



Office of  
THE PLANNING BOARD  
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Jeffrey  
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Chairman Nicholas E. Thalheimer, Vice Chairman Lance J. McNally, Clerk  
Member Perry J. Tomasetti, Member Jerrilyn T. Bozicas, Associate Member

**Planning Board Meeting Minutes**  
**Monday, February 10, 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 7:05 p.m. J. Peduzzi called the meeting to order.

**1.2 Roll call** - Present were Chairman Jeff Peduzzi, Vice Chairman, Nicholas Thalheimer, Member, Chris Nocella, Associate Member, Jerrilyn Bozicas, and Planning Board Administrator, Jeanne Hollows. Clerk, Lance McNally and Member, Perry Tomasetti were absent.

**1.3 Additions or Deletions to Agenda Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting – Add: *1.4 Minutes of 02/09/15*  
*3.7 NMR High School Special Permit Draft Decision***

**1.4 Acceptance of Minutes** – N. Thalheimer motioned to approve the Minutes of 01/12/15, 01/26/15 and 02/09/15. C. Nocella seconded and all present voted in favor.

**II. APPOINTMENTS:**

**2.1 7:05 p.m. ANR Plan – 129 Turner Rd., David & Susan Hopkins, Stan Dillis, Ducharme & Dillis**  
- Stan Dillis of Ducharme & Dillis presented an ANR Plan showing a subdivision of property across the road from the owner's residence on 129 Turner Road. S. Dillis explained that there is a small parcel and a larger lot under same ownership which will be combined to make one new lot, with the remaining land to make a second lot, each over three acres. N. Thalheimer motioned to approve the plan as an "Approval Not Required" (ANR) Plan under Subdivision Control Law. C. Nocella seconded, all voted in favor, and the plan was endorsed.

**2.2 7:20 p.m. Stan Dillis of Ducharme & Dillis, Informal Discussion RE: 13 Elm St, New Fire Station**  
- Stan Dillis of Ducharme & Dillis met with the Board to discuss plans for a new Fire Station Headquarters to be constructed on the site of the existing Elm Street Station, and asked if they would consider waiving or reducing the filing fee of \$1,200.00 for the Site Plan Review Special Permit application, since the project will be fully funded through a private donor. Discussion ensued. It was the Board's general consensus to allow that waiver as long as the submission and presentation was all in order. The Board asked that either the Fire Department or applicant cover the cost to publish the Public Hearing Legal Notice in the newspaper. It was noted that the property is located adjacent to the Squannacook River. S. Dillis stated they will submit a Stormwater Operation and Maintenance Plan and comply with all Stormwater Management requirements.

**2.3 7:30 p.m. Re-Convvene Public Hearing – Rules-Regs Amends & Stormwater Mgmt. Compliance**

**Forms** – At 7:30 p.m. J. Peduzzi re-convened the Public Hearing to review draft amendments to the Planning Board Rules and Regulations, along with new forms related to Stormwater Management Compliance. N. Thalheimer motioned to continue the hearing to 8:15 p.m. in order to allow an earlier time slot to the representatives of the NMR High School. C. Nocella seconded and all voted in favor.

At 8:15 p.m. J. Peduzzi re-convened the Public Hearing. An e-mail from Greg Roy, consultant engineer from Ducharme & Dillis who had reviewed and commented on the draft amendment package,

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stated that he had no further issues. J. Peduzzi read Mandatory Referral responses, with the only comment being from the Conservation Commission advising that several edits were being recommended. Leslie Gabriliska, Conservation Agent and K. Chapman attended the hearing.

Suggested edits approved by the Board included:

- Improvements to clarity & grammar
- Adding a requirement for developers to identify the location of “Estimated and Priority Habitats of Endangered Species” within an area of proposed development.
- Eliminated a proposed fee that would have been required if stormwater structures were constructed on land that would later to owned by the Town. L. Gabriliska explained that rather than imposing a fee, the town should be prohibiting developers from placing these structures on land to be turned over to the town, as they require over-site, maintenance and expense to the town. She added that creating a fee would not be enough deterrent and would still allow the structures. J. Peduzzi noted that verbiage to prohibit these on such parcels would have to be included in the Open Space Preservation Development Bylaw, and this could be proposed at a later date.

