



Office of the  
**BOARD OF SELECTMEN**  
272 Main Street  
Townsend, Massachusetts 01469

Sue Lisio, *Chairman*

Colin McNabb, *Vice-Chairman*

Carolyn Smart, *Clerk*

Andrew J. Sheehan,  
*Town Administrator*

Office (978) 597-1701  
Fax (978) 597-1719

**MEETING AGENDA**  
**OCTOBER 7, 2014, 7:00 P.M.**  
**SELECTMEN'S CHAMBERS**  
**272 MAIN STREET, TOWNSEND, MA**

**I PRELIMINARIES**

- 1.1 Call the meeting to order and roll call.
- 1.2 Pledge of Allegiance
- 1.3 Announce that the meeting is being tape recorded.
- 1.4 Chairman's Additions or Deletions:
- 1.5 Board of Selectmen announcements, updates, and reports. Votes may be taken.
- 1.6 Town Administrator updates and reports. Votes may be taken.
- 1.7 Approval of meeting minutes: September 9, 2014, September 23, 2014. Votes may be taken.

**II APPOINTMENTS AND HEARINGS**

- 2.1 7:05 Joint meeting with the Board of Assessors to fill a vacancy until the next annual town election  
Votes may be taken.
- 2.2 7:15 The Housing Authority will present the draft Housing Production Plan. Votes may be taken.
- 2.3 7:30 The Energy Committee will provide an update on Green Communities projects. Votes may be taken.

**III MEETING BUSINESS**

- 3.1 Review mandatory referral notice from the Zoning Board of Appeals for a Special Permit on the application of Bart King, BK & BK, LLC, to construct a new 3,600 square foot industrial building with office space, garage, associated parking, and to relocate and operate an existing bus company in the Aquifer Protection District at 366-368 Main Street. Votes may be taken.
- 3.2 Review request of Unitil to cross, alter, or construct within a public way for installation of a gas service at 50 New Fitchburg State Road. Votes may be taken.
- 3.3 Review request of Unitil to cross, alter, or construct within a public way for installation of cathodic protection repair at 3 Knollwood Road. Votes may be taken.
- 3.4 Review and approve Pothole & Winter Recovery Program reimbursement request for milling and resurfacing of Shirley Road in the amount of \$63,853. Votes may be taken.
- 3.5 Discuss resignation of Town Accountant Kim Fales. Votes may be taken.
- 3.6 Review invitation from the Northern Middlesex Council of Governments (NMCOG) to join a stormwater collaborative. Votes may be taken.
- 3.7 Discuss vacancy notice for Executive Assistant to the Town Administrator. Votes may be taken.
- 3.8 Review correspondence from Stuart Schulman regarding funding for legal services associated with the Northeast Energy Direct gas pipeline project. Votes may be taken.
- 3.9 Special Town Meeting: Review and discuss warrant articles, set date, and sign warrant for Special Town Meeting. Recommended dates are November 13 and 17, 2014. Votes may be taken.

- 3.10 Policy Review: Review Board of Selectmen policy #2-05 Sick Time Donation. Votes may be taken.
- 3.11 Review and approve contract with Northeastern Petroleum Service and Supply, Inc., for Dresser Wayne Suction Pump Dispensers (fuel pumps) in the amount of \$28,759.65. Votes may be taken.
- 3.12 Review and sign election warrant for November 4, 2014 State election. Votes may be taken.
- 3.13 Discuss November 4, 2014 meeting location. Votes may be taken.

**IV APPOINTMENTS OF PERSONNEL/OFFICIALS:**

- 4.1 Charter Committee: Review and appoint the following members to the Charter Committee. Votes may be taken:

Michael Grimley  
Cindy King

Donald Klein  
Sue Lisio

Nancy Rapoza  
Andrea Wood

**V WORK SESSION**

- 5.1 Review and sign payroll and bills payable warrants. Votes may be taken.



1.7

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**MEETING MINUTES**  
**SEPTEMBER 9, 2014, 7:00 P.M.**  
**SELECTMEN'S CHAMBERS**  
**272 MAIN STREET, TOWNSEND, MA**

**I PRELIMINARIES**

- 1.1 The Chairman called the meeting to order and roll call showed Sue Lisio, Chairman (SL); Colin McNabb, Vice-Chairman (CM); and Carolyn Smart, Clerk (CS) present.
- 1.2 SL announced that the meeting is being tape recorded.
- 1.3 Chairman's Additions or Deletions: SL added 3.7.
- 1.4 Board of Selectmen announcements, updates, and reports: CS announced POW/MIA recognition day. The Water Department is not distributing bottles asking for water samples. SL reminded the Board of various upcoming MMA meetings including one in Boston September 18th, the legislative breakfast in Sterling on October 17th, and the Fall conference in Franklin on October 25<sup>th</sup>. There is also a conference in Boston in January.
- 1.5 Town Administrator updates and reports: Representative Harrington confirmed \$50,000 for public safety improvements. The pipeline coalition is working on a municipal rights letter and is asking Representative Harrington to encourage the Post Audit & Oversight Committee to hold a hearing. The governor has committed to a low demand study calling Kinder Morgan's high demand study into question. The next meeting is in two weeks in Pepperell. Discussion of the timeline involved. The school building project is on target.
- 1.6 Approval of meeting minutes: August 12, 2014, August 19, 2014, August 26, 2014. CS moved to approve the minutes of August 12, 19 and 26, 2014. SL noted she was not present August 26. CM seconded. Unanimous.

**II APPOINTMENTS AND HEARINGS**

- 2.1 7:05 Council on Aging Director: Ed Snapp, chairman of the screening committee, will be present to discuss the recruitment of a COA Director: Though the screening committee was not present, David Profit represented them and told the Board that Kimberly Dee had declined the position, but they are still moving forward. They hope to present a recommendation soon. CS moved to table to September 23<sup>rd</sup> meeting. CM seconded. Unanimous.

**III MEETING BUSINESS**

- 3.1 Review and approve staffing plan for Treasurer/Collector's Office: Mr. Sheehan presented the plan to address the staffing situation. Some positions will need to go to HRS for classification. Research into staffing in other communities confirms that we are understaffed. CS said three employees seem to be standard and would not support the 4<sup>th</sup> position. She would like to see job descriptions to determine the proper appropriation of funds. She said she does not support aggressive collections of delinquent taxpayer accounts. SL agreed having HRS review the positions would be appropriate. After discussion about what getting the department on track would entail it was agreed that the Town Administrator would work with HRS to get job descriptions and classifications.

- 3.2 Review and approve Standard Operating Guideline for Duty Officer at the Fire-EMS Department: SL was updated on the proposition. CS had a question. SL pointed out that it is a draft. CS moved to approve the draft policy for the Standard Operating Guideline for the Duty Officer SOG OPS-14-002. Do you need that in the motion? CM seconded. CS asked, "Do we approve them by the SOG's usually?" SL didn't think there's ever been one that has come in front of her before this. CM seconded. SL said it's been moved and seconded and pointed out that CS used the word "draft" in that motion. CS "Do you want me just to approve it as presented?" SL "Yes." CS "I would move to amend the motion to approve as presented." CM seconded. Unanimous.
- 3.3 Review requests of Unitil to cross, alter, or construct within a public way for installation of gas services at 10 School Street and 7 Smith Street. CS moved to approve the requests of Unitil to cross, alter, or construct within a public way for installation of gas services at 10 School Street and 7 Smith Street. CM seconded. Unanimous.
- 3.4 Confirm October 21, 2014 as the date for the Special Town Meeting; vote to close the warrant at 5PM on September 16, 2014; sign the warrant on September 23, 2014: SL voiced her concern that minutes from other Boards and Committees aren't available on the website. She read the article into the record and suggested that the office of the Board of Selectmen do minutes and post them online for the Boards/Committees that can't do it themselves. It would be a good thing to do from the standpoint of transparency. Mr. Sheehan said he will add it to the warrant. He also said he received an article from the Town Clerk. It will be on the next meeting to sign the warrant.
- 3.5 Review mandatory referral notice from the Planning Board related to proposed amendments to the zoning bylaw. The Board thanked the Planning Board and CS pointed out the public hearing is scheduled for Monday, September 22<sup>nd</sup>.
- 3.6 Discuss creation of Sustainability Committee: The Board discussed various suggestions and options and the item was tabled for future discussion.
- 3.7 Review and approve contract with HP Fairfield for the remainder of the purchase price of the sweeper for the Highway Department: CS moved to approve the purchase of the VT650 vacuum sweeper for the total amount of \$215,000. CM seconded. Unanimous.

**IV APPOINTMENTS OF PERSONNEL/OFFICIALS: None**

**V FY2015 GOALS WORK SESSION**

- 5.1 Town Administrator and Board of Selectmen goals for FY2015: The Board moved into a goals work session at 8:32PM. SL led everyone through an Affinity diagram exercise, breaking the goals down into groups and prioritizing them. The goal headings by priority were: financial sustainability, policies & procedures, employees – existing, information technology, employees – new, legal obligations, regionalization, citizen outreach, and outstanding tasks. The Board will meet in a work session on the 16<sup>th</sup> to continue the process.

**VI WORK SESSION**

- 6.1 Review and sign payroll and bills payable warrants: CS moved to sign payroll and bills payable warrants out of session. CM seconded. Unanimous.

CM moved to adjourn at 9:33PM.

Respectfully submitted: Karin Canfield Moore

*Note: documents used or referenced during the meeting are available at [http://www.townsend.ma.us/Pages/TownsendMA\\_BOSAgenda/](http://www.townsend.ma.us/Pages/TownsendMA_BOSAgenda/) or in the Selectmen's Office.*



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**MEETING MINUTES**  
**SEPTEMBER 23, 2014, 7:00 P.M.**  
**SELECTMEN'S CHAMBERS**  
**272 MAIN STREET, TOWNSEND, MA**

**I PRELIMINARIES**

- 1.1 The Chairman called the meeting to order and roll call showed Sue Lisio, Chairman (SL); Colin McNabb, Vice-Chairman (CM); and Carolyn Smart, Clerk (CS) present.
- 1.2 Pledge of Allegiance
- 1.3 SL announced that the meeting is being tape recorded.
- 1.4 Chairman's Additions or Deletions: the chairman added 3.5, 3.6, 3.7, and 4.4.
- 1.5 Board of Selectmen announcements, updates, and reports:
  - CS asked about high school building permits and the possibility of establishing a revolving fund.
  - She would also like to send a letter to FERC with a copy of the pipeline resolution.
- 1.6 Town Administrator updates and reports:
  - Kinder Morgan made their pre-filing with FERC to get some early feedback. They are moving into the PR component. It has come to light that Townsend will be impacted by a compression station consisting of four "jet engines" that move gas through the system. This will require 50-75 acres of land. They are using maps from the 1980's. The coalition is asking FERC to require updated maps. CS read the draft coalition letter into the record. Mr. Sheehan will prepare a letter from the Board.
  - NVTSH students will be building a handicap ramp at the West Townsend Reading Room this fall.
  - The Bernie Blood memorial has been restored through a sesquicentennial commission grant and the efforts of Roger Rapoza, Cemetery & Parks Superintendent.
  - Spaulding Street and Emery Road will be milled and repaved in the coming weeks.
- 1.7 Approval of meeting minutes: September 16, 2014: CS moved to approve the meeting minutes of September 16, 2014. CM seconded. Unanimous.

**II APPOINTMENTS AND HEARINGS**

- 2.1 7:00 Worcester Regional Medical Reserve Corps (WRMRC): Lois Luniewicz, WRMRC Northeast Division Leader, will be present to introduce the Worcester Regional Medical Reserve Corps which uses volunteers to assist during public health emergencies, disasters, and community service events: Ms. Luniewicz gave an overview of the WRMRC established in 2006. Townsend is in the Worcester Northeast division. Volunteers can create a profile on their website. Mr. Sheehan will put a link on the home page and distribute information.
- 2.2 7:05 Continuation of Public Hearing on petition of Unitil and Verizon to install two utility poles on Boutelle Road beginning at pole #1 and continuing approximately 345' northerly: SL continued the hearing from August 12, 2014 at 7:30PM. Jim Dee of Unitil stated that the original pole position hasn't changed as a result of subsequent site walks but the second pole has been moved about 45 feet on the West's property. SL asked for support and opposition. Andy West reiterated that their family feels the project is unnecessary. The revised map was distributed. SL asked if the West family was ok with the

revised plan. Andy West said they find it acceptable. CS moved to approve the joint pole petition of Unitil and Verizon to install two utility poles on Boutelle Road beginning at pole #1 and continuing approximately 345' northerly installing two poles. CM seconded. Unanimous. SL moved to close the hearing at 7:38PM. CM seconded. Unanimous.

- 2.3 7:20 Council on Aging Director: Ed Snapp, chairman of the screening committee, will be present to discuss the recruitment of a COA Director: Mr. Snapp said another person has been selected from the list of the original four. They have selected from that list Karin Canfield Moore. There have been meetings with the selection committee, the Council on Aging and one joint meeting which she attended to answer questions and be presented. SL asked for a motion. CS moved to appoint Karin Canfield Moore to the position of Director of the Senior Center then asked whether a probationary period would be necessary. It was determined that it would not be necessary for an existing employee. CS moved to approve the recommendation of the Council on Aging to appoint Karin Canfield Moore to the position of the Director of the Senior Center. CM seconded. Discussion ensued. CS said MGL dictates that the COA picks who they want and she stands by that. Her only issue is a couple of the screening members came forward and said the qualifications and experience in the posting did not match a lot of the resumes they received, so she is asking, did Karin Canfield Moore's resume meet the qualifications and experience needed? She read the posting into the record. Mr. Snapp said she does meet the criteria and pointed out that it says "preferred". CS would like to have the position reposted legally for ten days. She said the job description has much less requirements and that should be used. CM said since it has gone through the process he believes it should go forward as recommended. Mr. Snapp expressed there is no reason to repost the position. He had proposed the option of reposting to the screening committee and the Council on Aging. They agreed to the recommendation as presented. CS said people without the qualifications or experience should not have been put into the pool. SL asked if she would like to make a motion to re-post the position which would end up delaying the hiring. CS moved to repost the position with the correct needed qualifications and experience and the correct appropriation. CM seconded. Discussion on correct appropriation ensued. SL asked for a vote; CS yes, CM no, SL no. The motion failed 1-2. CS moved to approve the employment of Karin Canfield Moore as the Council on Aging Director. CM seconded. CM aye, SL aye, CS no. The motion carried 2-1.
- 2.4 7:30 Unitil: John DiNapoli, Municipal & Community Services Manager for Unitil, will be present to discuss Unitil's tree trimming program and the West Townsend substation: Mr. DiNapoli came forward with representatives from Unitil and Lewis Tree Service. They reviewed the tree trimming protocol and said that in the specific instance cited the process was not followed. The homeowner should be notified and given options. Disciplinary action has taken place and the homeowner and been contacted and received an apology. For future reference, information can be garnered at [www.unitil.com/treepruning](http://www.unitil.com/treepruning) or [forestry@unitil.com](mailto:forestry@unitil.com). CM asked about the generator and lighting concerns at the West Townsend substation. Mr. DiNapoli said he doesn't expect that any work will need to be done for the next 5 years; however they are gathering information on sound barriers in the future. Resident Cindy Boundy said it is industry practice and would like a sound barrier there before the equipment is put in place. Mr. Sheehan stated that the neighbors want assurance from Unitil or action from the Board that sound barriers would be put in place. At the meeting last September the generator noise and impacts from a flood light were discussed. Alec O'Meara from Unitil asked Ms. Boundy to call him directly. SL asked Mr. DiNapoli to report back to the Board in a few weeks. He agreed.
- 2.5 7:45 Town Clerk Kathy Spofford requests time with the Board to discuss longevity pay for Assistant Town Clerk Susan Funaiole: Discussion ensued with regard to longevity pay. Although Ms. Funaiole has been with the town for 15 years, a good part of that was in an elected capacity which does not qualify her for longevity pay. When the question of benefits was brought before the Board on June 3<sup>rd</sup> the Board voted to allow vacation benefits. CS pointed out that it was in the budget approved at Town Meeting. SL asked if Ms. Funaiole is still eligible for what she received before. After more discussion, CS moved to approve longevity for time served from August 30, 1999. CM seconded and then asked if

requests for more benefits would be coming. SL was concerned in June about setting a precedent. Mr. Sheehan spoke with labor counsel who reiterated that elected officials receive a salary and no other benefits. CM pointed out that since it was a line item in the budget and Town Meeting approved it he would vote in favor. CS aye, CM aye, SL no. The motion carried 2-1.

- 4.2 Conservation Commission: Consider the applications of Veronica Kell and Nicole Superchi to the Conservation Commission for a term from September 23, 2014 to June 30, 2017: SL pointed out that the vote by the Conservation Commission was split. The Board discussed the situation and it was pointed out that ethics law states that the appearance of a conflict is a conflict. CM said he would like to talk to ethics himself. A question was brought up as to the fairness of Veronica Kell being interviewed in August and then opening the position up for another candidate. SL pointed out that the Board was ready to put a candidate into the position based on the recommendation. The option of meeting next week to determine this issue was presented, however Ms. Kell noted that we was recommended for the appointment and Steve Marshall was not. CS moved to appoint Veronica Kell to the Conservation Commission for a three year term from September 23, 2014 to June 30, 2017. CM seconded. CM aye, SL aye, CS no. The motion carried 2-1.

### **III MEETING BUSINESS**

- 3.1 Review mandatory referral notice from the Planning Board for a Site Plan Review Special Permit on the application of Bart King, BK & BK, LLC, to construct a new 3,600 square foot industrial building with office space, garage, associated parking, and to relocate and operate an existing bus company at 366-368 Main Street. The Board deferred to the Planning Board.
- 3.2 Review mandatory referral notice from the Planning Board for a Site Plan Review Special Permit on the application of Hoa Pham of CAM Engineering, Inc. to open a machine shop at 8 Jefts Street. The Board deferred to the Planning Board.
- 3.3 Special Town Meeting: Review and discuss articles, and sign warrant for Special Town Meeting to be held on October 21, 2014: There being a quorum, FinCom called their meeting to order at 9:14PM and roll call showed Gini King, Nancy Rapoza, Cindy King and Andrea Wood present. The boards reviewed the 21 articles. Discussion on Article 3 prompted the idea of pushing town meeting back a few weeks. They finished going through the articles and no new date was chosen. Mr. Sheehan will consult with the Town Clerk, Deputy Moderator, and Town Counsel about convenient dates.
- 3.4 Charter Committee: Update. Mr. Sheehan said the committee was posted for seven members. He has six applications.
- 3.5 Review request for One Day Special Liquor License for Colin McNabb for the Knights of Columbus Church Event at 1 School Street, to be held from 5PM-10PM on October 4, 2014. CS moved to approve the request for One Day Special Liquor License for Colin McNabb for the Knights of Columbus Church Event at 1 School Street, to be held from 5PM-10PM on October 4, 2014. SL seconded. CS aye, SL aye, CM recused himself. The motion passed.
- 3.6 Review request of Unitil to cross, alter, or construct within a public way for installation of a gas service at 5 Emery Road. CS moved to approve the request of Unitil to cross, alter, or construct within a public way for installation of a gas service at 5 Emery Road. CM seconded. Unanimous.
- 3.7 Review and approve contract with Weston & Sampson Engineers, Inc. for survey, preliminary design, permitting, final design, construction documents, and bidding/construction services associated with the removal and replacement of the culverts under Old Meeting House Road in the amount of \$38,800. CS moved to approve as written. CM seconded. Unanimous.

### **IV APPOINTMENTS OF PERSONNEL/OFFICIALS:**

- 4.1 Recycling Committee: Review and approve Board of Health recommendation to appoint Erika Art for the Recycling Committee for a term from September 23, 2014 to June 30, 2017. CS moved to appoint Erika [sic] Art for the Recycling Committee for a term from September 23, 2014 to June 30, 2017. CM seconded. Unanimous.

4.3 Reserve Officer Appointments: Review and approve request from Erving M. Marshall, Jr., Chief of Police, to appoint the following reserve officers:

- David Mazza, to a term from September 16, 2014 to June 30, 2015, subject to nine-month probationary period and upon satisfactory completion of psychological examination;
- Thomas Kalil, to a term from September 16, 2014 to June 30, 2015 subject to nine-month probationary period and upon satisfactory completion of psychological examination and pre-employment physical.

CS moved to appoint the following as reserve officers:

- David Mazza, to a term from September 16, 2014 to June 30, 2015, subject to nine-month probationary period and upon satisfactory completion of psychological examination;
- Thomas Kalil, to a term from September 16, 2014 to June 30, 2015 subject to nine-month probationary period and upon satisfactory completion of psychological examination and pre-employment physical.

CM seconded. Unanimous.

4.4 Review request of Fire-EMS Chief Mark Boynton to appoint the following. Votes may be taken:

- Kevin Patterson, as Fire-EMS Department Chaplin, with a term from September 24, 2014-June 30, 2015;
- Nicholas Stepney and Thomas Stepney, as Part Time Fire-EMS Mechanics, with a term from September 24, 2014-June 30, 2015;
- John Tuomi, as EMS Coordinator at the rank of Captain, with a term from September 24, 2014-June 30, 2015;
- Shayna Appel, as a Per Diem EMT and Fire-EMS Department Chaplin, with a term from September 24, 2014-June 30, 2015.

CS moved to appoint the following:

- Kevin Patterson, as Fire-EMS Department Chaplin, with a term from September 24, 2014-June 30, 2015;
- Nicholas Stepney and Thomas Stepney, as Part Time Fire-EMS Mechanics, with a term from September 24, 2014-June 30, 2015;
- John Tuomi, as EMS Coordinator at the rank of Captain, with a term from September 24, 2014-June 30, 2015;
- Shayna Appel, as a Per Diem EMT and Fire-EMS Department Chaplin, with a term from September 24, 2014-June 30, 2015.

CM seconded. Unanimous

## V WORK SESSION

5.1 Review and sign payroll and bills payable warrants. CS moved to review and sign payroll and bills payable warrants out of session. SM seconded. Unanimous.

CM moved to adjourn at 10:16PM. SL seconded. Unanimous.

Respectfully submitted: Karin Canfield Moore

*Note: documents used or referenced during the meeting are available at*

*[http://www.townsend.ma.us/Pages/TownsendMA\\_BOSAgenda/](http://www.townsend.ma.us/Pages/TownsendMA_BOSAgenda/) or in the Selectmen's Office.*



**NOTICE OF JOINT MEETING  
BOARD OF SELECTMEN  
AND  
BOARD OF ASSESSORS**

October 7, 2014, at 7:05PM  
Selectmen's Chambers  
272 Main Street, Townsend

The Board of Selectmen and Board of Assessors will convene a joint meeting on Tuesday, October 7, 2014, at 7:05PM in the Selectmen's Chambers, 272 Main Street, Townsend. The purpose of the meeting is to fill a vacancy on the Board of Assessors. The appointment will be made by majority vote of the Board of Selectmen and the Board of Assessors present and voting.

