



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

Meeting Minutes

Date: July 12, 2021

Members Present: Jack LeMenager, Chair
Jon Carlisle
John Clemson
Janet Boswell
Michelle McCarthy

Members Absent: Bruce Hickey, Vice Chair
Emily Dowling

Also Present: Brian Szekely, Town Planner
Rachael Edmonston
Sally DeGan
Sean Lyons
Brendan Lyons
Paul Cirignano
Molly McDougal
Sarah Doherty
Gerard Marino
Steve Meltzer
Sally Dale
Scott Penna

A quorum being in attendance, the meeting was called to order at 7:33 pm.

Board of Appeals petitions

14 Glen Road – Special Permit

Sarah O. and Brian P. Doherty of 14 Glen Road are seeking a Special Permit from 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 the side property line than permitted as of right.

The owner of the property, Sarah Doherty, said that the property at 14 Glen Road was constructed in 1906. Molly McDougal, who represented Mrs. and Mr. Doherty, stated that the proposed addition was a slight expansion of the kitchen and the creation of a small breakfast nook. Ms. McDougal emphasized that the addition was located on the northeast corner of the house and would not be visible from the public way. She also noted that the addition was very modest and would be in keeping with the design and materials of the original property.

Chair Jack LeMenager stated that the Historical Commission had no issue with the structure because the addition would not change the façade of the house and would not be visible from the

street. Commissioner John Clemson asked if the building materials would match the materials of the original structure. Ms. McDougal confirmed that the materials and style would match the existing house.

MOTION: In accordance with Zoning Bylaw Section 9.4, subsection 8, the Historical Commission finds no adverse effect on a historical or cultural resource.

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

9 York Road – Special Permit

Gerard Marino of 9 York Road is seeking a Special Permit under Section 4.2.5 and 9.4.2 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 dormers that will be greater than 50 percent of the width of the roof plane.

Mr. Marino explained his intention to expand the attic of his property at 9 York Road to accommodate the needs of his family. To do so, he wished to construct three dormers on the house. Owing to the construction of a structurally important stairway within the house, the middle of the three dormers would have to be enlarged so that the total area of the three dormers would be greater than 50 percent of the width of the roof plane to accommodate the stairway. Mr. Marino and Brian Szekely, the Town Planner, confirmed that the Planning Board approved Mr. Marino's plan to construct the larger dormer. Mr. Marino stressed that he would prefer a smaller dormer, but that it was impossible to build due to position of the stairway.

Chair LeMenager noted that the dormer would violate the 50 percent rule but gave his assent.

MOTION: In accordance with Zoning Bylaw Section 9.4, subsection 8, the Historical Commission finds no adverse effect on a historical or cultural resource.

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

53 Lawson Road – Site Plan Review (2)

Scott C. and Heather B. Penna of 53 Lawson Road are seeking a Site Plan Review under Section 9.5.1(5) of the Winchester Zoning By-Law in accordance with Massachusetts General Laws so as to construct a new single-family dwelling where the total floor area is greater than 5,000 square feet. The petitioner is also seeking a Site Plan Review under Section 9.5.1(7) of the Winchester Zoning By-Law so as to change the slope over 6% of existing grade of an area more than 500 square feet.

Architect Sally DeGan told the Commission that the property at 53 Lawson Road had come before the Winchester Historical Commission several times before. On the last occasion, the Historical Commission had approved of the plans for the property to be constructed as designed. Ms. DeGan stated that the plans of the property had not changed, except for the fact that the groundwater on the lot was higher than had previously been anticipated. As a result, the basement of the property was flooded and needed to be raised 3.9 feet to prevent additional

flooding. Ms. DeGan noted that a retaining wall would be added to raise the property. While the house would be raised, the garage and the surrounding property would not be affected. Commissioners Clemson, Janet Boswell, and Jon Carlisle gave their approval of the plans.

MOTION: In accordance with Zoning Bylaw Section 9.5.7, the Historical Commission finds that the plans as submitted have no adverse effect on a historical or cultural resource.

