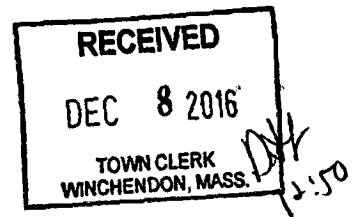
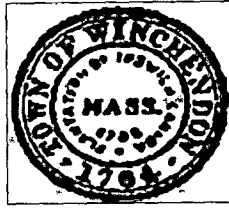


TOWN OF WINCHENDON



Zoning Board of Appeals

109 Front Street, Dept. 11  
Winchendon, Massachusetts 01475-1758

Telephone (978) 297-3308  
Facsimile (978) 297-5411

Approved: 12/7/16

**Town Hall Auditorium  
Zoning Board of Appeals  
Minutes  
September 7, 2016**

**Present:** Chairman Cynthia Carvill, Vice Chairman Mary Chace, Joseph Snow, Raymond Benoit  
Letter of intent from applicant

Doneen Durling, Alternate/Recorder  
Island Rd. Bryan Day (applicant) Abutter Al Fry  
Winchendon School Architect Brent Heinzer, Facilities Manager John Leahey, Abutters D. Tocci and Wayne Tocci.

**Absent:** Matthew Gwinn

**Materials:** Meeting Agenda, September 7, 2016  
Public Notice Special Permit Island Rd.  
Public Notice Special Permit Winchendon School  
Application for Special Permit Island Rd.  
Application Special Permit Winchendon School

**Call to Order: 7:02**

The chairman asked that everyone commenting would be asked to identify himself or herself for the audiotape.

**Old Business — Approval of minutes**

The chairman asked when minutes would be forthcoming. Durling said they should be ready by next meeting.

**ISLAND ROAD PUBLIC HEARING**

**7:05**

Initials: \_\_\_\_\_

The chairman said the for the purposes of the hearing the alternate would sit in on the meeting. Durling agreed as an alternate member to round out the board to five.

Carvill asked if anyone had a reason they were unable to participate. There were no voiced conflicts.

Mary Chace read the public hearing notice.

Special Permit for property located at 35 Island Rd. Accessor's map M2 Parcel 10 owned by Brian Day. Addition more than 50% of the footprint as afforded by Article 6 Section 2.3A of the Winchendon Zoning Bylaw for an existing garage. Said property is located in an R40 zone.

Bryan Day was called forward and asked to sign in and stated his name for the record. Day was sworn in.

### **Project**

Day explained he has been at the cottage at 35 Island Rd. since he was 3. He and his wife purchased it from his family and moved in this past May. They decided they needed more space because the cottage is fairly small. He needs a garage for equipment so they plan on putting and addition on to the existing structure.

Currently the existing footprint is 1,176 square feet. The addition will be 1,040 square feet but part of the addition is covering the area where the current deck is located. The deck will be removed and the addition will be in that location. 240 square feet of existing deck will be removed for the addition. The garage will be underneath the house under the addition. Upstairs over the garage will be a an expanded out 20 X 13 living room and then beyond that will be a screened in porch. Coming out from the existing house will also be a 12 X 13 office area. The rest of the area will be open deck (364 feet) on top of the basement level.

There was confusion because the drawings presented did not copy the plan completely (done in pencil before copy?)

Day walked the original drawing around the table so board members could see the concept.

Chace asked if there would be two separate structures and Day said it would be one structure.

The lot size is .33 acre. Total structure is 1,976 which is 13.7% of lot size.

The property has been viewed by Conservation. The building inspector has also been contacted.

The chairman said that all the lots on the lake do not meet current zoning. She said two acres were needed to build in the lake area now. She said the Day lot matched lots in the neighborhood, and his lot is considered a preexisting non-conforming use.

Initials: \_\_\_\_\_

Day said the cottage was built in 1961.

The chairman said the cottage predated zoning, so when they changed the zoning, everyone was required to apply for any expansion. She said that when she read the application it made her nervous because it was written as such that the applicant wanted to cover 50% of the lot. Chace said that was her thought also.

The chairman said that the actual footprint of the house was not going to change much more than a little bit.

Day said he was adding 1,000 square feet but removing 260 square feet. With the addition he will only cover 13.7% of the lot. Day said in R40 the bylaws allow up to 15%.

Durling asked how high the upper level would be.

Day said the height would be the exact same as the existing house. He said when the architect finalizes the drawing, the roof may be a couple of feet higher to meet the roof pitch.

There were no concerns from abutters seated in the audience. The chairman asked him to state his name for the record. He said Al Fry of 25 Island Rd.

The chairman asked if there were any other abutters. Hearing none, she asked the board if there were any other concerns.

***Snow made a motion to close the hearing/second by Benoit***

***Chace (Y) Snow (Y) Benoit (Y) Durling (Y) Carvill (Y) 5 – 0 Approved***

## **Discussion**

The chair asked for opinions.

Benoit said he was happy.

Chace agreed. She said it really helped that the board had a map that showed the house lot. She said the lightbulb went on.

The chairman said that keeping with the whole idea of the zoning the board should state the house predated zoning built in 1961 according to the applicant. They should state the only abutters present had no problem with the addition. The addition will be the same height as the existing house for the most part and thus not impact the view. The addition is in keeping with the character of the neighborhood and will not change that character, but improve it.

