

Approved: 12 / 18 / 19

# TOWN OF WINCHENDON

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## Zoning Board

Telephone (978)-297-5419

### Special Meeting/Public Hearing

February 20, 2019

Town Hall 2<sup>nd</sup> Floor Auditorium

109 Front Street, Winchendon, MA 01475

**Present:** Chairwoman Cynthia Carvill, Vice-Chair Mary Chace, Richard Stancombe, Raymond Benoit, and Rob Bushay  
Tracy Murphy, Director of Planning & Development  
Brianna Roberts, Recording Secretary

**Public Attendees:** Lionel C. Cloutier, Steven B. Curtis Sr., Ryan Curtis, Karen Drudi, and Travis Drudi.

### Materials:

- Notice of Meeting February 20<sup>th</sup>, 2019
- 9/19/18 Meeting Minutes
- Public Hearing Notice: Special Permit Application, Steven B. Curtis Sr.- 202A Alger St.
  - Application for Special Permit
  - Correspondence to Steven & Ryan Curtis from Geoffrey Newton
  - Zoning Determination dated 3/30/11 from Paul R. Blanchard
  - Correspondence to Paul Blanchard from Robert & Kathy Racine
  - Building Permit Application
  - Correspondence to the Zoning Board from Steven & Ryan Curtis
  - Map of 202A Alger St.
  - Assessment Field Card- 202A Alger St.
  - Article 6 Non-Conforming and Special Buildings and Uses
  - Building Permit dated 10/3/1995
  - Application for Building Permit 9/25/1995
  - Mortgage Inspection Plan dated 7/8/1988
  - Correspondence to David LaPointe from Planning Agent dated 9/13/2006
  - Plan of Land 102 Alger St. dated 7/31/2007
  - Notice for Recording- Notice of Finding Special Permit
- Public Hearing Notice: Special Permit application, Travis Drudi- 75 First St.
  - Application for Special Permit
  - Building Permit Application
  - Correspondence to John Deline from Geoffrey Newton

Zoning Board Minutes  
February 20, 2019

- Plot map of 75 First St.
- Assessment Field Card- 75 First St.
- Plot Plan- 75 First St.
- Exterior Mockup of proposed new construction
- Correspondence to Zoning Board from Robert & Vicky Stoops- Neighbors
- Notice for Recording- Notice of Finding Special Permit

**7:02PM:** Chairwoman Cynthia Carvill called the zoning board meeting to order.

**Approval of Minutes: 9/19/18**

Vice-Chair Mary Chace moved to approve the 9/19/18 minutes. Richard Stancombe seconded the motion. The board unanimously voted aye.

**Chace (Y) Stancombe (Y) Benoit (Y) Bushay (Y) Carvill (Y) 5-0**

Chairwoman Carvill stated there is a citizen's petition going around for voting on the continuation of sanding and plowing the 10 unapproved roads in town. The maintaining of these unapproved roads has damaged town equipment on multiple occasions. This petition will bring the issue to the towns attention to determine the best plan of action.

Tracy Murphy announced the yearly citizen planner meeting would be held on Saturday, March 16<sup>th</sup> at Holy Cross. There is money budgeted to cover the cost if any board members are interested.

**Public Hearing: Special Permit of Steven B. Curtis, Sr. 550 Hale St. for Property located at 202A Alger St. (Map 8A1, Parcel 52).**

Raymond Benoit read the Public Hearing Notice.

Ms. Carvill asked the board members if anyone had a conflict of interest regarding this public hearing. No members had a conflict of interest.

Chairwoman Carvill swore in Steven B. Curtis Sr. and Ryan Curtis.

Steven Curtis Sr. bought the barn located at 202A Alger St. in December with existing plans signed in 2006. He gifted ¼ of the barn to his son, Ryan, who would like to update it into an apartment for himself. They are looking to legally put in a septic system and town water. Zoning has changed since 2006 and the property is now non-conforming. The property is already finished inside with electricity and plumbing.

Ms. Chace stated there is a document dated March 30<sup>th</sup> 2011, the previous owners received a zoning determination from the building commissioner stating both the house and the barn are non-conforming and will be considered one lot. The previous owner sold the residential home to a different party and sold the barn to Mr. Curtis Sr. Mr. Curtis explained he found out this information after the purchase and applied for the permit to correct the situation.

Ms. Murphy stated the permits were accepted in 2006 with the past zoning requirements, but now they need to be re-submitted and do not meet the current regulations. It is currently an accessory structure and the permit is to change the use to residential. There is a provision for the zoning bylaws added by Jeff Newton.

