



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

**Meeting Minutes**

Date: May 9, 2023

**Mystic Valley Room, Winchester Town Hall**

Members Present: Jack LeMenager, Chair  
Bruce Hickey, Vice-Chair  
Janet Boswell  
Julie Broderick  
Emily Dowling  
Jon Carlisle  
Michelle McCarthy

Also Present: Peter White, Landscape Architect, ZEN Associates  
Lawrence Murray, Attorney, Murray and Quill, 165 Washington Street  
Courtney Dickinson, Founder and Director, Acera School, 9 Madison Avenue  
Valerie Doble, 63 Oxford Street  
Dennis Doble, 63 Oxford Street  
Lauren Kessler, 64 Oxford Street  
David Feigenbaum, Board of Appeals Chair  
Arianie Keeney, Recording Secretary

A quorum being in attendance, the meeting was called to order at 7:30 p.m.

**Board of Appeals Petitions**

**17 Central Street - Dimensional Variance**

The applicant, Garrett Sullivan, of 17 Central Street is seeking a Dimensional Variance from Section 4.4.2 (4) of the Winchester Zoning By-Law in accordance with Chapter 40A, Section 10 of the Massachusetts General Laws so as to be permitted to locate a portable spa with self-contained equipment closer than 10 feet from the building. The property is located in the RDB (Single Residence) zoning district and contains 12,239+/-square feet.

Landscape Architect, Peter White, of ZEN Associates presented the plot plan of the Sullivan residence which is situated on a corner lot. He said the hot tub will be installed in a front corner of the house on the side facing Central Street and the fence line will be extended to enclose it. Due to the condition of the

existing fence, it will need to be replaced entirely. The new 6-foot fence will feature a decorative gate, and retain its yellow and white color. He noted that the large tree on that side of the house will be saved.

Commissioner Broderick thanked White for saving the tree and asked about the placement of the fence relative to the tree. White said the tree will be contained within the fence enclosure commenting that this is the only possible location for the spa since the owners want to maintain their present use of their patio area.

Chair LeMenager acknowledged that the Sullivan house is a historic property within a historic neighborhood, but said he saw no adverse impact on a historical resource with regard to the installation of the portable spa.

**MOTION:** In accordance with **Zoning By-law Section 9.4, subsection 8**, the Historical Commission finds no adverse impact on a historical or cultural resource from the proposed plan for 17 Central Street, and appreciates the preservation of the mature tree. The motion was made and seconded.

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

### **1 Lowell Avenue – Site Plan Reviews and Special Permit**

Acera School, Inc.; a Massachusetts nonprofit corporation is seeking a Site Plan Review under Section 9.5.1 (1) and 9.5.1 (3) of the Winchester Zoning By-Law so as to be permitted to demolish an 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), and a Site Plan Review under Section 9.5.1 (7) of the Winchester Zoning By-Law so as to change the grade of more than 500 square feet by more than six (6) percent. In addition, the petitioners are seeking a Special Permit under Section 3.5.3 and Section 3.5.7 so as to be permitted to demolish the existing building and construct a new building that will be located closer to another building than permitted as of right. The property is located in the IL (Limited Light Industrial) zoning district and contains 299,108+/-square feet.

Attorney Lawrence Murray and Acera School Founder and Director, Courtney Dickinson presented plans for the new building. Murray said that the school is located in an almost 8-acre industrial development that is all condominiums. The Acera School for students in grades k-10 is housed in Building No. 5. Murray noted that the school acquired Building No. 1 eight months ago. They intend to replace the building. She hopes that the school will be able to move in as early as September 2024 if work begins this June.

The new building materials will be consistent with those used throughout the 1964 complex according to Murray. Dickinson explained that the area around the school is changing from its original light industrial use. It now includes a dance studio, a group of office-based businesses, and a company that does property management and maintenance.

Dickinson noted that their current 12,900 sq. feet building is very energy-inefficient and dilapidated. The new building will enable the school to grow and provide enrichment space for Acera students and the 500 students that attend public summer and after-school programs.

Murray reported that on 5/3 the Design Review Board unanimously recommended favorable action on the plan.

Chair LeMenager said the area was developed after the period addressed by the town's Preservation Of Historical Buildings bylaw (Chapter 14). Moreover, many properties in the complex have been updated or replaced. Therefore, he believes the plan will have no negative impact on any historical resources.

**MOTION:** In accordance with **Zoning By-law Section 9.4, subsection 8**, the Historical Commission finds no adverse impact on a historical or cultural resource from the proposed plan for the new Acera school building and notes that it is a beautiful design. The motion was made and seconded.

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

**Public Hearing: Demolition Permit Application  
63 Oxford Street**

Referencing the Form B prepared for the property, Chair LeMenager noted that the Edwin Percy and Eleanor Boyd Hall House at 63 Oxford Street is a Tudor Revival Garrison Colonial. It was designed by Jerome Bailey Foster, and built by Alfred Elliott in 1936 – well-known figures in Winchester. The house incorporates many features of the post medieval era, including its slate-covered gable roof, brick center chimney, and overhanging second story.

The property is located in a well-preserved subdivision constructed during the interwar era in the Old West Side neighborhood of Wedgemere Park. The area has been recommended for listing in the National Register as part of the Wedgemere National Register Historic District. It includes fine examples of iconic period landscape and exceptional common regional house types. Its significance pertains to architecture, community development and planning, and social history. The properties are well-preserved, and its individual components retain integrity of location, setting, design, materials, workmanship, feeling, and association.

