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TOWN OF WINCHESTER

BOARD OF APPEALS

Decision No. 3927

201 Ridge Street

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TOWN CLERK
TOWN OF WINCHESTER

Name of Petitioner: Craig Carswell

Application For: Site Plan Review under section 9.5.1 of the Winchester Zoning By-Law so as to construct a detached barn/garage where the total floor area of the three structures (house, barn, and barn/garage) is greater than 6000 square feet. The property is located in the RDA (Single Residence) zoning district and contains 50,056 +/- square feet.

Date of Hearing: March 11, 2021 and February 18, 2021

Board of Appeal: Kevin Sarney, Mark Waterbury, and Mark Regan

Decision: Granted

Vote of the Board: Unanimous

Conditions: The following conditions apply to the grant of this Special Permit:

1. Construction of the proposed addition shall be in substantial conformity with the plans as revised and information submitted with the petition, including the following:
 - a. Form 2 Application for Zoning Hearing, dated December 15, 2020
 - b. Form 2D Special Permit/Site Plan Review, dated December 15, 2020.
 - c. Town of Winchester Assessor's Map 69, dated May 25, 2006
 - d. Five -page set of plans prepared by Cummings Architectural and Interiors 57 South Main Street Ipswich, MA 01938, dated December 15, 2020, including the following:
 - i. A1 - New Barn Elevations, Front and Left
 - ii. A2 - New Barn Elevations, Left and Rear
 - iii. A3 - New Barn First Floor Plan
 - iv. A4 - New Barn Second Floor Plan
 - v. A5 - four color photos of the existing site
 - vi. Building Material List

- e. Landscape Plan, prepared by Ulrich Landscape 156 Cabot Street, Unit 2A, Beverly, MA 01915 (undated)
 - f. Existing and Proposed Site Plan (two pages) prepared by Atlantic Engineering and Survey Consultants Inc., 97 Tenney Street, Georgetown, MA 01833 (dated December 15, 2020)
2. Soil testing results, three test pits at 201 Ridge Street, dated June 24, 2020, by Joe Pandolfo.
 3. Hydrologic Report for proposed Barn dated December 8, 2020 by Atlantic Engineering & Survey Consultants.
 4. Revised Hydrologic Report for proposed Barn dated January 28, 2021 by Atlantic Engineering & Survey Consultants.
 5. Revised proposed drawing, Proposed Improvements, dated 2/2/2021 by Atlantic Engineering & Survey Consultants.
 6. Responses to Engineering Departments comments dated February 18, 2021 by Atlantic Engineering and Survey
 7. Responses to Engineering Departments comments dated March 2, 2021 by Atlantic Engineering and Survey
 8. Preservation Agreement, Winchester Historical Commission, 201 Ridge Street, dated September 27, 1994
 9. The Johnson-Thompson House, 201 Ridge Street by John D. Clemson, Preservation Consultant date August 1, 2006
 10. Massachusetts Historical Commission, form B, 201 Ridge Street, Johnson-Thompson House, dated 1/79, revised 10/87
 11. All representations made by the petitioners at the public hearing and not memorialized are hereby incorporated into the decision.

Facts:

The petitioner owns the existing 2 ½ story single family, wood framed dwelling and an existing barn structure located at 201 Ridge Street. The house is described as the oldest house in Winchester and is under a Preservation Agreement with the Winchester Historical Commission. It was built in circa 1750.

Petitioner has applied for a Site Plan Approval under section 9.5.1 so as to construct a new barn/garage where the total floor area of the total building floor areas will be greater than 6,000 square feet.

The Historical Commission reviewed the petition on February 8, 2021 and voted for favorable action 5-0 with no conditions, finding no adverse effects on a historic or cultural resource.

The application was reviewed by the Winchester Conservation Commission on January 20, 2021 and they indicated that the project will require a permit for all work within 100 feet of a resource area. The memo noted that the petitioner had filed for a permit on January 28, 2021 with the Conservation Commission.

