



TOWN OF WINCHESTER
PLANNING BOARD MEETING
MONDAY, APRIL 27, 2020 @ 7:30PM
REMOTE PARTICIPATION

Join Zoom Meeting

<https://zoom.us/j/92217218775?pwd=OStwTm54M3dCb1UwaGdwQ3M5dU9zUT09>

Meeting ID: 922 1721 8775

Password: 270219

Dial by your location

929 205 6099 US (New York)

Meeting ID: 922 1721 8775

Password: 270219

	BUSINESS
7:30PM	Open Planning Board Meeting, Updates
7:35PM	Approval of Minutes
8:00PM	ANR 5 Cambridge Street
8:20PM	Town Meeting Articles
9:00PM	New Business not know at time of the posting
9:05PM	Action Items
9:15PM	Adjourn

	CORRESPONDENCE
	None

	2020 MEETINGS
Tuesday May 12	7:30PM Planning Board Meeting, REMOTE PARTICIPATION
Tuesday May 19	7:30PM Planning Board Meeting, REMOTE PARTICIPATION



TOWN OF WINCHESTER

OFFICE OF THE PLANNING DEPARTMENT

BRIAN SZEKELY
TOWN PLANNER

71 Mount Vernon Street
Winchester, MA 01890

March 24, 2020 Draft Minutes

Meeting open at 7:32PM via full remote participation

Planning Board members present: H Von Mering, M Meister, H Hannon, D Jerius. (E Cregger not present). Town Planner, Brian Szekely also present.

Members of the public participating:

- Jennifer Goldson, Barry Frankin, Anna Callahan of Master Plan consulting firm JM Goldson
- Dennis Carlone of Carlone and Associates
- Craig Miller of Five Points Development
- Ted Touloukian, Larry Beals, Ian Gillespie, David Hacin, David Tabenken, as the development teams for 654 Main Street and 10 Converse Place.
- Residents John Stevens, John Clemson, Jamie Devol

Master Plan Agenda Item:

Jennifer Goldson and Anna Callahan outlined the entire process of the Master Plan and highlighted the changes from the previous version and the process necessary to get to completion. A placemat will be made after the final edits of April 7th that will be an executive summary of sorts that we can easily distribute to residents. Strategy A1.1 was discussed and amended as: "Increase community planning staff capacity to strengthen the Town's ability to promote desired development objectives and expand survey, planning, preservation planning, and regulatory support." Additionally, Strategy D2.1

MOTION: Meister, to adopt the Master Plan as amended at the March 24, 2020 Planning Board meeting, with any minor edits needing to be approved by the Chair, and subsequently sent to the Dept of Housing and Community Development. Amendments include:

A1.1 change "Increase community planning staff capacity to strengthen the Town's ability to promote desired development objectives and expand survey, planning, preservation planning, and regulatory support."

D2.1 change "Update Zoning bylaw to ensure a fair and inclusive community" with 2 actions, 1:Update Zoning bylaw to include the Disability Access Commission as a review authority for all Site Plan, Special Permit, Variance, and Subdivision applications. 2: Update the entire Code of Bylaws, the Zoning bylaw, and other regulations with modernized and inclusive language.

Jerius 2nd, 4-0-1, Cregger not present.

Dennis Carlone Agenda Item:

The Board discussed how Dennis would be integrated into both the 10 Converse Place and 654 Main St project and for the Town Planner to manage the relationship and report back as needed.

654 Main St Agenda Item:

Architect Touloukian presented new drawings that incorporated the house at 63 Vine Street into the project. John Clemson of the Historical Commission saw this as a very positive element and will draft a memo with recommendations for conditions of approval. Residents John Stevens and Jamie Devol thought the building was far too massive for the site and had concerns about shaded open space due to proposed cantilevers.

Abby Road Agenda Item:

Mr. Miller requested all 5 lots from the Abby Road subdivision be released contingent upon the full execution of a Tripartite agreement in the amount of \$200,000.

MOTION: Meister, to grant Five Points' request to release all 5 lots, contingent on the full execution of a Tripartite Agreement in the amount of \$200,000 and to delegate Diab Jerius and Heather von Mering the authority to approve and sign the Tripartite Agreement on behalf of the board. Hannon 2nd, 4-0-1, Cregger not present.

