



Office of
THE PLANNING BOARD
272 Main Street
Townsend, Massachusetts 01469
978-597-1700 x 1722 * fax 978-597-1722
jhollows@townsend.ma.us

Lance J. McNally, Chairman **Christopher Nocella, Vice Chairman** **Laura E. Shifrin, Member**
Kathleen Araujo, Member **Jerrilyn T. Bozicas, Associate Member**

Planning Board Meeting Agenda
Monday, August 24, 2015 at 7:00 p.m.
Townsend Memorial Hall, in Selectmen's Chambers
272 Main Street, Townsend, MA 01469

I. PRELIMINARIES:

- 1.1 Call the meeting to order
- 1.2 Roll call
- 1.3 Additions or Deletions to Agenda Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting – Add 3.4 Draft Decision: Renewal Decision, 12 Ball Rd. Cell Tower
- 1.4 Acceptance of Minutes of 06/22/15 & 07/20/15

II. APPOINTMENTS:

- 2.1 7:10 p.m. Heide Messing to Discuss Amending Parking Regulations found in Zoning Bylaw Definitions
- 2.2 7:30 p.m. Public Hearing: 12 Ball Road Cell Tower Special Permit Renewal
- 2.3 8:00 p.m. John Hume, MRPC Planning & Development Director, to Discuss DLTA Grant – Draft Zoning Bylaws Amendments for Multi-Family Housing

III. WORKSESSION:

- 3.1 FYI: Response from AGO's Office RE: Approval of Minutes
- 3.2 ZBA Referral Notice for Special Permit Application to Renovate & Operate a Planet Fitness Facility at 18 Main St.
- 3.3 Elect Position of Clerk to the Planning Board
- 3.4 Draft Decision: Renewal Decision, 12 Ball Rd. Cell Tower

IV. CORRESPONDENCE:

- 4.1 FYI: Tennessee Gas Pipeline Filing: Second Draft Resource Report & Project-Specific Website
- 4.2 Copy of Zoning Enforcement Officer's Letter to Resident RE: 22 Main St. Proposed Use
- 4.3 Resignation Letter from Perry Tomasetti: Moved out of Town
- 4.4 FYI: Elected Officials - Planning Board Members List Updated
- 4.5 Notices from Townsend / Other Towns

V. ADJOURNMENT:

- 5.1

Next Regular Meeting Date: Monday September 14, 2015, at 7:00 p.m.

1.4



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Lance J. McNally, Chairman Christopher Nocella, Vice Chairman Perry J. Tomasetti, Member
Laura E. Shifrin, Member Jerrilyn T. Bozicas, Associate Member

DRAFT

Planning Board Meeting Minutes
Monday, June 22, 2015 7:00 p.m.
Townsend Memorial Hall, Selectmen's Chambers
272 Main Street, Townsend, MA 01469

I. PRELIMINARIES:

1.1 Call the meeting to order – At 7:13 p.m. L. McNally called the meeting to order.

1.2 Roll call - Present were Chairman Lance McNally, Member Laura Shifrin, Associate Member Jerrilyn Bozicas and Planning Board Administrator Jeanne Hollows. Clerk Perry Tomasetti was absent. L. McNally designated J. Bozicas as a voting member of the Board in order to achieve a quorum of members present. At 7:24 p.m. Vice Chairman Chris Nocella arrived and replaced J. Bozicas as the third Board Member to meet quorum requirements.

1.3 Additions or Deletions to Agenda Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting – Add: **3.4 MRPC Invitation to Interstate Pipeline Forum for Local Officials: 06/23/15 at 7 pm**

4.3 Memo from Andy Sheehan, Town Administrator RE: Request from Recreation Commission

4.4 19 Main St., No. Middlesex Reg. High School, Plan Changes per Site Plan Decision

4.5 Memo from Treasurer RE: List of Delinquent Taxes & General Bylaw Reminder to Deny Permits

4.6 Nashua River Watershed Association Newsletter

1.4 Acceptance of Minutes: J. Bozicas motioned to approve the Minutes of 06/02/15 – at 6:00 PM and also the Joint Meeting with BOS 06/02/15 at 6:30 PM. L. McNally seconded and all present voted in favor.

II. APPOINTMENTS:

None

III. WORKSESSION:

3.1 MRPC Memo: Appoint Board Member to Represent Townsend on the Montachusett

Regional Planning Commission for 07/01/15 – 06/30/16 – J. Bozicas motioned to appoint Laura Shifrin as the Town's Representative to the Montachusett Regional Planning Commission. L. McNally seconded and all voted in favor.

3.2 MRPC Memo: Appoint Board Member to Represent Townsend on the Joint Transportation

Committee for 07/01/15 – 06/30/16 – The Board reviewed a memo from the Montachusett Regional Planning Commission requesting that the Board appoint a member to represent Townsend on the Montachusett Joint Transportation Committee. A discussion ensued and it was noted that no one is currently filling that position and none of the members present were able to volunteer. L. McNally asked J. Hollows to bring the request back to the following meeting to give opportunity for members who were absent to respond.

Planning Board Minutes

June 22, 2015

3.3 MRPC Brownfields 2015 Assessment Grant – The Board reviewed correspondence from John Hume, Planning & Development Director at the Montachusett Regional Planning Commission, discussing a State Brownfields Grant to fund assessments of sites that may contain hazardous substances and petroleum contamination & assist communities in planning steps for cleanup & re-development. Possible sites discussed were: the former “Hart Library” building at 276 Main St., where there are issues with mold, lead paint & asbestos; and the capped landfill, on town-owned land at 33 Greenville Rd., which was designated as one of the overlay districts for “by right” permitting of a ground-mounted solar energy facility, but lacks “phase-three” wiring along the road leading to the site, making such a project cost-prohibitive. Another possibility mentioned might be a former gas station that was abandoned on Main St. J. Humes advised that Site Nomination Forms would be available soon.

3.4 MRPC Invitation to Interstate Pipeline Forum for Local Officials: 06/23/15 at 7 pm – The Board reviewed an invitation to a forum to discuss a pending interstate pipeline expansion. L. Shifrin stated she would plan to attend.

IV. CORRESPONDENCE:

The following corresponded was received and noted by the Board.

4.1 FYI: Invoice from MRPC for FY16 (07/01/15-06/30/16)

4.2 Letter from Rich Hanks, Zoning Enforcement Officer RE: Outdoor Farmer’s Market, 15 Elm St. is allowed “by right.”

4.3 Memo from Andy Sheehan, Town Administrator RE: Request from Recreation Commission

– The Board reviewed copy of a draft amendment to the Personnel Policies and Procedures Manual proposed by the Recreation Commission related to including or excluding part time seasonal employees on the Classification Plan. Following discussion as to how the proposed change might affect employees working in other Departments, the Board voted unanimously to respond that they do not have enough information to make an informed decision on approving this language.

4.4 19 Main St., No. Middlesex Reg. High School, Plan Changes per Site Plan Decision – The Board reviewed communication from SMMA, design engineers & architects for the new high school, advising that conditions imposed in the Planning Board Site Plan Review Special Permit Decision have been incorporated into the plans, including bollards to protect an existing 275-gallon diesel fuel tank, and a snow storage plan, as requested by the Board. The revised plans containing this information were submitted on a CD which will be kept on file in the office.

