

**Planning Board Meeting Minutes  
November 16, 2015**

Chairman Peter Roche opened the November 16, 2015 meeting of the Winthrop Planning Board at 7:00 pm.

**Roll Call**

Peter Roche	Present
Robert Carroll, AIA	Present
David Proctor,	Present
Honor Merceret	Present
Vincent P. Zappulla	Present
David Stasio, Esq.	Present
Gina DiMento, Esq.	Present

**PUBLIC HEARING:**

Petition of Louie Roberto and Rita Roberto, Trustees of the 142 Pleasant St. Realty Trust to Amend The Winthrop Zoning Ordinance by Amendment of the Winthrop Zoning Map to include such property described above in the Special Development Overlay District (SDOD)

Chairman Roche discusses the process of an SDOD and the proper steps to obtain this amendment.

The Winthrop Planning Board has no authority to change the zoning map or adopt legislation, simply to give guidance and a recommendation to the Town Council.

The Town Council will hold another Public Hearing and they will make the final decision on whether or not the zoning map will be changed.

There will be an opportunity for both the public and the petitioner to speak on behalf of this request.

**Public Hearing Opened:**

Attorney Cipoletta, attorney for the Petitioner discusses the history of this project....  
And the history of why Winthrop adopted the Special Development Overlay District  
The owner would like to impress upon the Winthrop Planning Board and the public that this piece of property as a vacant building should be allowed into the SDOD.

The owner has been trying to keep lines of communication open with the neighborhood and public.

The original proposed development was up to 21 units and had been reduced to 18 units. This still did not get good feedback so the Trustees decided to dispose of the property and put out for auction. At that time neither the town nor the owners were particularly fond of the nature of the interest of the proposed interest and did not have to abide by local zoning.

The owners are now proposing 12 units and feel this is a comfortable fit for the neighborhood and that it's 4 elements fit the purpose clause of an SDOD.

A conceptual plan is discussed by engineer 8 Town House Units 4 Flat Units  
(please see attached information).

**Public Comment**

Neighbors objecting to this Project:

Richer Bangs (P5)  
Stephanie Vasilos (P5)  
Peter Hanlon (P5)  
Emilie DiMento (P5)  
Ken Avery (P5)  
Harriet Rosenberg(P5)  
Ben Geldoff (P5)  
Linda Rainville (P5)  
Trish Bosco (P5)  
George Rendell (P5)  
Diane Canavan (P5)

Attorney DiMento-Swampscott, MA

Speaks on the behalf of several neighbors

All are believers this project is not compatible with the neighborhood

**Public Comment Closed**

**Discussion:**

Winthrop Planning Board discusses the project as being approved for an SDOD...

- David Stasio does not feel project is compatible with neighborhood, does not fit the SDOD.
- Gina DiMento, does not feel this will enhance "the" property, not a historic building. Owner has chosen to abandon property, it was their choice. There is not one abutter in favor.
- Honor Merceret how is the fact that it is a vacant property be remedied.
- Robert Carroll, agrees no historic value.
- Chairman Roche, disagrees would like to see the SDOD.

**Motion by David Stasio that the Planning Board will recommend a denial of the project located at 142 Pleasant St. to the Town Council**

**2<sup>nd</sup> by Gina DiMento**

**Passed Unanimously (4-3)**

**Public Hearing Closed**

**Public Hearing-Continued from November 9, 2015**

**Design Review, 60 Hermon St. SDOD**

**Public Hearing Opened**

Discussion on Design Review with 60 Hermon St. Design Team, Winthrop Planning Board and neighbor John Cataldo

**Motion by Gina DiMento to approve the design review to include all individual conditions that were discussed and be reviewed by the Planning Board prior to final decision being written...**

**(See Attached Design Review)**

**2<sup>nd</sup> by Honor Merceret**

**Passed Unanimously**

**Public Hearing Closed**

**Motion to Adjourn 9:36 PM**



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

Peter Roche, Chair  
Robert Carroll  
Gina Dimento, Esq.  
Honor Merceret  
David Stasio, Esq.  
Vincent P. Zappulla  
David Proctor

**Planning Board Decision  
SDOD Development Plan Review- Building Reuse Project**

**Applicant:** Ocean City Development LLC  
**Property Locus:** 60 Hermon Street, Winthrop, MA  
**Hearing Date:** Opened 10/13/15. Closed 9/16/15  
**Zoning District:** RA/SDOD

**Background/Project Summary**

On May 19, 2015, Winthrop Town Council approved a Petition submitted by Ocean City Development to apply the provisions of Chapter 17.48 of the Winthrop Code (Special Development Overlay District) to certain real property located at 60 Hermon Street, Winthrop, MA. At the 9/14/15 Planning Board meeting, the Applicant requested consideration of a final Development Plan for the adaptive reuse (Building Reuse) of the former church property as a 5-6 unit multifamily residential property. The Winthrop Planning Board ("WPB") scheduled the Plan Review for October 13, 2015 and directed Applicant to provide legal notice of the Review consistent with Chapter 40A and Town policy.

The Design Review was opened on October 13<sup>th</sup>. After significant deliberation, WPB directed Applicant to return with a revised Development Plan amended to reflect public comments and concerns expressed by WPB as a result of the Plan Review process. The Applicant re-filed a Development Plan for five (5) units of multifamily housing, nine (9) off street parking spaces, significant site improvements to include a subsurface storm drainage system, retaining walls, and improved access control at the public sidewalk, and the preservation of significant building elements deemed to be of historic and design merit. This revised Plan is attached and explicitly incorporated within this Decision and, together with the conditions set forth within, shall inform the terms of any Building Permit issued by the Town of Winthrop.

A summary of the Board's principal Findings, Waivers, Decision and Conditions of Approval follows immediately hereafter.