MOTION: Hannon to adjourn at 10:28PM, 2nd Jerius. 4-0-1 Cregger not present.

Present: Heather VM, Maureen, Diab, Brian

Opened at 19:35, but got zoom bombed, back on track at 19:50

36 Dunster Lane

- Opened hearing for Dunster Lane at 19:53.
- HVM presented rules and procedures, procedures for getting people heard during Zoom meeting.
- Brian Introduces Applicant, gets 15 minutes.

Proponent

Mike DiMartino, owner of 36 Dunster Lane.

- Repair road in bad condition, make it more passible, attractive.
- neighbors have been trying to do this, expensive project, tried to get funds etc,
- willing to fund project, worked with engineers in Winchester & Arlington

Tobey. DiMartino, owner of 36 Dunster Lane.

- bought 36 Dunster Lane, finished building house on lot.
- back lot (A) is buildable, but not on an improved road, so can't build on lot A
- met with each abutter, everyone seems to be in favor of house that's built
- Showed them what the house on Lot A will look like.
- Here to talk about improving the road.

John Barrows, Salem Village Consulting, Engineer for 36 Dunster Lane

- Locke St 10-12ft wide in pavement, in disrepair
- Proposing to create a 20' roadway, meet into Dunster Ln
- Full width road way from 0 to ?, 20 ft roadway til arlington line, consitent with what's there now.
- connect to drainage system in arlington
- add a couple of leaching catch basins to attach to arlington catch basins?
- in contact with Arlington engineer, who recommended that they install leaching catch basins
- hope to put in sloped granite curb. Beth said granite.
- grass shoulders, street trees on south side
- put in stone trench along shoulder to catch ground water which will go into a catch basin
- will have to build walls to deal with grading; on subdivision lots
- Hoping to get letter from Wayne Chinard(sp?) (Arlington Engineer)
- utilities will be going to dunster via easement over other lot

Correspondence

- Letter: Heidi DiLeo, 14 Locke St: in favor
- Letter: Steven DiStefano 29 Dunster: in favor

- Email: Lynn DiScotti (SPELLING), 15 Locke: in favor

Staff

Beth Rudolph, Town Engineer

- great project for area, as Locke St is in very bad shape
- Applicant had requested waivers:
 - vertical datum: in favor
 - storm water management: will require it, applicant is developing
 - horizontal and vertical design standard: in favor: applicant can't meet because of existing conditions
 - sidewalk: in favor, no existing sidewalk
 - sloped granite curbing: Beth will check with DPW if acceptable
- connection made to system in Arlington: recommends that we wait for letter from Arlington saying its ok to tie into their system

Juli Riemenschneider, DRC

- Design review will look at it tomorrow night
- *Maureen*: DRC should look at design of walls.

Brian Szekely, Town Planner:

- Could have been a road improvement plan; this was cleaner to do via a subdivision plan and was instructed to us by Legal Counsel to go through a definitive subdivision plan
- No sidewalks within several thousand feet in all direction
- Existing slope makes it impossible to change road design
- Coordination with Arlington is paramount
- Don't close hearing until we have confirmation from Arlington

Public Comment

Heidi DiLeo:

- Appreciates the effort put into thinking about improving Locke St.
- Water currently goes into her lot.
- Where the catch-basin and sewers will go.
- Where the curbs will go
- Where will the driveway of the new home go

Joyce Westner:

- New house is well built.
- Only want street improved if it makes downhill neighbors happy
- According to the diagram, Westner's wall will disappear. Bottom half of her wall will disappear
- Heidi will have less of a front yard.

- Trees put on south side, which south side does that mean

Response, Beth Rudolph, Town Engineer,

- Purple line is right-of-way line, not line of work.
- Heidi DiLeo: Should not see any reduction in the width of the border in front of her property
- Position of driveway will be dealt with during building permit phase, not applicable to this

Response, John Barrows, Applicant's Engineer

- Will leave walls alone.
- will create gutter along curbing to go to catch basins
- Trees will be on side of road where lots are being subdivided

Response, Mike DiMartino, Applicant

- trying to pitch water away from DiLeo's area
- Trees on subdivision side, red maples (won't grow too tall, won't block light to Westner's property)
- Wants to Keep driveway where it is.