The following corresponded was received and noted by the Board.

4.5 Memo from Treasurer RE: List of Delinquent Taxes & General Bylaw Reminder to Deny Permits

4.6 Nashua River Watershed Association Newsletter

4.7 Notices from Townsend / Other Towns

V. ADJOURNMENT:

5.1 At 8:20 p.m. C. Nocella motioned to adjourn the meeting. L. McNally seconded and all voted in favor.

(Transcribed from notes)
Respectfully Submitted by

Jeanne Hollows
Planning Board Administrator

Planning Board Minutes
June 22, 2015

LIST OF PERTINENT DOCUMENTS / EXHIBITS per Agenda Item (Attached or Available as Noted)

Any documents not attached herewith are available for review in the Planning / Land Use Office.

3.3 MRPC Brownfields 2015 Assessment Grant – Attached

4.4 19 Main St., No. Middlesex Reg. High School, Plan Changes per Site Plan Decision – Attached

1.4



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Lance J. McNally, Chairman Christopher Nocella, Vice Chairman Perry J. Tomasetti, Member
Laura E. Shifrin, Member Jerrilyn T. Bozicas, Associate Member

DRAFT

Planning Board Meeting Minutes
Monday, July 20, 2015 7:00 p.m.
Townsend Memorial Hall, Selectmen's Chambers
272 Main Street, Townsend, MA 01469

I. PRELIMINARIES:

- 1.1 **Call the meeting to order** – At 7:04 p.m., Vice Chairman, Chris Nocella called the meeting to order.
- 1.2 **Roll call** - Present were, Vice Chairman Chris Nocella, Clerk Perry Tomasetti Member, Member Laura Shifrin, Associate Member Jerrilyn Bozicas and Planning Board Administrator Jeanne Hollows. Chairman Lance McNally was absent.
- 1.3 **Additions or Deletions to Agenda Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting –**
 - Add: 2.2.2 Response from Ed Kukkula, Highway Supt. RE: Trophy Ave. Inspection**
 - 3.5 FYI: Kinder Morgan to Proceed with Gas Pipeline**
 - 3.6 FYI: 2014 Municipal Separate Storm Sewer System (MS4) Draft Permit Info**
 - 3.7 ZBA Referral Notice RE: Letourneau's, 352 Main St.-Special Permit, Variance and/or Appeal to use Existing Kennel to House Stray Dogs**
 - 3.8 Legislature Vote: Public Records Requests-Will Result in Unfunded Mandates**
 - 2.2.3 Memo from Treasurer -Outstanding Taxes: Trophy Ave & Hog Hill Rd. Paid**
 - 3.9 Discuss Open Position on Planning Board**
- 1.4 **Acceptance of Minutes of 06/02/15 – at 6:00 PM, Joint Meeting with BOS 06/02/15 at 6:30 PM, and 6/22/15 Minutes - Tabled.**

II. APPOINTMENTS:

2.1 7:10 p.m. Karen Chapman, Co-Land Use Coordinator: Housing Production Plan (as amended) Review/Vote to Approve – Karen Chapman, Co-Land Use Coordinator, attended the meeting and explained that a draft Housing Production was initially approved by the Planning Board and Board of Selectmen in October, 2014 and was sent to the Mass Department of Housing and Community Development. The State reviewed the draft and suggested some edits be made to the document. The plan was now coming back and includes those edits, and the Committee is requesting another review and approval from the Board and the Board of Selectmen.

2.1.1 Sign Letter to DHCD (Department of Housing & Community Development) if Final Housing Production Plan is Approved – Following the Board's review of edits made to the draft Housing Production Plan, P. Tomasetti motioned to approve the plan. L. Shifrin seconded and all voted in favor. A letter designating their approval was endorsed by Board members.

2.2 7:25 p.m. Peter DeCarolis – Request to Planning Board to Recommend Trophy Ave. Road Acceptance be Placed on Warrant – The Board reviewed a request from Peter DeCarolis, developer of an Open Space Preservation Development entitled, "Village at Patriot Common" on Trophy Ave., off Haynes Rd., asking the Board to recommend that the Board of Selectmen place an Article on the Warrant for Fall Town Meeting for the town to vote to accept Trophy Avenue as a public way. It

Planning Board Minutes

July 20, 2015

was noted that Lot 7, an undeveloped lot within the subdivision, as well as other properties in town under the same Trust ownership were on a list from the Treasurer's Office showing over-due property taxes. An earlier Town Counsel opinion stated that a Trustee of a Trust is legally responsible to pay taxes due under its ownership and this developer is one of the Trustees. A memo was received from the Treasurer's office confirming that taxes had been paid in full earlier that day. A memo was also received from Ed Kukkula, Highway Supt. following his inspection outlining a couple of areas on Haynes Rd. near the access to Trophy Ave. that need to be re-paved as a result of deterioration after infrastructure for the development was installed. P. DeCarolis stated he had contacted E. Kukkula and had an appointment to meet with him for guidance in scheduling repairs. Following discussion, L. Shifrin motioned that the Planning Board recommend that the Article be placed on the Warrant, pending no outstanding issues with the Highway Department's road inspection, or unresolved issues with the Town. P. Tomasetti seconded and all voted in favor.

2.2.1 Outstanding Taxes on Trophy Ave. & Hog Hill Road, Copy of e-mail from Town Counsel Regarding Overdue Taxes & General Zoning Bylaw Ch. 117 – Taxes were paid as outlined in WorkSession 2.2 above.

2.2.2 Response from Ed Kukkula, Highway Superintendent RE: Trophy Ave. Inspection Received, as outlined in WorkSession 2.2 above.

2.2.3 Memo from Treasurer - Outstanding Taxes: Trophy Ave & Hog Hill Rd. Paid - Received, as outlined in WorkSession 2.2 above.

III. WORKSESSION:

3.1 Schedule Meetings for Sept., Oct., Nov., Dec. – It was noted extra meetings may be needed to review draft Zoning Amendments & set up a Public Hearing in time for Fall Town Meeting. The Board scheduled the following meetings: **Sept. 14th & 28th; Oct 5th & 19th; Nov. 9th; & Dec. 14th**

3.2 Montachusett Regional Planning Commission (MRPC) Memo: Appoint Board Member to Represent Townsend on the Joint Transportation Committee for 07/01/15 – 06/30/16 – With no Board Members able to volunteer, K. Chapman, stated she would investigate how Townsend might benefit from having representation, and possibly attend a meeting.

3.3 MRPC Response: DLTA Grant Award Letter – Review Zoning Bylaws Related to Housing – The Board reviewed a letter from MRPC awarding the Town of Townsend a District Local Technical Assistance (DLTA) Grant for services to assist the town in reviewing zoning bylaws related to multi-family housing.

3.4 Planning Administrator: Vacation Days Notice – The Board noted & approved of planned vacation time to be taken by J. Hollows.

3.5 FYI: Kinder Morgan to Proceed with Gas Pipeline – The Board reviewed a notice from Kinder Morgan, Inc. advising that they have approved proceeding with Tennessee Gas Pipeline's Northeast Energy Direct Project. No action was taken.

