



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

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 MEETING minutes

January 8, 2024, 6:30 PM Selectmen's Chambers

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

RECEIVED
FEB 15 2024
TOWN OF TOWNSEND
TOWN CLERK

I. PRELIMINARIES:

1.1 Call the meeting to order and roll call*. Chair Laura Shifrin opened the meeting at 6:32 pm.

Roll Call: Present: Carol Hoffses, Robert Therrien, Laurie Shifrin (remote). Absent were Andrew Shepherd, and Tony Lopez. Others present: Beth Faxon, Planning Board Admin., Hartley Pleshaw, TCAM, Jessica Consolvo (remote)

Brett King, W.K. Realty Trust (arrived in person at 6:38pm) Jonathan Vos, MRPC (joined remotely at 6:30pm)

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

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

1.4 Chair's Additions or Deletions. None noted.

1.5 Review/Approve the meeting minutes for 11-27-23 & 12-18-23. The Board reviewed the draft meeting minutes for 11-27-23 and 12-18-23. A comment was made on the 11-27-23 minutes to revise the wording in Section 3.1 administrative report to clarify that letters were sent to the owner of 22 Main Street. CH made a motion to approve the minutes of 11-27-23 with the comments made to paragraph 3.1 administrative report change to "sent to the owners of". R. Therrien seconded. Roll call vote was taken as follows: YES- R. Therrien, C. Hoffses, L. Shifrin. The motion carried. C. Hoffses made a motion to approve the minutes of 12-18-23. R. Therrien seconded. Roll call vote YES – C. Hoffses, R. Therrien, L. Shifrin.

II. BUSINESS:

2.1 Announcements & Communications. the legal notices from Townsend and abutting Towns were read.

2.2 Planning Board Administrative updates and reports. 27 Scales Lane application for Certificate of Completion is pending, and 108 West Meadow Road scenic roads approval decision was granted. Three building permit approvals were checked for 80 Main Street, 2 Capricorn Lane, and 106 Haynes Rd. All current stormwater management permits are in compliance. Earth disturbing activity was identified at 98-100 West Meadow Road and a letter



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was sent to the owner. A project modification was identified at 22 Main St. Best Friends veterinary clinic. The owner has been notified via 2 letters sent from Land Use and from the building department. Earth-disturbing activity and tree removal was observed at the perimeter of 22 West Meadow Road. The owner has submitted information, and it is under review. A pre-construction site meeting was held at 5 Turnpike Road – SM Permit No. #SM2023-01. The permit holder will be submitting weekly construction phase inspection reports given the short construction schedule for the basin. At 108-110-112 West Meadow Road, A letter was sent to owner on 12/21/23 with actions required regarding applicability of land disturbance on the parcels and the filing of a stormwater management permit. Miscellaneous. The board received concepts from intersection study of Rte. 119 and Rte. 13 from MRPC and they are available for review and comment. The Annual Town Election will be held on April 22, 2024. Staff sent PB regulation Section 175-13 definitive subdivision regulation edits to town counsel for review. Two bylaws were edited to remove fees including the Scenic Roads Act and the Ground mounted solar installation bylaw. Staff are working on a change to deregulate the easement requirement in Section 175-45 stormwater easement requirements. Staff plans to attend and recommends Board members attend the "AGO Training on Zoning By-law Amendment Process and By-law Filing " which is online and scheduled for 1/9/24. There are 2 remaining CPTC Fall training workshops: Adopting & Revising Rules & Regs of Boards on 1/9/24 & Fair Housing Laws on 1/16/24. MBTA communities compliance update – At the last Planning meeting on December 12, 2023, a significant number of Town staff and 2 representatives from MRPC worked on details of the Townsend Draft MFOD bylaw. A revision of the Draft MFOD will be provided to the Board as soon as it is received from MRPC. Townsend Fare Free MART service (Montachusett Regional Transit Authority) shuttle bus service has a revised schedule. Ridership has been very low. The Town has scheduled a marketing strategy meeting with MART to consider corrective measures.

