

## WATERTOWN PLANNING BOARD

DATE: March 10, 2010 PLACE: Town Council Chamber TIME: 7:00 PM COMMENCED: 7:05 PM

PURPOSE OF MEETING: Regular Monthly Meeting

PRESENT: John Hawes, Chairman; Jeff Brown; Fergal Brennock

### CASE PENDING

- **249 Westminster Avenue;** John M. Airasian – Special Permit Finding & Variance

John Airasian, we have purchased this single family 1-1/2 story home in 2003. The property is located in T zone. The 4,467 s.f. lot is nonconforming in size, also in setbacks. We plan to raze the rear 7x10 enclosed porch and construct an open 10'x17' deck to be located near the rear left corner of the house. Variance is needed for the varying rear yard setback, and special permit finding is requested to maintain the nonconforming side yard setback. The enclosed structure had to be taken down because it was leaking inside the house and floor was rotting, the foundation has remained, and the contractor will utilize the block foundation and fill it in.

Danielle Evans, staff finds that the proposal to construct a new open deck will not be substantially more detrimental to the neighborhood than the existing nonconforming deck. The deck is not visible from the street and the design is appropriate for the area. All conditions for granting of the variance have been met, the deck will be shielded from the abutters by a stockade fence. Staff recommends an approval of the proposal.

Fergal Brennock, the opening in the existing foundation should be closed.

Jeff Brown motioned to recommend to the Board of Appeals approval of the Special Permit Finding under Section 4.06(a) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

VOTE: 3-0 In favor

Jeff Brown motioned to recommend to the Board of Appeals approval of the Variance under Section 5.04 based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

VOTE: 3-0 In favor

- **27 Standish Road;** William Aldridge – Special Permit Finding

William Aldridge, the 6,000 s.f. conforming lot is located in an S-6 zone. The existing 8x12 rear deck was built without a permit in 1978 and is now in very poor condition. We are proposing to raze the deck and replace it with a larger structure maintaining the nonconforming side yard setback. Of 5.4' where 12' is required.

Danielle Evans, staff reviewed the request, the new deck will not be substantially more detrimental than the existing deck. Staff recommends approval.

Jeff Brown motioned to recommend to the Board of Appeals approval of the Special Permit Finding under Section 4.06(a) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

VOTE: 3-0 In favor

- **74 Spring Street;** Linda M. DeLuca – Special Permit Finding

Linda DeLuca, I have purchased the single family 1-1/2 story cape in September 2009. The lot is non-complying as to the frontage, the front yard setback is 11.8' where 15' is required. This property is part of a large lot that was divided into front and back lots, and single family dwelling was built on each. This house has the right to use a 12 foot wide right-of-way. I am proposing to remove the existing ½ story roof structure and to construct a new second floor and roof and a 1-story addition with full basement, while maintaining the non-conforming front yard setback. The existing bulkhead and walkway will be removed. The door will become an interior entrance to the kitchen addition. I am also proposing to construct a 2-story 12.7'x28' addition with a garage and home office above. The main entrance, which is now considered side yard, will be altered with 2 bay windows and a new roofed entryway.

Danielle Evans, staff reviewed the proposal, the property is located in T zone abutting CB zone. The placement of the house is awkward. The proposal will not be substantially more detrimental than the existing nonconforming use. Staff recommends approval.

Jeff Brown, this will be a big change and a major improvement to the area.

Fergal Brennock, the stonework under the bay window might not work aesthetically. Otherwise this is a very good design.

Jeff Brown motioned to recommend to the Board of Appeals approval of the Special Permit Finding under Section 4.06(a) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

VOTE: 3-0 In favor

- **49 Buick Street;** Matt Loughran – Special Permit Finding

Matt Loughran, I have lived in Watertown since 1999. My wife and I have purchased this single family 1-1/2-story home. We would like to add a second story 20.2'x20.5' addition over the southern portion of the house. The house has non conforming side and front yard setbacks. The addition will add a much needed bedroom to the house. We will maintain the nonconforming 7.5' side yard setback where 12' is required.

Danielle Evans, staff reviewed the petition, the proposal is modest in size, it will match the front gable, and we recommend the approval.

