



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

Jeffrey R. Peduzzi, Chairman

Nicholas E. Thalheimer, Vice-Chairman

Louis C. Kiklis, Clerk

Stanley Vladyka, Member

Gerald B. Coughlin, Member

Meeting Agenda

December 4, 2006 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 6, 2006

II. APPOINTMENTS:

- 2.1 7:30 p.m. – Village at Patriot Common, DECA, Proctor/Haynes Rd. Definitive / OSPD Subdivision – Continue Public Hearing
 - 2.1.1 Letter from applicant to coincide time lines for Special Permit & Definitive?
 - 2.1.2 Correspondence from Concerned Residents
 - 2.1.3 Review Holmberg & Howe Report – Set up Jeff Rider to come to meeting?

III. WORKSESSION:

- 3.1 Referral Notice from ZBA RE: David Langton's appeal to ZEO's Cease & Desist Order
- 3.2 EXECUTIVE SESSION: Litigation Update
- 3.3 OSMD Application / process Discussion
- 3.4 Letter from Dana & Barbara King RE: Request for meeting to discuss support for small business complex with Town Board / Departments.
- 3.5 Peer Review Firm H & H – Personnel change
- 3.6 BOS Memo - Right of First Refusal "Chapter 61A" Land – Warner Rd. Map 36, Block 24
- 3.7 Letter to ZBA from ATTY for Turnpike Village

IV. CORRESPONDENCE:

- 4.1 BOS Memo RE: Waiver of fees for Habitat Affordable Housing Permits
- 4.2 DHCD Notice RE: State re-location requirements
- 4.3 MRPC Small Community Survey Results
- 4.4 MRPC Regional Workshop for 2007 Draft Transportation Plan – 12/7, 6:30 p.m. Devens
- 4.5 Public Health, Ground Water Protection, Wells Workshop, 1/30/07, 8 -4:30 p.m, Worc.
- 4.6 Notices from Townsend/Other Towns

Next Meeting Date: Regular Meeting – Monday, December 18, 2006 at 7:00 p.m.



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

Jeffrey R. Peduzzi, Chairman
Louis C. Kiklis, Clerk

Stanley Vladyka, Member

Nicholas E. Thalheimer, Vice-Chairman
Gerald B. Coughlin, Member

Meeting Minutes
December 4, 2006 7:00 p.m.
Townsend Memorial Hall,
BOS Chambers
272 Main Street, Townsend, MA 01469

I. PRELIMINARIES:

1.1 The meeting was called to order at 7:20 p.m.

1.2 Roll call – Present were Chairman, Jeff Peduzzi, Vice-Chairman, Nicholas Thalheimer, Clerk, Louis Kiklis, Member, Stanley Vladyka, and Administrative Assistant, Jeanne Hollows. Member, Jed Coughlin was absent.

1.3 Additions or deletions to agenda - Item #3.7 – copy of letter to ZBA from Atty. Regnante & Atty. Haverty in response to Turnpike Village “Referral Notice” report from Planning Board.

1.4 Acceptance of Minutes – S. Vladyka motioned to accept the Minutes of November 6, 2006. N. Thalheimer seconded and the motion carried.

II. APPOINTMENTS:

2.1 7:30 p.m. – Village at Patriot Common, DECA, Proctor/Haynes Rd. Definitive / OSPD

Subdivision – Continue Public Hearing – At 7:30 p.m. J. Peduzzi opened the Public Hearing and introduced Board Members. A letter was submitted by Jeff Brem on behalf of applicant, Peter DeCarolis, requesting a continuation of the public hearing without “any serious discussion” until Jan. 8, 2007 due to the fact that one member was absent from the Board. Without any discussion, N. Thalheimer motioned to continue the hearing to Jan. 8, 2007 at 7:30 p.m.. S. Vladyka seconded and the vote was unanimous.

2.1 Letter from applicant to extend time to March, 2007. – Received without comment.

2.2 Correspondence from Concerned Residents – Tabled.

2.3 Review Holmberg & Howe Report – Tabled.

III. WORKSESSION:

3.1 Referral Notice from ZBA RE: David Langton’s appeal to ZEO’s Cease & Desist Order – Following a brief discussion, N. Thalheimer motioned to respond as follows: “The Planning Board feels that the Zoning Officer’s interpretation of the by-law is correct. S. Vladyka seconded and all voted in favor.

