

TOWN OF WINCHENDON



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Planning Board

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109 Front Street

Winchendon, Massachusetts 01475-1758

Minutes, March 4, 2014

Robinson Broadhurst Conference Room 4th Floor

PRESENT: Members Fedor Berndt, Greg Vine, Guy Corbosiero, James McCrohon.

Planning Agent Tracy Murphy

Recorder Doneen Durling

MATERIALS: List of correspondence

Agenda March 4, 2014

Minutes February 4, 2014

CALL TO ORDER: 6:04 pm.

Pledge of Allegiance

Announcements: None

REORGANIZATION

Chairman

Guy Corbosiero nominated Fedor Berndt / second Greg Vine

Mr. Berndt accepted

Corbosiero (Y) McCrohon (Y) Vine (Y) Berndt (Y) 4 – 0 approved

Vice Chairman

Greg Vine nominated Guy Corbosiero / second by James McCrohon.

Mr. Corbosiero agreed to serve.

Vine (Y) McCrohon (Y) Berndt (Y) Corbosiero (Y) 4 – 0 approved.

Clerk

Greg Vine nominated James McCrohon/ second by Guy Corbosiero

Mr. McCrohon agreed to serve.

Corbosiero (Y) Vine (Y) McCrohon (Y) Berndt (Y) 4 – 0 approved

Representative to the MJTC

Guy Corbosiero nominated Fedor Berndt / second by Greg Vine

Mr. Berndt agreed to serve.

Corbosiero (Y) McCrohon (Y) Vine (Y) Berndt (Y) 4 – 0 approved

Representative to the MRPC

Greg Vine nominated Guy Corbosiero / second by James McCrohon

Mr. Corbosiero agreed to serve.

Corbosiero (Y) McCrohon (Y) Vine (Y) Berndt (Y) 4 – 0 approved

Capital Planning

Guy Corbosiero nominated Greg Vine/ second by James McCrohon

Mr. Vine agreed to serve.

Corbosiero (Y) McCrohon (Y) Vine (Y) Berndt (Y) 4 – 0 approved

Open Space

Guy Corbosiero nominated James McCrohon/ second by Greg Vine

Mr. McCrohon agreed to serve.

Corbosiero (Y) McCrohon (Y) Vine (Y) Berndt (Y) 4 – 0 approved

GATEWAY CONVENIENCE UPDATE

Modification of approved site plan – sign location.

Tracy Murphy said there were concerns. The amendment to the approved site plan was granted. There was an issue with safety because of wires.

Mr. McCrohon said that in reading the town zoning laws, he realized that neon signs are considered twice the area of other signs. He said the way the zoning bylaw is written it says, "neon or similar."

Mr. Berndt read 9.6.7 of the zoning bylaws and said Mr. McCrohon's concern was whether LED and neon were similar.

Mr. Corbosiero said neon was defined by gas letters. He said LED lighting was a big problem and some communities ban them completely. He said the EPA has advised towns to develop bylaws specific to LED lighting.

They said Gateway Convenience would be using LED for posting gas prices. He said because of what has already been allowed, the town may find themselves in a legal battle if they choose to deny the LED sign. He said he believed it was something that should be allowed for the moment, but that lighting should be addressed in the bylaws.

Mr. Berndt agreed and added that LED has the least amount of impact on carbon footprint and is an energy.

Mr. McCrohon said one of the issues with LED is not being able to see pedestrians.

Mr. Corbosiero said that when the bylaw was written, LED lighting was not used.

Mr. McCrohon asked if the use of LED signage should be up to a town vote.

Mr. Berndt said that since the town has allowed LED signs at Cumberland Farms and the Irving station on Route 140, it would be difficult.

Ms. Murphy claimed that modifications to the site plan approval were based on the merits of the application.

She added that when the bylaw is addressed and updated, it would be presented at a public hearing for input.

Mr. Corbosiero said light level could be controlled, measured, and regulated.

Mr. Berndt said LED lighting regulations could be something the board works on to present at fall town meeting.

