



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

RECEIVED
APR 16 2008
TOWN OF TOWNSEND
TOWN CLERK

Stanley Vladyka, Chairman Nicholas E. Thalheimer, Vice-Chairman
Louis C. Kiklis, Clerk Jeffrey R. Peduzzi, Member Gerald B. Coughlin, Member

Meeting Minutes
March 24, 2008 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 7:08 S. Vladyka called the meeting to order.
- 1.2 **Roll call** - Present were Chairman, Stanley Vladyka, Member, Jeff Peduzzi, Member, Jed Coughlin and Administrative Assistant, Jeanne Hollows. Clerk, Louis Kiklis arrived at 7:30 p.m. Vice-Chairman, Nicholas Thalheimer, arrived at 7:35 p.m.
- 1.3 **Additions or deletions to agenda** – None.
- 1.4 **Acceptance of Minutes** – J. Peduzzi moved to approve the Minutes of March 10, 2008. J. Coughlin seconded and S. Vladyka, J. Peduzzi and J. Coughlin voted in favor.

I. APPOINTMENTS:

2.1 **7:10 p.m. Karen Coughlin – RE: Associate Member** – Town resident, Karen Coughlin met with the Board at 8:35 p.m. regarding the Volunteer Response Form she submitted expressing interest in the Associate Member's position on the Board. J. Peduzzi motioned to appoint K. Coughlin to the Board as an Associate Member. L. Kiklis seconded and all five members voted in favor. S. Vladyka asked J. Hollows to provide a memo to the Board of Selectmen informing them of the unanimous vote and asking them to vote on this appointment, since the office is a dual appointment by both Boards. N. Thalheimer stated he would attend the BOS meeting to speak in support of the appointment, if needed.

2.2 **7:30 p.m. Village at Patriot Common, Reconvene Public Hearing** – At 7:42 p.m. N. Thalheimer re-convened the public hearing and introduced all five members of the Board in attendance. Atty. Doug Deschenes, accompanied by owner, Peter DeCarolis, stated that a copy of the Plan went to Mass Div. of Fisheries & Wildlife to address a request for a Habitat Assessment. He added that nothing has changed, however the pond is mapped out, along with areas of the open space to be included in a Conservation Restriction for wildlife habitat. J. Peduzzi questioned a discrepancy on the Revision Dates and notes between two different copies of the Plans, both labeled AL-1. Atty. Deschenes explained that one copy was used for the State's review.

Jay Kaknes, a licensed engineer and steel sheet contractor with Amco, LLC in Londonderry, NH addressed the Board to explain a plan using machine methodology to protect the abutting slopes along side the proposed entrance to the project off Proctor Road. He submitted copies of photos showing an example of driven steel sheet piling. He described further details and stated these would be shown on a plan prepared by Jeff Brem of Meisner Brem Corporation.

Abutter Ed Ward of 26 Proctor Rd. asked how close the steel sheets would come to his home, his well and his property line. J. Kaknes stated although they are allowed to drive protective sheets right up along an abutting property line, they would plan to stay about 4'-5' away, and also explained that a

Page 2

pre-construction survey would be done to test ground vibrations, and well testing would also be done before and after installation. He added he would request permission from the abutting property owner for any inspections. P. DeCarolis asked E. Ward if he had both town water and well water, and if so, what was the well water used for. E. Ward responded that he does have both town and well water, and the well water is used for outside watering.

In response to questions from S. Vladyka, P. DeCarolis stated:

- steel sheets would be put in during the dry season.
- With regard to protection of the stream on the opposite side of the proposed entrance, a smaller concrete wall would be constructed there rather than the steel driven sheets.

