

TOWN OF WINCHENDON



Approved: _____

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Planning Board

Telephone (978) 297-5414

PLANNING BOARD MINUTES
MONDAY, MARCH 18, 2014
Town Hall, 4th Floor Conference Room
109 Front Street, Winchendon, MA

Present: Fedor Berndt, Chairman
James McCrohon
Recorder Ashlyn White

Guy Corbosiero, Vice-Chair
Tracy Murphy, Planning Agent

Absent: Gregory Vine

List of Documents Presented at Meeting:

- PDF of the ANR
- Correspondence
- Letter from Mr. Wes Flis – Tarbell Heights
- Minutes for approval:
 - Monday, March 4, 2014 Regular Meeting

Chairman Berndt called the meeting to order at 6:08 p.m. with the Pledge of Allegiance to the Flag of the United States of America.

Disclosure of Audio/Video Recording: No one announced they would be audio recording the meeting this evening when asked by the Chairman.

ANNOUNCEMENTS: None this evening.

OLD BUSINESS:

Tarbell Heights Subdivision Update – George Mizhir III – Wes Flis of Whitman and Bingham Associates and George Mizhir from All American Builders came before the Board. Berndt understands there are possible changes with the conditions for the Site Plan Approval. They met with Mr. Flis back in January and he was able to produce a Performance Bond. Mr. Flis said at the time there was one permit outstanding. He explained that there were restrictions on the open space for the discharge permit. During spring and summer they'll start poking around at the site and get some initial items done. The housing market hasn't been great that's why the project hasn't been done. He wants the Board to change the wording of the Special Conditions of the Site Plan Approval. Mr. Flis isn't trying to come in front with a proposal as of tonight. Mr. Mizhir isn't a house builder necessarily, but he does have a lot of resources at hand. Whoever the builders are, he asked that they request the first Building Permit. He can't put foundation in the ground until he receives that first Building Permit. Right now Mr. Mizhir is paying tax on that open space, and the second the Town takes it over they won't be getting the tax on it. Mr. Flis spoke with Berndt last

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Thursday. Their preference is to keep open space until the first permit. Corbosiero asked about the time frame and Mr. Mizhir asked what the concern was. Berndt says the way they are looking at it is they had an eighteen month agreement and six months after they were supposed to provide a deeded open space, six years later he still hasn't. Berndt wants him to succeed and make a nice subdivision. Berndt is afraid that it would become a common practice to everybody. He says they think getting the Building Permit is going too far in case they build one and then stop. Mr. Flis says they are just talking about an application for the permit. Corbosiero asked about all of the permits such as curb cuts and roads. Mr. Flis said he will get the permit for the curb cut around May. Corbosiero says if he continues to build the road they still are left with the development. Mr. Flis says you only invested in so much money; they will start building the foundation when they pull a building permit. Mr. Mizhir has access to tree, site, and gravel relatively cheap. Corbosiero asked what the permits between curb cuts and Building Permits are. Mr. Flis answers saying there really isn't any. Mr. Mizhir says paving would be the next critical junction. Mr. Flis says without pavement you cannot get your occupancy permit. Mr. Mizhir believes this is the only Subdivision Plan on the table as of now and doesn't feel like this is that big of a deal. The first Building Permit makes all the sense in the world and it doesn't affect Board at all. Berndt says if you are going to make a curb cut then you are moving forward with the subdivision. Mr. Flis says that's where the clearing comes into play. McCrohon says after it's all cleared and they decide to sell it, whoever buys the property from them has to either follow their plan or develop it in a different way. If he decided not to develop it and its there for ten more years, are there going to be any repercussions. Mr. Mizhir says the road is 900 feet long, he thinks it's on an insignificant amount of land. The 15th of June is when the extension expires. Berndt asked if he puts this road in is it something that's going to be abandoned. Mr. Mizhir says he hasn't really thought about other scenarios. It has potential for a commercial property, and it leaves a lot of options. Mr. Flis says the way the cluster layout was, it took the area out of the buffer zones. Berndt asked how long Mr. Mizhir envisions when he'll put up that first structure. Mr. Fliss says he's not looking to build a house. He clarifies the questions that if Mr. Mizhir goes up and does everything, then just stops, there is a covenant. He would have to release it into someone else's hands. McCrohon asked how big the pipes are and what are the entrances. Mr. Fliss says most of them are at about twelve inches. Berndt asked Murphy if there was anything to add and she said she feels it's up to the Boards discretion. Berndt says there is maybe only one other subdivision in the making and there is a dirt road for the entrance. McCrohon says they are setting a precedent, when conservation land is deeded to the town they are moving it to be allowed once a Building Permit is issued. Murphy says special permits are unique to every situation. Mr. Fliss says changing the words to the Special Condition E to something like building to pave or building permit, which ever comes sooner. Berndt asked Lionel Cloutier if he saw any problems with conservation issues and he responded with a no, not as of now.

