



**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 11/16/15  
**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.
2. Waiver from 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 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. Scope sewer and water laterals to main line for review by Winthrop DPW. Completion of improvements required by DPW as a result of subsurface investigation are a condition of this Approval.
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 elevations, 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 dated 11/16/15) 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.

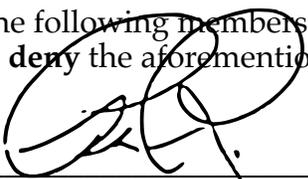
#### **Record Plans**

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**

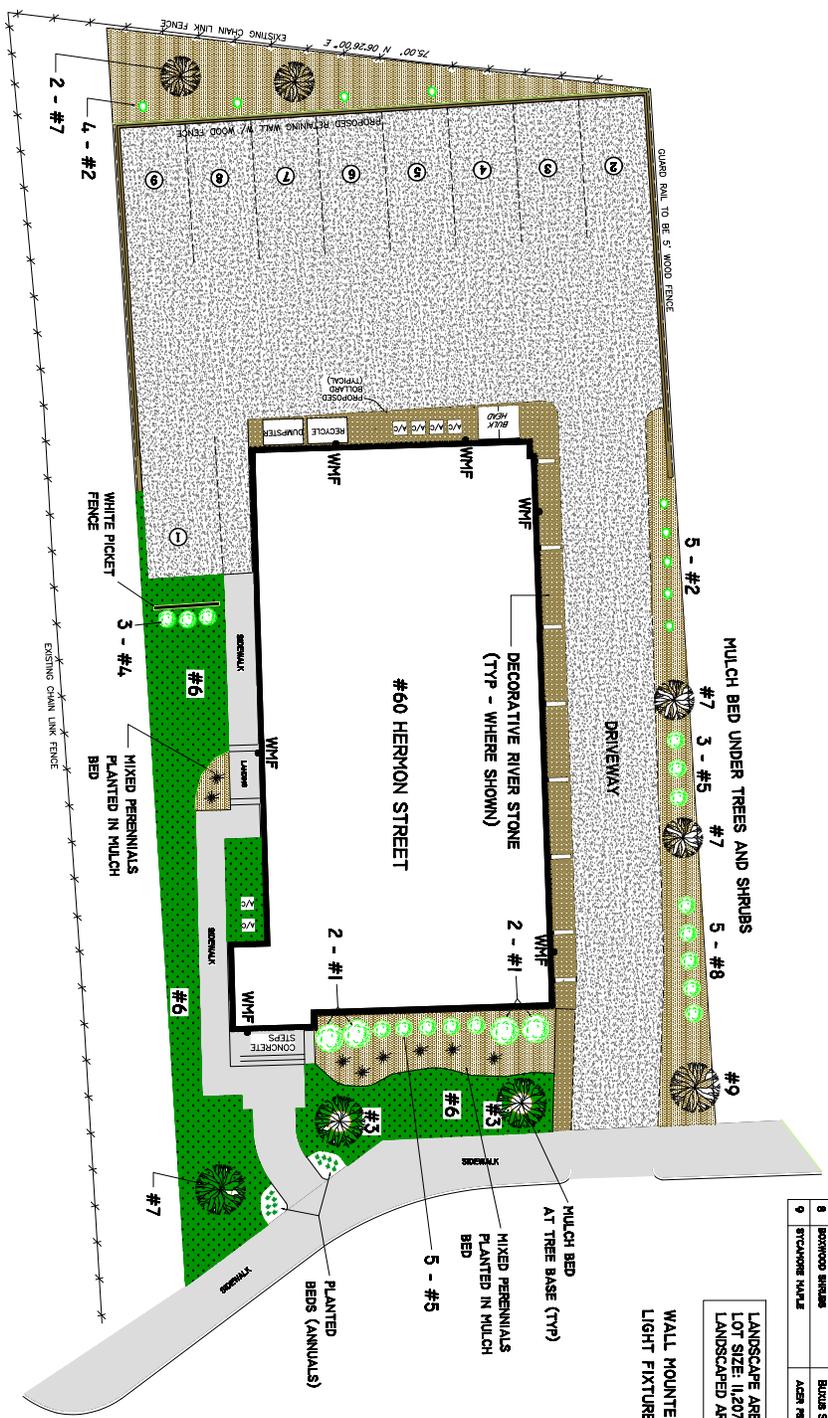
The following members of the Winthrop Planning Board voted on November 16, 2015 to **approve** the Development Plan submitted by Ocean City Development LLC for the property situated at 60 Hermon Street: **Robert Carroll, Vincent Zappulla, Honor Merceret, Gina Dimento, David Stasio, Davis Proctor, Peter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

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

  
\_\_\_\_\_  
Peter Roche, Chair

Date: **December 31, 2015**

cc. Jim McKenna, Town Manager  
Al Legee, John Barrett, Inspectional Services



**PROPOSED SITE LAYOUT  
& LANDSCAPE**  
SCALE: 1/8" = 1'-0"

LANDSCAPE SPECIES LIST	
1	CHERRY HOLLY
2	EMERALD GREEN ALBANYA
3	HIMALAYAN BIRCH
4	WINTERGREEN BOWWOOD
5	AZALEA BUSH
6	SECOYIA
7	SOURWOOD TREE 2 1/2" C
8	BONWOOD SHRUB
9	STYONIAE NURSERY