3.6 FYI: 2014 Municipal Separate Storm Sewer System (MS4) Draft Permit Fact Sheet – The Board reviewed a "Fact Sheet" summarizing key features of its 2014 Municipal Separate Storm Sewer System (MS4) Draft Permit which advised that the U.S. Environmental Protection Agency is in the process of reviewing 1,753 pages of comments including those from 67 municipalities and expects to issue the final permit before year end. No action was taken.

3.7 ZBA Referral Notice RE: Letourneau's, 352 Main St.-Special Permit, Variance and/or

Appeal to use Existing Kennel to House Stray Dogs – Members reviewed an application for a Special Permit, Variance and/or Appeal submitted by Mary & Keith Letourneau in response to a complaint filed by a resident related to the temporary sheltering of dogs in a shed located at the residential home of dog officer (Mary Letourneau) within the Outlying Commercial District. Following discussion, L. Shifrin motioned to respond with “no comment.” P. Tomasetti seconded and all voted in favor.

3.8 Legislature Vote: Public Records Requests-Will Result in Unfunded Mandates – The Board reviewed a notice from the Mass Municipal Association (MMA) outlining proposed changes to be voted on by Massachusetts Legislatures, drafted as Bill H. 2772, related to requests for public records. Following discussion, it was motioned and seconded to ask J. Hollows to send an e-mail to several State Representatives and/or Senators to say, that the Townsend Planning Board wishes to express their alarm and dismay regarding these proposed requirements. They are deeply concerned about the impact this legislation will have on all communities, but in particular, those towns with a smaller workforce, or volunteer staff, and they want to urge the State Legislatures to reconsider the possible benefit versus the burden this would cause to cities and towns. J. Hollows was asked to send a copy to the MMA.

3.9 Discuss Open Position on Planning Board – Resident Kathleen Araujo attended the meeting. A discussion ensued regarding her interest in submitting a Volunteer Response Form to fill an opening on the Board until the next Annual Election. It was motioned, seconded and approved to send a memo to the Board of Selectmen asking them to schedule a Joint Meeting between the Planning Board and the Select Board to appoint Kathleen Araujo to the Planning Board, pending receipt of a Volunteer Response Form.

IV. CORRESPONDENCE:

The following corresponded was received and noted by the Board.

4.1 News Release: Gas Pipeline Expansion Study from Beacon Hill Institute-Suffolk University

4.2 Federal Energy Regulatory Commission Notice of Intent to Prepare Environmental Impact Statement for “Northeast Energy Direct Project”

4.3 Letter from BOS Appointing J. Bozicas to Planning Board as Associate for 7/1/15-6/30/16 Term

4.4 Notices from Townsend / Other Towns

V. ADJOURNMENT:

5.1 At 9:25 p.m. L. Shifrin motioned to adjourn the meeting. P. Tomasetti seconded and all voted in favor.

(Transcribed from notes)
Respectfully Submitted by

Jeanne Hollows
Planning Board Administrator

LIST OF PERTINENT DOCUMENTS / EXHIBITS per Agenda Item (Attached or Available as Noted)

Any documents not attached herewith are available for review in the Planning / Land Use Office.

- 2.2 7:25 p.m. Peter DeCarolis – Request to Planning Board to Recommend Trophy Ave. Road Acceptance be placed on Warrant**
- 2.2.1 Outstanding Taxes on Trophy Ave. & Hog Hill Road, Copy of e-mail from Town Counsel Regarding Overdue Taxes & General Zoning Bylaw Ch. 117**
- 2.2.2 Response from Ed Kukkula, Highway Superintendent RE: Trophy Ave. Inspection**
- 2.2.3 Memo from Treasurer -Outstanding Taxes: Trophy Ave & Hog Hill Rd. Paid**
- 3.3 MRPC Response: DLTA Grant Award Letter – Review Zoning Bylaws Related to Housing**
- 3.5 FYI: Kinder Morgan to Proceed with Gas Pipeline**
- 3.6 FYI: 2014 Municipal Separate Storm Sewer System (MS4) Draft Permit Fact Sheet**
- 3.8 Legislature Vote: Public Records Requests-Will Result in Unfunded Mandates**

2.1

IS

From: Heide Messing <heidemessing@comcast.net>
Sent: Wednesday, April 29, 2015 5:09 PM
To: 'Jeanne Hollows'
Subject: RE: Response to proposed zoning bylaw change
Attachments: Minimum Parking Space Data by Municipality.pdf

Hi Jeanne,

I've researched the minimum parking space dimensions required by Zoning Regulations of several other municipalities surrounding Townsend, and offer the Survey summary, attached.

I know this is very late getting to you, as Town Meeting is next week. I apologize, I've been out straight.

While reviewing all of the Zoning Bylaws of the surrounding municipalities, it became clear to me that Townsend's Zoning Bylaw regarding Parking Regulation, is lacking in many areas. Not only is the minimum parking space very large, which depresses growth due to costliness and unnecessarily compels the construction of more impervious pavement, the regulation is found in the definition - very odd. Also, Townsend Zoning Bylaw makes no provision/regulation for minimum aisle widths, or angled parking, or alternative space sizes for compact cars.

It appears Townsend, Ashby and Ashburnham are stuck in a time warp, and have not endeavored to revisit and modernize their Parking regulations, as have all other surrounding municipalities. So, I would propose that such an endeavor, to update Townsend's Parking regulations, is needed. I have been to all of these websites, and some Bylaws are better written than others. I would be willing to return and parse out the best wording and standards for the Planning Board's use and consideration in creating a new Parking regulation in the Zoning Bylaw.

If this information is too late or insufficient for the Planning Board to champion my article at Town Meeting, I completely understand, and I will make the motion, and we'll just have to see if the voters agree. But either way, my offer to help with the groundwork of constructing an updated Parking Regulation stands.

Thanks,

Heide Messing

-----Original Message-----

From: Jeanne Hollows [mailto:jhollows@townsend.ma.us]
Sent: Wednesday, January 14, 2015 2:29 PM
To: Heide Messing
Cc: townsendplanning@comcast.net; chris.nocella.cn61@gmail.com; perry.tomasetti@comcast.net; ljmcnally@comcast.net; netesq2000@yahoo.com; Jerrilynbozicas@gmail.com
Subject: Response to proposed zoning bylaw change

Hi Heide,

At their meeting of 01/12/15, the Planning Board reviewed your request asking them to champion a bylaw amendment to decrease the required size of parking spaces in town.