## Findings

1. The property at 60 Hermon Street is located in Zoning District RA. By amendment to the Winthrop Zoning Map, lawfully enacted by Winthrop Town Council on May 19, 2015, the property at 60 Hermon Street is also located within a Special Development District Overlay, pursuant to Chapter 17.48 of the Code.
2. The reuse of an existing municipal, institutional, commercial, industrial or residential building as a multifamily dwelling is expressly permitted as a Reuse Project, within Sec 17.48.050 of the Code, subject to Development Plan Review.
3. The existing development at 60 Hermon Street is an 11,207 sf lot improved by a 2.5 story wood frame church structure, consisting of approximately 5,856 sf gross building area. Designed primarily to serve as a space for public assembly, the building has limited utility for reconfiguration within the limits established in the underlying RA zone. The building is in fair to poor condition.
4. Neighborhood concerns with respect to parking and potential pedestrian conflicts at the public sidewalk are of concern and need to be addressed in any reuse project.
5. The existing building façade is worthy of preservation. The Applicant has agreed to restore and preserve important building elements that contribute to the historic design integrity of the building.
6. The final proposed Plan advanced by Applicant, attached hereto as Exhibit 1 (Dilullo Assoc, Inc. Rev. #2, 11/16/15), proposes five multifamily residential units, nine off street parking spaces, the preservation of important façade elements, and significant improvements to site access, site drainage and the stability of the site.
7. No expansion of the current building footprint is requested or approved. The proposed development of five (5) units within the existing footprint is permissible subject to Development Plan Review, per Sec 17.48.060 of the Code
8. The building, as proposed, meets the Dimensional Requirements for a Building Reuse Project, as set forth in Section 17.48.060, including Building Height, Lot Coverage and Setbacks.
9. The building, as proposed, meets the Landscaped Open Space requirements set forth in Section 17.04.050.
10. Applicant will install and maintain a five (5) foot landscaped buffer along the north boundary of the property (adjacent to residential district) to the rear of the existing building. The required installation of a five (5) foot landscaped buffer from the rear of the building to the rear boundary of the lot, and along the rear boundary of the lot is not possible given the configuration of the lot and the required roadway and parking configuration. WPB finds that Landscape Plan

submitted by Applicant, and attached as Exhibit "" meets the requirements of Section 17.16.020(F)

11. The revised Development Plan, including three 1BR units at 700+sf, and two 2BR units at 1,000sf+, meets the Minimum Floor Area Requirements set forth in Section 17.48.060G
12. Applicant proposes to provide nine (9) off street parking spaces. Sec 17.48.110 of the Code stipulates the provision of 9.5 off street parking spaces based upon the unit configuration provided in the Development Plan. Sec 17.48.110D of the Code permits WPB to approve a reduction in required off street parking spaces if said reduction undue congestion, traffic hazards, or a substantial detriment to the neighborhood, and does not derogate the intent and purpose of the SDOD. WPB finds that the reduction of parking spaces from 9.5 to 9 satisfies that condition.
13. No outdoor storage or mechanical equipment are located within 50 feet of a public or private street, and are adequately screened from abutting uses.
14. Applicant proposes very limited "site improvements" as defined in Sec 17.48.090 of the Code. The requirement for funding of a performance bond to guarantee completion in accordance with the Decision shall be determined by the Town Manager.
15. The structural adequacy of the retaining wall at the north and western boundaries of the parcel will require, and shall be subject to the review and approval of the Commissioner of Inspectional Services, in consultation with the Dept. of Public Works.
16. The proposed expansion of the driveway from 12 ft to 18 ft at the point of access to the public roadway will mitigate the risk of pedestrian and vehicular conflict. Applicant will install signage, driveway mirror, and warning signal to further mitigate the risk of pedestrian conflict (see Conditions)
17. The installation of an additional 4 foot landscaped buffer at the base of the northern boundary retaining wall, and the planting of a vegetative wall covering, will mitigate visual impacts for the residential abutter to the north, and will be a condition of the Development Plan approval. In order to achieve this condition, WPB approves a 6" reduction in the required width of off street parking spaces, from nine (9) feet to eight and one half (8.5) feet.
18. The installation of a subsurface storm water drainage system (StormTech MC-3500, as depicted on Civil Plan Exhibit "") is necessary and sufficient to mitigate the risk of any storm water drainage to adjacent properties.
19. The installation and maintenance of a solid wood fence along circumference of the parking lot is sufficient and necessary to avoid the visual intrusion of vehicular lights on adjacent properties.

## **Waivers**

WPB considered requests for various waivers listed below and determined that such waivers will result in a substantially improved project; that such project will otherwise meet the performance and design standards set forth in Sec 17.48.100 of the Code; and that such waivers will pose no significant detriment to any adjacent neighborhood, and will not nullify or substantially derogate from the intent of purpose of the Winthrop Zoning bylaw. The following waivers are hereby granted by the WPB:

1. Waiver from strict compliance with Section 17.48.100 of the Code, by approving an alternate form of landscaped buffer as depicted on the Landscape Plan att'd as Exhibit""
2. Waiver from strict compliance with Sec 17.48.110 of the Code by approving the provision of 9 off street parking spaces, in lieu of the required 9.5 spaces, and by approving 8.5 width of the off street parking spaces in order to enable installation of an additional 4 ft landscaped buffer at the base of the northern retaining wall.

## **Decision**

WPB evaluation the Development Plan submitted by Applicant and as the Approving Authority, by a vote of seven (7) in favor and none (0) opposed, hereby grants Development Plan Approval pursuant to Section 17.48.090 of the Code for the project described within and filed in the Office of the Town Clerk, subject to the Conditions stated herein, all of which are an integral part hereof:

## **Conditions of Approval**

Development Plan(s) provided by Applicant dated November 16, 2015 are hereby confirmed, clarified and approved subject to the following conditions:

1. Installation of driveway mirror, signage indicating required yield to entering vehicles, and warning signal, all subject to approval by Commissioner of Inspectional Services, in consultation with Chief of Police.
2. Installation of StormTech subsurface drainage system, per Civil Plans
3. Completion of landscape improvements per Landscape Plan.
4. Density limited to five units, three (3) 1BR units, and two (2) 2BR units
5. Preservation of historic façade as per approved building elevation, including maintenance of cedar shingle siding and placement of windows and exterior doors per approved Building Elevation.
6. Installation of four (4) foot landscaped buffer at the base of northern retaining wall and installation of vegetative material along retaining wall surface.