2.1

## **Procedures for Filling Vacancies on Elected Boards and Commissions**

This procedure follows the steps outlined in MGL c. 41, s. 11, Appointment to fill vacancy in town office. C. 41, s. 11 reads:

Section 11. As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified.

Within one (1) month of a vacancy the board or commission shall give written notice to the Board of Selectmen;

Selectmen shall post notice of a joint meeting at least one week in advance of the meeting; alternatively the Board of Selectmen and the board or commission shall separately post notices of their meetings at least one week in advance so long as the item is reflected on the agenda of each;

Chair of the Board of Selectmen calls the joint meeting to order or announces the agenda item;

Chair calls for nominations to fill the vacancy;

Chair calls for seconds to nominations;

Chair calls for roll call vote of nominees by the members of the Board of Selectmen and the members of the board or commission;

Chair declares the candidate who receives a majority of votes;

The candidate so chosen shall fill the vacancy until the next annual election.



Date received \_\_\_\_\_

## VOLUNTEER RESPONSE FORM

Town government needs citizens who are willing to give time in the service of their community. The Talent Bank is a means of compiling names of interested citizens to serve on a voluntary basis on boards and committees. This file is available for use by the public as well as the Moderator and the Selectmen.

Talent Bank files are being updated to include categories consistent with the changing needs of the town.

**Indicate your order of preference and return the form below to:**

Talent Bank c/o Board of Selectmen  
272 Main Street  
Townsend, MA 01469

Name: Carol Marcini

Phone (978) 597-6982 email camarcini@verizon.net

Address: 19 Bayberry Hill Rd Townsend MA

Occupation: Teacher

Amount of time available (per week/per month): 5 hrs

Background/Experience Served on a variety of committees in Townsend Schools. Former President of Townsend Little League

**REFER TO THE LIST OF BOARDS AND COMMITTEES ON THE BACK OF THIS FORM AND LIST THOSE YOU ARE INTERESTED IN SERVING ON IN ORDER OF PREFERENCE**

1. Board of Assessors
2. \_\_\_\_\_
3. \_\_\_\_\_

2.2

# **Town of Townsend Housing Production Plan**

Submitted to the Massachusetts Department of Housing and Community  
Development (DHCD) in accordance with the Guidelines for the Planned  
Production Regulation under MGL Chapter 40B  
760 CMR 56.03(4)

**Prepared by the Townsend Housing Authority**

**Laura Shifrin**

**Kathy Araujo**

**Kevin Smith**

**Heather Araujo**

**Susan Congdon**

**&**

**Karen Chapman, Co-Land Use Coordinator**

**June 2014**

# TOWN OF TOWNSEND HOUSING PRODUCTION PLAN

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## EXECUTIVE SUMMARY

### Background and Statement of Purpose

This Housing Production Plan (HPP) update was prepared in compliance with the Massachusetts Department of Housing and Community Development's (DHCD) Housing Production Plans Regulation, MGL 760 CMR 56.03(4). It provides a management tool to enable the town of Townsend to make timely progress toward meeting its affordable housing goals. The HPP is the business plan to implement the town's Master Plan (the town's strategic plan for affordable housing - see Appendix A). The HPP:

- Presents a comprehensive needs assessment for affordable housing in Townsend, including an analysis of existing conditions, demographic trends and local and regional market forces (originally prepared as part of EO418 in 2004 and updated as part of this process through 2013).
- Identifies the constraints that have limited affordable housing production in Townsend, and the town's efforts to mitigate them.
- Identifies opportunities and approaches the Town will pursue in order to meet its goal of providing housing for families across a broad range of income, age and needs.
- Describes the mix of housing units required to address the identified needs and a time frame for their anticipated production.
- Recommends a number of regulatory reforms and tactics to expand local development capacity.
- Describes strategies to preserve Townsend's unique ecological assets while undertaking new production initiatives.
- Describes strategies to preserve existing housing stock while increasing affordability.
- Anticipates a significant role for both private and town initiated development.

### Market Conditions

According to the 2010 U.S. Census, Townsend's population has decreased to 8,926, down 4% from the 9,314 residents stated in the 2005 HPP. These residents live in approximately 3,356 units of housing, of which 85.9% are single family homes. Since 1980, 906 single-family homes, but only two multifamily structures have been built. Most of the remaining parcels of undeveloped land will be difficult to develop because they must have individual wells and on-site septic systems in a geologic area of high water tables.

Economic growth along the Route 495 corridor has been a major driver of change. Home prices increased 28.9 percent in the decade 1990-2000, and *another* 58.1 percent from 2000 to June 2005. From 2005 to 2012 however, single family home prices have decreased 29% from an average of \$311,034 in 2005 to an average sales price of \$221,350 in 2012.

### **Existing Affordable<sup>1</sup> Housing in Townsend**

When the HPP was first developed in 2005, 2.5% (80 units) of Townsend's existing housing stock were on the town's Subsidized Housing Inventory (SHI). Since 2005, 94 affordable units have been added to Townsend's SHI, bringing the percentage up to 5.2%. This is more than halfway to the ten percent goal the state has established for its cities and towns. All of the units added to the SHI in the past eight years consist of:

- Two condominium units as part of an 8-unit redevelopment
- 36 elderly rental units at Townsend Woods
- Eight single family units in a 40B development known as Coppersmith Way
- One single family unit built by Habitat for Humanity with a town land donation
- 48 rental units in a 40B development known as Turnpike Village

One group home was deleted from the SHI as it no longer exists.

### **Socio-Economic Needs**

30.3% of Townsend residents are low to moderate income (LMI); 4.5% of residents and 2.7% of families live below the federal poverty level according to the American Community Survey Results from 2007 - 2011.

In 2000, nearly 25% of Townsend homeowners and nearly 23% of renters spent more than 30% of their income on housing costs; 18% paid more than 35%. In 2010, that number increased to 35% of homeowners and 42% of renters, an alarming increase.

Townsend's demand for units of affordable housing comes from five main sources:

- Low and moderate income (LMI) households
- Young families with established ties (parents, siblings) to Townsend
- Elderly residents seeking to downsize
- Full-time employees of the Town of Townsend and the North Middlesex Regional School District, many of whom cannot afford to live in the town where they grew up and now work
- Employees of businesses located in Townsend

The number of affordable housing units has not kept up with demand. An ongoing program to repair sub-standard homes has assisted 30 LMI households, but an additional 28 are on the waiting list.

### **Environmental Protection Needs**

Townsend is located at the boundary between the flat coastal plain and the rolling uplands of central Massachusetts. The area's unique geologic history has resulted in a wide variety of soil types and conditions.

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<sup>1</sup> The Webster's Dictionary definition of affordable: "*to be able to bear the cost of*" does not match the State's definition of affordable. Units rated by the State as affordable in Townsend may or may not cost more than comparable units in town that are at market rate.

The state of Massachusetts recognizes the environmental value of Townsend's open spaces. The state owns a total of 6,572 acres of open space in Townsend - more than 31% of the land in town. Much of this acreage is either state park or wildlife management areas. The designated Squannassit Area of Critical Environmental Concern (ACEC) includes 15,050 acres in Townsend (See Appendix B). There are 23 state-listed rare species known to occur within the boundaries of the ACEC. According to the 2001 State Biomap, about 46% of the ACEC is Biomap Core Habitat and 33% is designated as Supporting Natural Landscape. (See Appendix C for Biomap) The Squannacook River and its tributaries are classified as cold water fisheries that support brown, brook and rainbow trout.

The natural resources of Townsend belong not only to her residents; they belong to all residents of the state. They provide venues for hunting and fishing, hiking, swimming, cross-country skiing, and a variety of other outdoor activities. It is the responsibility of the Conservation Commission, Townsend Housing Authority, Selectmen, Planning Board and interested citizens to protect these resources for everyone.

The need to provide affordable housing for Townsend's neediest citizens must be balanced against the need to preserve and protect the town's natural resources. Because these resources belong to all Massachusetts residents, they must not be used to fulfill Townsend's affordable housing needs.

#### **Needs Assessment Summary**

Townsend is a community with unmet needs for affordable housing:

- 959 households (29%) pay more than 30% of their income as rent or mortgages. This is up from 21.4% in 2005.
- 16% of the housing stock was built before 1940. This is a decrease from 24% in 2005.
- A 2002 windshield survey showed that 68% of the homes surveyed were in need of repairs.
- 48 households are waiting for housing in the only affordable senior housing in town.
- 28 households are waiting for housing rehabilitation.
- There are no subsidized units appropriate for young families or for the employees of the town and the school district.

The need for additional units of affordable housing is clear and well understood by both the citizens and town officials. This need must be balanced against the town's unique ecological assets that belong to all residents of the state.

#### **Affordable Housing Goals**

Currently, 162 units of affordable housing are needed to bring the town up to, or near, the state's 10 percent target at the current number of housing units. Although the state has set a target of 10 years, realistically, given our local constraints and historical rate of development, this is a fifteen or twenty year goal. On an ongoing basis, the town should ensure that a minimum of 10 percent of its new residential development is affordable. An additional three units per year would maintain that level given historic growth trends. In



terms of timing, the goal is to add at least 25-35 qualified, affordable units the first three years of the plan, then a minimum of 8 units each succeeding year so that the Town can continue to guide its growth consistent with its Master Plan. (See Appendix A)

The Housing Authority proposes an equitable division between family and elderly (and/or special needs) units and between rental and homeownership. In addition to adding units that are affordable by, and restricted to, households earning not more than 80 percent of the area median income (i.e., those that qualify for inclusion on the SHI), the Town will strive for a mix of the units in publicly-supported developments which includes moderate and middle income households (those earning between 80-150 percent of the town's median income) and the lowest income households (those earning less than 50% of the town's median income).

To the extent that appropriate sites are available, new small-scale affordable developments should be distributed throughout the town. Town-owned land should be utilized, if feasible. Where existing single-family properties are suitable for conversion to multiple units, or where new units can be added to existing developed sites, these option should be considered. Higher density development may be supported where the Master Plan has indicated it is appropriate and sustainable. As important as building new affordable housing is, preserving, maintaining and upgrading the existing inventory, and improving its affordability and accessibility for current residents and those who would like to "buy in" is critical.

#### **Affordable Housing Strategy**

Achieving these goals will require appropriate tools and regulations (or regulatory relief), financial resources, development capacity, and political will. The strategies the town will pursue include production initiatives; preservation strategies; planning and regulatory reform; and building local development and management capacity (including funding). We anticipate continued collaboration with private developers proposing development under the comprehensive permit provisions of M.G.L. Chapter 40B. The plan calls for rehabilitation and qualification of existing units owned by low income homeowners under the Ashby Ashburnham Townsend Rehabilitation Project, funded by Community Development Block Grants (CDBG). In addition, two proposed zoning bylaw changes would facilitate the creation of accessory dwelling units and the conversion of some current business properties to mixed use rentals. Lastly, the plan describes the long term affordability restrictions the town will employ to ensure ongoing affordability by the targeted income groups.

# 1. INTRODUCTION

## Background

The town of Townsend, located in the northwestern part of Middlesex County, bordered by Groton, Shirley, Pepperell, Ashby, Lunenburg and New Hampshire, is a residential community of some 8,926 residents (2010 U.S. Census). The day-to-day operations of the town are managed by a town administrator who oversees a town staff of 33 full-time and 72 part-time, on-call and seasonal employees. Townsend does not have a town planner or engineer, but does have a land use coordinator supporting the land use boards (who also retain consultants, on a case-by-case basis, as needed). Most other aspects of town governance are handled by volunteer boards and committees. The development of an affordable housing agenda is no exception, and this HPP has been prepared by the town's Housing Authority and the Land Use Coordinator, with input from the Planning Board and the Board of Selectmen.

Townsend has no municipal wastewater system. All households and businesses are served by on-site, private septic disposal systems. There is a municipal water system consisting of five separate wells serving 70% of the population.

Over the past two decades, Townsend has built primarily single family homes on two or three acre parcels. Its first affordable housing units were created in 1988 (50 qualified elderly units). Recent market rate development does not meet the needs of the people who would like to move to or remain in the town.

In order to ensure that growth shall be phased so as not to unduly strain the town's ability to provide public facilities and services, the town passed a rate of development and subdivision phasing bylaw in 2003 which limited the number of new housing units that were not specifically affordable or senior housing to 28 (19 new home permits had been issued in 2003, 28 were issued in 2004). The subdivision phasing bylaw was renewed in 2007 but expired in 2012, with no renewal planned for the future. Many Townsend families experienced financial setbacks and/or job losses as the economy went into recession in 2008, and are still struggling. Demographic projections suggest that the degree to which needed housing is not available will only grow more acute over the next decade.

## Number of Building Permits – Single Family Homes

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
19	28	30	24	23	12	11	4	9	7	10
						1 multi(3)			1 multi(2)	1-multi(2)

## Purpose

This HPP has been designed to guide the expansion of affordable housing opportunities in the town of Townsend. It represents a management tool for ensuring that timely progress is made toward meeting the town's affordable housing goals and is based on a comprehensive needs assessment and a thorough analysis of existing conditions, demographic trends and local and regional market forces. It identifies the constraints that have limited affordable housing production in Townsend, and the town's efforts to mitigate

them. It also identifies opportunities and strategies the Town will pursue in order to meet its goal of providing housing for families across a broad range of income, age and needs.

The HPP describes the mix of housing units required to address the identified needs and a time frame for their production. It recommends a number of regulatory reforms and policies to expand local development capacity. It includes preservation tactics as well as new production initiatives, and anticipates a significant role for both private and town initiated development.

### **Organization**

This plan is submitted to comply with the Massachusetts Department of Housing and Community Development's (DHCD's) Housing Production Plan Regulation, MGL 760 CMR 56.03(4), and it follows the structure outlined in the Housing Production Plan Guidance, with the addition of an Executive Summary and an Introduction:

- Section 1 Introduction
- Section 2 Comprehensive Housing Needs Assessment
- Section 3 Affordable Housing Goals
- Section 4 Implementation Strategies

The HPP builds upon three recently completed planning documents:

- *Townsend Master Plan Draft, June 2008*, the Town's updated master plan, prepared by the Master Plan Committee;
- *Town of Townsend EO418 housing section*, prepared by the Montachusett Regional Planning Commission in 2004, which has been updated in this plan;
- Results of the Housing Authority's fall 2012 Affordable Housing Survey.
- Open Space & Recreation Plan - 2013

## 2. COMPREHENSIVE HOUSING NEEDS ASSESSMENT

This section summarizes the housing requirements of Townsend residents and identifies gaps between their needs and the existing resources available to meet them. It also provides data on regional housing needs and anticipates future needs. It identifies the town's existing and planned affordable housing resources – those officially recognized on Townsend's SHI as well as units on the private market – and reports on the town's organizational, administrative and regulatory framework as they relate to affordable housing. Lastly, it looks at challenges and opportunities specific to Townsend.

### Population Profile

According to the Decennial Census, the population of Townsend was 8,926 on April 1, 2010 (8,851 per town census in 2013). The town ranks in the middle of the state by virtually all indicators – population, population density, housing density, household income, home values, educational attainment, and school enrollment. Median household income increased by 22 percent between 1989 and 1999 to \$61,745 and to \$79,972 in 2012, as compared to \$66,658 for Massachusetts. The Town's population is 30.3 percent low-moderate income (LMI); 4.5 percent of the population and 2.8% of the families lived below the federal poverty level in 2012.

### Population Changes for Townsend

	1940	1960	1970	1980	1990	2000	2010	2011	2012	2013
<b>US Census</b>				7201	8496	9198	8926			
<b>Local Census</b>	2065	3650	4281	7610	8430	9501	9126	8905	8905	8851

Source: Townsend Town Clerk, US Census

Townsend is predominantly a family community. Families constituted nearly 80 percent of the town's 3,110 households in 2000, compared to 65 percent statewide and in 2010, families constituted 77% of the town's 3,240 households, compared to 63% statewide. In 2000, 45% of Townsend's family households included children, with the statewide figure being 47% and in 2010, 37% included children under 18, with the statewide figure being 31%.

Townsend has a smaller population of 20-34 year olds (14.7%) compared to state norms (20.2%), and the town has experienced a nearly 25% decline in this group since 1990. From 1980-2010, Townsend's senior (aged 65+) population grew faster than the population as a whole. The number of senior residents rose from 463 in 1980 to 856 in 2010, an increase of 29.8%, compared to an increase of 9.1% for the general population. If these citizens are to remain in Townsend, there must be housing that is affordable to them as they transition into fixed, presumably lower incomes.

According to DHCD 2005 statistics, 69.04% of Townsend's elderly households (65 years and older) are LMI. Townsend provides elderly services at age 60. Using this standard,

there are just over 900 seniors or about 10% of the population that qualify for services. This continues to grow as younger families try to keep parents/relatives close by.

Adults under 65 with disabilities constitute 5.9% (350 individuals). Racial and ethnic minorities constitute only a very small percent of Townsend households. The 2010 Census reported that 96.6% of Townsend’s population is white, 0.6% is black, 0.8% is Asian, and Latinos (of any race) represented 1.8 % of the population.

Twenty-eight percent of residents in 2000 held a bachelor’s, a graduate or a professional degree, compared to the U.S. figure of 24.4 percent. According to the American Community Survey data in 2012, 30.9% of residents hold a bachelor’s degree or higher, compared to 39% in Massachusetts.

The rapid rise of housing costs inside Route 495 during the last three decades has resulted in explosive growth as commuters seek cheaper housing:

#### Townsend Population Growth

1970 Census	2010 Census	% Increase	Statewide
4,281	8926	35.2%	7.0%

The new arrivals benefit from the high-tech jobs along Route 495 and Route 128, but the benefits are not widespread. According to the DHCD, in 2005, 2,792 LMI residents (33.2% of the total population) live in Townsend.

Townsend residents:

- Earn slightly less – especially in retirement
- Travel further to the workplace
- Of homes with mortgages, 35.8% spend more than 30% of their income on housing compared to residents of the state as a whole at 39.1%.

2010 Census Item	Townsend	Massachusetts
Mean travel time to work	34.4 minutes	27.7 minutes
Mean Social Security income	\$16,558	\$16,298
Mean Retirement income	\$21,153	\$24,018
Per capita income	\$33,776	\$34,485

The Census documented other shifts as well:

- While the population of Townsend increased 18% from 1980-1990, the increase dropped to a modest 8.3% from 1990-2000, and population decreased 1.5% from 2000 to 2010.
- Townsend’s rank in the state in terms of median family income fell from #85 in 1989 to #114 in 1999 and #156 in 2011; significant when looking at housing affordability.

#### Existing Housing

The housing stock is overwhelmingly single-family (assessors categorize condominiums as attached single family). Since there are no multi-family districts, the few multi-unit

structures that exist are scattered throughout the town. Eighty-four percent of all units were owner occupied in 2000, up from 79.5 percent in 1990 and in 2010, the figure rose to 85.6%. A significant number of homes are designated as lower-value:

	<b>National</b>	<b>State</b>	<b>Townsend</b>
% Single family homes	61.7%	52.5%	86.6%
% Lower value homes		42.7%	53%

Source: 2010 Census (Note: Lower value denotes lower quartile/SF4)

Townsend has among the most affordable housing stock in the region; only Ashby of the surrounding towns is more affordable. The 2010 Census provides a snapshot of the town's 3,446 units of housing (including those that are vacant, seasonal or for sale).

	<b>Total Units</b>	<b>Percent of Units</b>
Single family	2985	86.6%
Condominiums	100	2.9%
2 family	40	1.2%
3 or 4 family	40	1.2%
5 or more units	281*	8.2%

\*these are units in apartment buildings counted individually

More than 66 percent of Townsend's housing units have been built since 1970. Over 16% of Townsend's housing stock is 74 or more years old, having been built before World War II; another 10 percent are 54-73 years old; and 56 percent are 30-53 years old, having been built in the , 60's, 70's and 80's. With over 82% of the housing being over 25 years old, it is likely that many of Townsend's dwelling units would not meet the current State or local building codes.

In July of 2002, the Montachusett Regional Planning Commission conducted a windshield survey of housing in Townsend, Ashby and Ashburnham. Of the 328 houses surveyed:

- 171 (52.1%) need chimney reconstruction
- 101 (30.1%) need roof reconstruction
- 117 (35.7%) need shingle replacement
- 132 (40.5%) need porch or stair reconstruction
- 102 (31.1%) need corrections to the foundation

An ongoing program to rehabilitate sub-standard homes has repaired 30 homes between 2000 and 2005, with none being repaired since then due to the inability to obtain grant funding, but 28 additional households are on a waiting list for this service.

Lead paint, outlawed for use in housing in 1978, is most problematic in homes built prior to 1950, which would include less than a third of Townsend's units. A greater problem for many homeowners is the possibility of septic failure under the State's Title V regulations, and the high cost of system repair or replacement to comply. Ongoing home maintenance of all types presents a challenge for older and low income homeowners.

### **Trends in New Construction**

New construction from 1990-2005 had been solely single-family homes; 487 single family home building permits had been issued since 1990. In the prior decade 419 single family permits and two apartment building permits were issued. From 2005-2013, 100 single family permits and three multi-family permits were issued.

The average annual growth rate from 1980-2005 was 1.6%. This is in contrast with the growth experienced between 1970 and 1980 with the building of the major part of two larger subdivisions (Timberlee Park and Pinetree Haven) which saw the population of the town climb nearly 78% and caused a massive impact on the town's infrastructure. While Townsend requires large lot sizes (2 & 3 acres), which reflects the physical constraints (site and septic requirements, soil conditions, wetlands, slope, etc.), even this modest rate of growth has resulted in the conversion of over 75 acres per year of primarily forest land to residential use.

From 2005 to the present, Townsend approved eight development projects that are in various stages of construction. Five projects were approved as an Open Space Preservation Development (OSPD), one project was approved as an Open Space Multi-Family Development (OSMD) and two projects were approved by Chapter 40B Permit. The OSPD projects allow for a total of 55 houses, with 190 acres of open space protected for the town. Only one of the OSPD projects has been completed, three are in various stages of construction and one has not begun. The OSMD project is a 20-unit multifamily development with 35 acres of open space gained and one unit negotiated with the developer to be affordable; this project has not begun construction. In addition to the open space developments, there are two Chapter 40B projects. The 40B site of Turnpike Village was approved for two 24-unit, 1-and 2-bedroom rental buildings providing 12 affordable units. One of the 24-unit buildings has been issued an occupancy permit. The other 40B project will have 41 houses in combination of multifamily condominiums and single-family homes providing 29 market rate homes and 12 affordable units, all with upgraded energy efficiency and solar advantage. Despite approval of these units of housing, the economics of the market dictate when the units will actually be built and absorbed into the community.

### **Rents and Home Prices**

Historically, Townsend has had a housing market with rising values, predictable turnover and low vacancy rates. The mid 80's and mid 90's saw higher than normal building and sales activity; but the rate during 2002-2004 slowed to less than half its normal rate. After the downturn in the economy in 2007-8, building permits for single family homes have decreased sharply.