LANDSCAPE AREA CALCULATION:  
LOT SIZE: 11,207 S.F.  
LANDSCAPED AREA: 2,890 S.F. = 25.7%

WALL MOUNTED LIGHT FIXTURE = WMPF

drawing title: **PROPOSED SITE LANDSCAPING**  
drawn: jpl scale: 1/8" = 1'-0" date: JULY 14, 2015

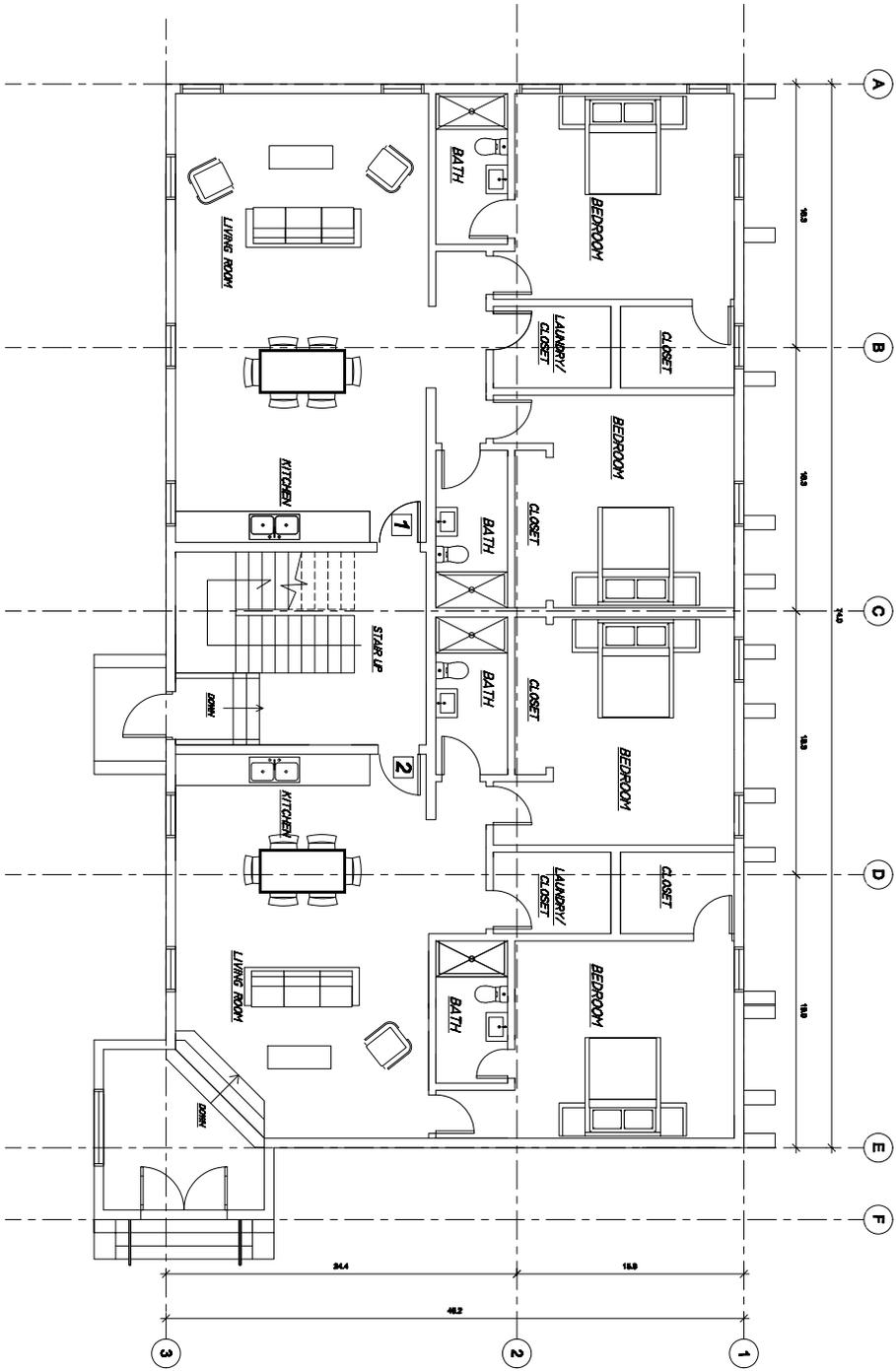
project: **PROPOSED 6-UNIT RESIDENCE**  
by: Ocean City Development, LLC.  
at  
**60 Hermon Street  
Winthrop, MA 02152**

revisions:		
1	REVISED BASED ON PLANNING BOARD COMMENTS	10/6/15
2	REVISED BASED ON PLANNING BOARD COMMENTS	11/16/15

**dILULLO ASSOCIATES INC.**  
ARCHITECTS PLANNERS  
16 CRYSTAL ST. MELROSE, MASSACHUSETTS 02176  
tel: (781) 662-3498 fax: (781) 662-8389