Following discussion, the Board asked if you would be able to provide justification, statistics, or any other supporting evidence for the request. The reason they would need need some backup if they were to take on the responsibility of "championing"

Jeanne Hollows

From: Jeanne Hollows <jhollows@townsend.ma.us>
Sent: Friday, June 05, 2015 1:55 PM
To: 'Heide Messing'
Subject: Townsend Parking Regulations

Hi Heide,

The Board addressed your e-mail related to the Town's parking space regulations at their last two meetings. I realized after the 5/18 meeting that I had missed the attachment with all your research, so the Board saw only the e-mail that night. My computer had just been upgraded with new hardware, the next version of MS Office, and a new (to me) Outlook program for e-mail, so I was caught in a learning curve, but I do apologize. I explained this to the Board & put it back on the next Agenda with the research attached. I have copied relevant sections from the Minutes below:

From 06/02/15 Draft MINUTES:

3.2 Survey by Town Resident of Minimum Parking Space Requirements for Surrounding Towns – The Board reviewed an attachment to an e-mail that had been omitted at last meeting from town resident, Heide Messing's request that the Board "champion" zoning bylaw amendments to decrease the required size of parking spaces in town in favor of smaller parking spaces, or to possibly include regulations for minimum aisle widths, angled parking or alternative space sizes for compact cars. Research conducted compares Townsend's regulations to those from surrounding towns. It was the consensus of the Board to ask H. Messing to meet with the Board to present her findings, discuss, and advocate for her proposals

From 05/18/15 Approved MINUTES:

3.3 Request from Town Resident to Discuss Amending Parking Regulations found in Definitions – The Board reviewed an e-mail from town resident, Heide Messing providing general information on research she had done related to parking regulations found in Zoning Bylaws from surrounding towns. Based on her comparison assessment, she stated that Townsend is lacking in that the required minimum space is very large, which depresses growth, adds cost and compels construction of more impervious pavement. She added that it is odd that the regulations are only found in the definition. A discussion ensued as to whether the Board would be willing to "champion" a zoning bylaw amendment to decrease the required size of parking spaces in town, as requested by H. Messing. Comments included:

- P. Tomasetti stated reducing the required size seems unreasonable, especially at the high school. It was noted that if doors are opened on two vehicles parked adjacent to each other, space is very limited within smaller spaces. Also the parking lot looks congested.
- C. Nocella stated he is not in favor of reducing the size requirement, adding that Townsend is a farming community, also with many residents who are hunters & fishermen, driving pick-up trucks.
- L. McNally stated someone could propose an amendment allowing parking areas to designate some areas for compact cars vs. full size.
- The Board asked J. Hollows to respond to H. Messing to advise that if they were to participate in drafting an amendment, research would have to compel the Board to want to change the bylaw, such as statistics as to how many compact cars vs. full size vehicles and trucks are registered to Townsend residents, adding that this information might be available at the Registry of Motor Vehicles. Also, they would have to address such questions as, "Is this in the Town's best interest?" and, "Is this in keeping with the rural character of the Town?"

So as you can see from the 06/02/15 draft Minutes, the Board would like you to meet with them to present your findings, discuss, and advocate for your position. Their next scheduled meeting is 06/22/15 at 7:00 p.m., and the

following is 07/20/15. Please contact me to schedule Agenda time if you would like to attend one of these meetings.

Thank you for your interest in contacting the Planning Board.
Jeanne

Jeanne Hollows
Planning Board Administrator /
Co-Land Use Coordinator
Town of Townsend
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2.2

PUBLIC HEARING GUIDELINES

12 Ball Road Cell Tower Special Permit Renewal – Five Years
August 24, 2015

___ Open Public Hearing

___ Introduce Board Members

___ Announce: A Public Sign-in Sheet is circulating

___ Read Legal Ad for the record & explain order of business

___ Board Reviews Peer Review Comments (if applicable)

___ Read Mandatory Referral Comments from Town Officials / concerned citizens into Record

___ Board Reviews Peer Review Comments (if applicable)

___ Questions and/or Comments from Board Members - Approx. 10- 15 minutes

(for Board Member's Notes)

___ Public Questions or Comments – Limit: 10 - 15 minutes - Request to Limit Redundancy

NOTES:

___ In Support of Proposal -

___ In Opposition to Proposal -

___ If no outstanding issues, CLOSE PUBLIC HEARING

OR

___ If there are outstanding issues, VOTE TO CONTINUE HEARING TO: _____

Date and Time Certain



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R E C E I V E D
JUL 08 2015
TOWN OF TOWNSEND
TOWN CLERK

**TOWNSEND
PLANNING BOARD
LEGAL NOTICE**

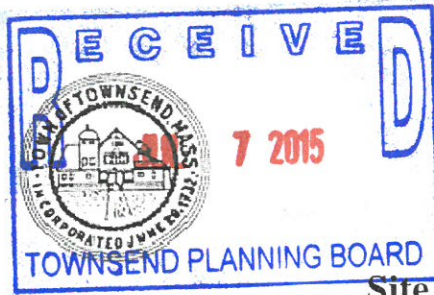
In accordance with MGL Chapter 40-A Section 11, and Townsend Zoning By-laws, Section 145-42 **Site Plan Review Special Permit**, Section 145-65 **Special Permits**, and Section 145-51, **Telecommunication and Cellular Towers**, the Planning Board will hold a public hearing on **Monday, Aug. 24, 2015 at 7:30 p.m., in the Selectmen's Chambers at Memorial Hall, 272 Main Street**, regarding an application from SBA Towers V, LLC., to **renew a special permit for an existing cell tower located at 12 Ball Rd., Assessor's Map 45 Block 2, Lot 0, Zoned Residential RB2.**

The application is available for review at the Town Clerk, Land Use Coordinator, and Planning Board Offices at 272 Main St. Parties wishing to speak in favor of or in opposition to the proposal may do so in writing prior to the hearing, or at the hearing, in person or represented by an agent or attorney. Interested parties are encouraged to attend.

Respectfully submitted,
Lance McNally, Chairman

Publish in the Townsend Times July 17, 2015 and July 24, 2015

cc: Abutters
Applicant
Assessors Office
Board of Selectmen
Board of Health
Building Inspector
Conservation Commission
Fire Department
Highway Department
Historical Commission
Housing Authority
Land Use Coordinator
Other Towns
Police Department
Town Clerk
Water Department
Zoning Board of Appeals



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RECEIVED
JUL 07 2015
TOWN OF TOWNSEND
TOWN CLERK

Site Plan Review Special Permit

Page 1 of 3

(Under Sections 145-42 Site Plan Review Special Permit; 145-39 Open Space Preservation Development (OSPD); 145-47 Open Space Multi-family Development (OSMD); 145-51 Telecommunication and Cellular Towers, 145-53 Adult Use Establishments, 145-65 Special Permits, and 145-86 Ground-Mounted Solar Energy District of the Townsend Zoning Bylaws)

Date: 7/1/2015
Name of Project: Renewal of Telecommunications Tower and Special Permit for a renewal period of 5 years
Location of Project: 12 Ball Road, Townsend, MA

1. Owner of record:

Name: Mr. George Morey
Company: _____
Owner's Street Address: 49 Ridge Road
City/Town: Lexington State: MA Zip: 02421
Phone: Day (781) 862-8070 Evening _____ Fax _____

2. Applicant's name and address (if same as owner, write "same")

Name: Diane Borchardt, AICP
Company: SBA Towers V, LLC
Owner's Street Address: 8051 Congress Avenue
City/Town: Boca Raton State: FL Zip: 33487
Phone: Day 561-226-9486 Evening _____ Fax 561-322-2852

Applicant is: _____ Owner Agent/Attorney _____ Purchaser _____ Tenant
Other: (Explain) Owner of cell tower

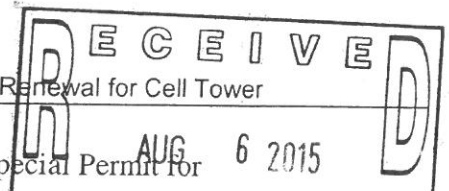
If the applicant is not the owner, a Power of Attorney or similar document signed by all owners of the property must be included.

