



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

RECEIVED
JAN 10 2024
TOWN OF TOWNSEND
TOWN CLERK

Laura Shifrin, Chair (2025)

Carol Hoffses, Vice Chair (2026)

Robert Therrien, Member (2024)

Andrew Shepherd, Clerk (2028)

Tony Lopez, Member (2024)

Michael Virostko, Associate Member (2024)

PLANNING BOARD'S Minutes

December 18, 2023, 6:30 PM Selectmen's Chambers

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

Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting will not be suspended or terminated if technical problems interrupt the virtual broadcast, unless otherwise required to by law. Members of the public with an interest in a specific agenda item should make plans for in-person attendance.

I. PRELIMINARIES:

1.1 Call the meeting to order and roll call*. Chair Shifrin called the meeting to order at 6:30pm. Members present in person were Carol Hoffses, Andrew Shepherd and Robert Therrien (arrived at 6:42pm). Chair Laura Shifrin was present remotely. Tony Lopez was absent.

1.2 Pledge of Allegiance. Conducted with respect and expressed appreciation for Veterans and military currently in service and all First responders.

1.3 Announce the meeting is being recorded and uploaded to Town of Townsend YouTube channel.

1.4 Chair's Additions or Deletions. Deleted 1.5 review of the 11-27-23 draft minutes and moving this item to the next meeting on January 8th, 2024. Deleted 3.4 and 3.5 review of the regulations 175-13 and 175-45. Chair Shifrin explained that a public hearing is required prior to approval of regulation changes and the Board will be soliciting feedback on the changes prior to the public hearing. The review will be moved to January 8, 2024. Add 3.7 Chair Shifrin said that the owner of 22 Main Street was overdue on the approved construction timeline extension and would like the owner to attend the next meeting to comply with the special permit. She also said there is a project expansion that occurred which was not in compliance with the special permit and the approved plan. She further apprised the Board that the Building Department and Land Use Coordinator have sent letters to the property owner detailing the requirements to be in compliance with these documents. Chair Shifrin expects that to be on the January 8th agenda.

1.5 Review/Approve the meeting minutes for 11-27-23. Deleted.

II. APPOINTMENTS:

2.1 **6:45pm - Public hearing** - 108 West Meadow Road – Phil Colameta, Daisem, LLC.

Application for removal of stone walls from within the Town's right of way. C. Hoffses presided over the public hearing. Phil Colameta, applicant, was present remotely (left the meeting at 7:20pm). Jessica Consolvo, Land Use Coordinator was present online. Chair



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Shifrin stated that participants online are required to turn on their video when they are speaking during public hearings. Mr. Colameta explained that this is a retroactive filing for approval to remove 25 feet of stonewall to construct a driveway entrance for a single family home at 108 West Meadow Road. He said he was not aware that he needed to file and offered his apologies to the Board. Jessica was present and noted that both land disturbance for construction of single family homes as well as impact to the stonewall was noticed in Fall of 202. Mr. Colameta was given written notice to make him aware of both the Scenic Roads and Stormwater management bylaws and regulations. When asked if trees in the ROW were cut during the construction activity, Mr. Colameta stated that yes they were cut in 2018. The project was originally approved as a subdivision and later the parcel was divided via Approval Not Required process into three lots. Building permits were obtained for the construction of 3 single family residences respectively. Jessica Consolvo asked the Board to consider this information as part of their review of this application as the Scenic roads act protects both the destruction of stone walls and cutting and removal of trees in the right of way of a designated scenic road. Discussion was had regarding the applicants awareness of their responsibilities under the Scenic Roads and stormwater bylaws and regulations. Mr. Colameta said that if he'd known these responsibilities at the time of obtaining the building permits or, if he was instructed to obtain a driveway permit, he would have complied.

III. BUSINESS:

3.1 Announcements & Communications. The Legal notices from abutting Townsend and abutting Towns were read.

3.2 Finalize 2024 Board meeting schedule. The Board reviewed the proposed Draft Planning Board meeting schedule and had no changes. The Administrative Assistant will schedule the meeting dates and reserve meeting rooms for all dates.

3.3 Planning Board Administrative updates and reports. Applications. 27 Scales Lane – SM permit #SM2019-03 request for certificate of completion. No action yet. Awaiting more information and revised as built plans from permit holder. Campbell Farm Open space preservation development – Stormwater permit was renewed for two years and issued. We are waiting for proof of recording. Interdepartmental approvals. 38 Dudley Road - detached garage carport kit 22x24, 8 Peter J. Dr. - Installation of a ground mounted solar system 40 panels 15.00 KW DC Electrical Trench Required. 31 Walnut St. - 2 car garage with master bathroom above. Site visits/compliance. 66 Bayberry Hill Road – All documents have been recorded. Project is ready from the administrative perspective. 98-100 West Meadow Road – earth disturbing activity was noted a letter was sent to owner - waiting for information. 22 Main St. Best Friends



