



Office of
The Zoning Board of Appeals
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RECEIVED
 JUN 03 2021
 TOWN OF TOWNSEND
 TOWN CLERK

William Cadogan, Chairman

David Chenelle, Clerk

Darlene Sodano, Vice Chair

David Funaiolo, Associate Member

Sean Pearson, Member

Victoria Janicki, Member

Craig Stevens, Associate Member

Jason Murray, Associate Member

Zoning Board of Appeals Meeting

Minutes

April 7, 2021, 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: [Join Zoom Meeting](#)

All are welcome to attend.

<https://us02web.zoom.us/j/89964564262?pwd=bFFvR0U5Y0I5aTU1SndLc0ZCNFpDUT09>

Meeting ID: 899 6456 4262 Passcode: 498158

1 PRELIMINARIES: votes may be taken.

1.1 Call the meeting to order and roll call. Chairman Cadogan called the meeting to order at 5:00 pm.

Members present: Bill Cadogan (B.C.), Chair; Darlene Sodano (D.S.), Vice Chair; David Chenelle (D.C.), Clerk; Victoria Janicki (V.J.) Member; Sean Pearson (S.P.) Member; David Funaiolo, Associate Member; and Jason Murray, Associate Member.

Others present: Elizabeth Faxon, ZBA Administrator, Hartley Pleshaw, TCAM., Adria Boynton, Weston & Sampson, Stanley Dillis, Dillis & Roy, CDG., Inc., Karin Canfield Moore, Director Senior Center, Gary Shepard.

† Per the Governor's Order, and during the State of Emergency now-in-effect or until sooner rescinded, public bodies are relieved from the requirement that they conduct their meetings in a public place that is open and physically accessible to the public;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.

1.2 Chairman's additions or deletions. - 3.3 Townsend MVP Action Grant added, requesting Letter of Support. Noted Sean Pearson filed disclosure paperwork with the Town Clerk.

1.3 Approval of Minutes 02-10-2021. D. Sodano made a motion to approve the 02-10-2021 meeting minutes. D. Chenelle seconded. A roll call vote was taken as follows: YES – V. J., D.S., S.P., D.C., B.C. The motion carried.

2 **PUBLIC HEARINGS AND APPOINTMENTS: votes may be taken.**

2.1 **5:30pm Public Hearing – 12 Dudley Road – Assessors Map # 28 Block #56 Lot 0. Townsend Senior Center Expansion, LLC. – §§145-54 & 145-65 –** petition for a special permit to construct a 2,246 S.F. building addition to the Townsend Senior Center, associated sidewalks and bocci courts. Property is located in the Aquifer Protection Overlay District.

D.C. made a motion to open the public hearing on the application of Townsend Senior Center Expansion, LLC. at 5:30 pm. D. S. seconded. Roll call vote: YES – V.J., D.S., S.P., B.C. D.C. Present: Stanley Dillis, Dillis & Roy, CDS. Inc. representing the Applicant, Gary Shepard, Karin Canfield Moore, Senior Center Director.

D. Chenelle read the legal notice of public hearing. Mr. Dillis stated the building addition is approximately 2200 sq. ft. and associated 1000 sq. ft. of associated sidewalks which will create approximately 3200 sq ft. of impervious surface. The use is allowed in the groundwater aquifer protection district with a special permit. Three parking spaces will be moved to the other side of the parking lot to accommodate the building expansion. The Stormwater runoff from the building expansion and the walkways is proposed to be treated and recharged into the ground via an infiltration chamber located under the sidewalk. The bottom of the infiltration chamber is 5 feet or more above the groundwater table. Relocation and reconfiguration of the sewer force main is proposed with a pathway laid around the corner of the building and connecting to the septic system beyond the parking lot. Two notes were made on the site plan, one being the wording of “warming” tile which was corrected to “warning” tile, the second being the location of the project being on the Northeast corner of the plan which was corrected to the Northwest corner. Referral comments were read into the record. The comments from the Board of Health were in reference to required DEP approval that is in process by the Applicant. The Building Commissioner commented on the sufficiency of the current number of restrooms and the required DEP approval for the septic system. Mr. Dillis stated that the Applicant is preparing a submission to MA DEP and to the Townsend Board of Health delineating the proposed changes to the septic system design and evidence that the capacity of the existing system will accommodate the proposed addition. The Applicant will work with both MA DEP and Townsend Board of Health to obtain approval of the proposed alterations to the septic system.

The Board then established the following findings of fact:

Findings of fact:

- A. There were no abutters in attendance that were opposed to the petition.
- B. All Mandatory Referrals were received and read into the record.
- C. Approximately 3,200 square feet of impervious surface will be created as a result of the addition and the associated sidewalks.
- D. The Applicant stated that stormwater runoff generated from the additional impervious surface is designed to flow into the infiltration basin to be installed under the sidewalk as shown on the site plan. The bottom of the infiltration basin is 5 feet above the groundwater table.
- E. A section of existing sewer forcemain will be relocated to account for the building addition and then reconnected to the existing septic system.
- F. The Applicant stated that they are preparing a submission to MA DEP and to the Townsend Board of Health delineating the proposed changes to the septic system design and evidence that the capacity of the existing system will accommodate the proposed addition. The Applicant will work with both MA DEP and Townsend Board of Health to obtain approval of the proposed alterations to the septic system.
- G. David Chenelle made a motion that pursuant to Zoning Bylaw §145-54(F)(3)(c), Groundwater Protection District, that a system for groundwater recharge as proposed does not degrade groundwater quality balancing the fact that the impervious surface is less than 15% of the lot. Darlene Sodano seconded the motion with a roll call vote as follows:

Darlene Sodano	yes.	
David Chenelle	yes.	
Sean Pearson	yes.	
Victoria Janicki	yes.	
William Cadogan	yes.	The motion carried.

