

Approved: 1/15/25

## TOWN OF WINCHENDON

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### Zoning Board of Appeals

Telephone (978)-297-5419

#### Public Hearing/Regular Meeting

November 20, 2024

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

109 Front Street, Winchendon MA 01475

**Present:** Chair Cynthia Carvill, Richard Stancombe, Renee Tambling, Christine Miller  
Alternate: Rick Morin Jr.  
Nicole Roberts- Planning & Land Use Coordinator

**Absent:** Rob Bushay

**Materials:** Notice of Public Hearing November 20, 2024  
Minutes- June 26, 2024

**7:00PM:** Richard Stancombe called the meeting to order followed by the Pledge of Allegiance.

**Announcements:** The Town of Winchendon has welcomed a new building inspector a few weeks ago, Rick Germano. In regards to hearings that are continued, abutters that would like to attend the hearings are responsible for checking the continued hearing date.

**Public Comment:** None.

**Minutes:** June 26, 2024

Richard Stancombe motioned to accept the June 26, 2024 minutes, 2nd by Christine Miller.

**Miller (Y) Stancombe (Y) Tambling (Y) Carvill (A) 3-0-1 Abstention**

#### Public Hearing: 3 Central Street

Notice is hereby given that the Zoning Board of Appeals will hold a PUBLIC HEARING on Wednesday, November 20, 2024 at 7:05pm to discuss the application for a Variance submitted by owners Jason and Renee Tenney for 3 Central Street (Also known as Assessors Map 5C3, Parcel 1) Winchendon, MA 01475. Variance request to allow construction of egress stairway and landing to the right side of the building within 20' of the side setback per section 300-7.2 of the Winchendon Zoning Bylaws. Said property is located in a PD- Planning Development.

**7:05PM:** R. Stancombe read the public hearing notice. There were no conflicts of interest with the board members. The hearing was opened and the applicants were sworn in.

The applicant stated they were trying to convert this commercial property into a 2 family residential home. In order to do so, by code, they need a means of egress on the 2nd floor. The landing would be approximately 4x4 and it would be 11' from the side setback.

There were no comments from the public or board members.

R. Stancombe motioned to close the hearing, 2nd by Christine Miller.  
**Morin (Y) Miller (Y) Stancombe (Y) Tambling (Y) Carvill (Y) 5-0**

Given the unique shape of the lot, it does pose a hardship as there would be no other place to put the egress.

R. Stancombe motioned to accept their variance, 2nd by R. Tambling.  
**Morin (Y) Miller (Y) Stancombe (Y) Tambling (Y) Carvill (Y) 5-0**

**Public Hearing: 24 Chestnut Street**

Notice is hereby given that the Zoning Board of Appeals will hold a PUBLIC HEARING on Wednesday, November 20, 2024 at 7:05pm to discuss the application for a Variance Special Permit submitted by owner Sylvie Lajoie for 24 Chestnut Street (Also known as Assessors Map 5B3, Parcel 126) Winchendon, MA 01475. Variance request and Special Permit to allow for a chicken coop with chickens within the 20' of the rear setback per section 300-5.2 and 300-7.2 of the Winchendon Zoning Bylaws. Said property is located in a PD- Planned Development District.

R. Stancombe read the public hearing notice. There were no conflicts of interest with the board members. The hearing was opened and the applicant was sworn in. C. Carvill stated for the record the applicant's last name was Lavoie- not Lajoie, there was a misprint in the hearing notice.

Sylvie Lavoie stated they would like to get a chicken coop to house no more than 12 chickens, no roosters, and presented her plans to the board members. She planned to place a 10x13 kennel over the existing coop in her garden. It will be built into the existing shed (8x12), all fenced and covered so they are contained. The applicant has discussed with their neighbors and no one had any complaints. There were 3 other houses in their neighborhood that currently have chickens and have not gone before the ZBA.

There were no comments from the public.

