

# TOWN OF WINCHENDON



## AGENDA & 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 and will be recorded.

**BOARD/COMMITTEE:** Planning Board – Regular Meeting & Public Hearing(s)

**DATE:** August 6, 2019

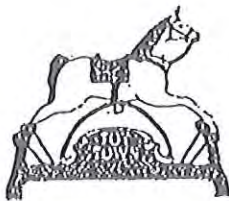
**TIME:** 6:30 p.m.

**LOCATION:** Town Hall – 2<sup>nd</sup> Floor Auditorium  
109 Front Street Winchendon MA 01475

1. Call to Order & Pledge of Allegiance
2. Announcements
3. Public Comment
4. New Business:
  - A. **6:35 pm – ANR review** of proposal for property on Spring Street near Spring Place  
(Map 5C3 Lot 0-180) submitted by Barkley Enterprises
  - B. Planning Board Reorganization**
    - a. Election of Chair, Vice-Chair and Clerk
5. Minutes – Review & Approval
  - January 16, 2018
  - February 6, 2018
  - June 18, 2019
6. Correspondence - NONE
7. 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 978-297-3537.*



# Winchendon Planning Board,

Town Hall, 109 Front Street, Winchendon, MA 01475

Telephone (508) 297-0085

Fax (508) 297-1616



RECEIVED

JUL 30 2019

DJY  
11.25

WINCHENDON TOWN CLERK

## FORM A

(ANR)

To the Planning Board: The undersigned, believing that the accompanying plan of property in the Town of Winchendon does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits such plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

Received by Planning Board 7/29/19 PB# 2019-0729

Location of land Spring Street

# of lots being created herein (3 Lots)

Any remaining land does not create a nonconforming lot. None

APPLICANT Barkley Enterprises, LLC

Address 1032 NH Route 119, Unit #4, Rindge NH 03461

Telephone number 603-899-9720

LANDOWNER Robert B. Van Dyke Revocable Trust of 2004

Address PO Box 197, Goddard Road Rindge NH 03461

TITLE OF PLAN Plan Of Land - Tax Map 5C3 Lot 0-180 (Spring Street) Winchendon, MA

Deed to the property is recorded in the Worcester District Registry of Deeds at:

Book 19681 Page 125

Assessor's Map 5C3 Parcel 0-180 Zoning District PD

*"One original (mylar) and five copies of this plan are to be submitted with this Form A to the Town Clerk, along with the filing fee."*

Signature of Applicant *Robert B. Van Dyke*

Signature of Landowner *Robert B. Van Dyke*

### To Town Clerk

You are hereby notified that the plan described above has/has not been endorsed by the Planning Board on \_\_\_\_\_ as follows: "Planning Board Approval Under Subdivision Control Law Not Required".

\_\_\_\_\_  
(Chairman)

\_\_\_\_\_  
Date copy sent to applicant

Revised 6/8/04

*J. Manion* Asst. Treasurer 7-30-19

**Section 3.1.6 Determining ANR Endorsement.** In determining whether a plan is entitled to be endorsed “approval under the Subdivision Control Law not required”, the Planning Board will consider the following questions: [Revised January 2013]

**A.** Do the proposed lots shown on the plan front on one of the following types of ways?

1 . A public way or a way, which the municipal clerk certifies, is maintained and used as a public way.

2 . A way shown on a plan which has been previously approved in accordance with the subdivision control law (provided the way has been built to standards or the town holds adequate security to insure it will be so built.)

3 . A way in existence when the subdivision control law took effect in the municipality, which in the opinion of the Planning Board is suitable for the proposed use of the lots.

**B.** Do the proposed lots shown on the plan meet the minimum frontage requirements of the zoning district in which they are located?

**C.** Can each lot access onto the way from the frontage shown on the plan?

1. Limited access highways do not constitute frontage for ANR purposes.
2. Driveway safe sight distance.

**D.** Does the way on which the proposed lots front provide adequate access?

1. Paper street?
2. Pavement comparable to other ways in the area?
3. Way suitable to accommodate motor vehicles and public safety equipment?
4. Does the way provide year-round access?

