



Planning Board

Telephone (978)-297-5419

**Regular Meeting Minutes**

October 20, 2020

**Present:** Chairman Guy Corbosiero, Acting Chairman Leston Goodrich Jr., Arthur Amenta, Joseph Sackett, Burton Gould Jr., Garrett Wante (alternate)

Alison Manugian, Planning Agent and various members of the public and project applicants

**Absent:**

**Call to Order:** Chairman Guy Corbosiero read the standard legal statement regarding meetings during COVID and called the Planning Board meeting to order at 6:31. Meeting was held via zoom - Meeting ID: 931 5739 1037 and Password: 0294093

**Announcements:**

Chair notified Board members that it may be possible to meet in person moving forward and requested discussion of this idea at the end of the meeting.

**Public Comments:** none

**Annual Appointment of representative to Montachusett Joint Transportation Committee (MJTC):**

G. Corbosiero is willing to serve in this capacity if no others wish to be appointed.

*To ensure representation L. Goodrich motioned to appoint G. Corbosiero as Planning Board representative to the MJTC. A. Amenta seconded the motion and all voted in favor via roll call.*

**Annual License Renewal Comment request from the Board of Selectmen**

Selectmen will be reviewing annual license applications soon and requested Planning Board input. Three page list of businesses was provided in the meeting packet and no members indicated any concerns or questions.

**Public Hearing continuation for Site Plan application from Ecos Energy for construction of a 9MW ground mounted tracking solar array on Spring Street; Map 9, Parcels 97 & 98**

Rodney Galton of ECOS Energy updated the Board on site plan changes since the last hearing session:

- Several rows of panels were removed in NE corner of the site to allow for retention of the 100' buffer of existing vegetation.
- No off-site parking or loading will take place.
- General notes and locations were added regarding parking and loading on-site but construction is fluid and dependent on site contractor.
- Two waivers are requested:
  - Plan scale of 1:50 instead of 1:40 has been requested
  - Regulations require stamped noise analysis at 100' intervals

B. Gould expressed concern that materials arrived yesterday and he has concerns but has not completed his review. He hasn't reviewed the peer review comments, the Conservation Order of Conditions hasn't been provided, the topographical elevations do not match up with the USGS plans of the area, and the state has identified protected turtles in the project area.

R. Galton responded that the Natural Heritage process has been followed and that information was shared with the Conservation Commission; there are Blandings Turtles in the area and there is a plan. He clarified that the elevations shown coordinate with the FIRM maps (NGVD 29) as requested by Tighe and Bond.

B. Gould reiterated that his USGS maps do not match the project site so there is a problem.  
R. Galton clarified that FIRM and USGS elevations are not the same so these won't match.

G. Corbosiero reviewed the peer comments and ECOS responses (dated 10/13/2020). Many items have been addressed directly or clarified with notes on the plan set.

R. Galton confirmed there will be no material taken off site and that there is no current plan to bring materials onsite. The materials on site should provide fill where needed and the site is balanced.

Peer review noted that the LID permit was not selected on the application page. Planning Agent clarified that the LID permit is part of the Site Plan process regardless and this is on the radar.

G. Corbosiero indicated his preference that some pre-construction noise data needs to be provided to create a baseline for any future concerns. He is comfortable reducing the points required to a couple, not the regulation stated 100' spacing. R. Galton requested that in the absence of a complete waiver that this be conditioned so that such data is provided to the Agent prior to construction.

R. Galton requested that the contact information for the installer be conditioned to be provided to the Agent prior to construction as no installer has been contracted to date.

Financial security and the decommissioning bond amount need to be determined. If the peer reviewer is unable to determine an amount ECOS can do this analysis and suggest an amount for discussion. R. Galton would like this discussion and final amount submission to be conditioned in an approval, if given tonight.

G. Corbosiero asked for comments and concerns from Planning Agent, who indicated that peer review should be done on the solar glare study and site prior to Board decision.

