



Planning Board Meeting Minutes Tuesday, May 09, 2023, at 7:15 pm – Remote Participation

Members Present:	Diab Jerius, Chair I-Ching Scott Keri Layton	Sally Dale, Vice Chair/Clerk Nicholas Rossettos
Also Present:	Bryan Manter, Asst. Town Engineer WinCam	Nancy Polcari, Recording Secretary
Others Attending:	John Leavitt John Suhrbier John McConnell Marty Jones Larry Murray Jacob Murray	Debbie Leavitt Melissa Mathis Jamie Devol Courtney Dickenson Kevin Duval Maureen Meister John Stevens Julie Riemenschneider Tracy Vartenigian Burhans Peter White

A quorum being in attendance, Chair Jerius calls the Winchester Planning Board (PB) meeting to order at 7:17 pm noting that the meeting is being recorded via WinCam and Zoom. Roll call of PB members: Layton, Rossettos, Scott, Dale, Jerius in attendance.

1. Updates:

- a. The Emerging Housing Opportunities Forum is this Thursday at the Jenks Center at 1:00 pm. There will be 3 speakers: one to discuss the properties at River Street and Cambridge Street; Select Board member Michael Bettencourt to discuss the Washington/Swanton Streets project; and Ms. Scott to discuss Accessory Dwelling Units (ADUs) including how to apply for them.
- b. The Town has received five responses for the Town Planner position posting. Need to establish a new search committee to review the resumes and identify candidates.
- c. The Cross Street project is having its second meeting before the Zoning Board of Appeals (ZBA) tomorrow.
- d. The Rocky Ledge Subdivision needs PB signatures.
- e. In regard to the MBTA Section 3A, the consultant has indicated they have spent their budget. There is work yet to do on the maps; expected 3 models and the rezoning language.

2. Public Hearing for 10-16 Mt. Vernon Street:

Mr. Rossettos moved to open the Public Hearing for 10-16 Mt. Vernon Street. Ms. Scott second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

Chair Jerius: Noted that the PB has heard from the public, received comments from the Design Review Committee (DRC), Housing Partnership Board (HPB), and Historical Commission (HC). The PB also has received the report (dated April 20, 2023, included in packet) from Wendy Frontiero, the 53G consultant, as briefly summarized:

- Scope to review the proposed project regarding existing historical and architectural documentation of the property; evaluate the historical and architectural significance of the building; and evaluate the proposed alterations for conformance with the Secretary of the Interior's Standards and with the town's zoning bylaws.
- The proposed third-story addition is nominally in keeping with the historic character of the existing building by its use of Colonial Revival details. However, the literal appropriation of

those elements, along with its lack of any appreciable setback from the historic building, do not let the addition clearly read as new construction. In the words of the Secretary of the Interior's Guidelines, "A new addition should be compatible, but differentiated enough so that it is not confused as historic or original to the building." (Guidelines 2017:79)

- The proposed third-floor addition adds another 50% to the height of the existing low-scale building, significantly impacting its historic scale and character.
- On the neighborhood scale, the proposed third-story addition is out of character with the surrounding district in its height and its flat-roofed form. It will also affect the views along the streetscape and across the CBD in two ways: first, by presenting a highly uncommon, blank vertical wall when viewed from the Quill Rotary to the west of the property, and second, by obscuring views of the cupola on the Police and Fire Station from Quill Rotary and points further west, and views of the tower of the First Congregational Church.
- It is the consultant's opinion that the proposed third-floor addition at 10-16 Mt. Vernon Street does not meet the requirements or the vision of the Town of Winchester's Zoning Bylaw and Guidelines, nor of the Secretary of the Interior's Standards.

Mr. Leavitt, the petitioner, has provided a written response (letter dated April 24, 2023, included in packet), to Ms. Frontiero's report, as briefly summarized:

- The view of the Fire Station cupola is not obstructed.
- Looking in the other direction, the view of the church steeple is also not obstructed.
- The addition does not add 50% to the height, but rather 33%.
- Several surrounding buildings already have 3 floors.

The HPB voted in favor of this project (memo dated April 25, 2023, included in packet), as briefly summarized:

- Accessibility provisions included in the design are ADA compliant and have been cooperatively developed with Winchester's Disabilities Access Commission.
- The five existing second floor rental units historically have served lower income individuals over a range of ages, including people having a Section 8 rental voucher. Adding four similar rental units on the new third floor will be beneficial.
- The location is within a short walk of a MBTA bus line, the Winchester Center Commuter Rail Station, and grocery store, reducing the need for a car.
- HPB liked that the proposed design has been developed so as to be compatible with the historic design of the present building and preserves the visual character along Mt. Vernon Street.
- The Proponent has worked cooperatively with the owners of neighboring buildings and with town staff and boards to respond to various concerns that have been raised.