At 9:45 p.m. C. Nocella motioned to close the Public Hearing and approve all amendments as edited to Planning Board Rules and Regulations and all new Stormwater-related regulations and forms. N. Thalheimer seconded and all voted in favor.

#### **2.4 7:35 p.m. Re-Convene Public Hearing, 19 Main St. High School Site Plan Review Special**

**Permit** – At 7:35 p.m. J. Peduzzi re-convened the Public Hearing for the Site Plan Review/Special Permit application to construct a new NMR High School at 19 Main St., the site of the existing school. Board Members were introduced and J. Peduzzi designated Associate Member, Jerrilyn Bozicas as a voting member of the Board to act on a Special Permit, due to the absence two Board Members. In attendance were engineers and representatives from Symmes Maini & McKee Associates (SMMA), including John Hart, Project Manager, and Erin Prestileo, as well as PE; Tony Pruner of Heery International, Inc. and several members of the North Middlesex Regional School District (NMRSD) Building Committee.

SMMA submitted a letter dated 01/22/15 addressing issues, including: the methodology used by the project’s geotechnical consultant, McArdle Ganon Associates, Inc. (MGA) to determine seasonal high groundwater elevations; a narrative and plan showing designated snow storage areas; details related to a containment tray currently in place to house an existing 275-gallon diesel tank used to re-fuel diesel-powered equipment; and a copy of Minutes taken by a representative from Heery International, Inc., covering several meetings held over the last year with Town Officials.

E. Prestileo outlined details and discussion included:

- The Water Department’s plan to keep water flowing in a northeasterly direction by connecting an existing line to a new 8 inch main looping around the school, resulting in the elimination of a dead end.
- The garage will not be connected to potable water.
- The Geotechnical Consultant’s documentation of methods related to monitoring wells and test pits to establish seasonal high groundwater.
- A Snow Storage Plan allowing for expansion for large events and long term storage, with a requirement for oversight and annual maintenance in the spring.
- The 275-gallon fuel tank will be filled two-three times per year and will be protected by bollards, with direction and oversight by the Fire Chief.
- As much material as possible will be re-used on site, and any remainder would stay in the District for utilization.
- Revised Plans were submitted.

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- A final review letter was submitted by Greg Roy, Ducharme & Dillis.

The Board agreed a condition would be included in the Decision to hold individual contractors responsible if any damage occurs on Proctor Rd. or any other Town Road as a result of dropping off front-end loaders or transporting any heavy equipment to and from the site.

At 7:57 p.m., N. Thalheimer motioned to close the public hearing. C. Nocella seconded and all voted in favor.

**2.4.1 Revised Plans from SMMA** – Incorporated into discussion above.

**2.4.2 Greg Roy, Ducharme & Dillis Final Review Letter** – Incorporated into discussion above.

**2.4.3 Question RE: Earth Removal from Conservation / Response per ZBA Draft Decision** – Incorporated into discussion above.

### III. WORKSESSION:

**3.1 Creating Master Plans CPTC Handout: Karen Chapman Attended Workshop on 12/18/14** – Karen Chapman, Co-Land Use Coordinator, met with the Board to advise that she attended a “Creating Master Plans” Training Presentation. Copies of the handouts were provided, and K. Chapman asked the Board how they would like to proceed going forward.

It was noted:

- An updated Plan was drafted by an appointed committee in 2008 but had never been approved and adopted.

- J. Peduzzi stated the Plan should be updated every five years. He added he would like the “over-arching goals, which were determined by a large group of residents in a 1999 Charrette, to remain in place. Other sections should address preserving the rural character of the town, planning for the future, housing, economic development, open space & recreation, and natural & cultural preservation.