Corbosiero moved to change Special Condition E to read "a clear title to the open space shown on the plan shall be transferred to the Town or its designee before the submission of an application to pave or to obtain a building permit, which ever comes first. Failure to do so shall void the Board's approval of the plan."/ McCrohon seconded.

Corbosiero (Y) McCrohon (Y) Berndt (Y) 3-0 Approved.

PUBLIC COMMENTS: None this evening.

ANR PLANS FOR REVIEW:

From Forristall Road Audrey St. Pierre goes before the Board for an approval of an ANR. Corbosiero asked if there are any guard rails between them and how the levels are. Ms. St. Pierre said there are no guardrails and the lot is all even. Her mom just wanted to dispose of some land and she was approached by someone who was interested in the lot, but didn't want anyone to build there because of the privacy so she asked her neighbor if he would be interested in taking a chunk of land. McCrohon asked about the driveway, Berndt replied that it didn't matter because it wasn't a Site Plan.

Corbosiero motioned to approve/ McCrohon seconded.

Corbosiero (Y) McCrohon (Y) Berndt (Y) 3-0 Approved.

MINUTES:

Monday, March 4, 2014 - Regular Meeting – Approval was held off until the Board has a corrected copy. Berndt tabled the minutes until next meeting.

CORRESPONDENCE:

Berndt says Quickstop Liquors is applying for a liquor license under a new director.

The Board received a letter of interest from James Halloran from Monomonac Road. Mr. Halloran went before the Board. Berndt asked him to share past experiences. He had taught some people how to work with computers. He got a call from Marion Benson, Director from Lunenburg and she asked him to be the face for Capital Planning. Then a hole opened up on the Planning Board and he took a five year commitment and he stayed there for nine years. He says at that point he retired from work which took him off of some of the things he could be doing with the town. He and his wife moved up this way and his wife saw the opening listed on the computer. He's an engineer by trade and is looking around for something to do. He talks about his hearing aids. Berndt says typically we usually meet in a large venue so it's easier to hear. Corbosiero asked if he was on the Lunenburg Planning Board and when he left the Board. Mr. Halloran said he left about four years ago. He said he resigned from Lunenburg. McCrohon says he sounded qualified. Berndt said it requires dedication and time and that he's going to look at other letters and then he'll get back to him. Corbosiero asked if he dealt with any Master Plans and Mr. Halloran says they had hired an outside engineer or contractor. Berndt says the Planning Agent has been so aggressive by going out there and getting funds for the Master Plan. Berndt says they will be in touch.

UPDATES:

DLTA Grant/Master Plan Update – Murphy says the latest round of grants was due last Friday. She submitted a second one for the Housing and believes they are making announcements at the end of the month. As far as the Master Plan, there isn't much to report on it now. Robinson Broadhurst would be the next one to talk to after that they can formulate time frames. MRPC has a projection date for sometime in May to have a kick-off. There was an article in the Gardner News to find people interested in the Master Plan Committee. Murphy believes it should be on the agenda every meeting because it is always in the works.

