



Planning Board Meeting Minutes Tuesday, September 12, 2023, at 7:15 pm – Remote Participation

Members Present:	Diab Jerius, Chair I-Ching Scott Keri Layton	Sally Dale, Vice Chair/Clerk Nicholas Rossettos
Also Present:	Taylor Herman, Town Planner Nancy Polcari, Recording Secretary David Gaither, WinCam	Bryan Manter, Asst. Town Engineer Jay Talerman, Town Counsel
Others Attending:	Susan Verdicchio Maura Sullivan Charlene Band John Suhrbier Mark Vaughan	Alex Kavlakian Richard Leaf Deborah Johnson Tara Hughes User Sarkis Kavlakian Mark Donnellan Sam Scoppettone, Civico Taylor Bearden, Civico

A quorum being in attendance, Chair Jerius calls the Winchester Planning Board (PB) meeting to order at 7:17 pm noting that the meeting is being recorded via Zoom and WinCam. Roll call of PB members: Dale, Layton, Rossettos, Scott, Jerius in attendance.

1. Updates:

Chair Jerius: The Town received funds for the consultant for the Housing Production Plan and also for a consultant/economic development person for \$150K (which will require a Request for Proposal process). Need a PB volunteer to serve on each selection committee (would like two people for each).

Mr. Rossettos: The Historical Commission is requesting to meet with the PB to get an update on the MBTA 3A project. He also wants to continue to be involved regarding the maps with 3A. Chair Jerius noted that the consultants' contract whose scope includes the 3A work has not been executed yet. Once signed, the meeting can be scheduled.

2. Approval of Minutes:

a. PB Meeting on Tuesday, August 22, 2023, at 7:15 pm:

Chair Jerius requested comments. Some edits were identified. Ms. Dale had several and instead of using meeting time, agreed to email the PB members for their review. Voting on these meeting minutes was postponed.

b. PB Meeting on Wednesday, August 30, 2023, at 2:00 pm:

Chair Jerius requested comments. No comments.

Ms. Scott moved to approve the PB Meeting Minutes of August 30, 2023. Ms. Dale second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

3. Public Hearing Waterfield - Civico Development:

Ms. Dale moved to open the Public Hearing for the Waterfield – Civico Development (CBD Petition 25-27 Waterfield Rd and 0 Waterfield Rd) at 7:30 pm. Ms. Scott second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

Chair Jerius: Outlined the agenda for the continued Public Hearing. Have received the escrow funds for the consultants who will now proceed with their peer review. Continue to be challenged to identify a design consultant.

Mr. Herman: Have reached out to 9 consultants and none but Dennis Carlone have indicated any interest. (Chair Jerius provided as background: Mr. Carlone worked for the Town regarding rezoning for the Center Business District (CBD) including developing the design guidelines.)

PB Discussion:

- Suggestion to draft a scope and request Mr. Carlone for a proposal.
- Does the Board want to consider other candidates?
- Any reason why consultants are not interested? Mr. Herman noted that many do not have the capacity.
- Recommend interviewing Mr. Carlone.
- Conclusion: Send Mr. Carlone a scope and schedule an interview at the next PB meeting in 2 weeks.

Chair Jerius: Next on schedule for this continued Public Hearing is to review and hear Public Comments.

Mr. Herman: Showed and reviewed the 3 written comments the Town has received to date, from Mary Aldrich, Mary Kay McIntyre, and Sandra Thompson; all in support of the project.

Susan Verdicchio: (28 Kerwin Road) Liked the earlier version of this project; this design is similar, simpler and easier to navigate. The living spaces are further from the train station, which is good. Like that the improvements to the water main are included. Like how the tower elements tie in with the train station elevator towers. Does not mind the height. Also like the shorter front on Waterfield Street.

Chair Jerius: Noted that the Public will have the opportunity for comment at each Public Hearing meeting or comments can be sent to planningboard@winchester.us.

Deborah Johnson: Asked if the PB had received the minutes from the recent Disability Access Commission meeting. Noted that due to the small scale of the documents, they could not evaluate compliance. Mr. Herman noted larger drawings are now available in the Engineering office for their use.

Chair Jerius: Noted that one abutter has specific concerns, and the Town has met with him to address.