Like many communities in the area, Townsend is losing the battle to maintain a diversity of housing options. Historically, there have been few units available for rent in the private market. The median home price in Townsend increased by 28.9 percent over the decade between 1990 and 2000; the increase between 2000 and 2005 was 58.1 percent. Since the downturn in the economy, the median home prices have decreased 16.8% in Townsend. Since 2010, areas closer to Boston have slowly increased in prices, but Townsend has been

slower to rebound. Condominium prices have decreased 23.5% since 2005, with a slight increase from 2011 to 2012.

The median asking price of homes listed with the Municipal Listing Service (MLS) in July 2005 – \$349,900 –required a homebuyer to have an annual income of more than \$80,000. The median asking price as of December, 2013 is \$238,888, a 19% decrease, with half of the listings below \$200,000.

Rental units in Townsend have been climbing in price, although not quite as rapidly. In 2005, the median price of rentals was \$748 with a range between \$675 and \$1400. The average monthly rent seems not to be effected by the economy and averaged \$991 in 2012, an increase of 14%. As more homeowners lose their homes due to foreclosures, the rental market sees an influx of renters. In 2005, the average days vacant per unit were 103, that number was 61 days in 2012. The affordable rental units at Turnpike Village cost \$737 for a one bedroom and \$915 for a two bedroom.

Like rents and home prices, land costs escalated in the early 2000s, with the lowest priced parcel available at \$189,900. In July 2005, there were 8 parcels listed with the Multiple Listing Service. They ranged in size from 2 acres to 58 acres and were priced from \$159,900 to \$849,900, with a median asking price of just under \$30,000 per acre, with substantially higher costs for lots ready to build. As of December 2013, there were 12 parcels available for purchase ranging from 2.25 acres to 58 acres, with prices from \$72,500 to \$500,000. The 58-acre parcel was for sale in 2005 for \$849,900 and is now priced at \$500,000, illustrating the decline in land prices in Townsend.

### **Affordability Gap**

Until about ten years ago, there was a fairly good match between family income of local residents and income required to purchase the typical, or median priced, home. In fact, the affordability of Townsend was the draw for ambitious developers even before that. In the early 1970's when the original 456 unit Timberlee Park was built with homes ranging from \$23,950 to \$30,100, it was advertised as "yours for the taking, at prices you can afford". The brochures touted the "inviting State Park land – a quarter of the town's total acreage." But, as elsewhere in the region, home prices in Townsend have risen faster than incomes, and the median priced home in the first half of 2005 sold for \$270,000. In 2012, the average sale price was \$221,350. Townsend's ratio of median home price to median income was roughly 3.75 in 2005 and according to the 2010 Census data it was 3.40. The surrounding towns of Groton, Pepperell and Ashby have ratios of 3.89, 3.84, and 3.51, respectively; all higher than Townsend's ratio. This ratio, a measure of affordability, illustrates that housing in Townsend is more affordable than surrounding communities. The ratio for the United States is 3.42 and for Massachusetts it's 3.65.

Although home prices have decreased over the past few years, affordability is still a major problem in Townsend. Teachers, municipal workers and public safety personnel who don't already live in town, but would like to, find it especially challenging to locate affordable housing in Townsend. The starting salary for teachers in Massachusetts with a bachelor's degree in 2005 was just over \$35,300 and in 2012 it was \$40,462. The average



teacher salary in Townsend’s school district in 2005 was \$50,759 and increased to an average of \$65,706 in 2012. The median police salary currently is \$46,030; for the DPW, it is \$41,830. The town’s police chief worked at a base salary of about \$76,700 in 2005 and is currently earning \$101,406, which is the highest town salary. The EMS and Fire Departments are staffed by six paid officers and administrators, 30 on call volunteer firefighters and officers, 8 on call EMTs and 30 on call paramedics, most of whom either work or live in town. Most town employees would qualify as low or very low income under HUD standards.

The least expensive home currently listed with the Multiple Listing Service in Townsend has an asking price of \$98,500(January 2014). Assuming an 80 percent mortgage at today’s favorable low rates (3.75 percent), and allowing 30 percent of income for principal, interest, real estate taxes, and homeowners insurance, a homebuyer would need an income of over \$75,000 – and \$64,000 or more in cash – to purchase the median priced house. Only a handful of municipal or school department employees are paid enough in 2014 to afford the least expensive home in the town where they work.

**Monthly Owner Costs as Percentage of Household Income**

<b>Costs (% of income)</b>	<b>1999 Number</b>	<b>1999 Percent</b>	<b>2010 Number</b>	<b>2010 Percent</b>
Less than 20%	1045	46.2	746	32.3
20 to 24%	419	18.5	462	20.0
25 to 29%	232	10.3	276	11.9
30 to 34%	160	7.1	278	12.0
35% or more	406	17.9	551	23.8
<b>Total exceeding 30% guideline</b>	<b>566</b>	<b>25%</b>	<b>829</b>	<b>35.8%</b>

Source: U.S. Census 2000, 2010

Renters face an even greater challenge. There are only 448 apartment units in town; most of the rental units are single family (including condo) units. In 2000, the median rent was \$634 and in 2010, it was \$863, certainly affordable; yet even at that, 33.7% of the renters were spending more than 30% of their income on housing. Even those rents have risen as have the other housing costs over the last decade. The lowest price rental currently available is \$700, the median \$1300 and the highest is \$1800.

A significant percentage of Townsend residents spend more than 30% of their income on housing costs. The above and below two tables demonstrate that a total of 980 households are paying 30% or more of their income on housing:

### Gross Rent as a Percentage of Household Income

COST	1999 Number	1999 Percent	2010 Number	2010 Percent
Less than 15%	149	31.6	40	8.9
15 to 19%	63	13.4	78	17.4
20 to 24%	66	14	100	22.3
25 to 29%	44	9.3	79	17.6
30 to 34%	24	5.1	0	0
35% or more	79	17.8	151	33.7
<b>Total exceeding 30% guideline</b>	<b>103</b>	<b>22.9%</b>	<b>151</b>	<b>33.7%</b>
Not computed	46	9.8	22	4.9

Source: U.S. Census 2000, 2010

### Populations in Need of Housing Assistance

The housing needs and priorities identified in this plan follow commonly used federal and state standards for classifying income, affordability and housing problems. Housing is affordable if gross rent (including the cost of utilities borne by the tenant) or homeowner costs (including mortgage payment, real estate taxes and homeowners insurance) do not exceed 30 percent of household income. Households paying in excess of 30 percent are considered *cost burdened*; those paying in excess of 50 percent are considered *severely cost burdened*.

The table below illustrates the targeted income levels for most affordable housing programs in the Boston metropolitan area, which includes Townsend.

Household Size	Boston Median Income (AMI)	80 % AMI Low Income	50 % AMI Very Low Income	30% AMI Extremely Low Income	Federal Poverty Level 2013
1		\$47,450	\$32,950	\$19,800	\$11,490
2		\$54,200	\$37,650	\$22,600	\$15,510
3		\$61,000	\$42,350	\$25,450	\$19,530
4	\$94,100	\$67,750	\$47,050	\$28,250	\$23,550
5		\$73,200	\$50,850	\$30,550	\$27,570
6		\$78,600	\$54,600	\$32,800	\$31,590

The next table shows that low income renters were twice as likely in 2000 to have affordability problems as homeowners. The table also reflects the fact that those at the lowest end of the income scale, less than 50% of area median income. Given our anecdotal knowledge, Section 8 vouchers used in Townsend combined with the Atwood Acres and Townsend Woods senior housing account for virtually all of the low income renters who do not have affordability problems. These numbers also come from snapshot census data and the reality is much more fluid for the low-income. Because of the huge increase in

housing prices since 2000, the data that would be comparable today would undoubtedly show more problems.

<b>Housing Affordability Problems</b>									
Income Classification	<b>Renters</b>			<b>Homeowners</b>			<b>All Households</b>		
	Affordability Problem	No Aff. Problem	Total	Affordability Problem	No Aff. Problem	Total	Affordability Problem	No Aff. Problem	Total
<=30% of Area Median Inc.	30	35	65	4	0	4	34	35	69
>30%, but <=50%	20	0	20	0	10	10	20	10	30
>50% but <=80%	0	39	39	24	69	132	24	108	132
">80, but <=100%	10	54	64	14	141	155	24	195	219
<b>Totals</b>	<b>60</b>	<b>128</b>	<b>188</b>	<b>42</b>	<b>220</b>	<b>262</b>	<b>102</b>	<b>348</b>	<b>450</b>

Source: SOCDs CHAS Data 2000

### **Housing Conditions**

While only a handful of homes in Townsend are deemed to be seriously substandard (lacking kitchen facilities or plumbing or having serious code violations), many others have a great deal of deferred maintenance; upgrading such units is considered a high priority. Over 30 homeowners participated in MassHousing home improvement loan programs in recent years, and the Montachusett Regional Planning Commission estimates another 5-7 may be served in FY15 under the regional home repair program. Community Development Block Grant monies were not available for Townsend for FY13 or FY14. These units represent 30 of the units currently deemed affordable in Townsend and 20% of our planned increase in affordable units. However, these 30 units' "affordability" restrictions are scheduled to expire in 2015, 2017 and 2018.

The number of low income homeowners, including those with rental units, who may need financial help to maintain their units; remove lead paint, asbestos, or other toxins; repair or replace failing septic systems; or comply with housing codes, is estimated to be much greater, with 28 currently on the waiting list for these funds. Many of these are low income elderly homeowners who want to get out of "high maintenance" housing situations entirely and convert some of their home's equity to cash for other basic needs. Bringing these units up to code is a major part of the Plan's strategy to assure meeting our goal of at least 10% "affordability".

### **Special Needs**

A small number of Townsend residents have more specialized needs. The 2000 Census enumerated more than 385 people under 65 who reported some type of physical, mental or sensory disability. This represented about 4.8 percent of residents under 65. This number, according to the 2010 Census, is now 580 or 7.1% of residents under 65. The number of disabled persons over 65 is 195 or 23.1% of the residents over 65. There are also a small number of residents, or former residents, whose health and/or other issues require specialized housing services. The numbers are small, and their needs may be temporary or

episodic. Not all such needs can be met locally, but it is important to recognize that Townsend residents contribute to a regional demand for group homes, transitional housing, shelter beds, etc.

**Lack of Housing Choice**

While some households need help with affordability, home repairs, or have special needs, many others – across a range of incomes – simply need greater housing *choices*: the alternatives to single family homes on large lots such as smaller units, rentals, condominiums, etc. are more limited. The 2010 Census shows 941 persons in renter occupied housing. There are several condominium developments in Townsend, including the 40B conversion of Benjamin’s Motel, completed in 2008 and containing two affordable units. The only units considered multi-family properties are 8 small (4-9 units) apartment buildings, and the 86 affordable units at Atwood Acres and Townsend Woods. Fortunately, a 48-unit rental development is currently being constructed in Townsend and will satisfy some of the rental needs in the Town. The first 24 units are currently being marketed for rental.

**Regional Needs**

The regional needs are greater and more complex. None of the towns abutting Townsend, or the communities abutting them, is at the 10 percent affordable threshold. Even Fitchburg with a population of over 40,000 and 17,058 housing units, is at 9.7%. The variety in terms of size, type, tenure, and cost, and rental vs. ownership options for low and moderate income households is limited throughout the region. In fact, rentals in all price ranges are in short supply, due to the fact that fewer than 500 new rental units have been built in the 20-town area since 1990.

**Surrounding Towns Affordable Housing Percentages**

As of May 2012

TOWN	% AFF.	TOWN	% AFF.
Acton	6.0	Lancaster	4.2
Ashby	0.0	Leominster	8.0
Ashburnham	1.4	Littleton	8.5
Ayer	8.4	Lunenburg	3.2
Fitchburg	9.7	Pepperell	3.0
Gardner	14.5	Shirley	2.5
Groton	5.1	Townsend	5.2
Harvard	5.4	Westford	4.6

**Needs Assessment Summary**

Townsend’s lack of affordable housing options has impacted some groups more than others:

- Low income renter households
- The elderly and others on fixed incomes
- Lower income homeowners
- Young adults and families locked out of homeownership

The greatest demand is for smaller, moderately priced ownership units and rentals in a range of price levels. The demand for both comes primarily from the same two groups: 1.) young people – individuals and small families, mostly – who work in the area but cannot afford to buy, and 2.) older homeowners wishing to downsize, but with no alternatives available locally, either for rent or purchase. Often the latter are seeking lower maintenance properties, single floor living and, in a smaller number of cases, supportive services. In the most recent surveys, a small number of respondents specified the need for barrier-free accommodations. Demand also comes from school and municipal employees; parents, children or siblings of current residents; current residents facing financial setbacks; and households that have split up due to divorce. Several members of the town’s volunteer emergency services and town hall employees have indicated that they need more affordable housing in order to stay in the community. Finally, there is a demand for alternatives, both rental and ownership among those who can afford to pay market, or near market prices.

**Subsidized Housing Inventory in Townsend 2005-2013**

	<b>2005</b>	<b>2007</b>	<b>2008</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Housing Units	3162	3162	3162	3162	3356	3356	3356
# affordable	80	86	86	126	126	174	174
% affordable	2.53	2.72	2.72	4.0	3.8	5.18	5.18

Since 2000, nine housing developments have been approved, with a total of 184 new residential units. Of that number, 61 or 33% of the units are counted on our SHI as affordable. As of December 31, 2013, only 69 units have been built, with only 8 of these being affordable or just 1.2%. A large number (48) of the affordable units received a building permit in July 2013 and completion of 24 of the units was in May 2014. The number of single family building permits has decreased significantly in recent years due to the economic downturn beginning in 2008. In 2005, there were 30 permits issued and in 2010 there were only 4. This downturn will make it increasingly difficult for Townsend to reach the State’s 10% “affordability” goal.

About 162 units of affordable housing are needed to bring the town up to, or near, the state’s 10 percent goal at the current number of housing units. The percentage of growth in the period 2000-2010, from 3,162 units to 3,356 units is 3%. If the town continues to grow at that rate, the number of housing units will be 3,564 in 2020 and 3,784 in 2030. This corresponds to needing 356 affordable units in 2020 and 378 affordable units in 2030 to reach the State’s goal of 10%. On an ongoing basis, the town should ensure that a minimum of 10% of its new residential development is affordable. In terms of timing, the goal from 2005 was to add at least 25-35 qualified, affordable units the first three years of the plan, then a minimum of 8 units each succeeding year so that the Town can continue to guide its growth consistent with its Master Plan. As is illustrated in the History of Subsidized Housing Inventory above, from 2005 to 2009 the town added 46 units, but did not add 8 units per year after that. Three years later, however, an additional 48 units were added, increasing the town’s percentage of affordable units from 2.53% in 2005 to 5.18% in 2013.

Recent build out analyses conducted by the Montachusett Regional Planning Commission put the potential number of new units the town could absorb, given its current zoning, at 3422. Absent public sewers or widespread use of alternative technologies for wastewater disposal, however, these are extremely aggressive estimates. Supplying water to that many units would also pose significant infrastructure challenges. If the town did double in size to 6,500+ units over the next fifteen or twenty years – adding 150-200 new units per year instead of the 19-60 it has been adding for the last twenty-five years – the additional 10 percent requirement would be 342 units, and the annual maintenance requirement would rise to 15-20. This scenario is unlikely; such growth would put an unmanageable strain on the infrastructure of the town.

### **Impediments to Expanding the Supply of Affordable Housing**

The factors that impede the development of affordable housing in Townsend can be classified into four related categories:

- high production costs
- development constraints
- zoning and regulatory restrictions
- limited municipal infrastructure and local capacity

#### **High Production Cost**

Housing prices in Townsend are impacted by land costs which drive overall construction costs: the 2-3 acre zoning required by environmental issues; Title V requirements; private wells; restrictions due to wetland and ACEC issues and the desirability of a community which has one of the richest wildlife habitats in the state all limit the development of affordable housing. The state owns 6,572 acres (or 31%) of the land in Townsend; this land is included in the Squannassit ACEC and is all dedicated open space for passive recreation. Nearly 70% of the town's land area is located in the Squannassit ACEC, but only about 45% of it is permanently protected. Many of the forests and farms that give Townsend its rural ambiance benefit from property tax laws (Chapter 61) that encourage forestry or agriculture and outdoor recreation, or have been acquired for conservation purposes and give temporary protection to sensitive lands. There is a regional benefit to these uses that extends beyond Townsend, but they result in fewer parcels being available for development.

#### **Development Constraints**

Townsend has limited infrastructure and soils that pose moderate to severe limitations for residential development throughout much of the town.

#### **Water Supply Constraints**

There is no public sewer service and limited water service. Most homes and businesses are served by individual wells for water and individual on-site septic systems to treat and dispose of waste. Two aquifers underlie approximately one half of the Town, and much of the rest of the Town is relied upon for aquifer recharge. The Town currently has five wells serving about 2000 businesses and residences or approximately 50% of the population of Townsend. The challenge for any public water supply is the balance of expanding usage to more subscribers, maintaining the integrity of the current system, conservation and system-

wide water quality protection, all within a reasonable cost, that is still cost effective compared to private wells. While groundwater quality is generally good and in adequate supply to accommodate reasonable future growth, Townsend's soil conditions, shallow depth to bedrock and high groundwater levels are not well suited to traditional septic systems. This has resulted in larger lot development as the more suitable soils capable of supporting development on smaller lots have already been developed.

### **Ecological Constraints**

The designation of the Squannassit ACEC, while not preventing development, requires the town to steward the area and development within it much more carefully. Townsend contains 40% - 15,050 acres - of the Squannassit ACEC. (See Appendix B) There are 23 state-listed rare species known to occur within the boundaries of the Squannassit ACEC. According to the 2012 State BioMap about 47% of Townsend is BioMap Core Habitat and 55% is designated as Supporting Natural Landscape. There are 36 NHESP Certified Vernal Pools within Townsend, as well as 93 Potential Vernal Pools as identified through photo-interpretation by Natural Heritage and Endangered Species staff. (See Appendix C)

The area supports a remarkable richness of wildlife ranging from concentrations of rare and endangered species to deer, moose, fisher, bobcat, otter, and even occasional black bear. The Squannacook and Nissitissit rivers and 16 tributary streams are classified as cold water fisheries that support trout, including brown, brook and rainbow trout. These rivers were designated Outstanding Resource Waters for these fisheries. Approximately 80% of the ACEC is comprised of forest and farmland, and nearly 50% of the ACEC is comprised of protected open space and land under Chapter 61, 61A and 61B tax classification status. State-owned open space covers approximately 10,000 acres or 27% of the ACEC of which more than half is in Townsend. The area contains unique and highly significant archaeological and historical resources, as well as scenic landscapes of statewide significance.

Protecting these valuable resources requires land use planning which minimizes development footprints and maximizes interior habitat. Therefore, large scale developments would put the dual state and local goals of affordable housing and protection of special, sensitive environmental areas at odds with one another. In trying to meet both goals, the town is constrained to look to small developments, preferably in previously disturbed areas.

### **Zoning and Regulatory Restrictions**

According to the Master Plan, the town's zoning bylaw was based on legitimate environmental concerns that reflected Townsend's limited infrastructure and inhospitable soils.

Even though the State has developed a list of approved alternative technologies that could open up more land for development, Townsend has not embraced all of these. It continues to rely primarily on uniform, large lot zoning and stringent site controls to mitigate the risks associated with conventional septic systems. Advancements in wastewater

technology continue to reduce some of the traditional development barriers, but Townsend's prohibition against shared septic systems presents an obstacle to their use.

Ninety-seven percent of the town is zoned Residential, requiring a minimum of three acres in the aquifer protection zones and two acres elsewhere. The town has never zoned any land exclusively for multi-family housing. Accessory apartments and the conversion of older homes to multi-family use are classified as special permit uses. While we have 33 "in-law" apartments which have been authorized since 1990, none of these units are classifiable as affordable under State guidelines. In addition, the language of the bylaws related to such accessory apartments does not promote them or their potential as affordable units.

### **Limited Municipal Infrastructure and Local Capacity**

Typical of many small Massachusetts towns, Townsend is a largely volunteer-run community. It employs a town administrator; while the three-member Board of Selectmen, Planning Board, Board of Health and Housing Authority are all elected. The Finance Committee, Zoning Board of Appeals, and Conservation Commission are appointed. Even the town's fire and ambulance services are staffed primarily by volunteers, paid only on call out, with the exception of the Chief, two Deputy Chiefs, one Captain/EMT, and two Firefighters/EMS persons. The town's small size, limited organizational infrastructure and limited commercial-industrial tax base have made it difficult for the town to develop and sustain an aggressive housing agenda.

### **Mitigation Measures**

The Master Plan establishes the framework for overcoming some of these barriers. Notwithstanding the town's generally poor soil conditions, technology and economics continue to make parcels once dismissed as unsuitable, possible housing sites. The Master Plan laid out suggestions for implementing important zoning reforms.

The key to having the town reach its 10% goal is the conversion of already existing developed properties into affordable units that meet the state's guidelines. This can be achieved through a combination of continued upgrades to smaller, older properties with the aid of CDBG grant monies or other grant monies; addition and conversion of accessory apartments to affordable rental units; and increased density in currently commercial zones by encouraging the use of mixed use zoning.

The town also can consider parcels it currently owns and may acquire through tax title, gift, or outright purchase for the production of affordable housing. The adoption of the Community Preservation Act would allow funding for such projects; however, Town Meeting has twice refused to pass the Act.



### **3. AFFORDABLE HOUSING GOALS**

#### **Affordable Housing in Townsend: A Brief History**

The land known as the “Atwood property” located on Dudley Road was donated to the town for the purpose of aiding the needy. Dr. Atwood or his estate had designated with the donation (23.5 acres) that the income from the harvesting of timber should be used to help the needy. A small group of citizens, recognizing the need for affordable senior housing, undertook the task of finding a suitable site. Howard Park, near the Squannacook River, was considered and turned down. At that point the town looked at the Atwood property and it was determined through the proper channels, including a court ruling, that it would be legal to use the property for this purpose.

Atwood Acres construction began July 1988 and fall of 1989 saw the opening of the building containing 50 units of low income senior housing on 6.674 acres. RCAP Solutions, Inc. was involved in securing the funding for the project and became the manager of the property. The “affordability” on this project expires in 2029.

In 1999, the town applied under a regional CDBG grant application for funds to assist low income homeowners to make necessary upgrades to their homes and septic systems. Since 2000, 30 projects have been completed under these grants and have been formally designated as affordable under State guidelines. The affordability on these units expires as follows: 15 expire in 2015, 7 expire in 2017 and 8 expire in 2018.

