

WATERTOWN PLANNING BOARD

DATE: July 14, 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
Staff: Steve Magoon, Director, Danielle Evans, Senior Planner, Ingrid Marchesano, Clerk

ADMINISTRATIVE BUSINESS

Jeff Brown motioned to approve Minutes of 6/9/2010 meeting.

Jack Zollo seconded the motion.

VOTE: 4-0 In favor

CASE PENDING

- **694 Mt.Auburn Street**; Gulizar Calisir, Manager, AGAS Realty, LLC – Amendment to Special Permit #03-17

Steven Parnagian, Esq., this is a petition to amend Special Permit #03-17 granted on May 28, 2003. The petitioner is asking to alter the existing 6,000 s.f. from 2 commercial tenants to three. We are proposing to relocate Suphi Furs now located at 805 Mount Street to this location and keep the existing tenants. Collins Gallery will now occupy 958 s.f., Concord Electric Supply 1,962 s.f. and the new Suphi Furs 2,513 s.f.. A small roof portion over the new entrances with columns will be constructed. We have met with the abutting residents and Councilor Kounelis a week ago. The property is located in LB district and all proposed uses are permitted. This is an attractive and appropriate use for this location. 16 parking spaces are required and 20 will be available.

Danielle Evans, staff reviewed the proposal. The site is located in LB district where such commercial uses are allowed. The additional tenant will not increase the square footage of the building. No extra traffic will be generated. The required amount of parking spaces will be provided and the parking area will be restriped. Staff recommends an approval.

John Hawes, Councilor Kounelis submitted a letter. stating that in November 2003 the previous property owner has attempted to increase number of tenants to three, due to abutter opposition, the request was withdrawn. The 2 existing tenants have passive use of the parking area, the addition of Suphi Furs will not have detrimental impact. We are concerned with any future tenants, condition needs to be added that if new tenant is selected, the petitioner has to return to the Boards for review.

A discussion by the abutters followed. The abutting Celebrity Pizza has children running around. This site is already congested and the proposal should not be allowed. Unattractive jersey barriers have been placed on the property line

Jeff Brown, the building size will remain the same. Other issues need to be worked out between the neighbors.

John Hawes, I will propose additional condition that if the tenant changes, the petitioner has to come back for review.

Steven Parnagia, Esq., low rise fence will be installed and a key given to Celebrity Pizza to provide access. Some security is needed for the fur business. If the use is the same when a new tenant comes, there is no need to come back.

Steve Magoon, if the use changes, the owner has to come back. There might be different parking standards, etc. The permit issued in 2003 has limitations also.

John Hawes, a liquor or food establishment was not allowed. The reevaluation can be done by the planning staff, similar restrictions from 2003 can be added to this new permit.

Jack Zollo motioned to recommend to the Board of Appeals approval of the Amendment to Special Permit #03-17 based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report with additional condition that is the use changes it has to be reviewed by the planning staff.

Jeff Brown seconded the motion.

VOTE: 4-0 In favor

- **94 Grove Street;** David P. Barnett, President, The Proprietors of the Cemetery of Mount Auburn – Special Permit/Site Plan Review

William York, Atty, this is a proposal to replace the existing greenhouses and horticultural building. The structures will be attached and called Horticultural Center. The storm water will be captured and use for irrigation. This center is critical to the operation of Mount Auburn cemetery which intends to seek the LEED certification by using local, recycled or renewable products. The cemetery occupies 175 acres, the site lies in I-2 district. Grove Street will be enhanced, 6 foot fence placed along the property line. The buildings will form L shaped plan. Terra cotta panels and brick will be used toward the Grove Street. New sidewalks will be constructed. This is a 15 year old plan and it is made possible by major fundraising. Phase I and II will happen at the same time depending on the funds.

Danielle Evans, there 10 criteria for site plan review that was held on June 16 have been met. Most of the existing site landscape will be kept. New structures are similar to the existing and requirements for open space have been met. Access on Grove Street will be enhanced. Bicycle parking will be provided since bicycles are not allowed at the cemetery. The new water drainage system will save 300,000 gallons per year. The petitioner is applying for LEED certification. The only lighting from the building would be mounted near parking spaces. This proposal will greatly improve the neighborhood. All requirements have been met and the staff recommends approval.

