

AUG 22 2018

Planning Board



Telephone (978-297-7110) WINCHENDON TOWN CLERK

109 Front Street,
Winchendon, Massachusetts 01475-1758

Approved 8/21/18

Planning Board Meeting Minutes

November 21, 2017

4th Floor Conference Room, Town Hall

Present: Chairman Guy Corbosiero, Vice Chair Cailte Kelley, Robert O'Keefe, Arthur Amenta, and Burton E. Gould Jr. Chantell M. Fleck, Planning Agent

List of Documents: None

1. Call to order: 6:30 p.m.

Pledge of Allegiance

2. Announcements: Standard announcement regarding recording the meeting, no hands were raised. Small Business Vendor Fair will be held Saturday 11/25 from 10 a.m. to 3 p.m. in the auditorium on the 2nd floor of the Town Hall.

3. Public Comment: None

4. Approval of minutes: no minutes to approve.

5. New Business:

- a. Public Hearing Millers Run Subdivision Modification Request :** Mr. Corbosiero opens the public hearing for the Millers Run Subdivision Modification request to consider an extension of and modification to the definitive plan.

Two parties Kathleen VanDyke, John Weaver counsel for Ms. VanDyke are in attendance. Mr. Weaver explains the goal of Ms. VanDyke is to settle the estate of her late husband/ the Millers Run subdivision. Therefore, the Request of two modifications is put before the Planning Board. The first request includes the roads within the subdivision to be accepted the roads as public roads in two phases. The first road to consider is Bayberry Circle requesting town accept. It was explained that the estimated snow removal maintenance costs to Ms. VanDyke snow removal costs at 50,000 per winter. Ms. VanDyke is looking to remove Bayberry Circle from her long term maintenance costs. Second modification in regards to the trees, planning board in July 2017 noted a condition requiring trees be planted in subdivision. Currently, all but 8 properties have been sold, question on how to account for the trees that have been planted and how that counts towards to condition of the subdivision approval. Ms. VanDyke's counsel states Ms. VanDyke, while trying

to minimize costs to the estate will be saving up to 5,000 if the tree planting requirement was removed from the subdivision approval.

Regarding the modification on the one year extension made previously, a developer in the un-built lots backed out uncertain they would be able to complete the building of houses in that given time. Given that reason, the applicant requests to an additional 3 year extension giving Ms. VanDyke the ability to find a reliable partner, giving sufficient time to build and sell the lots in an orderly fashion.

In regards to Bayberry Circle completion in stages, Planning Agent Chantell Fleck states phasing was part of the original conditions therefore modification request is not necessary, it is already a part of what has been approved. When the road is completed the DPW will need to inspect the road after a winter, following that, Ms. VanDyke can apply for as built for that portion of completed road, then petition the town to approve that portion as a right of way.

Mr. Weaver is asking that the approval be modified that the town accept just Bayberry Circle once that is completed. Confident Bayberry Circle will be completed sometime in 2018. Comment from Burt Gould, Jr. states there is no road to accept at this time. Referring to copy of request requirements. Ms. VanDyke is understanding of that, and received a copy of requirement list. Ms. VanDyke would request come spring to proceed and have the road paved, then having DPW approve the road after the following 2018 winter, doing the same to Pinewood Dr. following the completion of Bayberry Circle. Mr. Weaver would like to know if Pinewood Dr. could be completed partially and ask for acceptance of a partial road. Mr. Gould does not believe this will be accepted by DPW until the entire list is completed. Mr. Gould refuses to support anything until the public is satisfied. The Chairman believes it will have to be approved by Al Gallant. Robert O'Keefe states the applicant is not here asking to approve the road, this will not happen until the people who live on the road and Mr. Gallant are satisfied, following that the applicant will return for approval of the road. Mr. Weaver continues to clarify the question, which is whether or not they can proceed with one of the two roads first. Ms. Fleck has already said that project is allowed.

Public comment: Thomas Wyatt resident on Pinewood Dr, asks Ms. VanDyke how much further the road is going on Pinewood Dr. Clarifying Ms. VanDyke will not be lengthening the road, but rather improving the conditions of the road. Mr. Wyatt is satisfied with the answer.

Public comment: Scott Pimentel from Pinewood Dr asks about the mailboxes on his lawn, requesting they be removed inquiring whether or not roads will be lengthened at all.