Board

Maureen Meister

- DRC: look at street trees; choose trees that will absorb water.
- What can be setup in terms of a home owners association to deal with clean out, part of subdivision rules and regs
- Normally get vertical granite curbing. No feeling either way.
- Width of road: can go to 18', 20' is fine.

Diab Jerius

- Happy if Beth is happy
- Reduce to 18' if possible

Heather von Mering

- reduce to 18'; wants to hear from abutters
- trees: abutters weigh in
- *To Beth:* do you need consults. *Beth:* No.
- *To Beth:* sloped vs vertical curbing. question to DPW about plowing.

Applicant Response:

- is working on storm water plan
- Arlington Engineer is working with them on letter

Public Comment

Joyce Westner:

- Trees that soak up water; in winter water comes off of property and freezes
- Snow plows destroy their blades on boulders
- At top of Locke St, DPW put in ridge to funnel water into storm basin in front of Westner's house
- 18' road is ok; they don't drive on it anyway

Applicant Response:

- boulders will be removed
- ridge will stay, can ensure that that functionality remains

Heidi DiLeo:

- 18' road is ok; current road is more narrow
- prefers catch basin upstream of her driveway
- Is curbing necessary for drainage?

Beth's response:

- curbing is a benefit, keeps water in street

Applicant's Response:

- will put in gutter to move water to catch basin
- gutter and road pitch will ensure water doesn't end up on her property
- Curbing is necessary for drainage

Discussion over continuation of hearing:

- Beth says they need more than a week.
- Outstanding Items required of Applicant
 - Drainage Calcs
 - Homeowners Agreement (who is maintaining drainage structures)
 - Road Reduction to 18'
 - Letter from Arlington Engineer
- Beth will look into stone trench
- DRC will give recommendations on Trees and Walls

Maureen Meister moved to continue hearing to April 14 at 7:45. Diab Jerius seconded, vote 3-0-2 (yea,nay,absent)

10 Converse Pl, 654 Main St

HVM: no public feedback; just listening to our consultant. Will allow more time for public feedback at a later date.

10 Converse Pl

Dennis Carlone, Town Consultant

- Meeting with Brian & both project architects.
- Met a second time with Converse Place today.

- Submitted a second submission looking at both schemes presented in Dennis' review
- Taller scheme (for 3.0 FAR) is superior from a public domain point of view.
 - can refine upper floors to fit in (color of slate, profile, etc)
 - Development team started looking at this.
 - the 4/5 story brick portion (base) portion ok.
- Dennis says more work is needed.
- Top is going to need extensive study.

Maureen Meister, PB

- wants to see both 5 & 6 story proposals.
- Heard from many people in town that six stories/69' is really high
- Real doubts about going to that height
- Worried about going above roof line above town hall
- Looking for elevations showing relationship of building to town hall and Brown & Stanton building
- elevations along entire Mt Vernon street
- what do we see from Main st without distortions of perspective; get roof lines
- Half-story + lanterns is a stretch to add another story. *Something about dormers?*
- Chimneys are a good thing.

Dennis presents new drawings.

Heather von Mering, PB

- 3.0 FAR => mass.
- 5 vs. 6; could push 6 story way back. add rooftop gardens
- prefers shorter building; doesn't think the architecture will support the sixth story
- would lose more open space if we go to 3.0

Dennis Carlone

- Normally, if the developer meets guidelines, they should be able to go forward.
- PB can make conditions

Heather von Mering, PB

- if can reduce massing at top level, would be comfortable with six floors, still not sure design is there and is not confident
- 5 stories is more at a human scale.
- Difference in commercial space?

Response, Dennis Carlone

- Same amount of commercial space

Diab Jerius

- Lower building looks better; current six floor design doesn't cut.

Maureen:

- ok with less open space and smaller building.