**E.** Does each lot have practical access from the way to the buildable portion of the lot?

1. Pipestem access narrower than required frontage?
2. Guardrails present?
3. Wetlands?
4. Steep slopes: If, after the site visit, the Planning Board is concerned that steep slopes may prevent “practical access” to the buildable portion of the lot, the Board may require an engineering review of the plan, to be paid for by the applicant.

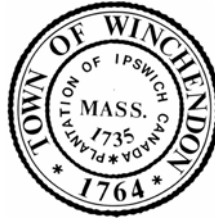
**F.** Unless the plan or documentation supplied with the plan clearly indicates that the purpose of any lot which has less than the minimum frontage for the zoning district or otherwise would be an unbuildable lot, whether newly created or not, the plan may be disapproved. [Added January 2013]

**G.** The Planning Board will make a finding as to whether the proposed access to the proposed lot shown on an ANR plan has safe sight distance in accordance with section 4.3.12 so as to reduce the number of "blind driveways" in our town. Lots lacking safe access will not qualify for ANR endorsement. Plans will be referred to the town's safety officer if there is a need for safe sight distance confirmation following a site visit by the Board or its agent. See the standards for safe site distance in section 4.3.12. [Revised January 2013]

**H.** Are the property boundaries shown on the plan adequately delineated so as to be clear to future owners and others?

**I.** Are any required supporting documents provided?

# TOWN OF WINCHENDON



## Planning Board

Telephone (978)-297-5419

### Regular Meeting/Public Hearing

January 16<sup>th</sup>, 2018

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

109 Front Street, Winchendon, MA 01475

**Present:** Vice-Chair Cailte Kelley, Arthur Amenta, & Burton Gould Jr.  
Chantell Fleck, Planning Agent

**Absent:** Chairman Guy Corbosiero

**Guests:** Rick Lucier- Public Attendee

**Materials:** Notice of Meeting: January 16<sup>th</sup>, 2018 Agenda

**6:30PM-** Vice-Chair Cailte Kelley called the Planning Board meeting to order followed by the Pledge of Allegiance to the flag of the United States of America.

**Announcements:** Mr. Kelley announced that anyone is welcome to record the meeting as long as they let the board know.

**Public Comments:** None.

**Approval of Minutes:** None.

**New Business:** Façade and Exterior Design Standards

Mr. Kelley stated Tracy Murphy was supposed to be present tonight to explain and talk about this subject in more detail but unfortunately she could not make it to the meeting.

**Old Business:** Marijuana Regulations - Review/Discuss Draft 2 Marijuana Zoning Bylaw & Overlay Map.

Ms. Fleck explained the changes made to the draft zoning bylaws as discussed and agreed upon at the last planning meeting.

Page 4- Letter C- Copies of all documentation application submissions.

6.2.1- Use Regulations- No Marijuana shall be smoked, eaten, or otherwise consumed or ingested on the premises.

Hours of Operation- Added retail marijuana facilities

6.2.2- Letter C- Removed threshold. Letter E- In the R80 District, All Marijuana Facilities will be subject to citing on a parcel no less than 5 acres.

Rick Lucier of 236 Maple St. came forward and asked if a greenhouse would be allowed. Ms. Fleck commented that the regulation states it cannot be visible and greenhouses are generally transparent.

Mr. Kelley asked about the regulations on limiting medical facilities. Ms. Fleck was unsure that would be allowed but limiting them to the overlay would help.

Mr. Gould expressed his opposition to the subject matter.

Mr. Kelley continued discussing the changes made since the last meeting.

6.2.4- Buffer of 500 ft. around Central St. and impacts playgrounds, athletic fields, and parking areas for the bike path.

Ms. Fleck announced to the public that the Winchendon Town Website has a section under the Planning Board with informative links discussing the towns Marijuana process.

**Committee/Meeting Updates:** Montachusett Regional Planning Committee (MRPC)

Tracy Murphy applied for district local technical assistance to help complete the Master Plan.