In 2005, a 40B development known as Coppersmith Way was permitted for 41 total units, 12 of which would be affordable. As of this date, eight of the affordable units have been constructed and sold and these will be affordable in perpetuity. Also in 2005, a 40B project called Benjamin’s Condominiums converted 14 motel units into eight condominium units, with two of these designated affordable in perpetuity. In 2007, the Town donated land and Habitat for Humanity built a single family home under the Local Initiative Program. This home is occupied by a family and will be affordable in perpetuity. RCAP Solutions, Inc., awarded development rights by the Town to use five more acres of the Atwood property for 36 units of affordable senior housing, began in 2002 submitting applications annually to HUD to secure grant funding. The Townsend Housing Authority assisted in this endeavor and finally, in 2007, RCAP was awarded a HUD grant in the amount of \$5.5 million. RCAP was able to secure \$500,000 each from a Department of Housing and Community Development HOME grant and Housing Innovation Funds from the Community Economic Development Assistant Corporation. In October 2011, Townsend Woods, the first HUD senior housing development in Massachusetts to be LEED certified, was opened. These units will be affordable in perpetuity.

In 2011, a 40B Permit was approved for Turnpike Village, a 48-unit rental development. All 48 units count in perpetuity on the SHI, although only 12 will be rented in the affordable category. Construction began in 2013 and the first 24 units are now available for rent, six of which are affordable.

## History of Townsend’s affordable Housing Development

Name	Developer/Owner	Date	Program	Type	Population	Total # of Units	Low Income Units
Townsend HOR Program	Various	Various	CDBG	HO	Unrestricted	29	29
Atwood Acres	RCAP Solutions	1988	40B	Rental	Senior & Accessible	50	50
Benjamin Condominiums	Benjamin Builders	2005	40B	HO	Unrestricted	8	2
Coppersmith Way*	Transformations	2005	40B	HO	Unrestricted	26	8
Apple Drive Habitat House	Habitat for Humanity	2007	Local Initiative	HO	Unrestricted	1	1
Townsend Woods	RCAP Solutions	2011	40B	Rental	Elderly	36	36
Turnpike Village**	Turnpike Village, LLC	Not Complete	40B	Rental	Unrestricted	48	48

\*At build-out, this will be a total of 41 units with 12 affordable.

\*\* Phase I complete as of May 31, 2014.

### Overall Objectives

One of the housing goals in the 2001 Master Plan was to reactivate the Housing Authority, which had been virtually inactive for several years. Since 2003, the Housing Authority has been active, pursuing grant monies and assisting in the expansion of Atwood Acres; facilitating the building of a Habitat for Humanity home; assisting the Zoning Board with 40B applications and the updating of this plan. Four recurrent themes emerged, and they form the foundation on which the affordable Housing Action Plan, described in Section 4, is crafted. The four overarching goals call for Townsend to:

- Preserve and increase the diversity of housing stock to enable Townsend to be more inclusive of families and individuals in a broad range of age, income and need.
- Ensure that new affordable housing is harmonious with the existing community.
- Meet the 10 percent state recommended standard for affordable housing, providing the town’s fair share of affordable housing while retaining control of local development.
- Leverage other public and private resources to the greatest extent possible.

### Specific Affordable Housing Goals

This plan is designed to increase the town’s affordable housing inventory to 10 percent – currently 336 units,<sup>2</sup> but likely to rise to 360-380 by 2030 – as quickly as feasible, given

<sup>2</sup> The 10 percent affordable threshold is a moving target. A community is expected to maintain this threshold as new market rate housing is added to the inventory. While the new affordable units get added to the inventory as they are created, and the inventory itself is updated every two years, the year-round housing base off which the 10 percent is calculated is only updated every ten years, based on the decennial census. Anticipating that the pipeline projects move forward, as expected, and that market production otherwise adds 420 new units by 2030, Townsend’s 10 percent figure will rise to about 380. It is the Town’s intent to achieve *and maintain* the 10 percent threshold.

the town's lack of sewer, town-wide water and municipal infrastructure. At this time, 174 (5.18%) of the town's housing units qualify as affordable on Townsend's SHI, leaving a shortfall of 162 units.

The town intends to make up this shortfall first by replicating its existing affordable housing: dedicated elderly housing and rehabilitation of currently affordable housing. Then by adding small, scattered sites of new homes distributed throughout the town, as well as encouraging development of accessory apartments and additional mixed use units. Where consistent with the town's Master Plan, development of larger properties may be appropriate (e.g., in the commercial districts), and will be actively investigated. If larger projects become feasible, the time frame to reach the 10% goal will be reduced.

This represents an annual production goal of one-half of one percent (0.50 %, or 17 units) per year for the next five years. Although the town will do everything in its power to continue that rate of development of affordable units, a realistic rate of 0.25 percent or eight units per year for the following 12 years will be the internal bench mark for the town. Although that rate of production will not allow the town to be certified, unless multiple projects happen to fall in a single year, it will mark significant progress toward achieving the 10% goal. Whenever the 0.50 % goal is reached, the town will be able to forestall developments proposed under 40B which it considers to not be in the best interest of the town's long range goals. At this time, there are only four new affordable units scheduled to be built in the next 2-3 years that are not currently counted on the SHI.

Although Townsend is rated within the Boston Metropolitan Statistical Area (MSA), the median income for the town is approximately 5% higher than that of the Boston MSA. In the true spirit of affordable housing goals, the Town will strive to ensure that the maximum possible number of the units which qualify under the State's guidelines (i.e., those that qualify for inclusion on the SHI), serve households whose income is at 80% or less of the Town's median income. In order to achieve that goal, the Town will require in its standards for Local Initiative Development plans that developers attempt to provide at least some of the units at the local affordability level. It will apply a similar standard to its review of other 40B applications. The Town will strive for a mix of the units in publicly-supported developments which includes moderate and middle income households (those earning between 80-150 percent of the town's median income) and the lowest income households (those earning less than 50% of the town's median income). It will work with private developers to promote a diversity of housing types appropriate to the needs of different population groups, including families, seniors, individuals, and those with special needs.

While the top priority of this plan is to expand the supply of affordable housing eligible for inclusion on the SHI, an important secondary goal is the diversification of the town's housing stock, in general. Zoning techniques to diversify the types of new homes built in Townsend and to facilitate the process by which existing structures (both residential and non-residential) could be converted to provide more, smaller dwelling units are an important component of the Town's strategy.

A successful conclusion of this plan will be the creation of 162 well designed, sustainable, affordable housing units – both rental and ownership – within a fifteen-year period, *plus* sufficient additional units to maintain the 10 percent threshold when market rate production from 2014-2030 is factored into Townsend’s housing base. In addition, the Town will need to have implemented adequate provisions for ensuring that this level of affordability is maintained in the future. A secondary measure of success will be the extent by which the town has diversified its housing stock to allow current residents to remain in Townsend despite changing housing needs (e.g., the creation of accessory apartments, the conversion of existing large structures to smaller dwelling units, senior residential developments, or supportive housing alternatives).

### **Guiding Principles**

The Town will be guided by the following principles, drawn in large measure from the Master Plan, as it implements its affordable housing strategy.

- Provide a variety of types of affordable housing, appropriate to the needs of Townsend residents and the region. The mix should include both rental and ownership; detached single family homes and compact development options (duplex, quads, townhouse, etc.); housing for families and individuals of all ages and units tailored specifically to the needs of senior citizens and those with special needs.
- Seek opportunities to combine affordable housing with open space protection through limited development on parcels acquired or designated for conservation.
- Distribute affordable housing equitably throughout the town. Residential growth in general, however, should be channeled to those areas that can sustain higher densities without harming the town’s sensitive environment.
- Target town-owned sites and other properties that can be obtained at discounted prices or through tax title acquisition.
- Encourage a range of incomes in multi-family developments (5+ units), unless restricted by funding source. Smaller projects (1-4 unit structures) may, as appropriate, serve entirely income-eligible households.
- New affordable housing should be well designed, context sensitive, and harmonious with its surroundings. To the extent practical, the design, construction and environmental standards for new affordable developments should be consistent with those for other types of development.
- Seek opportunities to expand the supply of affordable housing within the existing built environment through adaptive reuse of non-residential structures and increased density in existing residential properties.

- Negotiate assertively with developers seeking special or comprehensive permits for appropriate public benefits, with the highest priority assigned to maximizing affordability.
- Maximize local control over the development of affordable housing. This can be achieved by attaining the ten percent threshold that allows a community to deny comprehensive permit requests without the threat of appeal to the State Housing Appeals Committee. In the interim, the town can preempt incompatible comprehensive permit requests by producing at least 17 qualified units per year (one-half of one percent of the year round housing stock of the town) in accordance with an approved plan, until it achieves 10 percent.
- Create and follow local preference guidelines which give priority in lottery for affordable housing to: town employees; family members (parents and children) of town residents; and emergency service providers.

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## **4. IMPLEMENTATION STRATEGIES**

Achieving the goals set forth in Section 3 will require appropriate tools and regulations (or regulatory relief), financial resources, development capacity, and political will. The proposed set of strategies is based on recommendations included in the Town Master Plan and other studies. In assembling the requisite tools, the Housing Authority and the Planning Board have also drawn on the experiences of comparable communities in the region and elsewhere in the state.

The strategies are organized into the following categories: production initiatives; preservation strategies; planning and regulatory reform; building local development and management capacity (including funding). An estimated timetable for implementation follows the narrative. Some of the strategies represent works in progress and enjoy considerable public support. Because of the vagaries of public funding and the public approval process, however, it is likely that some of the specific developments will move into production according to the schedule outlined while others will lag, or may never come to fruition. The plan anticipates some substitution of projects, and as long as new proposals are consistent with the goals and principles laid out here, such substitutions should not be problematic.

### **Production Initiatives**

#### **Development of Senior Housing**

- The two existing elderly housing buildings consisting of 86 total units are extremely important in serving the needs of the elderly, however, still more units are needed. Investigation into developing the remaining acreage available at the Atwood Property into additional units is of prime importance.

Within the time frame of this plan, we anticipate investigating and possibly developing 30-50 additional units in this complex.

### **Non Profit Development**

- At the May 2005 town meeting, the Town voted to sell six small lots in the Pinetree Haven development off Emery Road to Habitat for Humanity, for \$1, for the purpose of building an affordable single family home. This project was completed in 2007. The Housing Authority will be investigating using additional town owned property to complete similar projects in the future.

### **Municipal Development**

- The town owns a 19 acre parcel adjacent to Timberlee Park. A Priority Development Fund grant was received and an engineering site assessment to ascertain how many homes could be developed on the property was completed. Based on the engineering assessment, the State found the project to be financially unfeasible due to environmental constraints. There are several smaller lots the town has taken under tax title procedures that may be developable into affordable housing.

### **Private Development**

- Of two projects permitted in 2005, one is complete and the other is still in construction phase. The one completed converted Benjamin's Motel into condominium units, 2 of which (25%) are affordable. The second is a 44 home development of single and duplex homes on Highland Street of which 12 (25%) will be affordable. Currently, there are eight affordable units completed in this development.
- Turnpike Village, a 48-unit rental development permitted in 2011 as a 40B, has begun construction and is beginning to rent 24 of the units. All of these 48 units are counted on the town's SHI.
- The Town will continue to work with private developers who propose to create housing that meets community needs under Chapter 40B. The Housing Authority will meet with developers who are interested in a Chapter 40B project on a particular property, discuss their conceptual plan and provide initial feedback. When the developer has a more defined proposal the Housing Authority will schedule a meeting for the developer to present his proposal to town boards and agencies and the public. The purpose of this "all boards" meeting is to provide the developer additional input in order to further refine the project. The Housing Authority's goal is to facilitate submission of an application to the Zoning Board of Appeals which meets the maximum possible local regulations, while contributing to affordability goals, thereby encouraging a smoother permitting process.
- In time, the Townsend Housing Authority and/or other local nonprofit organizations may develop the capacity to address the town's housing needs directly, but in the short term "friendly comprehensive permits" and "local initiative projects" undertaken cooperatively with private developers will continue to represent a substantial portion of the town's affordable housing production. (Even locally driven projects are likely to require the zoning, density and other regulatory relief afforded by the comprehensive permit, and 40B will remain an important resource given the town's significant environmental constraints.)

### **Locate housing development strategically**

- In order to attempt to meet the dual goals of affordable housing and stewardship of crucial habitat in the ACEC, the Housing Authority has included in this plan a map of Townsend (Appendix C) which shows the Natural Heritage and Endangered Species Program Biomap of core habitat and supporting natural landscape. It is the policy of the Town to discourage any application to build in areas identified as core habitat as shown on the attached map or subsequent versions published by NHESP. In areas identified as supporting natural landscape, the Housing Authority will only support projects which have maximum clustering, reflecting sensitivity to adjacent core habitat areas and maximization of wildlife corridors.

- The third attached map Appendix D also show areas outside the ACEC which the town has determined are desirable areas for the denser development which makes building the maximum number of affordable units financially feasible.

### **Preservation Strategies**

There are several preservation strategies that the town will pursue to preserve the affordable units that currently exist.

- Ensure no loss of developed 40B units. In ruling in on a 2000 suit filed by Wellesley's Zoning Board of Appeals, the Massachusetts Supreme Judicial Court affirmed: "Where a comprehensive permit itself does not specify for how long housing units must remain below market, the [Comprehensive Permit Law] requires an owner to maintain the units as affordable for as long as the housing is not in compliance with local zoning requirements, regardless of the terms of any attendant construction subsidy agreements". This principle will be made clear to all applicable developers and owners of 40B units.

Still, the town needs to be vigilant to ensure that these affordable units are not lost as they can all be sold as market rate units if potential buyers are not found or cannot qualify because units increased in value at a faster rate than incomes did. The town should build a fund to enable it to purchase available units or to cover the shortfall between increased cost of such units and the maximum allowable cost for buyer earning no more than 80 percent of median income. One avenue to raise such funds would be through the adoption of the Community Preservation Act (CPA) which was attempted at town meeting twice and failed both times.

- Preserve existing stock. Since the median household income for Townsend is close to the low income Boston MSA guideline, the preservation of the existing housing stock which currently serves these residents is extremely important to the true goals of affordability. The housing stock is at an age where a significant proportion of homes is, or will soon be, in need of upgrades and attention to deferred maintenance. Therefore, the Town intends to actively participate in any program or initiative which will preserve and maintain these units and qualify them under State guidelines.

Under the Ashby Ashburnham Townsend Housing Rehabilitation Project, funded by CDBG grants in 2000-2003 administered by Montachusett Regional Planning Commission, 30 units were added to the affordable housing stock, through affordability restrictions which attach with the program. The original 30 units will have their restrictions expire within the period of this plan; therefore the Housing Authority will monitor these units to maintain their status whenever possible. Any future units under this program are not eligible to be counted on the SHI unless the owner is willing to allow an affordable deed restriction.

### **Planning and Regulatory Reform**

- Develop Guidelines for LIP Projects. The Housing Authority and the Planning Board, will be working with other related Town Boards, to assemble a set of guidelines for the Town and Applicants to follow in creating and applying for LIP approval of affordable



units created or to be created through small scale private/local initiatives such as conversions to multifamily or in-law apartments.

- Revisit Open Space Preservation Development and Open Space Multifamily Development Bylaws to more effectively address affordable housing needs. The OSPD/OSMD Bylaws do not specifically address the community's need for affordable housing. The Housing Authority and Planning Board are investigating possible revisions to these bylaws to enhance their effectiveness in encouraging developers to include affordable units in their plans.
- Create Development Guidelines. The Housing Authority will take the lead in developing a set of guidelines that make procedural recommendations to developers proposing or contemplating affordable housing projects in Townsend. These guidelines will provide specific guidance to developers in terms of what the Town seeks in the way of affordable housing.

The guidelines will be specific on issues such as desired demographic mix, scale, level of affordability, and locations potentially suitable for higher density development. As such, they will provide a useful tool for the town's own boards and committees as well as for those seeking to build in Townsend. The priority needs and specific goals referenced in Section 3 of this plan, Affordable Housing Goals, will be called out in these guidelines. The guidelines will engender a more collaborative 40B process in which the Town can feel more empowered and developers more confident in working with the Town. The Housing Authority will begin the process by collecting and reviewing procedures from other communities.

- Encourage mixed use development in Commercial Districts. The Housing Authority will encourage and support projects and appropriate bylaw changes within all Commercial Districts that incorporate affordable units in multifamily residential and/or mixed use buildings. The Housing Authority and Planning Board will work with developers, whenever the opportunity arises, to encourage projects in the Commercial District which create harmonious mixed use development to enrich the variety, accessibility, and affordability of housing in Townsend.
- Development of nonconforming lots. Townsend's minimum lot size is 2.0 acres. If an existing lot is less than 2.0 acres and can meet Title V and water supply requirements, the Zoning Bylaws should be amended to allow development of these lots for affordable housing. This would diversify the town's housing stock. The Housing Authority will work with the Planning Board to develop such a Bylaw.
- Modify Apartment Bylaw to address affordable housing needs. The current apartment bylaw does not provide any density or other bonuses for provision of affordable units. Possible modification of this bylaw is being explored by the Housing Authority and Planning Board.

- Develop inclusionary zoning bylaw The Housing Authority and Planning Board are exploring development of an inclusionary zoning bylaw which would best serve the town's goal to maintain a 10% level of affordability by rewarding developers who dedicate 10% or more of their new developments as affordable units.
- Modify transfer of development rights to favor affordable housing. The Housing Authority and Planning Board are exploring modification of the town's transfer of development rights bylaw to increase the incentive if development rights are moved from ACEC areas to non ACEC areas and include affordable units.
- Amend the current Accessory Apartment Bylaw. Townsend's accessory apartment bylaw currently allows special permits to be granted from the board of appeals; however, it focuses on accessory apartments primarily for family members. The Housing Authority is preparing, and the Planning Board will present, amendments to this section of the Town Bylaw which will allow for accessory apartments by right if they meet the state guidelines for affordable units. This would serve to allow current citizens to remain in their homes by creating a source of income while providing additional affordable units in the town.
- Develop guidelines and resources for developers. The Housing Authority will develop guidelines for developers which detail the standards the Housing Authority will utilize when evaluating proposals for LIP projects or other 40B projects. The Housing Authority will also develop a continually updated resource library of funding, technical support and program information for developers, other land use boards and citizens to utilize in promoting affordable development.
- Lottery and local preference standards The Housing Authority, in conjunction with the Zoning Board of Appeals, will establish Town standards and procedures for lotteries and local preferences to be used for all 40B and LIP projects proposed in Townsend.
- Marketing The Housing Authority, in conjunction with the Zoning Board of Appeals, will establish Town standards and procedures for the marketing of all 40B and LIP projects proposed in Townsend.

#### **Building Local Development and Management Capacity**

- Secure funding from multiple sources. The Housing Authority has just begun discussing the best way to create a fund (such as a municipal affordable housing trust fund) to support its affordable housing agenda.
- Participate in the State's ONE Mortgage program. Participation would allow the Town to assist low and moderate income first-time homebuyers with affordable mortgage financing options.
- Establish nonprofit housing organization. The Housing Authority will seek to facilitate the establishment of a local nonprofit housing entity to develop affordable housing within the town of Townsend.

- Continue participation in a regional Housing Rehabilitation Program The Housing Authority plans to continue participation in the Ashby Ashburnham Townsend Housing Rehabilitation Project, funded by CDBG. This program has been a valuable resource in assisting low income households to live in decent, code-compliant housing that also meets state affordability guidelines.
- Public Outreach. Provide informational and educational forums to encourage general dialogue and understanding of our local affordable housing issues and also to discuss possibilities relative to specific projects as they may arise. The preparation and presentation of this Plan will provide a concrete basis from which to begin a comprehensive effort to increase awareness of how affordable housing in the Town of Townsend is linked to a number of other issues. This can serve as a strong springboard from which to create an ongoing dialogue with the public, public officials, and other ongoing committees addressing related issues in the Master Plan. The Townsend Housing Authority will use this opportunity to build community awareness, involvement, and support for the sensitive and harmonious development of affordable housing in Townsend.

## 5. DESCRIPTION OF USE RESTRICTIONS

### **Proposed**

Many housing advocacy groups and funders now recommend tying the allowable increase in sales price to what a purchaser earning no more than 70 percent of the area median income could afford, at the time of resale, given the mortgage interest rates then in effect. All new developments must adhere to the requirements of the subsidy program. The New England Fund use restriction is described in Sections 13 and 16 of the *Guidelines for Housing Programs in Which Funding is Provided Through a Non-Government Entity*, published by the Department of Housing and Community Development (DHCD):

Units are or will be subject to an executed Regulatory Agreement between the developer and the subsidizing agency unless the subsidy program does not require such an agreement.

### **Use Restriction (from Section 13 of the Guidelines)**

There shall be a use restriction in a form specified or approved by the Department. The use restriction and any regulatory agreement shall include provision for satisfaction of pertinent requirements, including:

- Runs with the land and recorded at the appropriate registry of deeds or filed with the appropriate land court registry district for a term that shall be not less than 15 years for rehabilitated housing units and not less than 30 years for newly created units.
- Identifies the Subsidizing Agency and monitoring agent, if applicable.

- Effectively restricts occupancy of Low and Moderate Income Housing to Income Eligible Households. A Use Restriction may require that an Income Eligible Household must have a lower percentage of area median income than 80%.
- Requires that tenants of rental units and owners of homeownership units shall occupy the units as their domiciles and principal residences.
- Provides for effective administration, monitoring, and enforcement of such restriction.
- Contains terms and conditions for the resale of a homeownership unit, including definition of the maximum permissible resale price, and for the subsequent rental of a rental unit, including definition of the maximum permissible rent.
- Subjects the units to an Affirmative Fair Housing Marketing and Resident Selection Plan for approval by the Subsidizing Agency and consistent with the guidelines in the following Section III, as may be amended from time to time, for the term of the restriction.

**Affordability of Ownership Units (from Section 16 of the Guidelines)**

- Down payment must be at least 3% of the purchase price, at least half of which must come from the buyer's funds unless the Eligible Subsidy Program permits a smaller down payment.
- Mortgage loan must be a 30-year fully amortizing mortgage for not more than 97% of the purchase price with a fixed interest rate that is not more than 2 percentage points above the current MassHousing interest rate ([www.masshousing.com](http://www.masshousing.com)).
- Monthly housing costs (inclusive of principal, interest, property taxes, hazard insurance, private mortgage insurance and condominium or homeowner association fees) shall not exceed 38% of monthly income for a household earning 80% of area median income, adjusted for household size.

## 6. APPENDICES

### APPENDIX A: Townsend Master Plan 2001 Excerpts

#### Townsend Master Plan Update, June 2001

Excerpts:

Sections with relevance to the Affordable Housing Plan

#### OVER-ARCHING GOALS

- **ENHANCE** the Town's historic and rural character and preserve open space.
- **PROTECT** the natural resources and environmental quality with attention to the water supply, a sound solid waste program, and air and noise pollution.
- **IMPROVE** the quality and stability of Town government in order to promote economic health for the Town and its residents.

#### LAND USE

Land use is a key element in the Town's master plan. The use of land is central to the function and character of the community. All other systems support the use of the land, including transportation, public facilities, environmental protection and regulatory controls. The community's future and economic well-being are directly related to the future use of the town's land.