- encourage outdoor use on town property
- first time seeing these images
- Wants elevations, true architectural drawings.
- Wants site plan to see what's happened to open space.
- Wants to see five story

Dennis:

- Upper floor is where the profit is.
- If the upper floor had more terraces, that would be to the developer's benefit.
- Anyone coming into the PUD will shoot for max FAR.
- Still bigger than any other building.

654 Main St

Dennis Carlone, Town Consultant

- Much progress was made
- Made suggestions.
- If want to take L shape and break it down, FAR at 2.5 gets challenging
- Only Retail on Main, residential entrance on Elmwood.
- Create notches between buildings. (MISSED A BUNCH HERE)
- Elmwood side wouldn't be one long building of same massing.
- Elmwood could have more residential feel
- Main St would be more of a main st building.
- Making tripartite building on Main St.
- Elmwood would also get the same three-part treatment.
- Meeting later this week to look at further design development.
- This is further away from presentation than Converse.

Heather:

- Residents on Vine st. commented on transition from single family into the FAR sized building. requirement in zoning that they do that.

Dennis:

- Increase the distance between the new and old buildings, and getting closer to the side property line.
- Could turn historic house 90degrees, but board doesn't like it

Maureen:

- Would like to see designs ahead of time.
- Please post designs as soon as possible.

Heather:

- How should we handle new applications during remote process?

Brian

- legislation has removed deadlines for new applications.

Maureen:

- delay processing new filings
- Looked at zoning 7.3.6; says one meeting; we're having several.
- Wants 53G to pay for design consultant, not Town

Heather:

- If we wait until proposal is submitted; all communication shuts down.
- Only one more meeting.
- Previously pre-application meetings were done behind closed doors. These are open and available.
- This is engaging residents.
- Unfortunately, press not focused on this.

Diab:

- Said a bunch of stuff more or less aligned with Heather
- If we want 53G, developer must submit a proposal

Brian:

- send letters from residents about two projects to Dennis

Heather:

- Have another pre-application meeting for each project with lots of time for public comment

Town Meeting Articles

Discussion postponed until next meeting.

Abby Road

Brian Szekely

- Last vote on March 24 was for release of all five lots with \$200K escrow with tri-party agreement.
- Engineering estimate is now \$108K.
- When request is made; engineers must have work done two weeks before meeting with PB

Beth

- Inspected out 1 April
- Since then they have poured accessible ramps; DPW signed off on it

Heather

- explained why we're looking at agreement again
- PB's earlier vote was for \$200K with tri-partite agreement. developer wanted something else.

Art Krieger, Town Counsel

- Sticking point in tri-partite agreement on funding the escrow up front rather than money put in towards it when last two lots are sold.
- First three lots pay off bank loan. Remaining two have enough equity to cover escrow when they are sold.
- Escrow has come down to \$108.
- Engineering can't inspect work on a rolling schedule.
- developer and counsel worked with Rockland trust. Rockland will dedicate some loan proceeds to put in escrow, and reduce payout on first two lots to get to \$65K in escrow.
- If we release all five lots tonight; when tri-partite is signed, \$65K is put into escrow. \
- Other two lots release will not take effect until the fourth & fifth lots are sold. at which point the remaining escrow is funded.

Diab

- Town is not secured creditor, if developer goes belly up, last two lots are not guaranteed to get us escrow.

Response, Art:

- True. We'll want some representations about financial solvency.

Heather:

- is this typical to not have escrow w/ agreement:

Response, Art:

- usually tri-partite is done at beginning of development, not end.

Heather:

- can we get attachment on property

Response, Art:

- no, that would have to go through town meeting.

Beth:

- what about drainage funds?

Response, Art:

- SB agreed to payment as each lot is sold.

Heather:

- can we release 3 lots tonight?

Response, Art:

- yes, can release 3 lots to fund the escrow. then release the last two.