3. Characteristics of Property:

*Zoning District: RB **Number of Lots: _____
**Lot Area 119 **Frontage 1950
*Map # 45 Block # 2 Lot # 0
*Recorded, South Middlesex Registry of Deeds: Book Number 19677 Page Number 290

*Information available from the Assessors Office **If there is more than one lot, please attach a list

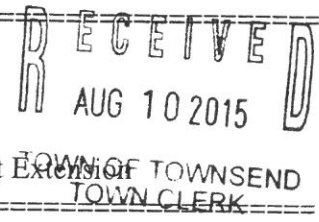
Project Name: Special Permit Renewal for Cell Tower



4. Please either attach or write a brief description of the nature of this Special Permit for Site Plan Review:
 To renew Special Permit issued to the telecommunications tower located at 12 Ball Road, SBA is requesting renewal for continued use of the facility. Proposed tower modification: T-Mobile will be updating their antennas and equipment on the tower and because of this the tower will be structurally enhanced by placing reinforcements to the monopole.

Fees:

→Site Plan Review Special Permit or →Non-Discretionary Site Plan Review for Solar/Wind Energy Installation:	→\$ 350 Existing Construction →\$1,200 New Construction →\$ 200 Modification or Permit Extension
→OSPD or →OSMD	→\$1,000 →\$ 600 if filed simultaneously with Definitive Subdivision →\$ 300 & 50 per lot Modification or Permit Extension
→Telecommunication Cell Tower:	→\$ 750 New Construction →\$ 300 Renewal of Cell Tower Special Permit
→Adult use:	\$ 2,000



Please make checks payable to the Town of Townsend. Fees are for administrative costs.

Under MGL Chapter 40A and Chapter 44 §53G, the Planning Board may require a deposit payable to the Town of Townsend for the reasonable costs of a consultant/engineer's peer review or other outside consultant. Funds are held in an interest-bearing account, and unused balances are refundable upon written request at the completion of the project.

The Planning Board may also require the applicant to pay unusual administrative costs, such as copying.

The applicant shall pay the cost of recording any decision at the Registry of Deeds.

Please direct any questions to the Planning Board Assistant at 978-597-1700 x 1722. For zoning or building questions, please contact the Building Commissioner at 978-597-1709.

Agreement

- I/we hereby certify that the information on the first page is true and correct based on all the information available to me.
- I/we understand that the Planning Board may require additional information to process this application.
- Any errors in the information provided, or presented by me or my representatives may be cause for denial or revocation of a favorable decision.
- Any relief granted by the Planning Board must be limited to the request made in this application.
- I/we may be represented by counsel at my own expense.
- If this application is denied, it may not be brought before the Planning Board again for two years without prior approval from the Planning Board.
- I/we am/are responsible for all other applications, permits, and approvals that may be required by law.

For notarizing additional signatures, please photocopy this page as needed.

Date: 7/1/2015

Owner(s): (1) Diane E. Borchardt, AICP (2) _____
 (Print Name) (Print Name)
Diane E Borchardt _____
 (Signature) (Signature)

Date: 7/1/2015

Applicant(s): (1) Diane E. Borchardt, AICP (2) _____
 (Print Name) (Print Name)
Diane E Borchardt _____
 (Signature) (Signature)

Please see attached
NOTARY STATEMENT:

COMMONWEALTH OF MASSACHUSETTS
_____ County

On this _____ day of _____, 20____, before me, the undersigned Notary Public, personally appeared _____, and proved to me through satisfactory evidence of identification, which were _____, to be the person(s) whose name(s) is (are) signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, in my presence.

Notary Public Signature

Notary Stamp

My Commission Expires

NOTARY STATEMENT:

**STATE OF FLORIDA
PALM BEACH COUNTY**

On this 1st day of July, 2015, before me, the undersigned Notary Public, personally appeared Diane Borchardt, and proved to me through satisfactory evidence of identification, which were Personally Known, to be the person(s) whose name(s) is (are) signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, in my presence.



[Handwritten Signature]
Notary Public Signature

Notary Stamp

8/5/17
My Commission Expires

**AUTHORIZATION FORM
To REPRESENT PROPERTY OWNER(S)**

DATE: 7/1/2015

TO: Town of Townsend

I/we, the undersigned owner(s) grant full permission to:

APPLICANT(S) / AUTHORIZED REPRESENTATIVE(S):

Zachary W. Berk, Esq.

Name (please print)
131 Dartmouth Street, Suite 501

Street Address
Boston MA 02116

City State Zip
(617) 912-0927 /

Daytime Phone #(s) / Home Phone

Name (please print)

Street Address

City State Zip

Daytime Phone #(s) / Home Phone

to act as our agent and hereby authorize this representative to take any action, including but not limited to paying consulting fees, agreeing to conditions set by any applicable Board or Commission, signing agreements and/or extending deadlines. This agent has my/our full permission to submit applications, present plans, submit requirements and speak on my/our behalf with regard to:

PROPERTY LOCATED AT:

12 Ball Road, Townsend, MA

Street Address

ASSESSOR'S PARCEL ID: Map # 42 Block # 2 Lot # 0

OWNER (S):

SBA Towers V, LLC / Diane Borchardt, AICP

Name (please print)
8051 Congress Avenue

Street Address
Boca Raton FL 33487

City State Zip
561-226-9486 /

Daytime Phone #(s) / Home Phone

Diane Borchardt
Signature of Owner

Name (please print)

Street Address

City State Zip

Daytime Phone #(s) / Home Phone

Signature of Owner

LOCATION	TOWER LEASE / CO-LOCATOR	Co-Loc. #	TOWER/ CO-LOCATOR	OWNER CONTACT & PHONE	DATE PERMITTED	DATE RENEWED
12 Ball Road 6 add'l co-lo allowed	SBA Communications Diane E. Borchart, AICP 800-487-7483 or 561-226-9486		Tower	Owner: George Morey 781-862-8070	9/7/2001	8/8/2006 11/7/2011
	Current Tenants: AT&T Wireless	1	Co-Locator	Rich Deutch 508-271-8324	9/25/2001	
	T-Mobile	2	Co-Locator	Steve Andrade 401-241-0460		8/8/2006
	Verizon	3	Co-Locator	Ellen Dalmus 508-330-3331		Nov-06

R E C E I V E D
 AUG 6 2015
 TOWNSEND PLANNING BOARD

REFERRAL COMMENTS

Site Plan Review – Special Permit August 24, 2015

12 Ball Road
Renewal of Special Permit for an existing
Wireless Telecommunications Facility

Assessor's Office:

Board of Health:

Responded with "No Comment"

Board of Selectmen:

Responded with "No Comment"

Building Inspector:

Responded with "No Comment"

Conservation Commission:

Responded with "No Comment"

Fire Dept:

Responded with "No Comment"

Highway Dept:

Responded with "No Comment"

Historic District Commission:

Police Department:

Responded with "No Comment"

Town Clerk:

Water Department:

Responded with "No Comment"

Zoning Board of Appeals:

"Sorry, will not be meeting until 8/26/15."

