



Office of
THE PLANNING BOARD
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RECEIVED
 JAN 27 2021
 TOWN OF TOWNSEND
 TOWN CLERK

Lance J. McNally, Chairman

Laura Shifrin, Vice Chair

Carol Hoffses, Member

Charles Sexton-Diranian, Clerk

Jerrilyn T. Bozicas, Member

Planning Board Meeting minutes

Monday, January 11, 2021, at 6:30 PM

VIRTUAL MEETING

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

PUBLIC ACCESS ZOOM MEETING LINK: [Join Zoom Meeting](https://us02web.zoom.us/j/82209514734?pwd=dYt4aE9kWnl1RzB6d1ZRd2VueFpMUT09)

<https://us02web.zoom.us/j/82209514734?pwd=dYt4aE9kWnl1RzB6d1ZRd2VueFpMUT09>

Meeting ID: 822 0951 4734 Passcode: 346760

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 6:30 PM. Members present: Lance McNally, Chair, Laura Shifrin, Vice Chair, Charles Sexton-Diranian, Clerk, Carol Hoffses.
 Others present: Elizabeth Faxon, Planning Board Administrator, Hartley Pleshaw, TCAM, Inc. Chris McDermott (joined at 6:40 PM). Joan Wotkowicz (joined at 6:43 PM), Stan Dillis Dillis and Roy CDG, Inc. (joined at 6:40 PM). Leo Cormier (joined at 6:42 PM). "user" unknown (joined at 6:46 PM) Eric Chartrand, Building Commissioner (joined @ 6:47 PM) Bill Rideout (joined at 6:45 PM) Kevin Smith (joined @ 7:10 PM, left @ 7:40 pm) Sheri Bean, MRPC (joined the meeting at 7:15 PM) Adam Costa, Town Counsel (joined @ 8:00 PM)
- 1.2 Chairman's additions or deletions. None noted.
- 1.3 Approval of minutes 12-21-2020. L. Shifrin commented she was not present for the entire meeting. C. Hoffses made a motion to approve the meeting minutes of 12-21-2020. C. Sexton-Diranian seconded. A roll call vote was taken as follows: YES - C. Sexton-Diranian, C. Hoffses, L. Shifrin, L. McNally. The motion carried 4-0.

2 APPOINTMENTS AND HEARINGS: votes may be taken.

2.1 6:45 PM – public hearing – site plan review special permit. *

Applicant: Squannacook Greenways, Inc. **Location:** MBTA property Depot St. Map #51 Block #136 Lot#1 **Project:** proposed construction of 12 parking spaces to provide parking for access to the Squannacook Rail Trail on MBTA lot.

† Per the Governor's Order, and during the State of Emergency now-in-effect or until sooner rescinded, public bodies are relieved from the requirement that they conduct their meetings in a public place that is open and physically accessible to the public;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

Chairman McNally read the notice of public hearing and Clerk Sexton-Diranian read the second round of mandatory referrals into the record. Mr. Dillis responded to the comments in the referrals including that maintenance will be the responsibility of the Squannacook Greenways, Inc. not the Town of Townsend, the parking lot will not be used in the winter so there will be no plowing, and a sign with text "RIGHT TURN ONLY" will be installed on the right side at the parking lot exit. Depot Street is one way, and the installation of this signage is intended to mitigate misunderstanding of out-of-town visitors and promote accurate wayfinding. This is a condition that has been added to the draft Decision. The Board reviewed the Draft Planning Board decision redlined by town counsel. The following votes were taken by the Board: Laura Shifrin moved that the adequacy of the site in terms of size for a parking area is adequate. Charles Sexton-Diranian seconded. A Roll Call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried. Laura Shifrin moved that the site is suitable for the proposed use. Charles Sexton-Diranian seconded. A Roll Call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried. Charles Sexton-Diranian moved that there is no impact on traffic flow and safety. Laura Shifrin seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried. Charles Sexton-Diranian moved that the project will have negligible impact on neighborhood visual character, including views and vistas. Laura Shifrin seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried. Laura Shifrin moved that "adequacy of method of sewerage disposal" ... §145-65(e) is not applicable to the site. Carol Hoffses seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried. Laura Shifrin moved that the site is adequate for utilities and public services. Charles Sexton-Diranian seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried. Charles Sexton-Diranian moved that the project will have a negligible impact on groundwater and surface water quality and other environmental and natural resource considerations. Carol Hoffses seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried. C. Sexton-Diranian made a motion to close the public hearing. L. Shifrin seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried 4-0. Laura Shifrin moved to approve the Decision with inclusion of additional votes of the Board taken at this session of the public hearing for the Depot Street Parking area. Carol Hoffses seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried. Laura Shifrin moved to grant the site plan review special permit to Squannacook Greenways, Inc. for the Depot Street Parking area with conditions. Charles Sexton-Diranian seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried. Laura Shifrin made a motion that the Board authorize the Planning Board Chair, Lance McNally to sign the Decision for the Depot Street site plan review special permit for filing with the Town Clerk. Charles Sexton-Diranian seconded. A Roll Call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried.

