



Office of  
**THE PLANNING BOARD**  
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RECEIVED  
MAR 12 2019  
TOWN OF TOWNSEND  
TOWN CLERK

Lance J. McNally, Chairman  
Veronica Kell, Clerk

Charles Sexton-Diranian, Member

Laura Shifrin, Vice Chair  
Jerrilyn T. Bozicas, Member

### **Planning Board Meeting minutes**

Monday, February 25, 2019, at 6:30 PM

Townsend Memorial Hall, in Selectmen's Chambers, 272 Main Street, Townsend, MA 01469

## **1 PRELIMINARIES:**

- 1.1 Call the meeting to order – Chairman Lance McNally opened the public meeting at 6:31 p.m. and announced that Member Laura Shifrin will be participating remotely.
- 1.2 Roll call – Chairman Lance McNally (LM), Jerrilyn Bozicas (JB), Charles-Sexton Diranian (CSD)  
Participating remotely – Vice Chair, Laura Shifrin  
Others present: Elizabeth Faxon (EF), Planning Board administrator  
Don Hayes, Master Plan Committee  
Karen Clement, Master Plan Committee
- 1.3 Additions or Deletions to Agenda Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting:
- 1.4 Approval of Minutes, 2/11/19 – moved to the next scheduled Board meeting.

## **2 APPOINTMENTS:**

- 2.1 **6:45 P.M. – John Hume - Planning and Development Director, MRPC and Mr. Sean O'Connell MRPC Regional Planner – DLTA grant opportunities.**

Mr. Hume gave members of the Planning Board ("The Board") a print copy of a handout titled the use of District Local Technical Assistance (DLTA) funds – Examples of eligible activities for 2019." Funds for technical assistance are available to towns for eligible projects. The projects are approved through an application process through MRPC involving response to questions, the services requested and the project proposal, and explanation of compliance under the project eligibility criteria. Mr. Hume recommended submitting an application prior to the March 4<sup>th</sup> deadline Round #1. The application must be discussed in a public meeting, and the request requires documentation that the application was discussed at a Board of Selectmen's meeting via meeting minutes or, a letter of support prior to submittal to MRPC. Mr. Hume explained options under the state's list of three category of eligible activities. He noted category #1 "Planning Ahead for Housing" which would include Housing Production plans, and, #2 Planning Ahead for Growth" which would involve projects such as the chapter of the Master Plan. He continued to inform the meeting that exceptions can be made where the Town Administrator can endorse the application followed up with the minutes of the Board of Selectmen's meeting where the application was presented for discussion and approval. LS commented that a lot of data gathering may be requested to update the 2015 Housing Production plan and the writing of the housing section of the 2001 Master Plan Update. She is in favor of seeking technical regional data assistance that will benefit multiple town boards and committees. LS is in favor of using the grant to request services for data to update both the housing production plan and simultaneously facilitate the data gathering for the Master Plan update. LM stated the Planning Board will look at the contribution of staff and will support the efforts to

make the projects successful. Mr. Hayes informed the meeting that town funds have been allocated to MRPC for services for the Master Plan update, he offered to write up some language providing details for the DLTA grant application after the MPC meets on Wednesday 2/27/19. CSD confirmed that the Housing Authority requests in the grant application would be supported. CSD motioned to place an application for DLTA to MRPC in regards to the Planning Board to be able to move forward with our Master Plan as well as other Boards' needs as determined appropriate to project goals. VK seconded. Roll call vote: YES – JB, CSD, LS, LM, VK. LM requested the application be complete by February 28, 2019 and that the application be put on the Board of Selectmen's agenda for March 5<sup>th</sup>. Mr. Hume noted that the Town of Townsend has applied under the DLTA grant, for a feasibility study for regionalizing the 911 dispatch system with Pepperell and Ashby.

Mr. Hume added that MRPC may need to prioritize if a large number of applications are received. The Planning Board application will be received by MRPC and, forwarded to the state. The application would first go before the MRPC planning staff on March 7<sup>th</sup> for approval. If prioritization were necessary, the Planning Board would be notified at that point. The Board of Selectmen would decide which application would be moved forward. The second round in April may not occur in a lot of applications are received on Round #1 and MRPC may seek a waiver from the State not to move Round #2. Mr. Hume mentioned another opportunity at the state level, a request for proposals issued for a planning grant for which the Master Plan would be eligible. He offered to send information to the administrator regarding.