Mr. Corbosiero said the board could use other towns' bylaws and tweak them to fit Winchendon.

Ms. Murphy suggested that the board look over the whole sign bylaw. She said as the bylaw is written, it can be interpreted many ways. She said it needed to be much more black and white.

Mr. Corbosiero cautioned that the board would need to be careful because restrictions could be interpreted as hampering a person's right to do business.

PUBLIC COMMENT

Lionel Cloutier came as a citizen with concerns about Millers Run. He said he received calls to go drive around Millers Run and found the roads "atrocious." He said there are deep ruts. He had concerns about sidewalks. He said there was a meeting April 30, 2012, and May 30, 2012 with Robert VanDyke present. He said there was an agreement that roads and sidewalks would be maintained. According to Mr. Cloutier, residents are cleaning the sidewalks so children can get to school, and sidewalks not cleaned mean children are walking in the icy roads to get to school.

Mr. Vine asked if the ruts were in ice or in the road itself. Mr. Cloutier said in the ice.

Mr. Corbosiero said he went down and agreed the roads were atrocious, but gave his opinion that the two inches from the last storm were probably not plowed because the developer probably believed the sun would melt the snow away.

Mr. Cloutier said people have been complaining for the whole last week.

Mr. Berndt said Planning Director Gerald White called Mr. VanDyke to tell him of the complaints, and a sander was sent to Millers Run within the hour. He said he believed it was an isolated incident. He noted the winter has been tough. He said the board is not an enforcement authority.

Mr. Cloutier said that for the sidewalk plowing, his suggestion would be that Mr. VanDyke think of the kids who have to get to the school bus each morning.

Mr. Berndt said the board agreed.

Mr. Cloutier also pointed to the agreement with Mr. VanDyke that he would use a secondary entrance for heavy equipment. Mr. Cloutier charged that the road he is supposed to be using is ice and mud, and that Mr. VanDyke is using Bayberry Circle to enter and exit with heavy equipment.

Mr. Berndt said he remembered the former chairman John White was very explicit on those instructions but added that Mr. VanDyke was not in attendance to counter accusations.

Mr. Cloutier said he believed people have a right to services, have a right to know, and people also have a right to be taken care of.

Mr. Berndt said that in fairness he would like to have a head-on conversation.

Mr. Cloutier informed the board that the BOH would sponsor an Earth Day Cleanup April 26 from 8 am to 2pm. He said dumpsters would be provided by the town. The dumpster would be placed right across from the police station. There would be refreshments. He said last year there were about 40 volunteers.

ANR: None

MINUTES:

February 4, 2014

Greg Vine moved to accept as presented/ second James McCrohon

Corbosiero (A) McCrohon (Y) Vine (Y) Berndt (Y) 3 - 0 - 1 approved

CORRESPONDENCE

Mr. Cloutier expressed interest in serving on the Master Plan Committee.

Ms. Murphy said it was great and thanked Mr. Cloutier for his interest. She said the board was not ready to make an appointment but told him to rest assured that he was on the committee. She said it was just an issue of housekeeping and getting things in order.

Mr. Berndt pointed to something coming before the ZBA on LED lighting.

Ms. Murphy said she was not part of the process and it was a building permit denied to Cumberland Farms. She said the basis for denial was the intermittent blinking of the sign which was the basis for denial. She said the board may be interested in attending the hearing March 5 for prospective.

MRPC

Mr. Corbosiero said there was not much to report because the last two meetings were spent on pay scale raises for the employees of MRPC. He said there has been no pay raise for the last three years. He said there was no resolution the last 2 meetings.

Mr. Corbosiero said he has been appointed to the MRPC Executive Committee.

MJTC

Mr. Berndt said he was unable to attend the last meeting. The TIP program was addressed. Winchendon will have the bike trail being completed this coming year.

