitted to the Board regarding the project proposal meeting the requirements of Townsend Zoning bylaw 145-33 5 C. parking requirements. He explained the contents of the memorandum which he contends provides an argument and subsequent proof that the project design has met the zoning requirements for parking as well as Art. III parking requirements.

The applicant was asked to provide more detail regarding the exact location of the exterior parking spaces in the drawings. Public comment followed and Janet Cramb spoke in favor of the proposed project and encouraged more housing to meet the needs of the aging population. The age restricted requirements were briefly discussed, and the applicant confirmed that adherence to the State law requirement is understood for this project.

Brian Funaiole expressed concerns about the increase in activity and noise the proposed project will produce next to his home at 92 Fitchburg Rd. He expressed concern about the drainage that is conveyed to the property and how his cellar may flood due to development as proposed by this project. He heard that a stormwater management permit has been applied for and is under peer review. He expressed concern about loss of privacy that will result from the clearing of trees required for



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the project and requested a privacy fence or vegetative buffer between his property and the site.

Mr. Ringwall stated that the proposed project would not add any water to Mr. Funaiole's property post development and that a landscaping plan is forthcoming which may be adequate to defray any concerns. C. Hoffses made a motion to continue the public hearing for 94 (Tentatively) Fitchburg Road ARD site plan review special permit to 6:45PM on August 14, 2023. R. Therrien seconded the motion. A roll call vote was taken as follows: YES – R. Therrien, C. Hoffses, L. Shiffrin. The motion carried unanimously.

2.2 (7:15 pm) Regan Andreola - Locke Brook solar array Annual vegetation monitoring report.

Regan Andreola was present via remote access on behalf of Nexamp to report on the annual landscape monitoring for Locke Brook solar located at 22 West Meadow Road. She stated that she visited the site on 6/30/23 and she prepared a report of her findings which was provided to the Planning Board.

She reported a loss of two trees over the past year which is a total loss of 4 trees of the 22 planted in 2020. She noted the trees that remain are in good condition. The gaps in the vegetated screen along west meadow road were discussed. The evergreen trees have been filling in the gap as expected over time due to good growth. The survivability rate of the trees is determined to be 75% since the first planting.

C. Hoffses made a motion that upon review of the 2023 annual landscape monitoring report and consultation with the landscape architect, additional planting of two eastern red cedar (*Juniperus virginiana*) trees and two flowering dogwood (*Cornus florida*) is required. R. Therrien seconded the motion. A roll call vote was taken as follows: YES – R. Therrien, C. Hoffses, L. Shiffrin. The motion carried unanimously These selected plants are to be spaced strategically in the most appropriate location within the "gaps" described in the report. The Planning Board approved the request to delay planting until late summer or early Fall for best survivability.

III. WORK SESSION: - VOTES MAY BE TAKEN:



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3.1 Open Space and Recreation Plan Update 2023 draft and finalize letter of comment.

Review letters are still needed from the Planning Board and Board of Selectmen. There is some outstanding information needed to comply with the requirements of the state and ADA accessibility to open space parcels. These are in progress. C. Hoffses made a motion for the letter drafted and presented at the 7-10-2023 Planning Board meeting to be endorsed and submitted to the OSR Committee. R. Therrien seconded the motion. A roll call vote was taken as follows: YES – R. Therrien, C. Hoffses, L. Shiffrin. The motion carried unanimously.

3.2 Townsend MBTA Communities compliance mission project – update. Admin. Read the update provided by MRPC which was the following statement from Jonathan Vos: “MRPC has continued to review the 5 exploratory districts for the MBTA Community, with additional abutting parcels examined for viability of inclusion into existing exploratory districts as they are brought up. At this point in the Compliance Modeling process, Zoning Bylaw language needs to start being considered, alongside requirements and restrictions (height, floor area ratio, lot sizes, setbacks, open space allotments, parking, etc.) to refine the parameters of the modeling process. MRPC is beginning to review existing multi-family zoning material for use and guidance in Townsend’s development of their MBTA Zoning Bylaw.” The next planning meeting with MRPC and Town staff is scheduled for July 31st. 85 Main Street was not included in the overlay district due to its location in the Aquifer protection overlay district. R. Therrien suggested that the parcel may be eligible to be used as access to the proposed Number 3 overlay district. 222 Main Street will be considered for inclusion by MRPC, and more information will be provided at the next meeting. The chair thanked member Robert Therrien for his work on the positional document he provided to the Board on the MBTA communities project.

