



Office of  
**ZONING BOARD OF APPEALS**  
272 Main Street  
Townsend, Massachusetts 01469  
(978) 597-1700 x1722

William Cadogan, *Chair*  
Darlene Sodano, *Vice-Chair*

Craig Stevens, *Member*

Anthony Genova, *Member*  
John Giunta, *Associate member*

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**Minutes**  
**October 12, 2016**  
**Meeting Room 2, Townsend Memorial Hall,**

**1.0 PRELIMINARIES**

- 1.1 William Cadogan called the meeting to order at 6:05pm  
1.2 Roll Call – William Cadogan (WC), Darlene Sodano (DS), Craig Stevens (CS), Anthony Genova (AG), were all present. Karen Chapman, Land Use Coordinator and Michele Decoteau, Zoning Board Administrator were also present. John Giunta (JG) was absent.  
1.3 Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting: None.

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

**2.1 6:00pm: Public Hearing – 3 Wheeler Road – Ambros Corporation - Special Permit Earth Removal §§145-46 & 145-65**

WC opened the hearing at 6:06PM and read the legal notice. Stan Dillis represented the applicants. Two applicants were present, Gary and Ed Amadon. WC read the mandatory notices and letter of support from an abutter. Mr. Dillis gave an overview of the project. The applicant is requesting a Special Permit to remove 109,000 yards<sup>3</sup> of material from a hay field to make it flatter and more productive. Two building will be removed as well. Top soil will be removed, the under layer removed, and top soil replaced.

CS moved to do a site visit and continue hearing to 10/26/16 at 6:00PM. DS seconded, All in Favor (AIF).

**2.2 6:30pm: Public Hearing – 197 Main Street – Energy North Group - Special Permit under §§145-18, 145-40 & 145-65.**

WC opened the hearing at 6:30PM and read the legal notice, mandatory referrals, and letter from Building Inspector. Brian Tombly and John Gallant represented the owner. The applicant is requesting a Special Permit to replace underground storage tanks in the Aquifer Protection District for the preexisting nonconforming use, a gas station. The new tanks will be same capacity as old ones and only change will be a small adjustment of the diesel tank to be under the canopy.

DS moved that pursuant to **§145-18, the alteration to the proposed construction shall not be more detrimental to neighborhood than the existing nonconforming use. AG seconded.**

CS – yes; WC – yes; DS – yes; AG – yes

DS moved that pursuant to **§145-40 the proposed project meets the intent of the bylaw as well as the specific criteria of the plans submitted and pursuant t to §145-40E(1) the applicant must provide the town evidence of an environmental insurance policy naming the town loss payee. AG seconded.**

CS – yes; WC – yes; DS – yes; AG – yes

**DS moved that pursuant to §145-65 (F) (1) (a-g) the project will not have adverse effects, which overbalance its beneficial effects to the neighborhood or the Town, in view of the particular characteristics of the site. AG seconded.**

- a. No change
- b. No change
- c. None – temporary during construction
- d. No changes to topography
- e. No impact
- f. Upgrade – but need to ensure the Town is a loss payee on environmental insurance

CS – yes; WC – yes; DS – yes; AG – yes

**DS moved to issue a Special Permit under §§145-18, 145-40 & 145-65 to Energy North Group for the tank replacement in APD subject to**

- 1. Building according to the plan submitted**
- 2. Bringing the Town an environmental insurance binder naming the Town loss payee**

CS – yes; WC – yes; DS – yes; AG – yes AIF

**3.0 General Business:**

- 3.0 Mandatory Referral from PB re: 3 Wheeler Road - **Noted**
- 3.1 Mandatory Referral From PB re: 40-56 Fitchburg Road - **Noted**

**4.0 Correspondence:**

- 4.1 Memo from Solar Bylaw Review Committee
- 4.2 Letter from ZEO to 225 Mason Road re: permit application
- 4.3 Letter from ZEO to 20 Burgess Road re: road extension
- 4.4 Citizen Planner Training Collaborative schedule of training
- 4.5 Memo from Town Clerk re: resignation of Kelly Chambers
- 4.6 Memo from Town Clerk re: resignation of Karen Chapman

**5.0 Schedule**

Next meeting: October 26, 2016 at 6:00pm

**6.0 Adjournment – CS moved to adjourn the meeting at 7:25PM. AG seconded. AIF**

(Transcribed from notes)

Respectfully Submitted by Michele Decoteau  
ZBA Administrator