

1. Agenda

Documents:

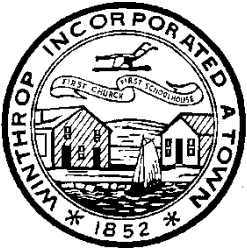
[WPB.10-19-20_AGENDA.PDF](#)

2. Meeting Materials

Documents:

[10-19-2020_PLANNING_BOARD_1.PDF](#)

[10-19-2020_PLANNING_BOARD_0.PDF](#)



Town of Winthrop Planning Board

Robert Carroll, AIA.-Chair
Gina DiMento, Esq.
Honor Merceret
David Proctor
Christopher Boyce
Steve Koutalakis
Julia Wallerice

PLANNING BOARD MEETING AGENDA MONDAY OCTOBER 19, 2020 7:00 PM VIA ZOOM

Call to Order:

Roll Call:

Presentation:

Metropolitan Area Planning Council (MAPC)
Clean Energy & Climate-

Public Comment:

New Business:

- WPB Citations for David Stasio and Vinny Zappula
- Chapter 91 Waterways License Application, Cottage Park Yacht Club, 76 Orlando Avenue
- Discussion on CB District Zoning Map, November 19, 2019

Old Business:

- None

Adjournment:

**Planning Board Meeting Minutes
October 19, 2020, 7:00 PM**

Chair Carroll opens meeting at 7:00 PM

Roll Call

Chair Carroll	Present
David Proctor,	Absent
Honor Merceret	Present
Gina DiMento, Esq.	Present
Chris Boyce	Present
Steve Koutalakis	Present
Julia Wallerice	Present

Presentation from the Metropolitan Area Planning Council (MAPC) Clean Energy and Climate

Citations are held until Dave and Vinny can join meeting

Chapter 91 Waterway License Application, CPYC, 76 Orlando Ave.

Member Carroll explains this does not require anything by the board to discuss and sign of for the DEP on the extension of the current docks.

Discussion continues and there are several questions that Chair Carroll will try and find answers

Zoning Map CBD

Board just having a discussion on this map, no changes just a basis of what the CBD is now. This has been going back and forth, but we have landed on a map and wants to review the boundary lines.

Discussion continues the zoning and economic growth concerns with this new map.

There is still an amount of legalities that must be discussed that could take up so much time, and happy that this has been discussed and legal issues being reviewed.

Chair Carroll asks all to review this map and be prepared to continue this discussion

Rob DeMarco, Councilor at Large reviews that this map being discussed and completed, we have to consider the Middle School Zoning

Motion to adjourn by Chris Boyce 8:49

2nd by Gina DiMento

Passed Unanimously

LEGAL NOTICE

JOINT PUBLIC HEARING

TOWN COUNCIL & WINTHROP PLANNING BOARD

CENTER BUSINESS DISTRICT--AMENDED ZONING MAP

TUESDAY- OCTOBER 1, 2019-DELEO SR. CENTER – 6:00 PM

Notice is hereby given that the Town Council and the Winthrop Planning Board will conduct a Public Hearing on Tuesday, October 1, 2019 at 6:00 pm at the DeLeo Sr. Center, 35 Harvard St. Winthrop, MA 02152 on the CENTER BUSINESS DISTRICT AMENDED ZONING MAP

At said hearing, all interested persons will be given an opportunity to be heard.

A draft copy of the map to be discussed is available on the Town of Winthrop Town Council and Winthrop Planning Board website(s), available for viewing in the Town Clerks Office and Council Clerk office during regular business hours and will be available at the public hearing for review.



**Winthrop Planning Board
Town Hall
One Metcalf Square
Winthrop, MA 02152**

David A. Stasio, Esq. - Chair
Gina Dimento, Esq.
Honor Merceret, AIA
Davis Proctor
Vincent P. Zappulla
Christopher Boyce
Steve Koutalakis

**Summary of Review by Winthrop Planning Board
to Winthrop Town Council regarding the
Amendment of the Town of Winthrop Zoning Map for
the Center Business District**

I. Summary of Review

Chairman Stasio called the meeting of July 15, 2019 to order at 7:05PM. The Winthrop Planning Board ("WPB") had no other matters on the agenda that evening. All seven members of the WPB were present for this discussion; however, Chairman Stasio recused himself from the Public Hearing due to a potential conflict given his represents clients in his law practice that live and/or work in the Center Business District ("CBD"). The public meeting had approximately Twenty-Five (25) members of the public present. Michael Wang of Form & Place and Janelle Austin of K&P Law were amongst the current Town officials present at the public hearing.

