

**Winthrop Planning Board
5 Fremont Street – Decision**

Applicant: Commercial Residential Hospitality

Property Locus: 5 Fremont Street, Winthrop, MA

Hearing Date: **Opened:** August 15, 2022 **Closed:** November 14, 2022

Procedure:

Chris Young, David Barsky, and Commercial Residential Hospitality submitted the application for a proposed mixed-use development, to contain both residential and commercial space. The application was submitted on August 15, 2022. The 5 Fremont Street Development was issued a premature permit to build on October 14, 2021 before undergoing Planning Board review. As a result, the development was partially built at the time the hearing was opened. The development will have 22 residential units and 2 commercial units, and 1 leasing office, with on site parking. The hearing was closed on November 14, 2022.

Final Plans submitted:

Proposed Mixed- Use Development, 5 Fremont Street, Winthrop, MA, Permit Set
Submitted: November 10, 2022

Zoning Memorandum, 5 Fremont Street, Winthrop, MA
Dated: October 12, 2022

Relief sought:

1. Variance from the Table of Dimensional Regulations, Section 17.16.030, Minimum Side Yard Setback (RT) or (North) Side of building. Minimum Setbacks is 10'. Existing and Proposed Setback is 0'. North side of building abuts the public way.
2. Variance from the Table of Dimensional Regulations, Section 17.16.030, Minimum Rear Yard Setback. Required Rear Setback is 15'. Existing Rear Setback is 4.1'. Proposed Rear Setback is 5'. Rear of building abuts the parking lot of an adjoining business.
3. Variance from the Table of Dimensional Regulations, Section 17.16.030, Maximum Stories. Maximum Stories applicable to the Project is 2.5. The Project Plans propose a structure of 3 Stories/35' in height. A variance for .5 stories is required. The height of the proposed structure is 35' which is compliant with the mandates of the aforementioned section.

Decision:

A motion was made by Chris Boyce for Planning Board Site Plan approval inclusive of the three variance requests with the following special conditions:

1. There will be no exterior balconies or activations / uses abutting 15 Fremont Street.
2. The developer for 5 Fremont Street will allow the homeowner of 15 Fremont Street to select the fence that will be installed to separate the two abutting properties.
3. The developer of 5 Fremont Street will install arborvitaes along the property line between 5 Fremont Street and 15 Fremont Street. The arborvitaes will be under a 3-year warranty and will be replaced should they die within 3 years of installation.
4. The building structural elements above grade between the properties at 5 Fremont Street and 15 Fremont Street will be cut back by 11/14/2023.

Motion was seconded by Gina DiMento, Esq.

Members voted unanimously: Alyssa Gamble, Sarah Jane Fourness, Kimberly Hirsch