



Planning Board Meeting Minutes Tuesday, April 12, 2022, at 7:00 pm – Zoom Meeting

Members Present: Diab Jerius, Chair
I-Ching Scott
Nicholas Rossettos

Also Present: Brian Szekely, Town Planner
WinCam

Others Attending: Richard Leaf
Ann Sera
John Suhrbier
Wong Family

Sally Dale, Vice Chair/Clerk
Kurt Spring

Bryan Manter, Asst. Town Engineer
Nancy Polcari, Recording Secretary
Cyndy & Mike Micale
Philip Scarff
Paul Murray

Kelly Murray
Joey Davis
John Reppucci

A quorum being in attendance, Chair Jerius calls the Winchester Planning Board (PB) meeting to order at 7:01 pm, noting that the meeting is being video recorded via WinCam and Zoom. Roll call of PB members: Dale, Scott, Spring, Rossettos, Jerius in attendance.

1. Updates:

- a. Mr. Szekely: Toole Design is holding the first listening session for a Town-wide Bike-Ped Transportation Plan that will include a map-based survey to obtain public participation. Scheduled for Thursday, May 19th at 7:00 pm.
- b. Chair Jerius:
 - The Select Board (SB) voted to put out for bid Town Counsel services. Current contract ends June 30th with Anderson and Kreiger.
 - Recommend watching the last SB meeting; there was a discussion on the downtown traffic to improve safety.
 - Invitations have been sent to the boards and committees who will be participating in the selection of members for the Master Plan Implementation Committee (MPIC). Description of the member roles will be posted soon. This is a two-step process. The first step is to set up four Selection Committees, composed of representatives from various Boards and Committees, one for each of the four themes of the Master Plan. The second step is for these four Selection Committees to review applications and appoint two members each to be focused on the four themes. Goal is to establish a ten member MPIC and have several boards/committees participate in selecting the MPIC members. Targeting June for the first MPIC meeting.
 - The PB received two disbursements of funds from Town Meeting for the Master Plan: in spring of 2017 to prepare a Master Plan, and spring of 2019 to finalize the Master Plan. The \$19,786.46 left over must be returned to the Town; this requires a vote. Mr. Szekely recommends returning the money back to the Town to be used for Capital projects that are in line with the Master Plan.

Ms. Dale made a motion to return the left over Master Plan funds of \$19,786.46 to the Town to be used for Capital project that are in line with the Master Plan. Mr. Rossettos second the Motion. Vote: Dale, Rossettos, Scott, Spring, Jerius in favor. Motion passes 5-0-0.

- c. Mr. Rossettos: Is it possible to have a report on the discussions with developers who inquire about land with the Planning Office? Mr. Szekely noted that he has met with one developer for 910 Main Street. That project is on the May 10th PB agenda. The developer is Anthony Marino.

2. ZBA Permit Petition No. 3958 – Lot 4 Abby Road:

Ms. Scott: Recused herself from this discussion, as she is friends with the architect on this project and does not want the perception of a conflict of interest. She left the meeting.

Mr. Szekely: The petitioners are seeking a Dimensional Variance from Section 4.0 of the Winchester Zoning By-Law in accordance with Chapter 40A, Section 10 of the Massachusetts General Laws so as to be permitted to construct a new single family dwelling that will be located closer to the front property line than permitted as of right. The petitioners are also seeking 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 15,998 +/-square feet. The Historical Commission (HC) unanimously voted no adverse effect on a historical or cultural resource. The Design Review Committee (DRC) recommended favorable action.

The PB received notices of support from the current abutters. Variance applications may only be approved due to the nature of the existing lot and to the extent that the shape, topography or soils of the lot are somehow different than the prevailing lots in the neighborhood. This particular lot is impacted by a hammerhead and lack of space towards the front of the lot. The orientation of the proposed building maximizes site lines for the abutters into the Fells and achieves the desire condition from the Development Agreement. He recommends favorable action.

For Site Plan Review, the reorientation of the house and subsequent burying of a portion of the lowest level allows the house to be less imposing from most of the abutters and would barely be seen from Highland Avenue. More than half of the exposed wall area is below grade and therefore, the lowest level would not count as a story according to the Zoning Bylaw. He recommends endorsing the Site Plan.

