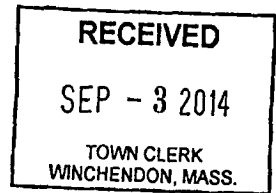


Approved 9-2-14



## TOWN OF WINCHENDON



Planning Board

Telephone (978) 297-5414

109 Front Street  
Winchendon, Massachusetts 01475-1758

### Planning Board Minutes Tuesday, August 19, 2014

**PRESENT:** Chairman Fedor Berndt, Vice Chairman Guy Corbosiero, Greg Vine  
Steve Haddad, Linda Daigle, John Deline, Kenneth LaBrack  
Recorder Doneen Durling  
Absent: James McCrohon, Tracy Murphy

**MATERIALS:** Planning Board Agenda for August 19,  
Definition of waivers under 81R MGL,  
Winchendon Enhancement Collaborative information on Ingleside  
Land use survey for Ingleside  
List of correspondence  
Jacunski Humes Architects LLC response to Tighe and Bond peer review  
\* of Police Station.  
Planning Board Minutes, July 15, 2014.  
Miller's Run Compliance letter October 2012  
Wind Turbine plans  
Post office parking lot changes  
Site Plan for Police Department

**CALL TO ORDER:** 7:06  
Pledge of Allegiance.

The chairman announced that there were a couple of vacancies on the board. He said they were looking for a full-fledged member and an alternate. He advised all those interested to contact the town hall and send in a letter of interest.

Mr. Vine asked if the person who once expressed interest was still interested.

The chairman said she was still interested and would add serving on the Planning Board to a letter of interest that has been sent recently.

## WINCHENDON ENHANCEMENT /INGLESIDE PRESENTATION

Ken LaBrack, Steve Haddad, Linda Daigle and John Deline came forward to inform the board about plans for Ingleside, and to seek their support. They explained that they are now a subcommittee of the Toy Town Partnership.

Mr. Haddad said he represented the school district, Ken LaBrack represents the American Legion and the Redevelopment Authority, and both Linda Daigle and John Deline represent Town Hall.

Mr. Haddad said that in September of 2013, the Robinson Broadhurst Trustees brought 120 – 140 Winchendon residents together in a forum to discuss why people came to Winchendon, what good things were in the town, what challenges the town was facing, and what could be done to change things. From the forum came the Winchendon Enhancement group whose mission was to try and solve some of the problems.

John Deline suggested the Ingleside project.

Mr. Haddad told the board the group was not there to ask for override funding.

Mr. Deline said the Ingleside property is owned by the Winchendon School, and is for sale. He said Robinson Broadhurst asked for project ideas. Mr. Deline said once the town owns the property it would be protected from development forever. He said for every \$1.17 collected in taxes, there is \$1.40 worth of services. He said additional housing could be a negative.

Mr. Deline called the 43-acre site a jewel located right near the downtown area. He said it fits in well with the bike trail, and would help small business.

Mr. Deline and Mr. Haddad spoke of the forum and the views gleaned that insisted on the preservation of open space.

Mr. Haddad pointed to the 2001 Master Plan that sited the development around Whitney pond for recreation.

There was positive input from the 250<sup>th</sup> Summer Solstice gathering that supported preserving Ingleside.

Mr. Deline began to speak of the master Plan for Ingleside.

Mr. Vine suggested that using the term Master Plan might confuse some when speaking of the site plan for Ingleside.

Mr. Deline and Mr. Haddad explained that Robinson Broadhurst had funded a Master Plan through Tighe and Bond for the Ingleside project even though the property has yet to be purchased, noting that the trustees have faith in the project.

Mr. Haddad pointed to a survey that would be inserted in the local paper during the saturation mailing.

Ms. Daigle pointed to the property on the map, and said it is 43 acres currently owned by the Winchendon School. It was placed on the market for \$650,000, and was lowered specifically for the town to \$450,000.