The Board then addressed the proposal in terms of Zoning Bylaw §145-65(F)(1)(a-g) Special Permits, the board found as follows:

- a. **Adequacy of the site in terms of the size for the proposed uses;** the Board found the addition to the Townsend Senior on the property is adequate in size for the proposed use.
- b. **Suitability of the site for the proposed use;** the Board found the proposed use will continue to enhance the campus concept of the surrounding Town assets.
- c. **Impact on traffic flow and safety;** the Board determined that the impact to traffic flow and safety would be negligible.
- d. **Impact on neighborhood visual character, including views and vistas;** the board determined that the proposed project's architecture will blend with existing buildings and grounds and improve the views and vistas of the surrounding properties.
- e. **Adequacy of method of sewage disposal, source of water and drainage;** the Board determined that the proposed methods and Applicant's verbal commitment to comply with all requirements of MASS DEP and the Townsend Board of Health in design methods are adequate.
- f. **Adequacy of utilities and other public services;** the Board determined that these are adequate.

- g. **Impact on ground and surface water quality and other environmental and natural resource considerations;** the Board determined that the proposed project would have no significant impact regarding the environment.

Darlene Sodano made a motion that pursuant to §145-65(F) of the Townsend Zoning Bylaw, the proposed use will not have adverse effects, which overbalance its' beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site. Sean Pearson seconded the motion. A roll call vote was taken as follows:

Darlene Sodano	yes.	
David Chenelle	yes.	
Victoria Janicki	yes.	
Sean Pearson	yes.	
William Cadogan	yes.	The motion carried.

David Chenelle made a motion to grant a Special Permit to Townsend Senior Center Expansion, LLC based on the findings of fact under Zoning Bylaw §§ 145-54 and 145-65 for the proposed project to construct an expansion to the senior center at 12 Dudley Road (Assessor's Map 28, Block 56, Lot 0), associated sidewalks and bocci court all in accordance with the submitted plans and application

The motion was seconded by Darlene Sodano. A roll call vote was taken as follows:

Darlene Sodano	yes.	
David Chenelle	yes.	
Victoria Janicki	yes.	
Sean Pearson	yes.	
William Cadogan	yes.	The motion carried.

David Chenelle made a motion to authorize the Chairman William Cadogan to sign this Decision on behalf of the Zoning Board of Appeals Members participating in the vote. Sean Pearson seconded. A roll call vote was taken as follows:

Darlene Sodano	yes.
David Chenelle	yes.
Victoria Janicki	yes.
Sean Pearson	yes.
William Cadogan	yes.

3 **WORKSESSION:** votes may be taken.

- 3.1 Zoning Board of Appeals 2020 Annual report. The Board Members approved the 2020 Annual Report as written.
- 3.2 Notices from Townsend/other Towns. Age restricted development bylaw was discussed. Board Members commented there was some questions over the distinction of cottage dwellings, and two family dwellings, and defining the number of bedrooms per acre which is related to septic system regulations. The question was raised as to whether more than one septic system will be required on a lot under this proposal. There was a comment that 2 acre minimum lot sizes could eliminate in town lots where this type of development is preferred. It was noted that this could

be anywhere in town where there is a 2 acre lot. It was noted that the basis for this bylaw was Littleton's Age restricted development bylaw.

- 3.3** Townsend MVP Action grant – Townsend is preparing to apply for the current round of funding for the climate resilient water supply assessment project that just missed receiving funding in the last round by a few points. Feedback from the MVP program staff has included that this project proposal has stood out from the competition and could become a model for other communities. Some of the areas that will be addressed in this application will be regional coordination, benefit to vulnerable populations, community engagement and creative strategies to engage all ages and interests. D. Chenelle made a motion that the ZBA submit a letter of support for the Townsend MVP Action grant FY22. D. Sodano seconded. A roll call vote was taken as follows; YES – V. J., D.S, S.P, D.C, B.C. The motion carried. D. Chenelle made a motion that the Chairman William Cadogan sign the Letter of support for the Townsend MVP Action grant application on behalf of the Zoning Board of Appeals. D. Sodano seconded. A roll call vote was taken as follows; YES – V. J., D.S, S.P, D.C, B.C. The motion carried.

Respectfully Submitted,

Elizabeth Faxon

Zoning Board of Appeals Administrator

Approved on: June 2, 2021

Items on file:

1. ZBA Application , site Plan, and Mandatory referrals from Town Boards & Staff for 12 Dudley Road, Senior Center Expansion.
2. ZBA annual report 2020.
3. MVP Action grant application project title "Townsend climate resilient water supply assessment" letter of support.

Materials are available digitally upon request by emailing

bfaxon@townsendma.gov TCAM Inc. is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/89964564262?pwd=bFFvROU5Y0I5aTU1SndLc0ZCNFpDUT>

09 Meeting ID: 899 6456 4262 Passcode: 498158

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