Chairman Stasio opened up the meeting for public comment respectfully requesting only new comments be offered in the interest of time. He went on to state that this meeting is exclusively meant to address the zoning map. Chairman Stasio asked the Board for their comments.

WPB Member Vinny Zappulla stated that there have been so many meetings, he agrees with trying to stick to this subject and offered a Motion that the WPB hear only new information regarding what is in front of us in lieu of what has already been discussed over and over. The Motion was 2nd by Gina DiMento and subsequently passed unanimously.

Jack Dowd appealed this and stated he can speak at Public Comment on anything. Chairman Stasio referred to Attorney Janelle Austin from K&P Law who advised the WPB follow the Attorney General OML in reference to the Public Comment that although public participation is entirely within the chair's discretion, the Attorney General encourages public bodies to allow as much public participation as time permits. Chairman Stasio opened up public comment.

Jack Dowd, Robert M. DiMento, Paul Southworth, John Vitagliano, Lois Baxter, John Eade, Anna Bakos, Nick Tsiotis, Jean Coughlin, and Peter Gill were amongst the citizens who spoke.

The WPB discussed the CBD zoning map and the different potential boundaries as it related to residential neighborhoods such as Viking Garden, Fremont Street residents as well as the Middle School parcel(s). the discussion covered concerns such as height restrictions, parking, density, impact on the residents throughout the Town as well as abutting residents to the proposed boundaries. The WPB discussed that the following parcels not be included in the CBD:

- Viking Garden (105-107)

- Middle School parcel(s) (141-151)
- Fremont Street
- Winthrop Street
- Hagman Road

However, the WPB also discussed that the Middle School parcel(s) must be addressed with priority by the Town Council and referred to their 2/5/2018 recommendation (attached hereto as Appendix A) that a modified CBD zone be created to address the best interest of the Town and the residents as well as encourage future planning and development for the site. Additionally, the WPB expressed concern with ambiguity regarding setbacks and height restrictions stating there should be clarity on both.

WPB Member Chris Boyce made a Motion to refer to the Town Council a base zoning map, hatching area's currently included in the draft base zoning map and add in Business A and CBD. The Motion also stated that the draft base zoning map exclude new additions of Winthrop Middle School (141-151), Fremont Street, and Viking Gardens (105-107). Vincent Zappulla 2nd the Motion which was subsequently passed unanimously (Chair Stasio-Recuse/New Member Koutalakis-No Vote).

WPB Member Chris Boyce made a Motion that the Town Council refer to the recommendation sent by the WPB on 2-5-2018 referencing the additional parcels (listed in order of priority): Middle School (141-151), Fremont St., and Viking Gardens (105-107). The Motion was 2nd by Honor Merceret and subsequently passed unanimously (Chair Stasio-Recuse/New Member Koutalakis-No Vote).

II. The Winthrop Planning Boards Role and Responsibility

The Winthrop Planning Board has held multiple meetings and public hearings relative to the Zoning Designation of 141-151 Pauline Street, Middle School Parcel as well as the zoning map for the CBD.

The Purpose of the Planning Board is to:

"promote the health, safety, convenience, morals and welfare of the inhabitants of the town; to lessen congestion in the streets; to conserve health; to secure safety from fire, panic and other danger; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the town; to achieve optimum environmental quality through review and cooperation by the use of design review; and to preserve and increase town amenities and to encourage an orderly expansion of the tax base by proper utilization and development of land. It is made with reasonable consideration of the character of the districts and their peculiar suitability for particular uses, with a view to giving direction or effect to land development policies and proposals of the planning board, including the making of Winthrop a more viable and more pleasing place to live, work and play".¹

The July 15, 2019 Public Hearing closed at 8:45 pm.

Respectfully Submitted,

Gina DiMento, Esq. – Acting Chair
August 12, 2019.

¹ Please see Massachusetts General Laws Chapter 40A and Town of Winthrop Code of Ordinances 17.04.030-Purpose.