She said the school was generous and supportive of the town reducing the price.

A second map was unveiled outlining ideas that came from the Robinson Broadhurst Community Forum. She said it would be done in phases.

Ms. Daigle explained that in the initial phase they would be able to do community gardens, walking paths, access to the water...hopefully a boat ramp...soccer field and baseball field, and picnic area without too much money. The second phase would be an outdoor theater, and a skate park.

Ms. Daigle said Myranda Bishop, a student at MMHS, has been working with others to begin getting skate park funding.

Ms. Daigle said that the idea is not just to purchase the land, but also to bring the town together with programs.

They would like a Make a Space project, which means people who can mentor other people.

Mr. Haddad spoke of Pastor J. Lillie who has forwarded the idea of Maker Space for art and artists.

Mr. Berndt asked if it could be used by the school district for educational purposes, and was told definitely.

The presenters agreed it would be for multigenerational. Use.

Mr. Vine asked if there had been conversations with Gerry White concerning the open theater because he understood there was consideration for a site off of the bike path for a half shell type of theater.

Mr. Deline said they had been discussing plans with Mr. White and all had come to the conclusion that the piece of property considered would be difficult to access.

Mr. Berndt asked about traffic flow.

Mr. Deline said the access road would have to be moved because of the visibility

Ms. Daigle said Planning and Development has been advising since the beginning.

Planning Agent Tracy Murphy has written up most of the bullet points for Tighe and Bond to work on.

Mr. Haddad said once the town owns the property, it will open up the ability to apply for grants.

Mr. Vine asked about the source of funding for the property.

Mr. Deline said they were looking to finance it over years. He said it would be \$34,000 over 20 years.

He said if they do not find the money and lose the opportunity, it would go the way of White's Castle. He said he had never seen money so well spent in town because it would be something that lasts forever.

Ms. Daigle said there would be an open house September 27 from 11 am to 3 pm. There will be a Fall Festival on site with a pie eating contest and more.

Mr. Corbosiero asked what would be asked for at the Fall Town Meeting

Ms. Daigle said it was not an override but a transfer from the general government budget from the DPW accounts to fund a loan.

Ms. Daigle said they would love to hear from the community.

Mr. Berndt said it would increase the value of properties surrounding it.

Mr. Deline said it would increase the value of the town.

Mr. Berndt asked if the presenters wanted a letter of endorsement.

Mr. LaBrack said they were looking for people to support and educate the public about the property.

Mr. Deline said if there are any concerns, they should not hesitate to bring it back to the committee.

***Mr. Corbosiero made a motion that the Planning Board enthusiastically supports the Ingleside Project/second by Mr. Vine.***

***Corbosiero (Y) Vine (Y) Berndt (Y) 3 – 0 Approved.***

**Presentation Concluded at 7:46**

## **MASTER PLAN COMMITTEE APPOINTMENT**

Myranda Bishop

The chairman informed the board that Ms. Bishop has been in touch with Planning Agent Tracy Murphy, and informed her that she was still interested in becoming a working member of the Master Plan Committee.

***Mr. Corbosiero moved to appoint Myranda Bishop as the student representative to the Master Plan Committee/second by Mr. Vine.***

***Corbosiero (Y) Vine (Y) Berndt (Y) 3 – 0 Approved.***

The chairman said that Ms. Bishop was the first student to step forward. He said he hoped many others step forward in the future.

Mr. Corbosiero asked when Ms. Bishop would turn 18. He was informed it would be in October.

***Mr. Corbosiero said he would like to change his motion to appoint Ms. Bishop as a student representative until she turns 18, and then she becomes a voting member of the Master Plan Committee/second by Mr. Vine.***

***Corbosiero (Y) Vine (Y) Berndt (Y) 3 – 0 Approved.***

## **ANR**

The chairman said that Attorney Keith Glenney submitted the DeSimonne ANR plan for property on Monomonac. The attorney was told that he resubmitted the plan, there would likely be no issue with it. The chairman said it was resubmitted with a slight change that should not really affect the approval.