7. Structural review and approval of retaining wall(s) by Commissioner of Inspectional Services.
8. Installation of a subsurface storm water drainage system (StormTec MC-3500, as depicted on Civil Plan Exhibit "\_\_\_") is necessary and sufficient to mitigate the risk of any storm water drainage to adjacent properties.
9. Installation and maintenance of a solid wood fence along circumference of the parking lot and installation of six shielded, building mounted parking lot lights per approved Plan.
10. Applicant to submit Construction Management Plan for review and approval by Commissioner of Commissioner of Inspectional Services.
11. Applicant will comply with performance guarantee requirements per Sec 17.49.090D in amount to be determined by Town Manager.
12. Except as modified by the Conditions and Findings hereof, the Project shall conform to the approved Development Plans in all respects, and Applicant shall pursue completion of the Project with reasonable diligence, continuity and care for abutters. Any material alterations, modifications, deletions or amendments to the Decision are subject to the review and approval of the Planning Board.

#### **Record Plans**

Building Elevation by Dilullo & Associates dated 11/16/15  
Floorplans by Dilullo & Associates dated 11/16/15  
Civil Plan by Hayes Engineering, Inc. dated 11/16/15  
Landscape Plan by Dilullo & Associates dated 11/16/15

#### **Record of Vote**

The following members of the Winthrop Planning Board voted on November 16, 2015 to **approve** the Development Plan submitted by Ocean City Development LLC for the property situated at 60 Hermon Street: **Robert Carroll, Vincent Zappulla, Honor Merceret, Gina Dimento, David Stasio, Davis Proctor, Peter Roche**

The following members of the Winthrop Planning Board voted on November 16, 2015 to **deny** the aforementioned Development Plan. **None**

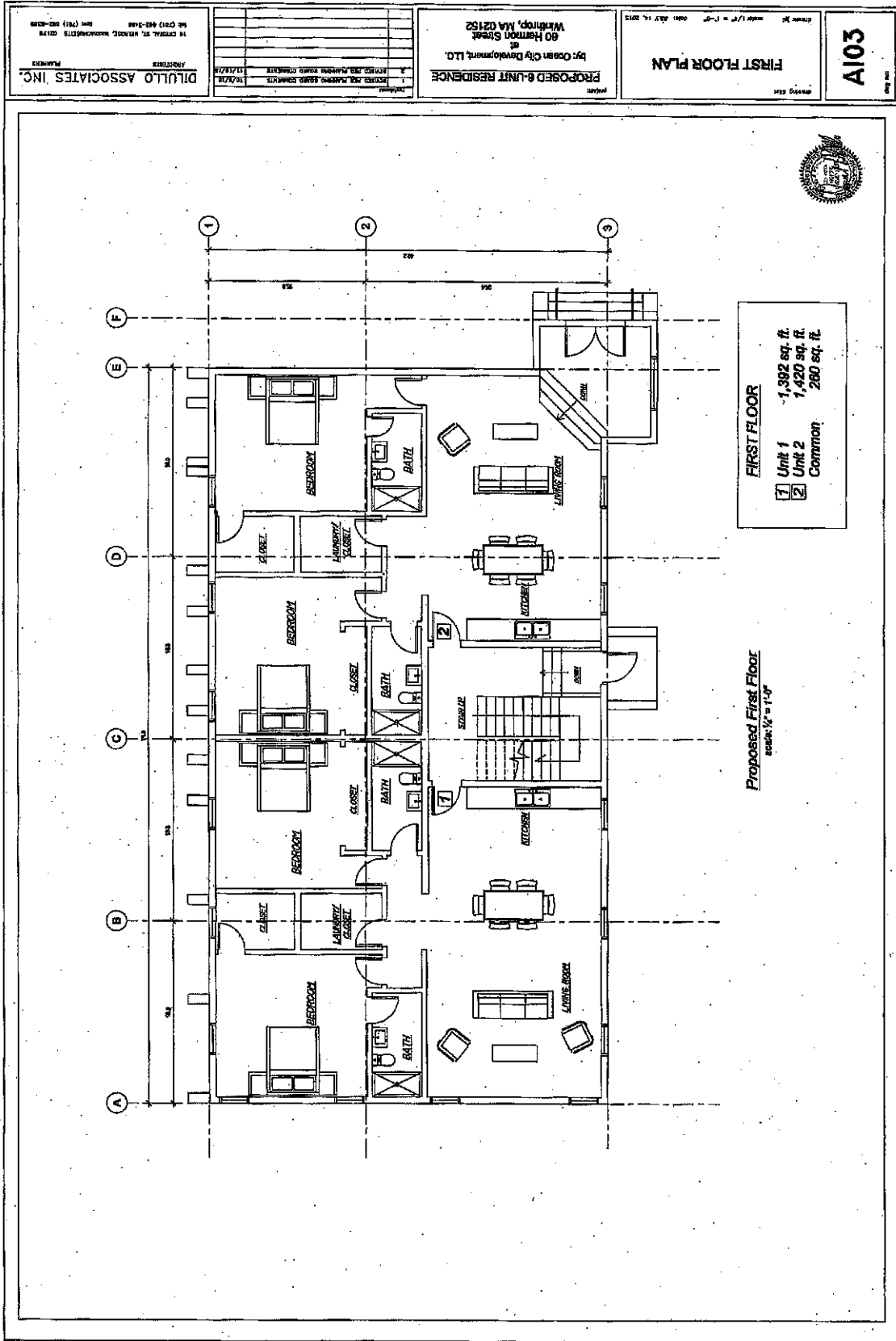
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Peter Roche, Chair

