



Office of
Zoning Board of Appeals
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RECEIVED
FEB 16 2021
TOWN OF TOWNSEND
TOWN CLERK

William Cadogan, Chairman

Darlene Sodano, Vice Chair

David Chenelle, Clerk

Victoria Janicki, Member

Sean Pearson, Member

David Funairole, Alternate Member

Craig Stevens, Alternate Member

Zoning Board of Appeals minutes

Wednesday, November 18, 2020, at 5:00 PM

VIRTUAL MEETING

VIA: ZOOM PER GOVERNOR'S ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETNIG LAW, G.L. c. 30A, § 20[†]

PUBLIC ACCESS ZOOM MEETING LINK:

<https://us02web.zoom.us/j/83870804164?pwd=MEFDakdNYnBxb1B2eXhTUG94SktiQT09>

Zoom Meeting ID: 838 7080 4164 Zoom Meeting Password: 080449

meeting materials available in digital format upon request by emailing bfaxon@townsendma.gov

1 PRELIMINARIES:

- 1.1** Call the meeting to order. Bill Cadogan called the meeting to order at 5:10 p.m.
Present: Bill Cadogan, Chairman, Darlene Sodano, Vice Chair, David Chenelle, Clerk, Victoria Janicki, Member, David Funairole, Associate Member, Sean Pearson, Member (5:20 p.m.)
Others present: Jerry Racette, TCAM Hartley Pleshaw, TCAM, Elizabeth Faxon, Zoning Board of Appeals Administrator, Eric Chartrand, Building Commissioner, Todd Melanson, Board of Water Commissioners, Roger Helou, Applicant.
- 1.2** Chairman's additions or deletions. Bill Cadogan appointed Associate Member David Funairole to full Member status.

2 APPOINTMENTS AND HEARINGS:

- 2.1 5:00 PM Public Hearing – 50 Highland St.** The application of **Roger Helou, R & S Helou Realty LLC** for a Variance under Townsend Zoning Bylaw §145-36C(5) and 145-66 and Appeal of the Building Commissioner's letter of September 15, 2020 under §145-64. The applicant is requesting a Variance to Townsend bylaw 145-24 C(1.a.) and approval to construct a barrier to protect the fire hydrant located within 15' of a the edge of the driveway. (**Assessor's Map 52, Block 94, Lot 0**). Referral comments were read into the record. The revised Building Commissioners' letter was read into the record. Mr. Melanson spoke in opposition to relocating the fire hydrant and in favor of using bollards instead of concrete barriers if the proposal were to be approved. Mr. Helou explained that there is an existing driveway, and he is requesting the permitting of a second driveway to access the understory garage at the opposite end of the existing one family residence. The location of the proposed second driveway is within 5' of a fire hydrant. Mr. Helou stated that this layout was proposed in order to circumvent obstacles and boundaries including the location of the septic system and wetlands. He

[†] Per the Governor's Order, and during the State of Emergency now-in-effect or until sooner rescinded, public bodies are relieved from the requirement that they conduct their meetings in a public place that is open and physically accessible to the public; provided, however, that all public bodies shall ensure public access to deliberations through adequate, alternative means, which include (but are not limited to) telephone, internet or satellite enabled audio or video conferencing or other technology that enables the public to clearly follow the proceedings of the public body while they are occurring. The Order also allows remote participation by all members of a public body; and waives the requirements that a quorum and the chair be physically present at the meeting location.

proposes protection of the fire hydrant with concrete block shaped barriers. Discussion ensued as to the method of protecting the fire hydrant and Mr. Melanson recommended using bollards which is a pole with a cement base located at various distances from the fire hydrant. E. Chartrand stated that the impact to the hydrant is not the only concern but also snow removal and EMS services access to the hydrant. Board members requested confirmation from the Building inspector that two driveways are allowed under the Zoning bylaw for single family residences. The Board requested the Applicant provide a clear and detailed site plan of the area of proposed driveway under consideration. Board Members stated they will drive by the site individually to view the site. The Board requested new revisions received by the Applicant be shared with the Board of Water Commissioners and the Building Inspector.

D. Chenelle made a motion to continue the public hearing for Roger Helou for 50 Highland Street to December 2, 2020 at 5:00 pm. D. Sodano seconded. YES – B. Cadogan, D. Sodano, D. Chenelle, V. Janicki, D. Funairole. The Motion carried. D. Chenelle made a motion to amend the motion to change the time of the public hearing to 5:15 pm. D. Sodano seconded. YES – B. Cadogan, D. Sodano, D. Chenelle, V. Janicki, D. Funairole. The Motion carried.

3 WORKSESSION:

- 3.1** Approval of minutes 10-7-2020. Strike the word “abutter” after the name Veronica Kell on page 3 of the draft minutes. D. Sodano made a motion to approve the minutes of October 7, 2020 as amended. D. Funairole seconded. YES – B. Cadogan, D. Sodano, D. Chenelle, V. Janicki, D. Funairole. The motion carried.

4 CORRESPONDENCE:

- 4.1** Notices from Townsend/other Towns. None noted.
- 5 ADJOURN:** D. Sodano made a motion to adjourn at 6:09 pm. D. Funairole seconded. YES – B. Cadogan, D. Sodano, D. Chenelle, V. Janicki, D. Funairole. The motion carried.

Respectfully submitted, Elizabeth Faxon, ZBA Administrator

Approved on: December 2, 2020

Materials on file:

- 1. Zoning Board of Appeals Application for Variance and Appeal of the Building Commissioners determination 50 Highland Street.**

Townsend Board of Appeals Meeting

Jerry Racette is inviting you to a scheduled Zoom meeting.

Topic: Townsend Zoning Board of Appeals

Time: Nov 18, 2020 05:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83870804164?pwd=MEFDakdNYnBxb1B2eXhTUG94SkTiQT09>

Meeting ID: 838 7080 4164

Passcode: 080449

One tap mobile

+19292056099,83870804164#,,,,,0#,,080449# US (New York)

Meeting ID: 838 7080 4164

Passcode: 080449 Find your local number: <https://us02web.zoom.us/j/kZiJjWPor>