CPTC Training Update - Berndt said they all attended the training except for Vine and Durling. He took the Marijuana Site Plan and Small Economic Town Development. He says it was very interesting all in all. He gave a copy to each of the Board members and feels that last year's Site Plan didn't have much justice to it and this year's offers more information. Corbosiero took Roles and Responsibilities 2, which was about open meeting laws and ethics. The other one was Zoning Exemptions which he took along with Murphy. The third was about how to get people interested in being a part of the Master Plan. McCrohon attended Global Warming Seminar and they tackled things about pertaining storm water. The second one was the East Hampton Cultural District which was about bringing the arts community into a town. Murphy also went to Inclusionary Zoning, which is affordable housing. She says it was a very complex process and it was interesting. She also attended Down Town Economic Developing. CPTC Training update will be put back on agenda for next week.

MRPC/MJTC REPORT: Corbosiero said MRPC meets next week and he gave the report last meeting so there is nothing to report today. Berndt says MJTC meets tomorrow so he cannot report before they meet. Berndt says he did report the currents TIPS and there was a question from DOT from MJTC if they had a TIP and are going to continue. He would like to find out what they need to activate that TIPS and put it in place. Corbosiero asked about the bike path and Berndt says it is on this year's tips. He believes the goal is to complete the bike path this year.

BOARDS AND COMMITTEES:

Zoning By-law Review Committee - Berndt asked Murphy to put this back on the table. Berndt feels strongly that he would like to see one put together and he is willing to donate his time. He knows Durling also said she would be interested in joining as well. Berndt says he'll head that Committee. Murphy says it's probably wise that the Board agrees on how to establish it. Berndt says he'll sit down with Murphy and come up with an idea of what the by-law review committee should do and bring it up on the next agenda to get a motion.

OTHER BUSINESS: Berndt says the decision was made today about trying to do electronic information instead of packets. He says they'll just keep the packets as they have been; doing it electronically helps harden their efforts in being green. It's up to Board what they feel is best. Corbosiero thoughts were if you need a hard copy you could tell Murphy, otherwise you have it electronically. McCrohon says having them electronically is easier. Murphy says she's willing to try it but if it becomes an issue she would like to bring it back to the Board. Berndt says let's try next meeting sending it electronically and bringing correspondence and the agenda as hard copy.

Murphy says about three weeks ago there was a request of proposals from UMASS. They are requesting proposals for students to come into communities and do projects. Since it requires financial support from the community she cleared it through the Director of Development Gerry White, who then cleared it with the Town Manager. She drew up a proposal of a Central Street revitalization study. By the email it sounds like they will be able to do a lot of things will help the Planning and Development Department. They can explore things and make suggestions and we can take what they recommend and go in whatever direction from there. It's its own plan within the Master Plan. Corbosiero asked if they'd be looking for input first. Murphy said they do want to set up one public forum. This starts in September.


Berndt says they talked weeks ago about the lighting portion of bylaws in the Town Meeting. On this note Berndt was talking with Lionel Cloutier today and he mentioned that the Board heads would like to get together and get on the same page.

ADJOURNMENT: *McCrohon moved to adjourn/Corbosiero seconded.*

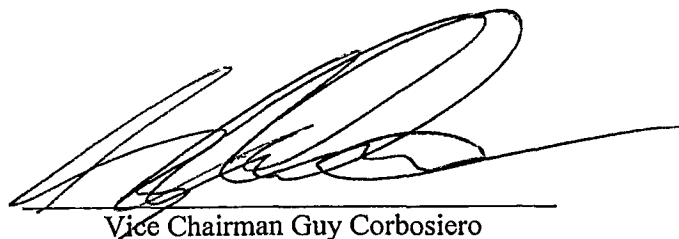
Corbosiero (Y) McCrohon (Y) Berndt (Y) 3-0 Approved.

ADJOURNED; 7:55 p.m.

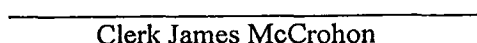
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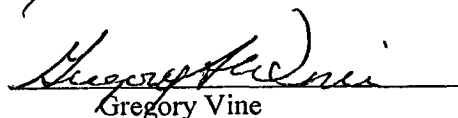
Chairman Fedor Berndt



Vice Chairman Guy Corbosiero



Clerk James McCrohon



Gregory Vine