Date: \_\_\_\_\_

cc. Jim McKenna, Town Manager  
Al Legee, Commissioner of Inspectional Services

60 HERMON ST.  
11-16-15



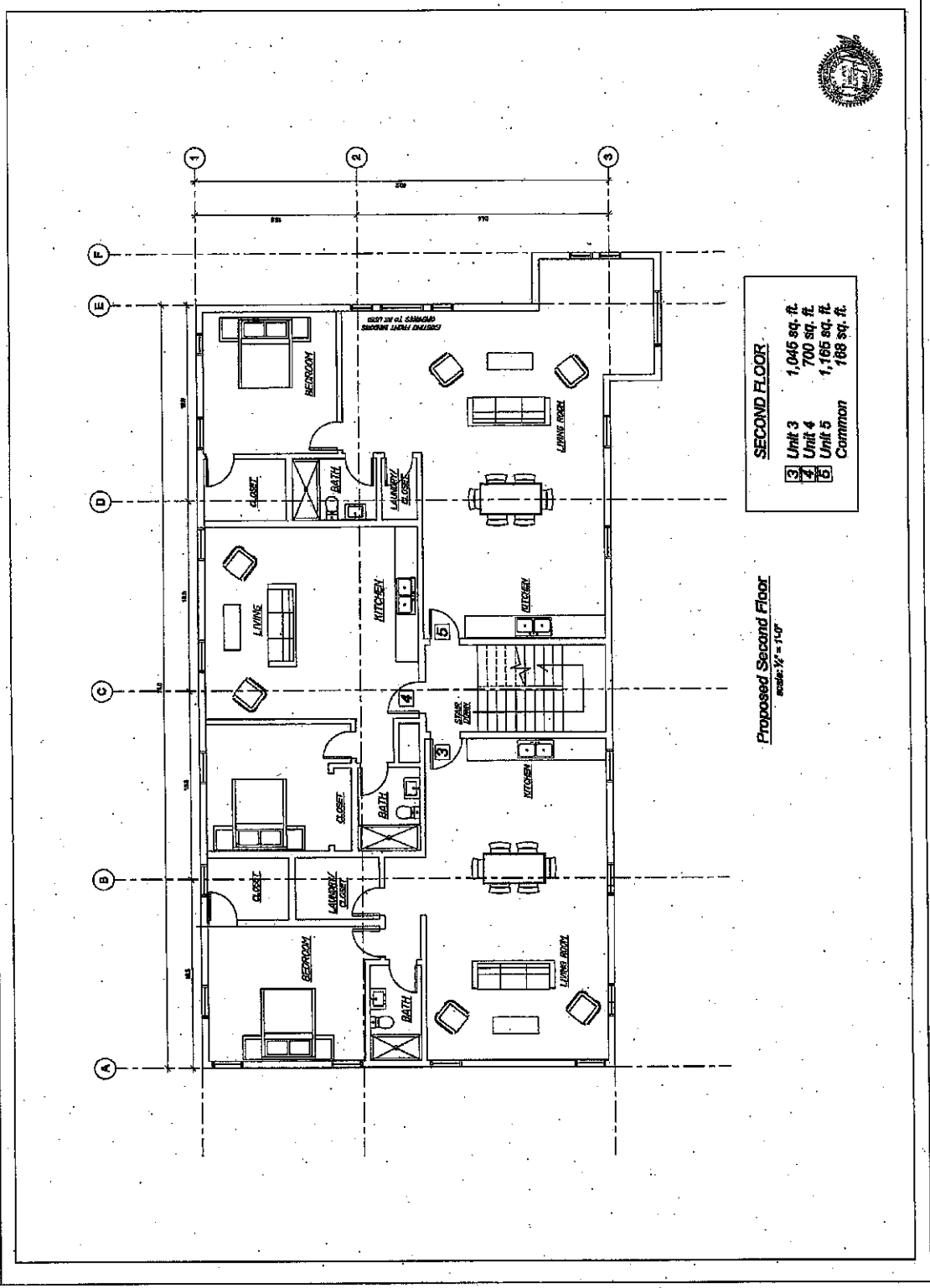


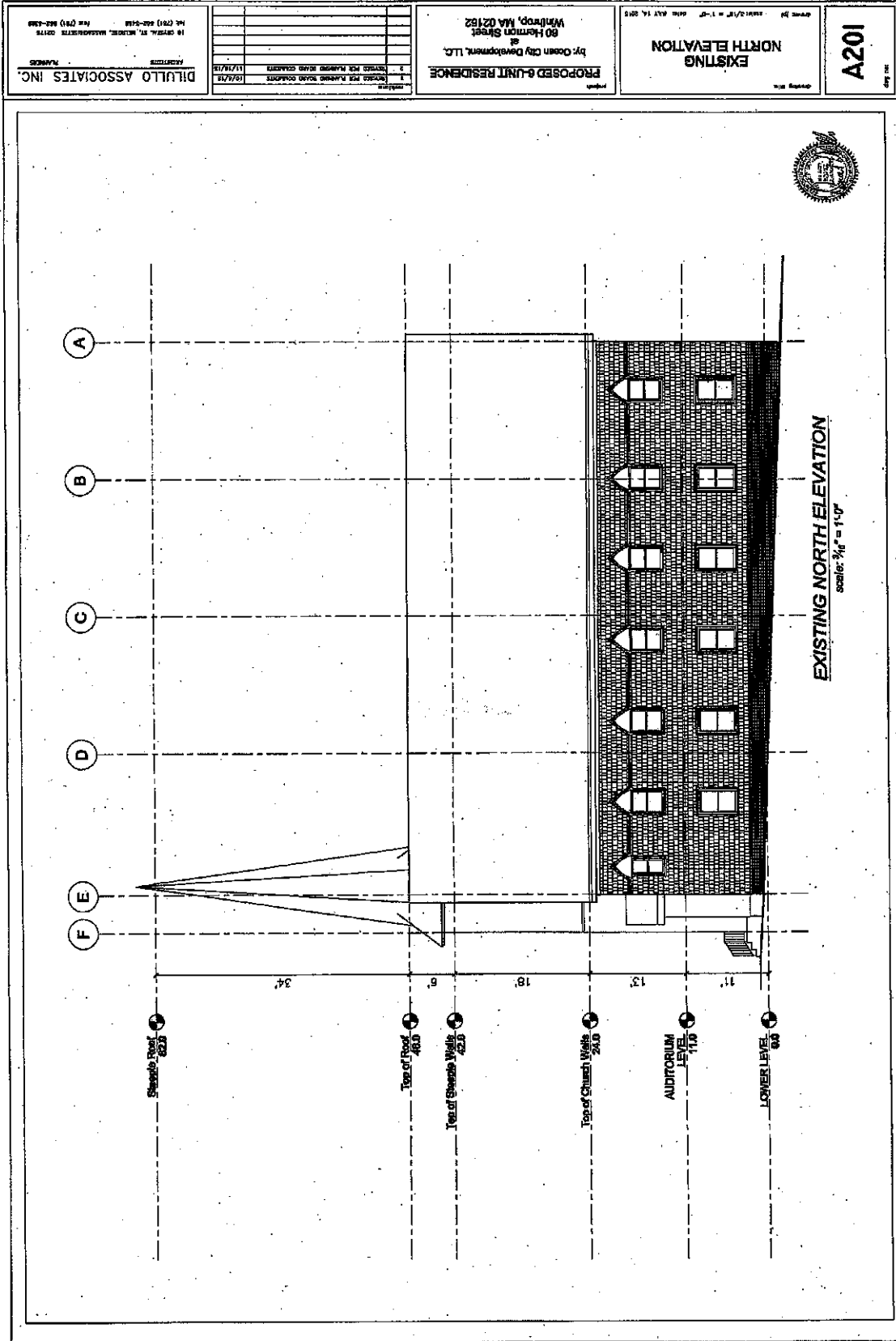
**DILULLO ASSOCIATES, INC.**  
PLANNERS  
10 CENTRAL ST., SUITE 200  
CAMDEN, MA 01862  
TEL: (978) 882-3400 FAX: (978) 882-3403

