



TOWN OF WINTHROP
PLANNING BOARD
1 Metcalf Square, Winthrop, MA 02152
[o] 617-846-1852 x 1013

ATTENDANCE

Chris Boyce-Chair-Present
Honor Merceret-Present
Sarah Jane Fourness-Present
Alyssa Gamble-Present
Jason Pollutro-Present

MEETING MINUTES- July 20, 2026

PROPERTIES DISCUSSED:

210 Winthrop Street- This project was continued to August 24, 2026, Planning Board Meeting due to late submission of updated materials and that the project was not included on the meeting agenda.

MOTION:

A motion was made by Chair Boyce to continue the project and seconded by Honor Merceret. All voted in favor.

OTHER BUSINESS:

TREE COMMITTEE DISCUSSION:

A motion from the Tree Committee wanting to add Section G to the current 17.44.060 Ordinance. Because the proposed amendment would modify Chapter 17.000 of the Town's Zoning Ordinance, the matter must be referred to Planning Board for a public hearing and recommendation to the Town Council prior to any action being taken by the Council. The Tree Committee has proposed adding Section G, as follows:

Section G. Developer Tree Plan: A Developer Tree Plan that has been approved by the Tree Warden and that is consistent with Section 13 of "Title 12-Streets, Sidewalks, and Public Places, Chapter 12.48-Trees."

The Planning Board discussed a motion from the Tree Committee which would modify Chapter 17 of the Town zoning ordinance regarding developer tree plans. Kurt Millar, Suzanne Swope, and Kim Dimes attended and represented the Town Council. The Board identified that they lacked sufficient context and full text of Chapter 12.48 trees to properly review the proposal, leading to a decision to continue the discussion to the August 24, 2026, meeting until they receive a legal opinion from Attorney Cipolleta and

more complete context about how to add the developer tree plan section as well as the complete and current Chapter 12.48 along with any proposed changes to the Chapter.

MOTION:

A motion was made by Chair Boyce to continue the project and seconded by Honor Merceret. All voted in favor.

USE ORDINANCE DISCUSSION:

Motions were submitted by Town Counsel Attorney Cipoletta, The Rules and Ordinance Sub Committee, Councilor Millar, Councilor Swope, and Councilor Dimes to amend the current Use Ordinance. Currently 17.52.030 states: "That the provisions of Section 17.52.030 of the Winthrop Town Ordinances, titled Variances, be amended by striking the words "use or" in the first sentence. The amended ordinance shall read as follows:

17.52.030 - Variances.

The board of appeals may authorize a variance from the terms of this title for a particular parcel of land or for an existing building where, owing to conditions especially affecting such parcel or such building but not affecting generally the district in which it is located, a literal enforcement of the provisions of this title would involve substantial hardship, financial or otherwise, to the appellant and where desirable relief may be granted without substantial detriment to the public good and without nullifying nor substantially derogating from the intent or purpose of this title. Before any variance is granted the board of appeals must find all conditions to be present as specified in G. L. c. 40A."

The council discussed proposed amendments to eliminate use variances in the current use-ordinance, aligning with most other cities in the state. Kurt Millar, Suzanne Swope, and Kim Dimes attended and represented the Town Council. It was clarified that while residential use variances would be eliminated, other commercial uses within residential districts could still proceed through special permits, not variances.

Open discussion included the following topics: Maintaining residential areas while allowing for appropriate neighborhood commercial amenities; Future review of the use table and allowed special permits for consistency with district goals along with allowing enough flexibility to meet changing economic times and resident needs without constant changes to the code if no use variances were allowed; From the attending members of the Town Council if they changes they were requesting matched their intended purposes particularly if the intent was to limit variances for residential uses since this may not be enforceable under Chapter 40A; Anecdotal history of some Board of Appeals variance approvals in or adjacent to residential districts.

These discussions led to an understanding of the need for guidance from the Town's Counsel (Attorney Cipoletta) regarding the impact of Chapter 40A regulations on limiting residential use variances, and use of the Special Permit granting process. The Planning Board also requested that the Town Council clarify its goals as it was unclear that the requested changes met those goals based on comments from the three Town Council members in attendance. If use variances were to be prohibited, The Town and Planning Board would need to take a closer look at the use table and requests guidance from MPAC.

MOTION:

A motion was made by Chair Boyce to continue the review and seconded by Alyssa Gamble. All voted in favor.

MEETING MINUTES:

Minutes from June 20, 2026, meeting were reviewed and approved with edits.

MOTION:

A motion was made by Alyssa Gamble to accept the minutes and seconded by Honor Merceret. All voted in favor.