



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

Meeting Minutes

Date: May 11, 2022

Virtual meeting via Zoom

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

Members Absent: Emily Dowling

Also Present: Larry Murray
Wei Jiang
Zhongjing Duan
Sarah Girotti
Richard Howard
Megan & Zack Shriver
Mark Donnellan
Elizabeth Adamjee
Jerry & Rhonda Hedges
Meg Sheehan
Walid Sukarieh
William Rutnam
Sheryl Sbarra O'Leary
Ellen Newman & Peter Casey
Rachel Whitehouse
Maureen Snebold
Robin Vos
Marshall Senterfitt & Jesse Sterling
Josh & Julia Dobelaar

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

Public Hearing: Demolition Permit for 27 Mt. Pleasant Street

Commissioner Clemson read from the Massachusetts Historical Commission Building Form B. The property at 27 Mt. Pleasant Street, known as the Mills House, was constructed in 1928. No major alterations were made to the building and the condition was rated excellent by the consultant who visited the house in May. The house is a well-preserved example of a moderate-sized house in the Colonial Revival style, set at the corner of Mt. Pleasant Street and Summit Avenue facing northeast. Its form is familiar, if somewhat unusual: an end-gabled block whose façade is treated with a faux gambrel roof, an enclosed entry porch on the east side, and a pent

eave that extends along a bay projecting from the west side. This “bump-out” (measuring about 25 square feet) encloses a side-entry plan within the core rectangle, likely including an entry and living room in the front pile and a dining room and kitchen behind, augmented by a sunroom that projects beyond the core volume in the front pile and a low lean-to across the rear. Today the house includes six rooms, including three bedrooms and a single bath. A newer narrow deck also runs across the rear, linking the house to a screened pavilion (measuring about 13 by 23 feet), added in 1994, with shingled parapet walls and square posts supporting its hipped roof.

The Mills House is located near the top of a hill in the Highlands neighborhood. Commissioner Clemson then shared the history of the property and read from the National Register of Historic Places Criteria Statement Form, which stated that the Mills House was a well-preserved example of a moderate-sized house in the Colonial Revival style, in a setting that reflects the development pattern of many of Winchester’s neighborhoods. The subdivision was an early one, dating to 1873, still discernable in the cadastral pattern of the neighborhood. The area might appropriately be expanded to include related houses of the series of developers and owners outlined in the text of this form. At least one is already listed on the National Register. The subdivision and its surroundings were slowly built out over several decades, and the houses here demonstrate the changing character of the area over that time, including ample houses of the late 19th century and more modest examples of middle-class housing, like this one, from the inter-war period. This house demonstrates the continued use of Craftsman motifs in Colonial Revival houses and employs a well-known side-entry colonial plan. The area meets criterion A for its relationship to broad patterns of our history, and criterion C as a landscape type and including dwelling types and styles that are illustrative of the period and region of their construction; areas of significance include architecture and social history. The house retains the integrity of materials, design, workmanship, association, location, setting, and feeling. Therefore, it is eligible for the National Register of Historic Places under Criteria A and C at the local level as a contributing element in a potential historic district.

Chair LeMenager added that all the adjacent homes in the area, except for 22 Mt. Pleasant Street, are eligible under the Chapter 14 bylaw. He said that one of the properties date back to 1820. Others include 1873, the 1860s, 1900, and 1940. As such, the area is a historic neighborhood, which is eligible for inclusion on the National Register of Historic Places.

Chair LeMenager explained the process of a Historical Commission public hearing meeting to attendees. He turned the meeting over to the applicant, Mark Donnellan.

Mr. Donnellan, the developer of the project, has proposed a significant enhancement to the house, but noted that it would not be a complete demolition, as the main box of the house would be preserved, although there would be an addition off the right (downhill) and rear sides of the house. The front entry would be removed, and the new entry would be placed toward the center of the house’s front. The proposed construction would sit nicely on the lot, he said, and would be similar in size and scale to the rest of the neighborhood. He noted that the new addition would be in the Federalist style.

Chair LeMenager asked if the upper left drawing in the submitted elevations would face Summit Avenue and if the upper right drawing was the opposite side.

