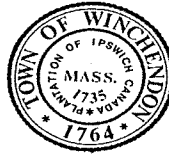


TOWN OF WINCHENDON

Approved: 5 /18/ 2021
Al Manugian

Planning Board



Telephone (978)-297-5419

Regular Meeting Minutes

May 4, 2021

Meeting was held via zoom – Meeting ID: 812 4324 1324

Passcode 0387330

Members Present: Guy Corbosiero, Les Goodrich, Joe Sackett, Art Amenta, Burt Gould, Garrett Wante (alt)

Additional People Present: Alison Manugian - Planning Agent, Rick Ward, Marc Dorwart, Jason Tavares, David Watkins, John Vogel, Jessica McPhee, David and Trish Sweeney

Call to Order: Chair G. Corbosiero called the meeting to order at 6:30 pm and read the standard legal statement regarding meetings during COVID.

Business:

- G. Corbosiero clarified the intent of the meeting tonight - discussion and decision on report to the Select Board regarding the layout of Mellen Road. There should be no discussion of ancient ways or past takings.
- A Manugian stated that this project is a little different from other more typical road layouts before the Planning Board. More often the Board is reviewing a recently completed subdivision or development and has an as-built plan to directly review with the approved engineered plans. In this case the review will be of the layout survey of Mellen Road and any general concerns should be discussed.
- G. Corbosiero began discussion by stating that he sees the layout as pretty basic and he has no concerns. He then asked the Board members for any comments or concerns. None were forthcoming and he opened comments up to the public.
- M. Dorwart explained that he and the other residents haven't had much opportunity to be heard on this topic and he would like to offer some history. He stated that the origin of this situation was an illegal action by the Town and that there is a better path forward than is currently being taken. He explained that the current approach isn't practical as a number of owners are not willing to offer easements. This limitation on the public way will prevent school busses or fire trucks from using the turn around. He asserted that an ANR granted after 1914's discontinuance governs and that the plans haven't changed since 1870, as indicated by the ancient walls. Their Attorney is recommending prescriptive taking given the past twenty years of adverse use. He then outlined the basis for and likelihood of various legal options. There are two sections of the road in question.
- G. Corbosiero interjected that this meeting is to discuss the layout of Mellen Rd. B. Gould expressed agreement.
- M. Dorwart alleged that he has proof that the Planning and Development Director will alter the plans after they are approved.
- D. Watkins stated that per his review the current layout plan matches one of 20 years ago. He is asserting that this is indeed an as-built plan.

- A Manugian clarified that typically the term as-built identifies a plan at the end of a project.
- G. Corbosiero stated that this is a layout plan.
- D. Watkins questioned the need to have this plan created.
- G. Corbosiero outlined that this was the same process taken with regard to Monomonac West to ensure that the roadway qualifies for Chapter 90 funding.
- B. Gould put forth a point of order that the agenda is to discuss only the recently surveyed plan, not laws or individuals. He asked a number of questions about parcels owned by the Town of Gardner and the State.
- G. Corbosiero stated that no other questions have been raised and that the Planning Board needs to decide to approve the layout, disapprove the layout, or simply report back to the Select Board without a recommendation.

B. Gould made a motion to approve the plans as presented here and report to the Select Board. A. Amenta seconded the motion and all voted aye via roll call.

- G. Corbosiero acknowledged G. Wante is again present tonight as the alternate and is appreciated although he doesn't often get to partake or vote.
- M. Dorwart thanked the Board for their time and for letting him speak.

B. Gould moved to adjourn the board and L. Goodrich seconded that motion. All approved via roll call vote.