3.2 EXECUTIVE SESSION: Litigation Update – At 9:00 p.m. L. Kiklis motioned to move from Open Session into Executive Session to discuss litigation, where open meeting discussion may have a

detrimental effect on the town's position or strategy, following which, the Board would not return to Open Session, but would adjourn. S. Vladyka seconded and a roll call vote was taken as follows: J. Peduzzi: aye; L. Kiklis: aye; N. Thalheimer: aye; and S. Vladyka: aye.

3.3 OSMD Application / process Discussion - J. Hollows advised the Board that there was no application for an Open Space Multi-Family Development (OSMD). Since the basic filing information is similar to one for an Open Space Preservation Development (OSPD), she prepared a draft application which included an option for an OSMD on the OSPD application. Following review, L. Kiklis motioned to approve the revised application. N. Thalheimer seconded and the vote was unanimous.

3.4 Letter from Dana & Barbara King – The Board reviewed a letter received from Dana & Barbara King requesting support from Town boards and departments with regard to their desire to build a small business complex on their property off Rt. 119. Their plan for a safe access would come across the site of a former package store, however, they would need to gain easement rights to cross the railroad tracks lying between his two abutting properties. Following a brief discussion, it was the consensus of the Board to want to support the effort, but they were not sure how they could help. J. Hollows was asked to set up come agenda time for the Kings to come in, and also to look into what it would take for an individual to be granted an easement across abandoned rail tracks.

3.5 Peer Review Firm H & H – Personnel change – Notice had been given that Jeff Rider, who has had a long-standing business relationship in the capacity of handling peer review reports, has left Holmberg & Howe, Inc. and is now employed by Cuoco & Cormier Engineering Associates, Inc., who have offices in Nashua, NH and Tewksbury, MA. J. Rider informed J. Peduzzi and J. Hollows that he will continue his review work on the current filing at Proctor Road, entitled, Village at Patriot Common. J. Hollows advised the Board that all of the engineers had left Holmberg & Howe, and a brief discussion ensued as to who to employ for peer review work in the future. J. Peduzzi asked J. Hollows to confirm Jeff Rider's continued affiliation with Holmberg & Howe for the current project and to request a brochure of services from Cuoco & Cormier Engineering Associates, Inc., as well as from other firms.

3.6 BOS Memo - Right of First Refusal "Chapter 61A" Land – The Board reviewed a copy of a letter from the Board of Selectmen to Town Properties with regard to a plan to convert 5.83 acres of land from Chapter 61A designation to residential use, by owners, Louis & Mary Catalanotto. Following a brief discussion, N. Thalheimer motioned to support whatever Town Properties decides. L. Kiklis seconded and the vote was unanimous.

3.7 Added: Letter received from Regnante, Sterio & Osborne, LLP – The Board reviewed a copy of a letter send to the Zoning Board of Appeals by Regnante, Sterio & Osborne, LLP , Attorneys at Law. The letter was written in response to the "Referral Notice" report submitted by the Planning Board with regard to a 40B filing before the ZBA entitled "Turnpike Village." J. Peduzzi asked J. Hollows to make a copy for him. No further action was taken

IV. **CORRESPONDENCE:**

4.1 BOS Memo RE: Waiver of fees for Habitat Affordable Housing Permits – The Board asked J. Hollows to keep on file a memo to all applicable Boards from the Board of Selectmen's Office asking them to waive the cost of fees to the degree that it is allowed by law, for any required permitting associated with building an affordable housing unit to be deeded to the Town, located at Apple Drive, (Map 16, Block 49, Lots, 124-129)

Page 3

The following correspondence was received and noted by the Board.

- 4.2 DHCD Notice RE: State re-location requirements
- 4.3 MRPC Small Community Survey Results
- 4.4 MRPC Regional Workshop for 2007 Draft Transportation Plan – 12/7, 6:30 p.m. Devens
- 4.5 Public Health, Ground Water Protection, Wells Workshop, 1/30/07, 8 -4:30 p.m, Worc.
- 4.6 Notices from Townsend/Other Towns

V. ADJOURNMENT

At 10:55 p.m. S. Vladyka motioned to adjourn the meeting. N. Thalheimer seconded. The motion carried by unanimous vote.

(Transcribed from notes)

Respectfully Submitted by

Jeanne Hollows

Planning Board Administrative Assistant