

TOWN OF WINCHENDON



NOTICE OF MEETING

Pursuant to the provisions of Chapter 30A, Sections 18-25 of the General Laws, as amended, notice is hereby given that a meeting of the following board, committee, or commission will be held on the date and time specified below. Said meeting will be open to the public and press.

BOARD/COMMITTEE: Planning Board – Regular Meeting/
PUBLIC FORUM RECREATIONAL MARIJUANA

DATE: December 5, 2017

TIME: 6:30 p.m.

LOCATION: Town Hall – 2nd Floor Auditorium
109 Front Street Winchendon MA 01475

Agenda

1. Call to Order
Pledge of Allegiance
2. Announcements
3. Approval of minutes
November 21, 2017
4. PUBLIC FORUM – RECREATIONAL MARIJUANA
 - a. Introduction
 - b. Breakout Sessions
 - c. Results
 - d. Closing Remarks
5. Adjourn

Notice- The above topics do not prohibit additional last-minute or unforeseen matters.

The meeting room is handicapped accessible. With advance notice the Planning Board can arrange reasonable accommodation for persons with other disabilities. To request assistance; contact the Department of Planning & Development at 978-297-3308.

TOWN OF WINCHENDON



Planning Board

Telephone (978) 297-5419

Approved / /

Planning Board Meeting Minutes

November 7, 2017

2nd Floor Town Hall Auditorium

Present: Chairman Guy Corbosiero, Vice Chair Cailte Kelley,
Arthur Amenta, and Burton E. Gould Jr.
Chantell M. Fleck, Planning Agent
Nancy Sanderson, Recording Secretary

Materials: Notice of Meeting, Agenda, November 7, 2017
October 24th Planning Board Meeting Minutes
ANR – Off of Spring Street –with Plan of Land, Three M Realty Trust
Birch Hill WMA and explanatory email from DPW Director
Ash Street and Lincoln Avenue Solar Projects Correspondence, Site
Plans and Draft Notice of Decision for each
Town Committee and Board Meeting Updates
Recreational Retail Marijuana Public Forum Proposal
Planning Board, Public Hearing Sign-in Sheet

1. Call to Order: 6:30 p.m.

Pledge of Allegiance

2. Announcements: Small Business Vendor Fair will be held on Saturday, 11/25, from 10 a.m. to 3 p.m. here in the auditorium on the 2nd Floor of the Town Hall. Standard announcement regarding recording the meeting, no hands were raised.

3. Public Comment: None

4. **Approval of Minutes:** Minutes of 10/24/17 Planning Board Meeting were approved (4-0).
5. **New Business:** The first ANR listed on the agenda (off Gardner Road) was withdrawn.
 - a. ANR – off of Spring Street – Three M Realty Trust was represented by George Mizhir, Agent. Mr. Mizhir is transferring a piece of the property to the abuttor, the auto parts business next door. Mr. Gould made a motion to accept the plans as submitted and Mr. Kelley seconded. The motion passed 4-0. The mylars and all the plans were then signed.
 - b. **Birch Hill Wildlife Management Area** – Selective Forest Cutting – DPW Director Al Gallant. Asking permission for the State to cut about 500' on River Street on town property. They have a plan to select cut and clear cut a lot of areas off New Boston Road, over which the town has no jurisdiction. Mr. Gallant is in favor as the street is very dark and gets little sunlight in the wintertime, which causes a lot of icing problems. The area in question is located across the street from the Rod & Gun Club. 10' at edge of the road is under the jurisdiction of the town. The State plans to clear cut 55 acres to create a young forest wildlife preservation area, a long process with many permits to pull. Mr. Gould moved that the request be granted, Mr. Kelley seconded, there was no public comment and the motion passed 4-0.
 - c. **6:45 p.m. Continued Public Hearing: Formal Site Plan Review – Lincoln Avenue Solar.** Representatives John Motta and John Perry from Dynamic Energy Solutions appeared. Since the October 3rd meeting they have received Cons-Com approval, Southern array has shrunk a bit. The access road shifted south to avoid a wetland. DPW approved their improvement of the access road using their materials and labor under the supervision of DPW Director Gallant. Four Peer Review comments by Tighe & Bond were read into the record to approve points not previously covered. The decommissioning estimates were clarified and agreed upon. Mr. Gould asked for clarification on the access road of approximately 1500'. That is a separate permitting by DPW. Ms. Fleck asked which numbers should be used, and it was agreed that those on the cover letter be used. No public comment was forthcoming, Mr. Kelley moved that this

public hearing be closed and Mr. Gould seconded. The motion passed 4-0 and the hearing was closed at 7 o'clock. Formal site plan approval postponed until after the next item is discussed.