Mr. Leavitt: Noted he is not a developer; he has been a resident of Winchester for over 40 years and has owned this building for 18 years. The building adjacent to his building is allowed to have 3 stories. Others around his property already have 3 stories. He introduced John McConnell, his consultant on this project.

Mr. McConnell: A resident of Winchester for 36 years, has been designing buildings for over 50 years, and has been teaching historical architecture at Boston College. The 53G consultant's comment about the third story not being within the character of this building is wrong. This is not a significant architectural building. Consultant suggests that any addition on a historic building should not look like it was there originally. He clarified that for buildings like the Woburn Library, any large addition should not look like the original design and thus the reason for the modern glass addition. The HC has agreed with the design. One of the earlier designs showed a stucco material for the third

floor facade and the HC suggested making it brick to match the first two floors. The 53G consultant's position is an "opinion", and he disagrees with her.

Mr. Leavitt: The consultant's comment about keeping two stories because of the historical character does not make sense when there are several other structures in the immediate area that have three stories.

Mr. McConnell: Noted that the 53G report states that specific views are blocked. If these views are "precious", is there a view corridor to protect these buildings?

Ms. Dale: Noted that view corridors mentioned in the By-Laws are in relation to water views. Nothing specific to structures.

PB Clarifying Questions and Responses by the Proponent (except as noted):

- Did this building ever have a third floor? Answer: Not that could be determined with historical research.
- Why was it set back? Answer: The abutter requested an 8-foot setback in the rear. It would be cost prohibitive (structurally) to set back the other sides.
- This building is not officially affordable. Answer: Not officially, but willing to rent to Section 8 applicants. Have done so in the past.
- Is the roof going to be pitched? Answer: No. Keeping the same style of the existing building roof.
- The DRC voiced concern about seeing a blank wall. Could not tell from what viewpoint that would happen. Ms. Devol (from the DRC) clarified that the wall is visible from across the street.
- Can some treatment be added to that wall to make it more interesting? Ms. Devol stated no.

PB Comments:

Mr. Rossettos: Opposed to developing historic buildings when there are many opportunities in the Central Business District (CBD) that are currently single story and "nondescriptive", offering a great opportunity for development. This historic building has integrity; it's intact. This will set a bad precedent to start changing this historic structure. It changes the massing. Vistas will change. Parking will be an issue. And it does not comply with Winchester's Master Plan. This is a historic area that needs protection.

Ms. Leyton: The need for housing is important but concurs with Mr. Rossettos' comments. These buildings anchor the rotary.

Ms. Scott: Concerned that the committees reviewing this project do not focus on their "domain". The HC voted in favor of this project and the other committees are questioning their expertise. This goes against how the process is supposed to work. Understands the DRC's comment about the blank wall. But the Town would get additional housing that is very needed.

Ms. Dale: Perplexed by the decision of the HC. Also does not understand the 53G Consultant's position regarding additions to historic structures need to look different. Concurs with Ms. Scott's comments. Not opposed to adding a third floor. But does not like the design. Also concurs with Mr. Rossettos' comments. There needs to be a balance with historical preservation and added housing. Would consider a mansard roof, that would allow Winchester to retain its historic charm.

Chair Jerius: This is the first historic building in the CBD to request a change. There are several important facts that benefit the Town: adds affordable housing units, one is ADA compliant, they are close to transportation and downtown. Also agrees with the proponents that this structure is not historically significant. If any other building adds a third floor, including the Lyceum Building, a blank wall will result. It is an inherent problem. When will it become ok? There are many other buildings

that could add a third floor, but that is not what is before the PB today. And don't know if/when another will be proposed. Concurr that the design is awkward, but not sure how it could improve.

Ms. Scott moved to recommend favorable action for Petition No. CBD-17 for 10-16 Mt. Vernon Street, for a Special Permit to construct a third floor addition to an existing building, with the side door changed and the blank wall addressed. No one second the Motion.

Mr. Rossettos moved to deny with prejudice Petition No. CBD-17 for 10-16 Mt. Vernon Street, for a Special Permit to construct a third floor addition to an existing building.

PB discussed the meaning of the terms with prejudice and without prejudice and determined that legal counsel advice was necessary to understand the details before proceeding.

Ms. Dale moved to close the Public Hearing for 10-16 Mt. Vernon Street until May 23, 2023, at 7:30 pm. Ms. Layton second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0. Hearing closed at 8:51 pm.

3. Town Day Planning:

Ms. Dale: The Test Fits by Form + Place for the North Main Street study could be included in the Town Day materials. There are many interesting things to share with the Town and want to make sure the PB agrees with the proposed materials.

Chair Jerius: Suggested providing a "flavor" of what the PB has been working on, but the Test Fits are too complicated and confusing. Recommend focusing on MBTA Section 3A, the Holton/Cross/Swanton Streets study, ADU's, and the Master Plan.