Abutters' / Residents' Comments:

2.3

**Attachment A
Scope of Services/ Timeline/ Budgeted Hours**

The tasks defined in the Scope of Services below for an analysis that could potentially improve and expand Housing opportunities to a broad range of income groups within the Town of Townsend, shall commence on August --, 2015 and be completed by December 15, 2015.

Product: Analysis to Potentially Improve and Expand Housing opportunities to a Broad Range of Income Groups within the Town of Townsend	Anticipated Task Completion Date
Tasks	
1) Review and research previous planning documents in regards to expanding housing opportunities within the Town.	September 2015
2) Review the Town's existing Zoning Bylaw and Map. Obtain residential buildout materials generated by the Townsend Land Use Department.	September/October 2015
3) Research and review any model Tools and Techniques that have been successful to improve/expand housing opportunities within other communities and assess its potential in Townsend	October 2015
4) A community-wide Public Forum will be conducted to obtain community input from local officials, residents, business owners and others. In short, anyone with an interest in the community will be strongly encouraged to attend. MRPC will also work with the Planning Board Member assigned to this project to develop any outreach/ presentation materials.	November 2015
5) Provide Draft Analysis with Potential Tools and Techniques to improve/expand housing opportunities that might include model bylaws and proposed alterations to the bylaw to Town officials for review.	Late November 2015
6) Prepare final Analysis for the Town of Townsend. Submit the Bylaw to the Town in *.PDF, *.DOC (Microsoft word – 2003 versions) and in hard copy formats.	December 2015
Meetings	
1) MRPC shall meet with the Planning Board Administrator at the outset of the project to gather information.	August 2015
2) MRPC shall meet with the Townsend Planning Board at the project's outset and at any other mutually agreeable time as deemed necessary. It shall be the Planning Board Administrator responsibility to update the Planning Board and obtain any input on work accomplished to date.	Ongoing 2015
3) Working with the Townsend Planning Board Administrator, MRPC shall prepare for and attend one Planning Board/ Community Outreach Meeting to present the draft analysis and obtain community input.	Late November 2015
4) The number of meetings for this project shall not exceed more than 5 five in total.	N/A
TOTAL HOURS FOR THIS PROJECT NOT TO EXCEED	170 Hours

§145-5 Word Usage and Definitions

APARTMENT

[Amended 3-16-1987 STM by Art. 2]

B. APARTMENT/MULTIFAMILY BUILDING

— A building designed and constructed so as to contain **three** or more suites of one or more rooms, each suite provided with individual cooking and other facilities for independent housekeeping, used or intended to be used for the non-transient housing of **three** or more families.

§ 145-36 Accessory apartments in residential district.

A. Purpose & E.

A. Purpose. Recognizing the need to provide alternative affordable housing for family members, the following regulations are established for accessory apartments in a residential district. It is expressly understood that this section does not provide for "two-family" or "duplex" type housing.

[Added 12-4-1990 STM by Art. 9]

E. Any owner or owners of a single-family dwelling in RA and RB Districts seeking a new or a renewal of an accessory apartment permit shall agree to abide by the terms of a local housing agency or partnership program to ensure moderate income occupancy of the apartment thus created for a period of not less than five years. The local housing agency or partnership shall permit deferral of the program if the homeowner wishes to accommodate initially a family member or members. For the purpose of this section, family member shall be defined as one of the blood, step or adopted relatives of the homeowner or spouse as follows: mother, father, sister, brother, son, daughter, uncle, aunt, grandmother, grandfather and/or their spouses. Should the family member "vacate" the accessory apartment, the agreement with the local housing agency or partnership may be voided, providing the accessory apartment is discontinued and the dwelling reverts back to compliance with § 145-26A(1). Any apartment proposed hereunder shall comply with all applicable provisions of this § 145-36. Any permit granted pursuant to this section shall be of five years' duration revocable upon sale of the property unless the buyer, by written notice to the Board of Appeals, agrees to the local housing agency or partnership program for the balance of the term.

[Amended 12-4-1990 STM by Art. 12]

§ 145-37 Apartments.

[Amended 5-7-1986 STM by Art. 3; 1-17-1989 STM by Art. 39]

No apartment/multifamily structure as defined shall be constructed except in conformance with the requirements of this section and § 145-65. Apartments/multifamily structures shall require a special permit from the Board of Appeals. There shall be not more than one apartment/multifamily structure per building lot. The following shall be considered the minimum standards for apartment/multifamily development:

- A. Zoning district allowed: RA, RB.
- B. Minimum lot area: eight acres.
- C. Minimum lot frontage: 500 feet.
- D. Minimum front yard: 100 feet.
- E. Minimum side yard: 60 feet.
- F. Minimum rear yard: 60 feet.
- G. Density: not to exceed one apartment unit per three acres in RA Districts; two acres in RB Districts.
- H. Structure size: not to contain more than six units per each detached structure.
- I. Maximum lot coverage: by buildings and pavement: 35% of gross upland land area.

Morales, Mallory (AGO) <mallory.morales@state.ma.us>
 Friday, July 31, 2015 3:37 PM
 jhollows@townsend.ma.us

Subject: RE: Question RE: Approval of Meeting Minutes

Ms. Hollows,

Thank you for your inquiry to our office. Under the open meeting law it is okay for members to vote to approve minutes even if they weren't present. You may want to check any town bylaws to make sure that it is in compliance with by-laws.

Thanks,
 Mallory Morales
 Paralegal, Division of Open Government
 Office of the Attorney General

From: Jeanne Hollows [<mailto:jhollows@townsend.ma.us>]
Sent: Wednesday, July 22, 2015 11:44 AM
To: Agoweb (AGO)
Subject: Question RE: Approval of Meeting Minutes

TO: Mass Attorney General's Office

Hello,
 Just a question looking for clarity:
 Can members vote to approve meeting Minutes even if they were not present at the meeting under review? I believe they can *motion* to approve, but not sure about voting...?
 I did not find a specific answer to this in Mass.gov Open Meeting Law or Robert's Rules, but other sources like the one below say it's okay.

Parliamentary Q & A

Quick answers to questions on parliamentary procedure


Who Can Move to Approve Minutes?

Q. Can a person move to approve the minutes of the previous meeting even though he was not in attendance at the previous meeting?

Yes. Any person may move, second, or correct the minutes and may vote to approve them. To formally move approval of the minutes means that the maker of the motion has either reviewed the secretary's draft and feels that it is in decent form for approval or trusts the secretary's ability to draft the minutes. It is so routine a question that it is best done by unanimous consent, rather than a formal motion. Seconding simply means that the person wishes to consider the approval of the minutes, but then who wouldn't be in favor of considering and approving the minutes? Again, it is so routine that seconds should not even be required. One doesn't have to have attended the meeting to make a correction. The name of a member mentioned in the minutes might be misspelled and the person who was not in attendance is as capable as anyone to correct such things.

As for voting to approve the minutes, all members should be allowed to do so, even though they may not have attended the previous meeting. Minutes are a legal statement of actions taken. The principle at play here is that

an organization, and especially a corporation, speaks through its minutes. If your organization ever finds itself in court, the first question the judge may ask is to see a copy of the minutes. Every member should have a say so in something that important.