G. Corbosiero asked Board members for comments and concerns.

L. Goodrich suggested the hearing be continued for solar peer review and decommissioning bond determination.

***L. Goodrich motioned to continue the hearing to 11/17; A. Amenta seconded the motion and discussion ensued.***

Kevin Clark – a project abutter on the west side, indicated that he didn't realize Conservation had issued an Order of conditions. He expressed concern about glare and asked if the vegetation management plan still includes grazing sheep.

R. Galton confirmed that their general approach is to use sheep on-site for a week at a time within the fenced area to keep the grasses and vegetation short.

R. Galton also highlighted that glare and glint are of little concern. Any impacts would be limited to about 10 minutes a day from mid-March to mid-September and that the existing buffer of vegetation will reduce any impacts.

G. Corbosiero asked about appearance and visual impacts from Route 12. R. Galton responded that most of this is within the Riverfront Area and will not be altered. Additionally, the site elevations are generally lower than the road so little will be visible.

R. Galton will provide the requested noise information in advance of the continuation to 11/17.

***Returning to the motion (seconded) to continue the hearing, all voted aye via roll call vote.***

**Approval Not Required (ANR) Endorsement Request by Graz Engineering to alter 21, 29 & 35 Weller Road; identified as Map 5C3 Parcels 153, 222, 223, 224, & 225**

Planning summarized that the intent is to alter the existing property boundaries of these three unimproved lots. Trevor Fletcher of Graz Engineering is available to answer questions.

T. Fletcher outlined that the intent is to change the lot perimeters to allow for additional house space once setbacks are applied. Previous lot lines were difficult and limited home sizes. The lots are very steep and tight. No frontage details are proposed for change and the lots meet all of the requirements for the R10 district they are in. Each parcel has been reviewed to confirm that there is at least 10,000sf (per lot) that is sloped less than 1:4.

L. Goodrich asked for confirmation of topography. T. Fletcher clarified that the front three lots on High Street are steep and that the two back lots are fairly level.

Sharron Wilkinson, project abutter at 63 High Street, requested clarification of when discussion will take place about the access to these parcels. G. Corbosiero explained that this item is about the ANR to alter property lines and that the public hearing regarding access is the next item on the Board agenda.

B. Gould inquired if Weller Road is a public way – the Planning Agent confirmed that it appears on the DPW listing of approved Chapter 90 approved roadways.

***B. Gould made a motion to endorse the ANR plan, inclusive of the determination that the plan does not call for a subdivision and meets all of the ANR criteria. L. Goodrich seconded the motion and all approved via roll call vote.***

**Public Hearing for Special Permit application by Graz Engineering seeking access to residential parcels other than through frontage for a project located on Weller Road identified as Assessors Map 5C3 Parcels 153, 222, 223, 224, & 225**

G. Corbosiero read the public hearing notice opened the hearing at 7:27 pm

Trevor Fletcher of Graz Engineering was called upon to present the project. A special permit for this same permission was granted in 2007 and has lapsed. The details of the project remain the same.

The first 'non-frontage access' request is a driveway to access the three parcels that have frontage on High Street. For each of these parcels the sewer lines will run to the main on High Street. The water services will come off of the main in Weller Street and come down on the driveway side of the homes. Each home will have an infiltrator bed area to retain and infiltrate stormwater, which allows for easier accommodation of anticipated ledge. On the west side of the right of way there is a swale that will also run to an infiltrator bed area. The High Street drainage lines are not available for connection per conversations with the DPW. All houses meet zoning setbacks.

The second 'non-frontage access' request is for the upper lots. These will be accessed off of a driveway with paved turn around granted via easement. Water service will be provided from the existing stub used for previous development. Sewer connections will tie into the municipal system at the corner of Weller and Cottage Streets. The system for #75 has been redesigned to have a gravity feed. The upper lots will also have infiltrator beds to capture runoff and handle on-site drainage. All houses meet zoning setbacks.