Mr. Donnellan said that the top left image was the view from Mt. Pleasant Street. Commissioner McCarthy reiterated that Mr. Donnellan had said that the entire house was not being demolished and asked what would remain.

Donnellan explained that the front main box of the house would remain, the front right window would be eliminated, and added that if one imagined a line from the second-floor eave where the rafter tails were exposed, straight down, all of the house to the left would remain, except the entry to the house, which would be removed.

Donnellan said that the front entry would be moved to where the second window from the right currently was situated. He added that it would be under a farmer's porch that would travel across the front of the house. Mr. Donnellan added that the left side of the porch would remain original.

Commissioner McCarthy asked if any of the windows were staying. She noted that the new project looked nothing like the original. Commissioner Clemson agreed.

Mr. Donnellan said that he was not stating that the original architecture was being maintained.

Commissioner McCarthy asked to see the internal plans for the addition. Mr. Donnellan noted that the diagonal hash marks on the plans showed the parts of the original floorplan which would remain. The window placements would all change.

Commissioner John Clemson said that everything seen in the picture of the original house would disappear, essentially. This would include the gables, the pent roof, gambrel roof, the sash, the finishes, the wall coverings, the trim, and the rake moldings. Commissioner Clemson said this would be considered a substantial demolition because all of the character-defining attributes would be demolished. Mr. Donnellan agreed and emphasized that he did not mean to dispute that assessment.

Commissioner McCarthy asked if Mr. Donnellan was seeking a full demolition in light of this, as the original house would be irrevocably changed. Mr. Donnellan stated that he was. Chair LeMenager noted that Mr. Donnellan did not have a demolition permit. Mr. Donnellan agreed and stated that he had only an interior demolition permit. He said he was originally given an interior and exterior demolition permit, but Building Commissioner Al Wile later told him that he would have to go in front of the Historical Commission for a demolition hearing to use the exterior demolition permit under the "substantially all..." clause.

Chair LeMenager said that despite this, some exterior demolition had occurred on the house. Mr. Donnellan replied that it had been a mistake resulting from a miscommunication between one of his workers and Mr. Wile.

Commissioner McCarthy asked if the architect, Peter Daus-Haberle, had attempted to save the house. Mr. Donnellan said that he had asked Mr. Daus-Haberle if they could replicate and essentially recreate a mirror image of the house to the right in order to mimic the original features. Ultimately, due to challenges with the floor plan and low ceiling heights, it would be very difficult to achieve.

Chair LeMenager asked whether Mr. Donnellan had considered applying for a demolition permit to tear down the entire house or whether he was planning on saving part of the house for any particular reason. Mr. Donnellan admitted that he had considered that option after talking to the building department.

Commissioner Clemson asked if the sash had so far been removed. Commissioner Boswell, who resides two houses away on Summit Avenue, said that it had not. The windows had not been impacted. So far, some siding and the chimney had been removed, and there was a gaping hole on the right side of the house used to remove interior demolition materials. Commissioner Boswell showed a photo that she had taken on the day of the hearing.

Chair LeMenager asked if all of the windows were still in place. Mr. Donnellan said that all but two of the windows were intact.

Commissioner McCarthy said that the Historical Commission had received several emails from neighbors opposed to the project. She remarked that Mr. Donnellan had worked with the Commission in the past but that she was disappointed with what had been done here. She said she was very upset and noted that the house had been in beautiful condition before the demolition. She added that she had stopped by the property and was approached by neighbors who were also upset about the project. Chair LeMenager noted he was impressed with Mr. Donnellan's work in the past but was shocked that the demolition had gone forward without a permit or any attempt to save the historical house.

Commissioner Clemson asked if the commission would deal with question 4.2 of the Bylaw, which dealt with unpermitted work. The consequences of invoking 4.2 would be that the Building Commission would not issue a building permit for two years for the project in question. Chair LeMenager said the Commission would consider that question at the conclusion of the hearing.

Mr. Donnellan stated that three neighbors have reached out with their approval of the project.

Chair LeMenager opened up the meeting to the public for their comments.