#### **GOAL: Encourage balanced land use consistent with New England character**

##### **Policy:**

\*Balance cost of community services in land use planning

##### **Proposals:**

\*Calculate the actual cost of Townsend's community services by each property type (residential vs. open space vs. commercial)\*Review the cost impact of each proposed development

##### **Policy:**

\*Establish conservation zoning for subdivisions with its four-step process of identifying resource areas for preservation, locating roadways and trail ways, placing houses, and lastly drawing house lots

##### **Proposals:**

\*Educate builders and developers to the benefits of conservation zoning  
\*Revise Subdivision Rules and Regulations and Zoning Bylaws to require "outside of parcel" vision when subdivision is in the design phase so that open spaces are linked  
\*Establish criteria and goals for recreational land to be set aside in each development

##### **Policy:**

\*Acknowledge natural wildlife corridors in zoning and approval of developments

##### **Policy:**

\*Review zoning districts every 5 years for suitability of purpose and recommend appropriate changes

**Proposals:**

- \*Use buffer zones to transition between different zoning districts
- \*Allow increased mixed uses in commercial zone

**Policy:**

\*Model a build-out analysis 30-50 years out with potential zoning changes

**Proposal:** Determine potential site for school buildings

**Policy:**

\*Preserve agricultural resources and the agricultural quality of Townsend

**Proposals:**

- \*Inventory land in active agricultural use
- \*Seek Agricultural Protection Restrictions for land currently in agricultural use
- \*Create agricultural districts or overlays

**GOAL: Promote business development consistent with protecting water supply and preserving town character**

**Policy:**

\*Allow commercial and light industrial activities in the Aquifer Protection Overlay Districts if the applicant can demonstrate no impact to ground water or aquifer

**Policy:**

\*Increase commercial and industrial zoning districts where parcels are of a size and have the appropriate soils to support those uses

**Proposal:**

- \*Adopt flexible zoning requirements for parking

**GOAL: Protect water supply and infrastructure through careful and comprehensive land use planning**

**Policy:**

\*Strengthen wellhead protections and Aquifer Protection Overlay Districts

**Proposals:**

- \*Require best management practices for any commercial or industrial activity occurring in the wellhead protection district
- \*Establish a monitoring program for compliance with best management practices

**GOAL: Facilitate the development of housing that is affordable**

**Policy:**

\*Allow 2-family units in certain districts, when architecturally consistent with the neighborhood

**Policy:**

\*Revise Subdivision Rules and Regulations and Zoning Bylaws to comply with minimum State mandates for affordable housing

**Policy:**

\*Develop Village Zoning Bylaw to allow smaller lot size and neighborhood-consistent frontage and setbacks in older, village areas

**Proposal:**

\*Downsize lot area, frontage and setback requirements in village areas to be consistent with the existing structures Townsend's rural nature and qualities are threatened by residential sprawl. Through careful and comprehensive land use planning, Townsend will be able to best preserve its treasures while growing through the 21<sup>st</sup> century.

## **OPEN SPACE**

Townsend is a rural town which values open space. Residents have overwhelmingly voiced their support for preservation and enhancement of open space and the rural character of the town. One of the reasons for this support is to protect our abundant, yet very precious and fragile, water resources. Another is to maintain rural quality and provide outdoor recreational opportunities. Forests and meadows, rich with wildlife, and rivers and streams provide diverse opportunities for enjoyment, recreation and learning.

### **GOAL: Identify and preserve available open space**

#### **Policy:**

\*Develop capital plan and incentives for protecting open space

#### **Proposal:**

\*Adopt the Community Preservation Act at Annual Town Meeting

\*Explore tax incentives for those who own open space to create conservation restrictions

#### **Policy:**

\*Seek grants to purchase land or conservation restrictions

### **GOAL: Preserve rural character through open space protection**

#### **Policy:**

\*Determine what percentage of land can be developed while maintaining small town, rural character

#### **Policy:**

\*Protect open space by revising regulations on development

#### **Proposal:**

\*Create recreational/agricultural zoning to include existing open space and farms

\*Promote the use of conservation zoning or cluster-type development

\*Strengthen wetland protection bylaws and regulations

\*Support land use planning that maximizes contiguous open space to protect wildlife habitat

By continuing to take an active role in preserving our open spaces, they will remain open and viable places for residents, tourists and wildlife.

## **WATER SUPPLY**

Townsend derives all of its drinking water (public water supplies and private wells) from ground water drawn from two aquifers. The quality of the drinking water is considered excellent and is rated as one of the town's strengths. However, quality of water continues to be a very important concern. Contamination of water supply is considered one of the greatest threats to the community.

### **GOAL: Assure safe and adequate water supply for all residents and businesses**

#### **Policy:**

- \* Restrict development in areas of low water capacity

**Proposals:**

- \*Establish criteria to estimate the impact of any new development to the aquifer and the aquifer recharge area
- \*Issue permits only where impact is minimal

**Policy:**

- \*Require developers within ½-mile of a water main to extend the main to the development

## **NATURAL RESOURCES**

### **GOAL: Preserve, protect and enhance Townsend's natural resources**

Townsend has a wealth of natural resources and recreational opportunities. The Open Space Plan, Zoning By-Laws and Wetland By-Law provide a basis for protection of these assets. Pressures for development will require further cohesive efforts of town boards, government agencies and the townspeople themselves to ensure that these natural resources are preserved and protected. With increased access and maps of these resources, townspeople will be able to avail themselves of these areas. This also could have a positive economic impact for businesses in town as tourists also avail themselves of these recreational opportunities.

## **HOUSING**

Townsend continues to face important choices about housing. We need to actively encourage and promote affordable, diverse housing. It is important that the current residents, the elderly and entry-level buyers are able to remain part of the Townsend community.

### **GOAL: Increase affordable housing supply, while keeping the rural nature of the town**

**Policy:**

- \*Promote affordable housing programs

**Proposals:**

- \*Research State and Federal funding for families, seniors and others
- \*Require affordable units in all new developments

**Policy:**

- \*Encourage mixed use development

**Proposal:**

- \* Revise Zoning Bylaws to allow mixed use, such as retail/office first floor with apartments above, in village areas

**Policy:**

- \*Allow two-family housing and accessory apartments in appropriately zoned areas

**Proposals:**

- \*Allow development of multifamily structures that are consistent in character with the existing housing stock
- \*Revise Zoning Bylaws relating to multifamily dwelling and accessory apartments

**Policy:**

- \*Require developers to propose affordable housing unit alternatives



**Proposal:**

- \*Revise Zoning Bylaws and Planning Board Rules and Regulations to allow alternative housing

**GOAL: Ensure Townsend has an appropriate housing mix to meet the needs of the town**

**Policy:**

- \*Reactivate Housing Authority as a viable town committee

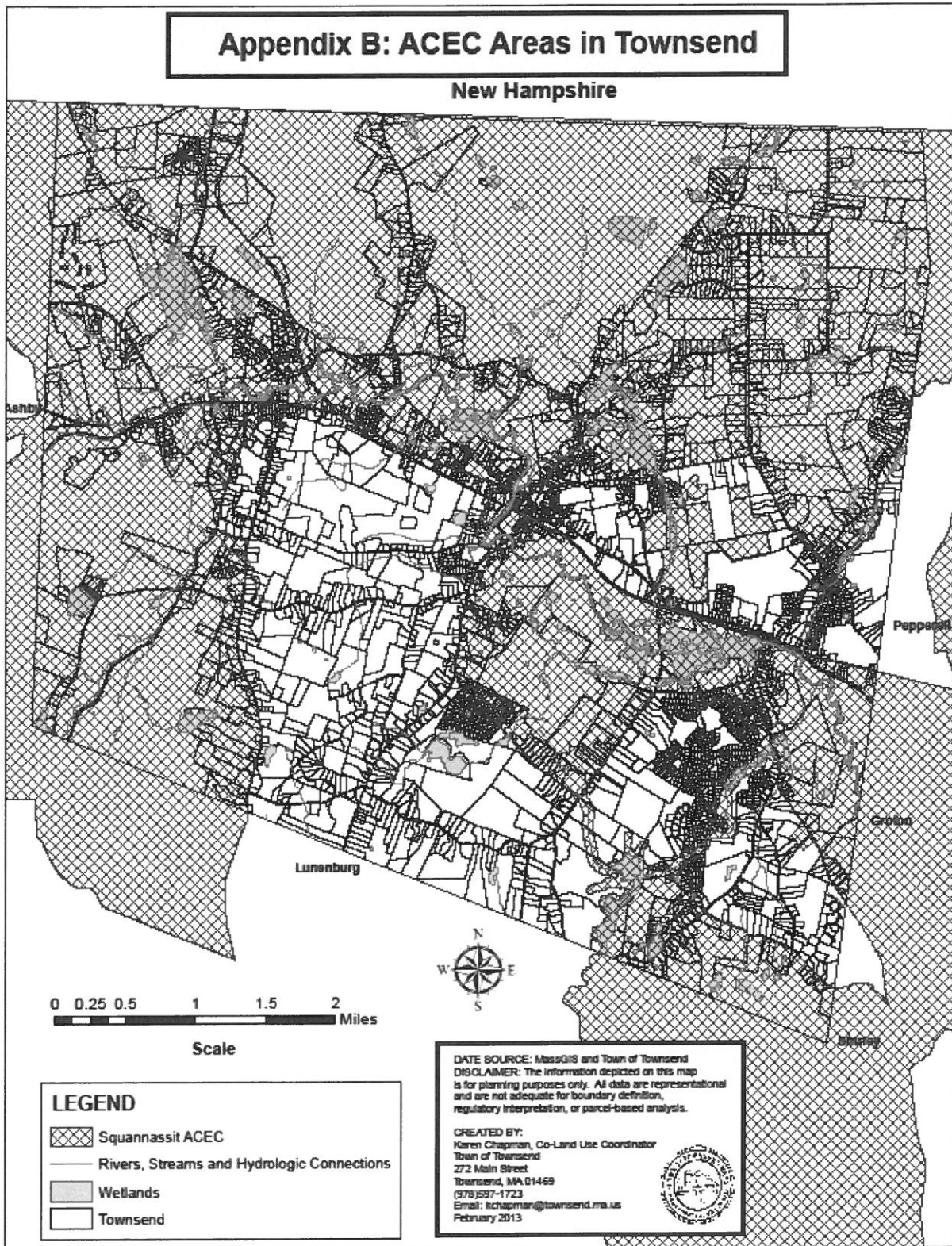
**Proposal:**

- \*Track housing types, such as accessory apartments, senior housing and affordable housing, for grant purposes
- \*Explore town-sponsored development of affordable housing units

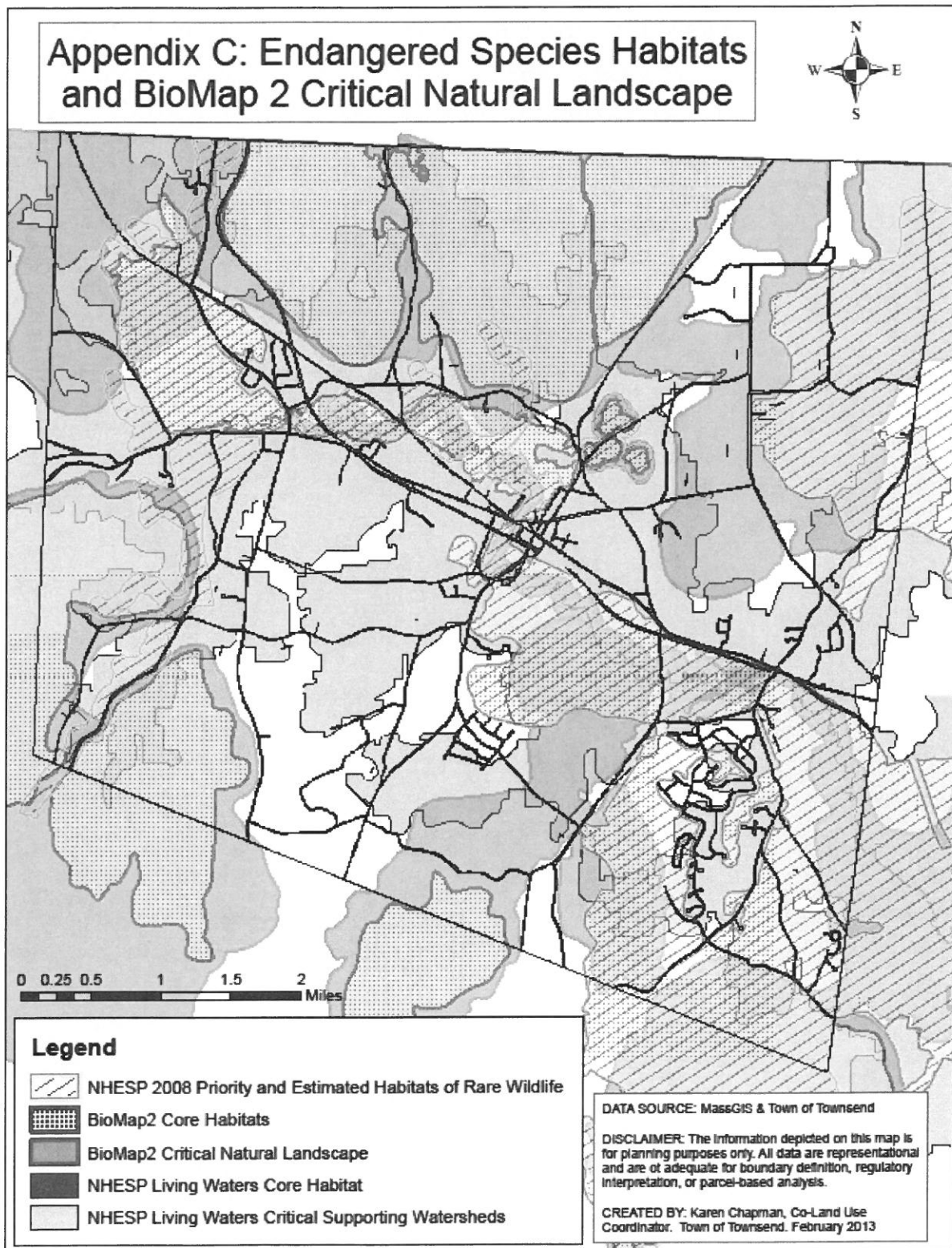
It is important that Townsend continue to be affordable to the residents living in Townsend now. This can be accomplished by encouraging a greater diversity of housing opportunities in Townsend to meet the needs of a changing and diversified population with respect to age groups, persons in a household and income.

DRAFT

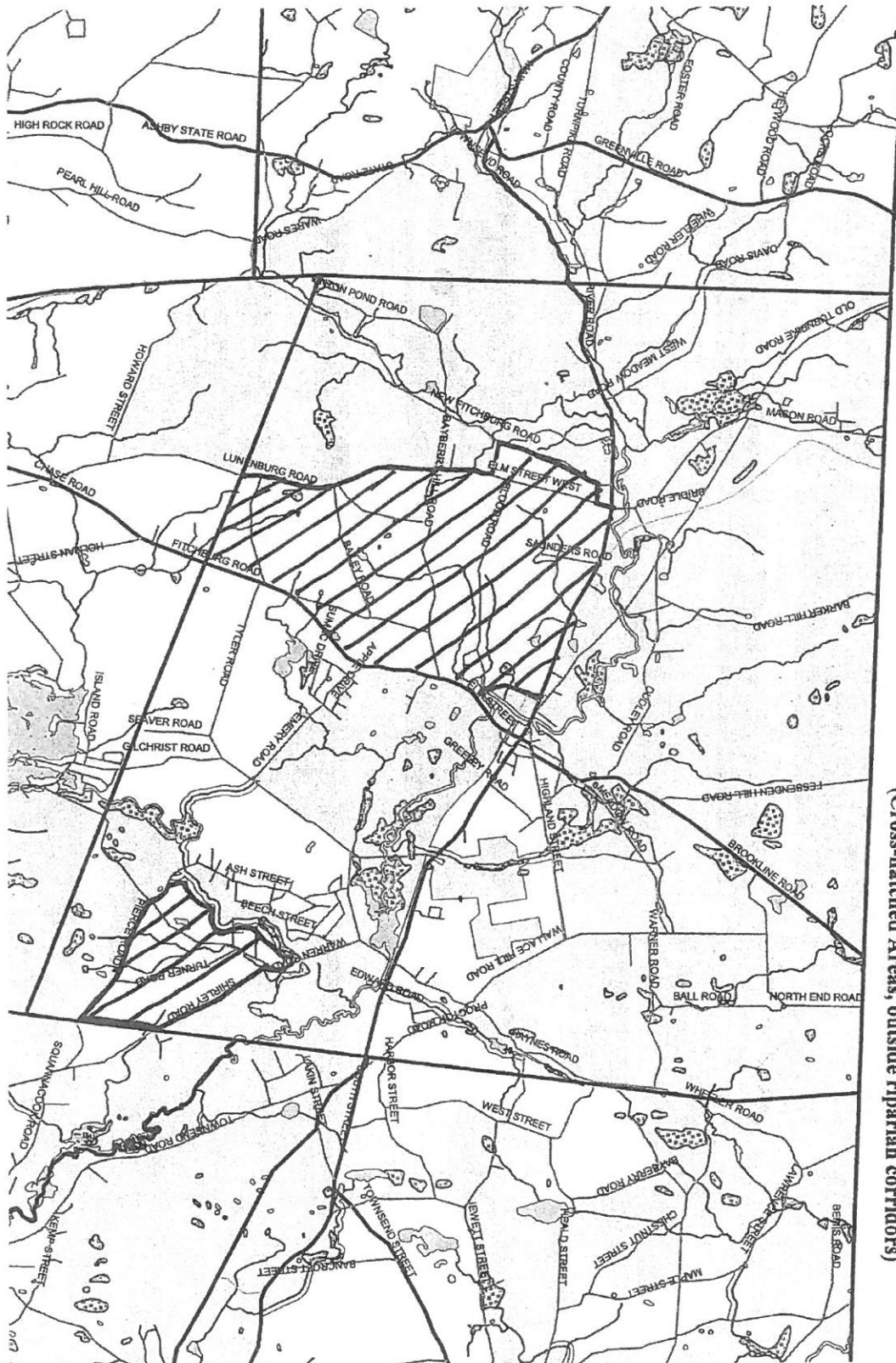
Appendix B: ACEC in Townsend



## Appendix C: Endangered Species Habitats & BioMap 2 Critical Natural Landscape



**Appendix D: Areas targeted for higher density development**



**TOWNSEND, MA**  
Areas Targeted for Higher Density Development  
(Cross-hatched Areas, outside riparian corridors)

TOWN OF TOWNSEND  
ZONING BOARD OF APPEALS  
272 MAIN STREET  
TOWNSEND, MA 01469

3.1

To: Planning Board  
Board of Health  
Conservation Commission  
Board of Selectmen

**REFERRAL NOTICE**

Please Review the attached application and relay to the Zoning Board of Appeals any questions or concerns you may have. This referral is required under §145-65 of the Townsend Zoning Bylaw. Under MGL Ch. 40A, Sec. 11, comments should be provided within 35 days. Failure to make recommendations shall be deemed lack of opposition. Ch. 40A also requires you to notify the applicant of your comments.

**APPLICANT:** BK & BK LLC  
**LOCUS ADDRESS:** 366 & 368 Main Street  
**PARCEL ID:** Assessor's Map 18, Blocks 54 & 55, Lot 0

**Date of Hearing:** October 29, 2014 @ 7:00pm  
**Date of Referral:** September 16, 2014

cc: Building Inspector  
Police Chief  
Fire Chief  
Highway  
Water Department  
Assessors

**Petition:** (from legal notice)

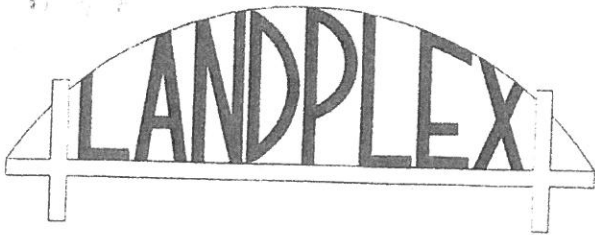
The Townsend Zoning Board of Appeals will hold a public hearing on **Wednesday, October 29, 2014 at 7:00 p.m.** at Memorial Hall, 272 Main Street for a Special Permit under Zoning Bylaw Sections 145-40 and 145-65.

The applicant is requesting a special permit for redevelopment of an existing bus depot and construction of a retail space in the Aquifer Protection District in one 60'x60' industrial building.

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NO COMMENT** \_\_\_\_\_

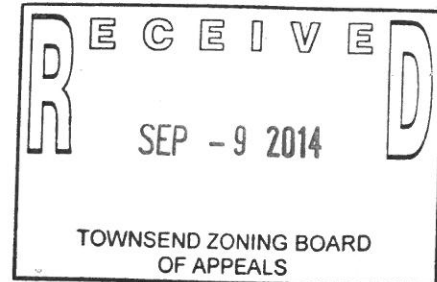
**SIGNED:** \_\_\_\_\_ **DATE:** \_\_\_\_\_



11 KEARNEY SQUARE, 3<sup>rd</sup> Floor  
LOWELL, MA 01852  
(978)-201-9390 • www.LandPlex.com

September 5, 2014

Mr. William Cadogan, Chairman  
Town of Townsend Zoning Board of Appeals  
Memorial Hall, 272 Main Street  
2nd Floor  
Townsend, MA 01469



RE: Special Permit Application and Narrative  
366 & 368 Main St., Townsend, MA

Dear Members of the Board:

Matthew Hamor, acting on behalf of our client, BK & BK, LLC, hereby submits an Application for Special Permit Approval for the above referenced address. Generally, the project is proposing a new industrial building (60'x60') as shown on attached "Permit Plan Set" plans. The submission includes Site Plan's, Architectural Plan's and narratives for the subject site.

Generally, the owner plans to combine the two existing lots into one lot and to re-develop the existing bus storage facility into a new proposed building and associated parking, grading, and utilities.

We request to the Zoning Board of Appeals to be scheduled at the next regularly scheduled hearing to present the project to the Board.

I can be reached directly at 978-935-3445 if you have any questions or require any additional documents to accompany enclosed submittal.

Sincerely,

Matthew Hamor

cc: BK & BK, LLC



Office of the  
ZONING BOARD OF APPEALS  
272 Main Street  
Townsend, Massachusetts 01469  
Phone: (978)597-1700 x1723 Fax (978)597-1722

## APPLICATION FORM

Application form as incorporated in Zoning Board of Appeals Rules and Regulations as adopted on May 26, 2010. Earlier revisions: 10/6/94, 10/5/95, 10/30/95; 4/10/97; 5/12/99, 3/1/01, 12/16/05, 6/13/07.