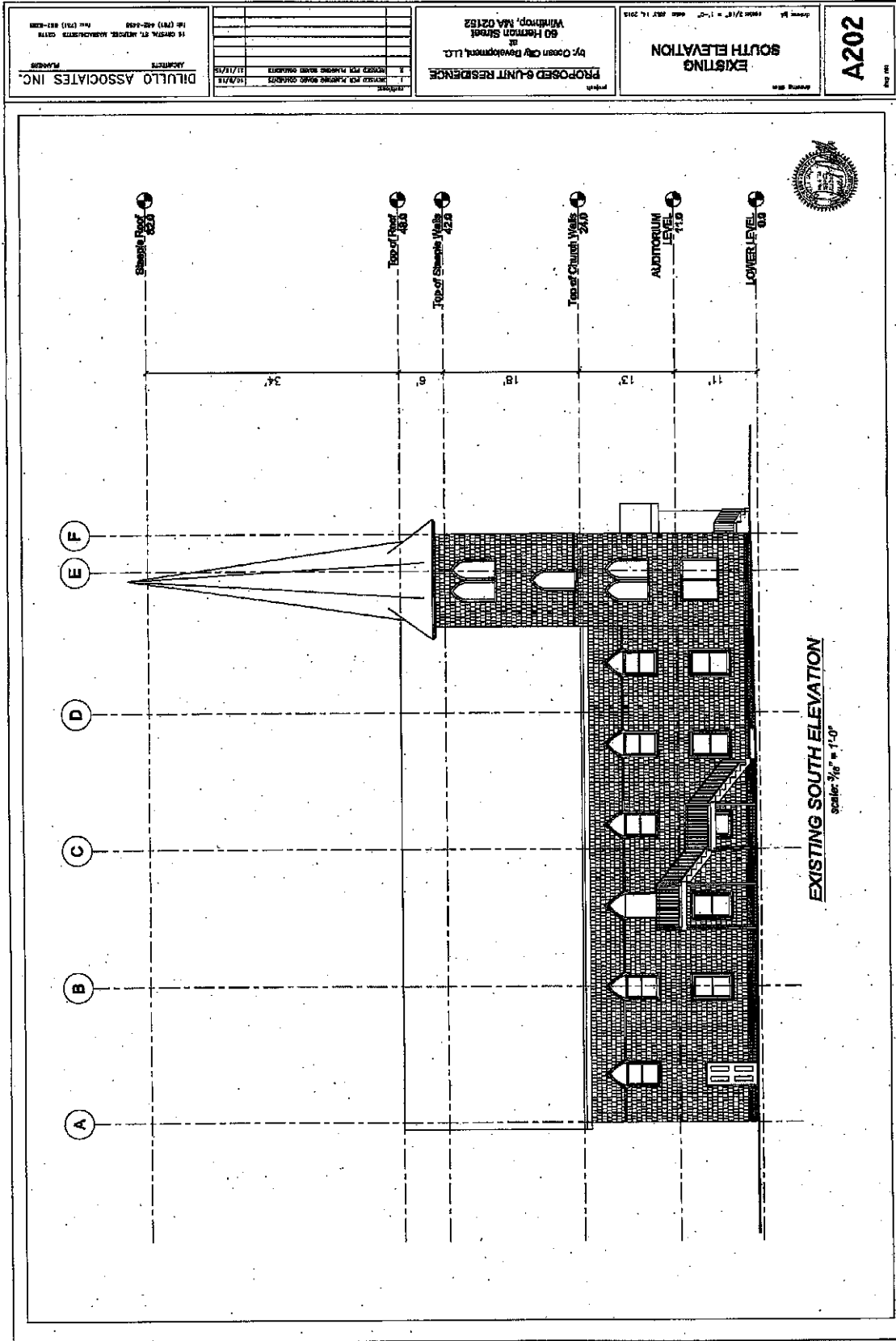
**PROPOSED 6-UNIT RESIDENCE**  
60 HEMPTON STREET  
WINTHROP, MA 02152  
BY: CLARK CITY DEVELOPMENT, LLC.