G. Corbosiero expressed concern around the details of the shared driveway for the front three lots. Additional information about the construction and section will be needed. T. Fletcher outlined that test pits were done. The roadway is planned to be paved and graded to divide runoff into a swale running to the north to infiltrator beds and to the south via swale to infiltrator beds. To avoid drainage into Weller Street stormwater will be directed from the right of way to swales and infiltration area(s). Runoff beyond the capacity of the stormwater system will flow overland behind the homes down toward High Street.

The driveways will be as straight as possible to make emergency vehicle access easier.

No retaining walls are needed for the sites – hydroseeding or vegetative matting may be needed to establish final stabilization following construction.

Other questions –

L. Goodrich enquired if the DPW is on board with the sewer and water plans. T. Fletcher responded that they are on board. Discussion was also had about pumping sewerage up to the corner of Cottage and Weller, which would require additional manholes in High Street and is generally more complicated and costly.

L. Goodrich also asked if the homes will have walkout basements, T Fletcher confirmed this.

G. Corbosiero commented that overall this site is hard to visualize without site visit.

Sharron Wilkinson, project abutter at 63 High Street inquired about the intents for the attractive and historic stone walls that run the length of Weller Street. These were undercut by the DPW several years ago and she is concerned with additional damage. T. Fletcher stated that the intent is to maintain the stone wall along Weller with the exception of the needed cut for the driveway access to the front three lots. They have no issue with a condition stipulating retention or stabilization of the stone wall.

G. Corbosiero inquired about the stone wall on High Street with similar questions. T. Fletcher said that the presence of ledge will likely determine if they need to disturb and restore that wall or if they can install below without impact. He reiterated that orientation and aesthetics are important to the owner and Asher Development.

***B. Gould stated that they allowed the creation of the lots they should now allow them to access them for use. He then motioned to approve the special permit request. Motion remained unseconded and discussion continued.***

L. Goodrich is concerned about the conditions and overall project and feels a site visit is warranted.

B Gould stated that he doesn't feel conditions are necessary and reiterated his motion. The applicant has stated publically their intent and they can be held to agreements using the minutes.

A Amenta asked who will maintain the right of way and the driveway(s) T. Fletcher explained that the front driveway will have a common agreement typically a 1/3 share to each residence. The rear driveway will be held in single ownership by parcel #61 with an easement for use and maintenance.

L. Goodrich asked about the driveway finish and how the agreement will ensure that it's maintained as finished in the future.

The Planning Agent summarized three conditions that should be considered if the application is to be approved tonight:

- Condition to require an informal site plan review and approval by the Planning Agent to ensure drainage and overall site plans are solid.
- Condition to require the driveways be substantially complete before building permits are issued for the homes.
- Condition submission to Agent of detailed easements and guarantee paperwork to be in place prior to issuance of building permits.

***L. Goodrich motioned to continue the hearing to November 17th at 6:40pm with a site walk to occur prior. A. Amenta seconded the motion and all voted aye via roll call.***

A site visit was scheduled for October 27 at 10am with T. Fletcher as well.

***B Gould motioned to move up remaining non-cannabis items on the agenda so G. Corbosiero can depart when he recuses himself from the cannabis hearings. J. Sackett asked why G. Corbosiero is recusing himself and indicated that he too will recuse himself from the cannabis related hearings. G. Corbosiero indicated that he is part of a cannabis related business planned in Winchendon so has a conflict; he indicated that J. Sackett doesn't have a similar conflict. J.***

**Sackett reiterated his intent to recuse himself. L. Goodrich seconded the motion and all approved via roll call vote.**

**Approval Not Required (ANR) Endorsement request made by Graz Engineering to create two parcels out of three existing as 49, 59 & 69 Kemp Street – Map 5B1 Parcels 37, 38 & 39**

Planning Agent outlined need to create two larger lots instead of three to accommodate expanded wetlands between original survey/assessment and construction.