**Correspondence:** Application for Second Impressions Toy Town Treasures. New owners and new license for junk dealing.

American Legion Post 193- Bonfire permit with fireworks- January 26<sup>th</sup>, 2019.

Spring St. Rooming House- 36 Spring St. License for Rooming.


**Other Business:** None.

Mr. Gould made a motion to adjourn the meeting and Mr. Amenta seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Kelley (Y) 3-0**

**Vice-Chair Kelley adjourned the meeting at 7:18PM.**

Respectfully submitted:



Brianna Roberts, Planning Board Recording Secretary

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Guy Corbosiero, Chairman

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Vice- Chair Cailte Kelley

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Art Amenta

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Burton E. Gould Jr.

# TOWN OF WINCHENDON



## Planning Board

Telephone (978)-297-5419

### Regular Meeting/Public Hearing

February 6<sup>th</sup>, 2018

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

109 Front Street, Winchendon, MA 01475

**Present:** Vice-Chair Cailte Kelley, Arthur Amenta, & Burton Gould Jr.  
Tracy Murphy- Director of Planning and Development, Chantell Fleck- Planning Agent

**Absent:** Chairman Guy Corbosiero

**Materials:** Notice of Meeting: February 6<sup>th</sup>, 2018 Agenda

**6:30PM-** Vice-Chair Cailte Kelley called the Planning Board meeting to order followed by the Pledge of Allegiance to the flag of the United States of America.

**Announcements:** Mr. Kelley announced that the Winchendon Kiwanis is having a country music night March 10<sup>th</sup> at 7PM. Tickets are \$10 and proceeds go towards the various projects the organization funds.

Anyone is welcome to record the meeting as long as they let the board know.

**Public Comments:** None.

**Approval of Minutes:** None.

### **New Business:**

**Land off of Russell Farm Road First Right of Refusal:** Ms. Fleck asked the board to pass over the issue since the land is not in Chapter 61A, which does not require comment from the board.

**Marijuana Public Forum #2 & Marijuana Survey:** Ms. Fleck stated the board would go through the typical forum preparation procedures tonight in regards to the public forum on February 20<sup>th</sup> at 6:30PM at the Winchendon Town Hall.

Ms. Murphy reviewed the agenda of the Public Forum on February 20<sup>th</sup>, 2018.

Chapter 94-G Section 3 of the legislation covers the local control policy outlines the town's ability to determine the time, place, and manner. It is legal and the town cannot set these standards to be unreasonably impractical. Mr. Kelley commented that had been a problem in the past with residents assuming the town determine whether or not it is allowed, when in reality the state has control over that.

The state organized marijuana operations into seven categories: retailers, cultivators, product manufacturers, independent testing & research laboratories, craft cultivator cooperatives, transporters, and microbusinesses. Besides retailers, the other 6 categories are not open to the public.

There are three types of retail: storefront, delivery only, social/on-site consumption- not allowed with alcohol in the same facility.

The town is not allowed to limit the number of applications to less than 20% of the number of liquor licenses. There are 7 in Winchendon currently, which means the town cannot limit to less than 2 licenses.

Mr. Gould expressed his concern with the regulations and let the public know that the meeting on February 20<sup>th</sup> is related to zoning, the meeting on March 20<sup>th</sup> is when the comments and concerns with Marijuana and the town regulations are welcome and encouraged.

The 500ft zoning buffer is a state maximum and cannot be increased but can be decreased if voted on.

The online survey was more for an idea of what the public was thinking. The town did not want to limit to one survey per computer if there were family members who shared the same computer at home, so people could have taken it more than once, etc. It was used to get a general idea and have the planning board go from there but not base their decisions solely on the survey. The current results were Hillview Business Park in first, route 12 near NH border at a close second, Waterville Plaza in third, Winchendon Springs, and Central St.

Non-retail marijuana operations are allowed by special planning permit in Industrial, C1 Highway, C2 Neighborhood Commercial, Planning & Development, and R8 Residential with a minimum of 5 acres.