Sheryl Sbarra O'Leary of 34 Mt. Pleasant Street noted that she did not have an opinion about the project, and she did not believe that every neighbor was against it. She noted that she knew it was historical, but she wanted to make a note for the record that she and her husband had not expressed any sort of vehement disapproval of the project.

Sarah Girotti, of 14 Winthrop Street, said that the property was in a historical neighborhood full of beautiful houses with character and charm and that she hated to see the demolition of a beautiful house with such historical character. She noted that the architect, Mr. Daus-Haberle, had done work on her house and stated that he was very good at blending new additions seamlessly into historical buildings. She thought that it was a shame that this was not happening with this property. She also agreed with Commissioner McCarthy and wished that the demolition had not begun before a permit was issued.

Richard Howard of 21 Crescent Road said that he could see the house from his backyard. He thought the demolition was a terrible idea and said that it was a very sweet house. He wanted the Historical Commission to do all that they could to prevent the house from being demolished.

Megan and Zack Shriver of 21 Mt. Pleasant Street are direct abutters to the property. Mrs. Shriver noted that when they had received the mailing about the demolition, they read thoroughly through the bylaws and the Historical Report and found that there were many ways to add onto and preserve a house. She understood that a developer would want to make a property bigger, but she thought that the two additions that were proposed were double the size of the existing foundation, and the height was taller than the surrounding properties. She also noted that the plans looked nothing like the original house. She noted that the house looked very similar to her house and was very charming and historic. She added that several other houses had the curved rake trim that 27 Mt. Pleasant had, and it was a shame to see it demolished. She noted that while the proposed house was very beautiful, it looked nothing like the original property and would not fit into the look and feel of the neighborhood. She also believed that the house would dwarf the lot and the surrounding properties. She also worried about the shadow lines that the house would create, and how it would interrupt the view from her backyard. She also noted that there was a rock wall that ran behind all of the houses and there was constant traffic on the street, she thought that if the house was built, it would eliminate a lot of the charming elements of the street. She did not understand why the architect chose not to make an addition and was worried about the precedent this project might set for the rest of the neighborhood.

Robin Vos, who lives across the street from the property at 30 Mt. Pleasant Street, the Carlton Kemp house, noted that her property also has a rock wall. She was very disappointed to watch this house get torn down before the hearing. She stated that she did not see any of the old house in the new plans and asked Mr. Donnellan if he planned to take the rock wall down and if there would be a regrading of the yard. She was worried about a historic tree and flowering tree in the front yard.

Chair LeMenager allowed Mr. Donnellan to answer Ms. Vos' questions. Mr. Donnellan said that there would not be much regrading. He said some regrading would happen in the back where the proposed patio would be. He also said that there was a cherry and maple tree in the front yard, which would be preserved. He said that they planned to get rid of the front stone retaining wall. He said that the front yard space from the house to the wall dipped down and back down, rendering the stone wall nonessential. Therefore, it was only for aesthetic purposes.

Marshall Senterfitt and Jesse Sterling live at 3 Hillside Avenue, about a block away from the property. Mr. Senterfitt said that he agreed with most of what had been said by other neighbors and stated that he believed that if you live in a historic home, it is your job to maintain it and improve it where appropriate. He noted that many properties in the neighborhood had additions, but that they were well done and respectful of the historical environment. He said that the aesthetics of the rock walls were important to the neighborhood, and it was critical that all of the neighbors worked together to maintain the beauty of the neighborhood. While he was fine with renovations to old houses that improve their character or structure, he did not believe the plans for the property were in keeping with the neighborhood and was not in favor of the demolition. He said that there was a fundamental change to the neighborhood if the house was lost.

Elizabeth Adamjee of 9 Summit Avenue, four houses down from 27 Mt. Pleasant, said that she and her husband were incredibly disappointed to see that work had begun before any permitting had occurred. She said that the neighborhood was no stranger to renovations, but that most people went to great lengths to preserve the historic character of their houses. She noted that she was very disappointed by what she saw. She thought that the house was incredibly important to the neighborhood and the new house would drastically change the look and feel of the neighborhood. She noted that she was very against the demolition and proposed new plans.