The conservation Commission approved an Order of Conditions dated March 9, 2021, that indicated that the Commission had approved the project as proposed in the March 2, 2021 plan.

The petition was reviewed by the Winchester Design Review Committee (dated February 3, 2021) and they voted for favorable action (all). They noted they like the general location of the Barn, but would move it back slightly.

The petition was reviewed by the Winchester Planning Board (dated February 17, 2021) and recommended favorable action, 5-0 with conditions that structure be relocated so as not to impede the view of the house and to save the trees.

The petition was reviewed by the Engineering Department on March 5, 2021. They reviewed the responses to their previous memo by the petitioner dated March 2, 2021, and summarized that the applicant had addressed all the Engineering Department comments.

Discussion:

New construction of one or more buildings resulting in floor area equal to or greater than 6,000 square feet in RDA zoning district requires a Site Plan Review from the Board of Appeals.

Petitioner has painstakingly restored and renovated the historic structure on 201 Ridge Street. They are proposing a Barn/Garage near the house that would have the same architectural scale and style as the original house. The location of the new structure has been selected to blend into the landscape and to not block the view of the house. The siting was a design-criteria that reflected the topography of the lot, the historic location of the previous barn and as well as fitting in with the landscaping of the original house and property. The design and materials have been meticulously selected to retain the historic character of the property.

Site Plan Approval shall be granted only upon determination by the Board that the plan meets the following standards. The Board may impose reasonable conditions at the expense of the applicant to implement these standards. New building construction and other site alterations shall be designed, after considering the qualities of the specific location, the proposed land use, the design of the buildings, grading, egress points, and other aspects of the development, so as to:

1. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places;
2. Minimize any adverse effect on any Historic Resource;

3. Minimize the volume of cut and fill, the number of removed trees six inches in caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, soil erosion, and threat of air and water pollution;
4. Provide adequate storm water management and other utilities consistent with the functional requirements of the Planning Board Subdivision Rules and regulations;
5. Maximize pedestrian and vehicular safety both on the site and egressing from it;
6. Provide adequate access to each structure for fire and emergency service equipment;
7. Minimize obstruction of scenic views from publicly accessible locations;
8. Minimize visual intrusion by controlling the visibility of parking, storage, utilities such as HVAC systems and transformers, or other outdoor service areas viewed from public ways or premises residentially used or zoned;
9. Minimize glare from headlights and lighting intrusion;
10. Minimize contamination of groundwater from on-site waste-water disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances; and
11. Ensure compliance with the provisions of this Zoning Bylaw, including parking, signs, landscaping and environmental standards.

The discussion of Site Plan Approval will focus on Items 1, 2, 3, 4 and 11 as the standards that are most critical to this proposal. The remaining items do not present issues for the Board of Appeals to consider in this petition.

Item 1. The proposed accessory structure is consistent with the character of the primary house. The materials, scale, siting and design all reflect a dedicated effort to enhance the historic character of the property.

Item 2. The Historic Commission voted 5-0 for favorable action with no conditions. They find no adverse effect on historical or cultural resource. The additional structure will enhance the historic character of the property.

Item 3. The Landscape plans minimize tree cutting for the new structure and replace trees and shrubs as necessary.


Item 4. The petitioner has worked with the Town Engineer to satisfy the stormwater management plan, infiltration design and storage. Engineering Department has approved the plans that were presented, and they indicated no further action is necessary other than building to their plan.

Item 11. The design of this Historic property has been done extremely well and accommodating all the appropriate input to maintain and enhance the property and preserve the structure and grounds.

Taking into account the various conditions set by the Board and plans submitted by the petitioner, the criteria for the Site Review have been met.

Thus, the Petitioners' requests for Site Plan Review of their proposals to construct a new barn/garage where the total floor area of the building will be greater than 6,000 square feet is granted, subject to the above-described conditions and limitations.

Board of Appeals

A handwritten signature in black ink, appearing to read "Mark Regan", is written over a solid horizontal line.

Date of Decision: March 18, 2021

Mark Regan