A102





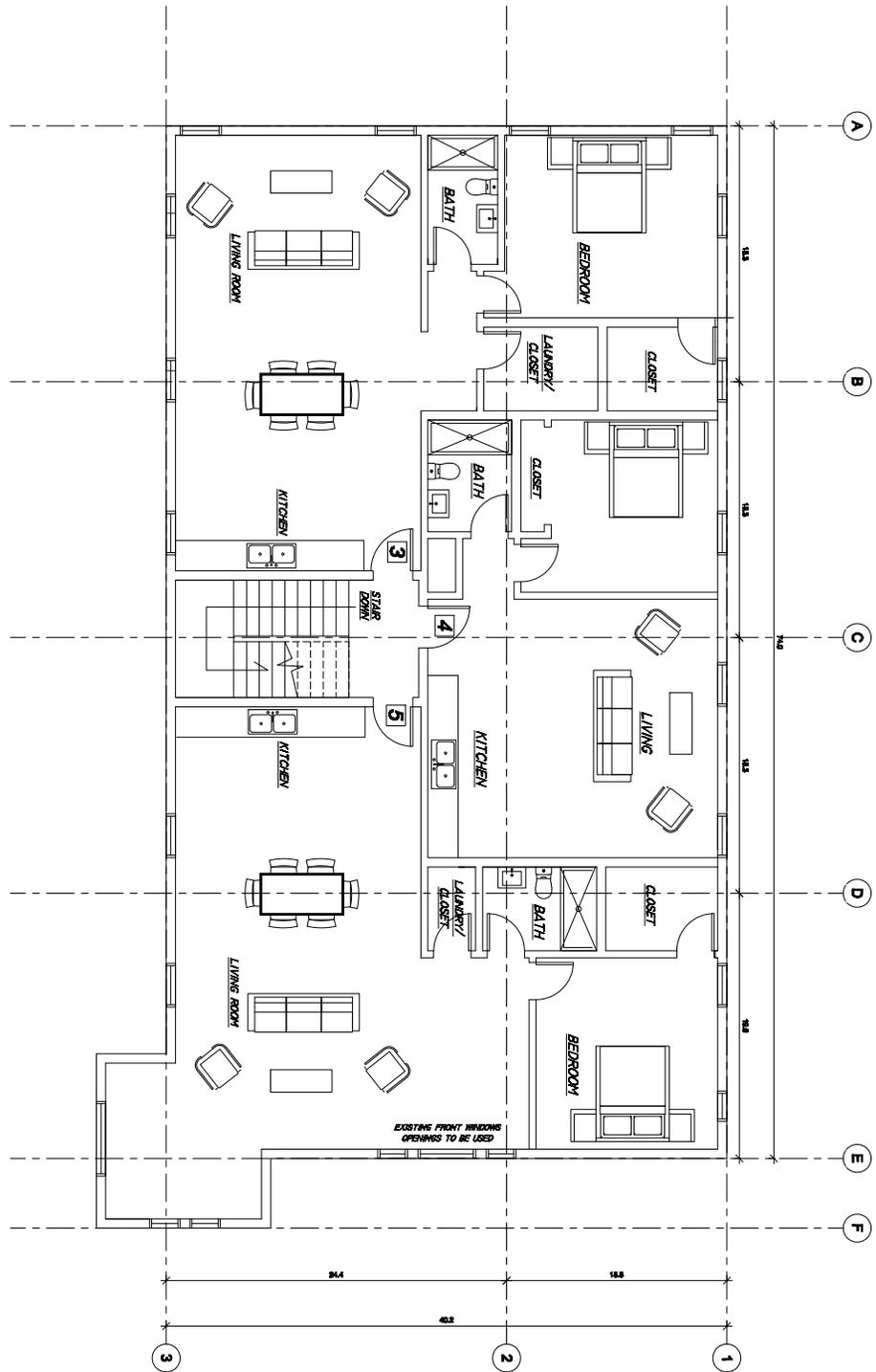
**Proposed First Floor**  
 scale: 1/4" = 1'-0"

FIRST FLOOR		
1	Unit 1	1,392 sq. ft.
2	Unit 2	1,420 sq. ft.
Common		260 sq. ft.



<p>drawing title:</p> <h2 style="text-align: center;">FIRST FLOOR PLAN</h2> <p>drawn: jpl scale: 1/4" = 1'-0" date: JULY 14, 2015</p>	<p>project:</p> <p style="text-align: center;"><b>PROPOSED 6-UNIT RESIDENCE</b></p> <p style="text-align: center;">by: Ocean City Development, LLC.          at          60 Hermon Street          Winthrop, MA 02152</p>	<p>revisions:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">1</td> <td style="width: 75%;">REVISED PER PLANNING BOARD COMMENTS</td> <td style="width: 20%;">10/8/15</td> </tr> <tr> <td>2</td> <td>REVISED PER PLANNING BOARD COMMENTS</td> <td>11/15/15</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	1	REVISED PER PLANNING BOARD COMMENTS	10/8/15	2	REVISED PER PLANNING BOARD COMMENTS	11/15/15										<p style="text-align: center;"><b>DILULLO ASSOCIATES INC.</b></p> <p style="text-align: center;">ARCHITECTS PLANNERS</p> <p style="font-size: small;">16 CRYSTAL ST. MELROSE, MASSACHUSETTS 02176          tel: (781) 662-3498 fax: (781) 662-8389</p>
1	REVISED PER PLANNING BOARD COMMENTS	10/8/15																
2	REVISED PER PLANNING BOARD COMMENTS	11/15/15																

A103



**SECOND FLOOR**

3	Unit 3	1,045 sq. ft.
4	Unit 4	700 sq. ft.
5	Unit 5	1,165 sq. ft.
	Common	168 sq. ft.



4th fl.