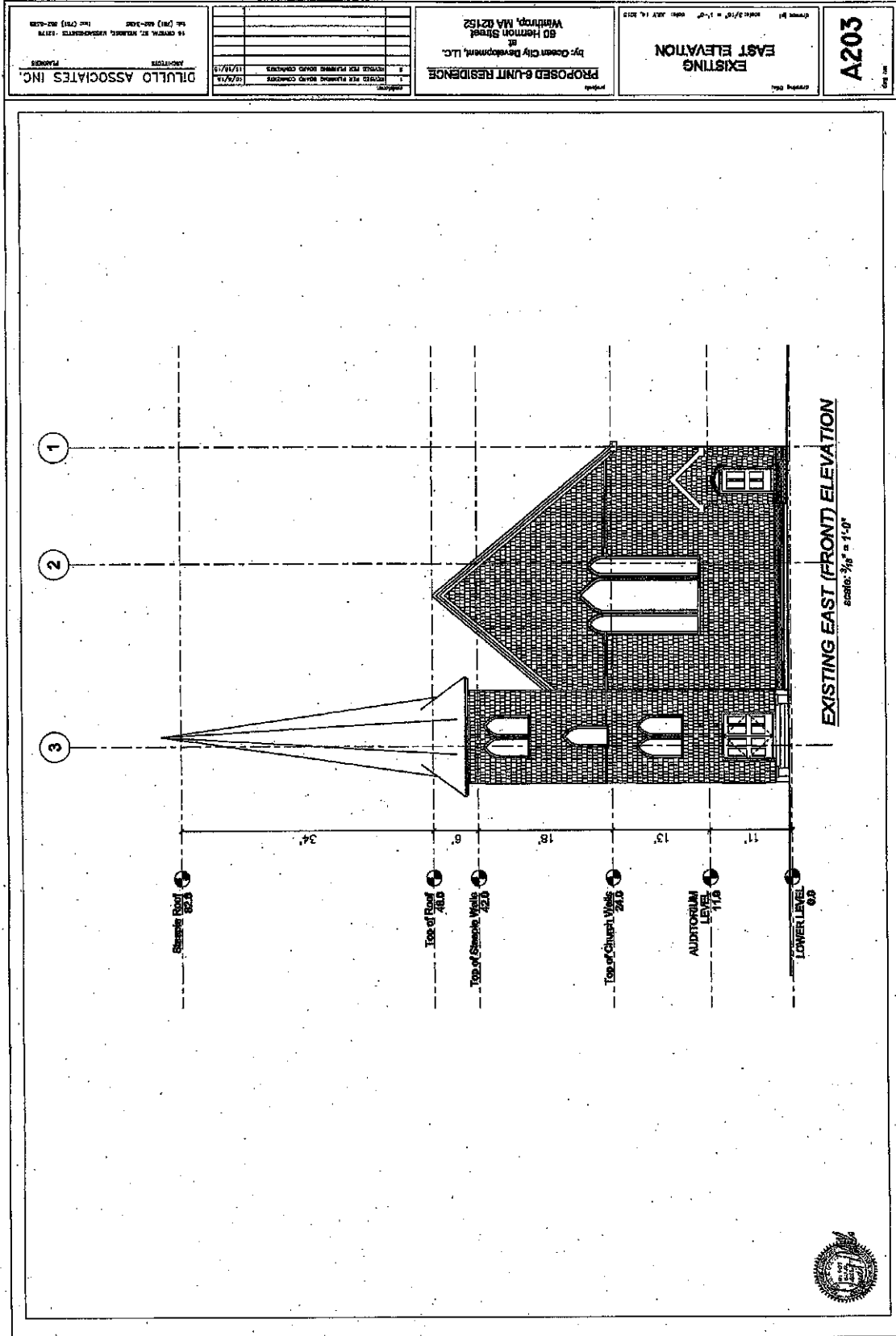
SECOND FLOOR PLAN  
Scale: 1/4" = 1'-0"  
DATE: JULY 14, 2015

**7104**  
Lay Out









**A204**

**NORTH ELEVATION**

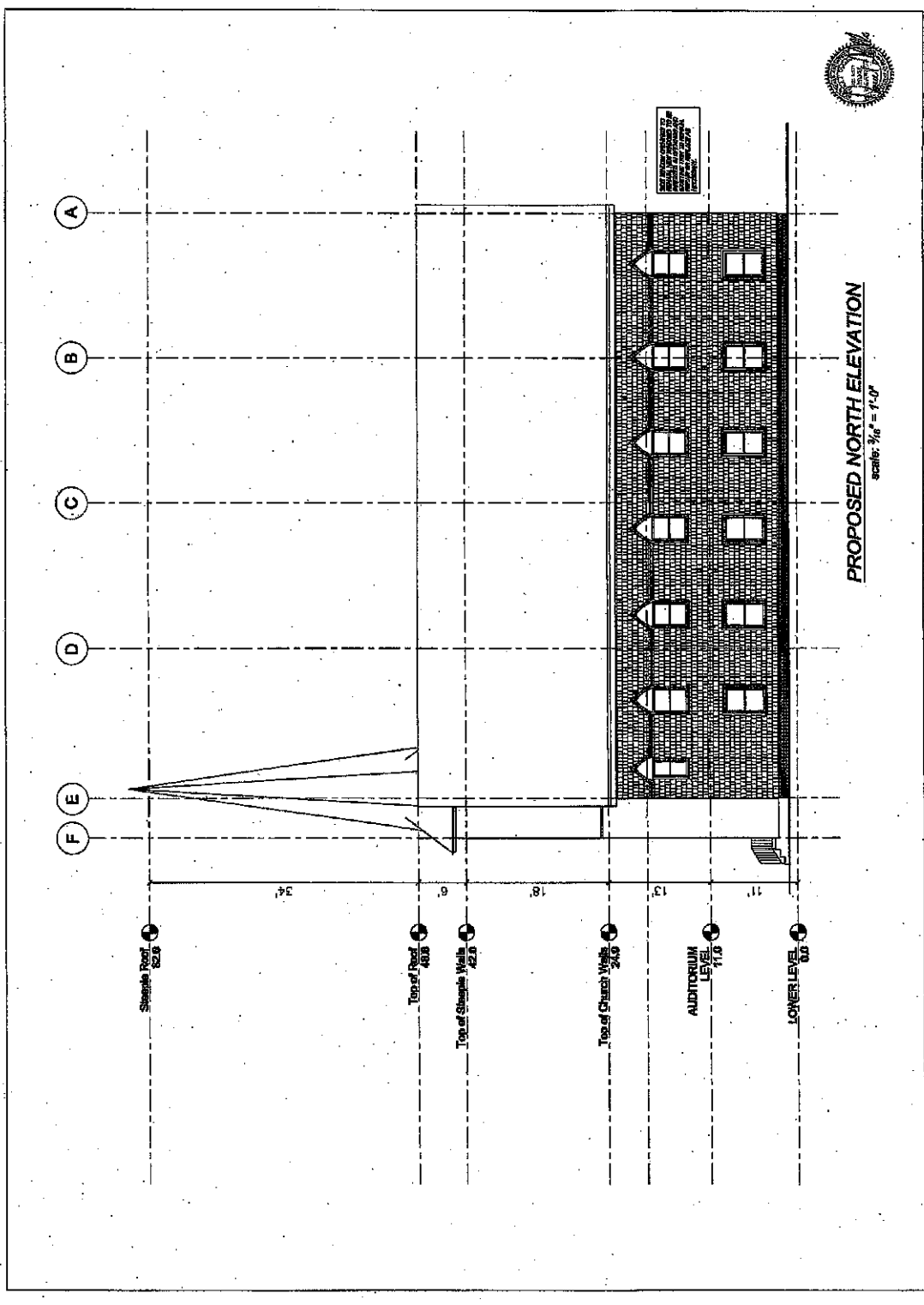
**PROPOSED 6-UNIT RESIDENCE**  
 by Ocean City Development, LLC  
 60 Harrison Street  
 Whitman, MA 02152