2.3 Discussion of Planning Board regulations Section 175- 45 Stormwater regulations. Deferred to the next meeting.

2.4 Final review of Planning Board regulations Section 175-13 Definitive subdivisions. Deferred to the next meeting.

2.5 Townend MBTA communities Multifamily development overlay district bylaw review.

Jonathan Vos, MRPC joined the meeting at 6:45pm to be present for the Boards review of the revised draft Multifamily Overlay district bylaw. He noted that he is available for any questions regarding the changes made in this iteration of the draft bylaw, or next steps for the Town. He stated he will be providing a technical memorandum in the next few weeks detailing the process and procedure for the



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MBTA overlay district feasibility analysis, the draft bylaw, and recommendations for the Town regarding completing the project. A primary recommendation is to select one of the proposed three final overlay districts or perhaps combine proposed overlay districts into one large encompassing overlay district. He also stated that another step is to finalize the draft MFOD bylaw language in terms of any conflicts, clarifications, or betterments to meet the needs of the Town. He then stated that the final step was to make sure the residents are informed and understand what needs to be accomplished to comply with the MBTA communities law requirements. Chair Shifrin noted that the Board will review the revised draft MFOD bylaw. The Chair noted that the revised bylaw will go to Town counsel for review and then the Board will review again after that. The goal would be to propose the new zoning bylaw at the Spring Town meeting with the Board responsible for holding the required public hearing. Chair Shifrin noted that the Board may combine this public hearing with some regulation changes it has been working on. Chair Shifrin set April 8, 2024, for the public hearing.

2.6 Mandatory referrals: 23 Shirley Road, 99 Clement Road, and 355 Main Street. The Board reviewed and expressed support for renewing all three of the accessory apartment applications. The following comment was added to the referral notice: "The Planning Board approves of the renewal of this special permit with the addition of an expiration date that occurs upon transfer of the property."

2.7 WK Realty Trust – Brett King was in the meeting regarding his request for Certificate of Completion for the Stormwater Management Permit No. SM2019-02, at 27 Scales Lane. The owner submitted a revised as-built plan before the meeting and a memorandum on the date. The revised as-built site plan was compared to the approved plan of record. Many discrepancies were noted, including the absence of a rip-rap gutter drain conveyance along the West side of the entrance driveway, a redesigned length of culvert pipe connecting the NW and NE stormwater basins which terminates before the NE stormwater basin, the absence of a rip rap berm on the toe of slope of Basin #1 (the NE basin). Mr. King corrected this by noting that the structure is a 2-foot-wide infiltration "wicking" trench at the bottom of the pond and has been constructed. He stated it cannot be seen because it is covered in silt. The stormwater basin in the south part collects water from the roof conveyed through a piping system and was built in a different shape than the approved plan. Providing drainage calculations to prove that the basin is of adequate dimensions to mitigate the volume of stormwater runoff is warranted. Per the regulations there is a requirement for a certified as-built plan and a narrative explaining the deviations and reasons why they will not be problematic for the functioning of the stormwater management system. Mr. King provided a memorandum to the Board today



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identifying the deviations, but a more substantive narrative proving the current functioning system is adequate was not provided. Mr. Therrien said a spillway in Basin #2 on the approved plan was not constructed. Mr. King acknowledged that was an oversight and said it will be constructed. He also stated that the top of Basin #1 (the NE basin) would be stabilized in the Spring with loam and seed and soil retaining mesh. Mr. Therrien commented that the rip rap on the west side of the entrance driveway was probably not necessary. Chair Shifrin asked about the required frequency of monitoring reports by the stormwater system owner after the certificate of completion is issued. It was stated that stormwater management system inspections by the property owner shall be submitted to the Stormwater authority twice during the first year and then annually thereafter. Chair Shifrin noted that during construction phase, the required monthly inspection reports for this stormwater management system were not received by the Town. Mr. King did submit these reports at the last meeting, and they are now on file. The process was read aloud from the stormwater regulations. The Board extended the stormwater management permit until June 2024. The Chair asked Mr. King to provide the Board with updates on any work on the stormwater management system. A summary letter of this discussion will be sent to Mr. King.

III. ADJOURNMENT:

3.1 Next Planning Board meetings are scheduled for January 22, & February 12, 2024.

C. Hoffses made a motion to adjourn at 8:08pm R. Therrien seconded. A Roll call vote was taken as follows: L. Shifrin, C. Hoffses, R. Therrien.

Respectfully submitted,

Beth Faxon

Planning Board Administrative Assistant

Approved on: February 12, 2024.