3.3 Administrator Updates and Reports.

1. Planning Board received a letter re: request for certificate of completion for stormwater management permit 2019-02 at 27 Scales Lane. Staff will visit the site for a compliance inspection.
2. New hires in the Land Use Department Jessica Consolvo is Land Use Coordinator, and Matthew Matos is the Conservation Agent.
3. The request to revisit the fee schedules will be on the next agenda.
4. A major stormwater application was received and returned requiring additional information. Pending receipt, a major stormwater management permit application will be before the Board.
5. MJTC (MONTACHUSETT JOINT TRANSPORTATION COMMITTEE) meeting updates. Fare free shuttle buses that can accommodate bikes are enroute between Town Hall and Fitchburg



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intermodal station and are running on schedule. The schedule can be found on the main page of the Town website.

6. The Planning Board and Conservation Agent went out to the Fitchburg road proposed project site on 7-18-23 and located the proposed building site, stormwater basins, entrance, parking spaces.

7. The Planning Board received the 2022 Annual Report from Nexamp on the Locke Brook solar array which included an annual energy production of 1,956,005 kWh, report of annual array maintenance on May 5, 2022, and vegetation maintenance (mowing) on July 8, 2022, Aug 27, 2022.

3.4 Announcements/Communications

- Locke Brook solar array – 22 West Meadow Road:
 - o Annual Landscape Monitoring Report received from Nexamp per condition of the special permit. Noted.
 - o Annual Report was received from Nexamp per condition of the special permit. Noted.
- 27 Scales Lane – request for Certificate of Completion letter. A request for a certificate of compliance for an old stormwater permit SM2019-02 was received and staff will be inspecting the stormwater management system and following up with a report for the Board.
- Campbell Farm OSPD development – monthly SM inspection report. Was noted.
- 3 Wheeler Road Earth Excavation – monthly SM inspection reports. Was noted.
- 25 Harbor Trace PFAS Water treatment plant – monthly SM inspection report. Was noted.
- correspondence from Townsend/other Towns. Was noted.
- Planning Board Member vacancy announcement. Not discussed.

3.5 Planning Board regulations and bylaw review. Planning Board regulation §175-12.

The Board reviewed and discussed Regulation section 175-12 Preliminary subdivision approval. The changes were noted and recorded during the session.

3.6 Discussion Townsend Zoning Bylaw §145-36 E. Affordable Accessory Apartment

Program. Discussion was had regarding the difficulty of completing the state permitting process when an individual has received the required local special permit for an affordable accessory unit. No update was available at the meeting.

V. ADJOURNMENT - VOTES MAY BE TAKEN



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4.1 Next Planning Board meetings scheduled for Aug 14 & Aug. 28, 2023. C. Hoffses made a motion to adjourn the meeting at 9:10pm. R. Therrien seconded. All in favor.

Respectfully submitted,
Beth Faxon
Planning Board Administrator

Approved on: August 14, 2023

Items on file:

1. Fitchburg Road exhibit 1. Memorandum to: Beth Faxon and Townsend Planning Board
From: Bruce Ringwall, Pres. GP&R, Inc. subj: Age Restricted Development at 94 Fitchburg Road. Dated July 19, 2023.
2. Letter to Planning Board from Regan Andreola re: Locke Brook solar array annual vegetation monitoring. dated. July 5, 2023.
3. Annual report From Nexamp To: Townsend Planning Board re: 22 West meadow road, Locke Brook Solar Annual Reporting per Bylaw 145-86 Approval Condition 2. Dated. 6-29-22. Received 7-6-23.