R. Stancombe motioned to close the hearing, 2nd by Christine Miller.  
**Morin (Y) Miller (Y) Stancombe (Y) Tambling (Y) Carvill (Y) 5-0**

R. Stancombe motioned to accept their special permit for the 12 chickens per their application, and for relief from the 100' setback in the existing shed for housing for the 12 chickens, 2nd by R. Morin Jr.  
**Morin (Y) Miller (Y) Stancombe (Y) Tambling (Y) Carvill (Y) 5-0**

### **Public Hearing: 180 Teel Road**

Notice is hereby given that the Zoning Board of Appeals will hold a PUBLIC HEARING on Wednesday, November 20, 2024 at 7:05pm to discuss the application for a Variance Special Permit submitted by owner Wayne Corliss for 180 Teel Road (Also known as Assessors Map 8, Parcel 137) Winchendon, MA 01475. Variance request and Special Permit to allow construction of a 30x60 single family dwelling to be used as an accessory unit to the primary dwelling. Said property is located in a R80- Rural Residential Neighborhood.

R. Stancombe read the public hearing notice. There were no conflicts of interest with the board members. The hearing was opened and the applicant and attorney were sworn in.

Wayne Corliss and Attorney John Dombrowski were present. The members were presented with the proposed plans. The applicant had been working with the prior building inspector. The plan is to house him and his wife in their retirement and take care of their grandchildren. The concrete for the foundation was poured, and when the new building inspector took over, he had an issue with the wording of how the plans were written. The inspector asked the applicant to stop the work and go before the zoning board. Attorney John Dombrowski explained there was a large barn on the property at the time they purchased the home, and they had originally planned to convert that into a living space. Upon further review, it was discovered the barn was on the neighboring property line by a few feet. The seller tore the barn down in the process of selling before Mr. Corliss was able to inhabit the property. After they purchased the property in June 2024, they applied for a building permit and plans were submitted. The proposed addition would be 30x60 to be used as an in-law accessory dwelling. The building permit was issued on August 15th 2024. On August 27th 2024, the footings were inspected. On September 9th 2024, the foundation was inspected. Both the footings and foundation were approved. On September 17th 2024, the new building inspector rescinded the permit. His reasoning was no more than one accessory dwelling unit is to be permitted, and living space can only be 750 sq. ft. The applicant is now facing hardship, having spent \$200,000 at this point. He is willing to put a covenant on record that he is not going to rent it out and intends on living there. He lives in a rural, R-80 district on 9.7 acres of land.

The applicant is requesting a special permit for the accessory dwelling and variance for the size.

R. Stancombe motioned to close the hearing, 2nd by Christine Miller.

**Morin (Y) Miller (Y) Stancombe (Y) Tambling (Y) Carvill (Y) 5-0**

C. Carvill stated for the record this does not open the floodgates for residents to do this then come before the board expecting an approval. Every situation is on a case by case basis and given the several circumstances and unique hardship this applicant has been through, all the while doing everything as he should, to no fault of his own, the board takes that into consideration.

R. Stancombe motioned to approve the special permit and variance from the size requirement of 750 sq. ft., and allow the requested 1800 sq. ft. based on prior approval which caused a hardship on the applicant, the size, shape, and topography of the land allowing the addition, and keeping in harmony of the R-80 neighborhood. 2nd by Christine Miller.

**Morin (Y) Miller (Y) Stancombe (Y) Tambling (Y) Carvill (Y) 5-0**

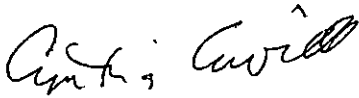
**Adjourn:** R. Stancombe motioned to adjourn the meeting, 2nd by R. Morin Jr.  
**Morin (Y) Miller (Y) Stancombe (Y) Tambling (Y) Carvill (Y) 5-0**

**The meeting was adjourned at 8:15PM.**

Respectfully submitted:

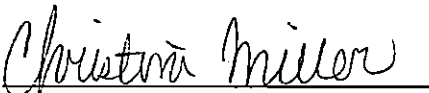


Brianna Lindahl, Zoning Board of Appeals Recording Secretary

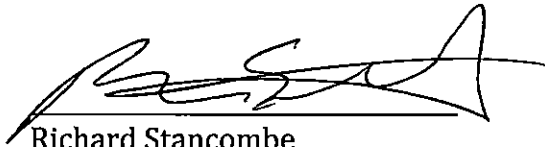


Cynthia Carvill, Chair

Rob Bushay



Christine Miller



Richard Stancombe

Renee Tambling

Alternate: Rick Morin Jr.