MOTION: Move to: [rescind the vote taken on 3/24/20 related to the release of lots, and partially](#) Grant Five Points' request to release 3 of the 5 lots shown on the Abby Road Definitive Subdivision Plan, contingent on the full execution of a Tripartite Agreement in the amount of \$108,000 and on the satisfaction of all the terms and conditions stated in that Agreement; further, to delegate to Heather von Mering and Diab Jerius the authority to

approve and sign the Tripartite Agreement on behalf of the Board. MOTION-Meister, 2nd Jerius. 3-0-2, cregger hannan absent

Maureen: Moved to adjourn, Diab seconds, 3-0: @22:16

Post Adjournment Party

FinCom had "Misunderstanding" in what was included in override. Did not see language for full time planner in override. Not on board with focus on design, but on economic development.

Heather & Brian talked with Lisa: Override did include language for economic development.

FinCom looking at budget before and after the override to make sure new positions are in the override.

We Allowed them to fund part time planner out of professional services because we didn't need professional services. They misunderstood/forgot this, so now say "no professional services last year" so none this year. Didn't understand we used it for part-time planner, and were concentrating on Master Plan, so didn't need it for other things. We need it back because we're in our regular operating routine.

Heather sent memo to our rep on FinCom, saying that we are in the budget for a position; not clear what to do about North Main study. can go into professional services.

Or we can ask TM for money for North Main. TM wants us to do a study; can either get larger professional services, or ask TM again.

Megan & John Miller are our reps. Heather sent memo to reps & cc'd the chair. Lisa says Economic development falls under planning.

When Covid-19 goes away, may get a surge in property development which will impact town staffing.



TOWN OF WINCHESTER

OFFICE OF PLANNING DEPARTMENT

BRIAN SZEKELY

Town Planner

71 Mount Vernon Street
Winchester, MA 01890

April 27, 2020 Planning Board Meeting

ANR 5 Cambridge Street

Applicant seeks an ANR to move an existing lot line. No new lots are created as part of this ANR. This deals with the amount of waterfront property is located on the lot. All necessary requirements are shown on the plan, and I recommend endorsing this ANR.

From: [Silvana Bruno](#)
To: [Szekely, Brian](#)
Subject: Bruno 3 Cambridge St -ANR FORM
Date: Monday, March 30, 2020 2:11:01 PM

Please note new lot address should be
3 Cambridge Street.



**TOWN OF WINCHESTER
MIDDLESEX COUNTY, MASSACHUSETTS
PLANNING BOARD
TOWN HALL
WINCHESTER, MASSACHUSETTS 01890
Phone: 781-721-7162 Fax: 781-721-7166**

FORM A

**APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL**

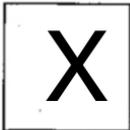
File one completed form with the Planning Board and one copy with the Town Clerk in accordance with the requirements of Section _____.

Date 3/25/20

To the Planning Board:

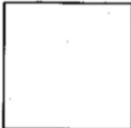
The undersigned, believing that the accompanying plan of this property in the Town of Winchester does not constitute a subdivision within the meaning of the Subdivision Control Law, submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

(Check appropriate box.)



1. The accompanying plan is not a subdivision because the plan does not show a division of land; if there is a division of land shown, it is not a subdivision because every lot shown on the plan has frontage of at least such distance as is presently required by the Winchester Zoning Bylaw under Section _____ which requires _____ feet for the erection of a building on such lot. Every lot shown on the plan has such frontage on:

a. A public way, private way or a way shown on the plan that is either certified by the Town Clerk as maintained and used as a public way or a way endorsed in accordance with the Subdivision Control Law or a private way.



2. The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a proposed conveyance/ other instrument, which adds to/takes away from/changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the Town of Winchester Zoning Bylaw.

3. The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings were standing on the plan prior to the date when the Subdivision Control Law went into effect and the buildings remain standing on each of the lots. The buildings are located on the accompanying plan.