Jeff Brown, the design looks like 2 buildings were joined.

Timothy Murphy, 55 Buick Street, Mr. Loughran has been an excellent neighbor, we are in support of this project.

Jeff Brown motioned to recommend to the Board of Appeals approval of the Special Permit Finding under Section 4.06(a) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

VOTE: 3-0 In favor

- **9 Winter Street;** Peter Davos, Trustee, NTAOBS Realty Trust – Special Permit, Special Permit Finding & Variance

Peter Davos, owner, we have met with the Planning staff several times. I am a second generation developer, we own the NTAOBS Realty in Boston.

Jai Khalsa, Architect, the 7,075 s.f. property is located in R.75 zone and historically, the property was used as a single family, as well as multi family. The French empire house was constructed between 1874-1890, there is no parking available on the property. The building was condemned by the Health department. We are proposing to raze the existing structure, and build a 3-family building with parking under, decreasing the non conformity. The site is appropriate for such a use, the adjacent properties are a hall and 2 multi-family buildings. The front wall and steps will be maintained, the structure will be placed forward and the rear setback increased, reducing the non conformity. The height will be reduced the 42 feet from the street level. We will use brick and blue stone for the pathway and patio, and plantings for buffer. The bottom unit will have a patio area, the back landscaped area is accessible thru the common areas.

John Hawes, the Board should have received landscaping plan before tonight, it is very important to the project.

Danielle Evans, we have worked extensively with the applicant. Four different relieves are required. This site is an appropriate location for a 3-family structure. The proposed use will not be more detrimental than the current structure. The site has no parking, the new structure will have an underground garage with 6 parking spaces. All SP, SPF and Variance criteria have been met. This proposal will have very positive impact on the public good. The non conforming nature of the rear and side yard setbacks will be reduced. Staff recommends an approval.

Jeff Brown, the chimney disappears on top floor plans. The sight has been blight for many years. The last parking space in the garage has very tight turn, the space will be very difficult to use.

John Hawes, an outdoor space for each unit can be created in the rear and common space in the front. Could the buildings be placed 5 feet toward the west to give the abutters on the right who have balconies facing this structure little more space?

Jai Khalsa, we were advised not to do that because of additional relief requirement. We will discuss the designated areas further. Two of the higher units have separate roof decks, access will be provided by stairs.

Fergal Brennock, this property has lot of history. Everyone in Watertown will be pleased with this proposal.

Peter Davos, the building was deemed unsafe by the building inspector, there was no possibility of saving.

Ken Sheytanian, 13 Keenan Street, chairman of the Masonic Association in the rear. We have had many discussions with the developer. This proposal presents a great improvement to the area. I have seen other projects by Mr.Davos and they are all outstanding. We will allow Mr. Davos access to the site through our property.

March 10, 2010

Page Four

Tom McDermott, owner of 10 Winter Street, I have been watching the building to deteriorate. There have been many raccoons running on and around the site. I like the petitioner's proposal to keep the front stairs.

Jeff Brown, the new structure will match the old building in height but the new building is longer.

Peter Davos, the retaining wall on the right is not ours, but we will ask the abutter to allow us to sandblast and improve the wall.

John Hawes, the petitioner needs to provide landscape plan prior to the ZBA hearing. The plans will become control plans and need to be as accurate as possible.

Jeff Brown motioned to recommend to the Board of Appeals approval of the Special Permit under Section 5.01.1(e) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

VOTE: 3-0 In favor

Jeff Brown motioned to recommend to the Board of Appeals approval of the Special Permit Finding under Section 4.06(a) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

VOTE: 3-0 In favor

Jeff Brown motioned to recommend to the Board of Appeals approval of the Variance under Section 5.04 based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

VOTE: 3-0 In favor

Jeff Brown motioned to recommend to the Board of Appeals approval of the Variance under Section 6.02(j) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

VOTE: 3-0 In favor

OTHER

Chairman John Hawes adjourned the meeting at 8:15 PM.

MEETING ADJOURNED: 8:15 PM MINUTES APPROVED: \_\_\_\_\_

For more detailed Minutes see tapes dated 3/10/2010 available in the DCD&P office.