



Office of
THE PLANNING BOARD
272 Main Street
Townsend, Massachusetts 01469
978-597-1700 x 1722 * fax 978-597-1722

RECEIVED
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TOWN OF TOWNSEND
TOWN CLERK

Gerald B. Coughlin, Chairman **Nicholas E. Thalheimer, Vice-Chairman** **Karen M. Coughlin, Clerk**
Jeffrey R. Peduzzi, Member **Gini Lee King, Member** **Chris Jones, Associate Member**

Meeting Minutes
September 28, 2009 7:00 p.m.
Townsend Memorial Hall, BOS Chambers
272 Main Street, Townsend, MA 01469

I. PRELIMINARIES:

- 1.1 **Call the meeting to order** – At 7:04 p.m. N. Thalheimer called the meeting to order.
- 1.2 **Roll call** - Present were, Vice-Chairman, Nicholas Thalheimer, Clerk, Karen Coughlin, Member Jeff Peduzzi, Associate Member Chris Jones and Administrative Assistant, Jeanne Hollows. Member Gini King arrived at 7:06 p.m. and Chairman, Jed Coughlin arrived at 7:10 p.m.
- 1.3 **Additions or deletions to agenda** – Work Session Items 3.2.1 State Ethics Commission Letter added.
- 1.4 **Acceptance of Minutes** - J. Peduzzi motioned to approve the Minutes of August 31, 2009. K. Coughlin seconded and G. King, J. Peduzzi and K. Coughlin voted in favor. N. Thalheimer abstained, as he was not in attendance at that meeting. N. Thalheimer moved to approve the Minutes of Aug. 17, 2009. G. King seconded, and G. King, J. Peduzzi, K. Coughlin and N. Thalheimer voted in favor.

APPOINTMENTS:

2.1 Peter J Drive Request to release Road Bond Funds – The Board reviewed copies of an “Order of Taking” and an e-mail from Atty. Laura Pawle outlining conditions to be met prior to releasing bond funds held to secure the maintenance of Peter J Drive until Town acceptance of the road. Conditions were met as follows: The “Order of Taking” was recorded at the Registry of Deeds, as well as the “As- Built” Plan for the road; a copy of a “Notice of Taking” was sent by certified mail to each affected property owner abutting the road as well as to their mortgage holding firms; and a copy of the “Notice of Taking” was forwarded to the Town Collector of Taxes. With no further issues, J. Peduzzi motioned to release \$20,000 to B Squared Corporation. N. Thalheimer seconded and all voted in favor. It was noted that the Town is still holding \$5,000 pending completion and stabilization of one last lot, should any damage be incurred to the road by construction vehicles in the building process.

2.1.1 Confirmation of Recorded “Order of Taking” & Notices to Owners – As noted above.

III. WORKSESSION:

3.1 ZBA Referral Notice – 60-62 Turnpike Rd., Appeal Zoning Enforcement Officer’s denial to operate wood chipping & shredding business in Industrial District. – The Board reviewed a Referral Notice regarding an application filed by Carl Cerullo, owner of M.J.S. Metals to appeal the determination by Rich Hanks, Zoning Enforcement Agent that a proposed wood chipping and shredding business is not an allowed use under Zoning Bylaw §145-23-Dumps. A discussion ensued. N. Thalheimer stated he would not be opposed as long as scraps were properly handled, but stated it appears the applicant wants to add this operation to his existing metals business. J. Peduzzi noted that the property lies over the town aquifer. J. Peduzzi moved to respond, “we support the Zoning Enforcement Officer’s interpretation of Zoning Bylaw §145-23, and the appeal should be denied. N. Thalheimer seconded. J. Peduzzi, G. King and N. Thalheimer voted in favor. K. Coughlin voted against, and J. Coughlin abstained. K. Coughlin

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motioned that the motion be amended to add, "the applicant could seek a variance, which if granted, would allow oversight of the operation by the Zoning Board of Appeals and the Zoning Enforcement Officer." J. Peduzzi seconded and all voted in favor.

3.2 Kopelman and Paige Memo RE: Conflict of Interest Law Amendment & Requirements – The Board reviewed a Memo from Town Counsel, Kopelman and Paige, informing them of a change in the State Conflict of Interest Law and new requirements for municipally elected, appointed or hired employees. J. Hollows advised the Board that more information would be coming to clarify the deadlines for mandatory training.

3.2.1 Conflict of Interest e-mail & State Ethics Web Site for Mandatory Training – J. Hollows stated that a letter had just been received from the State Ethics Commission to clarify requirements and would be distributed to the Board in the new future. It was noted that newly appointed Associate Member, Chris Jones had taken the on-line training and submitted a Certificate of Completion to J. Hollows.

IV. CORRESPONDENCE:

4.1 Granite Road-Locke Estates Open Space Deed, Title & Covenant Release – The Board received a copy of a Deed conveying 36+ acres of "open space" to the Town, to finalize a condition in the Decision for an Open Space Preservation Development off Granite Road entitled "Locke Estates." The Deed had been recorded at the Registry of Deeds by Atty. Robert Collins, along with an updated Title Certification and a "Release of Covenant" that had been found to be outstanding. J. Peduzzi motioned to have the Planning Board send a letter to the Assessor's Office requesting that procedures be followed to apply to the Commonwealth of Mass for an abatement of all outstanding taxes, since the developer had incurred significant expense to re-engineer his plans at the request of the Conservation Commission in order to preserve the open space parcels. N. Thalheimer seconded and all voted in favor. J. Hollows stated she would draft a letter to that effect and bring it back to the Board.

4.2 Zoning Enforcement Officer Letter to Townsend Ford RE: Vehicle Storage – The Board asked J. Hollows to query Rich Hanks to see if he received a response to the letter that went out to Townsend Ford regarding violations in vehicle storage. It was noted that most of the vehicles had been removed with the exception of an old red mini van.

4.3 Zoning Enforcement Officer Letter to Julian & Gredda Ceike RE: Wood Processing – Received and noted.

4.4 Memo from BOS Office Appointing Chris Jones as Associate Member of Planning Board – The Board welcomed Chris Jones to the Board as an Associate.

4.5 "Village at Patriot Common" copy of Notice of Project Change to MEPA – The Board received copies of a submission to the Conservation Commission outlining a project change from the originally proposed 27 lots, to 7 lots, however it included three additional lots on Proctor Road already developed and two additional lots on Hogs Hill Road currently in a proposed stage of development. The Board asked J. Hollows to question owner, Peter DeCarolis regarding the addition of five lots.

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4.6 Deed Granting Land & Improvements to Town from Sterilite Townsend Community Building Fund (New Highway Garage & Adjacent Parcels.) – Received and noted.

4.7 ZBA Notice of Decision, John Forrest, 1-3 Jeffs St. Granting Special Permit for 3-Family – The Board noted that a Special Permit had been granted for conversion of a two-family to a three-family and asked if these rental units would be considered additions to the Town’s “affordable housing stock.” J. Hollows stated she would research the questions.

4.8 Notices from Townsend/Other Towns – Received and noted.

V. ADJOURNMENT:

At 7:55 p.m. J. Peduzzi motioned to adjourn the meeting. N. Thalheimer seconded and all voted in favor.

(Transcribed from notes)
Respectfully Submitted by

Jeanne Hollows
Planning Board Administrative Assistant



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 - 2.1.1 Confirmation of Recorded "Order of Takng" & Notices to Owners
- III. **WORKSESSION:**
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Next Meeting Date: Regular Meeting – Monday October 5, 2009 at 7:00 p.m.