4. Other reasons or comments:

The owner's title to the land is recorded in Book _____ Page _____ or Land Court Certificate Number _____

Assessor's Map and Parcel # _____

Received by the Town Clerk

Date _____

Signature _____

Applicant's Signature  _____

Applicant's Name Silvana Bruno

Applicant's Address 5 Cambridge St, Winchester MA

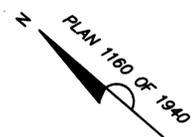
Applicant's Phone Number and Email 617-771-3231. Silbruno@icloud.com

Owner's signature and address if not the applicant or applicant's authorization if not the owner

Signature _____

Printed Name _____





REFERENCES
 MIDDLESEX COUNTY REGISTRY OF DEEDS
 DEED BOOK 68149 PAGE 478 (LOCUS DEED)
 PLAN 1160 OF 1940 (LOCUS PLAN)
 PLAN 402 OF 1941 (LOCUS PLAN)
 PLAN 1108 OF 1940
 PLAN 831 OF 1941

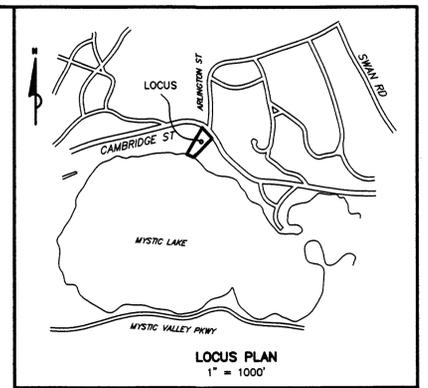
NOTES:
 LOTS A & B ARE A DIVISION OF LAND DESCRIBED IN DEED BOOK 68149 PAGE 478 AS SHOWN ON PLAN #1160 OF 1940 AND PLAN 402 OF 1941

LOTS A AND B ARE TO BE CONSIDERED A SEPARATE BUILDING LOTS.

LEGEND
 ● 732 32" TREE

WINCHESTER ZONING TABLE
 ZONED RDB-10
 MIN. AREA = 10,000± S.F.
 MIN. LOT FRONTAGE = 80'
 MIN. LOT WIDTH = 80'
 MIN. FRONT YARD = 25'
 MIN. SIDE YARD = 15'
 MIN. REAR YARD = 15'
 MIN. OPEN SPACE = 70%
 MAX HEIGHT = 2.5 STORIES/40'

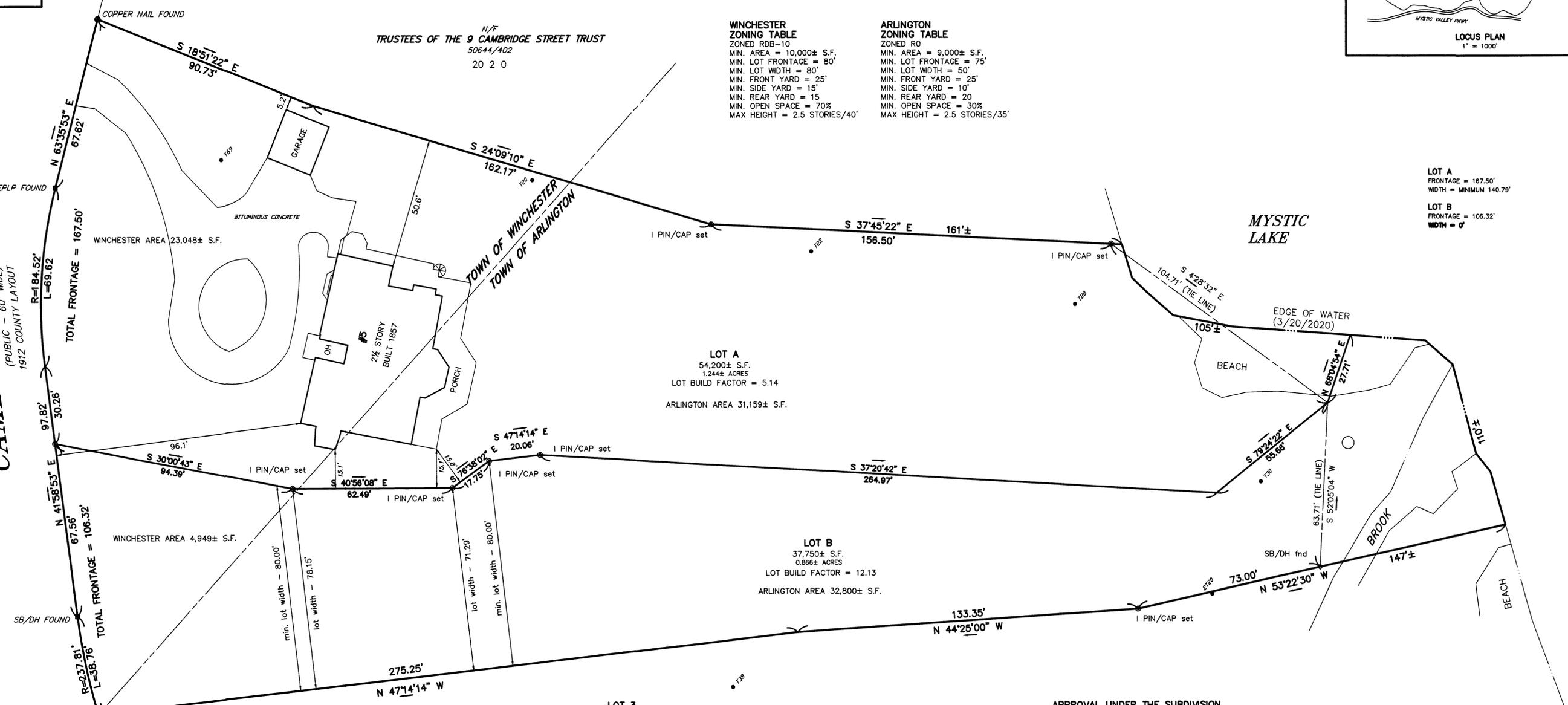
ARLINGTON ZONING TABLE
 ZONED R0
 MIN. AREA = 9,000± S.F.
 MIN. LOT FRONTAGE = 75'
 MIN. LOT WIDTH = 50'
 MIN. FRONT YARD = 25'
 MIN. SIDE YARD = 10'
 MIN. REAR YARD = 20'
 MIN. OPEN SPACE = 30%
 MAX HEIGHT = 2.5 STORIES/35'



