

11-27-2023 Planning Board Meeting minutes

Selectboard Chambers, 272 Main Street, Townsend MA 01469 TOWNSEND
TOWN CLERK

And on TCAM hosted Zoom.

Chair Laura Shifrin called the meeting to order at 6:34pm.

Members present in person: Andrew Shepherd, Carol Hoffses, Robert Therrien (arrived at 6:40 pm).

Members present remotely were Chair Laura Shifrin and Tony Lopez (left the meeting at 7:05pm)

Others present: Dana Roberts (remote), Jessica Consolvo, Land Use Coordinator (remote, left the meeting at 7:00pm), Beth Faxon (in person). Hartley Pleshaw, TCAM (remote)

A Pledge of Allegiance was conducted with appreciation for our first responders and all in military service.

Carol Hoffses made a motion to approve the minutes of November 13, 2023. Andrew Shepherd seconded the motion. The discussion was that Mr. Shepherd was not present for one discussion during the meeting, so his approval is based on part of the minutes as presented. Roll call vote: YES – L. Shifrin, A. Shepherd, C. Hoffses, T. Lopez.

3.1 Administrator's report - The Draft 2024 Planning Board meeting schedule will be distributed to Board members for review this week. 27 Scales Lane – SM permit #SM2019-03 request for certificate of completion. Discussion continued to December 18th Planning Board meeting. Awaiting more information. Campbell Farm Open space preservation development – application for extension of stormwater management permit No. SM2019-03 & SM2022-01. Dana Roberts, Townsend Hill Realty Trust, Trustee. Planning Board members Carol Hoffses and Robert Therrien and Administrative Assistant Beth Faxon attended the site visit on November 20, 2023. The Planning Board received an updated construction schedule for the project. 108 West Meadow Road – The Planning Board received an application for approval for removal of a stone wall under the scenic roads act. A public hearing is scheduled for Dec 18th at 6:45pm. Interdepartmental approvals. 320 Townsend Hill Rd solar installation for the Building Dept and 2024 Alcohol License renewals for Board of Selectmen. 66 Bayberry Hill– major stormwater management permit PB Decision and permit 2023-03. Waiting for proof of recording, preconstruction meeting. A Letter was sent to owner of 98-100 West Meadow Road regarding ongoing site work and land use permitting, we are waiting for information. 22 Main St. Best Friends veterinary clinic and 22 West Meadow Road Locke Brook solar array received letters from the Land Use Department outlining actions required, 25 Harbor Trace - Harbor Trace PFAS water treatment plant – SM Permit #SM2023-02, and 94 Fitchburg Road all projects are up to date administratively. 3 Wheeler Road – SM Permit No. SM 2202-02. Waiting for the monthly inspection form for October. Miscellaneous - CPTC – Fall workshops have been announced. \$35 a class. The first Western MA CPTC Conference for Planning & ZBA Members is scheduled for December 2, 2023. MBTA communities – Jonathan Vos, MRPC presented the planning efforts undertaken by Planning staff and Town departments and Board members to date and the three vetted multifamily overlay districts selected for final consideration. A public survey has been launched for public input and can be found on the main page of the Town website under the news section. The Town is preparing to submit an Expression of interest to the state before drafting a Municipal Vulnerability Preparedness (MVP) Action grant. The Board members were asked to review the projects' descriptions provided in the working document and provide feedback. Townsend

Shuttle bus is running, all are encouraged to utilize the service. Admin will gather usage data for the Board.

Request for Certificate of Compliance Stormwater management permit

Dana Roberts, Townsend Hill Realty Trust, Trustee mentioned that they are requesting an extension of their Stormwater management permit that accompanies the Campbell Farm OSPD subdivision project. He noted that the last two houses are under construction and are expected to be complete in late winter. He said they have regularly maintained the stormwater management system throughout the year with weather challenges and their monthly inspection reports are up to date. He further stated that the stormwater system is constructed as designed and is functioning as expected. They are continuing to maintain the road during construction and plan on putting the topcoat on in April 2024. Jessica Consolvo noted that she recommends cleaning up the gravel entrance to the site by removing trapped sediment from the rip rap prior to winter to increase the efficiency of this erosion control mechanism. R. Therrien attended the site walk and was impressed with the work on stormwater management. Carol Hoffses made a motion to grant a two-year extension of a stormwater management permit #SM 2019-03 and SM 2022-01 to Townsend Hill Realty Trust for development entitled Campbell Farm OSPD. Robert Therrien seconded the motion. A Roll call vote was taken as follows: YES – C. Hoffses, R. Therrien, A. Shepherd, L. Shifrin. The motion carried 4-0-0.

