



TOWN OF WINCHESTER
MIDDLESEX COUNTY, MASSACHUSETTS
HISTORICAL COMMISSION
TOWN HALL
WINCHESTER, MASSACHUSETTS 01890

Meeting Minutes

Date: April 3, 2023

Mystic Valley Room, Winchester Town Hall

Members Present: Jack LeMenager, Chair
Bruce Hickey, Vice-Chair
Janet Boswell
Emily Dowling
Michelle McCarthy

Members Absent: Jon Carlisle
Julie Broderick

Also Present: Mario Covino, 253 Swanton Street
Catherine Frotten, 19 Verplast Avenue
Daniel Lanz, 76 Hemingway Street
John Tighe, 36 Foxcroft Street
Mary Savage, 135 Cambridge Street
Nicholas Rossettos, 2 Pine Street, Planning Board Member
Arianie Keeney, Recording Secretary

A quorum being in attendance, the meeting was called to order at 7:31 p.m.

Board of Appeals Petitions

87-89 Cross Street - Comprehensive Permit Under Chapter 40B

The applicant, Mario Covino, of 87-89 Cross Street, LLC is seeking a Comprehensive Permit for the development of nine (9) three-bedroom town house rental units under the provisions of Massachusetts General Laws Chapter 40B, Sections 20 through 23, as amended. The property is in the GBD-1 (General Business) and RG (General Residence) zoning districts and contains 21,627+/-square feet.

Chair LeMenager said that a demolition hearing on the property was held on October 7, 2019. The Historical Commission found the property historically significant and imposed a 12-month delay on the issuance of the demolition permit which expired on September 16, 2020. At the time, Covino was

uncertain about his plans for the property but since then he has been working closely with the Planning Board and Select Board on a friendly Comprehensive Permit under Chapter 40B.

Since this is the first time that the Commission has considered a 40B project, LeMenager shared a letter from Town Counsel Jay Talerman with regard to the Historical Commission's vital role in the design of the project."

Covino presented the rear elevations and schematics of the floor plan of the property which is situated between Cross Street and 31 Forest in an area characterized by single story cinderblock commercial buildings including PC QuickHelp to the east, the Winchester Veterinary Group to the west, and a two-story warehouse type structure across the street from the subject property.

Chair LeMenager said he likes the project as it blends in nicely with the neighborhood. His only concern is the height, as the lot is already high and he is unsure how the project would impact Cardinal Street, the cul-de-sac behind the property. Commissioner Boswell asked about the height of the houses on Cardinal Street. Covino said they are two-and-a-half stories. He plans to install an 8-foot fence on the property line at the rear to screen them. LeMenager added that Forest Street homes are two-story historic homes built in 1887, 1900, and 1914.

Chair LeMenager asked if Covino would be retaining the property's existing rock wall. Covino confirmed that he intends to, however the trees by the wall will be removed.

Chair LeMenager stated that he is comfortable with the proposed plan. Vice-Chair Hickey concurred.

MOTION: In accordance with **Zoning By-law Section 9.4, subsection 8**, the Historical Commission finds no adverse impact on a historical or cultural resource from the proposed project at 87-89 Cross Street. The motion was made and seconded.

VOTED: 4 in favor, 0 opposed (3 absent)

19 Verplast Avenue - Special Permit Follow-Up

The owners of 19 Verplast Avenue, Catherine Frotten and Scott Hathaway are seeking a Special Permit under Section 4.5 and 9.4 of the Winchester Zoning By-Laws in accordance with Chapter 40A, Section 9 of the Massachusetts General Laws to be permitted to divide the existing property into two lots (Lots 1 and 2) creating a new non-conforming lot (Lot 1) that will not meet the lot area, lot frontage, and lot width requirements. The property is in the RG (General Residence) zoning district, Lot 1 contains 3,288+/-square feet and Lot 2 contains 11,118 +/-square feet.

Catherine Frotten appeared before the Commission to finalize the letter of conditions. Chair LeMenager noted two minor changes to the letter the Commission approved, requested by Frotten: substitution of "original" for "existing" in the bullet about trim and doors, and deletion of the last bullet point, "it is desirably placed to the rear of the property." Frotten said she was reluctant to make that representation

because the decision will be made by the next owner. LeMenager agreed and noted that permitting for any future changes would come before the Zoning Board of Appeals (ZBA).

LeMenager also noted that Scott Hathaway, Frotten's spouse, was removed from the document at her request because he is not listed on the deed.

MOTION: In accordance with **Zoning By-law Section 9.4, subsection 8**, the Historical Commission approves the conditions letter for 19 Verplast as amended. The motion was made and seconded.

VOTED: 5 in favor, 0 opposed (2 absent)

Frotten thanked the Commission and said that she is looking forward to beginning the project.

40 Foxcroft Road - Site Plan Review

The applicants of 40 Foxcroft Road, Kathleen Furey Lanz and Daniel J. Lanz are seeking a Site Plan Review under Section 9.5.1(7) of the Winchester Zoning By-Law so as to change the grade of more than 500 square feet by more than six (6) percent. The property is located in the RDB (Single Residence) zoning district and contains 14,432+/-square feet.

The Historical Commission held a demotion hearing on the property on September 13, 2021, found the property historically significant, and imposed a 12-month delay, which expired on August 12, 2022.

Lanz presented front elevation rendering of the proposed house. Chair LeMenager asked about its width and Lanz said it will be roughly 50 feet with the required setbacks on either side. He said he wasn't sure how wide the current house is, but thought it was about the same. Lanz said he is confident that the plan complies with zoning requirements. McCarthy felt that the new proposed building seems unusually large for the lot. Chair LeMenager clarified that the proposed setbacks on each side of the house are permissible – 14' 4" on the right and 15' 4" on the left.

