

TOWN OF WINCHESTER
BOARD OF APPEAL
71 MOUNT VERNON STREET
WINCHESTER, MASSACHUSETTS 01890
(781) 721-7115

SUPPORTING STATEMENT
REQUESTED FINDINGS

FORM 2F
SPECIAL PERMIT
(Non-conforming)
(1 and 2 Family)

Petitioner **John B. Miller** seeks a Special Permit under Section 3.5 of the Winchester Zoning By-Law for the property located at **43 Glen Road** and asks that the Board of Appeal make the following findings of fact in accordance with the provisions of Sections 3.5 and 9.4 of the Winchester Zoning By-Law and Massachusetts General Laws, Chapter 40A, Section 9.

1. The existing structure is non-conforming as to certain minimum yard set-back(s), lot area, lot frontage or lot width as follows:

The existing structure is non-conforming as to certain minimum side yard set-back requirements. The southeasterly corner of the existing structure is 11.0 feet from the easterly side yard set-back, at its nearest point, where a set-back of 15 feet is required under the Zoning By-Law. In addition, the detached one-car garage, located in the westerly side yard, is 4.7 feet from the westerly side yard set-back, at its nearest point, where a set-back of 5 feet is required under the Zoning By-Law.

2. The evidence that the non-conformity pre-dates the yard set-back, lot area, lot frontage or lot width requirement of the Zoning By-Law or was permitted under relief granted by the Board of Appeal is:

The existing structure was constructed in 1932, prior to the enactment of the current Town of Winchester Zoning By-Law.

3. The proposed enlargement or extension of the structure will not be substantially more detrimental to the neighborhood than the existing non-conforming structure because:

The proposed extension will be constructed to create an attractive, well-designed single-family home, in keeping with the scale and style of existing homes in this neighborhood.

4.

- (a) Community needs which are served by the proposal;

The proposed extension will increase the value of the property, thereby providing additional tax revenue to the Town. More importantly, the proposed extension will provide room for a growing family, with significant connections to the Winchester community. The Petitioner, born and raised in Winchester, purchased the Property with his wife in 2015. Soon thereafter, the couple started a family, which now includes three young children. Both practicing physicians, the Petitioner and his wife also volunteer at their children's school and in their local church. By creating additional space and improved functionality to accommodate a growing family, the proposed extension will permit the Petitioner and his wife to remain in their home of five years, and continue their contributions to the Winchester community.

- (b) Traffic flow and safety, including parking and loading;

The proposed extension will create an additional garage space for a second vehicle, as well as covered access from the new garage to the existing structure. Thus, the proposed extension will facilitate safe and protected parking, loading, and unloading of vehicles.

- (c) Adequacy of utilities and other public services;

The proposed extension will feature updated utility connections and fixtures, all of which will comply with current building code requirements.

- (d) Impacts on neighborhood character, including the extent to which:

- (i) Building forms and materials are compatible with the prevailing scale and character of buildings in the neighborhood;

The scale of the structure, with the proposed extension, will be compatible with the scale of other homes in this neighborhood. In addition, the proposed extension will result in a single family home similar in character to other properties in the neighborhood. The shake roof, cedar siding and trim will match the existing roof, siding and trim, thus creating a seamless transition between the existing structure and the extension. New columns and railings will match the existing trim, and wood-finish garage doors will maintain the character of the existing home. Thus, the proposed extension will be compatible with both the scale of other homes in the neighborhood, as well as the attractive, cohesive style of these residences.

- (ii) Architectural features add visual character to the neighborhood (for example, dormers, lintels, bay windows, open porches, chimneys);
and

The proposed extension incorporates details which add visual character to the existing structure and to the neighborhood. A new front porch, with complementary columns and railings, will create architectural interest; the utilization of wood-finish garage doors will respect the Colonial style of the home; and, an unused chimney will be removed and replaced with a new chimney, thereby creating visual character while improving function.

- (iii) Patterns and proportions of windows are consistent;

The windows selected for the proposed extension will match the windows of the existing structure, thus maintaining the cohesion and proportion of the entire home.

- (e) Adequacy of proposed screening and buffering;

The proposed extension will not require the removal of any shrubs or trees, including those which provide buffering for adjacent properties. The small bushes, currently located along the front façade of the dwelling, will be moved forward to accommodate the proposed porch. Once moved, these bushes will replace the brick walkway which runs parallel to the front façade. Several hostas, currently located between the detached garage and the westerly façade of the dwelling house, will be transplanted in other locations around the property.

- (f) Impacts on the natural environment, including but not limited to, changes in topography, installation of retaining walls, or the removal of mature trees;

The proposed extension will not result in changes to topography, installation of retaining walls or the removal of mature trees.

- (g) Fiscal impacts, including impact on town services, tax base and employment;
and

As stated above, the proposed extension will increase the value of the property, thereby providing additional tax revenue to the Town.

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(h) Impacts of Historic Resources, as defined in Section 10 of this Bylaw.

N. A.

NOTE: It is anticipated that many of the above questions may be answered by the submission of plans.

If the SPGA disagrees with the recommendation of any other town agencies or officials, it shall explain its position in its written decision.

The rights authorized by a special permit expire two years from the date the decision is filed with the Town Clerk unless exercised or extended in accordance with the terms of Massachusetts General Laws, Chapter 40A, Section 9.

Date: September 4, 2020

SIGNATURE: 
Molly K. McDougal

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