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

Other matters

88 Harvard Street – preliminary discussion with developer

Brendan and Sean Lyons came in front of the Historical Commission in an informal capacity to explain their plans for their property at 88 Harvard Street. Sean Lyons explained his intention to renovate and add an addition to the existing historical property as well as to build a second house on the lot that would be identical to the existing one. Mr. Lyons also added that the property would be a two-family duplex.

Chair LeMenager asked if any garages would be constructed on the property. Mr. Lyons stated that it was a possibility but was unlikely given that it would interrupt the green space on the property. He noted that the length of the driveway likewise depended on how much permeable space was required. Commissioner Clemson asked if the original material of the existing property would have to be replaced. Mr. Lyons answered affirmatively, stating that the existing property was in very poor condition. Commissioner Clemson stated that the replacements would have to use the same materials and be in keeping with the original structure, except in instances where the materials or construction were not up to code. Mr. Lyons confirmed his understanding and added that they were committed to ensuring that the renovations and the new structure matched the original historic structure.

Mr. Szekely clarified that Messrs. Lyons are preparing to request relief under Winchester's zoning by-law, section 4.5, to develop the property at a greater density and with reduced frontage and setbacks than allowed under regular zoning in exchange for a commitment to preserve the existing historic building located on the site. Mr. Szekely explained that the Historical Commission would have to submit a list of conditions that the owners would have to agree to before the Historical Commission would vote to endorse the renovations. Once Messrs. Lyons had the Historical Commission's endorsement, they could go before the Board of Appeals to request a Special Permit to renovate the property.

Commissioner Clemson agreed to draft a list of conditions to be provided to Messrs. Lyons. The Historical Commission will a vote to decide whether to endorse those conditions at its next meeting on July 26, 2021.

23 Pine Grove Park – preliminary discussion prior to July 26 demolition permit hearing

Commissioner Clemson stated that the consultant, Claire Dempsey, is currently researching the property at 23 Pine Grove, which was likely constructed in the 1880s. The Historical Commission discussed whether the demolition permit was being filed by a developer. If so, the

Historical Commission debated whether the developer should pay for the usual demolition application fee of \$150 or, under Massachusetts General Law 53G, to submit a bill for the entire cost of the survey. Mr. Szekely noted that it would set a precedent if the Historical Commission decided to invoke state law 53G and have the developer pay for the survey. He noted that if the demolition application for 23 Pine Grove Park was instead a routine demolition permit application, then the Historical Commission should not invoke 53G.

In response to a question from Commissioner Michelle McCarthy, Mr. Szekely also clarified that there are two fees associated with demolishing a property, the demolition permit application fee, which is a flat rate of \$150, and the fee applied to the actual demolition, which is a rate of \$16.00 per \$1,000 of the estimated demolition cost.

Chair LeMenager suggested that the Historical Commission lobby the Select Board to raise the demolition permit application fee from \$150 to \$200. He also he would find out before the next meeting how much money was left in the revolving fund before taking action on this matter.

“Substantial demolition” definition

Chair LeMenager read aloud the draft definition of “substantial demolition” that the Historical Commission had created in February 2020:

14.2.6(a). The demolition of substantially all of a Building shall mean one or more of the following:

- *The removal of a Building’s roof or roofing materials (shake or slate; asphalt tab being exempt);*
- *The complete removal of any of the following exterior architectural features of a Building:*
 - *clapboards or other cladding,*
 - *exterior moldings and trim,*
 - *sheathing boards, or*
 - *doors, windows and their frames; and*
- *the removal of more than one exterior wall of a Building,*

provided, however, if the Applicant replaces the foregoing with material that is in-kind, or such removal or alteration affects a portion of the building which is not viewable from a public way, such removal or alteration shall not be deemed a demolition of substantially all of the Building.

