



## Planning Board Meeting Minutes Tuesday, July 11, 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: Matt Shuman, Town Engineer  
WinCam  
Nancy Polcari, Recording Secretary

Others Attending: Richard Leaf  
John Stevens  
John Suhrbier  
Tara Hughes  
Joyce Westner  
MJ English  
Jackie Masi  
Maura Sullivan  
George Nowell  
Larry Murray  
Ronald Roy  
Anastasia Vishnevetsky  
Toni Frain

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 Zoom and WinCam. Roll call of PB members: Rossettos, Scott, Dale, Layton, Jerius in attendance.

### 1. Updates (by Chair Jerius unless otherwise noted):

- a. Cross Street project has changed from 9 rental units to 8 condominiums. Will discuss more tonight. (Note: Later clarified that there are 8 condominium units).
- b. Civico submitted their application for the Waterfield Lot Development Project last Thursday for a Special Permit for a PUD (Planned Unit Development). Once the package is checked to confirm everything has been submitted, the clock starts, and a schedule will be set for reviewing.
- c. Our Building Commissioner, Al Wile, has retired. The Town is reviewing applications for this position. There is an interim person filling in until a new Commissioner starts.
- d. There is a renovation of an existing structure at 40 Church Street in the preapplication phase.
- e. There is a preliminary covenant/HOA for Rocky Ledge. The draft Homeowners Association document is being reviewed by Town Counsel.
- f. There will be a meeting at the end of July to review the Accessory Dwelling Unit By-Law revision with Town Counsel.
- g. Mr. Rossettos: Is coordinating with Jack LeMenager, chair of the Historical Commission (HC), regarding a public outreach and education. Two members of the HC have volunteered to help, Jack and Bruce Hickey.
- h. Ms. Dale: Noted that the PB needs to help with recruiting members for the Master Plan Implementation Committee (MPIC). Emily Innes, working on a communication strategy, will include the MPIC in her proposed plan.
- i. Ms. Scott: Has started talking with some State Representatives about funding resources; propose to wait in asking for their outreach support until the PB has a more specific focus on issues and strategy.
- j. Three people applied for the Temporary Assistant to the Planning Department, but the applicants were administrative, with no planning experience. Requested PB members to review the posting and suggest changes.
- k. Currently scheduling interviews for 3 Town Planner candidates.

**2. Approval of PB Meeting Minutes:**

**a. Meeting on Tuesday, June 20, 2023, at 7:15 pm:**

Chair Jerius requested comments.

Several edits identified, discussed, and approved.

Ms. Dale to approve the PB Meeting Minutes of June 20, 2023, as amended. Ms. Leyton second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

**b. Meeting on Friday, June 30, 2023, at 1:15 pm:**

Chair Jerius requested comments.

Several edits identified, discussed, and approved.

Ms. Dale to approve the PB Meeting Minutes of June 30, 2023, as amended. Ms. Scott second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

**3. Winchester News Presentation:**

Chair Jerius: Introduced Tara Hughes, President of the Winchester News Group.

Ms. Hughes: Provided a presentation about the newly formed Winchester News Group. With the closing down of the Winchester Star and limited coverage for Winchester in the Daily Times Chronicle, Winchester residents have had a difficult time learning about local news. Her presentation is briefly summarized:

- The mission of Winchester News is to be a trusted and reliable source of local news for residents, businesses and organizations.
- The vision is to fill the information gap, to increase civic participation and to improve civil discourse.
- Current plan is to have available on-line, via their website: [www.winchesternews.org](http://www.winchesternews.org).
- This is a nonprofit organization that will be supported by donations, grants, and sponsorships.
- Working on establishing a budget and fundraising strategy.
- Website is currently supported by volunteers.
- Anyone interested can submit an article; Joyce Westner, acting editor, will review.

PB Comments: appreciation for meeting this great need in our community; suggested meeting with other boards and committees to share this information.

