



Office of  
**Zoning Board of Appeals**  
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TOWN OF TOWNSEND  
TOWN CLERK

William Cadogan, Chairman  
David R. Chenelle, Clerk  
Craig Stevens, alternate member

Victoria Janicki, Member  
David Funairole, alternate member

Darlene Sodano, Vice Chair  
Robert Rebholz, Member  
Sean Pearson, alternate member

**Zoning Board of Appeals Meeting Minutes**  
Wednesday, October 30, 2019, at 7:00 PM  
Townsend Memorial Hall  
272 Main Street, Townsend, MA 01469

**1 Preliminaries:**

- 1.1 Call the meeting to order – William Cadogan called the meeting to order at 7:03 P.M.
- 1.2 Roll call – present: Chair, William Cadogan, Vice Chair, Darlene Sodano, Clerk, David Chenelle, Robert Rebholz, Victoria Janicki, associate members present; David Funairole and Sean Pearson
- 1.3 Additions or Deletions to Agenda Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting: None noted
- 1.4 Approval of Minutes, 7/17/19 – David Funairole motioned to accept the 7/17/19 minutes, Darlene Sodano seconded. All in Favor. The motion carried.

**2 Hearings and appointments:**

**2.1 7:15 P.M. Public hearing – Special Permit Veterinary Hospital and residence.**

**Applicant:** Sallie Thurber, DVM

**Location:** 29 Main Street (Map 33, Block 58, Lot 1)

**Project:** Applicant is requesting a special permit and/or variance for proposed alterations to; a single family residence, driveway configuration, and additional parking spaces for the operation of a combined veterinary hospital and residence. – Present: Sallie Thurber, DVM.

The public hearing was opened, the legal notice was read, and mandatory referrals were recorded. The Applicant presented her project to the Board which includes the renovation of an 1824 sq. ft. residential home in a residential neighborhood to include exam rooms, a surgical suite and waiting room. The applicant indicated that the veterinary services would be provided on the first floor with her residence being on the second floor. The applicant reports approximately 10 clients per day would use the hospital. An Abutter present noted heavy traffic congestion in this section due to neighboring commercial enterprises. The Board found the proposed project to be in compliance with the following Townsend Zoning Bylaw Section(s) 145-65 (f) (1) (a-g) and Section 145-26(B)(9).

Disposition of the Board was as follows:

1. David Chenelle motioned that pursuant to Section 145-65(F) of the Townsend Zoning Bylaw the proposed use will not have adverse effects, which overbalance its beneficial effects on either the neighborhood or the Town in view of the particular characteristics of the site. Robert Rebholz seconded the motion and a roll call vote was taken as

follows; YES – William Cadogan, David Chenelle, Robert Rebholz, Darlene Sodano, Victoria Janicki. The motion carried.

2. David Chenelle made a motion to grant the Special Permit to Sallie Thurber for the operation of a veterinary hospital at the property of 29 Main Street pursuant to Zoning Bylaws section 145-26(B)(9) and 145-65. Roll call vote was taken as follows; YES – William Cadogan, David Chenelle, Robert Rebholz, Darlene Sodano, Victoria Janicki. The motion carried.

**7:45 P.M. Public hearing – Special permit Accessory apartment**

**Applicant:** Richard Lawrence

**Location:** 15 Pheasant Ridge (Map 17, Block 24, Lot 12)

**Project:** renovate the lower level of the single family home to create an

accessory apartment for family members. –

Present: Mr. Richard Lawrence

The public hearing was opened, the legal notice was read and mandatory referrals were recorded. Mr. Lawrence responded to questions from the Board in regards to the total floor space of the proposed accessory apartment. The floor space of the proposed accessory apartment will be 800 sq. ft. as required in the amended bylaw. The septic system was discussed and the Board found that the Mandatory referral received from the Board of Health was insufficient and did not meet the criteria specified in the bylaw which requires a Report of the Board of Health. The Board then voted to continue the public hearing to allow this additional information to be brought forth.

