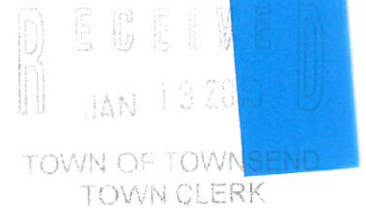




Office of
THE PLANNING BOARD
272 Main Street

Townsend, Massachusetts 01469
978-597-1700 x 1722 * fax 978-597-1722



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
December 7, 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 7:10 J. Coughlin called the meeting to order.
- 1.2 **Roll call** - Present were Chairman, Jed Coughlin, Vice-Chairman Nicholas Thalheimer, Member Jeff Peduzzi, Member Gini King, Associate Member, Chris Jones and Administrative Assistant, Jeanne Hollows. Clerk Karen Coughlin was absent.
- 1.3 **Additions or deletions to agenda** – Work Session Item #3.3 added.
- 1.4 **Acceptance of Minutes of November 16, 2009** – J. Peduzzi motioned to approve the draft Minutes of 11/016/09. N. Thalheimer seconded and all voted in favor.

II. APPOINTMENTS:

None.

III. WORKSESSION:

3.1 Village at Patriot Common – Jeff Brem’s response to 12 Lots on “Notice of Project Change.” – The Board reviewed an explanation by Jeff Brem, engineer of Meisner Brem, given in response to the Board’s question of why a “Notice of Project Change” filing with the Mass Executive Office of Energy and Environmental Affairs included three lots on Proctor Road, previously owned by DECA Corp. developed several years ago, and two additional lots that may be developed on Hog Hill Road. J. Hollows advised that the filing was required by the State to allow for a “look back” period of time where development has taken place or will take place on parcels currently or recently owned by the same owner, in order to evaluate the environmental impact on the whole parcel.

3.1.1 Decision from Secretary of Mass Energy & Environmental Affairs – The Board reviewed a “Certificate of the Secretary of Energy and Environmental Affairs on the Notice of Project Change” determining that the 7-lot “Village at Patriot Common” and the 5 additional lots included in the filing with the State does not require the preparation of an Environmental Impact Report, and concludes that the “Notice of Project Change” has adequately assessed potential impacts and is committed to measures to avoid, minimize and mitigate environmental impact. The letter also expressed satisfaction that any outstanding issues can be addressed through the state and local permit and review process.

3.2 Set Meeting Dates: Jan., Feb, March – The Board reviewed and agreed upon suggested dates for future meetings as follows:

Jan. 11th & 25th
Feb. 8th & 22nd
Mar. 15th & 29th

3.3 Question RE: Zoning Enforcement Officer's Policy – J. Peduzzi stated that a question had come to him from a concerned citizen regarding two schools of thought related to enforcement of zoning bylaws: (1) Some Enforcement Officers do not go out of their way to identify issues that may exist, unless someone complains; (2) Others engage in active pursuit and enforcement. J. Hollows responded that while she does not want to speak for Rich Hanks, Zoning Enforcement Officer, her observations are that he responds if and when there is a question or complaint, rather than actively pursuing infringements.

At 7:35 p.m., J. Coughlin left the chambers.

IV. CORRESPONDENCE:

4.1 Kopelman & Paige Memo – Rulings on Lapse of Special Permits and Variances – The Board reviewed a Memo from Town Counsel advising that the Mass Supreme Judicial Court and Appeals Court issued important rulings this year regarding the circumstances under which a variance and a special permit respectively will lapse. Town Counsel, Kay Doyle, of Kopelman and Paige, added a recommendation for permit granting authorities, to set out, in express language, in applicable decisions and applicable by-laws exactly how and when a lapse will occur. Sample language was provided in the memo with the recommendation it be included in Special Permit Decisions and bylaws, if it is not already so included.

J. Peduzzi asked J. Hollows to review the Special Permits granted for all cell towers and co-locators in town to see if any permits have expired and need to be renewed.

The remaining correspondence as follows was received and noted by the Board:

4.2 Response to question on Jefts St. RE: Affordable Housing Stock

4.3 cc: Cons Comm. Memo to Assessors to Support Tax Abatement Request - Granite Rd.

4.4 Mass Dept. of Conservation & Recreation "Terra Firma" Bulletin, "...Preserving Historic Farms."

4.5 Notices from Townsend/Other Towns

V. ADJOURNMENT:

At 8:00 p.m. J. Peduzzi motioned to adjourn the meeting. N. Thalheimer seconded. All voted in favor.

(Transcribed from notes)
Respectfully Submitted by

Jeanne Hollows
Planning Board Administrative Assistant



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Meeting Agenda
December 7, 2009 7:00 p.m.
Townsend Memorial Hall,
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
- 1.4 Acceptance of Minutes of November 16, 2009

II. APPOINTMENTS:

- 2.1 None

III. WORKSESSION:

- 3.1 Village at Patriot Common – Jeff Brem’s response to 12 Lots on “Notice of Project Change.”

3.1.1 Decision from Secretary of Mass Energy & Environmental Affairs

- 3.2 Set Meeting Dates: Jan., Feb, March

Suggest: Jan. 11th & 25th
 Feb. 8th & 22nd
 Mar. 15th & 29th

3.3 ZEO Policy

IV. CORRESPONDENCE:

- 4.1 Kopelman & Paige Memo – Rulings on Lapse of Special Permits and Variances
- 4.2 Response to question on Jefts St. RE: Affordable Housing Stock
- 4.3 cc: Cons Comm Memo to Assessors to Support Tax Abatement Request on Granite Rd.
- 4.4 Mass Dept. of Conservation & Recreation “Terra Firma” Bulletin, “...Preserving Historic Farms.”
- 4.5 Notices from Townsend/Other Towns

Next Meeting Date: Regular Meeting – Monday December 21, 2009 at 7:00 p.m.