Conditioned to living area garage and deck not to exceed 1,976 feet of the lot coverage. Follow the rules of the Conservation Commission plus any local, state, or federal bylaws.

The chairman asked if there were any other questions.

Initials: \_\_\_\_\_

***Snow made a motion to grant the special permit/second by Chace.***

***Chace (Y) Snow (Y) Benoit (Y) Durling (Y) Carvill (Y) 5 – 0 Approved***

**7:25 – Public Hearing Special Permit Winchendon School 89 Ash St.**

***Call to open Chace/second Benoit***

***Chace (Y) Snow (Y) Benoit (Y) Durling (Y) Carvill (Y) 5 – 0 Approved***

Chace read the legal proposal.

Property located at 89 Ash St., Map 5C3, parcel 175 owned by the Town of Winchendon . Seeking a Special Permit for the conversion of the building to four dwelling units as per Article 5.2.1F of the Winchendon Zoning Bylaw. Property is located in an R10 neighborhood residential zone.

The chairman asked if board members had a conflict. Hearing none she invited the architect Brent Heinzer of BTH Architects in Fitchburg to speak.

Heinzer was sworn in. He said the building was originally Marvin School built in the 1850s. He said they were not seeking to modify anything in the exterior. He said what the school was looking to do was to provide four studio apartments for faculty members. He said currently the building is handicap accessible on the first floor. He said there would be two handicap accessible apartments on the first floor and a common use area for laundry. On the second floor will be two studio apartments. The apartments will include kitchen living room dining room. The will readapt the existing bathrooms that served the classroom into a full function bathroom with shower and sink. The second floor has a larger footprint so there will be a single bedroom in each unit and a study area.

Heinzer said the property currently has 20 parking spaces. There is a handicap space and handicap rail on the existing building that will remain. He said there may be two parking spaces needed for each unit.

Benoit asked how it will be addressed when the ball field is full.

Winchendon School Facilities Director John Leahy was called forward and said they were not considering adding any parking spaces, however in the grand scheme of the agreement that included Marvin and Ingleside, they had agreed to care for the field and make it available to the town.

Initials: \_\_\_\_\_

Benoit warned that those living in Marvin may park their cars and end up with broken windshields next to the field.

Leahy said there was no specific plan to add parking spaces. He said he believes the Winchendon School currently uses the field.

Benoit said he has coached at the field for six years. Leahy said the Winchendon School would maintain it but there would be no change in the availability to the town.

D. Tocci stood up as an abutter and said she would rather have seen it go to something other than a Winchendon School project.

The chairman said the swap has been publicized for a couple of years.

Leahy said that many of the Winchendon School buildings are protected by netting, so if there is a problem, they would put up netting.

The chairman noted that students would not go in the building, and since a special permit goes with the applicant, if there is a change in use, they would have to apply for a permit. Property could not be sold to some housing development without further permits. She said the process protected all involved.

Heinzer said the basement will not be altered or occupied.

Abutters Wayne and D Tocci came forward and complained the Winchendon School has been expanding and construction equipment has gone down Cross St. and water issues, including broken pipes etc. has been a problem for the Toccis and their neighbors. She said vehicles are dropping dirt and rocks. There has also been small damage to her son's vehicle. She said she went to the contractor and he gave her the finger

The chairman said it was not the board's purview or authority to stop construction, and she advised the Toccis that they should contact the town manager.

The Toccis said they had complained to the town with no results.

The couple was advised to go again to the town that currently has many new faces that may produce results.

***Chace moved to close the public hearing/second by Benoit***

***Chace (Y) Snow (Y) Benoit (Y) Durling (Y) Carvill (Y) 5 – 0 Approved***

The chairman said the board needed to make a determination that this change in use would not be a detriment to the neighborhood, and would be in harmony with the neighborhood.

Special Conditions : Special Permit to the Winchendon School for the construction of four units as per the plan to serve exclusively as faculty housing.

Durling asked about faculty with children.

Heinzer said it was unlikely.

Parking for the residents will be provided and clearly marked per town regs.

Local, state and federal bylaws will be adhered to.

Benoit said they should be aware that the field fills up. Chace advised mesh.

***Chace moved to approve the Special Permit as conditioned/second by Benoit***

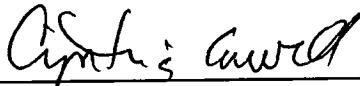
***Chace (Y) Snow (Y) Benoit (Y) Durling (Y) Carvill (Y) 5 – 0 Approved***

The chairman asked if there was any other business, hearing none she called for a motion to adjourn

***Durling moved to adjourn/second by Chace***

***Chace (Y) Snow (Y) Benoit (Y) Durling (Y) Carvill (Y) 5 – 0 Approved***

***ADJOURNED : 7:58***

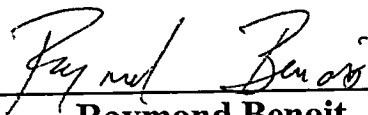


**Chairman Cynthia Carvill**



**Vice Chair Mary Chace**

**Clerk Matthew Gwinn**



**Raymond Benoit**

**Joseph Snow**



**Doneen Durling (Recorder/Alt)**

Initials: \_\_\_\_\_