

Winthrop Board of Appeals
July 25, 2024
Meeting Minutes
Harvey Hearing Room

Board Members in Attendance:

Darren Baird- Chair

Jason Wright- Member

John Young- Member

Marc Chapdelaine- Member

Tom Chiudina – Member

Jordan Senerth- Member

Meeting Called to Order at 6:30 followed by roll call.

Continuations:

- **7 Madison Avenue (011-2024)**- This case will be continued until the August 22, 2024, meeting due to a publishing error. Member Wright made a motion and Member Chapdelaine seconded the motion. All voted in favor.
- **63- 69 Putnam Street (012-2024)**- This case will be continued until the August 22, 2024, meeting due to a publishing error. Member Chapdelaine made a motion and Member Wright seconded the motion. All voted in favor.

General Business:

- **40 Bates Avenue (004- 2024)**- This case was a continuation from May 2024. One of the BOA Members is no longer on the BOA, so the Applicant agreed to allow a new member to sit on the case. Attorney Edmondson- Korom and the Applicant were present for the discussion. A new plot plan was presented to replace the dilapidated garage. They reduced the height to twenty-four' across the structure and brought it in from the back and sides, away from neighboring lot lines. They are trying to scale back the design.
 - o **Public Comment:**
 - **Anonymous Abutter**- A form letter (by the applicant) was sent to the neighbors, but not everyone got it. Also, I would like to see the stamped plans (with an architectural stamp). There was clarification that it was a petition in support of the project that stated that and asked neighbors to sign with their names and address. There was discussion that the plans are in the BOA office at Town Hall.
 - **Brian- Direct Abutter**- He stated that he saw the drawings and there was no mention of it going up two stories would stop all the natural light in his yard. It is a non-conforming structure, and the drawings are still non-conforming. He stated that he would be ok with a one-story plan. Brian's wife stated that they agree something should be done to the garage so it can be used, but the plans do not allow for three' between the new structure and their home. There is concern about the gap not being landscaped or maintained and that there will be no light or air flow.
 - **Petrillo (sp?)- Abutter**- It was noted in an earlier meeting that it will be over developed, and it was strongly opposed because it will be a two-story wall with no

way to see sky, light, or air circulation. The structure is close to the lot lines, creating a potential fire safety issue. It does not seem like there is hardship because there are two people living in an 8-room house.

- **McGill- Abutter-** The houses are close together in the neighborhood and the nature of the lots dictates the amount of sun. The letter sent out to the neighbors was a support letter.

o **Response from the Applicant:**

- There is concern that it is going to be a multi-use building which to clarify will be a garage, with storage and a media room above.
- The sun falls where it does, and the structure will not block the sun in the neighbors' yards.
- There will still be airflow.
- It was initially suggested that side windows be added, but it seemed that it would be too direct into the other house, so we removed them. They can be added again.
- We are not trying to upset the neighborhood, just trying to improve our home.

o **BOA Discussion:**

- Why does it have to be so large? Can it be scaled back to thirty-three' by twenty-five'? That would still give you a lot of space and room at the lot lines.
- It is out of character for the neighborhood; there are no other additions on lots. All the lots are square so there is no hardship for the land, the hardship is wanting more livable space and that is not a hardship on its own.
- The addition is not common at all. While the BOA is not a design committee, would you consider either a garage or a room?
 - The applicant responded that there is a backup design that is only a garage. Plan was shared with the Board.
- Reviewing the revised plans shows that there would be a one-story, one car garage instead of a two-story garage. The size would shrink from thirty-three' to twenty-seven'.
- Air flow and sun light are only considered when zoning would be impacted. The BOA has a duty to evolve but also to meet ordinances.
 - **Public Comment on Revised Plan: (Speakers were not identified.)**
 - o There are two other car garages in the neighborhood.
 - o If it is an attached garage, there should be an exhaust fan.
 - o Fixing it is better for them than leaving it as it is now.
 - **BOA Discussion on Revised Plan:**
 - o There would be no variance needed for the height, and for the side and rear yard, it pulls back from what is there now.
 - o There is an unrated wall issue. The plan to expand would need to comply with the fire and building codes.
 - o It would be a one car garage twenty-seven' parallel to the side lot.

Member Young made a motion that the existing garage on the lot shifted to the North side of the lot creates a unique hardship. The applicant wants to move it all in which makes in more compliant and does not create a public health, safety, or welfare issue as long as it complies with all fire and building codes and Member Chapdelaine seconded the motion. There was a 4-1 vote in favor. A second vote for the special permit for the expansion was taken. Member Wright made a motion for approval and Member Chapdelaine seconded the motion. All voted in favor. The revised plans need to be filed with

the Town and Attorney Edmondson- Korom will draft a Decision Letter to be reviewed and signed by the BOA.

- **Meeting Minutes from February, April, and May 2024 were accepted.**

Member Chapdelaine made a motion to adjourn the Meeting and Member Senerth seconded the motion.

The Meeting was adjourned at 8:12pm.