**A104**

drawing title:

**SECOND FLOOR PLAN**

drawn: jpl scale: 1/4" = 1'-0" date: JULY 14, 2015

project:

**PROPOSED 6-UNIT RESIDENCE**

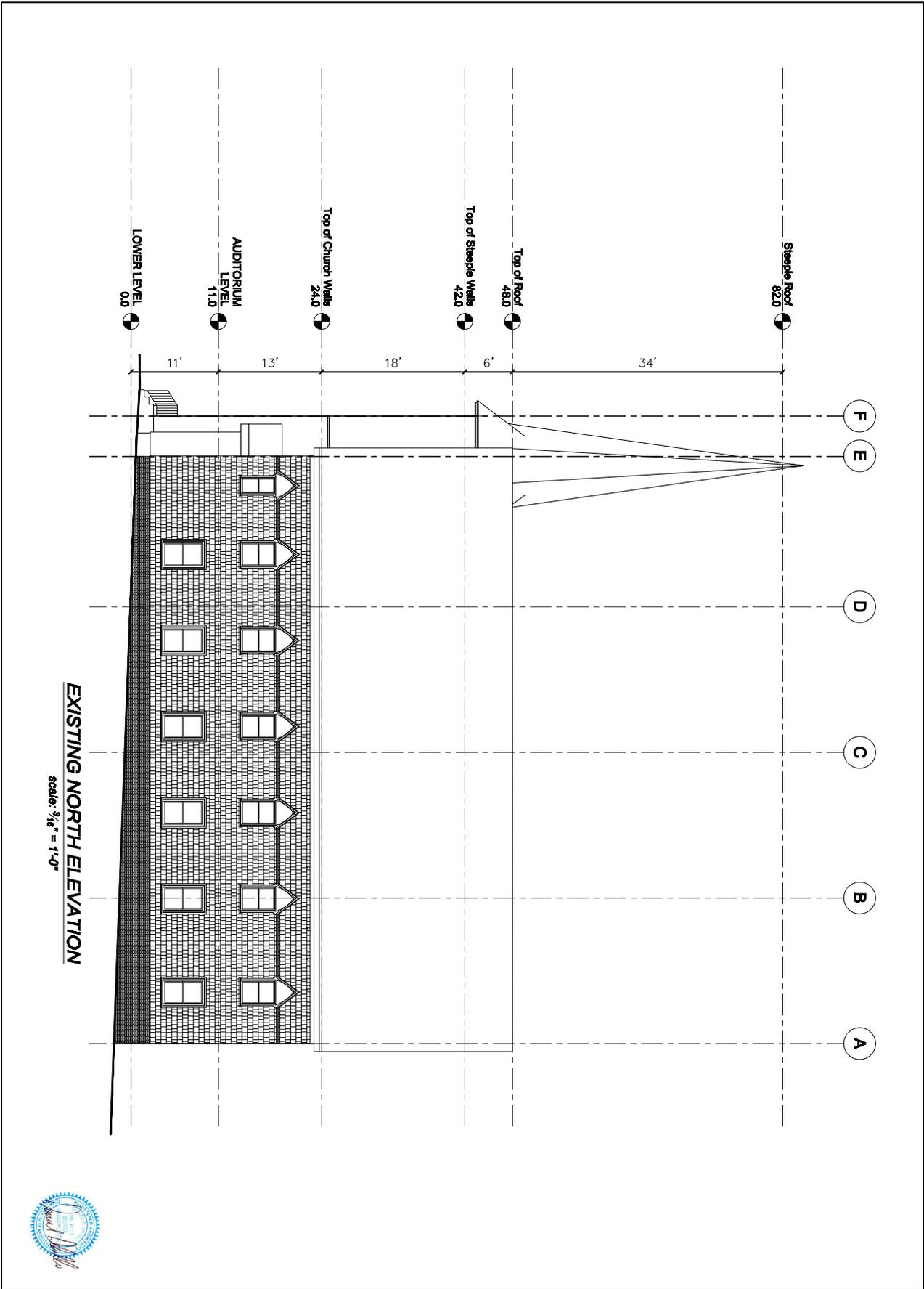
by: Ocean City Development, LLC.  
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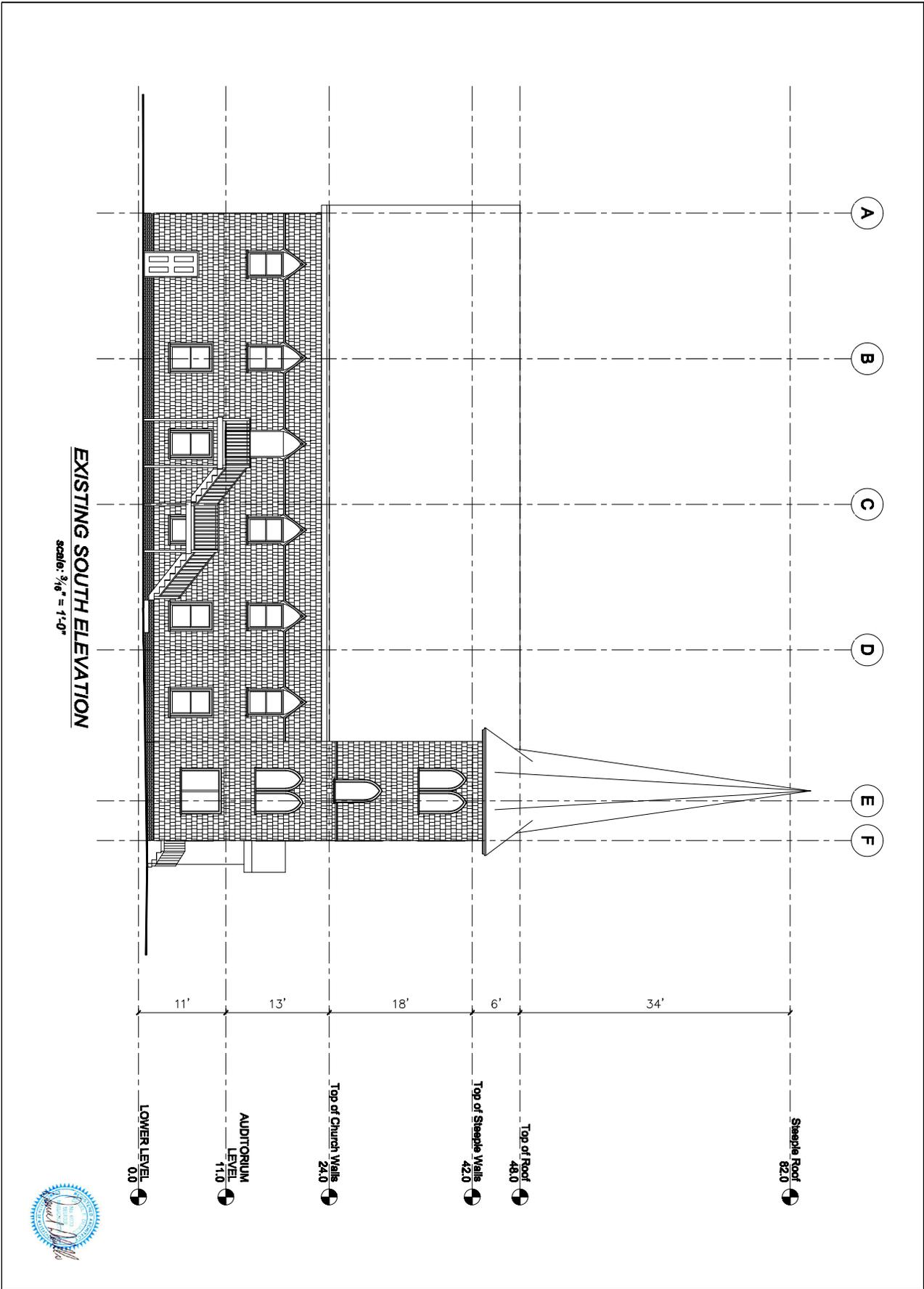
4th fl.  
**A201**