The chairman said changes were that Lot FD2 included the house at one point. The person interested in the lot does not want the house, so the only change was to separate the house. The lots are unbuildable and there are no issues with abutters. He listed all abutters, put the signature box in the right spot, and fixed the locus in several spots. Mr. Corbosiero questioned possible changes in Lot FD1. He was concerned about frontage. He said clarification on frontage was needed because it would not fly as a lot for size or frontage. He said basically it would be a non-buildable lot.

The chairman noted that the plan showed the house cut. He said he believed the owner was attempting to make one big lot at some point.

Mr. Corbosiero said clarification was needed, and the decision did not have to be made that night.

The chairman said FD1 and Lot2 were in question. He read that FD1 is a non-buildable lot to be conveyed to Lot2 so it will become one lot. He said one section, nicknamed No Man's Land, would be corrected. The planning agent said it was in the works. Abutters were matched up as purchasers.

Mr. Corbosiero passed out information on Waivers from Massachusetts Land Use and Planning Law.

## **MILLERS RUN DISCUSSION**

The chairman said he had the pleasure of meeting with subdivision resident Mr. Cournoyer and a new resident that moved there from Minnesota(?) who bought a house that had a couple of issues.

He said first he would address Mr. Cournoyer's issue. He said he sat down and had a great conversation with Mr. VanDyke earlier this week.

The chairman said that the Planning Board had come up with an agreement with Mr. VanDyke for the completion of things in a timely manner. Former Chairman John White made up a timeline.

There has been compliance except for two issues. DPW Superintendent informed the chairman that handicap accessible compliance to the sidewalks has not been met.

The chairman said that since the housing market has improved, Mr. VanDyke has completed three houses in the subdivision, and is on his fourth.

All the sidewalks were completed except for the sidewalk in front of the Cournoyer's house. The chairman said that Mr. VanDyke promised that when he finished the driveways, he would finish the sidewalk in front of the Cournoyer's house. The chairman said it has not happened; grass has grown in and it is ugly.

The chairman said he explained to Mr. VanDyke the board's disappointment that he has not complied and that it has been almost two years.

The chairman said that unfortunately for the Cournoyers all the wires that lead to the rest of the development run by the Cournoyer's property where the sidewalk would go, and he said there might be some issues there. The chairman said Mr. VanDyke couldn't put the sidewalk in until National Grid comes through to power up the lines that have been there since 2003 – 2004 to make sure the lines are useable. The chairman said if the developer puts in the sidewalk, the lines might have to be dug up if they are failing.

The chairman said Mr. VanDyke has already requested the test and he was going to have the planning agent send a letter to Mr. VanDyke, that he (the chairman) would sign, asking for a copy of the letter requesting the test. The chairman said the request would give the Cournoyers a reason for non-compliance for the sidewalk.

The chairman said a timeline could be placed on the sidewalk construction. If the utility is testing the lines October 1, there is no reason if the wires are good that the sidewalk is not done that week. The chairman said they were only talking about 25'.

Mr. Corbosiero said it was not acceptable. He said he thought it should be done in 30 days. Mr. Corbosiero said the lines have been there, and if there is a problem with the lines the contractor should dig them up. He said the walkway should be in before winter. He said if the contractor has to dig it up, he has to eat the cost of doing it again for his procrastination.

The chairman said if the board would make a motion to have him comprise a letter and send it out, that is what he was hoping. Mr. Corbosiero said he would like to see it before the ground freezes.

Mr. Vine suggested six weeks.

The board agreed on October 1.

***Mr. Vine made a motion that the board would send a letter to Mr. VanDyke to start construction of a sidewalk in front of 14 Pinewood Rd. and the sidewalk be completed no later than October 1. / second by Mr. Corbosiero.***

The chairman noted the registered owners of 14 Pinewood Rd. were Roger and Beverly Cournoyer.