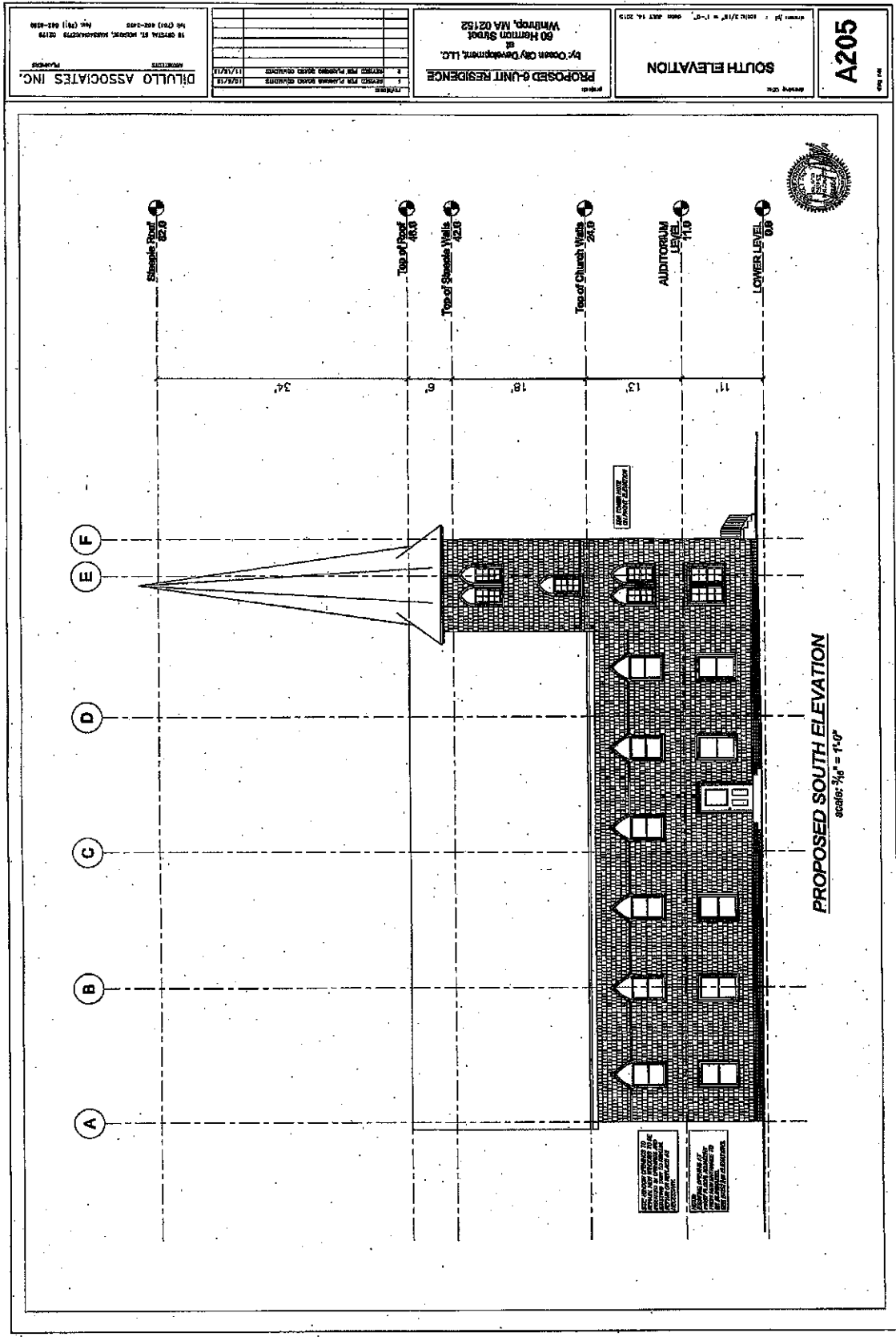
**DIVILLO ASSOCIATES INC.**  
 ARCHITECTS  
 15 GERRARD ST. WEST, SUITE 200  
 TORONTO, ONTARIO M5H 2B4

1	REVISIONS FOR PLANNING BOARD COMMENTS	11/14/12
2		
3		
4		
5		
6		
7		
8		
9		
10		



**PROPOSED NORTH ELEVATION**  
 scale: 3/16" = 1'-0"





**DILULLO ASSOCIATES INC.**  
ARCHITECTS  
10 CENTRAL ST. WINTHROP, MASSACHUSETTS 02159  
Tel: (781) 442-2492 Fax: (781) 442-2490

