

TOWN OF WINCHENDON

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Zoning Board of Appeals



109 Front Street, Dept. 11
Winchendon, Massachusetts 01475-1758

Zoning Board of Appeals
Meeting Minutes
December 4, 2013

PRESENT: Vice Chair Mary Martorella, Joseph Snow, Michael Potvin, and Alternate Raymond Rader

Planning Director Gerald White
Video recorder Margaret
Recording Secretary Doneen Durling
Representative for applicant Ed Bouchard
Abutters Steve and Kathy Rawson
Abutters Gary Goodwin and family

ABSENT - Chair Cynthia Carvill Raymond Benoit

MATERIALS:

Agenda December 4, 2013
Minutes November 20
Hearing Notice December 4 155 Toy Town Lane
Plans for 155 Toy Town Lane

CALL TO ORDER: 7:03

Mary Martorella explained that she was taking over for the chairman.
The chairman welcomed alternate Raymond Rader to the seat.

MINUTES:

November 20: Motion to approve as written; Potvin/Snow

Snow (Y) Potvin (Y) Rader (A) Martorella (Y) 3-0 -1 approved

SPECIAL PERMIT: 7:05

The vice chairman opened public hearing for a special permit request by Matt Olsen PO Box 283 Rindge NH. Olsen is requesting to build an accessory dwelling unit on property located at 155 Toy Town Lane owned by Gerald Albrecht and Pam Sparling, trustees of Albrecht Sparling Living Trust, Central St. Winchendon.

Initials: DM12 *Approved March 5, 2014 as written*

Ms. Martorella swore in the representative for the applicant.

Mr. Potvin announced that the meeting was being recorded and asked if there was anyone else present recording the meeting. He read the posted notice of the public hearing.

Mr. Boucher said the project was new construction of a house that will include a one bedroom in-law apartment attached to the house with its own access. There would be one bedroom, a living room, and a kitchen.

Mr. Bouchard delivered the plans.

Mr. White explained that an accessory dwelling was allowed by right if it was in the existing footprint. Since the footprint is non-existing, it prompted the building inspector to insist the applicant file for a special permit. Mr. White said the planning department has been contacted to address the wording in the bylaw so it can be clarified and revised.

Hearing no further questions from the board, Ms Martorella called forward abutters with concerns. Steve Rawson came forward and said the proposed home was a great design. He said his concern was that at some point the accessory dwelling would be used as a rental apartment. He asked if there was any protection to say it would never become a rental unit when the in-law is out.

Mr. White explained that the special permit covered an assesory dwelling unit, but did not cover a rental unit. He said if there was proof someone was using it as a rental unit, a complaint could be filed with the building inspector for a breach in the special permit.

Mr. Rawson said his second concern was that the sidewalks had not yet been completed. Ms. Martorella said the Planning Board had conditioned the sidewalk when approving the subdivision, and a bond held by the town on the subdivision will not be released until the sidewalk is completed.

Mr. Rawson questioned the lot number and said he believed it should be 125 not 155.

Mr. White said the number was determined by the planning board. He said if the number was a typo, he would rewrite the decision with the corrected number.

Ms. Martorella asked if there were any other questions.

Snow moved to close the hearing/second by Potvin

Snow (Y) Potvin (Y) Rader (Y) Martorella (Y) 4-0 approved 7:14 pm

DISCUSSION

Mr. White gave board members a list of conditions set for previous accessory dwelling units. He said it would. He said if they approve, the board could move to approve based on the similar conditions.

Ms Martorella asked that the concerns of the abutter be addressed in the conditions with wording that would state the accessory dwelling may not be turned into a rental unit.

The board members agreed.

Snow made a motion to grant the special permit noting all local and state laws be adhered to/second by Potvin saying the local and state adherence was already in the conditions.

Snow (Y) Potvin (Y) Rader (Y) Martorella (Y) 4-0 approved 7:14 pm

Snow moved that all applications should include the provision that the applicant follow all local and state regulations/second by Potvin

Snow (Y) Potvin (Y) Rader (Y) Martorella (Y) 4-0 approved 7:15 pm

Mr. White told Mr. Rader that he may be needed, especially when the decision called for a super majority vote. He said Mr. Rader was invited to attend all meetings.

Motion to adjourn Snow/Potvin

Snow (Y) Potvin (Y) Rader (Y) Martorella (Y) 4-0 approved

7:23 adjourned

Respectfully submitted by: Doneen M. Durling

Approved:

Gerald W. White

Director of Development