Andrew Shepherd read the notices received by abutting Towns. The Board then conducted a review of the Scenic Roads bylaw Ch. 106. Mr. Therrien noted that he would like the Town bylaw definition of designated scenic roads to include State routes (numbered routes) such as Route 119 and Route 13 in Townsend. The Board would like to have “other than numbered streets and highways” deleted.

Discussion ensued as to the determination of the “public right of way” (ROW) and how the highway superintendent and the building department are consulted when there is a question of whether a tree or stonewall is within this area and review under the Scenic roads act is warranted. The Board then reviewed draft Appendix A fee schedule table. If the current fee is \$1000, it shall be increased to \$1500 and where the current fee is \$600, it shall be increased to \$750.00. The Board agreed that \$300 is the minimum fee to be charged in the fee table. Admin will edit the line items in the fee table to reflect this. For the ANR fees, the base fee will be increased to \$300.00, other associated fees will remain as is. Discussion regarding the newly proposed inspection fees. It was clarified that the Planning board is responsible only for the major stormwater management permits. A newly proposed fee is for major stormwater management permits and involves the permittee failing to file a request for certificate of completion to close out the permit and this will carry a fee of \$ 100.00 per year. The Board agreed that this fee should be increased to \$300.00.

The Board then reviewed the large-scale ground mounted solar installations bylaw Section 145-86 approved in 2017. The bylaw is comprehensive and suggested changes included 145-86 C. (3) Fees. \$300 and add “the current fee schedule”, no other changes were suggested.

The Board then reviewed Section 175-13 Definitive subdivisions and recommended some changes including: 175-13 B (2) General process, instead of “the Board” the suggested wording is “staff first review per the application checklist”. 175-13 B (3) add in the word “administrator to the Planning Board” or “the Board” will take responsibility for notifying abutters. 175-13 B (5) Strike the sentence “sessions are normally scheduled for one or two hours”. Section 175-13 D. (1) strike “is \$1,500 and \$300

per lot" and replace with "are per fee schedule". Same change in Section 175-13 D. (2). Section 175-13 E (3) Change fifteen copies to five (5) copies. 175-13 F (1) change "fifteen" copies to "five" copies. 175-13 F (2) & (3) strike entirely. The chair asked for insertion of a requirement to submit plans and documentation electronically be done at the appropriate places in 175-13. Chair Shifrin referred to 175-13 F (5) and questioned the reason for multiple references to the stormwater management permit application. Also expand the acronym "NPDES" to "national pollution discharge elimination system". Chair Shifrin requested clarification of the term "way" in 175-13 (3) and other places in the regulations. It was agreed that the words "penultimate draft" in 175-13 B (7) should be changed to "to second to the final draft" also in this section check the wording of the last sentence "summary or complete copies" pertaining to notifying abutters of a Planning Board decision. Note was made to strike the word "existing" in front of stormwater permit in Section 175-13 C (1) (a). The addition of "if the threshold is triggered for the stormwater permit, all associated documents...." also add that the Land Use Coordinator will decide whether the project requires a major or a minor stormwater permit or is under the threshold of land disturbance as outlined in Table 175-39 Applicability. Admin was asked to clarify the necessity of Section 175-13 (7) "unless otherwise indicated in writing as part of the application... to the end." with Town counsel. Clarification was requested for Section 175-13 L (2) Status reports regarding the need for quarterly financial statements, etc. The Board would like this section removed to ease some of the regulatory requirements and making the process less cumbersome for development. The Chair then asked for these edits to be on the January 8th agenda for further discussion.

C. Hoffses made a motion to adjourn the meeting at 8:52pm. A. Shepherd seconded the motion. A roll call vote was taken as follows: YES – R. Therrien, A. Shepherd, C. Hoffses, L. Shifrin. The motion carried.

Submitted by: Beth Faxon,

Planning Board Administrative Assistant

Approved on: January 8, 2024

Items on file:

1. MVP Action grant project selection working document.
2. Campbell Farm application packet for extension of stormwater Management permit.
3. Chapter 106 Scenic Roads bylaw review working document.
4. Draft table of Planning Board fees working document.
5. PB regulations section 175-13 Definitive subdivisions annotated by Chair Shifrin working document.
6. Townsend zoning bylaw 145-85 large scale Ground mounted solar installation annotated by Chair Shifrin working document.