Ms. Fleck reviewed Draft #3 and explained the changes made since the last meeting.

**Public Comments:** None.

**Member Comments:** None.

**Capitol Planning Committee Appointment:** Mr. Corbosiero let Ms. Murphy know before the meeting that he had served in the past and if there were no one else interested he would step up and accept the position. The board members appointed Mr. Corbosiero to the role. Mr. Gould motioned and Mr. Amenta seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Kelley (Y) 3-0**

**Old Business:** None.

**Committee/Meeting Updates:** Community Economic Development Steering Committee (CEDSC) is looking for a full time member.

**Correspondence:** None.

**Other Business:** None.



Mr. Gould made a motion to adjourn the meeting and Mr. Amenta seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Kelley (Y) 3-0**

**Vice-Chair Kelley adjourned the meeting at 7:26PM.**

Respectfully submitted:



Brianna Roberts, Planning Board Recording Secretary

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Guy Corbosiero, Chairman

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Vice- Chair Cailte Kelley

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Art Amenta

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Burton E. Gould Jr.

# TOWN OF WINCHENDON



## Planning Board

Telephone (978)-297-5419

### Regular Meeting/Public Hearing

June 18<sup>th</sup>, 2019

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

109 Front Street, Winchendon, MA 01475

**Present:** Chairman Guy Corbosiero, Vice-Chair Scott Robillard, Arthur Amenta, Burton Gould Jr., Joseph Sackett & Alternate: Lester Goodrich Jr.  
Alison Manugian, Planning Agent  
Brianna Roberts, Recording Secretary

**Materials:** Agenda & Notice of Meeting: June 18<sup>th</sup>, 2019

- Public Hearing Notice: Site plan application for a Vehicle Maintenance and Repair and Commercial Forestry for 10 Gardner Rd. (Map 9 Parcels 15 & 16)
  - Letter from Brian Marchetti to Mr. Koonce & Planning Board
  - Application for Site Plan Approval
  - Waiver Request Form
  - Impact Statement- 5/20/19
  - Grading & Drainage & Erosion Control Plan
  - Drainage Report
  - Site Plan Approval Documents
- Minutes: 3/20/18, 3/6/18, 4/16/19, 5/21/19, 9/4/18
- Planning Board Correspondence Summary

**6:30PM-** Chairman Guy Corbosiero called the Planning Board meeting to order followed by the Pledge of Allegiance to the flag of the United States of America.

**Announcements:** Mr. Corbosiero announced that anyone is welcome to record the meeting as long as they let the board know.

**Public Comments:** None.

**Approval of minutes:** 3/20/18, 3/6/18, 4/16/19, 5/21/19, & 9/4/18

**3/20/18-** Mr. Amenta motioned to approve the minutes as printed and Mr. Corbosiero seconded. Mr. Gould, Mr. Amenta, & Mr. Corbosiero approved. The other board members were not present on the board at the time.

**Amenta (Y) Gould (Y) Corbosiero (Y) 3-0**

Planning Board Minutes  
June 18<sup>th</sup>, 2019

**3/6/18-** Mr. Amenta motioned to approve as the minutes printed and Mr. Corbosiero seconded. Mr. Gould, Mr. Amenta, & Mr. Corbosiero approved. The other board members were not present on the board at the time.

**Amenta (Y) Gould (Y) Corbosiero (Y) 3-0**

**4/16/19-** Mr. Robillard motioned to approve the minutes as printed and Mr. Amenta seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Robillard (Y) Sackett (Y) Corbosiero (Y) 5-0**

**5/21/19-** Mr. Amenta motioned to approve the minutes as printed and Mr. Robillard seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Robillard (Y) Sackett (Y) Corbosiero (Y) 5-0**

**9/4/18-** Mr. Robillard motioned to approve the minutes as printed and Mr. seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Robillard (Y) Sackett (Y) Corbosiero (Y) 5-0**

**6:35 pm - PUBLIC HEARING: Site plan application for a Vehicle Maintenance and Repair and Commercial Forestry for 10 Gardner Rd. (Map 9 Parcels 15 & 16)**

Mr. Robillard read the public hearing notice. Mr. Corbosiero called the hearing to order and swore in Brian Marchetti and Randy Rameau. Mr. Marchetti is a civil engineer affiliated with McCarty Engineering and is working on the project for the owner/applicant, Mr. Rameau. Mr. Marchetti explained the project is located at 10 Gardner Rd., which is where Route 12 and Route 140 meet. The lot was previously used by the Salvador Jeep dealership. Mr. Rameau purchased the property in hopes of moving his commercial forestry business from Westminister, MA.