2.2 7:15 PM – public hearing – site plan review special permit. Applicant: Kevin Smith **Location:** 152 North End Road. Map #51 Block #10 Lot#0 RB District **Project:** construction and operation of a farm stand building and parking area.

Chairman McNally read the legal notice and opened the public hearing. He noted that this is a site plan review and that a special permit is not required for this application. C. Sexton-Diranian read the mandatory referral comments from Board of Selectmen, Water Department, Highway Department, Building Inspector, Board of Health and a letter dated Oct. 13, 2020 issued by the Townsend Building Commissioner. The existing conditions include a 40' X 48' building and parking being used for seasonal retail commercial use to sell products grown on the farm as well as other local vendors. The Building Commissioner determined a site plan review is required based on his findings from his site visit, the Building code and Townsend Zoning Bylaw. The Planning Board will focus on the parking spaces and number of accessible parking spaces as well as all applicable sections of the Bylaw in site plan review. Discussion ensued and Board Members were of the understanding that the application received by the Planning Board office was incomplete and missing information that the Board will need to conduct a site plan review, specifically parking spaces on a site plan. Mr. Smith commented he will contract Dillis and Roy, CDG, Inc. to draw a site plan of the parking area delineating the spaces and handicapped space. Eric Chartrand commented that he was glad to hear that Mr. Smith has filed the appropriate application and is hoping that the requested information will be provided so that the Planning Board can make a determination. He noted that since the size of the constructed farm stand building is larger than documented in the building permit application, the determination of

number of parking spaces will have to be made once the technical site plan drawings are available. C. Sexton-Diranian made a motion to continue the public hearing for 152 North End Road to Monday January 25th, 2021 at 7:30 PM. C. Hoffses seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried 4-0.

2.3 8: 00 P.M. – continued public hearing – Age Restricted Development Zoning Amendment Bylaw proposal.