On that occasion, the Historical Commission submitted the definition to Art Kreiger, Town Counsel, for his opinion. Mr. Kreiger was indefinite as to whether the Historical Commission should bring the definition to Town Meeting as an amendment to Chapter 14, or instead use the definition as guidelines for the Building Department that would prompt a Historical Commission hearing should a homeowner seek to demolish a portion of their house outlined in the definition. Commissioners Clemson and Carlisle voiced their desire to avoid bringing this issue before Town Meeting.

Mr. Szekely noted that the principal issue that Mr. Wile had with the definition was its roofing clause. Mr. Szekely stated that this clause could conceivably prevent homeowners from conducting routine maintenance on their roofs. The Historical Commission opened the discussion up to members of the public.

Steve Meltzer, of 105 Church Street, noted that because slate and shingle roofing is very expensive and difficult to replace, the substantial demolition clause may prevent homeowners from doing routine maintenance and provoke ire. Commissioner Clemson emphasized that the Commission would use the substantial demolition clause to prevent homeowners from destroying valuable historic features of their houses, not prevent upkeep. He said that the substantial demolition clause would prompt homeowners to come before the Historical Commission before doing significant work on their houses to prevent the loss of historic elements. Commissioner McCarthy noted that the Historical Commission hearings prompted by the substantial demolition clause might actually provide homeowners with helpful guidance regarding the upkeep of their historic house, and therefore be beneficial to homeowners.

Chair LeMenager noted that his preference of avoiding having to amend the bylaw and instead create guidelines for Mr. Wile to follow. Sally Dale, of 147 Cambridge Street and Planning Board member, proposed that the wording include a promise not to remove a “vital, defining architectural feature of the historic house.” Commissioner Clemson reiterated that the term “character-defining feature” should be included. Commissioner McCarthy agreed and added that examples of such features, such as slate roofing, chimneys, and porte cochère, also be included in the definition.

Commissioner Clemson suggested that the Commission create a shared document to edit the language in order to hold a vote regarding the definition during the July 26 meeting. Chair LeMenager said he would update the document and circulate it ahead of the next meeting for the Historical Commission’s consideration.

Historical Renovation Award

Referencing an earlier discussion from early 2020, Chair LeMenager reintroduced the idea that the Winchester Historical Commission create and sponsor an award to recognize property owners, developers, and/or architects who, through renovation and rehabilitation, save historically significant Winchester properties, preserving their unique historical character. The goal of the award would be to preserve Winchester’s historic built environment, raise awareness for both the historic built environment and for the work done by the Historical Commission to preserve it, while encouraging homeowners and developers to renovate their historic properties, rather than demolish them. Chair LeMenager noted that either Mr. Szekely or the Commission itself could nominate awardees.

The Historical Commission voiced its general assent to the proposal. Commissioner Carlisle recommended that the Commission only bestow one or two awards per year. Commissioner McCarthy asked if other towns in the area have similar programs, to which Commissioner Clemson answered that plaques are given out in Marblehead, MA, to celebrate historic properties. Chair LeMenager noted that the Commission could create exterior plaques for

historic houses within Winchester but stated that the plaques should be separate from the award. Ms. Dale asked if the award would be given based purely upon a house's exterior. Chair LeMenager answered yes, because the Historical Commission only has authority over the exterior of properties, but conceded that since it was an informal award, it would be possible to judge based upon interiors as well, if the Commission deemed it appropriate.

Update on North Main Street Study – Brian Szekely

Mr. Szekely said that he was in the middle of gathering data and was waiting for more businesses to respond to the survey. He explained that the support for the plan was varied based on location, noting that a small portion of the west side of the district expressed support; however, more enthusiasm was needed in North Main Street, along the GBD-2. Mr. Szekely also explained that the town had held two community meetings: one to discuss the existing conditions on the ground, and a second to discuss the scale of development.

Mr. Szekely noted that the plan would need more support from stakeholders to be successful. Ms. Dale acknowledged that the GBD-2 was a more mixed-use and commercial area, whereas GBD-3 was more residential. The resulting difference made gathering like-minded stakeholders difficult.

