

WATERTOWN PLANNING BOARD

DATE: May 12, 2010 PLACE: Town Council Chamber TIME: 7:00 PM COMMENCED: 7:00 PM

PURPOSE OF MEETING: Regular Monthly Meeting

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

CASE PENDING

- **25 Perry Street**; Walter Vellante – Special Permit Finding

Walter Vellante, petitioner, reading from his application statement, explained to the Board his request for a Special Permit Finding in order to construct an addition.

Danielle Evans, Senior Planner stated that staff reviewed the proposal for a Special Permit Finding, which is needed as the property is preexisting nonconforming regarding the rear yard setback. Staff found that the addition would not be substantially more detrimental than the existing nonconforming structure. Staff recommends conditional approval of the Special Permit Finding under Section 4.06(a).

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: 4-0 In favor

- **117 Lovell Road**; Robert Iannetta – Special Permit Finding & Variance

Robert Iannetta, petitioner, explained to the Board his request for a Special Permit Finding and Variance in order to construct the rear addition in order to renovate his kitchen to increase its usefulness to his family.

Danielle Evans presented the staff report and explained that staff recommends conditional approval of the Special Permit Finding with the condition that it be reduced in size so as not to require a variance. Ms. Evans explained that staff did not find the request to meet all of the criteria needed to grant a Variance under Section 5.04 and recommends denial of the variance

Jack Zollo, asked if the key words were “is it not more detrimental to the neighborhood?” Didn’t think this additional would be detrimental.

Danielle Evans explained that that is the finding that needs to be made for the Special Permit Finding. A variance must meet four additional criteria.

John Hawes inquired to what sort of hardship is here.

Robert Iannetta described some of reasons why he believes that the four criteria are met, such as:

- if the ½ bathroom is smaller, it wouldn’t meet the code requirements. Also difficult to maneuver around the bathroom.
- If they try to take the square footage out of the mudroom, it would interrupt the door swing and reduce much needed closet space.
- wall to island space, loss of cabinet space
- the architect laid out the design for the best use of space taking into consideration existing doorways, plumbing, and electrical wiring. Already spent over \$2000. Not feasible to redo plans as it would pose a financial hardship.
- building coverage includes a garage (400 s.f.) that is unlivable space.

Fergal Brennock asked if the architect knew that he only needed to reduce it by 30 feet. Did he make you aware of the variance need?

Robert Iannetta responded that he knew it would be close, but they had a problem with surveyor to get the correct numbers.

Jeff Brown asked how much smaller the addition would need to be to meet the zoning requirements.

John Hawes said that it would need to be pulled back about 18 inches. He asked about the area between mudroom and dining room and what impact there would be to decrease square footage there.

Robert Iannetta responded that it would affect travel area and cabinet space.

John Hawes asked about the nub out the back with stairs and door. Asked if that was a bulkhead (and would it not be counted.)

Danielle Evans explained that she and the Zoning Enforcement Officer discussed whether this was a bulkhead or covered stair, and decided to classify it as a bulkhead so that it did not increase building coverage.

John Hawes mentioned that applicants can not use the reason of having spent money on plans as a hardship. It doesn't matter how much money is spent, there is always a risk until you have the permit.

His first inclination is to recommend denial of the variance because there is no hardship, but on the other hand, it is minor. He explained that the ZBA ultimately votes on this and may take a more literal view than the PB. "We're coming from this on a design/aesthetic standpoint. Variances are usually treated seriously and only grant them when there is a hardship."

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.

Jack Zollo seconded the motion. VOTE: 4-0 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.

Fergal Brennock seconded the motion. VOTE: 4-0 In favor

OTHER

Danielle Evans announced that there would be a special meeting of the Planning Board on May 25th to consider the zoning amendment to the Floodplain District.

She also announced that there was a public forum on Monday, May 24th at the library to discuss the Economic Development Study that is currently being undertaken.

Chairman John Hawes adjourned the meeting at 7:40 PM.

MEETING ADJOURNED: 7:40 PM MINUTES APPROVED: _____

For more detailed Minutes see DVD dated 5/12/2010 available in the DCD&P office.