Name: BK & BK, LLC

Mailing Address: 15 SCALES LANE, WEST TOWNSEND MA 01474

Property Address: 360 & 308 MAIN STREET

Applicant's phone: \_\_\_\_\_

Applicant is (circle one): Owner Agent/Attorney Purchaser Tenant

Property owner's name and mailing address (if not applicant): \_\_\_\_\_

### Characteristics of Property:

Number of lots 2 Lot Area 56,189 SF Frontage 380.04 Zoning District OCD

(If more than one lot, please complete information for each lot individually)

Assessor's Office Map # 1B Block # 54.55 Lot # \_\_\_\_\_

Recorded at Middlesex Southern Registry of Deeds: Book: 03748 Page: 12  
49070 22

1. Is the parcel in the Aquifer Protection District? YES
2. Is the parcel within 300 feet of the Squannacook River? NO
3. Is the parcel in an Historic District?\* NO
4. Are there any brooks, streams, swamps, bogs, lakes, ponds, or other wetlands on the lot or within 100 feet of the lot? YES
5. Will this request result in additional living space? NO  
If yes, do you have Board of Health approval for a septic system to serve this space? N/A  
If you do not, please explain:

cont..

This Application is for:

\_\_\_\_\_ **Variance** of the Zoning Bylaws, Code of the Town of Townsend Section 145-66 and Section \_\_\_\_\_ - Fee \$300.00 (see additional information/requirements on the next page)

\_\_\_\_\_ **Special Permit for Earth Removal** under Section 145-46, Section 145-65 and Section 145-40 of the Zoning Bylaws, Code of the Town of Townsend.

Under 7000 cubic yards Fee \$300.00,

7001 cubic yards and over Fee \$750.00

Material to be removed: \_\_\_\_\_

\_\_\_\_\_ **Appeal** under Section 145-64 of the Zoning Bylaws, Code of the Town of Townsend.

Fee: \$300.00

\_\_\_\_\_ **Comprehensive permit** under M.G.L. Ch. 40B: Base fee: \$7,500 plus the following based on the number of units:

Number of Units	Cost per Unit
1-5	\$135.00
6-15	\$300.00
16-30	\$400.00
31 or more	\$450.00

\_\_\_\_\_ Special Permit for **multi-family housing** under Section 145-37 of the Zoning Bylaws, Code of the Town of Townsend. Fee \* \$5,000.00 plus \$135.00/unit)

**Special Permit** under Section 145-65 and Section 145-40 of the Zonings Bylaw, Code of the Town of Townsend. Fee \$300.00. (for any special permit section not listed above).

\_\_\_\_\_ **Renewal of Special Permit** under Section 145-65 and Section \_\_\_\_\_ of the Zonings Bylaw, Code of the Town of Townsend. Fee \$135.00

\* **For more than one request checked above, pay the highest applicable fee**

Fees listed provide for the administrative costs of the Board, and do not include special costs such as consultants to review engineering plans or other expert opinions the Board may deem necessary. Under M.G.L. c. 40A and c. 44, §53G, the Board may require an applicant to pay the reasonable costs of outside consultants. The Board may also require an applicant to pay any unusual administrative costs, such as copying costs for large submissions of plans or drawings greater than 8.5" by 14". The applicant shall pay the cost of recording any decision at the Registry of Deeds. Application fees are non-refundable.

**Further Variance information:**



If applying for a Variance, please answer the following questions:

Under state law (MGL Ch 40A, Section 10), the Board cannot issue a Variance unless the Board finds that the requirements in (c) through (f) below are met. The applicant is obligated to demonstrate these points to the Board. If you need advice on (c) through (f), you should consult an attorney. No Town official can advise you on your answers.

- (a) What type of variance are you requesting?\*
- (b) What is the amount of the variance from the particular requirements of the Code of the Town of Townsend?\*
- (c) What circumstances relating to the particular soil condition, shape, or topography of your land or structures cause you to need a variance?
- (d) What substantial hardship, financial or otherwise, owing to the particular circumstances in (c) above, would result if this application for a variance were denied?
- (e) The granting of this variance by the Zoning Board of Appeals would not be detrimental to the public good; and
- (f) The granting of this variance is not a substantial derogation from the particular bylaw or bylaws.

\* The Building Department or the Zoning Board Administrator can assist you in filling out of this application for items (a) and (b).

#### **ITEMS THAT MUST BE SUBMITTED WITH THE APPLICATION FORM:**

1. Any correspondence from the Building Inspector concerning this request, including the written rejection letter which is being appealed pursuant to M.G.L. ch. 40A § 8 and the Zoning Bylaws, Code of the Town of Townsend § 145-64.
2. One-page summary of the proposal (for a Variance, see the above information).
3. A scaled plot plan that distinguishes existing structures from the proposed construction. Said plan must also show all setbacks (front, side, rear) and frontage measurements. All lot and structural dimensions, both existing and proposed, must be clearly delineated.
4. For an accessory apartment, include floor plans of the principal residence and the apartment, along with a report from the Board of Health in accordance with Section 145-36 D of the Zoning Bylaws, Code of the Town of Townsend.

**INSTRUCTIONS FOR FILING APPLICATIONS:**


Present the signed application with the items listed above to the Town Clerk, which will then certify the date of filing and give you a copy of the application as certified.

File the certified copy, along with 8 additional copies (for distribution to the ZBA members, Town Counsel, and Mandatory Referrals), and the fee with the Town Clerk. Hand delivery to the Town Clerk is recommended.

**ALL APPLICANTS MUST READ, SIGN AND DATE THE FOLLOWING:**

I certify that the information provided above is true and correct to the best of my knowledge; that I understand that the Board may require additional information to process or grant this application; that the Board may require me to pay additional consulting or other unusual costs; that errors in this information, or in the information I provide at the public hearing, may result in the denial of this application or the revocation of any favorable decision issued by the Board; that any relief granted by the Board shall be limited to the request made in this application; that I may be represented by counsel at my own expense; that if my application is denied it cannot be resubmitted for two years, following its denial, without prior approval of both the Zoning Board of Appeals and the Planning Board; and that I am responsible for all other applications, permits, approvals etc., that may be required by law.

Signed:

  
\_\_\_\_\_  
Name

9/4/14  
\_\_\_\_\_  
Date

## **Project Narrative**

### **BK & BK, LLC: Development Scope**

BK & BK, LLC purchased the 366 Main Street from Whipple Tree Realty Corporation, in the May of 2014, and 368 Main Street in February of 2011. Plans for development include the proposed 3,600 S.F. industrial building, parking, grading and associated utilities. It is located in the westerly part of Townsend, on the southerly side of the Main Street running from Townsend Center to West Townsend, entering into the existing lot on the northerly side of the lot. The lot will consist of the development of an industrial building purposed with two office spaces and a garage on the western side of the lot along with parking on the eastern side for school bus vehicle storage. The proposed lot is 57,325SF ± and the proposed building has an area of 3,600 SF. It will include associated parking for school busses, loading areas, dumpsters, and surrounding snow storage and landscaping areas. They will be serviced by on-site sub-surface septic disposal system, water, gas, and electric from existing service mains located on Main Street. All drainage for the parking lot properties will utilize sub-surface drainage systems on site.

### **Existing Site Conditions**

The subject property consists of two parcels. Map 18, Block 55 is a vacant lot with an area of 29,185 S.F.±, and contained a building used as a liquor store, which has currently been razed. It is located along the southern side of the Main Street. Map 18, Block 54 has an area of 27,004SF±. It has an existing building located on the western side of the lot, which was used for bus storage. BK & BK, LLC would like to tear down and rebuild the building for the same use with additional parking. The lot is currently being used for school bus storage.

The site has gentle sloping to the rear and contains utilities and an existing building. It consists largely of paved areas with slight vegetation, such as low brush and grasses, bordering the two lots. The southern perimeter is bounded by tall trees and an existing abandoned railroad.

Adjacent to the property are residential dwellings and an industrial building across the street. To the south is an abandoned railroad. The entire area is zoned Outlying Commercial District (OCD).

Our firm has conducted a series of sub-surface soil test pits in August 2014 and found a combination of sandy to sandy loam soils.

### **Proposed Site Conditions**

The proposed project shows a proposed 3,600 s.f., one-story industrial building purposed with two office spaces and garage.

The proposed building will be accessed via the southerly side of the Main Street and will be accommodated by twenty-three (23) parking spaces for the retail spaces and employees along with twenty-two (22) parking spaces for school busses. There are three proposed entrances to the site located on the northern side of the lots. Two of the entrances will be one way and will enter into the school bus parking area along with proposed employee parking located to the south of the proposed building. The entrance on the westerly side of the lot enters in to a proposed employer parking only area. In addition, handicap parking will be provided on the south side of the proposed building to provide access to it. The site will also incorporate proposed dumpster locations, snow storage areas, landscape areas, and lighting.

Sewer will be serviced by a sub-surface septic disposable area and water connections will be provided by new service connections to existing mains on Main Street. The project will utilize sub-surface infiltration systems and to facilitate drainage from the roof drains, roadway and parking areas.

Site development will provide grading to make the proposed project transition at the existing elevations along the surrounding sidewalks and neighboring properties.

**Zoning Summary**

Zoning District: Outlying Commercial District, Aquifer Protection District

<u>Description</u>	<u>Required</u>	<u>Proposed</u>
Min. Lot Size	15,000 S.F.	57,325 ± S.F.
Min. Frontage	75 Ft.	374.57 L.F.
Min. Front Yard	30 L.F.	36.9 L.F.
Min. Side Yard	15 L.F.	74.5 L.F.
Rear Yard	10 L.F.	48.2 L.F.
Max. Height	35 Ft.	<35 Ft.
Max. Stories	2 ½ Stories	1 Story
Max. Lot Coverage	50%	6.3%

Note: The proposed project is in compliance with the Town of Townsend Zoning Bylaws.

**Parking**

The proposed parking complies with all dimensions, space and aisle setbacks, and landscaping requirements. A total of fifteen (15) parking spaces are required for industrial and retail use and twenty-three (23) spaces are provided, along with 22 bus parking spaces.

**Traffic Flow and Circulation**

The proposed project will provide access from entrance located off Main Street. The localized roadways consisting of Main Street, and Kanehoe Court and provide a suitable and direct connection to the local roadways. It is our opinion that the proposed project will not be a detriment to the above mentioned roadways and adjacent streets. Through the incorporation of applicable markings and signage, these roadways will be adequate to support the proposed volumes from the proposed property.

**Architectural Elements**

The one (1) proposed one-story building will incorporate a combination of brick masonry, veneer and glass windows and steel. The building will be constructed of materials suitable to comply with energy efficient standards and to be weather resistant.

**External Lighting**

The project will be illuminated with two 400 watt downward facing flood light fixtures above the garage doors and 100 watt downward facing motion sensor lights will be located at the front and rear entrance to the building. Where applicable, the proposed lighting will be “directional” type to focus lighting on areas needed and to restrict lighting to spill onto abutting properties. Lighting will be turned off during nighttime hours.

**Landscaping and Screening**

The Town of Townsend By-laws requires two (2) trees per eight (8) spaces be provided on site. Six (6) trees are required and six (6) shade trees are proposed within the parking limits to comply with this requirement. Landscaped areas are located around the front of the parking lot areas and building.

**Trash Removal and Recycling**

The proposed dumpster areas will be fenced and properly managed by each individual tenant of the proposed retail buildings. The dumpster will be located upon an individual concrete pad and located at the rear of the building.

**Utilities**

Sewer will be serviced by a sub-surface septic disposable area and water connections will be provided by new service connections to existing mains on Main Street. The project will utilize sub-surface infiltration systems and to facilitate drainage from the roof drains, roadway and parking areas.

**Snow Removal**

Snow storage will be accommodated through the designated areas shown on each the Site Development Plan.

**Stormwater Management**

The proposed roadway and parking lot areas will conform to the Department of Environmental Protection Stormwater Handbook. The proposed collection and treatment system will incorporate a sub-surface drainage system along with a rain garden. All roof runoff will also connect to the sub-surface infiltration system to maintain 100% of the stormwater collected on the site. The proposed drainage systems will accommodate to exceed the 100-year storm event. Confirmatory testpit information was also conducted in August 2014 to substantiate all proposed drainage design.

**END OF NARRATIVE**

moore  
9/23/14  
km

3.2

Town of Townsend  
Highway Department  
PO Box 621  
177 Main St  
Townsend, MA 01469  
(978) 597-1712

Application for Permit  
To Cross, Alter and/or Construct Within a Town Way  
Townsend General Bylaws Article II, Section 13

Date: 9.23.14

Town of Townsend  
Highway Superintendent  
PO Box 621  
Townsend, MA 01469

To Whom it May Concern:

The Undersigned, Unitil Fitchburg Gas & Electric hereby applies for permission to: Open Road  
GAS SERVICE INSTALLATION 50 NEW FITCHBURG STATE RD

A \$100.00 permitting fee is now required with all applications.

Start Date: \_\_\_\_\_

Further, we agree that if the town has been disturbed, i.e., roadway, sidewalk, it will be returned to its original condition. When backfilling operations are required, it shall be constructed of successive layers not more than 1 foot in depth, uniformly distributed and each layer thoroughly compacted. The undersigned will notify the Highway Department when backfilling operations proceed. The Highway Superintendent or his/her Designee will be present during this operation.

Keeli Moore  
(Company Representative)  
285 John Fitch Hwy  
(Street Address)  
Fitchburg, MA 01420  
(City, State, Zip)  
\_\_\_\_\_  
(Telephone)

Approved/Disapproved: Highway Superintendent: \_\_\_\_\_  
Approved/Disapproved: Board of Selectmen: \_\_\_\_\_



Date: 9/25/15  
Date: \_\_\_\_\_

*Mail*  
*9/22/14*

**33**

Town of Townsend  
Highway Department  
PO Box 621  
177 Main St  
Townsend, MA 01469  
(978) 597-1712

Application for Permit  
To Cross, Alter and/or Construct Within a Town Way  
Townsend General Bylaws Article II, Section 13

Date: 9/22/14

Town of Townsend  
Highway Superintendent  
PO Box 621  
Townsend, MA 01469

To Whom it May Concern:

The Undersigned, Unitil Fitchburg Gas & Electric hereby applies for permission to: Road Open  
3 Knollwood Lane Cathodic Protection Repair

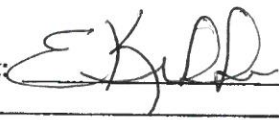
A \$100.00 permitting fee is now required with all applications.

Start Date: \_\_\_\_\_

Further, we agree that if the town has been disturbed, i.e., roadway, sidewalk, it will be returned to its original condition. When backfilling operations are required, it shall be constructed of successive layers not more than 1 foot in depth, uniformly distributed and each layer thoroughly compacted. The undersigned will notify the Highway Department when backfilling operations proceed. The Highway Superintendent or his/her Designee will be present during this operation.

\_\_\_\_\_  
(Company Representative)  
285 John Fitch Hwy  
(Street Address)  
Fitchburg, MA 01420  
(City, State, Zip)  
\_\_\_\_\_  
(Telephone)

Approved/Disapproved: Highway Superintendent: \_\_\_\_\_  
Approved/Disapproved: Board of Selectmen: \_\_\_\_\_



Date: 9-25-15  
Date: \_\_\_\_\_



3.4

WRRRP - REIMBURSEMENT REQUEST

City/Town: Townsend Project: Mill & Resurface Shirley Road

Project request was approved on 06/09/14 for \$ 63,853.00

at 100% Reimbursement Rate = \$ 63,853.00

1) Attached are forms which document payment of approved expenditures totaling \$63,853.00 for which we are requesting \$63,853.00 at the approved reimbursement rate of 100%.

2) The amount expended to date on this project is \$63,853.00.

3) Is this request for a FINAL payment on this project?  Yes  No

4) Remarks:

Project completed on 07/02/14

CERTIFICATION

A. I hereby certify under penalties of perjury that the charges for labor, materials, equipment, and services itemized and summarized on the attached forms are true and correct, and were incurred on this project in conformance with the MassDOT Highway Division Policies and established Municipal Standards that were approved for this project.

  
(Signed)

Highway Superintendent  
(Municipal Highway Official Title)

09/25/14  
(Date)

B. I/we certify under penalties of perjury that the items as listed or summarized on the attached forms were examined; that they are in conformity with our existing wage schedule, equipment rates, and all applicable statutes and regulations; that they are properly chargeable to the appropriation(s) designated for this work; and that Executive Order No. 195, dated April 27, 1981 and Chapter 11, Section 12 is acknowledged as applicable.

**REVIEWED AND APPROVED FOR TRANSMITTAL**

by \_\_\_\_\_ Signed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Accounting Officer's Title)

\_\_\_\_\_  
(Duly Authorized)

DATE \_\_\_\_\_

Submit this Form to District Highway Director



**CHAPTER 90 - FINAL REPORT**

**CONTRACT#** WRRRP

City/Town Townsend Project Mill & Resurface Shirley Road  
 Location(s) Shirley Road  
 Length 3,168' Feet Width 30 Feet  
 Work was Started 06/19/14 and Completed 07/02/14  
 Work was Suspended / / and Resumed / /  
 Done by: Force Account                      Advertised Contract  Other

\* **REMARKS:** Other: quotes for drainage pipe

<b>EXPENDITURES:</b>	State Funds @ 100%	\$63,853.00
	Municipal Funds	\$
	Other Funds	\$
	<b>TOTAL PROJECT EXPENDITURES</b>	<u>\$63,853.00</u>

**SCOPE OF WORK:**

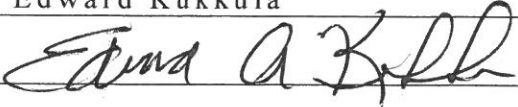
Milling and resurfacing.

**CERTIFICATION**

The undersigned hereby certify that documentation to substantiate the above expenditures is available for examination in accordance with Executive Order No. 195 (April 27, 1981).

We further certify that all equipment rental costs are within the approved limits established by the MassDOT Highway Division, that the Municipality has complied with all applicable statutes and regulations, that the requests for reimbursements for allowable project expenses actually incurred are in conformance with the "Chapter 90" Project Request, and that the Municipality will be responsible for the future maintenance of this project including the cost thereof.

Copies of the notification published in the Central Register and notice in a newspaper of local circulation required by Chapter 149, Section 44J, and the prevailing wages as determined by the Department of Labor and Industries obtained in compliance with Chapter 149, Section 27F, of the General Laws, as applicable, must be attached.

<b>PREPARED &amp; REVIEWED BY</b>	
Edward Kukkula	
	
Superintendent	09/25/14
Highway Officer's Title	Date
Accounting Officer's Title	Date

<b>Signed:</b>	
Duly Authorized Municipal Officials	Date

- Include additional Contract Nos. if other Chapter 90 Funds were also used. List street names, total amounts charged to each location, extra work orders, etc. Use back if necessary, or attach supporting papers.

# MASS HIGHWAY

WRRRP Project Request

FILE COPY

Classification: \_\_\_\_\_  
Primary Road XX  
Local Road \_\_\_\_\_

WRRRP  
Request  
263853.00

City/Town Townsend  
Location(s) Shirley Road  
Length: 3,168 Feet Width: 30 Feet

Project Type: Construction xx Resurfacing xx Engineering \_\_\_\_\_  
Equipment \_\_\_\_\_ Other: \_\_\_\_\_

TYPICAL SECTION DETAILS: State depths, special treatments, etc., and include sketch for Construction/Improvement Projects.  
Surface:  
Base Course:  
Foundation:  
Shoulders/Sidewalks:

### SCOPE OF WORK:

Mill approximaely 1-1/2" and resurface with 1-1/2" of top coat roughly 3,168 feet of Shirley Road.

Work to be done: Force Account \_\_\_\_\_ Advertised Contract \_\_\_\_\_ Other: WRRRP

Estimated Cost (Attach estimate and list funding sources) \$ \$63,853

\*These funds will pay 100% of Local Road Project costs to the limit of this assignment.

### CERTIFICATION

The design, engineering, construction and future performance of the project, including maintenance, is the responsibility of the Municipality. The proposed work will conform to recognized engineering practices and construction methods. I/We certify to the following: that the project is on a public way, and any necessary land takings have been made; that all materials will comply with approved established specifications; that all weights and quantities will be accurate; that equipment rental rates are those established by the Massachusetts Highway Department or the advertised low bid; that all documentation will be checked for accuracy, and will be endorsed in accordance with municipal procedures for accountability.

Prepared and reviewed by:  
Signed [Signature] 5-28-2014  
State Aid Engineer - Date

Road Classification Verified \_\_\_\_\_

Approved for \$ \_\_\_\_\_ @ 100 %  
[Signature]  
District Highway Director Date 6/9/14

Signed [Signature]  
[Signature]  
[Signature]  
duly authorized

Date: \_\_\_\_\_

## Andy Sheehan

---

**From:** Beverly Woods <BWoods@nmcog.org>  
**Sent:** Wednesday, October 01, 2014 2:00 PM  
**To:** Andy Sheehan; ta@ayer.ma.us; Bob Hanson; Mark Haddad; manager@asshaw@boxborough-ma.gov  
**Cc:** Jay Donovan; Danielle Mucciarone  
**Subject:** Invitation to join the Northern Middlesex Stormwater Collaborative  
**Attachments:** SOW and Timeline.pdf; NMSC-MOU-2013-2014.pdf; NMSC Expansion Proposal\_2015.pdf; CIC signature page 2015.docx

3.6

**Follow Up Flag:** Follow up  
**Due By:** Tuesday, October 07, 2014 11:00 AM  
**Flag Status:** Flagged

Good afternoon,

NMCOG is inviting your community to join the Northern Middlesex Stormwater Collaborative (NMSC), a regional stormwater collaborative established to reduce costs for municipalities in complying with EPA requirements through Intermunicipal cooperation and innovative approaches to addressing issues of common interest. As you may have seen, the 2014 Draft MA Small MS4 General Permit was released for public comment by EPA yesterday. One of NMSC's main objectives is to work together to achieve the goals of the new MS4 Permit in the most cost-effective way possible.

The Collaborative was established in 2013 through a Community Innovation Challenge (CIC) grant to address stormwater issues across municipalities in the Northern Middlesex region. The initial participating communities included Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford. In 2014 the Collaborative expanded to include Burlington, Carlisle, Littleton and Wilmington. A summary of the FY 2014 scope of work and timeline is attached for your information, along with a brief summary of the expansion project concept for FY 2015.

All participating communities have signed an MOU (attached) with NMCOG to implement a common public outreach and stormwater education program, regionalize stormwater mapping activities, eliminate duplicative activities related to stormwater management, and cooperatively procure stormwater related goods and services. In addition, the Collaborative provides training for municipal employees, boards and officials, and provides grant writing assistance to municipalities. To date we have:

- Held 11 group meetings;
- Created a website and social media accounts;
- Assisted with 16 public education and outreach events;
- Hosted 4 stormwater training sessions for municipal staff, boards and commissions;
- Created an web-based interactive GIS stormwater infrastructure map for all thirteen communities;
- Drafted two regional procurement documents (one for street sweeping, catch basin cleaning and disposal of materials, and another for water quality laboratory testing services); and

- Created three templates for brochures and door hangers that can be customized by each community and used for stormwater education.

NMCOG provides technical and administrative support to the Collaborative, and is planning to submit an FY 2015 CIC application to expand the Collaborative to include interested adjoining communities. There is no cost associated with participating in this program, however we need to determine if interest exists quickly so that we can meet the October 10, 2014 application deadline. Should your town be interested in participating, we ask that you **return the attached signature form no later than October 8, 2014**. I apologize for the short timeframe. Typically, CIC applications are due on November but the deadline was moved up to early October this year.