McCarthy asked about the fit and placement of the new driveway since the new house is wider than the current house. Chair LeMenager noted that the driveway is now on the left side of the house in the proposed plan. McCarthy questioned whether there is adequate setback and green space between the proposed driveway and the driveway next door.

LeMenager asked Lanz why the new driveway is on the left as most of the driveways in the areas seem to be situated on the right. Lanz said that the land slopes off to the left and placing it on the left would entail little excavation. He indicated that placing the driveway on the right would require extensive excavation and would create other problems related to water runoff.

John Tighe, who lives next door, commented that his two-story house is 36 feet wide and asserted that the existing house is only 34 feet wide. He outlined some of his objections to this project in a letter to the Commission received less than two hours before the meeting. He expressed concern that the proposed

design creates safety issues and does not like the width of the new design. He said that making the house so wide requires the driveway to be too close to his driveway.

Tighe said he did some research on the houses around Foxcroft and found that the average width of two-story houses on Salisbury and Foxcroft is 37 feet. He feels the proposed plan will “stick out” because of its width, massing, and grade change.

Tighe asserted that while the proposed driveway is 5 feet from Tighe’s driveway at some points, it comes within one or two feet for a large portion of it. He found 14 other locations in the neighborhood with abutting driveways and most averaged 8 feet of green space between them with room for water runoff and screening. He argued that they are much safer than the proposed design would be.

Tighe said that the plan is to remove an existing retaining wall and nine 12-15’ tall arborvitaes located between the properties, and install a fence between the two driveways. He feels it will make both driveways nonfunctional. The distance from the front of Tighe’s garage door to the retaining wall will be 35’ and from Lanz’s garage door it will be 24’. He commented that the fence placement would make the turning radius tight on Tighe’s side and nearly impossible on Lanz’s side.

LeMenager asked Lanz if he had considered locating the driveway on the right with a garage in the rear. Lanz reiterated that it would be difficult to locate it on the right side due to the slope, grading and water issues.

Tighe maintained that Lanz’s engineers have confirmed that both sides would be feasible, but Lanz prefers to have the driveway and garage on the left. Tighe said he wished that Lanz had considered adding square footage to the house on the back to protect the characteristics of houses on the street and deal with grade issues. Lanz responded that the proposed regrading of the lot will be minimal, indiscernible, and will meet the town requirements.

Mary Savage who lives at the adjoining property on 135 Cambridge Street voiced objection to placement of the new fence and felt it would be preferable for the driveway to be located on the right.

McCarthy said having two driveways next to each other is unsafe for children and Commissioner Dowling concurred. She commented that it is likely that the proposed plan and driveway design will be challenged by the Design Review Committee and ZBA.

Vice-Chair Hickey said he likes the house as the design is in keeping with the neighborhood, but the double driveway is not consistent with the rest of the neighborhood, and agreed with McCarthy. He is fine with the width and especially liked that the garage is not visible. He suggested the driveway be located on the other side. LeMenager and Commissioner Boswell concurred.

McCarthy thanked Lanz for his efforts on the design of the house. She said that the neighborhood is a nationally registered historic neighborhood and prefers that Lanz keeps the driveway on the right.

MOTION: In accordance with **Zoning By-law Section 9.4, subsection 8**, the Historical Commission finds no adverse impact on a historical or cultural resource from the proposed design of the house at 40 Foxcroft and the location of its garage in the rear, provided that the driveway is constructed on the right hand side facing the property. The motion was made and seconded.

VOTED: 5 in favor, 0 opposed (2 absent)

Lanz thanked the Commission for their time.

Other business

Update on Town Planner search

Chair LeMenager stated that the search committee is interviewing Kelly Lynema, Assistant Director of Town Planning in Arlington, on Thursday. The 10-person panel includes members of the Planning Board, Select Board Chair, Rich Mucci, Town Manager, Beth Rudolph, Historical Commission Chair LeMenager and Design Review Committee Chair, Ellen Spencer.

Waivers

Lynch School Demolition

Chair LeMenager informed the Commission that he and Vice-Chair Hickey issued waivers for the Lynch School demolition last week.

82-85 Church Street

Chair LeMenager said they issued a waiver for demolition of the garage at 82-85 Church Street. LeMenager said work on the house is almost complete and the homeowner did a beautiful job. Vice-Chair Hickey confirmed that he received positive feedback about the project from neighbors.

Fells Hardware project

LeMenager reported that the Fells Hardware court case has been resolved.

Approval of March 6th, 2023 Amended Meeting Minutes

A vote to approve the amended meeting minutes of March 6th, 2023 was held.

MOTION: To approve the amended meeting minutes of March 6th, 2023 Historical Commission Meeting.

VOTED: 5 in favor, 0 opposed (2 absent)

Adjournment

A vote to adjourn the meeting of April 3rd, 2023 was held.

MOTION: To adjourn the Historical Commission meeting of April 3rd, 2023.

VOTED: 5 in favor, 0 opposed (2 absent)

The meeting adjourned at 8:28 p.m. Next meeting: TBD

Respectfully Submitted,

Arianie Keeney, Recording Secretary

A handwritten signature in black ink, appearing to read 'J. LeMenager', with a large, stylized initial 'J' and a long, sweeping horizontal stroke extending to the right.

Jack LeMenager

5/10/23

Date