Jerry and Rhonda Hedges live at 2 Summit Avenue, across the street. Mr. Hodges said that he was incredibly disappointed by the developer's disregard for the process. He believed that a discussion should have happened before the developer began demolishing the house. He also believed that the demolition was very disrespectful and thought that it might have been done intentionally so that it would have gotten to a point where the process could not be stopped or reversed. Mrs. Hedges said that she was sad to see the plans for the proposed house. She thought that the house was too large, and the project would cause neighbors to lose light, views, and greenspace. She also asked if there would be a third floor on the house. She stated that she also did not know there would be an additional story and a half on the back addition either.

Ellen Newman and Peter Casey of 21 Winthrop Street noted that they had had recently undertaken an addition on their property. During that time, they had lived across the street in 30 Winthrop, which was a much smaller house. She stated that she and her husband knew that they needed more space, and so had chosen to move into a larger house, rather than destroy and rebuild a smaller house. She thought there was a way to put an addition on the house without hurting the historical character. They had worked with the architect, Mr. Daus-Haberle, and had come up with solutions to preserve and improve upon the historical nature of the house. She believed he was very capable of doing this respectfully. She also said that she liked the neighborhood because it had diverse sizes and styles of houses. She believed that if they allowed this to go forward, it would set a negative precedent for the rest of the neighborhood. Mr. Casey asked what the current square footage and foundation size of the house was and what the proposed square footage and foundation size of the new property would be.

Mr. Donnellan said that the proposed structure would be approximately 3,600 square feet, which was what most of the homes in the neighborhood were, with some additional square footage in the basement. He said that the addition on the right would be 26 feet by 33 feet as proposed and the back addition would be 17 by 20 feet. Chair LeMenager asked what the current square footage of the house was. Mr. Donnellan said he did not know the exact size, but it was likely around 1,600 square feet. Commissioner Clemson said that the house was twenty-five feet by twenty-five feet currently. The proposed house would be more than doubled the existing house. Mr. Donnellan stated that there was also no third floor, it was merely attic space. He also added that the ridge height of the proposed was not significantly taller than the existing house. The second floor would be increased by only a foot. Mr. Donnellan added that the windows were aesthetic and decorated.

Rachel Whitehouse, 9 Hillside Avenue, said that she had sent a letter to the Commission and said she was concerned about the rock walls and trees surrounding the property. She also said that she

had issues with flooding, as Mt. Pleasant was on a steep hill. She was concerned if the trees were taken out and the foundation was disrupted then the flooding would be worse.

Josh and Julia Dobelaar of 6 Summit Avenue noted that they were also not notified of the construction. He noted that the aesthetic value was very important, and it would be a shame to demolish this property.

Meg Sheehan of 4 Summit echoed what Mr. Hodges had said before and noted that it was very disappointing that the process was annoyed and that the new structure would block out many of the surrounding house's views. She also noted that the demolition might have been done with the intent to make the changes irrevocable. She noted that this property did not have to be preserved in its entirety, but the project could have been done more respectfully to preserve and honor its historic nature.

Meg Shriver added that while Mr. Donnellan had said that the rock wall was purely for aesthetics, she stated that it was actually to prevent erosion.

Yen-Jie Lee, of 5 Summit Avenue, said that he was disappointed to see that the process had started before the permit was granted. He also disapproved of the plans and agreed with what many of his neighbors had said.

Randolph Williams, of 18 Hillside Avenue, said that he was also disappointed in the demolition and said that he agreed with his neighbors that this would change the character of the neighborhood. He also said that he was very upset that the work had begun before the hearing.

Vice Chair Hickey asked Mr. Donnellan what process he had gone through with Al Wile. He asked about the interior and exterior process, which were, according to Mr. Donnellan, both approved by Mr. Wile, although the exterior demolition permit was later withdrawn. Vice Chair Hickey wished to learn about the timeline of the events and what Mr. Wile said.

Mr. Donnellan said that he did not recall the timeline precisely but that he had the interior demolition permit in the front window of 27 Mt. Pleasant. He said he could get the date it was issued back to the Historical Commission.