- d. **7:00 p.m. Continued Public Hearing: Formal Site Plan Review – Ash Street Solar.** Representatives John Motta and John Perry from Dynamic Energy Solutions once again appeared. The public hearing was declared open at 7 o'clock. Since the October 3rd meeting they have received Cons-Com approval, not much else has occurred. Board members present had made a site visit on 10/21/17. The Chairman read the six Tighe & Bond Peer Review comments into the record. One new point to do with landscaping appears in comment number three. The buffer planned along Ash Street to the most southerly end of the array. Approximately 125 plants, of different varieties (Hemlock, Staghorn, Sumac, Eastern Red Cedar, Rose Bay Rhododendron and Witch Hazel) will be put in as screening. The plants vary in height and will not shade the arrays. Per Ms. Fleck, the Fire Chief is happy with current access proposal. The decommissioning estimate for this project were clarified and agreed upon. No storm water management features are required. National Grid will set additional poles and wires. Town resident Margaret Bartlett came forward to ask what she will see when she comes down Hall Road to access Spring Street and turns right and looks up at what was part of the golf course. It was explained that she won't see any change because the project is beyond the ravine and the holes near Hall Road will remain. No other public comment was forthcoming, Mr. Kelley made a motion to close the public hearing and Mr. Gould seconded. The vote was 4-0 and the public hearing on the Ash Street project was closed.
- e. **The notice of decision and formal site plan for the Ash Street project** was reviewed by Ms. Fleck, this included all of the special conditions. It was clarified that bonds are typically renewed yearly and are preferred by the Town Treasurer. Mr. Kelley complimented the engineers on all their efforts and spoke about this particular project being sensitive due to its location. He also mentioned the plans for the Gazebo, which he very much appreciated. Mr. Kelley then made a motion to approve this project with the conditions as stated and Mr. Gould seconded the motion. The vote was 4-0 in

favor of the motion. Two copies of the signature sheet were passed down by Ms. Fleck.

- f. The Board moved on to considering **the notice of decision and formal site plan approval for the Lincoln Avenue project**. The special conditions were reviewed. The financial sureties will be listed separately. Basically the same as the Ash Street project with the difference of the financial surety amount and the access road requirement. Mr. Kelley moved that this project be approved with the stated conditions and Mr. Gould seconded. The project was approved on a vote of 4-0. Signature sheets were again passed to the Board.

6. Old Business: Setting a date for the forum on recreational marijuana bylaw. A suggested public forum outline from Ms. Murphy was included in tonight's packet. Mr. Corbosiero noted that the only restriction per the State law is that these establishments may not be situated within 500' of a school. The Chairman had looked this up earlier and told Ms. Fleck that she had been correct on this point and he had been wrong. The proposed forum date of December 5th (first Planning Board meeting in December) was accepted, and Mr. Kelley moved that the meeting adjourn. The vote was 4-0 in favor.

7. Committee Meeting Updates: were related between item b. and c. above. It was noted that the next CEDSC will be on November 20, 2017. The date on the meeting updates list in tonight's packet was incorrect.

8. Meeting Adjourned at 7:38 p.m.

Respectfully submitted;

Nancy Sanderson, Planning Board Recording Secretary

Guy Corbosiero, Chairman

Robert O'Keefe

Cailte Kelley, Vice Chairman

Arthur Amenta

Burton Gould Jr.

James McCrohan, Alternate

Winchendon Planning Board
Recreational Retail Marijuana Public Forum
Proposed Date: December 5, 2017 6:30pm

Advertise forum in the Winchendon Courier, post flier at Town Hall, Senior Center, Library and put information on the website. Put flier in mailbox of all town Boards and Committees and have BOS make announcement at all of their meetings leading up to event. Hand out flier at the Special Town Meeting.

Regular meeting opens – regular business dependent on any applications for ANR's etc.
wrap up any unfinished business

Public Forum Outline

6:45ish (45 minutes) Breakout into 3 groups – 2 Planning Board members each group- Chantell with one 1 member lead discussion, 1 member scribe comments.

Main Purpose: Get their opinion on the subject, not give them yours....

Suggested Starting Point: Large size Zoning map for people to indicate where they feel appropriate location for facility, number of facilities??? Gather general comments on the subject. Without doubt, other zoning/planning related comments will enter into discussion. All will be good material for the zoning rewrite but try to redirect to subject if it gets too far off topic.