LOT A
 FRONTAGE = 167.50'
 WIDTH = MINIMUM 140.79'

LOT B
 FRONTAGE = 106.32'
 WIDTH = 0'

CAMBRIDGE STREET
 (PUBLIC - 60' WIDE)
 1912 COUNTY LAYOUT



LOT A
 54,200± S.F.
 1.244± ACRES
 LOT BUILD FACTOR = 5.14
 ARLINGTON AREA 31,159± S.F.

LOT B
 37,750± S.F.
 0.866± ACRES
 LOT BUILD FACTOR = 12.13
 ARLINGTON AREA 32,800± S.F.

LOT 3
 N/F
 RICHARD & SUSAN FOUGERE
 37866/216

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
 WINCHESTER PLANNING BOARD

OWNER: #5 CAMBRIDGE STREET
 PARCEL ID - 20 1 0
 TRUSTEE OF THE MARY E. SHANNON 1995 TRUST
 68149/478

I HEREBY CERTIFY THAT:
 THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

I hereby certify that the accompanying plan, entitled Plan of Land, and dated March 20, 2020 is true and correct to the accuracy required by the Rules and Regulations of the Winchester Planning Board and that all pertinent data are shown.

Registered Land Surveyor _____

CLIFFORD E. ROBER DATE _____

DATE _____
 The Board's endorsement of the plan as not requiring approval under the Subdivision Control Law does not give lots or parcels any standing under the Town of Winchester Zoning Bylaw.

PLAN OF LAND
 IN
WINCHESTER, MA
 AND
ARLINGTON, MA
 (MIDDLESEX COUNTY)
 SCALE: 1" = 20' DATE: MARCH 20, 2020

ROBER SURVEY
 1072A MASSACHUSETTS AVENUE
 ARLINGTON, MA 02476
 (781) 648-5533
 5050PL7.DWG

Background: Homeowners at 9 Meadowcroft Road applied to be added to the Rangeley Park Heritage District on January 11, 2020 and were voted into the district (by the Commission as a first step) on January 27, 2020. Any change to the official map requires a vote of Town Meeting.

(Rangeley Park Heritage District Commission)

3. To see if the Town will vote to APPROPRIATE \$30,000 from FREE CASH to study the barriers to development in the north Main Street area.