There were a few issues with the property that worked against Mr. Rameau's business. Regrind gravel was placed near the center of the lot and due to it not being packed down thicker; it all tore up from the machines driving over it. The topography of the land is higher in one corner, causing the rainfall to pool towards one side of the property, resulting in a lot of water and mud. The plan is to cut into the land and lower a section about 5ft to shift the drainage away from the building. They are also planning to remove the curb cut on Route 140 due to heavy traffic from the intersection and open up a curb cut on Route 12.

Mr. Marchetti stated they have submitted 2 waiver requests. The project proposes to cover 65% of the lot area with building and pavement; the maximum is set at 45%. The second request is in regards to the setbacks. The current regulations the front setback must be a minimum of 75 feet. The proposed front setback is 18-20 feet with parking at 5 feet. He noted that the surrounding businesses have lower setbacks, so this request is not inconsistent to the current area. They have met with the Zoning Board and the Conservation Committee, and stated both boards were in favor of the project/business.

**Public Comments:** None.

**Member Comments:** Mr. Sackett is not in favor of the project.

Mr. Gould moved to continue the hearing at 7:05PM on 7/16/19. Mr. Robillard seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Robillard (Y) Sackett (Y) Corbosiero (Y) 5-0**

**MJTC Committee Appointment:** Request to reappoint Tracy Murphy to this role.  
Mr. Gould moved and Mr. Robillard seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Robillard (Y) Sackett (Y) Corbosiero (Y) 5-0**

**Capital Planning Committee Appointment:** Request to reappoint Mr. Corbosiero to this role.  
Mr. Gould moved and Mr. Amenta seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Robillard (Y) Sackett (Y) Corbosiero (Y) 5-0**

**Discussion of pending Massworks Project and Planning Board Support Letter:**

Mr. Corbosiero read the information and Mr. Robillard read the support letter.

Mr. Gould motioned and Mr. Amenta seconded.

**Amenta (Y) Gould (Y) Robillard (Y) Sackett (Y) Corbosiero (Y) 5-0**

**Correspondence:**

- William Ladeau of 15 Linden Street – Taxi/Livery License – Winchendon Select Board Request to operate as a subcontractor for MART out of the above address.
- Immaculate Heart of Mary – Strawberry Festival – Winchendon Select Board Request for an Entertainment Permit and Two Special One-Day Beer and Wine Licenses for event to be held on Friday, June 14 – Sunday June 16, 2019
- Daniel Bolton of Hudson MA – Solicitation Permit – Winchendon Select Board Request for permit to conduct door-to-door sales for Solar On Earth out of Ayer, MA

**Meeting Notices from Local Communities:**

- Templeton – Planning Board – May 28, 2019 – Consideration of Site Plan for Seasonal Food Service on parcel at intersection of Gardner and Plant Roads.
- Templeton – Planning Board – June 11, 2019 – Consideration of Site Plan to add a gravel parking lot at an event pavilion on parcel 2-12.23.

Mr. Gould moved to adjourn the meeting and Mr. Robillard seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Robillard (Y) Sackett (Y) Corbosiero (Y) 5-0**

**Chairman Corbosiero adjourned the meeting at 7:42PM.**

Respectfully submitted:



Brianna Roberts, Planning Board Recording Secretary

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Guy Corbosiero, Chairman

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Burton Gould

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Arthur Amenta

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Scott Robillard

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Joseph Sackett

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Leston Goodrich Jr.