A discussion ensued regarding the make-up of the Board with the possibility of losing one or two members following the April 28th Town Election, and the requirements of a four-fifths vote to approve a Special Permit. Atty. Deschenes asked the Board to consider closing the Special Permit side of the hearing and writing a Decision to include conditions hinging on approval of the Definitive Subdivision Plan along with additional outstanding issues with Conservation Commission and the State offices of the Natural Heritage & Endangered Species Program (NHESP) and the Mass Endangered Species Act (MESA). S. Vladyka stated he wanted to include everything in one Decision. J. Peduzzi read from the Planning Board Rules & Regulations, 175-13 A. (2) stating that when the Definitive Application is accompanied by an Open Space Preservation Development application, the applicant shall include a written extension of the time frame for the Decision to be 90 days following the close of the Public Hearing. Atty. Deschenes stated that although this written extension was provided, 90 days would not be enough time to resolve the outstanding issues. It was suggested to the applicant that it was likely there would be at least four out of the current five members still on the Board following the April 28th election, and it was a consensus to continue the hearing on that premise.

J. Peduzzi stated he would want to see details and guarantees that abutting property owners are protected.

J. Coughlin asked about sidewalks and P. DeCarolis responded that sidewalks are planned along the proposed entrance on the river side.

2.2.0 Alternative Layout Plan Sheet AL-1 & Last Hearing Minutes Review – Received & noted by the Board.

2.2.1 Notice to P. DeCarolis from Mass Div. of Fisheries & Wildlife Requesting Habitat Assessment on Proctor Rd. – The Board reviewed a letter from the Mass Division of Fisheries & Wildlife dated 10/19/07, which included notice that the proposed project occurs within the habitat of the Blanding's Turtles, a threatened species, and that the Triangle Floater, a species of "Special Concern" might also be affected if the project is not designed correctly. J. Coughlin asked if walking trails could still be constructed given the endangered species. Atty. Deschenes responded that over 30 acres are shown on the latest map to be set aside for Conservation Restriction, and the remaining 60+ acres of open space could be unrestricted for these trails.

J. Peduzzi stated a parking area should be provided for the trails.

S. Vladyka stated he would like to see Boy Scouts used by the Conservation Commission to maintain the trails.

2.2.2 Letter & pictures received from Jeff Whelan – The Board reviewed pictures submitted by Jeff Whelan of 8 Proctor Rd., along with a letter dated 11/19/07 regarding wetland flags that were placed on his property rather than on property owned by the applicant.

2.2.3 Letter, photo & map from Heide Messing – The Board reviewed a photo, maps and a letter submitted by Heide Messing of 30 Proctor Rd. stating that the corrected plans submitted by

Page 3

Meisner Brem contain substantial discrepancies and omissions. J. Peduzzi asked J. Hollows to make sure the applicant received copies of the letters.

2.2.4 Summary Sheet of all comments – N. Thalheimer read an outline summary of all comments received to date.

At 8:35 p.m., J. Coughlin motioned to continue the public hearing to May 19th at 7:30 p.m. J. Peduzzi seconded and all voted in favor.

III. WORKSESSION:

3.1 West Meadow Estates Deed to Open Space received – Need Article for Town Meeting – J. Hollows advised the Board that a deed was sent to the Assessor's office from the Registry of Deeds turning over approximately 6.1 acres of land designated as "Open Space" on a plan entitled, "Definitive Subdivision of Land in Townsend Mass," prepared for Richard A. Waterhouse and Kathleen A. Waterhouse, located on West Meadow Rd. The Board asked J. Hollows to check to see if the language had been reviewed and approved by Town Counsel.

3.2 Town Administrator's Request for Comment RE: Rail Trail Project – J. Coughlin read a memo from Town Administrator, Greg Barnes requesting a written response from the Board with regard to a proposal by the Townsend Squannacook River Rail Trail Committee to develop a rail trail along a former railroad Right of Way with the help of a consulting firm hired with State Grant funds. A discussion ensued. J. Peduzzi stated he is all for it. S. Vladyka stated wetlands may be involved, the Board should walk it, and abutters should have their say. A Site Walk was set up for all who could make it for the following Sunday, March 30, 2008 at 9:00 a.m. to begin at the Center St. Fitness Center Parking Lot.