### **DISCUSSION**

The chairman read the notice of compliance written by John White from 2012 and agreed upon. The notice included 7 issues of compliance sent out in October of 2012.

The chairman pointed to two issues failing compliance and a possible third complaint he would drive down to check out.

Mr. Vine said if there is failure to comply, what sanctions could be imposed.

Mr. Corbosiero said it was a slippery slope.

The chairman said that in July 12 of 2010, the board applied to revoke Mr. VanDyke's bond for non-compliance. He said there was a bond amount of \$196,000 on Mr.

VanDyke's property. The chairman said he did not know whether the letter of compliance was enough. The chairman said the Cournoyers have been more than patient. He said Mr. VanDyke would have six weeks. The board has given Mr. VanDyke two years and has been fair. The chairman said he would like to see the residents have a nice community.

The chairman asked for the board to move the motion.

***Corbosiero (Y) Vine (Y) Berndt (Y) 3 – 0 Approved.***

The chairman said he would give the details for the letter to the planning agent.

***Mr. Corbosiero moved to have the ADA panels added to the sidewalk for handicap accessibility by October 1/ second by Mr. Vine.***

***Corbosiero (Y) Vine (Y) Berndt (Y) 3 – 0 Approved.***

The chairman said that would be added to the letter sent to Mr. VanDyke.

### **Discussion still on Miller's Run**

According to the chairman, a couple just moved to Millers Run. They placed a mailbox on left side of driveway as required by subdivision plan. They did not receive mail. They went to post office to question why and were told the mailbox should be on the right side of driveway. They placed the mailbox on right side of driveway and still received no

mail. They chased down the mailman. The mailman said the box had to be placed across from the Cournoyer residence to the left of the fire hydrant still on Bayberry Rd.

The mailman did not deliver the mail there either.

The chairman went to speak to the postmaster. The postmaster said the mailbox had to be on the left side of the hydrant. The mailbox currently is on Pinewood Rd. The larger packages are now being delivered to a house just being built on Pinewood Rd.

The postmaster said the Boston postmaster had recently passed a regulation that a mailman cannot deliver to an address that may be a dangerous delivery. They require cluster boxes. The chairman said the subdivision was designed according to the previous postmaster's requirements. They are now saying any house built after 2012 has to go into cluster boxes.

The chairman said the subdivision would now include homes with mailboxes in front, and newly built homes requiring cluster boxes.

He said the person that owns the corner property would have to support all cluster boxes for the houses being built.

Mr. Corbosiero asked if the corner property had been sold yet. The chairman said it had not. Mr. Corbosiero suggested that Mr. VanDyke take that piece and designate it for the mailboxes. He said it was not the purview of the planning board, and "they" would have to work it out.

The chairman said it would be something that the board would have to look at in the subdivision regulations and possibly change.

The chairman said that there are three developments that are incomplete.

The chairman said he spoke with Mr. VanDyke who said he was fighting with the postmaster about the issue.

### **FALL TOWN MEETING**

The chairman said Mr. Corbosiero would like to reintroduce the section concerning Special Permit that was approved a year and a half ago. Though it was approved on town floor, there was a technicality because Gardner was not notified. He said the bylaw was streamlined so that the applicant would not have to go to ZBA.

Mr. Corbosiero said he would bring a copy to the next meeting so everyone could review. The board said they would be required to hold a public hearing.

### **UMASS WORKSHOP**

The planning agent informed the chairman the workshop would be held September 29, 2014, 5:30 to 7 PM.

There has been no confirmation of the location.

### **PEER REVIEW FOR POLICE STATION**

Mr. Corbosiero clarified that what was handed out was the response from Garcia-Galuska-Desousa Consulting Engineers to Tighe and Bond's Peer Review.