John Hawes, we have received letter from Councilor Kounelis and John Airasian in support of the petition. This will provide attractive view of the site.

Marilyn Petitto Devaney, 98 Westminster Ave, I am delighted with the improvements and will support this proposal.

Jeff Brown, I have toured the site, the greenhouses need to be replaced.

Jeff Brown motioned to recommend to the Board of Appeals approval of the Special Permit under Section 9.03 Site Plan Review, and Section 5.00(f) 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

- **240 Waverley Ave;** Carmen DeMarco, SAI Communications Inc on behalf of T-Mobile Northeast LLC - Variance

Scott , Esq, the Board requested at the last hearing in April, that the petitioner provide independent review. We have hired Mark Hutchins, radiofrequency engineer, and the report was submitted to the staff and Board. His findings supported T-mobile saying that this was the only feasible location to fill the coverage gap. This is a TCA application and the Town has to comply with this federal law. A chimney will be located in the center of the roof and the appropriate equipment will be attached to it.

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Jeff Brown, how will this equipment be serviced? Does the owner of the building live there, is he here tonight? Can the Board vote against it?

Steve Magoon, the Board requested this party review. Mark Hutchins agreed that there is a gap in coverage and this is an appropriate location to fill the gap. Property owners of other properties were not interested. If not allowed, a tower might be considered. The Board can vote negative and the ZBA could follow that vote but we need to clearly explain the reason.

Fergal Brennock, would a tower at the fire station located nearby be preferable to having the equipment on residential structure? Radiofrequency is complicated, it depends on other things beside the elevation.

Ann Miller, 249 Waverley Ave, a petition with 80 signatures in opposition of this proposal is being submitted tonight. People are surprised that such a use is allowed in residential neighborhood. This use is encroaching on people's rights.

Marilyn Devaney, 98 Westminster, there are 104 antennas in 4 square miles, how many more are needed?

Steve Magoon, this use cannot be precluded from any zones.

Eleanor Nixon, 24 Lovell Road, the petitioner is asking for a variance. If it has to be approved, why do they need a variance if this property is suitable? Every property in Watertown could be used, Watertown has many commercial properties that might be more appropriate

Jim Bean, Pine Street, this is a federal law and we need to work with that. Will the equipment affect the property tax?

Steve Magoon, the provider was looking for a site that would cover the gap. The map provided with the application shows the gap. Other towns have as many antennas as we do. This is not a commercial use, the installation of the equipment would increase the property value.

Jeff Brown motioned to recommend to the Board of Appeals approval of the TCA Use Variance under Section 5.13(a)(1)(2) 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: 0-3 Denied
John Hawes recused

Jack Zollo, our vote shows how we feel about this proposal.

Jeff Brown, this is inappropriate location. The fire station nearby would be more appropriate.

Fergal Brennock, this location is inappropriate, there is another solution nearby.

John Hawes, the application that was heard in June did not have alternative. This petition was first heard in March/

OTHER

Steve Magoon, 2 meetings will be scheduled for the Economic Development Study. We need to get the community involved to talk about concepts/vision. Some huge operations happened in this Town
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and others grew around them, the uses now do not relate to each other. We need to create community vision.

Jeff Brown, are there such activities in other Towns? Do you discuss this with colleagues from other Towns?

John Hawes, we need to find a balance between residential and all other uses. When does the Town want residential over other uses? Do we have enough housing?

Steve Magoon, from the tax base perspective, commercial use is preferable. The commercial market is now very flat. A123 moved from the Arsenal to Waltham for more space. Midsize companies like Watertown for its proximity to Boston and Cambridge. The Watertown is leased out. We are also proposing an amendment to the Zoning Ordinance to qualify for green community designation.

Chairman John Hawes adjourned the meeting at 9:00 PM.

MEETING ADJOURNED: 9:00 PM MINUTES APPROVED: _____
For more detailed Minutes see tapes dated 7/14/2010 available in the DCD&P office.