

WATERTOWN PLANNING BOARD

DATE: March 9, 2011 PLACE: Town Council Chamber TIME: 7:00 PM COMMENCED: 7:05 PM

PURPOSE OF MEETING: Regular Monthly Meeting

PRESENT: John Hawes, Chairman; Jack Zollo; Jeff Brown; Fergal Brennock; Linda Tuttle-Barletta
Staff: Steve Magoon, Director, Ingrid Marchesano, PB Clerk

Chairman John Hawes called the meeting to order at 7:00 PM.

ADMINISTRATION BUSINESS

Jeff Brown motioned to approve the minutes of 2/9/2011.

Fergal Brennock seconded the motion.

Voted 5-0 In favor

CASE PENDING

- **99-101 Common Street;** Ahmad Yasin – Special Permit Finding

Ahmad Yasin, 9 Sunny Bank Road, I have lived in this area since 1982. I have owned this building for the past 6 years, a permit was issued in 2004 to combine the space previously used as Nail salon and Florist to open catering business. I was also the owner of award winning Kareem's restaurant located in Coolidge Square. We are providing healthy food. I am an advocate of eating and cooking well. This is an application to allow a restaurant with 4 tables/16 seats that would be operating on Saturday and Sunday from 8 am to 9 pm. Letters of support from neighbors are included with the application.

Steve Magoon, this is a change from one nonconforming use to another nonconforming use. The Catering business was approved in 2004, the proposed restaurant will be open weekends only. The site does not provide any parking, the proposal is for 4 tables, 16 seats total. The catering business will continue. A letter of support from Councilor Tony Colombo was submitted. Staff recommends an approval with conditions.

Steve Steadman, 91 Common Street, I am an immediate abutter. The petitioner has been an outstanding neighbor. The convenience store is very active, my driveway is constantly blocked by customers. The present situation is a daily problem, the proposed restaurant will add to it.

Sarkis Salakian, 107 Common Street, we have lived in this house for 33 years. We are opposed to the proposed restaurant, it will start on the weekend, but it will become full-time restaurant. We want this area to remain residential, the property values will go down if allowed. Customers to both businesses already block the driveway, our guests cannot park in front of our home. This is a very busy well traveled street.

David Spiller, 92 Common Street, our property is across the street from the proposed restaurant. We are very concerned, it would be an immediate impact. Once allowed the applicant can ask for expansion. It will destroy the piece and tranquility of this residential district. The existing commercial use has blend in well and its well taken care off. Signage and illumination will be a problem.

Frank Maselli, 103 Common Street, I have reside at this address for 40 years. It is a difficult area, I have tolerated the traffic. The business now provides cooking classes, lights are on until 9 pm. The clientele is not jus from the neighborhood. When the business becomes successful, people will wait outside for seating. It is important to have quite evenings and weekends. Such business belongs to different district.

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Christopher Valstyn, 98 Common Street, our driveway is constantly blocked. The No Parking sign in front of our house is ignored. People are already in this property until 9 pm on Sundays. This is a dangerous road, the restaurant will change dynamics of the neighborhood.

Matt Petrie, 6 Orchard Street, Ahmad wants to continue his business. This is disastrous intersection that has many accidents. This is an urban neighborhood and increased activity would make it nicer. I am in support of this proposal.

Adrian Gropper, 52 Marshall Street, we live in a similar area. The neighborhood would benefit from this type of business. We are in support of this proposal.

Tammy ..., Arlington, I understand the parking concerns, Common Street is a dangerous road. Ahmad gives attention to detail, cleanliness. He supports the community and other local businesses. He ran award winning restaurant for 16 years.

John Hawes, we understand the neighborhood issues, this is a commercial use in residential area, S-6 zone. We have to decide if the proposed use is more detrimental than the existing nonconforming use.

Ahmad Yasin, my wife and I stay late to get ready for next day. There is no music, the business is very clean inside out. We do not have any violations from the health department. We deliver food to a destination, foods and vegetables are recycled. The catering does not happen every day, the parking problems should be monitored by the Town.

Christopher Valstyn, the basement of the variety store is very unclean, odors are coming from that area. The proposed business will affect the property values of the homes.

John Hawes, we can vote tonight or allow the petitioner to continue the petition. I have been to cooking classes at this site, but this might not be the right use for this neighborhood.

Linda Tuttle-Barletta, the character of the petitioner is not at issue here. The convenience store seems to be causing the problems.

Linda Tuttle-Barletta motioned to approve the petition for 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.

Voted 2-3 2 in favor, 3 opposed

- **320 Main Street;** John Paicopoulos – Special Permit

Dimitri Paicopoulos, this is a request to allow 2 parking spaces to store vehicles to be sold, that were obtained at auctions. The property is used as a gas station and auto repair.

Steve Magoon, this is a proposal to add 2 spaces as accessory use for sale of vehicles. The petitioner's license allows for 15 vehicles to be parked on the site, 11 outside and 4 indoors. The existing site plan was changed from approved. The staff prepared a new plan showing spaces to be removed, recommended layout and number of spaces. This will create landscaping and have 2 spaces reserved for vehicles to be sold. This site is appropriate for such a use. Staff recommends approval with conditions, and additional condition that vehicles do not park on sidewalk, that landscaping will be provided near Myrtle street corner, and that areas will be separated by curbing.

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Dimitri Paicopoulos, the only signage will be placed on the 2 vehicles, vehicles will be taken to auction to be sold. We cannot expand landscaping in the corners. Our property is well maintained.

Steve Magoon, only half of the parking spaces near the Myrtle Street area could be removed.

John Hawes, we can continue this petition to allow the petitioner to address the issues that are questioned.

Linda Tuttle-Barletta motioned to continue the above petition to the next Planning Board meeting.

Jack Zollo seconded the motion

Vote: 5-0 In favor

OTHER

Jeff Brown, the Board should be notified of the final action taken by the Zoning Board of Appeals. Was the Waverley Ave cell tower proposal approved? Placing such use in residential areas is an imposition on neighbors.

Steve Magoon, the Boards asked the petitioner to provide a list of alternative sites for the cell towers. Other properties would have much higher structures. ZBA takes PB recommendations into a consideration. Federal regulations state that if there is a need for wireless service, the Boards cannot prevent that. The antennas are placed where there is minimal visual impact.

Chairman John Hawes adjourned the meeting at 8:30 PM.

MEETING ADJOURNED: 8:30 PM MINUTES APPROVED: _____

For more detailed Minutes see tapes dated 3/9/2011 available in the DCD&P office.