David Chenelle motioned that the public hearing on the petition of Richard Lawrence for an Accessory apartment at the property of 15 Pheasant Ridge Road be continued to Wednesday November 20, 2019 at 7:00 P.M. Darlene Sodano seconded. All in favor. The motion carried.

**2.2 8:00 P.M. Reconvene public hearing – 48 Fitchburg Road**

**Applicant:** Pine Ridge Investors Group, LLC

**Location:** 48 Fitchburg Road

**Project:** Applicant is requesting a special permit and a variance for rebuild of a legally pre-existing, non-conforming structure destroyed by fire. –

Present: Ziad Ramadan, Applicant

Kyle Bouchard, GPR, Inc., Applicant's engineer

Jeffrey Walsh, Graves Engineering, Inc. consulting engineer, Town of Townsend

David Funairole motioned to reconvene the public hearing of 48 Fitchburg Road, David Chenelle seconded. All in Favor. The motion carried.

The Board discussed the materials received from the Applicant on 09-30-19, including a Stormwater Management Report, and a site plan titled "residential development drainage improvement site plan and construction details" prepared by a certified registered professional engineer. The Board also received a review and comment letter from the Town's consulting engineer contracted to conduct a technical review of the Stormwater report and site plan. The

Applicant provided a response to the peer review letter issued by the Town's engineer dated 10-28-19. Mr. Bouchard informed the Board that the Stormwater report and site plan provided will require additional information and clarification that are reasonable and appropriate for a complete Stormwater design under Townsend Bylaws Chapter 175.

Mr. Walsh noted a few findings during the hearing one such being "GEI has no issue with the intention of utilizing a subsurface infiltration system, provided the easily maintained pretreatment device is added to the parking lot runoff treatment train" and noted other areas where information is missing and inconsistency occurs in the plan. The applicant agreed that actual construction will differ from the site plan. The applicant was informed by Land Use Department staff that a Stormwater permit application is required for the construction of the larger replacement apartment building as proposed. The Applicant's engineer confirmed the additional information requested in the Stormwater peer review letter dated 10-28-19 will be provided prior to building permit approval.

David Chenelle motioned to accept the Stormwater management report, site plan and peer review recommendations as presented and release the both Decisions granted by vote of the Board on July 17, 2019. Victoria Janicki seconded. Roll call vote as follows; YES – William Cadogan, David Chenelle, Robert Rebholz, Victoria Janicki. ABSTAIN – Darlene Sodano.

Mandatory referrals for 29 Main Street and Seaver Road were discussed. The Board returned Seaver Road mandatory referral will comment.

Respectfully submitted,

Elizabeth Faxon

Zoning Board of Appeals Administrator

**Approved on: November 20, 2019**

Items on file:

1. Application for 29 Main Street.
2. Application for 15 Pheasant Ridge.
3. Stormwater Management Report – 48 Fitchburg Road. Dated September 2019 Prepared by Nicholas M Pauling Registered Professional Engineer No. 47114.
4. Drawing titled Residential Development drainage improvement site plan and construction details. Dated September 2019. Prepared by Nicholas M. Pauling Registered Professional Engineer No. 47114.
5. Letter to Mr. Ziad Ramadan from Elizabeth Faxon RE: 48 Fitchburg Road. Dated August 7, 2019.
6. Contract and scope of services documentation between Graves Engineering, Inc. and Town of Townsend re: services to perform technical peer review of the site plan and Stormwater management report.
7. Letter to Townsend Zoning Board of Appeals from Jeffrey M. Walsh P.E., Graves Engineering, Inc. re: 48 Fitchburg Road Stormwater review. Dated 10-28-19.
8. Letter to Townsend Zoning Board of Appeals from Kyle Burchard, P.E., Goldsmith, Prest, and Ringwall, Inc. re: 48 Fitchburg Road: Drainage. Dated 10-30-19.
9. Email from Elizabeth Faxon to Ziad Ramadan re: 48 Fitchburg Road rebuild of apartment construction.