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WINCHENDON TOWN CLERK

# TOWN OF WINCHENDON



## Planning Board

Telephone (978)-297-5419

Approved: 9 / 17 / 19

Planning Board Minutes  
Planning Board Meeting/Public Hearing  
April 3, 2018  
Town Hall 2<sup>nd</sup> Floor Auditorium

**Present:** Burton Gould Jr., Cailte Kelley, Arthur Amenta,  
Guy C. Corbosiero (remote participation)  
Chantell Fleck, Planning Agent  
Tracy Murphy, Director of Planning and Development  
Public Attendees: Leston Goodrich, Keith Hickey, Chief David Walsh, David  
Brown, Barbara Anderson, Linda May, Virginia Sibley, Kathy Rice, Richard  
Ward, John Coderre

**Materials:** Agenda, April 3, 2018  
Extension Request Borrego Solar 135 Gardner Rd  
ANR plan – Off Baldwinville Rd  
Draft 5 – Proposed Medical/Adult Use Marijuana Bylaws  
Map of 500' buffer for Central Street  
COA letter -

**Call to Order: 6:30 PM**  
Pledge of Allegiance

**Announcements:** Vice Chairman Kelley announced that anyone is welcome to record the meeting as long as they let the board know. Chairman Corbosiero is participating through remote participation procedures via telephone.

**Public comments:** None

**Approval of Minutes:** Passed over.

**New Business: 6:35 pm Continued Public Hearing – 135 Gardner Rd**

Applicant has requested a 60 day extension to June 29, 2018.

Motion made by B. Gould to grant and extension seconded by A. Amenta.

Roll Call Vote: B. Gould, aye, G. Corbosiero, aye, A. Amenta, aye, C. Kelley, aye.

Board approved the extension. Extension granted to June 29, 2018.

Planning Board not consider including it in the Retail Overlay area. Mr. Hickey went on to relay that the 500' buffer would preclude many properties on Central Street and dispelled the belief that a retail facility near a Police Station would be best as Police Officers are not typically in the building but out on patrol. Chief Walsh reiterated the sentiments of the Town Manager and that officers are typically on patrol rather than at the station. Mr. Hickey went on to ask the Board to go to Town Meeting with a concrete decision on Central Street.

Comments were then opened to the public.

Rick Ward commented on the number of the retail facilities. He recommended that the town proceed with the minimum amount as there is no reason for the town to rush, changes can be made later. He went on to say that by enticing business from New Hampshire is encouraging illegal activity. His comments ended with asking the Board to stick to allowing 2 licenses and to not allow an all cash business on Central Street. He would rather see any potential conflict on the outside of town.

John Coderre spoke to the Board and expressed his understanding of the difficult decision the Board has before it. He expressed the risk of allowing Adult Use retail in the Center of town where festivals are held and where other businesses are. He asked the Board to consider the risk of allowing the retail in downtown and what the effect that decision will have.

Linda May asked the Board if the business was legitimate why is it perceived as negative. Ms. May went on to say that she is against the retail facilities being located on the outlying areas. If it's going to have a negative effect on Central Street it will on the outlying areas as well. It should be located in a business district. Mr. Gould commented Central Street is a business district but that a "pot shop" shouldn't be located near bus stops, churches etc. He reluctantly needs to allow retail places only because the law says he has to. He feels that the Auction House is a perfect place. He will never vote for Central Street and the survey said it was the last place people want it. Mr. Gould went on to say that Central Street deserves a lot better than a bunch of pot shops. Mr. Gould applauded Ms. May for coming in.

Vice Chair Kelley clarified that there are several areas that the Planning Board proposes retail be allowed other than the Auction House area (Rte. 12) and Central Street.