drawing title:  
**EXISTING NORTH ELEVATION**  
drawn: jpl scale: 3/16" = 1'-0" date: JULY 14, 2015

project:  
**PROPOSED 6-UNIT RESIDENCE**  
by: Ocean City Development, LLC.  
at  
**60 Hermon Street  
Winthrop, MA 02152**

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4th fl.

**A202**

drawing title:

**EXISTING SOUTH ELEVATION**

drawn: jpl scale: 3/16" = 1'-0" date: JULY 14, 2015

project:

**PROPOSED 6-UNIT RESIDENCE**

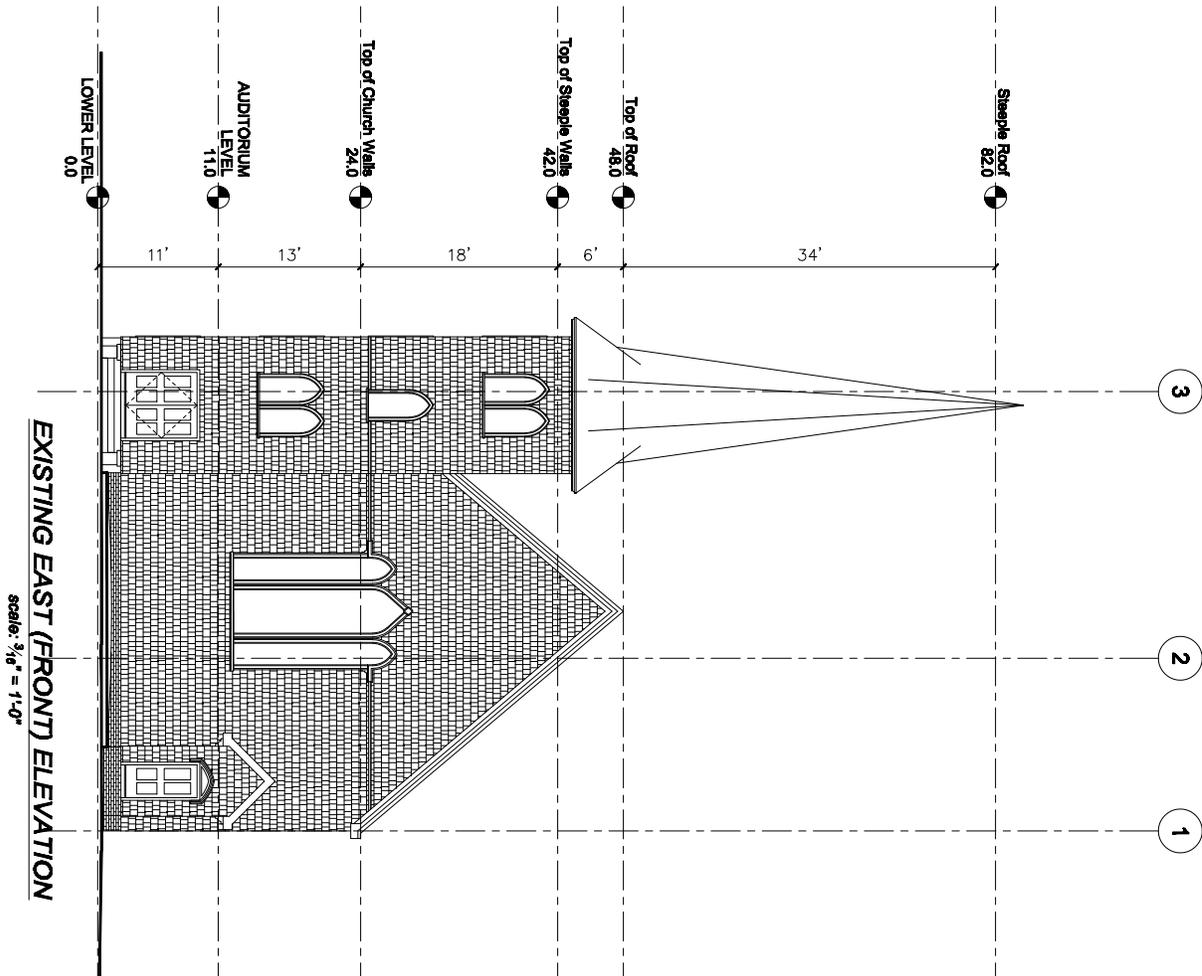
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**EXISTING EAST (FRONT) ELEVATION**  
 scale: 3/16" = 1'-0"