**4. ZBA Petition #3999, 33 Englewood Road:**

Chair Jerius: The petitioners are seeking a Special Permit under Section 3.5.5 of the Winchester Zoning By-Law in accordance with Chapter 40A, Section 9 of the Massachusetts General Laws so as to be permitted to construct an addition that will be located closer to side property line than permitted as of right. The property is in the RDB (Single Residence) zoning district and contains 6,642 +/- square feet.

PB Discussion:

- Is the footprint changing? Ms. Frain, the petitioner, responded that it is not.
- The addition is on top of the existing garage.

Ms. Dale moved to recommend favorable action to ZBA Petition #3999 for 33 Englewood Road. Ms. Scott second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

**5. ZBA Petition #4000, 158, 160, 162 Swanton Street:**

Chair Jerius: The petitioner is seeking a Special Permit under Sections 3.5.2 (1), 3.5.3 and 3.5.7 (3) of the Winchester Zoning By-Law in accordance with Chapter 40A, Section 9 of the Massachusetts General Laws to be permitted to demolish two pre-existing non-conforming buildings (a single-family

dwelling and a two-family dwelling) and construct a new three-family dwelling that will meet all setback requirements. The petitioner also seeks a Special Permit under Section 4.2.5 of the Winchester Zoning By-Law in accordance with Chapter 40A, Section 9 of the Massachusetts General Laws to be permitted to construct dormers that will be greater than 50 percent of the width of the roof plane. In addition, the petitioner is seeking Site Plan Review under Section 9.5.1(6) of the Winchester Zoning By-Law to be permitted to construct a new three-family dwelling where the total floor area of the building will be greater than 3,600 square feet and Section 9.5.1(7) of the Winchester Zoning By-Law to be permitted to change the grade of more than 500 square feet by more than six (6) percent. The property is in the RG (General Residence) zoning district and contains 9,840 +/- square feet.

Mr. Shuman: Noted that Engineering has not yet reviewed this petition. Stated that it needs to go to the Conservation Commission for review as it is within 200 feet of a waterway.

Mr. Murray: Legal counsel for the petitioner provided a short presentation; also noted that Ron Roy was attending. Brief summary follows:

- Currently the property contains a single family home and a 2-family home.
- Both homes are in very poor condition.
- It is pre-existing non-conforming use.
- The petition replaces the existing structures with 3 new townhouses that would meet all the setback requirements.
- This design will also exceed the required green space and open space.
- The hardscape will also be less than the maximum allowed.
- These townhomes will help address the town's need for more affordable housing.
- The Historic Commission voted favorable action 4-1 for this petition.
- The Site Plan Review results from the need to remove soil and change the grade to build the garages.

PB Discussion:

- How many bedrooms are in each? Mr. Roy noted there are 3 bedrooms and a study room.
- Concern regarding the driveways and safely backing out onto Swanton Street.
- This supports the Town's housing need for affordable properties.
- Appreciate the 2-car garage.
- The dormers are too large; they make the town house look like a 4-story building.
- Suggest changing the building façade material at the garage level (instead of it being the same as the other floors) to mitigate the feeling of the building being 4 stories.
- Like to see a tall shade tree planted in the front.

Public Comment:

Ms. Masi: Neighbor next to this property; has lived here for 40 years; the house was never used as a two family and a relative always lived in the single house; concern about the height of the proposed town houses (Mr. Roy stated the height is 39.75'; Chair Jerius noted this is within the allowable height); her home is 25' tall. Does it have to be 3 units? Would prefer to see 2. She confirmed that pulling out of the driveway can be difficult.

Chair Jerius: Noted that there are three requests for the PB to vote on: Special Permit to demolish and build 3 townhouses; Special Permit to allow the dormers; and Site Plan Review to allow the size of the building and the change in grade.

Ms. Scott moved to recommend favorable action to grant a Special Permit to demolish and build 3 townhouses at 158, 160, 162 Swanton Street. Ms. Dale second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

Ms. Scott moved to recommend unfavorable action to grant a Special Permit to construct dormers that will be greater than 50 percent of the width of the roof plane for 158, 160, 162 Swanton Street. Ms. Dale second the Motion. Vote: Dale, Layton, Scott, Jerius in favor; Rossettos opposed. Motion passes 4-1-0.