Chairman McNally continued the public hearing at 8:00 PM. The Board reviewed an updated revision of the Draft age-restricted development Zoning bylaw amendment. Discussion ensued to the topic of development on parcels of 5 acres or more to avoid possible discriminatory errors in the Bylaw draft. Mr. McDermott commented that he had removed the age-restriction criteria from this revision of the draft Bylaw in response to town counsels' cautionary comments with regards to discriminatory pitfalls. The revision still promotes housing to be built in such a way that it enabled aging in place. Considering the developers point of view, Chairman McNally noted that to maximize profits, the 55+ development would not be as attractive. He reviewed some of the previously discussed ideas about allowing development of 5 acre, undevelopable lots with a waiver of the frontage requirement. He mentioned that Nantucket MA may have a such a bylaw of 55+ development on "hammerhead lots" 5+ or more. Chairman McNally offered to work on some revisions and asked how long the DLTA assistance would be available. Mr. McDermott noted that the end of the FY 20 fiscal year which was December 31, 2020 and he is working under an EDA grant to finish up this project for Townsend. He noted that the Town can apply in the next round of DLTA funding for him to continue with this zoning bylaw amendment. He mentioned that wording has been provided by his colleague should the Town like to proceed with the age-restriction going forward. Town counsel reviewed the update draft and approved of the content in its entirety. He noted his comments raised in the 12-21-2020 session of the public hearing had been addressed or incorporated in this revision. He said it was comprehensive and addressed concerns relative to potential discrimination because you haven't; made the age-restriction obligatory. One comment he did make was with regard to the naming of the Bylaw if this were to be approved. He mentioned Senior housing model development bylaw as an example. L. McNally asked how this would encourage development of 55+ and town counsel reviewed a few of the sections in the draft where development standards are directly related to the aging population. The incentive to the developer would be in the increased density allowances. C. Hoffses mentioned that if developers know the market for this type of housing is good, then that would be an incentive. C. Sexton Diranian confirmed that there is need for this type of housing in Townsend and affordability is crucial. Chairman McNally asked about enforceability of age-restriction criteria in the zoning bylaw. Town counsel noted that this is difficult but essentially accomplished through the Town's enforcement infrastructure. Discussion ensued around working the restriction back into the bylaw and town counsel confirmed this is something he could write. He expressed concern with the bedroom count indicating this could be problematic in terms of discrimination against familial status. C. Sexton-Diranian made a motion to continue the public hearing of the age-restricted development zoning amendment bylaw to Monday February 8th at 6:45 PM. C. Hoffses seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried 4-0.

3 WORKSESSION: votes may be taken.

- 3.1 Townsend Master plan committee update. Administrators update: no Master Plan Committee meeting is scheduled. No further documents have been shared with the Planning Board office.
- 3.2 Draft Scenic Roads Bylaw proposal. – Chair McNally's update: currently the bylaw in place can protect stonewalls that are in the Town's Right of Way. There is no statutory support for extension of imposing jurisdiction beyond the ROW according to town counsel. There are some Towns that have regulations extending the jurisdictional area onto personal property for tree cutting activities. The rationale being that trees are important in prevention of erosion and increase ground water quality which is tied into a community wide public health and wellness benefit. He asked Board Members if they could come up with a similar reason for stone wall preservation on private property that directly is a public benefit, and therefore could be supported by statutory code. He proposed having town counsel review the Town of Shirley (Ashby) Scenic roads bylaw.
- 3.3 DLTA MRPC grant work Townsend's draft age restricted housing development zoning bylaw. – Chairman McNally stated that trying to get any 55+ development on any parcel in Town less than 5 acres will be difficult because of the discriminatory aspects involved. He further noted that there are many 5 acre parcels in Townsend that are undevelopable due to lack of frontage that could be allowed

by right under the age-restricted bylaw, such as “hammerhead lots”. Looking at density requirements of multifamily homes and re-regulating those to allow for more density than under the current zoning Bylaw. Additionally, he proposed changing the current minimum lot size for multifamily homes from 8 acres to 5 acres for 55+ housing development. L. Shifrin commented this is an offer to consider that will increase housing in Town and service the aging population that is not being serviced currently. This also provides an incentive to developers noted Chairman McNally. C. Sexton-Diranian is in favor of this planning process. He confirmed the reduction of frontage would only be for parcels over 5 acres and only for 55+ development built according to the Board of Health regulations.