## **WORKSESSION:**

- 2.2 §145-90 Adult Use Recreational Marijuana zoning bylaw, moratorium and ballot questions. – noted, a print copy of the proposed ballot questions, drafted by town counsel, was given to members of the Board. The Planning board input included ballot questions that give the voters the option to vote on a ban of each type of recreational marijuana establishment independently. Noted there are 7 questions based on each type of establishment. Discussion regarding disseminating the content of the ballot questions prior to the Annual town election ensued. Concern was expressed regarding the length and complexity of the ballot questions and whether voters would understand clearly what a “yes” vote means and what a “no” vote means. Suggestions were made for various public outreach activities to inform the voters prior to the election. The discussion will continue after the Board of Selectmen approve the ballot questions. LM stated that the process going forward is to provide the ballot questions to the board of Selectmen at their next meeting. EF noted that the deadline for the Ballot question submittal to the Town clerk is March 20, 2019.

LS motioned to authorize Chairman McNally to present and propose the written document “Marijuana Ban Ballot Questions Town of Townsend Proposal for Planning board Consideration” prepared by town counsel, to the Board of Selectmen at their March 5<sup>th</sup>, 2019 meeting. VK seconded. Roll call vote: YES – CSD, JB, LM, VK, LS. LM noted that a warrant article is needed to propose amendments to §145-90 the Recreational marijuana bylaw (passed at STM 12/20/18) to reflect the results of the ballot questions after the annual election (4/22/19). LM cites an example of a case where one of the ballot question passes, then that will be in the ATM warrant as an article proposing an amendment to that section of §145-90 recreational marijuana zoning bylaw, and will require a 2/3 vote to be adopted. LM requested the draft of the warrant articles, currently prepared by town counsel, be submitted to the town

administrator and Board of Selectmen prior to the close of the warrant on March 1, 2019.

CSD motioned to have a draft of the warrant article, prepared by town counsel, submitted to the Board of Selectmen at the next meeting. VK seconded. Roll call vote: YES – VK, JB, CSD, LS, LM.

LM noted that Town Counsel will provide the draft RMJ warrant articles to the Planning Board administrator for submittal, prior to the March 1<sup>st</sup> 2019 deadline. LM updated the meeting that the Town of Lunenburg is undertaking a very similar regulatory process and will also have recreational marijuana establishment ban ballot questions on their annual town election ballot, and associated warrant articles.

- 2.3 Planning board public hearing fees – EF asked if the Board would be amenable to sending public hearing notices regular mail instead of certified mail. Generally the response was not in favor of this process due to the necessity of assurance of notification of abutters as paramount to the public hearing process. Further consultation with town counsel was recommended. Board members were in favor of using certified return receipt mail, and, obligating the applicant to bear the cost as opposed to the town. EF noted that at the previous meeting the Board members voted unanimously to obligate the applicant for funding the cost of public hearing fees.
- 2.4 § 145-36 Accessory Apartment bylaw proposed amendments. – LM inquired about the progress and process to bringing these proposed amendments to 2019 ATM. The deadline for edits to the 2019 ATM warrant articles is April 30, 2019. A placeholder warrant article with proposed amendments to §145-36 Accessory apartments in a residential district, subject to town counsel review and a public hearing, will be submitted to the town Administrator. VK will incorporate changes to the draft document and forward to EF for submittal to the town administrator. A public hearing on this document is scheduled for Monday April 8, 2019, at the regularly scheduled Board meeting. CSD noted that they are 90% to their goal with regards to editing the amendment proposal, and agreed this timeline is acceptable. LM asked EF to check the ATM 2019 warrant for accuracy to confirm the articles submitted by the Board are included in correct final form
- 2.5 Master Plan Committee (MPC) – LM mentioned a conversation he had with MPC Chair Kym Craven and noted that he requested a few action items of the MPC. The Committee has been asked to work on the logistics of committee membership with regards to the quorum challenges they are experiencing, and explore options to improve the attendance status. Additionally, he has asked the MPC to provide a written revised Master Plan update project schedule to the Planning Board for reference. Mr. Hayes stated that the MPC will provide chapters as they are completed and take advantage of the ongoing review and feedback to incorporate in their revisions. Mr. Hayes conveyed that the MPC's goal for a final review of the Draft Master Plan Update document is June 2019. VK asked when the survey questions will be available to review. Mr. Hayes responded that he plans to publish the survey questions on the Master Plan Committee website via Survey Monkey. He added that members will be able to take the survey on a trial basis and for internal review. After the internal review of the survey questions, MRPC will then review the survey