You can visit the NMSC website at [www.nmstormwater.org](http://www.nmstormwater.org). Please feel free to contact me directly should you have any questions or require additional information. I look forward to hearing from you, and hope you will consider participating in the collaborative. This program has been extremely successful and enthusiastically embraced by the communities that are currently participating.

Best,

Beverly

Beverly Woods

Executive Director

Northern Middlesex Council of Governments

40 Church Street, Suite 200

Lowell, MA 01852

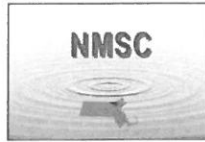
Email: [bwoods@nmcog.org](mailto:bwoods@nmcog.org)

Phone: (978) 454-8021, ext. 120

*Visit us online!*



## NORTHERN MIDDLESEX STORMWATER COLLABORATIVE



### 2015 EXPANSION PROPOSAL

#### **BACKGROUND**

In 2013, The Northern Middlesex Council of Governments (NMCOG) was awarded a Community Innovation Challenge (CIC) grant to form and administer the Northern Middlesex Stormwater Collaborative (NMSC). The primary goal of the Collaborative is to address stormwater issues using an innovative approach that fosters regional cooperation and coordination and reduces municipal stormwater costs. NMCOG serves as the administrative and technical staff for the Collaborative, with some technical assistance from a consultant.

Through this initiative, the Collaborative has been successful in bringing together thirteen communities in the Northern Middlesex Region to address stormwater management issues at the regional level. To build upon this success, NMCOG is proposing to apply for 2015 Community Innovation Challenge (CIC) Grant Program funding to expand the Collaborative to include additional communities that border the Northern Middlesex Region. Therefore, we are extending an invitation to participate to your community.

#### **CIC PROGRAM**

The Commonwealth's CIC Program is a competitive application program that provides incentives and financial support for one-time or transitional costs related to achieving savings by improving local government service delivery efficiency and service quality through regionalization or internal efficiencies. For this round of CIC funding, NMCOG is proposing to expand the Northern Middlesex Stormwater Collaborative (NMSC) by adding new communities to the existing thirteen-town collaboration.

The 2015 project would build upon this year's successful initiative, and the expanded collaborative would continue to provide the following municipal stormwater services at the regional level: GIS stormwater mapping, municipal staff training, expanded regional procurement to encourage sharing of equipment and lab services, implementation of a common public education program in participating communities, and assistance with grant writing. A summary of the 2014 scope of work is attached showing the types of activities that the Collaborative is engaging in this year.

## ELIGIBILITY

- Municipalities that border NMCOG's region, or that have an established existing partnership with an adjoining NMCOG community, may be part of the CIC grant application process.
- Municipalities must not be affiliated with another pre-existing regional stormwater collaborative.
- Municipalities must be willing to adhere to the program responsibilities, as outlined below.

## PROGRAM RESPONSIBILITIES

### ***Northern Middlesex Council of Governments (NMCOG):***

NMCOG will provide technical assistance to the Northern Middlesex Stormwater Collaborative, and will serve as its administrative staff. In particular, NMCOG will:

- Perform all grant administrative functions.
- Organize and run collaborative meetings.
- Provide technical staff to undertake the project initiatives including, but not limited to, GIS Mapping, public education and outreach, staff training, grant writing, and regional stormwater related procurement initiatives.

### ***Municipalities:***

Participating municipalities will actively participate in the collaborative through joint programs and stormwater practices at the regional level, utilizing a shared approach that relative to public education, staff training, and stormwater management practices. Based on availability of funding, each community will continue to fund capital improvements to its stormwater infrastructure, including equipment, maintenance, materials and services. However, cost savings will be realized through economies of scale and increased buying power leveraged through joint procurement at the regional level, by implementing a common public education program that can be utilized by each community, and by participating in joint staff training sessions. Specifically, municipalities will:

- Sign an updated memorandum of understanding between NMCOG and all participating municipalities (current MOU and addendum are attached).
- Appoint a minimum of two municipal representatives to the NMSC Advisory Board.
- Participate in collaborative meetings.
- Provide feedback related to grant components, as necessary.
- Provide NMCOG with requested information for grant reporting purposes.

**APPLICATION INFORMATION**

NMCOG will serve as the lead applicant and the administrative/fiscal agent and will submit the application on behalf of the participating municipalities.

**Application Timeline**

ASAP	Notify NMCOG if you intend to participate in the Collaborative via <a href="mailto:bwoods@nmcog.org">bwoods@nmcog.org</a>
October 8, 2014	Submit letter of interest to NMCOG (see details below)
October 10, 2014	NMCOG submits application
December 2014	Grant awards announced

***Letter of Interest***

Participating municipalities should submit an informal letter of interest expressing the community's intent to participate the collaborative by October 8, 2014 as outlined in the timeline above. The letter of interest is not binding. The municipality will then need to provide a CIC grant form signed by the chief elected board for submittal with the grant application (attached). NMCOG requests that this form be provided no later than Wednesday, October 8, 2014.



Task	3/14	4/14	5/14	6/14	7/14	8/14	9/14	10/14	11/14	12/14	
1- Expand the Northern Middlesex Stormwater Collaborative Intermunicipal Agreement and secure endorsements from four additional communities	↔										
2- Secure the appointment of NMSC Advisory Board members for four additional communities	↔										
3- Develop, Implement and Maintain a secure web-based mapping system and database for thirteen NMSC communities		↔									
4- Expand Public Education and Outreach Program including											
a. Create a regional public service announcement related to stormwater that can be broadcast on the local cable channel in each community			↔								
b. Develop and print educational and informational materials (flyers, brochure, inserts)			↔								
c. Conduct public outreach and education meetings and workshops with resident groups, business owners, civic organizations and non-profits		↔									
d. Organize, schedule and conduct community-based programs and activities (e.g. stream cleanups, regional household hazardous waste collection days, rain barrel distributions, etc.)			↔								
5 - Develop and conduct training sessions for municipal staff and officials		↔		↔		↔		↔		↔	
6 - Establish common stormwater and pollution prevention practices, policies and protocols; create manual/toolbox for use by municipal staff and officials, as described above			↔								
7- Develop and issue RFPs, RFQs and bid documents for the procurement of equipment, supplies, materials and services, as described within the application				↔							
8- Assist communities with reporting requirements and grant writing	↔										

# Memorandum of Understanding

Between

the municipalities of Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford, and the Northern Middlesex Council of Governments

to establish the

## NORTHERN MIDDLESEX STORMWATER COLLABORATIVE

### **Purpose:**

The purpose of this Memorandum of Understanding (MOU) is to establish the Northern Middlesex Stormwater Collaborative through a formalized agreement by and between the municipalities of Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough, and Westford, and the Northern Middlesex Council of Governments (NMCOG). By signing this agreement each party agrees to work cooperatively to address stormwater pollution and improve water quality through increased coordination, collaboration and communication on a regional level. This MOU does not create enforceable legal obligations, but is an expression of intent by the signatories to work as partners on stormwater management issues of common interest.

**Whereas**, NMCOG works with its member communities to support and enhance environmental protection, and provides technical assistance in facilitating and implementing projects that further the interests its member communities and the overall region;

**Whereas**, NMCOG has received Community Innovation Challenge Grant funding to assist its member communities in establishing and implementing the Northern Middlesex Stormwater Collaborative;

**Whereas**, the municipalities of Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford operate within separate jurisdictional boundaries as outlined in the State Constitution, while stormwater and water quality planning and initiatives are most efficiently and effectively conducted through actions that cut across individual municipal boundaries; and

**Whereas**, the nine municipalities and NMCOG desire to protect, manage and enhance water quality and water resources throughout the region to the extent practicable, the parties hereby agree to establish the Northern Middlesex Stormwater Collaborative;

### **Therefore, the parties agree to the following:**

NMCOG and the nine participating municipalities enter into this Memorandum of Understanding (MOU) to establish and implement a regional stormwater collaborative, to address stormwater issues using an innovative approach that conserves financial resources and fosters intermunicipal cooperation and coordination. The goal of the Collaborative is to

effectively manage stormwater and improve water quality, engage in resource sharing among local governments, and improve the quality of service provided to residents.

Accordingly, NMCOG and the nine participating communities operating under this MOU hereby form the Northern Middlesex Stormwater Collaborative to undertake many of the public education, procurement, management, administrative, and mapping tasks that are necessary for implementing municipal stormwater management plans and meeting EPA requirements. The collaborative will focus on the following initiatives:

- *Education and Outreach:* The NMSC will create a comprehensive education, outreach and public participation program to serve the needs of all nine municipalities. This program will inform residents and businesses of the problems associated with non-point source pollution. Activities include identifying the daily activities that contribute to pollution, and outlining ways in which residents and businesses may modify their behavior to reduce such pollution.
- *GIS Mapping:* The regional collaborative will build upon the mapping work already completed under the existing MS4 permit by creating a regional GIS-based map. Upon release of the new EPA MS4 Permit for Massachusetts, the collaborative will work together to address new EPA requirements as efficiently as possible.
- *Workshops and Training:* The collaborative will work to develop common stormwater management and pollution prevention practices, protocols and policies, which can be employed by each community. These include the proper storage of materials and chemicals, best inspection practices, de-icing practices, water sampling protocol, and spill prevention and cleanup. The collaborative will also focus on cutting edge best practices in stormwater management, such as the use of green infrastructure.
- *Regional Procurement and Grant Writing:* The collaborative will focus on the joint procurement of equipment, materials, and services. Engineering, consulting, and laboratory services procured may include outfall inspection, outfall testing and water quality monitoring; design of new and upgraded stormwater infrastructure; inventorying of impervious surfaces; and construction site inspection and management. Communities could generate savings by jointly procuring services such as street sweeping and catch basin cleaning services, and the disposal of materials resulting from street sweeping and catch basin cleaning. The collaborative will seek additional resources for the stormwater collaborative and local stormwater management programs through grant writing.

#### **Responsibilities:**

- Northern Middlesex Council of Governments (NMCOG): NMCOG will provide technical assistance to the Northern Middlesex Stormwater Collaborative, and will serve as its administrative staff.

- Municipalities of Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough, and Westford: The nine municipalities described above, will actively participate in the collaborative through joint programs and common stormwater practices at the regional level, utilizing a shared approach that includes best stormwater management practices, policies and protocols. Based on availability of funding, each community will continue to fund capital improvements to its stormwater infrastructure, including equipment, maintenance, materials and services. However, cost savings will be realized through economies of scale and increased buying power leveraged through joint procurement at the regional level.

**Organizational Structure:**

The Collaborative will be overseen by an Advisory Board with equal representation from each of the nine participating communities. The Chief Administrative Officer in each community shall appoint two representatives to serve on the NMSC Advisory Board. The appointed representatives shall participate in NMSC meetings, and guide the initiatives undertaken by the Collaborative as outlined in this MOU.

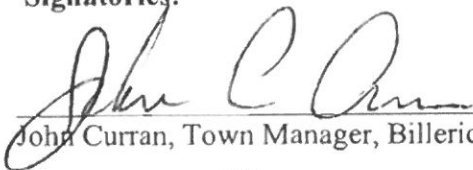
**Changes to the MOU:**

Amendments to this MOU may be developed and implemented by mutual written agreement of the signatories at any time. A party may terminate its participation in this agreement after providing a 30-day written notice to the other parties to the agreement without penalties or liabilities.

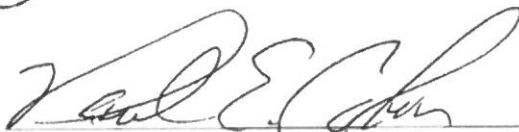
**Effective Date of the MOU:**

This MOU shall become effective on August 1, 2013 and will remain in effect for all parties unless and until it is formally terminated.


**Signatories:**

  
 \_\_\_\_\_  
 John Curran, Town Manager, Billerica

8/22/2013  
 Date

  
 \_\_\_\_\_  
 Paul Cohen, Town Manager, Chelmsford

8/20/13  
 Date


  
 \_\_\_\_\_  
 Dennis Piendak, Town Manager, Dracut

8/20/13  
 Date



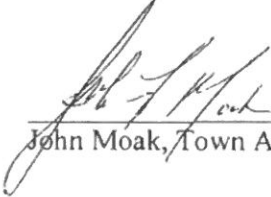
Daniel F. Devlin, Chairman, Board of Selectmen, Dunstable

8/20/2013  
Date



Bernard Lynch, City Manager, Lowell

8/20/13  
Date



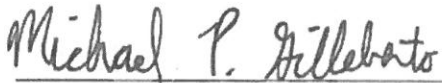
John Moak, Town Administrator, Pepperell

8/20/2013  
Date



Richard Montuori, Town Manager, Tewksbury

7/26/13  
Date



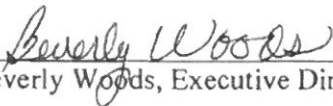
Michael Gilleberto, Town Administrator, Tyngsborough

8/20/2013  
Date



Jodi Ross, Town Manager, Westford

8-20-13  
Date



Beverly Woods, Executive Director, NMCOG

8/20/2013  
Date

**ADDENDUM NO.1**

**to the**

**MEMORANDUM OF UNDERSTANDING**

**Between**

the municipalities of Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford, and the Northern Middlesex Council of Governments

**to establish the**

**NORTHERN MIDDLESEX STORMWATER COLLABORATIVE**

- I. In August 2013, the municipalities of Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford, and the Northern Middlesex Council of Governments entered into a Memorandum of Understanding ("MOU") for the purpose of forming the Northern Middlesex Stormwater Collaborative.
- II. The parties now mutually desire and agree to amend the referenced MOU to add the communities of Burlington, Carlisle, Littleton and Wilmington as signatories to the agreement. Throughout the document:

DELETE "the municipalities of Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford, and the Northern Middlesex Council of Governments"

*and REPLACE it with*

"the municipalities of Burlington, Billerica, Carlisle, Chelmsford, Dracut, Dunstable, Littleton, Lowell, Pepperell, Tewksbury, Tyngsborough, Westford, and Wilmington and the Northern Middlesex Council of Governments"

III. IN WITNESS WHEREOF, the additional parties have executed this addendum on the day and year written below.

**Effective Date of the MOU:**

This MOU addendum shall become effective on March 14, 2014 and will remain in effect for all parties unless and until it is formally terminated.

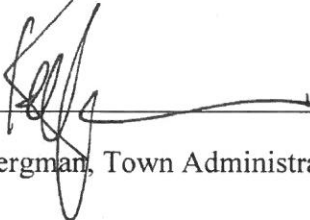
**Signatories:**

  
\_\_\_\_\_  
John Petrin, Town Administrator, Burlington

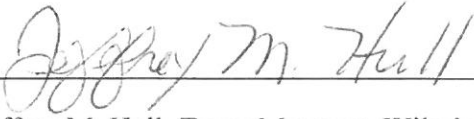
9/11/14  
Date

  
\_\_\_\_\_  
Tim Goddard, Town Administrator, Carlisle

9/18/14  
Date

  
\_\_\_\_\_  
Keith Bergman, Town Administrator, Littleton

9/18/14  
Date

  
\_\_\_\_\_  
Jeffrey M. Hull, Town Manager, Wilmington

9/11/14  
Date

Applicants must submit documentation of demonstrated support for the proposed initiative and grant application from each participating entity through the local support documentation form at the end of the application. Please refer to the chart below to determine who should sign your application.

Town with a Board of Selectmen	Board of Selectmen (The chair or Town Manager may sign for the Board, provided that evidence shows that the Board authorized the Town Manager or chair to sign on behalf of the Board).
Town with a Town Council	Town Manager/ Administrator
Cities	Mayor, unless charter designates some other local office to be chief administrative or executive officer (i.e. City Manager). M.G.L. Ch. 4 Sec. 7
Regional school district	School Committee (The chair or superintendent may sign for the committee, provided that evidence shows that the committee authorized the chair or superintendent to sign on behalf of the committee)
Regional planning agencies and councils of governments	Executive Director
Special municipal districts	Directors or equivalent
Counties	Commissioners

### TOWNSEND BOARD OF SELECTMEN

\_\_\_\_\_  
Sue Lisio, Chairman

\_\_\_\_\_  
Colin McNabb, Vice Chairman

\_\_\_\_\_  
Carolyn Smart, Clerk

\_\_\_\_\_  
Date



**Andy Sheehan**

---

3.8

**From:** Stuart Schulman <stuartschulman@hotmail.com>  
**Sent:** Wednesday, September 24, 2014 10:42 AM  
**To:** 'Steve Themelis'; 'Andy Sheehan'  
**Subject:** Agenda Question

Groton may put an article on its Fall Town Meeting (Oct 20) warrant to allocate funds for legal assistance dealing with the Pipeline. Do you think other towns would consider doing likewise? I suggest that such funds be pooled, possibly by our coalition. My concern is that we are not meeting for nearly two weeks, and the timing may be bad relative to fall town meetings.

Your thoughts?

Stuart

# The Commonwealth of Massachusetts

3.9

10/2/14

## MIDDLESEX SS.

To either of the Constables of the Town of Townsend in the County of Middlesex, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the legal voters of the Town of Townsend, qualified to vote at Town Meetings for the transaction of Town affairs, to meet at the Memorial Hall, 272 Main Street, Townsend, MA for the Special Town Meeting on Tuesday, \_\_\_\_\_, 2014, at 7:00 PM, then and there to act on the following articles:

### FINANCIAL MATTERS

#### ARTICLE 1

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_ for the purpose of paying prior fiscal year bills; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

#### ARTICLE 2

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury, the sum of \$\_\_\_\_\_ for the purpose of supplementing the stabilization fund, as allowed under MGL Chapter 40, Section 5B; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

#### ARTICLE 3

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_ for the purpose of supplementing the capital stabilization fund, including debt service payments of capital items, as allowed under MGL Chapter 40, Section 5B; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

#### ARTICLE 4

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_ for the purpose of supplementing the budgets of the Treasurer and/or Collector; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

#### ARTICLE 5

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_ for the purpose of supplementing Council on Aging budget; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 6**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_ for the purpose of supplementing Veterans Benefits; or take any other action in relation thereto.

**SUBMITTED BY:** Veterans Services Officer and Board of Selectmen

**ARTICLE 7**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_ for the purpose of supplementing Management Information Systems budget; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 8**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_ for the purpose of supplementing the Building Department budget; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 9**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_ for the purpose of supplementing the Town Clerk budget; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 10**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_ for the purpose of supplementing the Fire-EMS Department budget; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 11**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds in the treasury the sum of \$\_\_\_\_\_ for the purpose of supplementing the FY15 operating budget; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 12**

To see if the Town will vote amend the Board of Health revolving fund to allow proceeds from the sale of overflow bags to be deposited into the Recycling Center General Revolving Account; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Health

**ARTICLE 13**

To see if the Town will vote to reduce the trash disposal weekly at the curb to 64-gallons or remain at the 99-gallons for the remainder of the fiscal year FY15; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Health

**BYLAW AND STATUTORY ADOPTIONS**

**ARTICLE 14**

To see if the Town will vote to adopt G, L. c. 44, s. 65, as amended, to allow employees to be paid in advance for vacation; or take any action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 15**

To see if the Town will vote to adopt G, L. c. 200A, s. 9A, as amended, relative to notice requirements and alternative procedures in managing abandoned funds (i.e. unclaimed checks or “tailings”); or take any action in relation thereto.

**SUBMITTED BY:** Board of Selectmen and Town Treasurer

**ARTICLE 16**

To see if the Town will vote to amend the General Bylaws of the Town of Townsend by adding a new Chapter 130, Website:

130-1. Posting of Agendas and Minutes

At the same time that it posts its meeting agendas, each multiple member body shall cause meetings and agendas to be published in the calendar on the Town’s website. Each multiple member body shall cause meeting minutes to be posted to the Town’s website as soon as said minutes are approved; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen

**ARTICLE 17**

To see if the Town will vote to amend Zoning Bylaw Article VI Land Use Regulations, of the Code of the Town of Townsend as follows:

**Article II**

**§ 145-5 Word usage and definitions.**

***By adding the following italicized, underlined definitions to the existing list, in alphabetical order:***

In this Bylaw the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed. Words used in the singular include the plural and words used in the plural include the singular. Words used in the present tense include the future.

**RIGHT-OF-WAY** - *The side line of a street or way, as determined by deeds and plans recorded at the Registry of Deeds, or a building line laid out under MGL C. 82, § 37; where no line is thus legally established, then a line parallel with, and 20 feet distant from, the center line of a traveled way.*

**STONE WALLS** - *Includes assemblages of stone involving at least one cubic foot of wall material per linear foot totaling not less than 10 feet in length.*

**TREES** - *Includes a living tree whose trunk has a diameter of four inches, measured 4 1/2 feet from the ground.*

**TREES, CUTTING AND REMOVAL** - *The removal of one or more trees, trimming of major branches or cutting of roots sufficient, in the Tree Warden's written opinion, to cause eventual destruction of the tree.*

Or take any other action in relation thereto.

**SUBMITTED BY:** Planning Board

**ARTICLE 18**

To see if the Town will vote to amend Zoning Bylaw Article VI Land Use Regulations, of the Code of the Town of Townsend as follows:

**§ 145-24. Driveways and entrances.**  
**C. Design requirements.**

*Add italicized, underlined section:*

(10) Where a portion of a stone wall must be removed for access to the property, the remaining stone wall shall be left in a stable and orderly fashion. *Removing stone walls located along scenic roads within the Town's Right of Way are subject to filing an application with the Planning Board pursuant to the Scenic Roads Act, M.G.L. Chapter 40 Section 15C. All roads in Townsend, other than numbered routes or State Highways, are designated as "Scenic Roads."*

Or take any other action in relation thereto.

**SUBMITTED BY:** Planning Board

**ARTICLE 19**

To see if the Town will vote to amend Zoning Bylaw, Article XI, §145-42 Site plan review special permit by adding (1) and (2) as italicized:

**§145-42. Site plan review special permit**

*By adding (1) and (2) as italicized and underlined:*

**C. Procedure.** Applications for site plan review special permits shall be filed with the Town Clerk and the special permit granting authority as specified in § 145-65C of the Zoning Bylaws. [Amended 4-25-1995 STM by Art. 11; 9-24-1996 STM by Art. 39; 1-4-2000 STM by Art. 11]

*(1) For applicable land disturbance as specified in Chapter 85 of the Townsend General Bylaw, a Stormwater Management Application shall be filed in conjunction with this*

application to determine subjectivity to either a Minor or Major Stormwater Management Permit.

(2) If applicable, strict adherence to Chapter 85 of the Townsend General Bylaws, NPDES Phase II Stormwater Management, and its associated Regulation, shall be required.

Or take any other action in relation thereto.

**SUBMITTED BY:** Planning Board

**ARTICLE 20**

To see if the Town will vote to amend the Town's Zoning Bylaw Article XVI Renewable/Alternative Energy, Section 145-87. Wind Energy Systems A. (1) Applicability, B. Definitions and D. (2) (c) NEC compliance

**§ 145-87. Wind Energy Systems**

**A. Purpose.** The purpose of this bylaw is to minimize the impacts of wind turbines on the character of neighborhoods, property values, scenic, historic, and environmental resources of the Town and to protect health and safety while allowing wind energy.