No action taken

### **MINUTES**

July 15, 2014

*Mr. Corbosiero moved to accept the minutes as written/second by Mr. Vine*

*Corbosiero (Y) Vine (Y) Berndt (Y) 3 – 0 Approved.*

The board determined that if there were any mistakes, they could be corrected later.

## **CORRESPONDENCE**

The chairman said there was some soliciting for solar panels that came before the select board.

**MRPC/MJTC REPORT** — none

## **OTHER BUSINESS**

The chairman said there was a meeting with the wind turbine people. There were a couple of issues. They need to contact a property owner on Bemis Road. The property owner would be within 1200 feet of the turbine.

Mr. Corbosiero said the property owner is concerned, so she will be there.

The chairman said that one wind turbine would be on Mr. VanDyke's property and the other turbine would be on the Redevelopment Authority's property.

The only other concern being discussed is the access road and whether it would be constructed as a permanent access road. The actual windmill would be constructed on 10,000 square feet so it would not disturb much area. The area disturbed would be the pad the windmill sits upon.

The chairman said the road would have an 8<sup>1</sup>/<sub>2</sub>% grade, which would be too steep, so there will be fill.

The chairman said it would be in the best interest of the town to develop the road. He said the fire chief determined there would be no problem getting vehicles in and out of the area. The chairman said there would not be a second egress. He said there is nothing in the bylaws requiring a second egress because it is not a development road.

The chairman said he stands corrected. The distance from a turbine is 2630 feet.

The board discussed noise.

The chairman said he asked about flicker, because the turbines would be located near a dangerous intersection. He was assured there would be some type of tree barrier to prevent the flicker.

The chairman said there was not yet an application on file. He said they seemed to be seeking approval before spending any money.

## **POST OFFICE/DAY CARE DISCUSSION**

The chairman explained there was a problem with the post office parking their vehicles. He said when the truck comes into the post office parking lot, it pulls on the daycare property to back up to the loading dock. The chairman said it was in a child area. The post office wants to change the parking area so they make a curb cut, put in a 2 way driveway.



The chairman said there are 2 problems. 1) eliminating pervious area, and 2) they don't think a brook on the plan exists.

Mr. Corbosiero said it most certainly did exist and that he played in it as a kid.

The chairman said the post office is a federal agency and there was not much the board could insist upon.

The chairman said one member would not be able to vote because the Unitarian Church is an abutter.

The board discussed whether the post office would need parking spaces for the public.

The chairman said he would look further into required parking and reach out to the developer.

Site Plans were signed for the Police Station.

The secretary offered to serve as an alternate to the Planning Board.

Mr. Corbosiero asked if Mark Shea had resigned.

The chair said Mr. Shea has not been in contact.

***Mr. Corbosiero moved that it be recommended to the selectmen that Doneen Durling be appointed as an alternate to the board./second by Mr. Vine.***

***Corbosiero (Y) Vine (Y) Berndt (Y) 3 - 0 Approved.***

The chairman said he would have the planning agent write a letter to the select board about the appointment. He said he would also reach out to prospect Diane Sevigny.

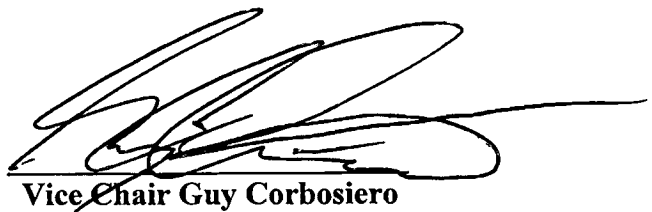
***Mr. Vine moved to adjourn/second by Mr. Corbosiero***

***Corbosiero (Y) Vine (Y) Berndt (Y) 3 - 0 Approved.***

**ADJOURNED: 8:58 PM**



**Chairman Fedor Berndt**



**Vice Chair Guy Corbosiero**



**Clerk James McCröhon**



**Greg Vine**