



Planning Board Meeting Minutes Tuesday, July 12, 2022, at 7:00 pm – Zoom Meeting

Members Present:	Diab Jerius, Chair I-Ching Scott Kurt Spring	Sally Dale, Vice Chair/Clerk Nicholas Rossettos
Also Present:	Brian Szekely, Town Planner WinCam	Nancy Polcari, Recording Secretary Bryan Manter, Assistant Town Engineer
Others Attending:	David Feigenbaum John Carlisle Richard Leaf David Leathers Bruce Hickey	Jack LeMenager John Clemson Charlie Natale Melissa Noble Emily Dowling Janet Boswell Richard Rohan Jay Olmsted Timothy Mark Vaughan

A quorum being in attendance for both boards, Chair Jerius calls the joint Winchester Planning Board (PB) and Historical Commission (HC) meeting to order at 7:00 pm, noting that the meeting is being video recorded via WinCam and Zoom. Roll call of PB members: Dale, Scott, Rossettos, Jerius in attendance. Roll call of HC by Chair LeMenager: Boswell, Carlisle, Clemson, LeMenager in attendance. Spring, Dowling and Hickey arrived later.

1. Joint Meeting of PB and HC:

Chair Jerius: Noted that many actions and interests of the two boards overlap. The packet contained a memo dated July 8, 2022, from Mr. Szekely outlining four specific topics for today's discussion.

Chair LeMenager: Introduced the first topic of how to communicate to prospective home buyers the historical importance of a house. Often new homeowners do not learn about demolition delays and other requirements for renovation until they want to make changes to their newly acquired historic homes.

Discussion of Topic #1:

- The HC has been wrestling with this issue for several years.
- Is there a way to make real estate agents legally responsible to communicate these impacts?
- Suggestion to send a letter to the listing agent of historic homes communicating the impacts. The letter serves to inform the agent with the intent to communicate the historic impacts to prospective buyers. This would require the HC to closely track homes on the market.
- Suggestion to make a presentation for real estate agencies in Winchester to communicate historic impacts and provide a brochure or fact sheet for handing out to their clients.
- The historic characteristic of a home is often a selling point.
- Ms. Scott noted she is a real estate agent in Winchester. She indicated that Massachusetts is a "buyer beware" state. Some aspects of selling a home require disclosure, but some do not (like asbestos). Not sure about zoning and historic impacts. Did not believe the agents could be held legally responsible.
- Suggestion to include the Historical Society in this effort.
- About half the homes in Winchester are historic (defined as those built before 1941).
- Suggestion to form a working group of both PB and HC to develop a fact sheet or brochure to communicate the impacts of making changes to historic homes.

Chair Jerius: Introduced the second topic. The Town had passed a “flexible” zoning waiver to allow a developer to both preserve a historical structure and add a permanent preservation restriction on it. He noted an example is 88 Harvard which has not formally applied this waiver yet, but is in the process.

Discussion of Topic #2:

- There are other properties as well, including 19 Hancock.
- How do we communicate this waiver to potential property owners to encourage its use?
- The three examples in process are all double lots, where it’s easier to build a new home while restoring the historic building.
- One way to preserve a historic home that does not have the property for adding a second structure is to allow more units than zoning dictates (adding density; adaptive reuse).
- Mr. Leaf: He noted that owners are reluctant to go through this process (surveying and architectural costs) when it is uncertain if it will be approved.
- How widely known is this new bylaw? Most is through conversation in the Building office and/or with the Town Planner.
- Communication channels like Facebook, might offer other opportunities.
- Another is to provide a fact sheet to real estate agents or have within the Building and Planning departments.

Chair Jerius: Introduced the third topic. How do we reach out and engage developers for preservation and re-use?

Discussion Topic #3:

- Suggestion to have “e-permitting”. This will provide contact information.
- Another suggestion to provide an insert in the water bills since they go to every home in town.
- The Building Department is another good location for disseminating information (fact sheet) that could include website references.
- Builders are an important audience for this topic as well.

Chair Jerius: Introduced the last topic. Recently several boards reviewed an application to waive Site Plan Review for a small addition. The process was burdensome for the applicant and boards. The waiver was meant to make the process easier. The PB is reviewing ways to accomplish this. Does the HC have any concerns?

Discussion Topic #4:

- What issues should be included to make it easier?
- Mr. Leaf: There is value in going through the process. Each committee/board provides useful input. Does not recommend it be left to just the Building Department. Suggested simplifying the requirements for submittals.

Conclusion: Recommend forming a working group to focus on communication tools.

- PB: Rossettos, Spring, with Szekely
- HC: Boswell, Dowling, LeMenager

Chair Jerius closed the joint meeting of the PB and HC at 7:56 pm.