Ms. Dale made a motion to continue the Public Hearing for the Waterfield – Civico Development (CBD Petition 25-27 Waterfield Rd and 0 Waterfield Rd) on Tuesday, September 26, 2023, at 7:30 pm. Ms. Layton second the Motion. Vote: Dale, Layton, Rosettos, Scott, Jerius in favor. Motion passes 5-0-0.

4. Rangeley Park Heritage District Commission Interview:

Chair Jerius: Noted that Ms. Carey Dawson was not available.

Mr. Herman: The Rangeley Park Heritage District Commission has an open seat and Ms. Dawson has submitted a letter of interest (shown and in packet). He explained some positions require the member to be a resident in the Rangeley Park district, some are outside the district. The position is volunteer and is posted on the Winchester website.

Chair Jerius: Does the PB want to vote without an interview?

Conclusion after discussion: prefer to interview. Will schedule for next PB meeting.

5. ANR, 39 Everett Avenue:

Chair Jerius: The petitioners are seeking an Approval Not Required (ANR) for the creation of two lots from an existing single lot addressed 39 Everett Ave. Both newly proposed lots meet lot size, frontage, and access requirements. The Town has received a letter of opposition for this ANR,

included in the packet. The PB can decide whether to endorse or not, but either way, it will go through; the PB has no power to deny.

Discussion:

- This is a zoning issue. Unless the Town changes the zoning, this request and future requests like this are allowed.
- We expect this will eventually be two “megasized” homes meeting the minimum setback requirements.
- We are not going to solve this by denying or not endorsing this ANR.

Ms. Scott moved to endorse the ANR for 39 Everett Avenue and have the Town Clerk sign the drawings on behalf of the PB. Ms. Dale second the Motion. Vote: Dale, Scott, Jerius in favor; Rossettos, Layton opposed. Motion passes 3-2-0.

6. ZBA Petition No. 4004, 7 Wedgemere Avenue:

Chair Jerius: Requested Town Planner to present this petition.

Mr. Taylor: The petitioners are seeking Site Plan Review so as to be permitted to demolish an existing detached garage and construct a new detached garage where the total floor area of the house and the garage is greater than 5,000 square feet. The property is located in the RDB-10 zoning district and contains 15,970 square feet. The new detached garage placement and size is conforming per 3.3.2 and meets all criteria for evaluation of Site Plan Review. Engineering has reviewed the documentation and has found that the proposal would not trigger stormwater management as outlined in section 5.3 and 5.4. The proposal has been reviewed by the Design Review Committee and the Historical Committee and has received favorable decisions by both committees. Conceptual drawings show second story dormers exceeding 50% of the roof plane. Per 4.2.5 a special permit is only required for dormers “above the second story”, thus a special permit does not need to be considered.

Mr. Manter: No further comment.

Mr. Vaughan: Working with the owner. Here to answer any questions.

Discussion: none

Ms. Dale moved to recommend Favorable Action to ZBA Petition No. 4004 for 7 Wedgemere Avenue. Ms. Layton second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

7. Community Preservation Act:

Chair Jerius: The Select Board (SB) is working to bring the Community Preservation Act (CPA) to the voters in the fall 2024 election (to coincide with the presidential election).

Ms. Dale: The CPA has been available to towns for 23 years. It helps communities preserve open space and historic sites, create affordable housing, and develop outdoor recreational facilities. The Town would levy a property tax surcharge of up to 3% above the Real Estate tax. The State then matches the receipt of annual funds, at variable rates, from a statewide CPA Trust Fund created by the Act.

Chair Jerius: The SB is setting up a working committee and would like two PB members to participate. Ms. Dale and Ms. Layton volunteered.

8. Public Hearing for Town Meeting Articles – ADU Bylaw:

Ms. Scott moved to open the Public Hearing for Town Meeting Articles – the ADU Bylaw. Ms. Dale second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

Chair Jerius: Summarized the issues and provided a presentation of the revision on screen (and in packet). Briefly, the current ADU Bylaw has a gap. The ADUs are available for people disabled or over 62 years old. Disabilities are defined by Massachusetts General Law (MGL). When a disabled person turns 60, they are defined as a senior (by the MGL). The current Bylaw would require this individual to leave the ADU for two years, an unintended mistake. Need to correct the Bylaw to lower the age for a senior from 62 to 60 to eliminate this 2-year gap.

PB Discussion:

- Why is there a clarification added about “primary or accessory unit”?
- This is new. This will add confusion at Town Meeting.

