

Winthrop Board of Appeals
November 1, 2023
6:30 pm
Meeting Minutes
Winthrop Town Hall, Harvey Room

Board Members in attendance: Darren Baird, Marc Chapdelaine, Thomas Chiudina, Jason Wright, John Young, Jaime Stern

Town Staff members in attendance: Rachel Kelly

Board Members absent: n/a

The meeting was called to order at 6:30 pm followed by roll call.

14 Townsend Street (030-2023)

The hearing for 14 Townsend was continued from the October 26, 2023 meeting. At the previous meeting the Board requested drawings that featured the height of the new structure. The applicant distributed the requested drawings. The applicant stated that the addition onto the existing house was to create a more functional living space for family.

The Chair opened up the meeting to limited public comment, requesting that the public comment be limited to height.

Zack Brennan, 77 Tafts Avenue, inquired if there would be a shadow study completed for the impact that the new construction will have on their property. They are concerned that the new construction at 14 Townsend Street will eliminate all sun in their yard.

The Chair read multiple emails into the public record:

Ashley Brennan, 77 Tafts Avenue. Email submitted October 25, 2023

Diane Grant. Email submitted October 26, 2023

A motion to close public comment was made by Jason Wright. The motion was seconded by Tom Chiudina. All members voted in favor.

After public comment closed the application was provided the opportunity to respond to public comment. The applicant stated that he has not flipped houses in the past.

Comments from the Board: The 3rd story addition and size seemed excessive, with the roof being out of scale.

The Board inquired what the purpose of the 3rd story addition was. The applicant responded that the 3rd story would allow for larger bedrooms and be more functional living space with a porch. The third floor would allow for no pitched roof on the second floor and makes the bedrooms more functional.

Board member Wright stated that there is nothing that can be done regarding the existing conditions but that it may be possible to create a redesigned project that may have less impact on abutters.

The Board could request a shadow analysis if the Board was so inclined, but it will not be requested.

The applicant requested a continuance to the November 30th meeting to redesign the house and submitted the new proposed drawings to the Board. The applicant will bring the height down to under 2.5 stories.

A motion was made to continue the hearing until November 30th at 6:30pm to allow for the applicant to supply redesigned drawings. The applicant agreed to waive the statutory timeline requirement to make a decision on the hearing.

The motion was made by Tom Chiudina. The motion was seconded by Jason Wright. All members voted in favor.

40 Willow Avenue (037-2023)

The hearing was continued to the November 30th meeting from the October 26, 2023 meeting.

The applicant presented more information regarding the property. The existing structure was built in 1880, and has been vacant for 6 years, and has been about 80% gutted. The new structure will go from 2.5 stories to 3 stories but still remain within the zoning code. Only major changes on the exterior will be the egress and decks. The existing detached garage will be torn down. The lot is 13,000 square feet.

Looking for a variance to convert a 2-family to a 3-family. Looking for a special permit to alter an exiting non-conforming structure and a variance to increase height from 2.5 stories to 3 stories.

The Chair opened the meeting up to public comment.

Mike Gagne, 315 Boden. Willow Avenue is higher than Boden Street. Parking in the back of the house is concerning about run off during rain events and what it will do to the rest of the neighborhood. Also worried about vehicles parking on the street.

Karen Chiacchia, 41 Willow Avenue. Willow Ave is 21-feet wide. Concerned about emergency vehicles being blocked from accessing the road. Also concerned about the living space at the front of the house being extended towards the street and noise from the deck. Allowing a 3-family will cause other homes to create 3-family.

Cooksens, 387 Boden Street. Does not want cars parking and facing towards her house.

A motion to close public comment was made by Jaime Stern. The motion was seconded by Jason Wright. All members voted in favor.

Applicant stated that he will install bollards in front of parking spaces to ensure cars can't drive into abutting yards. The applicant is okay with the backyard not being buildable and is fine with special conditions. The applicant addressed concerns with run off during a rain event and will be using a dry well to address run off and storm water.

The Board requested that the applicant draft a memorandum to explain the hardship if the application is not approved for a 3rd dwelling unit. The applicant will submit for the next meeting.

A motion to continue the hearing until the November 30th meeting was made by John Young. The motion was seconded by Jaime Stern. All members voted in favor.

482 Winthrop Street (038-2023)

The application was continued from the October 26th meeting. The application is for a current 3-family structure to convert to a 4-family structure. The first floor of the existing structure would be converted into two units. The basement of the structure would have flow-through vents to allow water to pass through since the location is within a flood zone. The property will require some flood water storage, which should be managed by a dry well or catch basin. Looking for relief from front and side yard

setback and special permit for pre-existing nonconforming use and change of use from a 3-family to a 4-family, and parking variance.

The Board Chair opened the meeting up to public comment.

Mark Whisaulkie, 3 Bellevue Terrace. What would the hardship be for this project? Neglect, zoning?

Dottie Whisaulkie, 492 Winthrop Street. Thought that the building would be apartments but heard recently it was converting to condos. Is this true? The area of lot that will be paved will create runoff to neighbors. Area already subject to flooding. 7-8 cars parking there, plus motorcycles. In wintertime parking is dicey, you can only park on one side of the street.

Jessica Briggs, 52 Bartlett Road. Porches will be on the side of new structure. Porches will be overlooking abutters house. Light will intrude on neighbors.

Kim Kirby, 478 Winthrop Street. Flooding, parking is horrendous, can't imagine more people. Only parking on one side of the street in the winter. House is not taken care of.

95 Banks Street. Behind applicant's property. Concerned work being done blowing dust and debris into their yard. He wants to change the whole infrastructure of the neighborhood. Applicant trying to better himself. Put money into existing property.

Joan, 476 Winthrop Street. Living at location for 5 years old. Current tenants in applicants house are not neighborly. Flooding. More technical things to be considered, especially with topography.

Rose MacDonald, 500 Winthrop Street. Don't feel it fits in the neighborhood. This does not fit into the neighborhood. Is there a conservation study for this area? How will this impact the neighborhood.

Marsha Healy, 61 Wilshire Street. Already has a soggy backyard, had 18 inches in yard/cellar. A survey of the area. Why are we having this conversation again?

Nicholas Healy, 61 Wilshire Street. Works in construction. Huge addition. The amount of workers needed for this work, trucks, is going to be massive safety hazard. Property is out of character of the neighborhood.

A motion to close public comment was made by Jaime Stern. The motion was seconded by Marc Chapdelaine. All members voted in favor.

The applicant was allowed the chance to respond to public comments and questions. Applicant stated that a dry well on the property will help with flooding.

Board member Chapdelaine noted that the property was assessed for 7 bedrooms. Applicant responded that the Building Inspector has a certificate of occupancy for 11 bedrooms.

Other board members noted that there was significant relief needed for one lot and the scale of this house is large and very close to abutters.

The applicant requested to withdraw without prejudice.

A motion to withdraw the application without prejudice was made by Tom Chiudina. The motion was seconded by Jaime Stern. Board member Chiudina, Young, Stern, Baird voted in favor of the withdrawal. Member Jason Wright did not vote in favor of the motion. Motion passed based on majority.

A motion to adjourn the meeting was made by Jason Wright, at 9:02 PM. The motion was seconded by John Young. All members voted in favor.