A quorum being in attendance, Chair Jerius calls the Winchester Planning Board (PB) meeting to order at 7:57 pm. Roll call of PB members: Dale, Rossettos, Scott, Spring, Jerius in attendance.

2. ZBA Petitions

a. Petition No. 3968 for 6 Wolcott Road:

Mr. Szekely: The petitioners are seeking a Special Permit under Section 3.5.5 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 property is located in the RDB (Single Residence) zoning district and contains 12,206 +/-square feet. The house was built circa 1922. The proposal entails a 1-story addition to the rear of the property, the demolition of a 1-story garage and a new garage in close proximity to the original location. The proposal moves the garage further from the street and side property line and closer to the house. The garage is the nonconformity, and it is becoming less nonconforming as a result of the proposal. The architectural drawings and pictures are helpful, but the site plan is lacking information. This information has since been provided. It is a tasteful addition and recommend favorable action due to the limited size and location of the addition.

Mr. Manter: There is a net increase of 1125 SF of impervious surface and a 20 foot curb-cut for a total of about 35 feet for two driveways. The drainage plan was not submitted but the petitioner is aware and is working on providing the documents.

PB Discussion:

- The detached structure has an open-air connection to the house. How does it fit in with the zoning? Doesn't it have to be 15 foot from the existing structure? Doesn't this application have to include a Special Permit for how close these two buildings are to each other?
- Clarification: if the garage is attached to the house, it has to be 15 feet from the property line. If the garage is detached, it can be 5 feet from the property line.
- Mr. Leaf: Architect for the petitioner. We are asking for zoning relief (Special Permit) on the attached garage, using the 5 foot setback, whereas it would normally be 15 feet for an attached garage.
- The 15 foot setback is unique to Winchester. It was established a long time ago.
- Suggestion to add this to the list of updates needed for the zoning bylaws.

Mr. Rossettos moved to recommend favorable action for ZBA Petition 3969 for 6 Wolcott Road. Mr. Spring second the Motion. Vote: Dale, Spring, Scott, Rossettos, Jerius in favor. Motion passes 5-0-0.

b. Petition No. 3969 for 5 Pilgrim Drive:

Mr. Szekely: The petitioners are seeking a Special Permit from Section 4.4.2 so as to be permitted to construct a swimming pool close to the rear property line than permitted as of right. The property is located in the RDA zoning district and contains 15,835 +/-square feet. The proposal entails the construction of a new pool with a potential for a sport court but that it is unclear from the submission materials or the site plan if the sport court is actually planned. A look at the aerial does not show a sport court. There will be significant hardscape additions but still manages a hardscape percentage at 20% where 30% is allowed. There is an existing wall at the rear of the property that is unchanged and landscape additions will soften that edge and also help with acoustics from the proposed pool activity. Recommends favorable action.

Mr. Manter: This petition adds 1500 SF of impervious surface. The drainage plan is not in accordance with Winchester guidelines. The applicant needs to revise prior to the town issuing a Building Permit. Specifically missing soil type details and hydraulic calculations to support their design.

PB Discussion:

- Where is the sport court? Two landscape plans submitted; one showed the sport court.
- Concern with taking down several trees. Are these trees are required for the project?

Mr. Spring moved to recommend favorable action for ZBA Petition 3969 for 5 Pilgrim Drive. Ms. Scott second the Motion.

Chair Jerius requested to amend the Motion to note that four mature trees are being removed.

Mr. Spring amended the Motion to include the note that four mature trees are being removed.

Ms. Scott second the amended Motion. Vote: Dale, Rossettos, Spring, Scott, Jerius in favor.

Motion passes 5-0-0.

c. Petition No. 3970 for 72 Hutchinson Road:

Mr. Szekely: The petitioners are seeking to amend Decision #3391 from 2005 so as to be permitted to make interior renovations of the existing structure to allow for 3 additional bedrooms. No exterior changes are proposed. The property is located in the SCI zoning district and contains 122.4 acres. Decision #3391 required strict conformity with the provisions of the decision. Due to this, I would recommend allowing the proposed interior changes to the building through a modification to the decision as proposed by the applicants. The proposed interior changes would have no deleterious effects on the surrounding properties. Recommend favorable action with regards to the proposal for the addition of 3 bedrooms to the second floor of the existing living space.

PB Discussion:

- Are the additional bedrooms going to impact the sewage system? Mr. Manter confirmed that they would not.
- These bedrooms are for the seasonal workers, so they do not impact the Town.
- The SCI zoning is for occasional residences. How many units does the PB allow before this turns into a hotel?
- This is a positive action to support the workers needing short term residences/housing.
- Mr. Vaughan: Legal representative for the petitioner (Winchester Country Club). This supports the seasonal staff on site. Not looking to turn into a hotel.
- Suggestion to put on the PB's list of changes needed to our zoning bylaw to add Residential to all districts as a use allowed by Special Permit only.