**B Gould motioned to endorse the plan as requested. A. Amenta seconded the motion and all approved via roll call vote.**

**Request to extend Site Plan and Route 12 Entry completion deadline(s) for 10 Gardner Road (Map 9 Parcels 15 & 16) as requested by Central Mass Tree Service**

Planning Agent outlined that current Site Plan Approval is valid through 7/31/2021, but that a condition thereof requires completion of construction and permitting of the Route 12 entry by 10/31/2020. Applicant indicated to Agent previously that for COVID related reasons and due to the grades and construction sequencing the entry work can't be done currently.

**B Gould motioned to extend deadline for Route 12 entry work to 7/31/2021 to coincide with overall Site Plan work. L. Goodrich seconded and all voted aye via roll call vote, with G. Corbosiero mentioning the need for the plantings or barrier along Route 140.**

**B Gould motioned to approve all minutes listed below as presented. G. Corbosiero seconded the motion and all approved via roll call vote.**

Minutes	4/21/2020	5/5/2020	6/2/2020
	7/7/2020	7/21/2020	8/18/2020
	9/1/2020	9/15/2020	10/6/2020

At 8:05pm G. Corbosiero recused himself and left the meeting. L. Goodrich stepped in to act as Chair for the remainder of the meeting.

**Public Hearing for Site Plan Amendment request for changes to site drainage and parking lot design at Retail Marijuana Facility submitted by 202 Trading Inc. on property located at 682 Spring Street identified as Winchendon Assessors Map 9 Parcel 157**

J. Sackett indicated that he has no conflict with this hearing and will remain active.

Planning Agent read the hearing notice and summarized last meeting review of changes to site plan – site staking showed that some of the proposed parking spaces are overlapping with existing spaces at Little Anthony's. These spaces were eliminated (site retains sufficient parking capacity and applicant has a parking agreement in place with Little Anthony's for needed overflow) and the impervious area was reduced. This allowed for elimination of the swale and piped stormwater between the parking lot and building with addition of a small infiltration area outside of the wetland buffer.

Anthony Parienello of 202 Trading was present to answer questions. None were voiced.

***B Gould motioned to approve the request to amend the site plan permission. A. Amenta seconded the motion and all voted aye via roll call vote.***

**Public Hearing for Special Permit application to operate a Marijuana Cultivation Facility and Site Plan Approval application for related work submitted by Mantis Management Group, LLC for a project located at 2 Juniper Street identified as Winchendon Assessors' Map 5A3 Parcel 197**

Multiple members of the project team were present to provide information as needed.

Bill Hannigan of Hannigan Engineering explained the intent to demolish the existing 11,544sf and to construct a new building having a total of 19,500sf. The project site is largely developed and the site and area surrounding are largely impervious gravel and pavement.

The applicants are here for discussion of the Special Permit and the Site Plan approval. The drainage for the site is still under development at this point.

Two options were shown as the proposed alternatives with HVAC details being different.

Option #1 uses a cooling tower which is more costly to install.

Option #2 uses individual units for ac allowing for phased installation and use as needed.

Both proposed options use Maple Street for the primary site access. Main access off of Maple for employees (15 anticipated). This entry drive leads to the parking area and then to the southern portion of the site where loading will take place. A SU30 design vehicle is used.

Juniper Street is currently gravel, the applicant is proposing to regrind then roll the northern portion of the road (to a line shown near the 102' contour). This will improve the road quality for their and other's use. The southern end of Juniper near their loading area is proposed to be paved to ensure long term viability with turning trucks and vehicles.

The existing building extends over the property line onto the abutting Walgreens' property. An agreement is in place for maintenance and they are in discussions with the owners (Mass Realty LLC) to allow for access to demolish and perform site work. The preferred solution will improve access for both properties. Regardless of the outcome of the discussions the demolition and project are viable. If minimal access is allowed a low retaining wall may be part of the plan.

The proposed building will connect to town water and sewer lines from the existing mains in Maple Street. The determination of final electric connection location will be made by the power company, but may be in the mechanical room near Maple Street.

