



TOWN OF WINCHESTER

OFFICE OF PLANNING DEPARTMENT

BRIAN SZEKELY

Town Planner

71 Mount Vernon Street
Winchester, MA 01890

March 2, 2021 Planning Board Meeting

PETITION 3930

9-11 WEBSTER ST

Petitioner seeks a Site Plan Review from Section 9.5.1 so as to be permitted to construct an addition to an existing duplex where the total floor area will be greater than 3,600 square feet. The property is located in the RG zoning district and contains 13,152 SF. *The Historical Commission and Design Review Commission had not met at the time of this memo. However, this house was built in 1893 and is recommended as ABOVE average significance for listing on the National Register when inventoried.*

	Requirement	Existing		Proposed	
Lot Size	11,000 SF (duplex)	13,260 SF		unaltered	
Front Setback	20'	15.1'		unaltered	
Rear Setback	15'	47.9		27.9'	
Side Setback	15'	24.2'	38.3'	21.0'	15.3'
Green Space	Min 35%	75.9%		66.2%	
Hardscape	Max 35%	10.9%		10.3%	
Frontage	85'			unaltered	

The proposal entails a large addition to a beautiful Queen Anne duplex. The street is defined by medium and large yet charming duplexes on both sides of the streets. The neighborhood analysis performed by the applicant was extremely helpful and wish all applicants would do such a study, especially for large additions. The duplexes on this street have been expanded over time.

The addition will take the FAR from 0.27 to 0.41. This is the 4th largest FAR on the street and is comparable with a few other houses that have similar lot sizes. I feel it is on the borderline of being too big for this street. I defer to the Engineer and the Winchester Historical Commission for their analysis on the project, but am inclined to move this forward and generally think the design is appropriate, if large.

PETITION 3931

16 NILES LANE

The petitioners are seeking a Special Permit under Section 3.5.7 so as to be permitted to demolish a pre-existing non-conforming single family dwelling located on a lot which does not meet the lot frontage requirement and construct a new single family dwelling that will meet all setback requirements. In addition, the petitioners are seeking Site Plan Review under Section 9.5.1(5) of so as to construct a new single family dwelling where the total floor area of the building will be greater than 5,000 square feet. The petitioners are also seeking Site Plan Review under Section 9.5.1(7) so as to change the slope over 6% of existing grade of an area more than 500 square feet. The property is located in the RDB zoning district and contains 53,083 square feet. *The Historical Commission at their meeting on January 11, 2021 voted 4-0-2 to lift the delay, with 1 member absent and 2 members abstaining for this house built in 1939.*

	Requirement	Existing	Proposed	
Lot Size	10,000 SF	53,083 SF	unaltered	
Front Setback	25'		30.3'	
Rear Setback	15'		16'	
Side Setback	15'		100+'	51.6'
Green Space	Min 35%	77.2%	88.4%	
Hardscape	Max 35%	22.8%	19.6%	
Frontage	80'	55.15'	unaltered	

The proposal entails the destruction and subsequent creation of a new house. I believe this lot is non-conforming only due to frontage. However, Section 4.2.8 allows lots on turnarounds or curves to be reduced to a minimum of 50' of frontage rather than the required 80'. I do not think it is clear that 3.5.7 is needed in this case, while Site Plan Review for grade changes and house size are definitely still at play.

The house will not be visible from the street very much, but clearly visible from Upper Mystic Lake and the two abutters. Larger houses are visible in this area on Everett Ave and Niles Lane. In general, I do not see how this project negatively effects the neighborhood, but for the size of the lot, I do not see why the rear setback (although conforming) has to be so close. Other than that, I would defer to Engineering and Conservation Commission based on any flooding and drainage issues, and would confirm with the Historical Commission if there were any changes from the approved plans in January.

PETITION 3932

247 SWANTON ST

The petitioners are seeking a Special Permit from Section 3.5.5 so as to be permitted to construct additions that will be located closer to the front property lines than permitted as of right. The property is located in the RG zoning district and contains 8,427 square feet. *House was constructed*

in 1891 and is not listed on MACRIS. At the time of this memo, the Historical Commission and Design Review had not reviewed these petitions.

	Requirement	Existing		Proposed	
Lot Size	6,500 SF	8,427 SF		unaltered	
Side Setback	10'	19.6'		unaltered	
Rear Setback	10'	50+'		33.9'	
Front Setback	20'	14.5'	4.7'	8.5' (enclosed porch)	unaltered
Green Space	Min 35%	77.8%		68.9%	
Hardscape	Max 35%	9.1%		4.7%	
Frontage	65'	64.82'		unaltered	

The proposal entails a large addition with a new attached garage fronting on White Street. Although it appears that the front setback on Swanton is encroaching, the covered porch is existing and will simply be enclosed. Neighbors show support for the project. It is strange that both sides of White Street have sidewalks on them except for in front of this street. I am hoping the applicant can work with the Town to finish the sidewalk at this location while such a large upgrade is potentially occurring on site.