Chair LeMenager asked if that permit was for the interior demolition.

Mr. Donnellan said that it was for both, but when he submitted the plans to the Building Commissioner, Mr. Wile had told him that he could do interior only pending the outcome of the Historical Commission public hearing. In response to what several attendees had said, Mr. Donnellan emphasized that there was nothing malicious in his actions or intentions. He noted that it cost a lot of money to maintain and said that he was merely following the demolition and building process. He said his architect also needed to get a better idea of the framing of the house, which is why they were both keen to move along quickly. He apologized to the attendees for the distress and any problems caused, noting that was not his intent.

Mr. Donnellan said that he did not believe that the front of 27 Mt. Pleasant was architecturally attractive or logical, and that the front entry was poorly situated. He maintained that he was trying to improve the structure of the house to be better suited to everyday living. Mr. Donnellan closed his statement by saying that he had followed the process with Mr. Wile, but that Mr. Wile had changed direction midway through the process.

Vice Chair Hickey noted that Mr. Donnellan had said that there was a miscommunication with one of his workers and asked if that was in connection with the miscommunication with Mr. Wile. He wanted to know when the exterior work commenced. Mr. Donnellan said that it commenced within the past couple of days. Vice Chair Hickey asked when Mr. Wile had told Mr. Donnellan to go before the Historical Commission before demolishing the exterior. Mr. Donnellan answered that it was sometime in the last week. Vice Chair Hickey then asked if there was a miscommunication between Mr. Donnellan and his workers. Mr. Donnellan answered affirmatively.

Chair LeMenager said he was surprised that Mr. Donnellan started the exterior demolition before the Historical Commission hearing, given that he was very familiar with the Commission's process, having gone through it before.

Vice Chair Hickey said he wasn't sure there was a violation of the permit. Chair LeMenager disagreed. Vice Chair Hickey clarified that Mr. Donnellan had received an interior permit.

Commissioner McCarthy speculated that the problem was that Mr. Donnellan had known that he wanted to demolish the entire house but had not pulled the right permit. She emphasized that it was the Historical Commission's duty to guard against the demolition of historic houses, a process which Mr. Donnellan had not honored when he hired an architect and proceeded to demolish both the interior and some of the exterior.

MOTION: The Historical Commission finds the property located at 27 Mt. Pleasant Street historically significant. The motion was made and seconded.

VOTED: 6 in favor, 0 opposed (1 absent).

MOTION: The Historical Commission votes to impose a 12-month delay on issuance of a demolition permit for the property located at 27 Mt. Pleasant Street. The motion was made and seconded.

VOTED: 6 in favor, 0 opposed (1 absent).

Chair LeMenager read section 4.2 of the Chapter 14 of Winchester's Code of Bylaws:

Demolitions in Violation of Bylaws - No building permit shall be issued with respect to any lot upon which an eligible building has been intentionally demolished in violation of this bylaw for a period of two (2) years after the date of the completion of such demolition. The demolition of an eligible building

pursuant to a permit issued on the basis of incorrect information shall be considered to be an intentional demolition in violation of this bylaw.

Chair LeMenager stated that he had spoken with Brian Szekely, the Town Planner, who said that it would be incumbent upon the Historical Commission to decide if the applicant violated this bylaw, and then talk to the Building Commissioner, Al Wile, to withhold the permit for two years.

Commissioner Jon Carlisle asked if they could make the motion with a condition that they speak with the applicant more during future meetings. Vice Chair Bruce Hickey agreed and said that they needed to hear from Al Wile before invoking the bylaw to better understand the timeline of events. Commissioner Carlisle added that they should consider the current condition of the property. He asked if they had stopped the work on the house today. Chair LeMenager confirmed and added that he agreed with his fellow Commissioners, stating they should hear from Mr. Wile before imposing the penalty of a two-year delay.

Commissioner McCarthy asked if that meant there was a stop order on all interior and exterior demolitions on the property. Chair LeMenager confirmed. Commissioner McCarthy asked Mr. Donnellan if he understood. He confirmed.