Background: The 1997 Triangle Master Plan noted Main St from Skillings Road to Woburn as an area that needed re-design. Safer pedestrian amenities with more green space and infrastructure improvements were of great concern. The 2030 Master Plan has highlighted Main Street from Skillings Road to Woburn as an opportunity zone for increased economic and housing development. Additionally, Town Meeting of Fall of 2018 had voted to make zoning changes based on the notion that the Town would study the reasons behind the lack of activity in the GBD-2 and GBD-3 zoning districts before any further zoning changes in this area. The appropriation would cover a preliminary study to determine the existing and potential barriers to development in the zone.

(Planning Board)

4. To see if the Town will vote to ADD the Disability Access Commission as a review authority to all special permits, site plans reviews, and variance applications.

MOTION 1: To see if the Town will vote to AMEND Section 9.4.3 of the Winchester Zoning Bylaw by adding the Disability Access Commission as a review authority for all special permits.

Special permit applications shall be governed by the rules and regulations of the special permit granting authority. Whenever an application for a special permit is filed with a special permit granting authority, the applicant shall file eighteen (18) paper copies (and an electronic copy) of the submission at the Building Department. Within five (5) working days of the filing of the completed application with said authority, copies of the application, accompanying site plan, and other documentation shall be forwarded by the Board of Appeals clerk to the Planning Board, Board of Health, Town Engineer, Conservation Commission, Building Commissioner, Director of Public Works, Police Chief, Fire Chief, The Design Review Committee, **the Disability Access Commission**, and Historical Commission for their consideration, review, and report.

MOTION 2: To see if the Town will vote to AMEND Section 9.5.5. of the Winchester Zoning Bylaw by adding the Disability Access Commission as a review authority for all site plan reviews.

The Board of Appeals shall within three days (Saturdays, Sundays and holidays excluded) of receipt of them transmit to the Conservation Commission, the Historical Commission, the Design Review Committee, **the Disability Access Commission** and the Planning Board two copies of the above application and site plan. The Planning Board, the Historical Commission, the Design Review Committee, **the Disability Access Commission** and the Conservation Commission shall consider the same and submit a final recommendations thereon to the Board of Appeals with a copy to the applicant. The Conservation Commission shall review the application with particular reference to the provisions of the Wetlands Protection Act - Chapter 131, Section 40 - and shall recommend as to the advisability of granting the special permit and as to any restrictions which should be imposed upon the development as a condition of such permit. The Board of Appeals shall not make a finding and determination upon an application until it has received the final recommendation of the Planning Board, the Historical Commission, the Design Review Committee, **the Disability Access Commission** or the Conservation Commission thereon or until 35 days shall have elapsed since the transmittal of said copies of the application and site plan to the Planning Board, the Historical Commission, the Design Review Committee and the Conservation Commission without such report being submitted. The failure to submit such a report with recommendations within such 35 day period shall be deemed a lack of opposition to the application by whichever of the Planning Board, the Historical Commission, the Design Review Committee **the Disability Access Commission** or the Conservation Commission fails to submit such report.

MOTION 3: To see if the Town will vote to AMEND Section 7.3.15.2 (4) of the Winchester Zoning Bylaw by adding the Disability Access Commission as a review authority for all Special Permits, site plan review and design review in the Center Business District.

4. Consultation. The SPGA Board **shall consult with the Disability Access Commission prior to any final decision and** may consult with any other boards, commissions and departments to ensure a complete site plan and design review. The SPGA may utilize MGL Chapter 44 §53G peer review consultants.

Background- For all petitions that require Site Plan Reviews, Special Permits, or Variances, the review authorities consist of: the Health Department, Police Department, Fire Department, Engineering Department, Conservation Commission, Building Department, Public Works Department, the Design Review Committee, the Planning Board, and the Historical Commission.

Designing the Town's buildings and other physical infrastructure with the input from the Disability Access Commission can make each project that much more inclusive and welcoming to those who have challenges that affect their lives and their family's lives every day. This is something that the Town feels strongly about as this is noted in the 2030 Master Plan to add the Disability Access Commission as a review authority for projects requiring zoning relief.

(Planning Board)