

Approved: 10/19/22

TOWN OF WINCHENDON

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Zoning Board

Telephone (978)-297-5419

Public Hearing/Special Meeting

May 18th, 2022

Town Hall 2nd Floor Auditorium
109 Front Street, Winchendon, MA 01475

Present: Chair Cynthia Carvill (remote), Brandon Fournier, Evelyn Higgins, Richard Stancombe, Bryan Vaine

Absent: Nicole Roberts- Planning & Land Use Coordinator
Raymond Benoit, Rob Bushay

Materials: Notice of Public Hearing May 18th, 2022

7:02PM: Richard Stancombe called the meeting to order.

Minutes: April 20th, 2022

E. Higgins motioned to approve the 4/20/22 minutes as presented, 2nd by B. Vaine. All voted aye.

Fournier (Y) Higgins (Y) Stancombe (Y) Vaine (Y) Carvill (Y) 5-0

Announcements: B. Vaine is taking a break from the board due to expecting 2 babies in the near future. The board members extended their well wishes and thanked him for his contribution to the zoning board.

Public Comment: None.

7:05PM- Public Hearing- Discuss the application for a Variance submitted by owners John and Peter Balducci, Trustees of 85 Fourth Street (Also known as Assessors Map 3, Parcel 55 and to include Map 3, Parcel 57) Winchendon, MA 01475. Variance request is for a lot lone adjustment with the neighboring property owners, John and Lisa Crawley of 75 Fourth Street (Also known as Assessors Map 3, Parcel 58) Winchendon, MA 01475.

None of the board members had a conflict of interest with the hearing.

B. Vaine motioned to open the hearing, 2nd by B. Fournier. All voted aye.

Fournier (Y) Higgins (Y) Stancombe (Y) Vaine (Y) Carvill (Y) 5-0

Attorney Eli Leino, with Primmer Piper Eggleston & Cramer Law Firm, represented all parties and was sworn in by R. Stancombe.

Attorney Eli Leino explained a survey was completed in Fall of 2021 and it revealed the lot lines for the property, in which part of the Crowley's house encroaches on the Balducci's lot. The Balducci's are having a hard time selling their fathers cabin due to the buyers struggling to receive a mortgage because of the lot line issue. The Crowley's agreed to put up a fence alongside their property to re define the requested lot line adjustment and for added privacy for both parties. There is a hardship for both property owners, one owner has another persons property on their lot, for the other, if they had to remedy this, they would have to remove a substantial piece of their house to comply with the survey lot line. It is a private agreement by both parties and would not affect the surrounding community.

For the Crowley lot, the variance is a request to increase the lot by 3,442 sq. ft. and increase it to 68 ft of frontage where 150 ft. is required.

For the Balducci lot, the lot would be reduced to 9,217 sq. ft and include 82 linear ft of frontage where 150 ft. is required.

There were no abutters present and Nicole Roberts stated she had not received any feedback from any abutters.

E. Higgins motioned to close the hearing, 2nd by B. Vaine. All voted aye.

Fournier (Y) Higgins (Y) Stancombe (Y) Vaine (Y) Carvill (Y) 5-0

B. Fournier motioned to approve the variance for the lot line adjustment and addition of the fence as outlined, 2nd by B. Vaine. All voted aye.

Fournier (Y) Higgins (Y) Stancombe (Y) Vaine (Y) Carvill (Y) 5-0

10 Mill Street- Special Permit violation discussion

E. Higgins motioned to open the hearing, 2nd by B. Vaine. All voted aye.

Fournier (Y) Higgins (Y) Stancombe (Y) Vaine (Y) Carvill (Y) 5-0

B. Vaine read the Special Permit Violation Letter

Michelle Richard and A.J. Healy were present before the board and were sworn in by R. Stancombe. A 2nd horse was at the property for only a week in between changing boarding facilities. A neighbor called in a complaint that week so a letter was sent out due to a violation in the special permit only allowing 1 horse. The owners were unaware that it would be a violation and stated again it was only temporary for a week and no other neighbors have complained since, they love the horses and come by to feed them treats regularly. C. Carvill wanted to make it clear that the special permit allows only one horse on the property. If the owners were looking to make any adjustments, they would need to file a new special permit.

This discussion was just for the record and did not require a vote.

B. Fournier motioned to adjourn, 2nd by B. Vaine. All voted aye.

Fournier (Y) Higgins (Y) Stancombe (Y) Vaine (Y) Carvill (Y) 5-0

The meeting was adjourned at 7:33PM.

Respectfully submitted:

Brianna Roberts

Brianna Roberts, Planning Board Recording Secretary

Cynthia Carvill

Cynthia Carvill, Chair

Raymond Benoit

Rob Bushay

Rob Bushay

Richard Stancombe

Richard Stancombe

Bryan Vaine

Brandon Fournier

Brandon Fournier

Evelyn Higgins

Evelyn Higgins