Commissioner Janet Boswell noted that she was concerned that the house was open to the elements. Commissioner McCarthy said that Mr. Donnellan could easily put a tarp over the damage.

Vice Chair Hickey noted that Mr. Wile would need to attend the Historical Commission's meeting on May 23, 2022. Chair LeMenager agreed and reiterated that the 12-month demolition delay was in effect.

Commissioner McCarthy asked Mr. Donnellan if he would be interested in renovating the house rather than demolishing it. Chair LeMenager stated that was a question for a later meeting.

The hearing was closed. Chair LeMenager thanked the neighbors for their involvement.

Board of Appeals Petitions

11 Watson Place – Special permit

The petitioners, Zhongjing Duan and Wei Jiang, 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 the front property line than permitted as of right.

Larry Murray, the lawyer representing the applicants, explained that the house was 1,740 square feet. He noted that the applicants wished to add a modest 520-foot addition atop the existing single-story left side of the house. He stated that the addition would not change the footprint of the house. Mr. Murray said that he had sent the elevation plans to all five abutters who had all signed off in favor of the addition. The Historical Commission is receipt of that document. Mr.

Murray noted that they required a permit because the house was a preexisting nonconforming property that was too close to the property line currently.

Chair Jack LeMenager asked if the left elevations represented the current house and the right represented the future plans. Mr. Murray confirmed. Mr. Murray added that there would be no change in the setbacks.

Commissioner McCarthy asked if the windows in the drawings accurately reflected the planned windows. Mr. Murray confirmed. Commissioner McCarthy stated that she liked the design but believed that the second-story windows should mirror the lower-level windows. Chair LeMenager, Commissioner John Clemson, and Mr. Murray all agreed.

MOTION: In accordance with Zoning Bylaw Section 9.4, subsection 8, the Historical Commission finds no adverse effect on a historical or cultural resource. The Commission approves of the design with the single condition that the pattern of the windows on the façade match the first floor in a symmetrical pattern. The motion was made and seconded.

VOTED: 6 in favor, 0 opposed.

25 Yale Street – Special permit

The petitioner, Walid Sukarieh, is 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 the rear property line than permitted as of right.

Mr. Sukarieh said that he was creating an addition to the existing deck with the same materials and quality. He presented the elevation drawings and noted that only one neighbor would be impacted by the renovations, but that she had written a letter to him expressing her approval.

Chair LeMenager said that he had walked by the deck in the past and asked if part of the deck would be consumed by the addition. Mr. Sukarieh noted that it was actually an extension of the deck. Chair LeMenager and Commissioner McCarthy stated that they also liked the earlier renovation and addition to the house. Mr. Sukarieh said that this addition would make the house look even nicer.

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

VOTED: 6 in favor, 0 opposed.

142 Sylvester Avenue – Special Permit

The petitioners, William and Maria Rutnam, 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 the side property line than permitted as of right.

Chair LeMenager noted that the house was a 1952 Cape in a nice location by the Horn Pond bike path. The owners planned to demolish the existing sunporch and replace it with a vestibule and an attached garage, master suite, and office.

Mr. Rutman said that he had already met with the Conservation Commission because his house is adjacent to the Horn Pond Brook. He noted that the existing sun porch and land had a buckling retaining wall that needed to be replaced. Additionally, he noted that he needed additional space to work from home and wanted a garage. These factors led the Rutmans to determine that they should build an addition. He showed the elevation plans and noted that the addition had to be adjacent to the house to stay away from the brook. The right side would infringe upon the setback and would leave a two-foot setback with the addition. Mr. Rutman added that he was on a dead-end and no neighbors would be impacted by the addition.

Chair LeMenager said that he liked the garage setback. Commissioner McCarthy concurred.

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

VOTED: 6 in favor, 0 opposed.

121 Church Street– Special permit

The petitioners, Brandon and Lauren Bettencourt, are seeking a Special Permit from Section 5.1.10(1) of the Winchester Zoning By-Law in accordance with Chapter 40A, Section 9 of the Massachusetts General Laws so as to be permitted to have the width of the driveway entrances greater than 10 feet.