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veterinary clinic – project modification noted, owner has been notified of required action via letter sent from Land Use and from the building department. 22 West Meadow Road Locke Brook solar array – earth-disturbing activity and tree removal was observed on the perimeter of the parcel. Owner has been notified of required action via letter sent from Land Use Dept. 25 Harbor Trace - Harbor Trace PFAS water treatment plant – SM Permit #SM2023-02. Current with monthly reports. 3 Wheeler Road – SM Permit No. SM 2202-02. Current with monthly reports. 5 Turnpike Road – SM Permit No. #SM2023-01. All documents have been recorded. Project is administratively ready. Noted that site work on the stormwater management system has begun. Waiting for permit holder to schedule pre-construction meeting. Miscellaneous. Sent PB regulation Section 175-13 definitive subdivision regulations to town counsel for review. Plan to set up a public hearing for the changes the Board has made in the regulations thus far, verify date with the Board. Plan to send the Scenic Roads Act and the Ground mounted solar bylaw that were edited by the Board during the 11-27-23 meeting to Town counsel at next opportunity. In response to questions about applicability of this project for a stormwater management permit 175-39 was reviewed as was thresholds for new or redevelopment. A stormwater management permit is triggered on parcels that have been divided via ANR in the last five years by land disturbances of over 40,000 sq. ft. and if there are steep slopes of greater than 15% a stormwater permit is triggered at 1,000 sq. ft. of disturbance. The burden of proof is on the applicant to determine if their project meets any of these thresholds. Mr. Colameta received this information in correspondence from the Land Use Department. In response to the question of when the applicant should have provided a determination of land disturbance and submitted a stormwater management permit application, it was noted that optimally at the early stages of project development and before building permits are issued. Mr. Colameta stated that he would have his engineer review the site development plans and determine if any of the thresholds in table 175-39 were exceeded. C. Hoffses read a draft decision approving the scenic roads application and the Board reviewed it. A. Shepherd moved on Dec 18th, 2023, to grant approval of the scenic road application for the property at 108 West Meadow road, Map 4, Block 20, Lot 3 submitted by Phil Colameta, Daisem LLC to remove 25 feet of stone wall. R. Therrien seconded. A roll call vote was taken as follows: YES – C. Hoffses, R. Therrien, L. Shifrin, A. Shepherd. The motion carried. 4-0-0. L. Shifrin made a motion to have Carol Hoffses, Member, sign the Planning board Decision on behalf of the Planning board members participating in the vote. A. Shepherd seconded the motion. A roll call vote was taken as follows: YES – C. Hoffses, R. Therrien, L. Shifrin, A. Shepherd. The motion carried. 4-0-0



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Sent request to town counsel to write up options to 175-45 stormwater easement requirements regulations. (alternative to recording an easement which needs to be approved by town meeting vote.) CPTC – Fall workshops. Site Plan Review - Monday, December 18, 2023, 6:00 PM Planning with Community Support - Thursday, January 4, 2024, 6:00 PM Adopting & Revising Rules & Regs of Boards - Tuesday, January 9, 2024, 6:00 PM Fair Housing Laws - Tuesday, January 16, 2024, 6:00 PM. MBTA communities update – public survey has been opened, on Town website, responses are coming in and MRPC is collecting them. Please share with the public and let your townspeople know they can send in their input. MVP Action Grant – EOI has been submitted. Townsend Fare Free MART service (Montachusett Regional Transit Authority) shuttle bus service has a revised schedule. Ridership has been very low. 3 riders since launch. The changes are noted on the Town website.

3.4 Final review of Planning Board regulations Section 175-13 Definitive subdivisions. Deferred to 1-8-24.

3.5 Discussion of Planning Board regulations Section 175- 45 Stormwater regulations. Deferred to 1-8-24.

3.6 WK Realty Trtust - request for Certificate on Completion Stormwater Management Permit No. SM2019-02, 27 Scales Lane. Brett King, W.K. Realty Trust was present in person. Member Andrew Shepherd noted his intent to abstain and excused himself from the discussion. Mr. King provided a print copy of a revised as built of the stormwater management system. He commented that this revision includes the location of the catch basin, roof drains and underground tank. The roof drains are buried so they are depicted by the red lines on the drawing. He pointed out the tight tank that receives flow from the floor drain in the building, the catch basin, and the roof drain collection system. He also submitted construction phase monthly stormwater system inspection reports. Mr. King noted the last inspection report is dated September 11, 2022. The Board agreed to have time to review the materials submitted and to continue the discussion at the next meeting. Chair Shifrin added that the materials submitted be distributed to the Board and that Land Use staff review the submitted materials. Discussion and results of the submitted documents review will continue at the January 8th, 2023, meeting.

IV. ADJOURNMENT:

4.1 Next Planning Board meetings are scheduled for January 8, & January 22, 2024.

C. Hoffses made a motion to adjourn the meeting at 7:28pm. R. Therrien seconded. A roll call vote was taken as follows: YES – C. Hoffses, R. Therrien, L. Shifrin. The motion carried.

Submitted by:

Beth Faxon, Planning Board Administrative Assistant.

Approved on: January 8, 2024



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*Votes may be taken at any time during the meeting. The listing of topics that the Chair reasonably anticipates will be discussed at the meeting is not intended as a guarantee of topics that will have been discussed. Not all topics listed may in fact be discussed, and other topics not listed may also be brought up for discussion to the extent permitted by law.