PETITION 3933

152 SWANTON ST

The petitioner is seeking a Special Permit from Section 3.5.5 so as to be permitted to construct an addition that will be located closer to the side property line than permitted as of right. The property is located in the RG zoning district and contains 7,328 SF.

	Requirement	Existing		Proposed	
Lot Size	6,500 SF	7,328 SF		unaltered	
Front Setback	10'	15.1'		unaltered	
Rear Setback	10'	~65'		~45'	
Side Setback	20'	31'	2.2'	14'	unaltered
Green Space	Min 35%			62%	
Hardscape	Max 35%			13%	
Frontage	65'	63.45'		unaltered	

The proposal entails a large to the rear of an existing single family house. I could not find a front elevation in the packet and should be included. Generally, I find this addition to not have any negative effects to the neighborhood and recommend favorable action.

PETITION 3934

LOT 2 ABBY RD

Petitioner seeks a Dimensional Variance from Section 4 of the Zoning Bylaw to construct a house that is located closer to the front property line than permitted as of right. The property is located in the RDB zoning district and contains 10,023 SF. *Historical Commission and Design Review Commission had not met at the time of this memo. However, the recommendations of the previous application on Lot 1 showed that the Historical Commission voted unanimously “no adverse impact on a historic resource” at their meeting on September 28, 2020 due to no resources in the area. The Design Review Committee voted unanimously unfavorable for this petition, as “New construction project within a newly permitted and constructed subdivision should be able to conform to dimensional zoning requirements*

	Requirement	Existing	Proposed	
Lot Size	10,000 SF	10,151 SF	unaltered	
Front Setback	25'		20'	
Rear Setback	15'		21.3''	
Side Setback	15'		18.4'	16.4'
Green Space	Min 35%	100% (vacant land)	66%	
Hardscape	Max 35%		9%	
Frontage	80'	116.87'	unaltered	

This lot was created through a Subdivision approval with the Planning Board, a land transfer through Town Meeting, and a Development agreement with the Select Board. The condition that the applicant go through the ZBA for front setback encroachment was placed on the Development Agreement with the Select Board, not the Planning Board’s subdivision approval that the applicant states. Subdivision doesn’t typically contemplate size and location of the proposed house (other than drainage calculations and placement of underground utilities and other easements), even though footprints were shown on the plans submitted. Using the Variance process to potentially undue or alter anything in the Subdivision should not occur. Variances are only awarded for petitions that fit inside the bounds of MGL 40A Section 10. Variances may only be approved when the SPGA finds that the owing circumstances to the relief sought must relate to *soil, topography, or shape of such land or structures involved*. There have been many emails from abutters that have been sent to the Planning Board relating to the loss of trees in the rear of the lot, and the significantly larger footprint and therefore closer to the rear property line than anticipated. The Variance process before us however cannot contemplate such issues. The front setback relief sought is unrelated to the soil, topography or shape of the land or structures on the site. The relief is being sought due to a Development Agreement that relates to moving the houses away from the rear lot line in order to have larger separation between houses. **The application therefore does**

not meet the standards for awarding a Variance and I recommend unfavorable action with regards to this petition.

PETITION 3919

972 MAIN ST

The petitioner seeks a Special Permit under Section 3 (Group I #4) and 9.4 of the Winchester Zoning By-Law so as to be permitted to construct a fourteen (14) unit multi-family residential building, together with related parking, landscaping, drainage and other site improvements. The petitioner also seeks a Special Permit from Section 5.1.6.6 of the Winchester Zoning By-Law in accordance with Massachusetts General Laws so as to allow for certain parking spaces to be tandem parking spaces. In addition, the petitioner seeks Site Plan Review in accordance with Section 9.5.1 of the Winchester Zoning By-Law so as to be permitted to construct a fourteen (14) unit multi-family residential building, together with related parking, landscaping, drainage and other site improvements. The property is located in the GBD-3 (General Business-3) zoning district and contains 12,000+/- square feet.

Based on the Planning Board's memo from November, it does not appear that significant changes have been made to the materials or grading on site. A different roof treatment can be seen, but other than that, the majority of the issues brought up by the Planning Board appear to still be present.

ANR

35 TAFT ST

Necessary frontage and critical access are supplied to create the new lot. I recommend that the Planning Board endorse the plan and allow the Town Clerk to authorize the vote of endorsement for this ANR.

ANR

57 SWAN ROAD

Necessary frontage and critical access are supplied to create the new lot. I recommend that the Planning Board endorse the plan and allow the Town Clerk to authorize the vote of endorsement for this ANR. *It should be noted that in the RDA, the lot width needs to be 120' so any new house on lot 3 would have to be towards the rear of the lot.*