APPENDIX A

The Appendix to Chapter 17.16 *Table of Dimensional Regulations* is hereby amended by replacing the dimensional requirements of the Center Business in its entirety with the following:

District	Minimum Lot Area (sf)	Maximum Density	Minimum Frontage	Minimum Lot Width	Minimum Yard Setback			Maximum Number of Stories	Maximum Height	Maximum Coverage	Maximum Buildable Distance Between Buildings
					Front	Side	Rear				
Center Business	5,000	-	30	30	0ft.	10 ¹⁰ ft.	15 ¹² ft.	4 ¹⁴	48ft. ¹⁴	90%	-

¹⁰ No side yard requirement for a commercial or mixed-use structure, except for a commercial lot abutting a residential district.

¹² May be reduced to ten feet, subject to site plan review, unless abutting a residential district.

¹⁴ For parcels abutting a residential district, 2.5 maximum stories/ 35 ft. maximum height at initial setbacks, one floor and 10 feet of additional allowable height for each additional 10 feet of distance from applicable setbacks, not to exceed 4 floors/48 feet of maximum height.



**Winthrop Planning Board
Town Hall
One Metcalf Square
Winthrop, MA 02152**

David A. Stasio, Esq. - Chair
Robert Carroll, AIA
Gina Dimento, Esq.
Honor Merceret, AIA
Davis Proctor
Vincent P. Zappulla
Christopher Royce

RECEIVED

2018 FEB -5 P 2: 28

**Decision and Recommendation of Winthrop Planning Board
to Winthrop Town Council regarding the
Request to Amend Town of Winthrop Zoning Map for
141-151 Pauline Street**

TOWN CLERK
MASS

I. Purpose

On July 11, 2017, the Winthrop Town Council referred the Amendment to the Zoning Code of the Town of Winthrop to the Winthrop Planning Board. This referral was in regards to Amending the Zoning Code of the Town of Winthrop to include the Town owned land, located at 141-151 Pauline Street, known as the site of the former Winthrop Middle School, Auditorium and Gymnasium, as part of the Centre Business District in the Town of Winthrop and include it as such on town zoning maps; or to take any action thereto.

II. Process

To this end, Winthrop Planning Board held six (6) public hearings relative to the revised zoning of the property located at 141-151 Pauline Street. These hearings took place on the following dates; August 29, 2017, September 19, 2017, October 23, 2017, November 13, 2017, December 11, 2017 and January 22, 2018. The Planning Board considered many factors in order to render this decision, fulfill its purpose and provide a recommendation to the Town Council. The Planning Board members also considered the 2017 Centre Business District Masterplan, and on-going studies for Public Safety Facilities, Housing and Recreational Facilities. During those hearings the Planning Board took comment from approximately forty (40) members of the public. (For more details, please refer to Individual meeting minutes for the dates listed above).

III. Recommendation

By 7-0 vote, the Winthrop Planning Board, voted to recommend that the property located at 141-151 Pauline Street, known as the site of the former Winthrop Middle School, Auditorium and Gymnasium, adopt a "modified" Central Business (CB) zoning designation.

Modifications could take the form of amendments/restrictions or enhanced design standards that accommodate the special nature, location and scale of the property and address the concerns noted in public hearing, such as height, massing, density, and parking. Further a "modified" Central Business (CB) zoning designation will provide the Town with the flexibility needed to address the wide range of possible use, currently under consideration for this site.

Respectfully Submitted,

David A. Stasio, Esq. - Chair
February 5, 2018.

**JOINT PUBLIC HEARING
CENTER BUSINESS DISTRICT AMENDED ZONING MAP**

**WINTHROP TOWN COUNCIL
WINTHROP PLANNING BOARD
OCTOBER 1, 2019**

**Council President Vecchia opens the Town Council
Public Hearing**

TOWN COUNCIL -ROLL CALL

Councilor Engman-	Absent
Councilor Calla-	Present
Councilor Christopher-	Present
Councilor Boncore-	Present
Councilor Ferrino-	Present
Councilor LoConte-	Present
Council Vice President Letterie-	Present
Council President Vecchia	Present

Member Gina DiMento opens the Planning Board Public Hearing

PLANNING BOARD-ROLL CALL

David Stasio-Chair	Present
Gina DiMento	Present
Chris Boyce	Present
Dave Proctor	Present
Honor Merceret	Absent
Vincent Zappulla	Present
Steve Koutalakis	Absent