Ms. Scott made a motion to remove the phrase “in either the primary or accessory unit,” and place the ADU Bylaw article as amended on the Warrant for the Fall Town Meeting. Ms. Dale second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

9. Initial Review of 40 Church Street:

Chair Jerius: Acknowledged the attendance of Sarkis and Alex Kavlakian, the owners of 40 Church Street. Also explained that this project is in the CBD and part is considered historic.

Mr. Herman: Outlined the scope and noted the applicant has submitted documents (in the packet) including waiver requests. Renovations include replacing windows and doors, siding and roof.

Chair Jerius: Noted that these waiver requests are for what documents they will submit for an application and not related to design or other aspects of the project. Design Review Committee will review once the application is complete and submitted. These waivers are procedural.

PB Comments:

- There is no demolition. There is an addition of a third floor behind the mansard roof. This involves outside recladding, replace windows, and enclose the front door.
- Mr. Rossettos suggested that this is considered “substantial demolition” as applicable to historical properties.
- The existing packet is insufficient regarding existing conditions documents; need to add elevations and plans.
- What are the architectural historical features? Want to see photos and have a detailed explanation.
- In the Site Development Plan, add notation of the adjacent buildings.
- Update the survey plan; need a current site plan.
- For the Building Development Phasing Plan, add the timeline for each phase. Add the third floor work in the phasing plan.
- For the Visual Plans, need existing elevations (differentiate better what is new and old). Need a list of the existing and new materials. Eye-level perspective views (renderings) are missing and need to be added.
- For the Traffic plan, include the sidewalks, curb cuts, the street, and what happens at the end of the property. How is pedestrian safety addressed? (those using the sidewalk and passing the driveway) What are the sightlines? How do cars navigate the narrow space? It appears two-way but with not much room. The Transportation Demand Management Plan is not needed. Need to address these concerns on the submitted Traffic Plan. No waiver needed.
- Open Space, Conservation Lands, Natural Resources Plan: nothing is changing on the property; this plan would identify percentages of green space, open space; this is not needed.

Ms. Dale moved to waive 7.3.16.9 (open space, conservation lands, natural resources). Ms. Scott second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

- Historic Conservation and Preservation Plan: there is a preapplication meeting with the Historical Commission to review this to determine if this submittal is sufficient.

Mr. Manter: For the Utilities Plan, water and sewer are all set (nothing to change). Need to show where the HVAC units are going (currently shown in driveway area).

PB Discussion:

- Are the utilities over or under ground? Mr. Manter clarified that they are underground.

Ms. Dale moved to waive 7.3.16.11 (Utilities Plan) with the condition that the HVAC units will be shown to scale on existing conditions plan and elevations and on the new plan and elevations. Ms. Scott second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

Mr. Manter: For Stormwater Management, would like to review the existing and proposed site plan that would include elevation and topography lines to determine requirements. Can waive the requirement for compensatory storage at this time since this is not a flood hazard area.

PB Discussion:

- Would also like to see any storm drains, both on their property or in the street.

Ms. Scott moved to follow the Engineering Department's recommendations regarding the waiver request for 7.3.16.12 (Stormwater Management and Flood Mitigation). Ms. Layton second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

PB Discussion:

- For Landscaping, there are no changes.
- Suggestion to incorporate existing plantings in the site plan.

Ms. Scott moved to grant waiver 7.3.16.13 (Landscaping Plan). Ms. Layton second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0.

PB Discussion:

- The Building Development Program indicated the renovations will consist of about 4000 square feet of residential use.
- No waiver requested.

Mr. Herman: Noted the petitioner has requested a plumbing permit. It is not in the third floor, but in the existing structure. The third floor is a closet.

Mr. Kavlakian: The third floor is about 500 square feet for a bedroom closet; there is plumbing the first and second floor. The plumber can work on the existing plumbing but not as related to the third floor.

Chair Jerius: The PB does not issue plumbing permits. Not clear on this issue. Will contact the Building Department with Mr. Herman to determine the issue.

10. Adjourn:

Ms. Dale moved to adjourn the PB meeting of September 12, 2023. Ms. Scott second the Motion. Vote: Dale, Layton, Rossettos, Scott, Jerius in favor. Motion passes 5-0-0. The meeting adjourned at 10:10 pm.

Sally Dale, Clerk

Nancy Polcari, Recording Secretary