



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

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Christopher Boyce

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TOWN CLERK  
WINTHROP, MASS.

**Recommendation to Winthrop Town Council**

**Request to Amend Town of Winthrop Zoning Map  
15-17 Walden Street**

**Background**

On July 21, 2016, PJP Realty Trust LLC, filed its third Petition<sup>1</sup> to request an amendment to the Town of Winthrop Zoning Ordinance by Amendment to the Zoning Map to apply the provisions of Chapter 17.48 of the Winthrop Zoning Code, Special Development Overlay District ("SDOD") to the property located at 15-17 Walden Street, Winthrop, Massachusetts. Winthrop Town Council referred the Petition to the Winthrop Planning Board on September 6, 2016.

**Joint Public Hearing of September 6, 2016**

On September 6, 2016, a Joint Public Hearing with the Winthrop Town Council ("WTC") and the Winthrop Planning Board ("WPB") was held at the Robert A. DeLeo Senior Center, Winthrop, Massachusetts. Approximately Forty-Five (45) residents of the Town of Winthrop appeared at this Joint Public Hearing along with all nine (9) members of the WTC, and Six (6) members of the WPB. Town Council President, Robert L. Driscoll, opened the meeting and provided background and procedural requirements for the hearing. The Petitioner's Attorney, David F. McCool, was the first individual to present. Attorney McCool referenced the previous success of SDOD projects in the Town of Winthrop, and added that the property at 15-17 Walden Street, Winthrop, Massachusetts is no longer fit for its intended commercial use and has become obsolete for its intended purpose. Attorney McCool also stated the SDOD designation converting the property to residential use would be compatible with the surrounding neighborhood. The representative of PJP Realty Trust LLC, John P. Anderson, was the second speaker who spoke in favor of the SDOD change to 15-17 Walden Street. Mr. Anderson provided historical background regarding the use of the building and he also stated that the original intended purpose has become obsolete. Mr. Anderson lastly stated that he would like to develop the land for residential uses because he felt that would fit the neighborhood and would be the least intrusive use of the property for the surrounding community. Former Town Council President, Peter Gill, local Realtor James Polino, and Mr. Michael Lucerto, a member of the Winthrop Center Economic Development Committee, spoke in favor of the proposed SDOD. Steven Hines, presented statistics in favor of increased residential development in Winthrop and also recommended the change in the SDOD. All of the attendees who spoke at this

<sup>1</sup> For information regarding previous Winthrop Planning Board decisions please see Recommendations to Winthrop Town Council, submitted by Chairman Peter Roche, dated May 16, 2015 and January 11, 2016 in the Winthrop Town Clerk's office. Petitioner withdrew its previous two petitions. This is the third and current Winthrop Planning Board Recommendation.

Joint Public Hearing spoke in favor of the SDOD.<sup>2</sup> At the conclusion of the Public Hearing of September 6, 2016, the WTC referred the matter to the WPB by a vote of 9-0. The WPB had previously scheduled a Public Hearing on the matter for September 19, 2106.

### **Public Hearing of September 19, 2016**

Chairman Stasio called the meeting to order at 7:00PM. The WPB had other matters on the agenda that evening. The SDOD discussion on 15-17 Walden Street, Winthrop, MA began at approximately 7:50PM. All seven members of the WPB were present for this discussion. The meeting opened with approximately Fifteen (15) members of the public present. Neither Attorney McCool nor Mr. John Anderson, who represented the petitioner at the September 6, 2016 Joint Public Hearing, were in attendance; however, Brian J. Anderson was present and stated he was representation for the petitioner at the September 19, 2016 Public Hearing. This Public Hearing opened with a brief review of the WPB role in reviewing requests for amendments to the Winthrop Zoning Map in accordance with Chapter 17.48. After a brief introduction and overview, Chairman Stasio opened the hearing to Public Comment. At this public hearing, Ms. Costello, Ms. Consilvio, Ms. Soper and Mr. Lucerto all spoke in favor of an SDOD and the development of the property at 15-17 Walden Street, Winthrop, Massachusetts; however, they also expressed concern regarding appropriate design review and the specific requirements of development. No individual in attendance spoke in opposition of development.

### **Winthrop Planning Board Discussion-Public Hearing September 19, 2016**

Member Honor Merceret, AIA, noted that the pending changes to the SDOD bylaw should be taken into consideration at the same time any Existing Building Reuse determination is made. She wanted it to be clear that it is the WPB which will make the determination on whether or not a project is qualified for the additional benefits associated with Existing Building Reuse.

Member Robert Carroll, AIA, stated that it is not the intent of the board to extend additional bonuses based on Existing Building Reuse for the property located at 15-17 Walden Street, Winthrop, Massachusetts. He further stated such benefits have been reserved for buildings of significant historical or cultural merit.

Member Vincent Zappulla noted that the SDOD bylaw, as currently written, has two distinct parts; SDOD overlay approval and design review. The latter is where details like the exact number of parking spaces and units are discussed. Public input is requested and considered for both phases.

Member Vincent Zappulla made a motion to recommend an amendment to the Town of Winthrop Zoning Ordinance by Amendment to the Zoning Map to apply the provisions of Chapter 17.48 of the Winthrop Zoning Code, Special Development Overlay District to the property located at 15-17 Walden Street, Winthrop, Massachusetts to the Winthrop Town Council. This Motion was seconded by Robert Carroll, AIA. The Winthrop Planning Board Approved the Motion, unanimously 7-0.

Chairman Stasio closed the Public hearing at 8:20pm.

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<sup>2</sup> According to my minute notes taken at the Public Hearing of September 6 2016, I noted Seven (7) attendees in favor of the Amendment and Zero (0) opposed. Everyone who spoke did so in favor of the SDOD designation for 15-17 Walden Street.

## Findings/Recommendation

After consideration, the Board finds as follows:

1. The current use is functionally obsolete, suffers from a clear pattern of disinvestment, and should be redeveloped in a manner compatible with the adjacent neighborhood.
2. The existing building has little architectural merit.
3. The Board will not extend additional bonuses based on Existing Building Reuse if after submission of its design proposals this Board determines this project is not a building reuse. Reuse benefits have been reserved for buildings of significant historical or cultural merit. This board recommends that the developer submit its development plan.
4. This recommendation is subject to appropriate design review and control adopted by Town Council in Chapter 17.48 of the Code.
5. Any new use or redevelopment should be carefully designed to minimize disruption in the neighborhood, and to protect and enhance the value of real property in a manner compatible with the surrounding neighborhood.
6. The Board affirms the importance of the Special Development Overlay District as a tool to provide regulatory flexibility to achieve the statutory goals adopted by Town Council in Chapter 17.48 of the Code. The Board recommends review by legal counsel to confirm the enforceability of the ordinance and provide clarity to both property owners and abutters.
7. After Two (2) public hearings [September 6, 2016 and September 19, 2016] where 100% of attendees who spoke or wrote did so in favor of the amendment, by a unanimous decision, 7-0, the **Winthrop Planning Board recommends approval** of the Applicant's request for an Amendment of the Winthrop Zoning Map to apply the provisions of Chapter 17.48 of the Winthrop Zoning Code, Special Development Overlay District to the property located at 15-17 Walden Street, County of Suffolk, Winthrop, Massachusetts.

Respectfully Submitted,



David A. Stasio, Esq. - Chair  
September 27, 2016.