DLTA GRANT

Good News. Tracy submitted grant request. She was very successful in getting the first one this year. Ms. Murphy said the first grant will be used to update the economic development portion of the Master Plan. She explained the intent was to supplement it with a second application for a DLTA Grant in conjunction with an application to Robinson Broadhurst for an additional section of the Master Plan. The second application is due next Friday. Ms. Murphy asked the board for their endorsement. She said the intention is to get the ball rolling and have the plan done in two years. She said the MRPC was glad it was being done in house with volunteers and opinions sought from the town.

She told the board that someone from the board should have a seat on the Master Plan Committee. She called for others to write a letter of interest to the Planning Board, which is the appointing authority.

Greg Vine made a motion that the board endorse Ms. Murphy's continuing action to secure DLTA and Robinson Broadhurst funds for the Master Plan./ second by Guy Corbosiero.

DISCUSSION

Mr. Corbosiero asked that the acronym DLTA be defined. Ms. Murphy said District Local Technical Assistance. She said it would include access to a lot of mapping and data.

Corbosiero (Y) McCrohon (Y) Vine (Y) Berndt (Y) 4 – 0 approved

ZONING BYLAW REVIEW COMMITTEE

Ms. Murphy asked if the board wished to pursue forming the committee.

Mr. Vine said he would support moving enthusiastically forward with it because it was something that needed to be done.

Mr. Corbosiero said that he agreed that at some point something would need to be done but his

concerns were that there wasn't even a full board, and a Master Plan Committee was being formed, He said it could be put off for a few months.

He said if somebody wanted to grab and run with the committee he would support them.

Mr. Vine said his understanding was that the committee would address issues as they rose.

Ms. Murphy said that the committee would address bylaws and their interpretation as situations arose.

Mr. Berndt said it is not a meeting every month but an as needed committee. He said he would support.

Mr. Corbosiero said the board could handle the concerns.

Mr. Vine asked how many members would be on the Bylaw Review Committee.

Ms. Murphy said 3 members who would be an advisory committee to the Planning Board with no voting powers.

The board decided to digest and revisit.

MASTER PLAN COMMITTEE

Working on a way to deliver a survey to townspeople for input for the Master Plan. Ms. Murphy said the MRPC is sending questions used by other towns that the town could consider.

She asked that the Master Plan be placed on the agenda for each meeting.

The board agreed.

Ms. Murphy reiterated that a member of the Planning Board should be on the Master Plan Committee.

The board discussed making the appointment when a full board was seated.

OTHER BUSINESS

Ms. Murphy said that the Planning Board's empty seat had been open for over 30 days. The board can fill the seat if it chooses since the appointing authority (BOS) had no recommendations or applications.

Mr. Berndt called for letters of interest.

Mr. Corbosiero said for town meeting there are bylaws that could be worked on. He pointed to the Mill Overlay District.

The board discussed the warrant would close March 17. The board agreed to work on the Overlay District for the fall.

Mr. Berndt said the Site Plan Review being worked on by the board would have to be tabled. Mr. Corbosiero agreed that since John White, who produced the revision, was not there to explain his reasoning, there was no one equipped to interpret the intent of the changes.

Mr. Vine said he did not have the sense there was a great urgency to get the Site Plan revisions completed.

The board decided to use what was already in place for Site Plan Review.

INVOICE

The board considered the invoice /secretary for \$45.

Corbosiero moved to approve/ second Vine

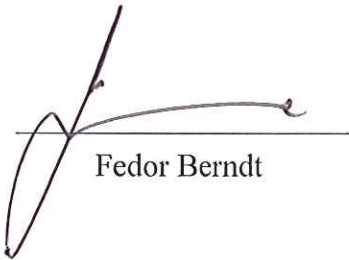
Corbosiero (Y) McCrohon (Y) Vine (Y) Berndt (Y) 4 – 0 approved

ADOURN

Motion Vine/McCohon

Corbosiero (Y) McCohon (Y) Vine (Y) Berndt (Y) 4 - 0 approved

ADOURNED: 7:20 pm.



Fedor Berndt



Guy Corbosiero

James McCohon



Greg Vine