



TOWN OF WINTHROP BOARD OF APPEALS
1 Metcalf Square, Winthrop, MA 02152
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MEETING MINUTES: September 18, 2025

PROPERTIES DISCUSSED:

- 2025-010, 8 Sheryl Lane- The Applicant is requesting a continuance to April 2026 for a variance on a non-conforming structure. The Applicant submitted a waiver of the statutory period, and the Board granted the continuance.
- 2025-015- 95 Bowdoin Street- This project involved a cease-and-desist order on an ADU project, explaining the building commissioner's cease and desist order and denial of the ADU application. Attorney Delehanty detailed the building permit issued for the attic, garage, and other modifications, and the Building Commissioner's concerns about the kitchen and ADU application. He continued to relay that the state law protects the right to create an ADU in single-family residential zones, citing specific statutes and recent legal decisions.

Public Comment was opened, and one abutter spoke in favor of the project. The ZBA Members discussed the Building Permit and the Building Commissioner's actions. There was further discussion on the enforcement action and the Board's jurisdiction over such matters.

The Board considered the state law's requirements for ADUs and the Building Commissioner's interpretation of the zoning ordinance. The Board decided to conditionally rescind the cease-and-desist order, allowing the ADU project to proceed if it meets all code requirements. A motion to permit this as an ADU pursuant to 766 provided it complies with 760 CMR 71 and if it otherwise meets all code requirements for ADU was made and seconded. All voted in favor.

- 2025-013- 210-212 Winthrop Street-Attorney Delehanty presented the project including the specifics that it is a 19,000 square foot lot with significant height and story variances requested. The Board requested further adjustments and information. The Board of Appeals discussed the impact of trash collection on the RA district, noting that six dumpsters are used for 29 units, potentially disrupting traffic. A solution involving large plastic bins was proposed. The parking requirements, unit sizes, and the project's compliance with zoning regulations were also discussed.

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Public Comment was opened with comments including concerns about the project's impact on traffic, neighborhood character, and the appropriateness of the variances.

The Board continued to discuss the project's compliance with zoning regulations, the need for variances, and the impact on the neighborhood. The project's height, the adequacy of parking, and the appropriateness of the commercial space were considered. The project's compliance with state and local laws, including parking requirements and the need for commercial space were also discussed.

Further discussion was held regarding trash collection methods and their impact on the RA district and traffic. A solution involving large plastic bins to streamline the trash collection process without disrupting neighbors was offered.

The need for bike racks and that the Planning Board requires them was discussed.

Concerns about the building's design, suggesting that stepping the building back from the RA district could mitigate the impact on neighboring properties was raised. The potential of shadow impact of the building, particularly in the morning and early afternoon, was discussed as well as some adjustments to minimize this effect.

A proposal to eliminate the third or fourth story against residential properties to address height concerns was suggested. The Board should experiment with different designs to find a satisfactory solution, emphasizing the need for a meaningful step back was discussed.

Compliance with the 20-foot setback was confirmed. Discussion of the impact of the building on neighboring residential properties and the need for further adjustments continued.

A legal opinion regarding the zoning line and its impact on the building's design was raised. The technical aspects of the zoning line and its implications for the building's height and setback were discussed. A previous discussion about a similar issue with senior housing resulted in a legal opinion being consulted.

A motion to continue with the Applicant needing to submit a revised design proposal, considering stepping back the building height and massing on the residential side; provide elevation drawings with specific height measurements, and to address trash/dumpster management and how it will be handled without obstructing the street was made and seconded. All voted in favor.

MEETING MINUTES REVIEWED:

July 17, 2025 and August 21, 2025 Meeting Minutes were reviewed and approved.

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