**(1) Applicability**

This section applies to all utility-scale, on-site wind facilities, and Small Wind Energy Systems, proposed to be constructed after the effective date of this section. This section also includes *building-integrated* wind systems, and physical modifications to existing wind facilities that materially alter the type, configuration, location or size of such facilities or other equipment.

**B. Definitions.**

**Utility-Scale Wind Facility:** A commercial wind facility, where the primary use of the facility is electrical generation to be sold to the wholesale electricity markets.

**On-Site Wind Facility:** A wind project, which is located at a commercial, industrial, agricultural, institutional, or public facility that will generate electricity on-site.

**Small Wind Energy System (SWES):** All equipment, machinery and structures utilized in connection with the conversion of kinetic energy of wind into electrical power including storage, electrical collection and supply equipment, transformers, service and access roads, and one or more wind turbines, which will have a height not to exceed 80 feet.

**Large Wind Energy System (LWES):** All equipment, machinery and structures utilized in connection with the conversion of kinetic energy of wind into electrical power including storage, electrical collection and supply equipment, transformers, service and access roads, and one or more wind turbines, which will have a height greater than 80 feet.

***Building-Integrated Wind Energy Facility:*** A wind energy facility shall be considered to be *building-integrated* if it is designed to be permanently mounted on a building or other inhabitable structure. This definition applies to wind turbines of any capacity that are designed to be operated in direct contact with a building. This definition also covers, for the purposes of this zoning provision, other wind energy facilities primarily used for land-based applications which may be permanently mounted and operated on a building.

**D. Small Wind Energy System Requirements**

**(1) Building Permit**

No Small Wind Energy System (SWES) shall be erected, constructed, installed or modified as provided in this section without first obtaining a Building Permit. All such wind energy systems shall be constructed and operated in a manner that, where economically feasible, will minimize adverse visual, safety and environmental impacts. The construction of a small wind facility shall be permitted in any zoning district, except a designated Historic District, subject to the issuance of a Permit and provided that the use complies with all requirements set forth in sections F, G and H set forth herein.

**(2) Application Process & Requirements**

The Building Permit application shall be accompanied by deliverables including the following:

**(a)** A plot plan showing:

- i.** Property lines and physical dimensions of the subject property within 500 feet of the wind turbine from the proposed tower location;
- ii.** Location, dimensions, and types of existing major structures on the property;
- iii.** Location of the proposed wind system tower, foundations, guy anchors and associated equipment;
- iv.** The right-of-way of any public road that is contiguous with the property;
- v.** Location of all existing above ground or overhead gas or electric infrastructure, including Critical Electric Infrastructure, and utility rights of way (ROW) and easements, whether fully cleared of vegetation or only partially cleared, within 500 feet of the site parcel;
- vi.** Location and approximate height of tree cover;
- vii.** Wetland resource areas within 100 feet of the proposed area;
- viii.** Rivers, streams or brooks within 200 feet of the proposed area.

**(b)** Wind system specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed).

**(c)** One or three line electrical diagram detailing wind turbine, associated components, and electrical interconnection methods, with all NEC (*National Electric Code*) and applicable *Massachusetts Electric Code Amendment*-compliant disconnects and overcurrent devices.

Or take any other action in relation thereto.

**SUBMITTED BY:** Planning Board

## DISPOSITION OF TOWN-OWNED LAND

### ARTICLE 21

To see if the Town will vote to authorize the Board of Selectmen to enter into a lease(s) with a solar energy developer(s) for the purpose of developing a ground-mounted solar energy facility on Town-owned land at Map 6, Block 8, Lot 0, 33 Greenville Road, Map 18, Block 24, Lot 0, off Turnpike Road, or Map 27, Block 48, Lot 0, Old Meeting House Road adjacent to the Highway Garage, subject to such terms and conditions deemed by the Board of Selectmen to be in the best interests of the Town; or take any other action in relation thereto.

**SUBMITTED BY:** Board of Selectmen



And you are directed to serve this Warrant, by posting up attested copies thereof at MEMORIAL HALL, 272 MAIN STREET at the Center, WEST TOWNSEND FIRE STATION, 460 MAIN STREET in West Townsend, POLICE/COMMUNICATIONS CENTER, 70 BROOKLINE ROAD, NORTH MIDDLESEX REGIONAL HIGH SCHOOL, 19 MAIN STREET, and HARBOR CHURCH, 80 MAIN STREET in said Town, at least FOURTEEN (14) days before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of the meeting, as aforesaid.

Given under our hands this \_\_\_\_ day of \_\_\_\_\_ in the year TWO THOUSAND FOURTEEN.

SELECTMEN OF TOWNSEND

\_\_\_\_\_  
Sue Lisio, Chairman

\_\_\_\_\_  
Colin McNabb, Vice Chairman

\_\_\_\_\_  
Carolyn Smart, Clerk

A true copy. ATTEST:

\_\_\_\_\_ CONSTABLE

MIDDLESEX, SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of TOWNSEND by posting up attested copies of the same at: MEMORIAL HALL, 272 MAIN STREET AT THE CENTER, WEST TOWNSEND FIRE STATION, 460 MAIN STREET IN WEST TOWNSEND, POLICE/COMMUNICATIONS CENTER, 70 BROOKLINE ROAD, NORTH MIDDLESEX REGIONAL HIGH SCHOOL, 19 MAIN STREET, and HARBOR CHURCH, 80 MAIN STREET, AT LEAST FOURTEEN (14) DAYS BEFORE THE DATE OF THE MEETING, AS WITHIN DIRECTED.

*Constable of TOWNSEND*

\_\_\_\_\_  
SIGNATURE

LOCATION	TIME	MONTH	DAY	YEAR
MEMORIAL HALL	_____	_____	_____	_____
WEST TOWNSEND FIRE STATION	_____	_____	_____	_____
NORTH MIDDLESEX REGIONAL HIGH SCHOOL	_____	_____	_____	_____
POLICE/COMMUNICATIONS CENTER	_____	_____	_____	_____
HARBOR CHURCH	_____	_____	_____	_____



## TOWN OF TOWNSEND SICK TIME DONATION POLICY

3.10

Policy #2-05


### Sick Leave Donations

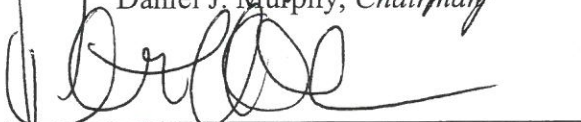
Up to three (3) days of accumulated sick leave can be donated per employee, per year, to another employee, including a fractional employee, who has used all available sick, vacation, and/or personal time and is in need of additional time because of a serious injury or illness at the discretion of the Town Administrator or his/her designee.

An employee receiving such donations is not allowed to receive more than 100 days of sick leave in donations per injury or illness.

Employees who have accrued the maximum number of sick leave credits (150 days) may not donate any days in excess of the maximum towards another employee.

Adopted by the Board of Selectmen on August 30, 2005  
THE TOWNSEND BOARD OF SELECTMEN

  
Daniel J. Murphy, *Chairman*

  
Peter H. Collins, *Vice-Chairman*

  
Robert Plamondon, *Clerk*



*Office of the*  
**BOARD OF SELECTMEN**  
272 Main Street  
Townsend, Massachusetts 01469

Daniel J. Murphy, *Chairman*  
Gregory W. Barnes,  
*Town Administrator*

Peter H. Collins, *Vice-Chairman*

Robert Plamondon, *Clerk*  
Office (978) 597-1701  
Fax (978) 597-1719

DATE: September 22, 2005

TO: All Non-Contractual Employees

FROM: Gregory W. Barnes  
Gregory W. Barnes, Town Administrator

RE: **POLICY FOR SICK LEAVE DONATIONS AS ADOPTED BY THE  
BOARD OF SELECTMEN**

---

As many of you are already aware, the Selectmen formally adopted a sick leave donation policy at their meeting of August 30, 2005 for non-contractual employees, retroactive to June 21, 2005. The policy reads as follows:

*Sick Leave Donations*

*Up to three (3) days of accumulated sick leave can be donated per employee, per year, to another employee, including a fractional employee, who has used all available sick, vacation, and/or personal time and is in need of additional time because of a serious injury or illness at the discretion of the Town Administrator or his/her designee.*

*An employee receiving such donations is not allowed to receive more than 100 days of sick leave in donations per injury or illness.*

*Employees who have accrued the maximum number of sick leave credits (150 days) may not donate any days in excess of the maximum towards another employee.*

In terms of the mechanics of this policy, an employee interested in donating sick time and who has not already done so should send an e-mail or memo to my office indicating the amount of days (expressed in hours if less than full day increments) that he or she wishes to donate. Any amount donated will be deducted from the accrued amount of sick time shown on the weekly payroll earnings statement of the donating employee. On the first payroll earnings statement from which the Treasurer deducts the donated amount, a notation will be included on the statement indicating that such a deduction has occurred. Please note that no such deductions have to date been reflected on anyone's statement who has already donated time, but it is expected that this will be done in the next few weeks.

Please be aware that one of our Town employees currently has a serious illness and has no sick time. Therefore, you may want to consider donating your sick time to assist this employee in a time of need.

As always, please do not hesitate to contact me with any questions.

cc: Board of Selectmen



**Northeastern Petroleum Service and Supply Inc.**  
 37 Brookley Road • Jamaica Plain, MA 02130  
 617-522-8390-8391-8392  
 Industrial Measurement and Control Division  
 617-522-6060-6061

3.11

Page \_\_\_\_\_ of \_\_\_\_\_

**QUOTATION & CONTRACT FORM**

To: Townsend Highway Department  
 177 Main Street  
 Townsend, MA

No. 092914  
 In reply, refer to this number

Date: 09/29/14

Attention Of: Ed Kukkula

Your Inquiry: Dresser Wayne Suction Pump Dispensers

Gentlemen:

We are pleased to submit quotation on our interpretation of your requirements, subject to terms and conditions printed on reverse side of this proposal.

***GASOLINE SUCTION PUMP***

<b>QTY. DESCRIPTION</b>	<b>NET TOTAL</b>
1 Dresser Wayne, mechanical registration, full cabinet, commercial, suction, gasoline pump. The pump will include the following: 1 – 10-1 Pulse transmitter 1 – Light kit 1 – Tokheim shear check valve 1 ½” 1 – Elevated base for pump mount 1 – External Solenoid valve 1 ½” 1 – Standard gasoline automatic nozzle 1 – OPW hi hose retriever 1 – Hose ¾” X 15’ 1 – Swivel ¾” 1 – Breakaway ¾” 1 - Whip hose ¾”	\$14,346.78

*See Next Page For Diesel Quote*

- Northeastern Petroleum Service and Supply Inc.
- Industrial Measurement and Control Div.

\_\_\_\_\_  
 PURCHASER

By \_\_\_\_\_  
 DULY AUTHORIZED AGENT

Date \_\_\_\_\_

By  \_\_\_\_\_

Paul McMahon, Sales Manager

\_\_\_\_\_  
 TITLE

Terms and Conditions printed on reverse side of this sheet, and any attachment hereto, constitute a part of this quotation and contract.



**QUOTATION & CONTRACT CONTINUATION SHEET**

***DIESEL SUCTION PUMP***

<b>QTY. DESCRIPTION</b>	<b>NET TOTAL</b>
1 Dresser Wayne, mechanical registration, full cabinet, commercial, suction, diesel pump. The pump will include the following:	\$14,412.87
1 – 10-1 Pulse transmitter	
1 – Light kit	
1 – Tokheim shear check valve 1 ½”	
1 – Elevated base for pump mount	
1 – External Solenoid valve 1 ½”	
1 – Standard diesel automatic hi flow nozzle	
1 – OPW hi hose retriever	
1 – Hose 1” X 15’	
1 – Swivel 1”	
1 – Breakaway 1”	
1 - Whip hose 1”	
	<b>GRAND TOTAL.....\$28,759.65</b>

***NOTES***

Above quote includes removing the existing Gasboy compact gasoline and diesel pumps. We will remove the existing suction hose and all accessories. We assume that Townsend Highway will remove the support bracket for both the gasoline and diesel pumps.

Above quote includes installing the new full cabinet suction pumps and base. We will provide and install 1 ½” schedule 40 steel pipe from the suction pump to the tank top. We will provide and install a 1 ½ solenoid valve at the tank top to prevent a siphon spill.

We will provide an EBW combination shear check valve. This will be mounted at the base of the suction pump cabinet. This will prevent product leaking from the vertical pipe out a defective hose or nozzle. You do not have this in your existing pump, but it is required.

Above quote includes electrical work required to reconfigure the conduits and wiring to fit the new pumps. In addition new conduits and wiring will be run from each pump to the tank top mounted solenoid valves. The new pumps will control the solenoid valves activation.

Above quote includes reconfiguring the conduits and wiring from the new dispenser to the Fuelmaster reader.

Thank you for this opportunity to be of service. I look forward to meeting your needs.

COMMONWEALTH OF MASSACHUSETTS  
WILLIAM FRANCIS GALVIN  
SECRETARY OF THE COMMONWEALTH

3.12

WARRANT FOR STATE ELECTION

Middlesex SS.

To the Constables of the City/Town of Townsend

**GREETINGS:**

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in the State Election to vote at

WARD 0, PRECINCT I, II, III

MEMORIAL HALL AUDITORIUM, 272 MAIN STREET

on **TUESDAY, THE FOURTH DAY OF NOVEMBER, 2014**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

- SENATOR IN CONGRESS . . . . . FOR THIS COMMONWEALTH
- GOVERNOR AND LIEUTENANT GOVERNOR . . . . . FOR THIS COMMONWEALTH
- ATTORNEY GENERAL . . . . . FOR THIS COMMONWEALTH
- SECRETARY OF STATE . . . . . FOR THIS COMMONWEALTH
- TREASURER . . . . . FOR THIS COMMONWEALTH
- AUDITOR . . . . . FOR THIS COMMONWEALTH
- REPRESENTATIVE IN CONGRESS. . . . . THIRD DISTRICT
- COUNCILLOR . . . . . SEVENTH DISTRICT
- SENATOR IN GENERAL COURT . . . . . WORCESTER AND MIDDLESEX DISTRICT
- REPRESENTATIVE IN GENERAL COURT . . . . . FIRST MIDDLESEX DISTRICT
- DISTRICT ATTORNEY . . . . . NORTHERN DISTRICT
- REGISTER OF PROBATE. . . . . MIDDLESEX COUNTY

**QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

**SUMMARY**

This proposed law would eliminate the requirement that the state's gasoline tax, which was 24 cents per gallon as of September 2013, (1) be adjusted every year by the percentage change in the Consumer Price Index over the preceding year, but (2) not be adjusted below 21.5 cents per gallon.

*A YES VOTE* would eliminate the requirement that the state's gas tax be adjusted annually based on the Consumer Price Index.

*A NO VOTE* would make no change in the laws regarding the gas tax.

**QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

**SUMMARY**



This proposed law would expand the state's beverage container deposit law, also known as the Bottle Bill, to require deposits on containers for all non-alcoholic non-carbonated drinks in liquid form intended for human consumption, except beverages primarily derived from dairy products, infant formula, and FDA approved medicines. The proposed law would not cover containers made of paper-based biodegradable material and aseptic multi-material packages such as juice boxes or pouches.

The proposed law would require the state Secretary of Energy and Environmental Affairs (EEA) to adjust the container deposit amount every five years to reflect (to the nearest whole cent) changes in the consumer price index, but the value could not be set below five cents.

The proposed law would increase the minimum handling fee that beverage distributors must pay dealers for each properly returned empty beverage container, which was 2¼ cents as of September 2013, to 3½ cents. It would also increase the minimum handling fee that bottlers must pay distributors and dealers for each properly returned empty reusable beverage container, which was 1 cent as of September 2013, to 3½ cents. The Secretary of EEA would review the fee amounts every five years and make appropriate adjustments to reflect changes in the consumer price index as well as changes in the costs incurred by redemption centers. The proposed law defines a redemption center as any business whose primary purpose is the redemption of beverage containers and that is not ancillary to any other business.

The proposed law would direct the Secretary of EEA to issue regulations allowing small dealers to seek exemptions from accepting empty deposit containers. The proposed law would define small dealer as any person or business, including the operator of a vending machine, who sells beverages in beverage containers to consumers, with a contiguous retail space of 3,000 square feet or less, excluding office and stock room space; and fewer than four locations under the same ownership in the Commonwealth. The proposed law would require that the regulations consider at least the health, safety, and convenience of the public, including the distribution of dealers and redemption centers by population or by distance or both.

The proposed law would set up a state Clean Environment Fund to receive certain unclaimed container deposits. The Fund would be used, subject to appropriation by the state Legislature, to support programs such as the proper management of solid waste, water resource protection, parkland, urban forestry, air quality and climate protection.

The proposed law would allow a dealer, distributor, redemption center or bottler to refuse to accept any beverage container that is not marked as being refundable in Massachusetts.

The proposed law would take effect on April 22, 2015.

*A YES VOTE* would expand the state's beverage container deposit law to require deposits on containers for all non-alcoholic, non-carbonated drinks with certain exceptions, increase the associated handling fees, and make other changes to the law.

*A NO VOTE* would make no change in the laws regarding beverage container deposits.

### **QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

#### **SUMMARY**

This proposed law would (1) prohibit the Massachusetts Gaming Commission from issuing any license for a casino or other gaming establishment with table games and slot machines, or any license for a gaming establishment with slot machines; (2) prohibit any such casino or slots gaming under any such licenses that the Commission might have issued before the proposed law took effect; and (3) prohibit wagering on the simulcasting of live greyhound races.

The proposed law would change the definition of "illegal gaming" under Massachusetts law to include wagering on the simulcasting of live greyhound races, as well as table games and slot machines at Commission-licensed casinos, and slot machines at other Commission-licensed gaming establishments. This would make those types of gaming subject to existing state laws providing criminal penalties for, or otherwise regulating or prohibiting, activities involving illegal

gaming.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

*A YES VOTE* would prohibit casinos, any gaming establishment with slot machines, and wagering on simulcast greyhound races.

*A NO VOTE* would make no change in the current laws regarding gaming.

#### **QUESTION 4: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

#### **SUMMARY**

This proposed law would entitle employees in Massachusetts to earn and use sick time according to certain conditions.

Employees who work for employers having eleven or more employees could earn and use up to 40 hours of paid sick time per calendar year, while employees working for smaller employers could earn and use up to 40 hours of unpaid sick time per calendar year.

An employee could use earned sick time if required to miss work in order (1) to care for a physical or mental illness, injury or medical condition affecting the employee or the employee's child, spouse, parent, or parent of a spouse; (2) to attend routine medical appointments of the employee or the employee's child, spouse, parent, or parent of a spouse; or (3) to address the effects of domestic violence on the employee or the employee's dependent child. Employees would earn one hour of sick time for every 30 hours worked, and would begin accruing those hours on the date of hire or on July 1, 2015, whichever is later. Employees could begin to use earned sick time on the 90th day after hire.

The proposed law would cover both private and public employers, except that employees of a particular city or town would be covered only if, as required by the state constitution, the proposed law were made applicable by local or state legislative vote or by appropriation of sufficient funds to pay for the benefit. Earned paid sick time would be compensated at the same hourly rate paid to the employee when the sick time is used.

Employees could carry over up to 40 hours of unused sick time to the next calendar year, but could not use more than 40 hours in a calendar year. Employers would not have to pay employees for unused sick time at the end of their employment. If an employee missed work for a reason eligible for earned sick time, but agreed with the employer to work the same number of hours or shifts in the same or next pay period, the employee would not have to use earned sick time for the missed time, and the employer would not have to pay for that missed time. Employers would be prohibited from requiring such an employee to work additional hours to make up for missed time, or to find a replacement employee.

Employers could require certification of the need for sick time if an employee used sick time for more than 24 consecutively scheduled work hours. Employers could not delay the taking of or payment for earned sick time because they have not received the certification. Employees would have to make a good faith effort to notify the employer in advance if the need for earned sick time is foreseeable.

Employers would be prohibited from interfering with or retaliating based on an employee's exercise of earned sick time rights, and from retaliating based on an employee's support of another employee's exercise of such rights.

The proposed law would not override employers' obligations under any contract or benefit plan with more generous provisions than those in the proposed law. Employers that have their own policies providing as much paid time off, usable for the same purposes and under the same conditions, as the proposed law would not be required to provide additional paid sick time.

The Attorney General would enforce the proposed law, using the same enforcement procedures applicable to other state wage laws, and employees could file suits in court to enforce their earned sick time rights. The Attorney General would

have to prepare a multilingual notice regarding the right to earned sick time, and employers would be required to post the notice in a conspicuous location and to provide a copy to employees. The state Executive Office of Health and Human Services, in consultation with the Attorney General, would develop a multilingual outreach program to inform the public of the availability of earned sick time.

The proposed law would take effect on July 1, 2015, and states that if any of its parts were declared invalid, the other parts would stay in effect.

A **YES VOTE** would entitle employees in Massachusetts to earn and use sick time according to certain conditions.

A **NO VOTE** would make no change in the laws regarding earned sick time.

### QUESTION 5

Shall the state representative from this district be instructed to vote in favor of a resolution calling upon Congress to propose an amendment to the U.S. Constitution affirming that 1) rights protected under the Constitution are the rights of natural persons only and 2) both Congress and the states may place limits on political contributions and political spending?

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2014.  
(month)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

City Council or Selectmen of: TOWNSEND  
(City or Town)

\_\_\_\_\_  
(Indicate method of service of warrant.)

\_\_\_\_\_, 2014.  
Constable (month and day)

Warrant must be posted by **October 28, 2014**, (at least *seven days prior* to the **November 4, 2014** State Election).

PUBLIC NOTICE OF VACANCY

October 1, 2013

A.1

In accordance with Section 7-10 of the Townsend Charter requiring a ten (10) day posting, the following vacancy is posted:

**CHARTER COMMITTEE**

**MISSION AND NOTICE OF VACANCY**

The Board of Selectmen hereby establishes a Charter Committee which shall review the Townsend Home Rule Charter and make a report with recommendations to the Town Meeting concerning proposed amendments which the Committee determines are necessary and/or desirable. The Committee shall consist of seven (7) members appointed by the Board of Selectmen. The Committee shall conclude its work and present its recommendations to the May 2015 Annual Town Meeting. The Committee shall dissolve upon the adjournment of said Town Meeting at which such Charter amendments are presented for adoption unless the Committee's term is extended by the Board of Selectmen.

Interested persons are encouraged to forward a Volunteer Response Form to the Office of the Board of Selectmen, 272 Main Street, Townsend, MA 01469. Forms are available at [http://www.townsend.ma.us/Pages/TownsendMA\\_Selectmen/volunteer.pdf](http://www.townsend.ma.us/Pages/TownsendMA_Selectmen/volunteer.pdf)