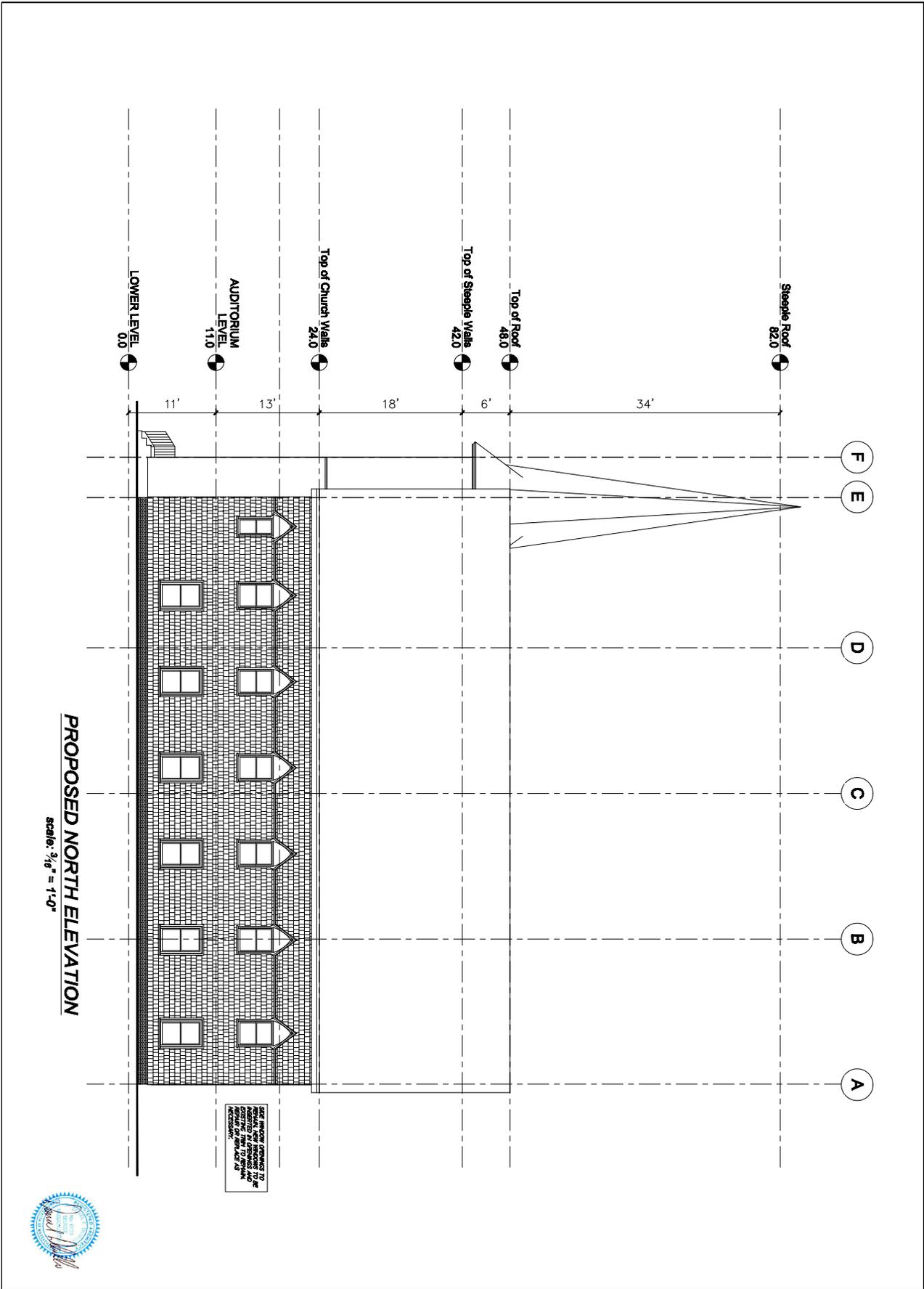
449 001  
**A203**

drawing title:  
**EXISTING EAST ELEVATION**  
 drawn: jpl scale: 3/16" = 1'-0" date: JULY 14, 2015

project:  
**PROPOSED 6-UNIT RESIDENCE**  