Ms. Carvill conversed with the board and stated the provisions they need to consider. It is not substantially more detrimental from the existing non-conforming use and neighborhood. It would not be considered an increase in the non-conforming nature of the structure and does not derogate from the purpose and intent of the zoning bylaws.

Mr. Benoit stated that the property is just shy of the frontage requirement and there are no variances.

**Public Comments:** Lionel Cloutier was sworn in. He is a member of the Conservation Committee and Chairman of Board of Health. Mr. Cloutier stated that the entire property is non-conforming for many reasons. There are wetlands that run within 10 ft. of the building. He is unsure where the septic is going to be installed due to the size of the lot and the wetlands. Mr. Curtis was invited and attended the conservation meeting on February 10<sup>th</sup> but they left before the board was able to address their violations regarding the cutting of 20 trees along the wetlands.

Ms. Carvill thanked Mr. Cloutier for his statement and stated those violations are a separate issue for the conservation committee, not the zoning board.

**7:37PM-** Chairwoman Carvill asked the board to entertain a motion to close the hearing. Mary Chace motioned. Raymond Benoit seconded. The board unanimously voted aye.

**Chace (Y) Stancombe (Y) Benoit (Y) Bushay (Y) Carvill (Y) 5-0**

The board discussed adding that the building was constructed under proper permits and met previous zoning requirements that have since changed.

Mary Chace motioned to approve the special permit with the added conditions. Rob Bushay seconded. The board unanimously voted aye.

**Chace (Y) Stancombe (Y) Benoit (Y) Bushay (Y) Carvill (Y) 5-0**

#### **7:40PM: Public Hearing- Special Permit application from Travis Drudi 75 First St.**

Ms. Carvill asked the board if any members needed to excuse themselves due to conflict of interest. No board members had a conflict of interest.

Raymond Benoit read the Public hearing notice.

Ms. Carvill swore in Travis & Karen Drudi.

Mr. Drudi's grandparents built the property as a seasonal camp in 1951. It is less than 800 sq. ft. and the couple now has two children. They would like to stay at the location but are running out of space and the house was not built to be year-round. They have been advised to tear down and rebuild. Architectural plans have not been created yet as the couple wanted to make sure the permit to rebuild would be accepted first. The potential new building would not be any closer to the neighboring property lines or water.

Mrs. Carvill stated that the lot is pre-existing and non-conforming. The special permits would be to tear down the existing property and then re-build. The board needed to determine that the reconstruction would not be substantially more detrimental to the neighborhood, it does not derogate from the purpose of the zoning bylaws, and the proposed building cannot be 50% more than the original.

**Public Comments:** None

**8:00PM-** Ms. Carvill asked the board for the motion to close the hearing. Rob Bushay motioned to close the hearing. Richard Stancombe seconded. The board unanimously voted aye.

**Chace (Y) Stancombe (Y) Benoit (Y) Bushay (Y) Carvill (Y) 5-0**

Ms. Carvill stated the draft document confirms the reconstruction would not be substantially more detrimental to the neighborhood, it does not derogate from the purpose of the zoning bylaws, and the proposed building cannot be 50% more than the original. Granted with the following safe guards, demolition and construction of a 2 bedroom dwelling as presented in the site plan at 75 First St. by Deline Engineering.

Chairwoman Carvill asked the board to entertain a motion to approve the special permit. Rob Bushay motioned to approve. Mary Chace seconded. The board unanimously voted aye.

**Chace (Y) Stancombe (Y) Benoit (Y) Bushay (Y) Carvill (Y) 5-0**

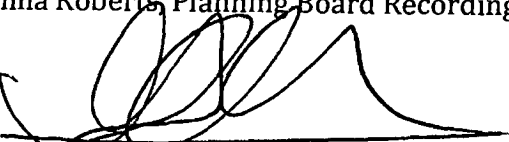
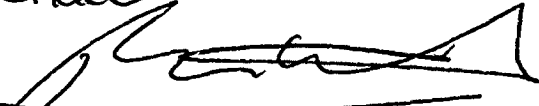
Chairwoman Carvill asked the board for a motion to end the meeting. Mary Chace motioned. Mr. Bushay seconded the motion. The board unanimously voted aye.

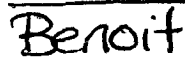
**Chace (Y) Stancombe (Y) Benoit (Y) Bushay (Y) Carvill (Y) 5-0**


**The meeting was adjourned at 8:04PM.**

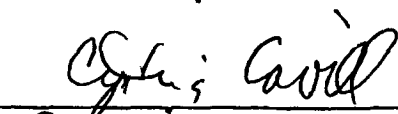
Respectfully submitted:

Brianna Roberts, Planning Board Recording Secretary

  
Chace  
  
Stancombe

  
Benoit

  
Bushay

  
Carvill