7:30 Reassemble as Board – Have one person from each group come up and discuss comments/results from group discussion – 5 minutes each

7:45 Comments from Board members – Determine next Public Forum where compiled results can be presented for further comment. (Suggested date January 16, 2018)

Note: Chantell and I will need help compiling the results into cohesive documents that accurately reflect the discussions at the forum. The Zoning Bylaw sub-committee can help with this if the Board so chooses. Please discuss this.

The January 2, 2018 regular PB meeting can be used to go over the documents in preparation for the next public forum.

Winchendon Planning Board
Recreational Retail Marijuana Public Forum
December 5, 2017 6:30pm

Thank you for coming to the Public Forums regarding the Recreation Marijuana Legislation, (Chapter 334 of the Acts of 2016, entitled, "The Regulation and Taxation of Marijuana Act" revised by , "An Act to Ensure Safe Access to Marijuana" (the "Act"), adopted as Chapter 55 of the Acts of 2017.)

The legislation provides that municipalities may regulate the time, place and manner of marijuana establishment operations and may adopt ordinances and bylaws that impose reasonable safeguards on the operation of marijuana establishments, provided they are not "unreasonably impracticable."

Ordinances and bylaws may also restrict licensed cultivation, processing and manufacturing of marijuana that is a "public nuisance," establish restrictions on public signs related to marijuana establishments and establish a civil penalty for violation of an ordinance or bylaw.

Our timeline for establishing such a bylaw is fairly short. On the state level they may start to accept applications by April 1, 2018 and issuing licenses as soon as June 1, 2018. Some background on the Town's history on the ongoing marijuana legislation is as follows:

- The Town voted in favor of legalizing Recreational Marijuana on the November 4, 2016 Question 4 Ballot.
- The Town voted to put a Moratorium on Recreational Marijuana establishments during the November 13, 2017 Special Town Meeting so as to acquire enough time to adopt appropriate bylaws and regulations before the State starts to issue licenses. The Moratorium that was established will end on June 30, 2018.
- Town to start considerations for appropriate regulations for Marijuana establishments- with today being the first of a series of outreach meetings to help guide in this process.

The purpose of this forum will include the following inquires to engage the public in the discussion of regulation of Marijuana Establishments.

1. What are appropriate locations for certain types of Marijuana Establishments within the Town? These Marijuana Establishments include, retail, growing/cultivation, and distribution establishments. (PB note: Talk on options the Town could pursue such as an Overlay District or allowing the use with an existing Zoning District. Ask folks to illustrate where on the Zoning Map provided where each establishment could be located, use red dots for retail, green dots for growing/cultivation, and blue dots for distribution)
2. Do you want to limit the amount of such establishments?

3. What is an appropriate buffer around such establishments from schools? (Existing buffer per State Legislation is 500 feet, is it sufficient? Should there be buffers from any other uses?)

Once again, thank you everyone for coming out tonight for the Public Forum to explore options for Winchendon. It is so very important that you, the folks in the community have a say in their community. Beyond this evening's forum, I encourage you to stay engaged with this process and attend future Planning Board and Public Hearing meetings when you can. The forum tonight and the following additional meetings will be the catalyst for possible zoning changes for the Town. If you interested in staying tuned to this process please indicate on the sign sheets you would like to be notified.

Welcome and Introductions – Winchendon Planning Board – 6:30 PM

Goals/ Process of the Day -- 6:30 PM

Break Outs – Facilitators - 6:40 PM

Expectations of the Group

Group 1
A. Answer questions and Write Highlights of Discussion.
B. Facilitator Recruits a Volunteer to Present Highlights Written on Easel to Each Group

Group 2
A. Answer questions and Write Highlights of Discussion.
B. Facilitator Recruits a Volunteer to Present Highlights Written on Easel to Each Group

Group 3
A. Answer questions and Write Highlights of Discussion.
B. Facilitator Recruits a Volunteer to Present Highlights Written on Easel to Each Group

BREAK

GROUP 1 THROUGH 3 PRESENTATIONS –
VOLUNTEER FROM EACH GROUP

A

B

C

Full Group: Comments/Discussion/Additions

8:00 PM - ADJOURN

FORUM QUESTIONS

- 1. What are appropriate locations for certain types of Marijuana Establishments within the Town? These Marijuana Establishments include, retail, growing/cultivation, and distribution establishments.**
- 2. Do you want to limit the amount of such establishments?**
- 3. What is an appropriate buffer around such establishments from schools?**