

**TOWN OF WINCHESTER**  
**Planning Board**  
**Tuesday March 19, 2019, 8:30 p.m.–Select Board Meeting Room**

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Planning Board Members: Diab Jerius, Chairman, Heather von Mering Vice-Chairman and Clerk, Elizabeth Cregger and Heather Hannon

Staff: Brian Szekely, Town Planner

Mr. Jerius opened the meeting at 8:30 p.m.

**Public Hearing on Proposed Zoning Bylaw Changes**

Mr. Jerius opened the public meeting on the proposed Zoning Bylaw changes at 8:31 p.m.

Mr. Szekely reviewed the 11 articles that the Planning Board is putting on the Spring 2019 Town Meeting warrant on PowerPoint. He reviewed the objectives of the changes.

Article 1-Eliminate the CBD Review Subcommittee

Article 2-New Definition of Floor Area

Resident Manny D'Ambrosio of 10 Nassau Drive stated that Mass Building Code states that there has to be a ceiling height of 7 ft. to define an attic as habitable area. Mr. Jerius stated they are included if they are habitable. Mr. D'Ambrosio asked if sheds are included if they have 7 ft. ceilings. Mr. Jerius stated that he believes that they are included, but that he would check with legal counsel to confirm.

Article 3-Expand the applicability of Site Plan Review

Resident Ann Muir of 92 Church Street asked what type of conditions can be put on through site plan review. Mr. Szekely reviewed the conditions.

Article 4-Change the by-right dimensions in GBD 2 & 3 zoning

Article 5-Inclusionary Housing added to GBD 2 & 3 zoning

John Suhrbier of the Housing Partnership Board stated that in the future he asks that the Planning Board collaborate with the Housing Partnership Board while discussion is still in the formative stage. He stated that a plan needs to be developed that would indicate how inclusionary housing can be expanded throughout the town.

Article 6-Change of the language in the notes to the table of dimensional requirements

John Suhrbier of the Housing Partnership Board asked how it would apply to elevators. Ms. von Mering stated that it depends on the elevator, higher heights would require a penthouse.

Article 7-Change of the language of height exceedance in the dimensional requirements in the CBD

Article 8-Additional requirement that the Utilities Plan submitted for projects in the CBD included the size and location of all rooftop equipment

Resident Ann Muir of 92 Church Street stated that the heights can be screened and screening of projects can be enforced and possibly the requirement can be applied to existing projects that are being constructed.

Resident Manny D'Ambrosio of 10 Nassau Drive asked about the noise aspect of the rooftop equipment. Currently there is no bylaw in place.

Article 9-Additional requirement that the Utilities Plan submitted for the purposes of Special Permits include the size and location of all rooftop equipment

Article 10-Additional requirement that the Utilities Plan submitted for the purposes of Site Plan Review include the size and location of all rooftop equipment

Article 11-Appropriation of \$45,000.00 for the purpose of finalizing the 2030 Master Plan

Any further comments can be sent to the Town Planner

Mr. Jerius closed the public hearing at 9:42 p.m.

### **Municipal Affordable Housing Trust**

The Select Board is developing language to present a proposal for the town to adopt a Municipal Affordable Housing Trust at Spring 2019 Town Meeting. There was discussion on the trustees.

It was noted that the Planning Board was going to vote to co-sponsor the trust, but they cannot do that without the language. However, the Planning Board does support the trust. It was noted that the developer of the Winning Farm development offered one million dollars to the town as part of their development agreement because they did not have enough affordable housing, so these funds should go into the trust.

### **Subdivision Rules and Regulations**

Mr. Szekely noted that the current Mass Fire Code fire lane width has been changed from 18 ft. to 20 ft. minimum paved surface and needs to be changed in the subdivision rules and regulations. There was discussion on the content and language of the change.

Motion: Ms. von Mering moved that the Planning Board adjust the street classification of the maximum paved surface to align with the Mass State Fire Code of a 20 ft. paved width and create a new row entitled "minimum paved width" with the singular content "minimum as required by Massachusetts State Fire Code" in the subdivision rules and regulations section 7.6.2. Ms. Cregger provided a second and all voted (4-0-1) (Ms. Meister was absent).

### **Creative Corner Development Agreement**

There was discussion on the development agreement with Creative Corner. Mr. Jerius reviewed the history. The whole area was not supposed to be used for parking and there was supposed to be some houses built on the property. The issue needs to be sent to Town Counsel for legal review of the agreement and determine if there was a breach of contract.

### **735 Main Street Development**

The Planning Board had sent a letter to the ZBA suggesting that they use MGL 53G to hire a design consultant. The ZBA has decided not to use a consultant and is sending the plans back to the Planning Board for review. It was noted that the developer is seeking relief on the front setback. Due to the new variance needed, they may need a new application. More information is needed on this project.

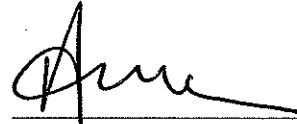
### **Swanton Street and Washington Street Development**

The buyer of the property at the corner of Swanton Street and Washington Street will be reaching out to the neighborhood. The Planning Board has set up a meeting to hear from the neighbors what they would like to see there and then look at different zoning options or overlays. There was discussion on the issue and on development possibilities.

### **DPW Town-Owned Land**

The DPW Director will be giving a tour of the DPW town-owned land that a developer would like to purchase.

Motion: Ms. von Mering moved to adjourn the meeting at 10:27 p.m. Ms. Cregger provided a second and all voted (4-0-1) (Ms. Meister was absent).



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Heather von Mering, Planning  
Board Vice-Chairman and Clerk

Recording Secretary: Liz Campbell