Mr. Manter: Noted that Engineering is still reviewing Lot 4 application regarding stormwater. The as-built for the subdivision appear in accordance with Town standards but there are some discrepancies that need to be clarified and resolved.

PB discussion focused on the concerns of this Engineering discrepancy and how to best address. Suggestions included reopening the subdivision, hiring a third-party reviewer, and seeking legal counsel. Mr. Szekely noted that this is not a Lot 4 issue.

Joey Davis: Noted they have provided what is needed for Lot 4. And it may need reworking depending on the outcome of the subdivision issue.

Mr. Spring moved to endorse the Site Plan for ZBA Petition #3958 for Lot 4 Abby Road with the understanding that the stormwater drainage system is under review. Ms. Dale second the Motion. Vote: Dale, Rossettos, Spring, Jerius in favor. Motion passes 4-0-0, with Scott recused.

Mr. Spring moved to recommend favorable action for the variance for ZBA Petition #3958 for Lot 4 Abby Road as the alignment of the structure provides improved site lines and buffering for the

neighbors. Ms. Dale second the Motion. Vote: Dale, Rossettos, Spring, Jerius in favor. Motion passes 4-0-0, with Scott recused.

3. ZBA Permit Petition No. 3959 – 19 Agawam Road:

Mr. Szekely: The petitioners are seeking a Special Permit under Section 4.4.2 so as to be permitted to construct an in-ground swimming pool that will be located closer to the rear property line than permitted as of right. The property is located in the RDB zoning district and contains 14,705 SF+/- . The HC unanimously voted no adverse effect on a historical or cultural resource. The DRC recommended favorable action.

The proposal entails the installation of a new swimming pool that will encroach on the rear setback. There is a bend in the rear lot line near the location of the proposed pool and is the reason why a Special Permit is necessary. Uncovered exterior pools shall be considered open area according 4.4.2 #6. However, it is unclear from the documents what the actual hardscape calculation would be for the areas not covered by the pool (decks and patios). The Land Use Summary for existing and proposed show an impervious percentage of close to 50%, where the existing is shown around 25%. The site plan then shows a hardscape of 16.6%. It is unclear how the applicant determined these percentages and why the impervious spaces appear to go up on Table 1, but hardscape goes down on the proposed site plan. Regardless of these discrepancies that need to be fixed, prior to any petitions being granted, he does not see how the proposed pool setback encroachment would negatively affect the neighbors or the neighborhood and recommends favorable action once the open area/hardscape/greenspace calculations have been determined with more accuracy.

Mr. Manter: Pools are considered impervious and with the patio, the square footage increases by more than 500 SF. The petitioner has obtained a building permit that includes an infiltration system designed. He is working with the zoning enforcement officer to determine the coordination with the building permit and this application for a pool. Needs more information to make a clear determination on this petition.

Mr. Spring made a motion to recommend favorable action for ZBA Permit Petition No. 3959, 19 Agawam Road subject to the correction of hardscape/greenspace/open areas calculations. Mr. Rossettos second the Motion. Vote: Dale, Rossettos, Scott, Spring, Jerius in favor. Motion passes 5-0-0.

4. Planning Board Report Spring Town Meeting:

Chair Jerius presented the proposed slides for the PB's Report for Spring Town Meeting, going through each one with discussion from members as summarized:

Multi-unit Developments/subsidized housing inventory, slide 4/13:

- Safe Harbor lost on March 18, not March 21.
- Only Cambridge Street and River Street count toward the SHI (4.9%). When the permit granting authority approves the project, can include in the SHI. Converse Place is in the process of being added.
- Waterfield cannot be added to SHI; has not started application process.
- Change the title to Multi-unit Development and Impact on SHI.
- How do we achieve Safe Harbor status? Create 40 units per year. Incentivizes rentals. 80 units provides two years. Idea was to use Waterfield and Washington/Swanton to get another two years of Safe Harbor.