David Stasio recuses himself from this meeting

Attendance includes Attorney Robin Stein K&P Law and Michael Wang-Form & Place Design

Council President opens meeting with discussion of two zoning maps and opens meeting up to discussion

Gina DiMento clarifies that the light blue areas of the drafted zoning map was not recommended by the Planning Board, That they should not be put in the CBD at this time, but they do need to be addressed, they did not want to hold up having a formal map. Intent with summary was to exclude from the CBD, priority parcels, the Middle School, Viking Gardens as well as Fremont St. but the blue area should include# 19-45. Also, did not include Winthrop St., where 2 formal Funeral homes are, they are now residential.

PUBLIC COMMENT

- Donna Reilly (P5)-Comments on map being a better rendering of what is in/out of the CBD. Question, where there residents homes in the district? It seems the map is clarifying that they are not. Questions Fremont St and asks why #15 is still in CBD.
- Gina DiMento-They are not in the CBD, should be blue.
- Chris Boyce-This is a future zoning map, not a land map.
- Donna asks, what happens about 15 Fremont St., what color
- Chris Boyce-That would be purple as it is a zoning map, not land use
- Donna-What is height? 4 Story Possibility and this is a major problem, congestion with people, cars, and all pockets of town.
- Jean Coughlin (P5)-Thanks for map, thanks for boundary lines. It still bothers that it states proposed, wants finalized. Agrees with 4 stories being too much no matter where in town. Disagrees with the Board of Appeals being able to put the residents in the CBD. Requests respected development with developers and town.
- Tom Reilly (P5)-What happens procedurally? When will it be adopted
- Council President- It should be at the 10-15-19 Town Council Meeting
- Tom Reilly-Think about taking 15 Fremont out and Burrill Terrace
- Peter Gill (P5)-Thanks for deleting Viking Garden from the CBD.
- Kathleen Cappuccio (P2)-Asks if this map is being presented by Planning Board to Town Council.
- Council President-Draft Map
- Kathleen-Appears #19-45 Fremont should have been blue, are these all?

Requests another map to be posted publicly prior to Town Council Vote?

Priority Parcels question, who is recommending?

-Gina-Planning Board recommended be a modified CBD

-Stephen Hines (P2 & 6)-There could be several large developments in the future, make sure of the "priority" zoning and be prepared.

-Ruth Cogashkin (P5)-Discusses the residents and different addresses on Fremont St. Seems like a deliberate set up to #15 Fremont St.

-Gina-There are certain areas that were appropriate to stay in the CBD, this is not the only residential that is included in CBD.

#15 & #18 Fremont have always been part of the CBD.

-Ruth-Asks for price of maps and how many more maps will the town be paying for?

-Chris Boyce-These are draft maps, there will be several until a finalized map.

-Council President Vecchia, once this map is adopted, then this will be the final map.

It will go to the Rules & Ordinance of which the public will have a Public Comment.

-Bob Honan (P5)-Will there be a final map to view?

-Council President-Yes, it will be on the website as soon as before the 10-15-19 Town Council meeting as possible.

Council has 90 days, we are working to expedite this procedure.

-Greg Curci (P2)-Property #20 Madison and requests to be put in the CBD.

-Bob Carroll (P6)-Concerns not including the Middle School site, but it is very important to get this zoned. This is a huge opportunity for the town.

-Lois Baxter (P2)-Requests entire area to be zoned, do not do piece by piece, asks that 4 stories are not allowed.

-Tom Honan (P5)-Question on Madison St., there are residents and they should be heard of prior to allowing this property in the CBD.

-Michael Gervasi (P5)-Time to take our town back, the developers are overtaking it and it is not right. Comments on the Parks and Rec and new location and requests maintenance fund to be developed for any new projects.

-Donna Reilly (P5)-Discusses that the residents that are in the CBD be notified.

-Council President understands this does not change their property.

-Gina-They are already in the CBD.

-Donna-They knew this when they bought their home?

-Gina-They should have

-Donna-Asks about the Environment and Climate change and thanks Town Manager Faison for his expertise. Comments the airport is expanding, we have to renegotiate our mitigation agreement.

