



*Office of*  
**ZONING BOARD of APPEALS**  
272 Main Street  
Townsend, Massachusetts 01469  
978-597-1700 x 1722  
[MDecoteau@townsend.ma.us](mailto:MDecoteau@townsend.ma.us)

William Cadogan, Chair  
Anthony Genova, Member

Darlene Sodano, Vice-Chair

Craig Stevens, Member  
John Giunta, Associate Member

**Zoning Board of Appeals Agenda**  
**Wednesday, December 21, 2016, 6:00PM**  
**Townsend Memorial Hall, Meeting Room 2**

**1.0 Preliminaries:**

- 1.1 Call the meeting to order: Bill Cadogan called the meeting to order at 6:08PM.
  - 1.1.1 Appoint John Giunta full member status for voting: Darlene Sodano moved to appoint John Giunta a full member. Craig Stevens seconded. All in Favor (AIF).
- 1.2 Roll Call: William Cadogan (WC), Darlene Sodano (DS), John Giunta (JG), Craig Stevens (CS)
- 1.3 Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting: None
- 1.4 Review and approve minutes from November 19, 2015; April 27, 2016; May 18, 2015; October 12, 2016; October 26, 2016, December 14, 2016: DS moved to accept all the minutes. CS seconded. AIF.

**2.0 Hearings/Appointments/Work Sessions:**

- 2.1 **6:00pm: Continuation - 460 Main Street – Earth Excavation Permit**  
The applicant is requesting a Special Permit to remove 82 yards<sup>3</sup> of material.  
DS moved to reopen the Public Hearing. CS seconded. AIF.  
WC read the legal notice.

Stan Dillis, representing the Town of Townsend, reviewed the plans.

Pursuant to §145-46

**D. Application**

- (1) The application included correct property lines and abutters' addresses
- (2) The application materials showed one-foot intervals
- (3) The application included natural features and soil boring logs
- (4) The application included a map with drainage features, final grades, and proposed vegetation.
- (5) The applicant is applying for a Stormwater Permit and the sediment and erosion control plan is included with that application to the Planning Board (Stormwater Permit SM #2017 – 02)
- (6) The application included a restoration plan.
- (7) The applicant has been approved by the Board of Health for their perc test for septic.

**E. Bond**

The Board shall waive the condition of a performance bond.

(F) The Board determined that these sections will be adequately covered by the Special Permit.

G. The Board specifies that the applicant shall remove the material according the plans entitled Site Construction Plan Townsend Fire Department, dated 18/18/16, stamped by Gregory A. Roy, PE 10/18/16, and Job number 5337.

H. The applicant shall operate all excavation only during the hours of 8:00AM and 4:30PM, Monday through Friday.

I. Standards

- (1) The Board waives this requirement due to lot size.
- (2) This is not applicable.
- (3) This is not applicable.
- (4) The Board will grant the use of a construction trailer during construction and will require the removal of the trailer within 60 days of completion of construction.
- (5) The applicant shall operate all excavation only during the hours of 8:00AM and 4:30PM, Monday through Friday.
- (6) The Chief of Police will have the right regulate the trucking routes.
- (7) This is not applicable.
- (8) This is not applicable.

J Restoration

- (1) The Board specifies that the applicant shall restore the site according the plans entitled Site Construction Plan Townsend Fire Department, dated 18/18/16, stamped by Gregory A. Roy, PE 10/18/16, and Job number 5337.
- (2) The Board notes that the slope on the application is 3:1.
- (3) This is not applicable.
- (4) The Board recognizes this will be covered in the Stormwater Permit (SM #2017-03).
- (5) This is not applicable.

Pursuant to §145-65

F. Decision

(1) Special Permit

- (a) The Board determines there is no change in the proposed site use.
- (b) The Board determines there is no change in the proposed site use.
- (c) The Board determined that there will be no impact on traffic.
- (d) The Board determined this will improve the neighborhood.
- (e) The Board determined this will be addressed in the Stormwater Permit (SM #2017-03).
- (f). The Board determined there will be no change in utilities.
- (g) The Board determined there will be an improvement in groundwater and surface water.

DS moved to grant the special permit for Earth Excavation to the Town of Townsend pursuant to §§145-46 and 145-65 per the findings and to include the waivers and conditions that the applicant shall build according to the plan submitted entitled Site Construction Plan Townsend Fire Department, dated 10/18/16 stamped by Gregory S. Roy (stamped 10/18/16), Job No. 5337. The permit shall be valid for one year. JG seconded.

Roll call vote:

William Cadogan	Yes
Darlene Sodano	Yes
John Giunta	Yes
Craig Stevens	Yes. Motion carried

**2.1.1 Fee waiver**

**DS moved to waive the application fee, no second. Motion fails.**

**3.0 General Business:**

**3.1** Mandatory Referrals

**3.1.1** 460 Main Street – Stormwater and Site Plan Review - Passed

**3.2** Zoning Enforcement Violations: Noted.

**3.3** Capital Planning: Noted.

**3.4** Emergency Plans for Weather:

**3.5** Coppersmith Way Bond/53G accounts – Look for a Triparty agreement.

**4.0 Correspondence:**

**4.1** Notices from Townsend / Other Towns: Noted

**5.0 Schedule:**

Next meeting: January 11, 2017

**6.0 Adjournment:** CS moved to adjourn, JG seconded. AIF. Adjourn at 7:10PM.

Respectfully submitted by Michele Decoteau