- When add more non-affordable units, the “denominator” gets larger and pulls the Town further away from meeting Safe Harbor. However, the finances are difficult on rentals as compared to condos.

Current and Upcoming Projects, slide 5/13: edits, dates and answers to questions provided; add in MPIC.

Multi-family Zoning for MBTA Communities, slides 6, 7 and 8: add in the North Main Street rezoning. Mr. Suhrbier added that the current guidelines are draft, not in final form and that the Department of Housing and Community Development (DHCD) is expecting to finalize these in the summer. He noted that there has been community opposition to these guidelines. More likely to be substantive changes to possibly removing it all-together.

Housing Snapshot, slides 9, 10, 11, 12, 13: related to age, rentals, income owners, income renters, housing types.

- Other towns have addressed their 40B requirements by putting large housing complexes on the outskirts of their communities. Winchester does not have the land.
- Very complex issue.
- What is the distribution of housing needed? Discuss the “missing middle” with the density of units (not duplexes and not complexes) between 3 and 30 units.
- Add concluding take-away comments at the end of each slide.
- Provide “tools” of solutions that are reasons to implement.
- Include ways to achieve housing goals.

5. Warrant Articles:

Chair Jerius: Noted the Articles before Town Meeting do not directly relate to the PB, but the PB can vote to support any article.

Ms. Scott: Recommended supporting Article 26 that would allow the Town to appropriate money for the design, construction and renovation of the Sanborn Carriage House for the relocation of the Winchester’s Public School Administration Offices. The offices are currently located at the old Parkhurst School. Instead of using costly trailers for the temporary relocation of the students for the Lynch renovations, the Parkhurst School would be the swing space. Originally a school, Parkhurst's best use is for classrooms and not offices. The Carriage House is dilapidated, on a historic campus and is currently a liability. Renovating the Carriage House is a better use of resources, preserves a historic resource for adaptive reuse and provides a permanent location for the school offices.

PB comments:

- Not enough information on finances to comment.
- Historic preservation is a good reason.
- Tied with the timing of the schools projects.
- Understand that the Town implicitly committed to maintaining this structure when it purchased the Sanborn Estate.

Ms. Scott moved to recommend favorable action on Article 26 because the Carriage House is a historic resource worthy of preservation. The Planning Board supports the adaptive reuse of an existing Town building and notes that the Carriage House is in poor condition and will require some action to prevent demolition through neglect. Mr. Spring second the Motion. Vote: Dale, Rossettos, Scott, Spring, Jerius in favor. Motion passes 5-0-0.

Chair Jerius: Recommended supporting Article 8 that would extend local voting rights to people currently not citizens of the United States but who live in Winchester.

PB Discussion:

- Residents who are invested in creating a more sustainable, inclusive and resilient Winchester.
- Enhances a sense of community.
- Supports the Master Plan goals.

Ms. Scott moved to support Article 8 because it supports the Master Plan Action Plan, Goal D, specifically D1 and D2, to build community. Ms. Dale second the Motion. Vote: Dale, Rossettos, Scott, Spring, Jerius in favor. Motion passes 5-0-0.

6. MBTA Zoning: This was postponed until a future PB meeting.

7. Planning Board Meeting Minutes

a. Meeting Minutes for March 15, 2022:

PB Discussion: Mr. Pruitt’s and Zeina’s names are misspelled. Page 3, change “agenda” to “meeting”. Missing on page 3 and 4 comments from Ms. Wolfe and Ms. Scott. Request for Recording Secretary to review the recording and resubmit the minutes.

b. Meeting Minutes for March 22, 2022:

Mr. Rossettos moved to approve the PB Meeting Minutes of March 22, 2022. Ms. Scott second the Motion. Vote: Dale, Rossettos, Scott, Spring, Jerius in favor. Motion passes 5-0-0.

8. Executive Session:

Mr. Spring moved to continue the PB meeting in Executive Session. Mr. Rossettos second the Motion. Vote: Dale, Rossettos, Scott, Spring, Jerius in favor. Motion passes 5-0-0.

Sally Dale, Clerk

Nancy Polcari, Recording Secretary