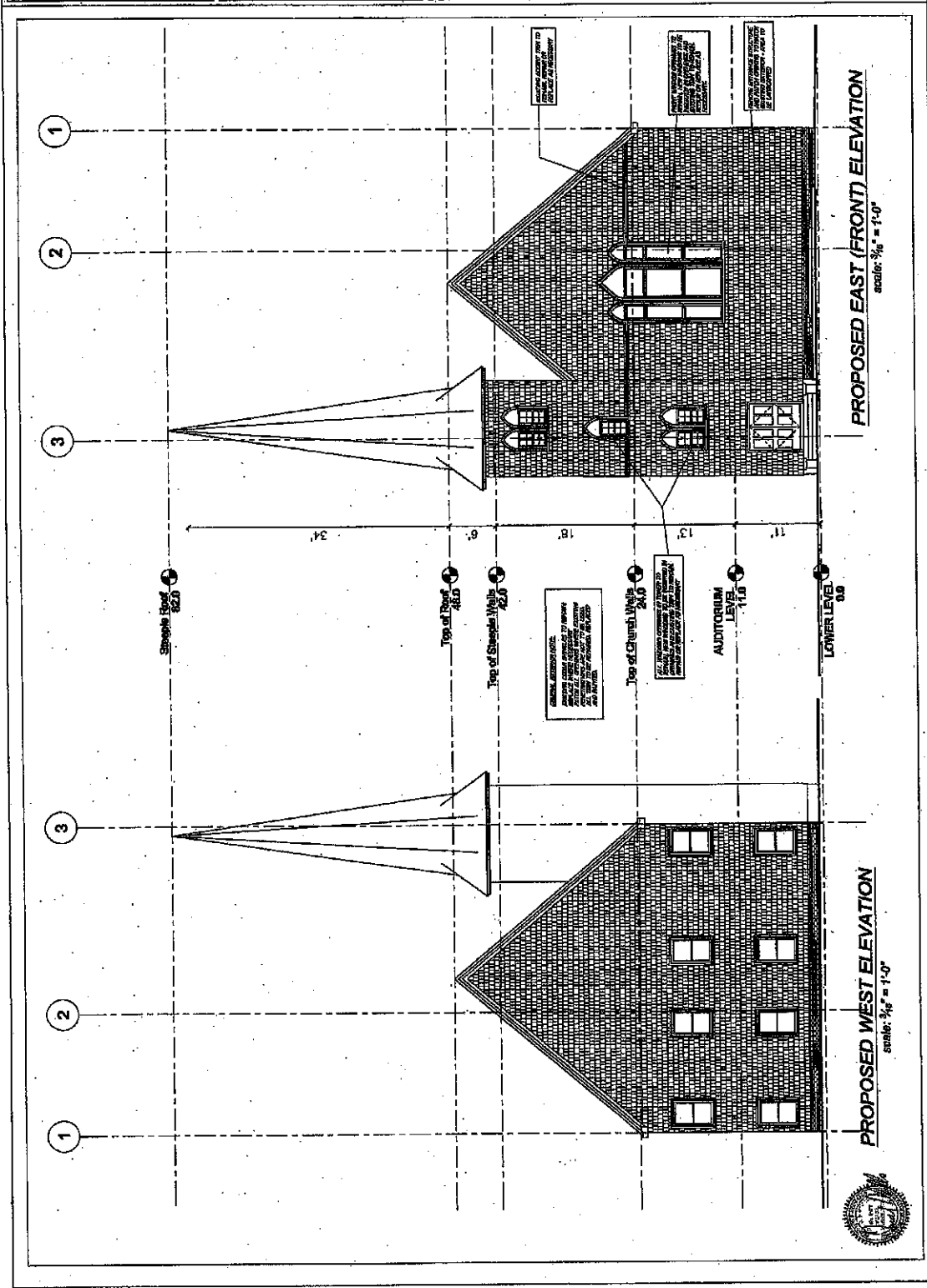
**PROPOSED GYM/INT RESIDENCE**  
c/o Ocean City Development, LLC  
60 Hermon Street  
Winthrop, MA 02152

Project No: 1201  
Scale: 3/8" = 1'-0"  
Date: July 14, 2015

Sheet No: A205

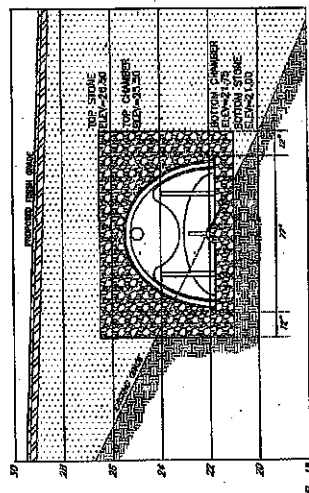
South Elevation

Scale: 3/8" = 1'-0"



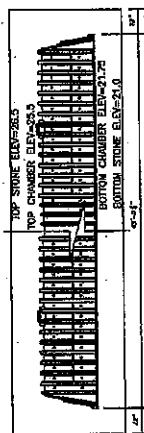
Plan of Land in  
**WINTHROP,**  
Massachusetts  
City of Wintthrop  
032 Salem Street  
Salem, MA 01970  
Telephone: 781-744-2620  
FAX: 781-744-2621  
www.cityofwintthrop.com

### Showing Proposed Parking Spaces



SECTION A-A  
SCALE: 1/8" = 1'-0"

SIX (6) STORMTECH MC 3500 CHAMBERS.



OVERALL  
RATES

**LEGEND OF SYMBOLS & ABBREVIATIONS:**

- [illegible]

BENCH/MARK REFERENCE DATA: NAWD03

1943 NOV 27 21 012-31.25  
 1942 NOV 25 21 012-30.90  
 1942 NOV 25 21 012-30.44

NUMBER OF STATES PROVIDED = 5 .

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 08-19-2010 BY 60322 UCBAW/SJS

**TABLE 1**