Ms. Dale moved to recommend favorable action to ZBA Petition #3970 for 72 Hutchinson Road.

Ms. Scott second the Motion. Vote: Dale, Rossettos, Scott, Spring, Jeruis in favor. Motion passes 5-0-0.

d. Petition No. 3971 for 113 Church Street:

Mr. Szekely: The petitioners are seeking a Special Permit under Section 3.5.5 so as to be permitted to construct an addition that is closer to the side property line than permitted as of right. Petitioners are also seeking Site Plan Review so as to be permitted to construct an addition where the total floor area of the house and garage is greater than 5,000 square feet. The property is located in the RDB zoning district and contains 15,886 square feet. House was built in 1895 and is a Contributing Resource as part of the Wedgemere Historic District. The proposal entails the addition of 776 square feet of interior first floor space off the rear of the existing house. Associated drainage structures are proposed to accommodate the additional runoff from the additions and hardscape, as well as the rear of the existing house. The proposed additions

will be minimally seen from the street. The left side setback is becoming more non-conforming as a result of the proposal but does not appear to negatively affect the neighboring properties more than the existing nonconformity. Barring any comments from abutters, recommends favorable action with regards to the Special Permit and recommends endorsing the Site Plan.

Mr. Manter: This petition adds 1600 SF of impervious surface. The proposed drainage system is in accordance with Winchester guidelines and standards.

PB Discussion: none.

Mr. Spring moved to recommend favorable action for ZBA Petition 3971 for 113 Church Street for Special Permit. Ms. Scott second the Motion. Vote: Dale, Rossettos, Scott, Spring, Jeruis in favor. Motion passes 5-0-0.

Mr. Spring moved to the endorsement of the Site Plan for ZBA Petition 3971 for 113 Church Street. Mr. Rossettos second the Motion. Vote: Dale, Rossettos, Scott, Spring, Jeruis in favor. Motion passes 5-0-0.

3. Master Plan Implementation Committee (MPIC):

Chair Jerius: Five people have applied for the MPIC. Ten youth have applied. There are 8 adult seats and one youth seat. The process to select the youth will proceed. Next step is to convene the committee. The agenda will include a presentation from the PB introducing the MP, its impact on other committees, and providing a program for the MPIC.

PB Discussion:

- Clarification of who is on the MPIC: 5 adults, 1 youth (once chosen from 10 applicants), and the Town Planner; 6 voting members (adults and youth).
- All existing boards are working on improvements for Winchester; the MPIC should gather these plans, creating an inventory of how they relate to the MP. This could be presented at Fall Town Meeting.
- Next step would be to take what is in the MP and not yet on the agenda of these various boards and communicate that, suggesting these boards consider implementing.
- Suggestion to have a PB member work with the MPIC and to make it a rotating liaison position.
- The PB will prepare remarks for the first meeting of the MPIC that frame the MPIC's goals, provide background, and instruct the MPIC members in immediate tasks: to organize their committee and agree on a work plan.

4. Site Plan Waiver/Zoning Bylaw Revision:

Chair Jerius: Noted that the Select Board has awarded the Town Counsel contract to Mead, Talerman, & Costa. The PB has several items pending for legal review. Want to give them a specific project first. Thought to start with the definitions list. The issue of the Site Plan Waiver would be a later request.

Discussion of Site Plan Waiver:

- Liked Mr. Leaf's suggestion to modify the submittal requirements instead of changing the process.
- Site Plan Review allows for comments and concerns to be identified.
- Ms. Scott: Presented an analysis of using FAR as the variable or tool to determine the waiver process.

- Mr. Manter: Noted that driveways often cause the need for a new drainage system (500 SF threshold).
- Another variable could include new SF to the footprint, as compared to staying within the existing building footprint.
- Another is whether the addition is on the front as compared to the back of the building.
- Mr. Leaf: He noted the towns he works with all handle this issue differently. Concur that FAR addresses lot size (while just SF does not). He recommends the drainage design be submitted as a condition of the ZBA and not prior.
- Suggestion to draft revised language and request Town Counsel to review.
- Making the size of the addition tied to the size of the lot (using the FAR) supports the Master Plan and simplifies the process.
- Consensus to use Ms. Scott's FAR model and have fewer submittal requirements, thus eliminating a waiver. Ms. Scott agreed to provide a summary of her model.

5. Adjourn:

Mr. Spring moved to adjourn the PB meeting of July 12, 2022. Mr. Rossetto second the Motion.

Vote: Dale, Rossetto, Scott, Spring, Jerius in favor. Motion passes 5-0-0. Meeting adjourned at 9:44 pm.

Sally Dale, Clerk

Nancy Polcari, Recording Secretary