- questions for inherent bias. Mr. Hayes will provide the link to the trial survey to EF and the Planning board members to participate in the survey trial and internal review.
- 2.6 DLTA Request for planning services application. – covered under 2.1 discussion with Mr. Hume and Mr. O’Connell.
  - 2.7 FY20 Budget – Discussion ensued regarding a suggestion of formatting the budget to include multiple land use related Boards and Committees under the Land Use Department, creating improved management and flexibility. CSD stated a goal of the Housing Authority is to officially assimilate into the Land Use Department. As such, it will share services and funds. LS noted that historically staffing was provided to the Housing authority by the Land Use coordinator. LM surmises that it would make sense to assimilate the various departments under Land Use in terms of budgeting and shared services.
  - 2.8 E-Permitting software study – CSD shared that all the boards could submit needs as to what they are looking for, needs are, then we would be able to do some research to find some software. The color printer purchased by the previous Land Use coordinator was mentioned. EF stated that the color printer is in the Land Use office and can be utilized by staff. LM recommends calling other towns to find out what software they are using, and concentrating on major suppliers that will support the software at a secure and appropriate Tier 1 level. CSD mentioned one of the ideas behind this software installation it is to improve tracking and LM added to improve security and records retention. He recommended outsourcing all data and JB added that this will assure everything is updated and standardized. LM recommends getting a cost estimate to outsource the internal technology. Funds to support the purchase of software would be sought at fall town meeting once procurement requirements are met.
  - 2.9 Recreational Marijuana zoning bylaw warrant article – under section 3.1
  - 2.10 Accessory apartment bylaw proposed amendments warrant article. – VK will make the minor edits and forward to EF for submittal to the town administrator for the 2019 ATM warrant.

### **3 CORRESPONDENCE:**

- 3.1 Invoice Graves Engineering, Inc. – VK motioned to pay the invoice received from Graves Engineering for \$1,584.64. JB second. Roll call vote: YES – LS, JB, CSD, LM, VK. The applicant will be reimbursed.
- 3.2 Notices from Townsend/Other Towns – VK read the notices from other towns.
- 3.3 Conferences and advertisements – registration is open for 2019 Annual Citizen’s Planner Training Conference scheduled for March 16, 2019 at Holy Cross College.

LS raised the subject of the Planning Board alternate vacancy. The alternate is appointed at any time during the year through the next annual election. JB is a write-in for the Planning Board member position on the 2019 annual election ballot. Discussion ensued as to the timing of appointment of an alternate member, and this will continue at the next scheduled Board meeting.

### **4 ADJOURNMENT:**

- 5.1 Schedule and adjourn - JB motioned to adjourn at 8:00 p.m. VK seconded. All in favor. Next meeting is March 11, 2019.

Respectfully submitted,  
Elizabeth Faxon  
Planning Board Administrator

Approved on: March 11, 2019

Items on file:

1. Invoice Graves Engineering, Inc.
2. Handout – Use of District Local Technical Assistance (DLTA) funds – examples of eligible activities for year 2019.
3. Document: “Marijuana Ban Ballot questions, Town of Townsend, Proposal for Planning Board consideration” 5 pages. Received from town counsel 2-25-19
4. Sign in sheet 2-25-19.
5. Draft minutes Townsend Planning Board 2-11-19.
6. Draft proposed amendments to §145-36 received 2-25-19.