



TOWN OF WINCHESTER
MIDDLESEX COUNTY, MASSACHUSETTS
PLANNING BOARD MEETING MINUTES
WINCHESTER TOWN HALL / WINCHESTER, MASSACHUSETTS, 01890

Date/ Room: Tuesday, August 6, 2019
Select Board Room, Winchester Town Hall

Members Present: Heather von Mering, Chair
Elizabeth (Betsy) Cregger
Diab Jerius
Maureen I. Meister
Heather Hannon (7:37pm arrival), Vice Chairperson, Clerk

Members Absent: --

Also Present: Brian Szekely, Town Planner
Mahala Lettvin, Recording Secretary
Beth Rudolph, Winchester Town Engineer
Tony Ciampa, developing Euclid Ave property

A quorum being in attendance, Heather von Mering, chairperson, calls the Winchester Planning Board meeting to order at 7:35 pm.

Updates from Planning Board

Ms. von Mering provides updates from the Planning Board:

- Tonight's meeting is being recorded by WINCAM;
- Welcome to Mahala Lettvin, Recording Secretary for Winchester Historical Commission and Winchester Planning Board;
- Master Plan meeting scheduled Tuesday, 9/3/2019, Select Board Room, Winchester Town Hall. Updates on the Master Plan can be found via the project website, <https://courbanize.com/projects/winchestermasterplan/information>.

Updates from Town Planner

1. Mr. Jerius and Mr. Szekely attended 08/05/2019 Historical Commission Meeting. The Building Inspector provided a list of what he considers "substantial demolition," with the intention to keep the community informed and keep information accessible.
 - a. Ms. Meister mentions that she does not believe this is going in the right direction. Mr. Jerius points out that the Historical Commission has offered their opinion and is guiding the process.
 - b. Mr. Szekely notes that the Historical Commission provided material to the Building Inspector, which was returned to them because he did not consider it enforceable.
 - c. Discussion regarding scheduling Local Historic District Study Committee meetings/ Wednesdays at 9:30 am. Heather Hannon will attend meetings aside from the one coming up next.
2. Freedom's Way: Ms. Meister provides an update on application from Select Board application to be added to a heritage area. This is a federal program from the Parks Service - Freedom's Way heads Northwest into New Hampshire, all towns around Winchester are involved. Mr. Szekely brings up an interactive map found at the link, <http://freedomsway.org/explore/interactive-map/>.

Provides list of historical resources, etc. Planning Board and Select Board will review, and there will be a vote at Town Meeting.

Brief discussion regarding scheduling future meetings, with Ms. von Mering, chairperson, suggesting Board revisit this during scheduled time/ agenda.

Town Meeting Zoning Hearing Procedures

Mr. Szekely reviews changes to the draft document titled, *Town Meeting Zoning Bylaw Change Hearing Procedures*. This document needs to be approved by August.

- Discussion regarding language clarity surrounding Special Permit voting/ definition of “majority of board.” Board decides the original language will be replaced with clarified language: *Three members of the Board present a majority of the Board. An affirmative vote of three Board members is required to place the article on the Town Meeting warrant.*
- Mr. Jerius notes that the language in 4A is confusing. Board decides to replace the original language with clarified language: *If the town planner is presenting, the chair clarifies that the town planner is presenting on behalf of the planning board.*
- Mr. Jerius notes that the language in 4B is unclear. Board decides to replace the original language with clarified language: *If the presentation is a dry run for Town Meeting, the presentation will be five minutes with a possible five-minute extension (ten minutes total) to explain the warrant article.*
- Board decides to replace the original language in item #2 with *Chair announces the purpose of the public hearing: “The hearing is called to inform the public about potential changes to the Winchester Zoning Bylaw or the Code of by-laws at the upcoming Town Meeting” The chair also may read aloud the legal notice.*
- Board decides to revise the title of the document to more accurately reflect contents: *Winchester Planning Board Procedures for Public Hearings for Town Meeting Articles.*

Mr. Szekely will make the changes listed above, and therefore no votes are needed at this meeting.

Tony Ciampa - Euclid Ave

Ms. Cregger recused herself from this discussion, moving to the audience.

Mr. Szekely reviews project history: Euclid Avenue is not a public road, nor is it a certified private street or way. Discussion regarding strategy of Board moving forward.

Beth Rudolph, Town Engineer, joins the discussion, and the Planning Board discuss the issues with this case: drainage issues; private house building projects; neighborhood concerns; history of site, etc.

Mr. Szekely pulls up map, found through the link, <https://www.google.com/maps/place/Euclid+Ave,+Winchester,+MA+01890/@42.4600538,-71.1293867,16z/data=!4m5!3m4!1s0x89e37440674c7117:0x119f99b6adc4c46b18m2!3d42.4599945!4d-71.1233464> as well as a video portraying a drive down Euclid to 18 Euclid Ave, noting the likelihood of the drainage problem escalating as the years go by.

Discussion regarding defining Euclid Ave, potential advantages/disadvantages, public service access, subdividing road, long term effects of erosion, maintenance plan for unpaved roads, value roads add to Winchester.

Mr. Jerius notes the lack of a tangible item for the Board to take action on.

Discussion: building permits, criteria to hold building permits, memorandum to residents, obtaining a building permit, etc. Ms. Meister develops language for the motion, "that the Planning Board does not take action without support from the neighbors of the property, and without additional information". The motion was read aloud by Ms. Meister, however the motion was not seconded, and no official vote took place.