3.3 Attorney General's Office Letter – The Board received a copy of a letter from the Attorney General's office outlining acceptances & comments with regard to Nov. '07 Town Meeting Articles.

3.4 Harbor Trace – The Board received a copy of a signed Agreement and a check in the amount of \$20,000 received from Developers Ron Koivu & Jim Adams as a Security Deposit to be deposited with the Town of Townsend to secure road maintenance & plowing at the South St. Subdivision until such time as the road is accepted as a public road.

3.5 Highway Garage – Site Plan Buildings size have changed – The Board asked J. Hollows to contact Gary Shepherd, liaison for Sterilite Townsend Community Building Fund, LLC to request details about any changes to the approved plan.

3.6 Library & Senior Center Site Plan submitted – 1) Does Board want Peer Review? 2) We need to determine when to open public hearing based on Board make-up – A discussion ensued regarding the probable make-up of the Board, and when the public hearing should be opened for this proposal. It was the consensus to schedule the second meeting in April and the hearing on the 29th of the month, so as not to conflict with the holiday and Town Election. The Peer Review issue was not addressed.

3.7 Change April 28th Meeting date to? to avoid conflict with Town Election – Meeting was scheduled for Tuesday, April 29th, as stated in Work session Item #3.6.

Page 4

3.8 Rivers Edge 40B submitted – Take home copies – J. Hollows stated that an official request from the State office of Mass Housing asking the Town to provide an initial response to this proposal would be coming shortly. Town Administrator, Greg Barnes wanted to make copies available to Boards and Departments in advance to allow additional time for review. S. Vladyka, J. Peduzzi, and J. Coughlin took copies home for review.

IV. CORRESPONDENCE:

4.1 Notices from Townsend/Other Towns - Received and noted by the Board.

V. ADJOURNMENT

At 9:15 p.m. J. Peduzzi motioned to adjourn the meeting. J. Coughlin seconded and all voted in favor.

(Transcribed from notes)

Respectfully Submitted by

Jeanne Hollows

Planning Board Administrative Assistant



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

Stanley Vladyka, Chairman

Nicholas E. Thalheimer, Vice-Chairman

Louis C. Kiklis, Clerk

Jeffrey R. Peduzzi, Member

Gerald B. Coughlin, Member

Meeting Agenda

March 24, 2008 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 March 10, 2008

II. APPOINTMENTS:

- 2.1 7:10 p.m. Karen Coughlin – RE: Associate Member
- 2.2 7:30 p.m. Village at Patriot Common, Reconvene Public Hearing
 - 2.2.0 Alternative Layout Plan Sheet AL-1 & Last Hearing Minutes Review
 - 2.2.1 Notice to P. DeCarolus from Mass Div. of Fisheries & Wildlife Requesting Habitat Assessment on Proctor Rd.
 - 2.2.2 Letter & pictures received from Jeff Whelan
 - 2.2.3 Letter, photo & map from Heide Messing
 - 2.2.4 Summary Sheet of all comments

III. WORKSESSION:

- 3.1 West Meadow Estates Deed to Open Space received – Need Article for Town Meeting
- 3.2 Town Administrator's Request for Comment RE: Rail Trail Project
- 3.3 Attorney General Acceptances & Comments from Nov. '07 Town Meeting
- 3.4 Harbor Trace Security Deposit received for road maintenance & plowing
- 3.5 Highway Garage – Site Plan Buildings size have changed
- 3.6 Library & Senior Center Site Plan submitted – 1) Does Board want Peer Review? 2) We need to determine when to open public hearing based on Board make-up
- 3.7 Change April 28th Meeting date to? to avoid conflict with Town Election
- 3.8 Rivers Edge 40B submitted – Take home copies?

IV. CORRESPONDENCE:

- 4.1 Notices from Townsend/Other Towns

Next Meeting Date: Regular Meeting – Monday, April 14, 2008 at 7:00 p.m.