The Dobles have been living in their house for ten years. They love the look of the house and they love their neighborhood. Dennis Doble said he and his wife put in all new windows last year, but the house is even draftier now than it was before. Valerie Dobles said the whole house, including the plumbing, needs updating and there are foundation problems. They have spent a lot of money to fix problems and have hired multiple architects to develop plans to make the house work better but they have realized that the house is never going to meet their needs. They have not decided on the new design, but hope to get the anticipated 12-month delay process started now while they are planning it.

Commissioner McCarthy asked whether they have considered retaining the front facade and reconstructing the rest of the house. Mr. Doble indicated they could consider that. McCarthy suggested they work with architects that specialize in homes with a historic design and preservation expertise.

Commissioner Broderick asked the Dobles if they have consulted architects/contractors experienced with preserving historic homes. Mrs. Doble said that they have. She added that the cost to update the house is really significant and does not make sense for them.

In discussing factors that might influence the Commission's willingness to reduce the length of a potential demolition delay, Chair LeMenager said that the Commission feels strongly about things like scale, look, and garage placement.

**MOTION:** The Historical Commission finds the property located at 2 Ardley Place historically significant. The motion was made and seconded.

**VOTED: 6 in favor, 0 opposed (1 abstained)**

**MOTION:** The Historical Commission finds that the demolition permit applications meet the definition of “substantially all of a building” **under the Chapter 14 Bylaw** and that the Commission has authority to impose a delay on the issuance of the permit. The motion was moved and seconded.

**VOTED: 6 in favor, 0 opposed (1 abstained)**

LeMenager welcomed the Dobles to share elevations of the new house with the Historical Commission whenever they are ready. Vice-Chair Hickey mentioned that the Commission invites neighbors to give input on the new design.

### **Other business**

#### **1. Impending Matters**

Chair LeMenager reported that Building Commissioner, Al Wile, had brought to his attention a proposed addition/renovation to 11 Swanton Street and whether the work qualified under the “substantially all” clause of Chapter 14 as a demolition, which would trigger a hearing. At the urging of the other Commission members, the Chair will further research the matter and report back.

Additionally, according to LeMenager, there is a similar question about a proposed addition/renovation to 31 Myopia Road. The applicants’ architect has requested a meeting with the Commission at a later date to discuss the project.

#### **2. Statewide Commission Meetings**

Chair LeMenager will be out of town from June 5 -12 and asked the Historical Committee members to attend a couple of meetings on his behalf.

##### **-Eastern Massachusetts Historical Commission Coalition meeting – June 6**

Commissioner McCarthy has tentatively agreed to attend the Eastern Massachusetts Historical Commission Coalition meeting on June 6 pending availability.

##### **-MassDEP Deconstruction Workgroup – June 7**

Commissioner Broderick will attend the MassDEP Deconstruction Workgroup meeting on June 7.

#### **3. Memo from Board of Appeals - Continuing Discussion**

Board of Appeals Chair David Feigenbaum visited the Commission to continue the discussion about the Board’s January 12 memorandum to the Historical Commission.

Feigenbaum said the Historical Commission is tasked with giving the Board of Appeals (BOA) guidance, but after extensively reviewing its minutes, he did not feel the Commission’s recommendations were very helpful. He feels the Commission spends most of its attention on demolition hearings and doesn’t discuss BOA petitions as thoroughly as it should, or that if it does, the minutes do not reflect that.

He noted that when the BOA does a site plan review, they evaluate plans based on criteria that extend beyond the building - including the landscaping, driveways, and water management. He reminded the Commission of all of the ways that a proposed project could have a negative impact on surrounding resources. Chair LeMenager responded that the Commission already takes all of these factors into account and shared the guidance the Commission uses.

Feigenbaum felt that the Commission's findings were contradictory if there were concerns voiced during discussion, but the Commission ultimately found "no adverse impact on the historical resource." LeMenager countered that the minutes capture the questions and concerns raised in great detail and that the votes reflect Commissioners' views after hearing input from applicants and other members. Commissioner Broderick commented that the BOA needs to pay attention to all of the discussion, not just the vote. Commissioner Boswell agreed, noting that the minutes are very detailed and accurate.

Feigenbaum said proponents frequently come before the BOA and report that Design Review, Planning Board, and Historical Commission "recommended approval" of their plans. LeMenager said Feigenbaum should correct them and point out that the Historical Commission does not recommend approval or disapproval. Rather, its recommendation is limited by the bylaw as to whether the proposal has a adverse impact on the historical resource.

Feigenbaum reiterated his contention that the Commission should specifically discuss all five criteria of its guidance and document that in all cases – even when Chapter 14 does not apply (i.e., for projects in neighborhoods where all of the properties were constructed after 1941). He also asked that the language of the votes be more specific and detail any conditions. Vice-Chair Hickey said that the Commission already does that. LeMenager added that BOA hearings usually occur within a week of the Historical Commission's, and commended the Recording Secretary and Commissioner Boswell for writing, editing, and making them available in time for the BOA's consideration.

### **Approval of April 3rd, 2023 Meeting Minutes**

A vote to approve the meeting minutes of April 3rd, 2023 was held.

**MOTION:** To approve the meeting minutes of April 3rd, 2023 Historical Commission Meeting.

**VOTED:** 7 in favor, 0 opposed

### **Adjournment**

A vote to adjourn the meeting of May 9th, 2023 was held.

**MOTION:** To adjourn the Historical Commission meeting of May 9th, 2023.

**VOTED:** 7 in favor, 0 opposed

The meeting adjourned at 8:56 p.m. Next meeting: June 5, 2023

Respectfully Submitted,

Arianie Keeney, Recording Secretary

A handwritten signature in black ink, appearing to read 'J. LeMenager', with a stylized flourish extending from the end.

Jack LeMenager

6/20/23

Date