Mr. Ciampa exits the meeting. Ms. Cregger (re)joins the table, Ms. Rudolph leaves the table.

Steve Anderson - Herrick Street

Mr. Anderson, who lives across the street from the property in question, would have preferred to attend tonight's meeting.

- Planning Board observes the photograph of the stone walls: permits were needed for these walls since they are above 4 feet;
- Building Department responded with nothing definitive;
- Difficulty in determining change in grade of 6% or more.

Discussion regarding goal and involvement of Planning Board, seeking the advice of legal counsel, revisiting "6% change" in time for Town Meeting, definition of *spite wall*, etc.

Mr. Anderson will attend the next meeting, as he is very concerned about this issue.

Fall Town Meeting Articles

- 9.5.17
- Number of kitchens in the house/dwelling unit: lack of clarification on defining "dwelling unit"
 - Discussion regarding minimum rental length in Winchester (Mr. Szekely says this is general by-law). Mr. Jerius asks who would be responsible for enforcing such. Airbnb units are listed in Winchester. Mr. Jerius has concerns regarding this because it influences the housing prices.
 - Ms. von Mering notes it might be worth researching the effect of short-term rentals. Mr. Szekely notes that it is not rampant throughout Winchester
 - Discussion regarding accessory dwelling units; impact on tax revenues and neighborhoods.
 - Discussion regarding "family" as part of definition, decision to remove family for its exclusionary nature.
 - Building Department also sought information on:
 - Table of Dimensional Requirements - *Open Area Greenspace* and *Open Area for Hardscape*, with extensive discussion regarding the appropriate split. Decided: 40 & 35.

Mr. Jerius requests the Planning Board revisit Greenspace/Hardscape requirements in a future meeting.

- Walls/fences above 6': Discussion regarding "spite" fences, stacking walls, etc.
- Freedom's Way National Heritage Area

New Business Not Known At Time of Posting

37 Kenwin

Mr. Szekely provides update on project: owners claim no demolition, possible action for Planning Board to take, Historical Commission decision.

MOTION: That the Planning Board take a position to defer to the Zoning Board of Appeals decision to continue the hearing until the applicant submits revised drawings including an accurate depiction of the existing and proposed garage, as both the Winchester Planning Board and Winchester Historical Commission lacked access to such accurate drawings at the time of their meetings. **MOTION** by Maureen Meister; **SECONDED** by Betsy Cregger.

VOTED: 5 in favor, 0 opposed, 0 absent

MOTION PASSES UNANIMOUSLY.

Scooter Pilot Program:

Ms. von Mering provides update on Pilot Program status, involvement of the Planning Board, etc.

Discussion surrounding:

- Safety concerns;
- Engineering Department position on program;
- Potential for program to expose deficiencies in Winchester roads, thus elevating road issues as top-level priorities.
- Benefits and intentions of introducing a program like this to Winchester;
- Infrastructure needed to support a program like this.

MOTION: That the Planning Board does not support the electric scooter trail program due to the safety issues to pedestrians, cyclists, and the riders themselves. Additionally, Winchester lacks the cycling infrastructure to support such a program. **MOTION** by Diab Jerius; **SECONDED** by Elizabeth Cregger.

VOTED: 5 in favor, 0 opposed, 0 absent

MOTION: To Amend the motion currently on the floor to: "Motion that the Planning Board Chair write a recommendation reflecting that the Planning Board does not support the electric scooter trail program due to the safety issues to pedestrians, cyclists, and the riders themselves. Additionally, Winchester lacks the cycling infrastructure to support such a program. **MOTION** by Diab Jerius; **SECONDED** by Elizabeth Cregger.

VOTED: 5 in favor, 0 opposed, 0 absent

MOTION PASSES UNANIMOUSLY.

Mr. Jerius notes that despite claims to the contrary, scooters are not "zero-emission." Board discusses the traffic congestion usually centered around school drop-off and pick-up times, and this program would not relieve that issue due to the age requirements for riding scooters.

Action Items

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Correspondence

Petition No. 3883 - 26 Stevens Street - GRANTED

Petition No. 3885 - 336 Main Street - GRANTED

Petition No. 3886 - 5 Chesterford Road East - GRANTED (RED BOOK)

City of Woburn Public Hearings (RED BOOK)

2019 Meetings

Tuesday, August 27, 7:30 pm: Planning Board, Select Board Room, Winchester Town Hall

Draft Agenda:

- Planning Board Procedure;
- Fall Town Meeting Discussion;
- Zoning/ Special Permit application procedure.

Tuesday, September 3: Master Plan Steering Committee meeting

Tuesday, September 24, 7:30 pm: Planning Board, Select Board Room, Winchester Town Hall

Draft Agenda:

- Subdivision Rules;
- Fall Town Meeting Discussion.

Adjourn

MOTION: That the Planning Board adjourn the 08/06/19 meeting at 9:59 pm.

MOTION by Diab Jerius; **SECONDED** by Elizabeth Cregger.

VOTED: 5 in favor, 0 opposed, 0 absent

MOTION PASSES UNANIMOUSLY.



Heather Hannon, Vice Chairperson, Clerk

9/17/19

Date

Respectfully submitted with revisions September 4, 2019 by Mahala Lettvin, Recording Secretary