Posted by Membership at 6:00 AM 

Labels: Minutes

Thank you,

Jeanne Hollows
Planning Board Administrator /
Co-Land Use Coordinator
Town of Townsend
272 Main Street
Townsend, MA 01469
jhollows@townsend.ma.us
978-597-1700 X 1722
FAX 978-597-1722

3.2

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

TO: Planning Board	Police Chief
Board of Health	Fire Chief
Conservation Commission	Highway
Board of Selectmen	Water Department
Building Inspector	Assessors

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: Lynn Fit LLC, DBA Planet Fitness
LOCUS ADDRESS: 18 Main Street
PARCEL ID: Assessor's Map 41, Block 4, Lot 0

S/b Townsend Fit

Date of Hearing: TBD @ 6:00pm *9/9/15*
Date of Referral: August 12, 2015

Petition: *(from legal notice)*

The Townsend Zoning Board of Appeals will hold a public hearing on **Wednesday, September , 2015 @ 6:00pm** at Memorial Hall on the application of Lynn Fit LLC, dba Planet Fitness for a **Special Permit** under Zoning Bylaw §§145-29C(1) and 145-65.

The applicant is proposing to use 10,600 square feet of the existing Harbor Village Mall to renovate and install a Planet Fitness. The property is located at 18 Main Street in the Outlying Commercial District and the applicant is requesting a Special Permit for an athletic or recreational facility in this District.

COMMENTS: _____

NO COMMENT _____

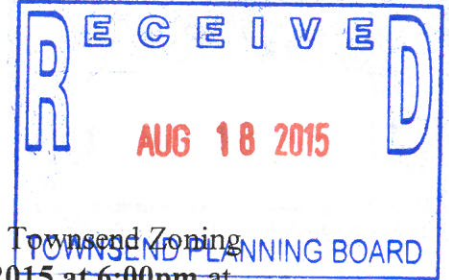
SIGNED: _____ DATE: _____



Office of
ZONING BOARD OF APPEALS
272 Main Street
Townsend, Massachusetts 01469
978-597-1700 x1723; 978-597-1722 fax

RECEIVED
AUG 17 2015

TOWN OF TOWNSEND
TOWN CLERK



LEGAL NOTICE

In accordance with MGL Chapter 40A and the Townsend Zoning Bylaw, the Townsend Zoning Board of Appeals will hold a public hearing on **Wednesday, September 9, 2015 at 6:00pm** at Memorial Hall, 272 Main St., on the application of **Townsend Fit, LLC, d/b/a Planet Fitness** under Zoning Bylaw §§145-29C(1) and 145-65. The applicant is requesting a Special Permit to use 10,600 square feet of the existing Harbor Village Mall as an athletic facility. The property is located at 18 Main Street (Assessor's Map 41, Block 4, Lot 0) in the Outlying Commercial District and the use of an athletic or recreational facility is allowed by special permit in this District.

Parties wishing to speak in support of, or in opposition to, this application may do so in writing prior to the hearing, or at the hearing in person or represented by an agent or attorney. Copies of this application are available for review in the offices of the Town Clerk and Zoning Board during business hours.

William Cadogan
Chairman, Zoning Board of Appeals

Townsend Times: August 21, 2015 and August 28, 2015

cc: Applicant
Agriculture Commission
Assessors
Board of Health
Board of Selectmen
Building Inspector
Conservation Commission
Fire Department
Highway Department
Historic District Commission
Housing Authority
Land Use Coordinator
Planning Board
Police Department
Street file
Town Clerk
Water Department



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

RECEIVED
 AUG 11 2015
 TOWN OF TOWNSEND
 TOWN CLERK

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: TAYLOR MANDELL FOR LYNN FIT LLC (DBA: PLANET FITNESS)

Mailing Address: 124 HERITAGE AVE #3

Property Address: 18 MAIN ST TOWNSEND MA

Applicant's phone: 603-817-0380

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

Property owner's name and mailing address (if not applicant): FEDER NLOOY, LLC
c/o: KEY POINT PARTNERS 1 BURLINGTON WOOD DR. BURLINGTON MA 01803

Characteristics of Property:

Number of lots 1 Lot Area 11.62 Frontage 748 Zoning District OCD

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

Assessor's Office Map # 41 Block # 4 Lot # 0

Recorded at Middlesex Southern Registry of Deeds: Book: 63390 Page: 206

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?
 If yes, do you have Board of Health approval for a septic system to serve this space? _____
 If you do not, please explain:

cont..

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.

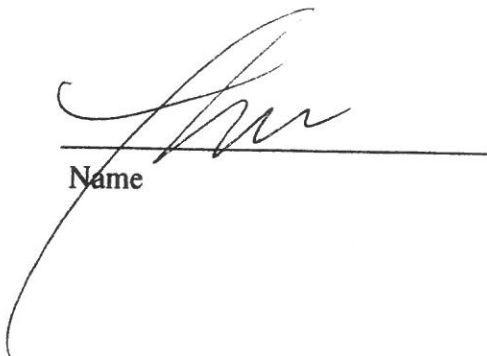
INSTRUCTIONS FOR FILING APPLICATIONS:

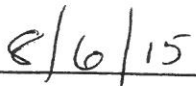
Present the signed application with the items listed above to the Town Clerk, which will then certify the date of filing and give you a copy of the application as certified.

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

 _____
Date

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 145-29C(1) 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

4.1

VS

From: NEDINFO <NEDINFO@kindermorgan.com >
Sent: Friday, July 24, 2015 2:33 PM
To: NEDINFO
Cc: Fore, Allen
Subject: Tennessee Gas Pipeline Company files second draft Resource Reports for the Northeast Energy Direct Project

I wanted to let you know that we filed the second draft of Environmental Resource Reports 1 through 13 today for the Northeast Energy Direct project. You can access these Environmental Reports through the Commission's website at http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20150724-5061.

We anticipate filing a final Environmental Report as an exhibit to the certificate application for the project in October 2015. As part of the final Environmental Report, Tennessee will respond to the scoping comments that are submitted to the Commission during the scoping period set for the Project (commencing June 30, 2015 and continuing through August 31, 2015).

We will continue keeping you updated about project-related activities that may be of interest to you. Thank you.

Sincerely,

Allen Fore
Vice President, Public Affairs
Kinder Morgan, Inc.
8 Anngina Dr.
Enfield, CT 06082

630.725.3044 (office)
allen_fore@kindermorgan.com (email)
www.kindermorgan.com (website)

Jeanne Hollows

From: NEDINFO <NEDINFO@kindermorgan.com>
Sent: Friday, July 31, 2015 4:36 PM
To: undisclosed-recipients:
Subject: NED Update: Project Website Now Available

As part of Kinder Morgan's ongoing public outreach efforts regarding the proposed Northeast Energy Direct Project, we have created a project-specific website where additional information can be found about the project. The website includes background information on the project, state-by-state specific information regarding the pipeline and its benefits, interactive route maps and frequently asked question pages. The website is available at the following address; <http://northeastenergyfuture.com/> and we hope you will take a moment to review it. Thank you for your continued interest in the Northeast Energy Direct Project.