Commissioner McCarthy asked what the main obstacle to the project was. Mr. Szekely said it was general disinterest; most of the property owners in the district rent their properties to tenants and did not have a strong interest in the redevelopment of the North Main Street Corridor.

Ms. Dale noted that Winchester has a large number of worker houses that could be renovated to return them to their original historic condition, but that many of the current owners or tenants could not afford to renovate. She inquired about funds to help pay for this project to help restore the historic built environment of the district.

Commissioner Clemson added that many of the historic properties on North Main Street have already been surveyed and mapped and are available on the Massachusetts Cultural Resource Information System (MACRIS). If the effort to create a Central Business District (CBD) type zoning was successful, then the historic properties would be mapped in red for special attention, as with the CBD. Mr Szekely acknowledged that while the creation of a CBD was not the strongest preservation tactic, it did afford some protections, the most important of which was protection provided if a property in red on the CBD Historic Resources Map was demolished without a permit, then the Building Department would not issue a permit to the owner to for up to three years.

Mr. Szekely concluded by saying that once the project had a suitable number of stakeholders then the town would hold a public meeting (or several) to discuss the creation of the district. The goal of the project was to have it submitted for a vote by the 2022 Spring Town Meeting.

North End Survey update – John Clemson

Commissioner Clemson stated that phase one of the project was completed and that the consultant, Claire Dempsey, was currently working to create another area form for Nelson Street. Ms. Dempsey's work to date is currently being reviewed by the Massachusetts Historical

Commission (MHC). Mr. Szekely added that the Request for Qualifications (RFQ) was sent to the MHC and was already receiving interest. Commissioner Clemson acknowledged that while the North End Survey had been particularly affected by the COVID-19 pandemic, the survey information should go public shortly.

Sanborn Carriage house update – John Clemson

Commissioner Clemson said that he had recently spoken with Chris Nixon of the Winchester School Committee regarding the plans to renovate the Sanborn Carriage House. Commissioner Clemson stated that the architect of the project was currently drafting plans to be submitted to stakeholders upon completion. The plans tentatively detail the renovation of the property and the creation of an addition to the side of the Carriage House not visible from the public way.

Commissioner McCarthy asked whether there were still plans to turn the hill in front of the Carriage House into a parking lot. Commissioner Clemson answered no, noting that the parking lot would now likely sit to the side of the Carriage House.

LHD Study Committee update – Brian Szekely

Mr. Szekely announced that the Local Historic District (LHD) Study Committee had determined to include 57 properties in the proposed Symmes Corner LHD. Mr. Szekely had sent out a letter to the property owners detailing the plans for the LHD. The LHD Study Committee would hold a public meeting on July 21, 7:30-8:30, via Zoom, to debrief property owners and interested residents about the proceedings. Mr. Szekely noted that he had prepared a PowerPoint for the meeting and was sending out a survey to the property owners to gauge their interest and support for the LHD. Once the survey responses are collected, a report will be generated by Mr. Szekely, outlining the proposal and analyzing its likelihood of passing, which would be sent to the Massachusetts Historical Commission. Finally, the LHD would be voted on at Town Meeting, either in the fall or the spring.

Commissioner Clemson added that the consultant, Ms. Dempsey, would research and create a survey for the Symmes Corner neighborhood in 2022, to provide additional information about the district. Mr. Szekely clarified that although Ms. Dempsey's research would provide a deeper understanding of the built historic environment of the district, it would not have a direct bearing on the current effort to create the Symmes Corner LHD.

Chair LeMenager stated that he would send out the list of the 57 properties to the Historical Commission members for review and encouraged them to get in touch with neighbors regarding the LHD.

Approve May 17, 2021, meeting minutes

MOTION: To approve the minutes of the May 17, 2021 Historical Commission Meeting.

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

The meeting adjourned at 9:32 p.m. Next meeting: July 26, 2021

Respectfully Submitted,
Rachael Edmonston, Recording Secretary

A handwritten signature in black ink, appearing to read 'J. LeMenager', with a long horizontal flourish extending to the right.

7/27/21

Jack LeMenager

Date