Public comment: Allison Vacchiarello from Bayberry Circle discusses length of Bayberry and Pinewood and road extension. Allison states there also have been no trees planted by Ms. VanDyke on Bayberry as the original plan states. Complaint of driveway caving in and continuing problems on the development. The Chairman states that is up to the developer and Mr. Gallant, explaining the process of acceptance of the roads before the town starts plowing it. Mr. Pimentel asks if there is a road extension plan, Mr. Weaver offers copy of 2004 development plan for Mr. Pimentel to present to the post office in regards to mailboxes on his property. Ms. VanDyke clarifies process for sub road referring to plans given to Mr. Pimentel.

The conversation returns to the Second request, tree planting. The Chairman states the original plan had a tree plant requirement on the corner of every lot. Ms. Fleck to retrieve plans for the Planning Board to review. Further discussion continues.

Mr. O'Keefe comments that many neighbors have already planted trees on their property and may not want any further tree planting; giving Ms. VanDyke the opportunity to speak with the residents prior to requesting said to the board on whether or not they want the trees on their property. Mr. Weaver and Ms. VanDyke will speak to the vendor and residents further about the trees. Mr. O'Keefe informs residents they can view the plans at the residence office any time so they can see where the trees are slated to be placed. Ms. Fleck offers to make copies of plans for residents in regards to tree planting plans.

The Chairman suggests a continuation of this meeting in regards to Mr. Gould's suggestion of a separate meeting. Mr. O'Keefe suggests not finishing the hearing tonight may impact the applicant. Mr. Chairman clarifies not moving on the trees tonight, coming back and not closing the hearing. Mr. Weaver requests a vote on the extension. Mr. O'Keefe explains the inability to take a vote on one matter until all matters are completed, the hearing must be closed to take a vote, leaving that decision up to Mr. Weaver and Ms. VanDyke. Mr. Weaver requests to close the hearing and vote on the extension. Mr. O'Keefe explains closing the hearing will notify the abutters of a following hearing, continuing the hearing offers the requirement to let the abutters know of the continuation.

Open to public comment about concluding the meeting: Allison Vecchiarello inquires to the board how many extensions Ms. VanDyke is able to receive. The Chairman states as many as the board decides to give them, if they do not get an extension the project is shut down and sits as is currently. Ms. VanDyke further explains her intention to complete the lots in the two year extension time frame. Mr. Weaver reiterates the request for 3 years. Mr. O'Keefe suggests 2 ½ year extension. Discussion between the public and board

members in regards to extensions and what will result in incompleteness of plans at the end of given extension.

Mr. O'Keefe then made a motion to close the hearing and Mr. Kelley seconded. The vote was 4-1 and the hearing is closed.

Vote on Item 1 no decision to be made due to phasing being a part of the condition.

Vote on Item 2, tree planting is denied at this time.

Vote on Item 3 extension for 2 ½ years 5-0 and the motion was passed on Millers Run extension.

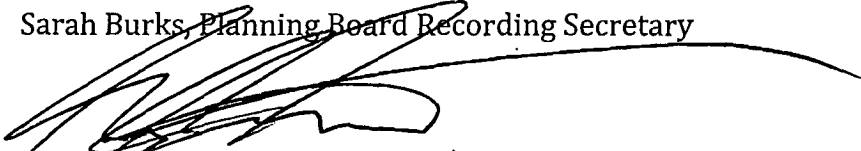
6. Committee Meeting updates: Montachusett Joint Transportation Committee, no updates. Correspondence, no updates. River's Edge BYOB liquor license. Little Anthony's permit to sell Christmas Trees.


7. Old Business: Reminder to the public, December 5, 2017 at 6:30 in the Town Hall public forum on recreational Marijuana bylaw and input from the public. Looking to do breakout sessions to engage the public to where the facilities can be located in town and additional feedback from residents.

8. Meeting adjourned at 8:40 PM

Respectfully submitted;

Sarah Burks, Planning Board Recording Secretary

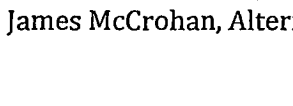

Guy Corbosiero, Chairman


Robert O'Keefe


Eulite Kelley, Vice Chairman


Arthur Amenta


Burton Gould Jr.


James McCrohan, Alternate