-John Eade (P1)-Comments on map, Burrill Terrace and #15 Fremont should not be in the CBD. Discusses previous maps and where boundary lines were. The Zoning ordinance has to be reflected in the zoning map. Against any dimension changes.

Legitimate concerns have been confusing, communication is a key. Respect all involved.

-Wendy Millar Page (P2)-Winthrop St. Corridor-Should the new business located at the previous Leveque Home be in the CBD?

-Attorney Stein-This is an educational zoned area.

-Wendy-Discusses the CBD Parking that is included and asks for clarification on Winthrop St. down from Methodist Church to Caggiano.

-Gina- Winthrop St. # 211-181, and on north west side ends at #5. Our goal is not to make every business in the CBD.

#12-170 is all residential's not included in the CBD.

-Tom Reilly (P5)-Helpful to identify in the minutes what will be excluded in the actual map.

-Jack Dowd (P3)-Comments on Ingleside Park

-Council President Vecchia responds this is not part of this Public Hearing.

-Jack-Asks if at the next Town Council meeting, 141-151 Pauline St. will be voted on.

-Council President Vecchia replies not at this time.

-Jim Soper (P2)-Thanks Planning Board as being a building commissioner this is a very valuable piece of material to have.

He discusses the zoning and asks that this should not be rushed. This map is different from what was published and there is a process that has to be followed.

Council President Vecchia clarifies that the draft has not changed, it is a proposed change.

Jim-Asks if there will be a change in the dimensional regulations?

Councilor LoConte request a current version and the exact accurate proposal from the Planning Board

Attorney Stein reports that if the Planning Board is ready to make their recommendation, then physically draw on the map to reflect the Planning Boards recommendations.

Councilor Christopher had a question on Bus. A vs. CBD will there will be any major changes?

Gina replies the northeast side of Winthrop St. will be in the CBD

Councilor Ferrino review of clarification of the Historical District that should be on the map

Attorney Stein replies that it will not be on a zoning map as it is not a zoning issue.

The Town of Winthrop does not have a Historical zoning district so that is why it would not be on the zoning map.

Assistant Town Manager Rodrigues replies that town is currently reviewing the GIS maps system and districts in Winthrop will be made aware to the public.

Councilor DeMarco requests at the next Town Council meeting the map is once again reviewed and then the vote is at the next Town Council Meeting.

Gina DiMento and Michael Wang review map to prepare for the Planning Boards recommendation

Michael Wang begins reviewing the map stating that the Planning Board would like the parcels on the West Side of #19 through #45 Fremont St. included in the Priority Section of the map. In addition they would like area that is currently Bus. A. South of Jefferson West of Winthrop St., will not be included in the CBD.

Greg Curci requests his property be included.
Gina DiMento replies that though appreciated his concern, it was not part of the Planning Boards proposal, it will be up to the Town Council when they are making their decision.

Council President replies that Mr. Curci should attend the Rules & Ordinance Meeting to state his concerns.

Motion by Gina DiMento that the Town Council adopt the recommendation from the Planning Board of the amended map, for the CBD, not including the blue areas that are gray.

2nd by Chris Boyce

PLANNING BOARD-ROLL CALL

David Stasio-Chair	Recuse
Gina DiMento	Yes
Chris Boyce	Yes
Dave Proctor	Yes
Honor Merceret	Absent
Vincent Zappulla	Yes
Steve Koutalakis	Absent
Motion Passes	

Motion by Councilor Letterie to refer this amended map to Rules & Ordinance for a meeting to be held as soon as possible.

2nd by Councilor LoConte

Passed Unanimously

Councilor LoConte inquires if this vote from the Town Council will have any recusals?
Councilor President replies there are no recusals at this time. The Town Council has to vote 2/3

Public Hearing Closed

Motion to Adjourn Town Council-8:15 PM

Motion to Adjourn Planning Board -8:15PM



Town of Winthrop Planning Board

Robert Carroll, AIA.-Chair
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Honor Merceret	Present
Gina DiMento, Esq.	Present
Chris Boyce	Present
Steve Koutalakis	Present
Julia Wallerice	Present

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Rob DeMarco, Councilor at Large reviews that this map being discussed and completed, we have to consider the Middle School Zoning

Motion to adjourn by Chris Boyce 8:49

2nd by Gina DiMento

Passed Unanimously