- Input should be solicited from the public through public hearings.

- K. Chapman stated that an Open Space & Recreation Plan she worked on with a committee had been completed and adopted recently, and a “Housing Production Plan” (formerly entitled, the “Affordable Housing Plan”), was prepared and approved the State; and these could be incorporated into the Master Plan Update. Master Plan State Statute noted was Chapter 41, Section 81D.

K. Chapman & J. Hollows, as Co-Land Use Coordinators, were asked to begin work again on a draft plan update.

**3.2 Mass Audubon Objection Letter to Kinder Morgan RE: Request for Information and Tennessee Gas Pipeline-AECOM Letter w/Notice of Open Houses for Jan. & Feb.** - Noted with no action taken.

**3.2.1 E-mail from Town Resident RE: Kinder Morgan’s Request for Information** - Noted with no action taken.

**3.2.2 Response from Andy Sheehan, Town Administrator** - Noted with no action taken.

**3.3 Authorize Payment to Ducharme & Dillis for Consultant Work on new NMR High School** – N. Thalheimer motioned to authorize payment of \$5,000.00 to Ducharme & Dillis for consultant work done on the new NMR High School. C. Nocella seconded and all voted in favor.

**3.4 Memo from Jodie Deschenes/BOS Office: Request to Submit Annual Report by Feb. 6, 2015** – The Board Reviewed a request from the Board of Selectmen’s Office to submit a 2014 Annual Report for the Planning Board. J. Peduzzi asked J. Hollows to prepare a draft for approval at next meeting.

**3.5 Response from Town Administrator RE: Outstanding Taxes on Properties Seeking Permits –**

The Board reviewed a response from Town Administrator, Andy Sheehan, related to questions they asked about addressing over-due back taxes on a large lot off Hayne Road that was originally part of an Open Space Preservation Development entitled, “Village at Patriot Common.” It was noted that Ch. 117 could be invoked to withhold permits or road acceptance from the developer if any applications are received before taxes are brought up to date.

**3.6 ZBA Referral Notice: Riverbank Development, LLC Application for Special Permit & Variance to Construct new Fire Station -**

The Board reviewed a request for comment from the Zoning Board of Appeals related to an application for a set-back variance to construct a new fire station at the existing site on 13 Elm St. Following discussion, C. Nocella motioned to respond, “the Planning Board recommends that the variance be granted, as the plan will result in an over-all improvement to the site.”

**3.7 NMR High School Special Permit Draft Decision –**

The Board reviewed a draft Decision prepared for the Site Plan Review / Special Permit Application to construct a new North Middlesex Regional High School. A discussion ensued. Minor edits were approved. N. Thalheimer motioned to grant the Site Plan Special Permit. C. Nocella seconded and a Roll Call Vote was taken as follows:

J. Peduzzi – aye; N. Thalheimer – aye; C. Nocella – aye; and J. Bozicas – aye. The Board endorsed the signature page.

**IV. CORRESPONDENCE:**

The following items were received and reviewed without comment:

**4.1 Unutil Annual Municipal Meeting Brochure & CD / Gas Pipeline Info**

**4.2 Memo from Karen Chapman, Co-Land Use Coordinator w/ Land Use Dept. Budget Spreadsheets**

**4.3 60 Warren Rd. Cell Tower, Sprint Compliance Report & Correspondence with Rich Hanks`**

**4.4 Community Open House: Townsend Recreation, Sunday, Feb. 8<sup>th</sup>, 1:00 – 4:00 p.m.**

**4.5 Notices from Townsend/Other Towns**

**V. ADJOURNMENT:**

**5.1** At 10:30 p.m. C. Nocella motioned to adjourn the meeting. N. Thalheimer 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.

**3.5 Response from Town Administrator RE: Outstanding Taxes on Properties Seeking Permits – Attached**