The drainage plans remain to be finalized. There are numerous catch basins shown on different plans, but the connectivity, conditions and capacities need confirmation. A sewer easement is shown leading from the site to Central Street and may be applicable for drainage work. The applicant has a preference to upgrade existing elements and tie in to the resulting improved system. They hope to route runoff from the site through a oil/water/sediment separator then into this municipal system. The proposed site development currently reduces the impervious site area by approximately 1,800sf which drives post-development runoff being less than pre-

development amounts. Additionally, the improvements of impervious from compacted gravel to pavement will reduce sediment yielding clearer runoff.

The LID review is functionally incorporated into the site plan review and requirements for development and the applicant intents to comply with regulations.

B Gould asked about the drainage, indicating that the low end of the area is along Central Street and that the Housing Authority may have plans that show drainage from their upstream project in the 1960s. L. Goodrich indicated agreement with the drainage being of concern.

Hannigan continued and acknowledged that the drainage will be the largest concern to resolve.

Any noise or appearance concerns will be addressed. The mechanicals have been located to the west side of the building, allowing the structure to screen abutters from noise or visual impacts.

B. Hannigan reviewed the project and alignment with special permit review items listed in 6.12.10 of the Zoning Bylaws - The project is for a 5,000sf cannabis grow facility used only for cultivation, harvest, packing and shipping. There is no retail component at this location:

- (a) the Facility is designed to minimize any adverse visual impacts on abutters and other parties in interest, as defined in G.L. c. 40A, §11;  
The visual impacts have been minimized by placing the parking and loading in the commercial area of the site. Landscaping will be added around the site to provide additional visual buffers.
- (b) the Facility has received a provisional certificate of registration or provisional license from the appropriate licensing authority and is in compliance with all applicable state laws and regulations;  
This has been received and provided
- (c) the applicant has provided a copy of a signed Host Agreement with the Town of Winchendon, in accordance with M.G.L. Chapter 94G;  
This has been received and provided
- (d) the applicant has provided adequate security measures to protect the health and safety of the public, and that the storage and/or location of cultivation of marijuana is adequately secured in an enclosed, locked area;  
Security details to date have been reviewed with Police and Fire, who have no concerns. Details are to be kept confidential for obvious reasons.
- (e) the applicant has adequately addressed issues of vehicular and pedestrian traffic, circulation, parking and queuing, especially during peak periods at the facility.  
Vehicle and pedestrian access have been accounted for in the submitted plans. As there is no retail component there won't be significant traffic in and out. Traffic will be primarily employees with occasional deliveries or pickups.

Board members indicated no questions at this point.

Planning Agent clarified that the Special Permit could be granted tonight but that the Site Plan details are not ready for final review. B. Harrington confirmed the need for final resolution of site drainage and easements.

B. Gould asked for clarification that no construction could begin without the site plan approval which was confirmed by the Planning Agent.

J. Sackett indicated that although he had expressed concerns about conflict earlier in the meeting he there is no concern with conflict on this project. He indicated confusion about the project under discussion previously. Given this clarification he participated and voted on this hearing/project.

***B. Gould motioned to close the special permit hearing. J. Sackett seconded this motion and all voted aye via roll call noting that the site plan hearing is open and will be continued.***

***B. Gould motioned to grant the special permit for marijuana business. A. Amenta seconded this motion and all voted aye via roll call***

***B. Gould motioned to continue the site plan application public hearing to December 15th at 6:35. This was seconded by A. Amenta and all approved via roll call vote.***

Brief discussion was held regarding the viability of in person meetings. The Planning Agent outlined staff concerns about capacity of the typical meeting room. B. Gould expressed concerns about safety during COVID and others indicated reservations about in person meetings.

***B. Gould motioned to adjourn the meeting, which was seconded by A. Amenta and approved by all via roll call vote.***

Acting Chairman Les Goodrich adjourned the meeting at 8:47 PM

Respectfully submitted:



Alison Manugian, Planning Agent

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Guy Corbosiero, Chairman

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Leston Goodrich Jr.

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Arthur Amenta

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Burton Gould

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Joseph Sackett