4. ZBA Petition #3996 – 17 Central Street:

Chair Jerius: The petitioner is seeking Dimensional Variance from Section 4.4.2 (4) of the Winchester Zoning By-Law in accordance with Chapter 40A, Section 10 of the MGL to be permitted to locate a portable spa with self-contained equipment closer than 10 feet from the building. Noted that the location of the spa saves a tree but causes a variance.

Ms. Dale: Noted there are no rules on portable spas, only pools. Does Section 4.4.2 (4) cover spas?

Mr. White (representing the petitioner): Not sure if a Spa is a pool. The request is relief from the 10-foot setback requirement.

PB Discussion:

- Is this reasonable?
- If the tree is removed and the spa relocated, then the variance is not needed.

Ms. Dale moved to recommend favorable action to ZBA Petition #3996 for 17 Central Street for a dimensional variance. Ms. Scott second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

5. ZBA Petition #3997 – the Acera School, Inc. at 1 Lowell Avenue:

Chair Jerius: The petitioner is seeking Site Plan Review under Section 9.5.1 (1) and 9.5.1 (3) of the Winchester Zoning By-Law to be permitted to demolish the existing building and construct a new building that will have 25% or more floor area and will require 20 or more parking spaces (for the entire property). They are also seeking Site Plan Review under Section 9.5.1 (7) of the Winchester Zoning By-Law to change the grade of more than 500 square feet by more than 6 percent. Lastly, they are seeking a Special Permit under Section 3.5.3 and Section 3.5.7 to demolish the existing

building and construct a new building that will be located closer to another building than permitted as of right. Noted that the DRC and HC reviewed and recommended favorable action.

Mr. Murray: legal counsel for the petitioner; also attending are Courtney Dickenson (Founder/Director), Jacob Murray (Professional Engineer), and Kevin Duval (Facilities Manager).

Mr. Manter: This project is within the 100 year flood plain of the Aberjona River. They have met with the Conservation Committee and are currently designing the system to meet the storm water requirements.

PB Discussion (questions by PB and responses by petitioner team):

- What is the change in the number of students? The additional building is to help alleviate crowding. It will also enable the school to accommodate about 80 more students.
- What about traffic? A traffic study has shown no impact on the existing roads.
- What is the current use of this building? The property is part of a large, multi-building complex. The existing building was a printing facility. The new building will be larger. Will need to fill-in parts of the property and regrade to accommodate a larger building.
- What about the parking? Some of the parking spaces are designated to each building in the complex and some are shared. There will be enough parking spaces for this new structure. The association is also updating the parking space plan.
- What about the safety of pedestrians, especially at drop-off and pick-up? The focus is around the building. Also coordinating with the Town to incorporate a walkway to Cross Street that uses Lowell Avenue (and Town property).
- What about the trees? New trees will be planted.
- What about the flood plain? There is a designated area for flood storage being designed for the project. This could impact the tree plantings (existing and new).

Ms. Dale moved to recommend favorable action for Site Plan Review for the Acera School at 1 Lowell Avenue to be permitted to demolish the existing building and construct a new building that will have 25% or more floor area and will require 20 or more parking spaces (for the entire property), with the following conditions: more work be done to protect the existing trees in the area north of Building 1, in particular the 48" diameter tree. Ms. Layton second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

Mr. Manter: Requested a 53G peer review of the traffic. And noted that the Building Department will send their issues to the ZBA.

Ms. Dale moved to recommend favorable action for Site Plan Review for the Acera School at 1 Lowell Avenue to change the grade of more than 500 square feet by more than 6 percent, with the following conditions: a 53G consultant perform a traffic study, and the petitioner continue conversations with the Town and Condo Association regarding parking, pedestrians, and safety. Ms. Layton second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

Ms. Scott moved to recommend favorable action for a Special Permit for the Acera School at 1 Lowell Avenue to demolish the existing building and construct a new building that will be located closer to another building than permitted as of right. Ms. Dale second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

6. Approval of Minutes: postponed.

7. Selection for Town Planner:

Chair Jerius: Two issues to discuss. First is the Selection Committee for the Town Planner position.
PB Discussion and Conclusion: Use the previous screening committee.

Chair Jerius: For the interim Town Planner, several issues to consider:

- Could use a temporary agency (Planners in a Pinch, Consulting Planner).
- If the cost exceeds \$10,000, then need to use the Request for Proposals process.
- If hire a consultant as a Town Employee, then there is no delay.

8. Adjourn:

Mr. Rossettos moved to adjourn the PB meeting of May 09, 2023. Ms. Scott second the Motion.

Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0. The meeting adjourned at 10:20 pm.

Nancy Polcari, Recording Secretary

Sally Dale, Clerk