



Office of
THE PLANNING BOARD
 272 Main Street
 Townsend, Massachusetts 01469
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RECEIVED
 AUG 25 2020
 TOWN OF TOWNSEND
 TOWN CLERK

Lance J. McNally, Chairman
 Veronica Kell, Member

Charles Sexton-Diranian, Clerk
 Carol Hoffses, Associate Member

Laura Shifrin, Vice Chair
 Jerrilyn T. Bozicas, Member

Planning Board Meeting Minutes

Monday, August 10, 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†

PUBLIC ACCESS ZOOM MEETING LINK: Join Zoom Meeting

<https://us02web.zoom.us/j/4370746322?pwd=S1FoUUUVWa0tuZWVDSHZkM2lkUFNHUT09>

Meeting ID: 437 074 6322

Passcode: 9inAZk

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

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 6:43 PM. Roll call was taken as follows: present: Lance McNally, Chair, Laura Shifrin, Vice Chair, Charles Sexton-Diranian, Clerk, Veronica Kell, Member, Carol Hoffses, Associate Member, Jerrilyn Bozicas (7:20 PM).
 Others present: Eric Chartrand, Building Commissioner (6:35 pm), Elizabeth Faxon, Planning Board administrator.

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

2 APPOINTMENTS AND HEARINGS: votes may be taken.

- 2.1 6:45 P.M. informational meeting with MRPC representative regarding a new project funded under the District Local Technical Assistance grant - Townsend's Age restricted market rate housing zoning bylaw.**

Present: John Hume, MRPC, Kayla Kress MRPC. Bill Cadogan, Townsend Zoning Board of Appeals, Chairman (6:45 pm to 7:24pm)

Mr. Hume noted that the Town has been awarded two projects under the District Local Technical Assistance program administered by the Montachusett Regional Planning Commission. One is to create a bylaw to create more housing development opportunities in age restricted market rate residences. He also noted that he met with C. Sexton-Diranian and E. Faxon to review the scope of services which has been signed by the Town administrator and the executive director at MRPC. Mr. Hume reviewed the items listed in the scope of services, noting that he has already begun work

† Per the Governor's Order, and during the State of Emergency now-in-effect or until sooner rescinded, public bodies are relieved from the requirement that they conduct their meetings in a public place that is open and physically accessible to the public;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

on the project. the draft bylaw amendment is expected to be delivered to the Planning Board no later than 5 days prior to the public meeting scheduled on September 14, 2020. The scope and schedule were revised to move the public hearing on the draft bylaw amendment to October 5th, 2020 to allow more time and for town counsel review. L. Shifrin spoke in favor of Mr. Hume and his experience with this subject based on her experience working with similar bylaw formulations. C. Sexton-Diranian shared a PowerPoint with the meeting outlining the DLTA – Townsend's age restricted market rate housing zoning bylaw. The PowerPoint contained data supporting the need for housing based on the aging demographics in Townsend, the work-to-date and, rationale behind the Planning boards request for the grant and the goals of the project. Chairman McNally stated his support of the project and the benefit he expects it will bring to the Town. C. Sexton-Diranian noted that much of this discussion will carry over and tie in to the other DLTA grant award, the feasibility study for Townsend of the State Ch. 43 D program.

Chairman McNally welcomed Eric Chartrand as the new Building Commissioner and he in turn introduced himself.

**2.2 7:15 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. (Map-46 Blocks 3 & 2, Lots 0&2).
Applicant: Townsend Hill Realty Trust.**

Present: Stanley Dillis, Ducharme & Dillis, CDG, representing the applicant.

The board reviewed the draft Decision, reviewed by town counsel, for the second amendment on the Open space preservation development special permit 187 & 199 North End Road. A condition was added that the conservation restriction be approved by the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs. The edits were made into the draft Decision during the meeting. C. Sexton-Diranian made a motion to approve the second amendment to the OSPD special permit for Campbell Farm 187 & 199 North End Rd. L. Shifrin seconded. A roll call vote was taken as follows; L. McNally – Aye, V. Kell – Aye, J. Bozicas – Aye, L. Shifrin – Aye, C. Sexton-Diranian – Aye. The motion carried.

The Board then reviewed the draft Decision, for the first amendment to the definitive subdivision approval of Campbell Farm North End Road and found no changes were needed.

C. Sexton-Diranian made a motion to approve the first amendment to the definitive subdivision approval for Campbell Farm 187 & 199 North End Road. L. Shifrin seconded. A roll call vote was taken as follows; L. McNally – Aye, V. Kell – Aye, J. Bozicas – Aye, L. Shifrin – Aye, C. Sexton-Diranian – Aye. The motion carried.

**2.3 7:45 PM Continuation of public hearing – Seaver Road definitive subdivision approval application and major Stormwater management permit application. (Map-23 Lot 4)
Applicant: Mass Ave Land Development LLC.**

Chairman Lance McNally opened the continued public hearing on Seaver Road definitive subdivision approval application and major stormwater management permit application. He stated that the Board did not have time to review the draft decision prior to the public hearing and noted the importance that all members be given the opportunity to review the decision before proceeding.

C. Sexton-Diranian made a motion to continue the public hearing on Seaver Road definitive subdivision approval application and major stormwater permit application to August 24, 2020 at 6:45 PM. V. Kell seconded. A roll call vote was taken as follows; L. McNally – Aye, V. Kell – Aye, J. Bozicas – Aye, L. Shifrin – Aye, C. Sexton-Diranian – Aye. The motion carried.