Barbara Anderson, Select Board Chair spoke regarding the Central Street question and how the BOS spoke about it at great length. Concerns included the lack of parking and while it's a legitimate business you cannot regulate the clientele. She went on to explain that the number of retail licenses was discussed to not limit business and support people who want to open a business. Ms. Anderson suggested a joint meeting with the Planning Board to discuss the issue. However, the deadline for the warrant prohibits time to post a joint meeting. Vice Chair Kelley explained that the Planning Board has been working on the bylaws for several months and needs to make a decision on this issue tonight. While he cannot speak for the Planning Board, his intent is for the Board to make a decision on this

issue (number of licenses, Central Street being included in overlay) tonight that can be brought to the townspeople.

After much discussion, the Board through the suggestion of G. Corbosiero agreed to amend the proposed number of retail licenses to 3 in 6.2.2 and to not allow retail sales on Central Street. The 500' buffer stands as proposed.

Mr. Corbosiero discussed outside consultant fees. Mr. Corbosiero requested that Compliance Monitor language be included all the way through construction. The Planning Board agreed.

Motion made by G. Corbosiero to close the hearing seconded by A. Amenta.

Roll Call Vote: B. Gould, present, G. Corbosiero, aye, A. Amenta, aye, C. Kelley, aye. Hearing closed at 7:21pm.

Motion made by G. Corbosiero to approve proposed bylaw language that reads:

1. Section 6.12, TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS, and replace with a new section 6.12 entitled MEDICAL/ ADULT USE MARIJUANA FACILITIES AND THE MEDICAL/ADULT USE MARIJUANA RETAIL OVERLAY DISTRICT and to further to amend the Table of Contents to rename Section 6.12, "Medical/Adult Use Marijuana Facilities and the Medical/Adult Use Marijuana Retail Overlay District" seconded by A. Amenta.

Roll Call Vote: B. Gould, present, G. Corbosiero, aye, A. Amenta, aye, C. Kelley, aye.

Motion made by G. Corbosiero to approve proposed bylaw that reads:

2. To amend the TOWN OF WINCHENDON ZONING MAP to include a new overlay titled: Medical/Adult Use Marijuana Facilities Retail Overlay District (the "MFROD") to include sections A,B,C,D,E seconded by A. Amenta.

Roll Call Vote: B. Gould, aye, G. Corbosiero, aye, A. Amenta, aye, C. Kelley, aye.

Motion made by G. Corbosiero to approve proposed bylaw that reads:

3. Amend ARTICLE 5 USE TABLE to add a new Section entitled 5.2.8 *Principal Use Category – Special Uses*, providing new line item A with the following description: *A. Non-retail Marijuana Facilities. Non-retail Marijuana Facilities are subject to the provisions set forth in Art. 6.12. The uses addressed above will be allowed by Special Permit in the following Zoning Districts: Residential -80 (R80 with restrictions as defined in note 14), Commercial-1 (C1), Commercial-2 (C2), Industrial (I), and Planned Development (PD); and further prohibited in the following Zoning Districts: Residential -40 (R40), and Residential-10 (R10)* seconded by A. Amenta. B.

Roll Call Vote: Gould, aye, G. Corbosiero, aye, A. Amenta, aye, C. Kelley, aye.

**Old Business:** none


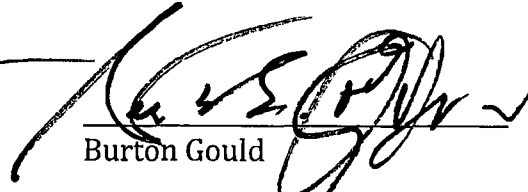
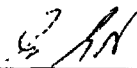

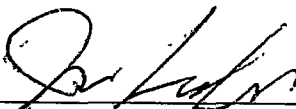
**Committee/Meeting Updates:** none

**Correspondence:** Letter from The Council on Aging against Central Street being included in Adult Use Marijuana Retail Overlay.

**Other Business:** none

Vice Chair Kelley adjourned the meeting at 7:35PM

Respectfully submitted:  
Tracy Murphy

  
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Guy Corbosiero, Chairman  
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Burton Gould  
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Arthur Amenta  
\_\_\_\_\_  
Gailte Kelley  
Scott Robillard  
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Robert O'Keefe Joseph Sackett