Sincerely,

Allen Fore
Vice President, Public Affairs
Kinder Morgan, Inc.
8 Anngina Dr.
Enfield, CT 06082

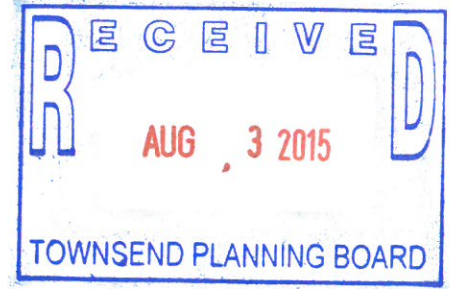
860.763.6032 (office)
Allen_fore@kindermorgan.com (email)
www.kindermorgan.com (website)

4.2



BUILDING DEPARTMENT
272 Main Street
Townsend, Massachusetts 01469

Richard D. Hanks C.B.O
Building Commissioner



Zoning Enforcement Officer
Office (978) 597-1709

ADA Coordinator
Fax (978) 597-8135

July 29, 2015

Lori Silva
9 Lowell Street
Pepperell, MA 01463

Re: Use Permit for 22 Main Street

Dear Ms. Silva,

I am writing to you in regards to your Use Permit application to have a consignment shop at 22 Main Street. This will require the following:

This property is currently a single family dwelling. Your proposed Use as a consignment shop would be a change of Use, as such this would require a Site Plan Review Special Permit with the Planning Board as outlined under section 145-42 of the Zoning Bylaws.

145-42 B. Applicability: Any change of use or increase in intensity of use which would under the parking schedule "Table of Minimum Requirements" of subsection 145-33 require five or more parking spaces, regardless of the number of parking spaces existing on the premises, shall be permitted only upon the issuance of a special permit from the permit granting authority for site plan review in conformance with this section, subsection 145-65 and MGL c. 40A, subsection 9 and 11. For assistance with the site plan procedure please contact Jeanne Hollows, Land Use Coordinator. She can be reached at 978-597-1700 x1722.

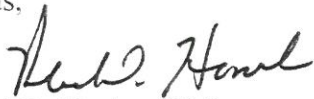
This will also require that the building be handicap accessible. Under 521 CMR, Architectural Access Board regulations 3.4, Change in Use: When the use of a building changes from a private use to one that is open to and used by the public, an accessible entrance must be provided, even if no work is being performed. Other modifications to the building could trigger other requirements of 521 CMR.

Also where this would be a change of use the provisions of International Existing Building Code (IEBC) would apply. Section 307 Change in occupancy [B] Conformance. No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancy. This would require that you have an architect or engineer examine the building and it's components

for compliance with code. Some items reviewed/examined would be the fire detection systems and alarms, egress lighting and exit signage, means of egress and floor loads.

Should you have any questions regarding this letter please call or write me at this office.

Regards,



Richard D. Hanks, CBO
RDH

C.c. Board of Selectmen
Planning Board
Street File
Binder

4.3



Office of the Town Clerk
Town of Townsend
272 Main Street
Townsend, MA 01469

Kathleen M. Spofford
Town Clerk
Susan A. Funaiolo
Assistant Town Clerk

Office: (978) 597-1704
Fax: (978) 597-8135

Resignation Notice

Date: August 17, 2015

To: Planning Board

From: Kathleen M. Spofford, Town Clerk *Kathleen M. Spofford*

Perry Tomasetti submitted his resignation as Planning Board Member on August 12, 2015 effective August 14, 2015. Attached is a copy of his resignation letter.

Chapter 41, Section 109 "No resignation of a town official shall be deemed effective unless and until such resignation is filed with the town clerk, or such later time certain as may be specified in such resignation. Upon receipt of the resignation, the town clerk shall notify the remaining members of the board, committee, etc., if any, and notify the executive officers of the town of the effective date of resignation."

PERRY J. TOMASETTI

August 12, 2015
Kathleen Spofford - Town Clerk
Town of Townsend
Memorial Hall, Lower Level
272 Main Street
Townsend, MA 01469

RECEIVED
AUG 12 2015
TOWN OF TOWNSEND
TOWN CLERK

Dear Kathleen,

This letter is to inform the Town of Townsend that I am resigning my positions on the Planning Board and the Town Properties Committee effective Friday, August 14, 2015 due to the fact that I am selling my house in Townsend and will no longer be a resident.

I have enjoyed working with the town as a board member and thank you for the experience.

Best regards,



Perry J. Tomasetti

**TOWN OF TOWNSEND
ELECTED OFFICIALS - 2015**

Amunua E. Dwight Entertainment Fund

<i>Committee</i>	
Karen Clement	2016
Deborahanne Mayer	2017
Susan R. Gerken	2018

<i>Moderator</i>	
John B. Barrett	2018

<i>Board of Selectmen</i>	
Colin McNabb (V. Chair) Public Works	2016
Carolyn Smart (Clerk) General Gov't	2017
Gordon Clark, Public Safety	2018

<i>Board of Assessors</i>	
Laura Shifrin	2016
Niles Busler	2017
Carol Marcin	2018

<i>Board of Health</i>	
Michelle Dold (V. Chair)	2016
James Le'Cuyer (Clerk)	2017
Nancy Rapoza	2018

<i>Cemetery and Parks Commissioners</i>	
Raymond P. Boyes, Sr.	2016
Albert "Tubby" Boucher	2017
John B. Barrett	2018

Democratic Town Committee (2012)

Leslie K. Rauhala (Chair)
Mary Eileen Violette (Vice Chair)
Michael J. Violette (Secretary)
Maxfield J. MacPhee (Treasurer)
Gene A. Rauhala
Amy Collins
David Funaiole
Scott Alexander MacPhee
John Barrett
Colin M. McNabb
Adam C. Snodgrass
Catherine Thrasher

James Tucker Fund (elected at Town Mtg)

Kenneth Gerken	2016
Pamela Haman	2016
Michael Marchand	2016

Library Trustees

Patricia Thomas-Jeanig Secretary	2016
Alison Bird	2016
Cheryl Cloutier	2017
Karen Waxman	2018
Kimberly King	2018

***North Middlesex Regional School District
Committee***

Susan A. Robbins	2016
Michael Morgan (At Large)	2017
Randee Rusch (At large)	2017
William Hackler (At Large)	2017
Robert Templeton	2018

Planning Board

Laura E. Shifrin (appointed til 2016)	2016
Lance McNally	2017
Perry Tomasetti (resigned) (open)	2018
Chris Nocella	2019
Kathleen Araujo (appointed til 4/2016)	2020
Jerrilyn Bozicas, Associate	2015

Recreation Commissioners

Richard Corsini	2016
Lynn LeBlanc	2017
David L. Schuttler	2017
Alice Kennedy	2018
Kristina McHugh	2018

Republican Town Committee (2012)

Richard Shuford (Chair)
Sam Grant
Julie M. Grant
Anthony J. Belloli
Rita K. Belloli
Carol Cabot (treasurer)
Claire E. Devine
Keith Jackson
Kenneth T. Miller
Dennis J. Murphy
Penelope Ann Murphy
William Roberts (secretary)
Avis A. Roy
Janet Simopoulos
Louis S. Simopoulos
Nicholas E. Thalheimer
John Y. Trovato
Susan Y. Vassallo
Paul A. Vassallo
Kristine A. Vaz
Diana Williams