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4th fl.

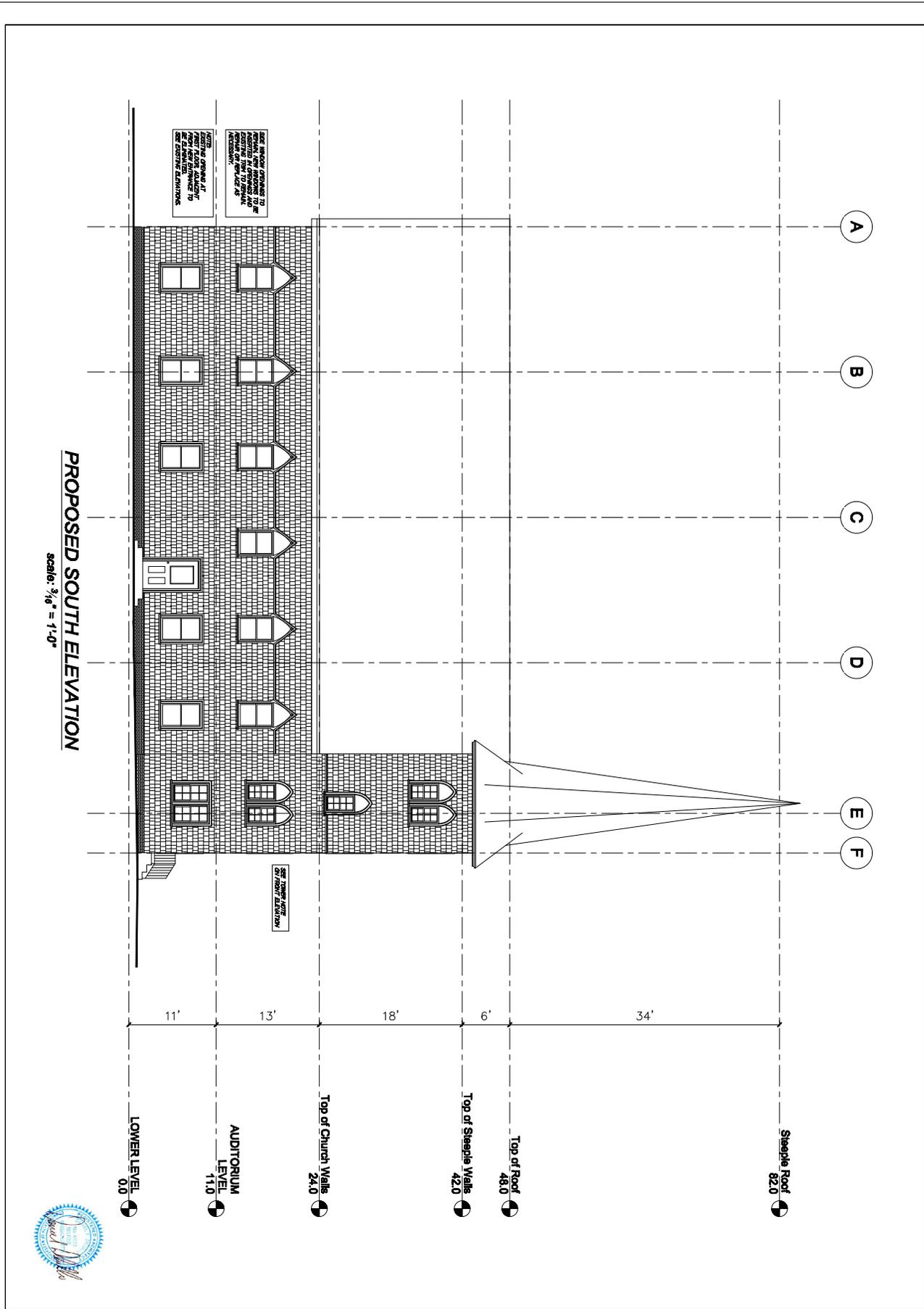
**A204**

drawing title:  
**NORTH ELEVATION**  
 drawn: jpl scale: 3/16" = 1'-0" date: JULY 14, 2015