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

- 3.1 Planning Board appointment of representative to Montachusett Joint Transportation Committee. – Discussion ensued as to who could be nominated with no strong candidates brought forth. Chairman McNally suggested Board members continue to the appointment discussion to the next meeting.
- 3.2 Approval of minutes 07-27-2020. Tabled to the next planning Board meeting.
- 3.3 Approval of bills payable. – V.Kell made a motion to approve the payment of the invoice from Hancock Associates. C. Sexton-Diranian Seconded. A roll call vote was taken as follows; L. McNally – Aye, V. Kell – Aye, J. Bozicas – Aye, L. Shifrin – Aye, C. Sexton-Diranian – Aye. The motion carried.
- 3.4 Scenic Roads Regulations discussion. Chairman McNally noted that in the town bylaw we have the stipulation that removal of trees and stone walls within the Town's right-of-way are jurisdictional. And further noted that detail is not in the State regulation. Board members received a copy of the Town of Groton's scenic road bylaw which Chairman McNally referenced. Discussion ensued as to the idea of expanding the area of jurisdiction and what the new jurisdictional zone would be. V. Kell suggested accepting the State law and removing the Townsend bylaw. Chairman McNally noted that the State law is ambiguous and does not specify jurisdictional areas or whether the stone wall is parallel or perpendicular. V. Kell made the suggestion that the bylaw be amended to expand the jurisdictional area to be 10 feet beyond the Town's easement. Discussion ensued as to infringement of property rights balanced with the importance of maintaining the character of the Town's scenic roads and stonewalls. Enforcement was discussed and it was noted that the state law empowers the Planning Board the Groton bylaw empowers the Police department to enforce the scenic roads act locally. Chairman McNally suggested board members consider formulating key points as to what would be favorable for a Scenic roads bylaw amendment, and further discuss at the next Board meeting. The Planning board administrator noted that town counsel would be drafting said amendment for the Town.
- 3.5 scope of services review and discussion, MRPC - DLTa grant awarded for Townsend Ch. 43D feasibility study. – Planning Board administrator noted that the project draft scope of services provided by Mr. Hume on July 28, 2020 was reviewed by town counsel and found to be adequate. Mr. Hume noted that all of the GIS work related to the DLTa grant projects is included under the grant. The scope of services was presented by Mr. Hume in detail. He noted he will be working on the project with Kayla Kress, MRPC mapping professional. Various project tasks were explained including the eligibility criteria for priority development sites that would be eligible in the program. The development sites are a minimum size of 50,000 ft building space and would be mixed development commercial and residential complexes. The deliverables are expected to be presented at the October 5th, 2020 Planning Board meeting. MRPC staff confirmed this was a viable date. L. Shifrin asked if this feasibility study would only include existing buildings, or would land be included? Mr. Hume replied existing buildings, land and privately owned facilities. She asked if the Dudley Road 11 acre parcel would be included in the feasibility study. The discussion following confirmed this could be included in the 43D study. The town properties committee was discussed and their need for reappointment. V. Kell stated she would bring the Town properties committee reappointment forward to the Board of Selectmen. L. Shifrin stated that the committee, once reappointed would be able to send forward recommendations for this study. B. Cadogan asked about the adoption of Ch 43D program by the Town. It was noted that this would be by town meeting vote to approve the adoption of the program. V. Kell moved to accept the scope of services for the DLTa Ch. 43D – Expedited permitting feasibility study. C. Sexton-Diranian seconded. A roll call vote was taken as follows; L. McNally – Aye, V. Kell – Aye, J. Bozicas – Aye, L. Shifrin – Aye, C. Sexton-Diranian – Aye. The motion carried.

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

- 4.1 Notices from Townsend/other Towns. – one legal notice received from the Town of Groton.
- 4.2 Reappointments discussion Townsend Master Plan committee. - Chairman McNally reports that scheduling a meeting date with Town counsel, the Master Plan Committee and Planning Board

member has not occurred. He stated his optimism that a date will be scheduled in the next week. More information will be provided at the next meeting.

- 4.3 Email from Brad Harris, MRPC. Re: Greenville Road over Walker Road bridge replacement project review. – MRPC did review the ENF and reported they are happy with the proposal and in full support.
- 4.4 MRPC update. - L. Shifrin – Stated her appreciation for Mr. Hume attending this meeting and, looks forward to continued support of grant work for the Town from MRPC going forward.

L. Shifrin made a motion to adjourn the meeting at 8:10 PM. J. Bozicas seconded. A roll call vote was taken as follows: L. McNally – Aye, V. Kell – Aye, J. Bozicas – Aye, L. Shifrin – Aye, C. Sexton-Diranian – Aye. The motion carried.

Respectfully submitted,

Approved on: August 24, 2020

Elizabeth Faxon, Planning Board administrator.

Items on file:

1. Agreement by and between the Town of Townsend and the Montachusett Regional Planning Commission. Attachment A Scope of services.
2. MOU and Scope of services for Townsend DLTa grant award; age restricted market rate housing bylaw.
3. PowerPoint presented by Charles Sexton-Diranian.
4. Email from John Hume to Beth Faxon re: Ch. 43D project rough draft scope dated 07-28-2020.
5. Draft Decisions for amendments to Campbell Farm OSPD and Definitive subdivision, redlined by town counsel.
6. Scenic Roads legislation – Groton Town bylaw.
7. Bills payable warrant & Invoice: Hancock associates, professional engineering services. Re: peer review Seaver Road definitive subdivision approval and major stormwater permit applications.

Join Zoom Meeting

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