Chair LeMenager noted that the Bettencourt's had done a wonderful job restoring the historical house at 121 Church Street. He explained that the west end of Church Street where the house was located, can get very congested with traffic. To address this issue, the Bettencourt's had added a half-circle driveway to their property. However, the 1-foot curb cuts were insufficient. Under the town Bylaw, a property is allowed twenty total feet of curb space– ten feet for each side. This allowance is inadequate for the way the lot and the driveway are laid out, and the Bettencourts requested fourteen feet on the west entry, and fifteen feet on the main entry.

Chair LeMenager continued by saying that the widths of driveways on Church Street ran the gamut, with a few houses having very large curb cuts. As such, he believes the Bettencourt's request poses no impact on the house or the historical resources of the town. Contrarily, he believed that the driveway enhanced the historical nature of the house.

Commissioner McCarthy agreed and stated that the owners did an amazing job on the 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. The motion was made and seconded.

VOTED: 6 in favor, 0 opposed.

Other matters

Minutes of April 4, 2021 meeting.

MOTION: To approve the minutes of the April 4, 2022 Historical Commission Meeting.

VOTED: 6 in favor, 0 opposed (Dowling absent).

82-84 Church Street

Commissioner Clemson asked if the rest of the Commission knew what was happening with the project at 82-84 Church Street, which looked to him like a substantial demolition. Chair LeMenager said that the Commission had granted the applicants a demolition permit application at its Feb. 14 meeting. Chair LeMenager said that it was the first case involving the updated “substantially all” demolition definition, which he believed Mr. Wile had accurately assessed. Chair LeMenager said that they were satisfied with the plans but were surprised that the rear roof had been removed. Commissioner Clemson asked whether the Commission had approved the plans. Chair LeMenager confirmed this and noted that the footprint of the house would not change, which is why they had not imposed any conditions. Commissioner Boswell recalled that the foundation was rotting, and they likely needed to disturb the roof to fix that issue. Chair LeMenager added that the stairs were not up to code. Commissioner Clemson noted he understood his fellow Commissioner’s perspective.

910 Main Street Discussion

Commissioner Clemson was also concerned with the project at 910 Main Street, at the corner of Canal Street. He said that the developer was threatening the town with 40B, although the town was not convinced that could happen. Commissioner Clemson was not sure if there was anything that they could do about it and suggested that it be added to the next meeting’s agenda so that the Commission could learn more from Town Planner Brian Szekely. Chair LeMenager said that he would add it to the May 23 meeting agenda.

Commissioner McCarthy asked what the property was. Commissioner Clemson said that it was a large “bent house” which was a two-and-a-half story gable house with intersecting wings and a three-story tower in the corner. Chair LeMenager added that they had imposed a delay on it which had since expired. He said that it was currently a sushi restaurant. Commissioner Clemson noted that any construction on the lot would likely bring the project before the Zoning Board of Appeals or the Planning Board, meaning that the Historical Commission would have another chance to take a look at the plans.

May 23 Meeting

The next Historical Commission on May 23 will be the last virtual meeting. Chair LeMenager stated that he would interview a new candidate for the Recording Secretary position on May 16.

Commissioner McCarthy stated that she would be out of town on May 23 and might not be able to make the May 23 meeting. She also asked who would speak to Al Wile. Chair LeMenager said that he would. Commissioner McCarthy asked if they could make Mr. Donnellan tarp the property at 27 Mt. Pleasant. Chair LeMenager said that they would. Finally, Commissioner McCarthy asked if the stipulations of Bylaw 4.2 meant that a developer could not pull a permit on any property in Winchester, or just the one in question. Chair LeMenager answered that it was just concerning the property in question.

MOTION: To adjourn the Historical Commission meeting of May 11, 2022.

VOTED: 6 in favor, 0 opposed (1 Absent).

The meeting adjourned at 9:22 p.m. Next meeting: Monday, May 23, 2022 via Zoom.

Respectfully Submitted,

Rachael Edmonston, Recording Secretary



5/24/2022

Jack LeMenager

Date