project:  
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404 001  
**A205**

drawing title:  
**SOUTH ELEVATION**  
drawn: jpl scale: 3/16" = 1'-0" date: JULY 14, 2015

project:  
**PROPOSED 6-UNIT RESIDENCE**  
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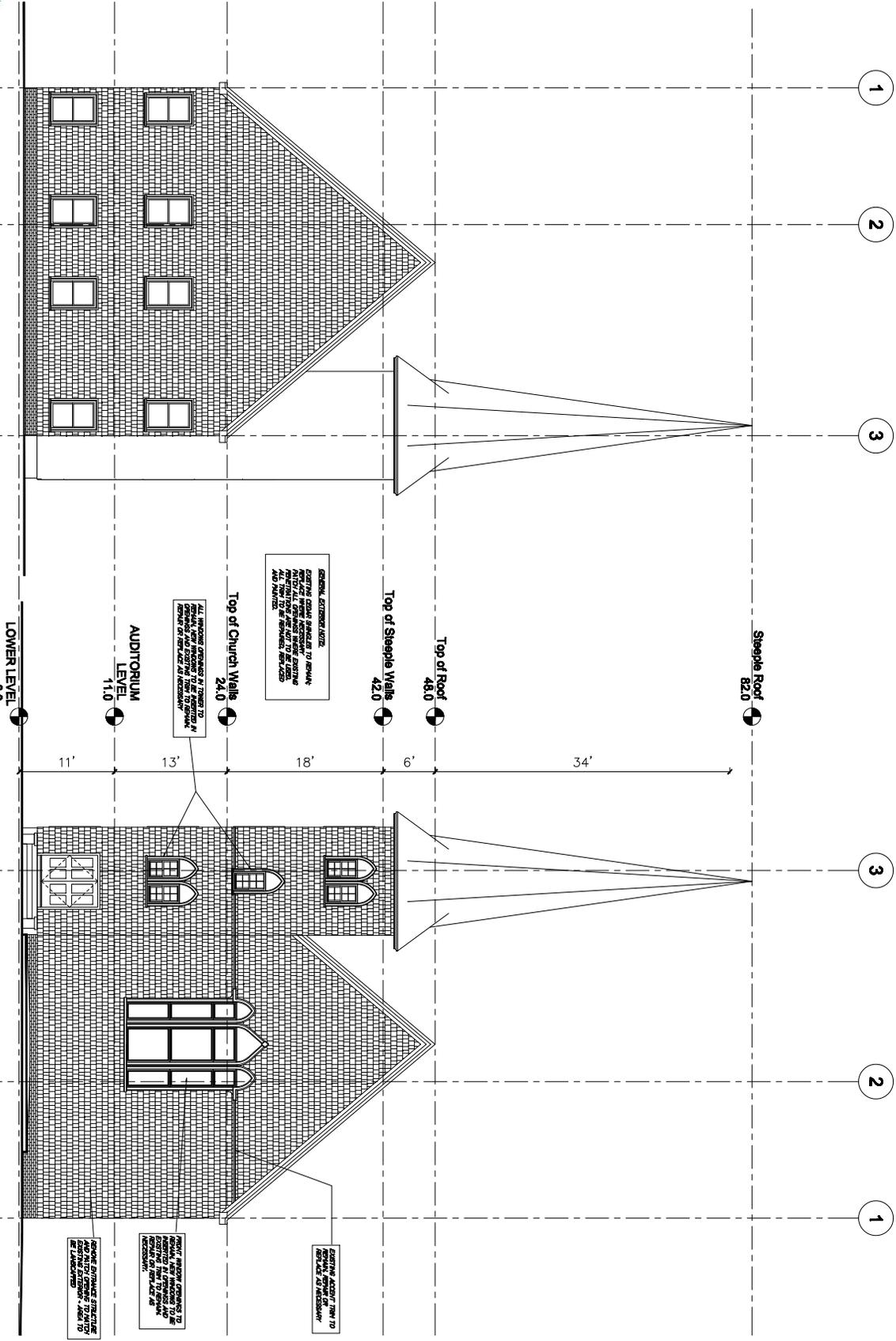
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**PROPOSED WEST ELEVATION**

scale: 3/16" = 1'-0"



**PROPOSED EAST (FRONT) ELEVATION**

scale: 3/16" = 1'-0"

4th fl.

**A206**

drawing title:  
**EAST & WEST ELEVATION**  
 drawn: jpl scale: 3/16" = 1'-0" date: JULY 14, 2015

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