Ms. Dale moved to recommend favorable action to grant Site Plan Review to construct 3 townhouses where the floor area is greater than 3,600 sf and to be permitted to change the grade of more than 500 square feet by more than 6 percent for 158, 160, 162 Swanton Street. Ms. Scott second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

**6. 87-89 Cross Street Local Initiative Project (LIP):**

Chair Jerius: This project is in conjunction with the Town, as a Friendly 40B. The developer has changed this from all rentals to all condominiums. They explained that costs have risen to the point where a rental project is no longer feasible. Regarding affordable housing, they are changing from the 50% to a nominal 80%. They need to meet with the Select Board and with the Department of Housing and Community Development (DHCD).

Mr. Suhrbier: The developer team plans to meet with the Select Board next Monday. DHCD (which is now called the Executive Office of Housing and Livable Communities) has requested an updated application be submitted, since the changes are significantly different from the original application. The ZBA Hearings are on hold.

**7. Holton/Swanton/Cross Streets MAPC IL Report:**

Chair Jerius: Josh Fiala has submitted a draft final report. Reviewing it (no changes to content); once finalized, it will be distributed to PB.

**8. Public Outreach Updates:**

Chair Jerius: Met with Raegan McCain; she is working on a logo and a banner. Received an update from Emily Innes; will send it to PB for review. Received a package from Form + Place for initial review.

**9. MBTA 3A Technical Report and Draft Zoning:**

Chair Jerius: Ms. Goldson submitted her technical report for the MBTA Section 3A Zoning included in the packet (Memorandum from Beverly Mesa-Zendt to Beth Rudolph, Town Manager, dated June 22, 2023, titled "MBTA Zoning Compliance Technical Assistance (3A-TA) - Process and Findings Memorandum"); he pointed out many details as briefly summarized:

- Winchester needs to zone for 1220 units (which includes any existing units).
- Minimum land area is 37 acres.
- Half of the unit capacity and land area has to be within half-mile of the train station (Winchester Center).
- Consultant analyzed 3 scenarios; all of them basically comply with the requirements of 3A.
- The 3<sup>rd</sup> scenario removes some existing Central Business District (CBD) properties with commercial businesses at ground level.

- The Town Common and Congregational Church are included in the land area to maintain contiguity.
- There is a mistake in the document: 666 Main Street property was shown in gray, meaning it was not included in the land area or unit count, and should have been.

PB Discussion:

- Contiguity of the land area is a key part of compliance; the land must be contiguous; by using large parcels such as the Town Common, the Town maintains contiguity. It does not mean that these parcels will be used for multi-family housing.
- Reference made to the Unit Capacity Per District Table for Scenario 3 on Page 10 of the June 22, 2023, Memorandum; the Town already has the required capacity.
- Winchester meets the requirements of 3A without changing any existing dimensional zoning.
- This zoning is not “by-right”.
- There will be design guidelines to address the design and maintain character.
- Need time to digest the report.
- Ms. Innes will also assist the PB in communicating the 3A Zoning to the community.

Public Comment:

- Ms. Vishnevetsky: Lives on Vine Street; asked for explanation of the 3 scenarios.
- Chair Jerius: Scenario 1 is with all GBD 1, 2, and 3 (shown in the document); Scenario 2 includes Vine Street (PB asked for it to be removed); Scenario 3 has Vine Street removed and also some CBD properties with commercial space in the ground level. This is the preferred option.
- Mr. Leaf: Asked if the other train station was considered? (Wedgemere Station)
- Mr. Suhrbier: It was determined last fall when the process started, to not include it.

Chair Jerius: Asked PB members to review the report; to be discussed at future PB meeting.

**10. Adjourn:**

Ms. Dale moved to adjourn the PB meeting of July 11, 2023. Ms. Scott second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0. The meeting adjourned at 10:00 pm.

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Sally Dale, Clerk

Nancy Polcari, Recording Secretary