- 3.4 DLTA MRPC grant work Townend Chapter 43D feasibility. Administrator reported that a final report was received from MRPC and distributed to Board Members for review. Board Members will review the report and provide comments at the next meeting.
- 3.5 Safe routes to school update. – Charles Sexton-Diranian. He explained that the SRTS program has programming which involves the police department such as bike safety classes, bike rodeos and bike inspections for youth. They are continuing to look at safest routes for kids either to walk or bike to school encouraging physical fitness and recreation. He has a meeting with the program representative coming up and has reached out the NMRSD school committee and is waiting for a response. He crafted a SRTS program flyer for Townsend and he requested permission to post it to social media. He is reaching out to anyone who is a crossing guard or community member who would like to help the students back and forth safety to school to contact him or Veronica Kell to see how they get involved.
- 3.6 Unified Planning Work Program (UPWP) Grant – Townsend Walkability Study. – Sheri Bean, MRPC updated the Board that she shared an updated Townsend points of interest map based on the Boards comments at the 12-21-2020 meeting. The updated map contains open space parcels and formal trails that are in the MRPC database as well some recreational areas. She asked the Board to establish where the study area will be. She mentioned a few possibilities that were discussed including the area from the public safety complex incorporating sections along Brookline St. to tie into the Common. Or the Common connecting to the High school area to the East along the Rail Trail and Rt. 119. She would like the Board to determine the study area so they can move ahead with the data collection process. The revised Townsend Points of Interest map was shared on screen and discussed. C. Sexton-Diranian tied in the Safe Routes to School program and noted this study will assist in planning and compliment the Town’s efforts and participation. He noted that both study areas mentioned would be advantageous to the Town and stressed connectivity of the Common as priority. He mentioned that working groups are being established to work on four grant applications under consideration by the Town. He commented that consulting these grant focused working groups would be a resource for determining the study area for the Townsend’s walkability/bikeability study area. S. Bean noted that data collection will begin in the Spring and there will be a walking audit which is an opportunity for community engagement with small groups and implemented with consideration of the pandemic restrictions. She concluded that once the study area is established, data collection can begin with that information that is currently in the MRPC database followed by the walking audits where most of the information for the study is gathered. C. Sexton-Diranian mentioned the grant working groups and suggested working with these groups to advance the formation of the Walkability study area. C. Sexton-Diranian confirmed that Townsend is working on joining the Safe Routes to School program.
- 3.7 Policy discussion posting of Board business advertisements and announcements – Charles Sexton Diranian. C. Sexton-Diranian referenced the Town social media policy issued in 2019. Noting that as long as content conforms to the specifications in the policy, and the Board is not taking a position on a topic or subject matter, posting on social media is permitted. Administrator read a section of the Media relations Town policy related to the responsibility of the Chairperson of an appointed Town Board shall be the primary interface to provide all information to the public on behalf of the Board. C. Sexton-Diranian noted this was his request, to receive approval to post the flyer on social media. C. Sexton-Diranian made a motion to allow release of information according to the Social media policy and the media relations policy and the approval of the Chair. C. Hoffses seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried 4-0.

4 CORRESPONDENCE: votes may be taken.

4.1 Notices from Townsend/other towns.

C. Sexton Diranian read notices from the Board of Selectmen and abutting Towns.

5 SCHEDULE AND ADJOURN: votes may be taken.

5.1 Next Planning Board meeting scheduled on January 25, 2021. C. Sexton-Diranian made a motion to adjourn at 8:43 pm. L. Shifrin seconded. A roll call vote was taken as follows: YES – C. Hoffses, L. McNally, C. Sexton-Diranian, L. Shifrin. The motion carried 4-0.

Respectfully submitted,

Elizabeth Faxon

Planning Board Administrator

Approved on: January 25, 2021

Items on file:

1. Draft Planning Board Decision site plan review special permit redlined by town counsel for Depot Street Rail Trail Parking.
2. 152 North end Road Mandatory referral comment forms.
3. Building Commissioner's Determination letter dated 10-13-2020 to Applicant from Townsend Building Commissioner re: 152 North end Road farm stand.
4. 152 North End Road application.
5. Revised age -restricted development zoning amendment bylaw proposal.
6. Board of Selectmen – appointment letter C. Hoffses.
7. Board of Selectmen memo – holidays for the upcoming year.
8. Board of Selectmen memo - request for Planning Board Annual Report 2020. Due Feb 26, 2021

* Item denoted with an asterisk were included, in whole or in part, on the Board's December 7, 2020 meeting agenda. Due to difficulties with remote access, some members of the public may have been unable to gain access to and/or participate in that meeting. Accordingly, these items are included on the agenda above and will be discussed again at the January 11, 2021 meeting.

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

Jerry Racette is inviting you to a scheduled Zoom meeting.

Topic: TOWNSEND PLANNING BOARD

Time: Jan 11, 2021 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

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