



# TOWN OF WATERTOWN

## Zoning Board of Appeals

Administration Building

149 Main Street

WATERTOWN, MASSACHUSETTS 02472

Melissa M. Santucci, Chairperson  
Deborah Elliott, Clerk  
David Ferris, Member  
Suneeth P. John, Member  
Christopher H. Heep, Alternate Member

Telephone (617) 972-6427  
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[www.watertown-ma.gov](http://www.watertown-ma.gov)

### MINUTES

On Wednesday evening, **August 31, 2011** at 7:00 p.m. in the Council Chambers on the second floor of the Administration Building, the Zoning Board of Appeals held a public hearing. In attendance: **Melissa Santucci, Chairman; Deborah Elliott, Clerk; David Ferris, Member; Suneeth P. John, Member; Christopher H. Heep, Alternate Member; Michael Mena, Zoning Enforcement Officer; Daniel Evans, Senior Planner; Gideon Schreiber, Senior Planner; Louise Civetti, Clerk to ZBA.**

Chair Santucci opened the meeting, introduced the board and staff; announced the two administrative items on the agenda are minutes from June 29 and July 22 and announced the continued cases: 532-542 Pleasant St., 22 Perry St., 26 Forest St., and 190-192 Arlington St. She swore in the audience and asked for a motion to accept the minutes if they have been reviewed.

Ms. Elliott motioned to accept both sets of minutes June 29, 2011 and July 27, 2011, as written. Mr. John seconded. Voted 5-0. Accepted.

Ms. Elliott read the legal notice for the first case:

Dr. Mark Strokowski, 326 Belmont Street, Watertown, MA, herein requests the Board of Appeals to grant a **Variance** in accordance with §5.05(j), Notes to Table of Dimensional Regulations, Maximum Eave Height, Maximum FAR; and a **Special Permit Finding**, §4.06(a), Alts to existing Non-Conforming Structures, Side Yard Setback, Zoning Ordinance, so as to add two dormers and alter roof line to third floor, at **326 Belmont Street**, located in the T (Two Family) Zoning District.

Vahe Ohannessian, Architect, representing his client, Dr. Mark Strokowski, stated the Planning Board approved the request for the third floor and requested additional information regarding the second floor. He distributed a plan of the second floor explaining that the third floor was not designed to be a separate unit. Sheet A-7 shows the plan for floors 2 & 3 and A-8 shows all three floors stacked. He explained how the third floor would be accessed and how they are combined. The only change in the design is the addition of a staircase shown on A-7 bottom left. He said it adds an extension of the dormer by 3'. On sheet A-8, plan 3 shows the extension of the dormer with the added head room.

Chair Santucci clarified that they are adding another stairway to the third floor and asked what the purpose of two stairways are.

Member Ferris wanted to confirm that there is not a separate apartment on the upstairs – it makes him curious when there is a wet bar as it could be a full kitchen for someone and there is a full bathroom, a living area and two stairways proposed at this point.

Mr. Ohannessian said that was more of a convenience for a professional that may use that whole area for a roommate situation. His client and his family may move into the second and third floor and use it as a family. He said the second floor access from the front of the house is completely open to the second floor space so there is not a separate entrance. The same with the stairwell in the rear – as access from that stairwell from the first floor there is exclusive area to the second floor. It is a locked door access to the second floor. A common basement (as indicated by a green

triangle on sheet A-8) is for access from the dental office on the first floor and the second floor. He said these prove the second and third floors cannot be accessed separately.

Member Ferris added that the roof is unique and it is all going to be gone because of the dormers proposed. He added that it is a hip, tiled roof and there will no longer be tile. Mr. Ohannessian said the garage has a similar color but architectural shingles and that is what will be on the new roof of the house.

Member Ferris asked about the material on the front and rear gable elevations that are being added as the building is currently stucco. Mr. Ohannessian said it would be stucco painted to match the house color.

Member Ferris said it looks like an existing chimney in the living rooms for a fireplace but on the elevations the chimney is no longer there. Mr. Ohannessian said that was an error. The chimneys will stay.

Member Ferris questioned the window size in the sleeping spaces as there may be criteria for egress out of the sleeping area. He asked that they look into that.

Member Heep asked that they go over the criteria of a hardship for the variance relief requested. Mr. Ohannessian asked if this was in regards to the FAR. Member Heep stated that he wanted to know what was unique about the property that qualifies this for a variance.

Mr. Ohannessian said that the fact there is a hip roof and a relatively low pitched roof there doesn't allow them to build out the attic area with any reasonable amount of living area. They are going from hip to gable and increasing the roof pitch and keeping below the maximum eave height as his client is simply trying to make the best use of the property by having additional living area.

Member Elliott asked if the unit is currently occupied. Dr. Stokowski said the unit is rented. He said the second floor is occupied and the third floor is not – it is unfinished. Member Elliott asked if they would move out if he received approval for this request. Dr. Stokowski said that would be worked out.

Ms. Santucci asked if he operated the dentist business on the first floor and if there are other practices there. Dr. Stokowski said it is just him as the owner with two other dentists there.

Ms. Santucci confirmed that the 3' of dormer will be added to the back of the house. Mr. Ferris stated it is shown on drawing A-5. Drawing 3 on A-5.

Mr. Ferris asked if the extended dormer would also increase the FAR issue. Mr. Ohannessian said they have not calculated the additional FAR but it is approximately 18 s.f. as they'd be cutting the 4' plane. Ms. Santucci asked if the board went along with the request for FAR at .695 that would not be accurate. Mr. Ohannessian said that this was a request from yesterday and he spent his time drawing the plans.

Ms. Santucci said they have a request for a "pretty big" variance. They want to go .2 over the requirement and this will put them at .7. She asked if they are in compliance with the half-story requirement. Mr. Ohannessian said they are in compliance as the half-story was less stringent than the FAR issue. Ms. Santucci then reiterated that they are extending the non-conforming side yard setback. Mr. Ohannessian said that is where the bedroom bumps out on the west side matching the opposite side.

Mr. Ferris said as an extension to the second floor unit, there are a lot of spaces being added on to the third floor - there is a living area, a sleeping area, a study, a kitchenette, a bathroom, a laundry. Dr. Stokowski said that they are small spaces. Mr. Ferris said he is wondering about the FAR portion and if the spaces were to be smaller or fewer on the top floor.

Ms. Santucci said they uniquely labeled the spaces on the third floor but did not label the spaces on the second floor and asked what the rooms are. Mr. Ohannessian said starting on the lower left stairwell, to the right is the kitchen to the right of that is the dining room, then living room with an extension up over the plan to the other stairwell, an enclosed front porch, an enclosed back porch that is divided, then two bedrooms on the west side with a bathroom in between.

Ms. Elliott asked what the square footage is of the second floor. Mr. Ohannessian said it is 1510 s.f. including all of the porches except the chimney. She asked if the third floor would be an additional 900 s.f. with the addition of the stair. Mr. Ohannessian said above the 4' plane would be 835 and above the 7' plane would be 599 or 600 with 18 s.f. added.

Ms. Elliott stated that under the variance conditions for the maximum FAR, if this were a two-family as opposed to a dentist and a one family, they'd be able to grant an FAR of .625 by special permit as opposed to a .7 which is what they are requesting – she asked if they looked at this at .625. Mr. Ohannessian said the project would not be worth while for his client. The cost of redoing the entire roof. The cost of keeping a portion of it there with the Spanish tile hip roof or adding different dormers didn't work.

Mr. John asked the Planning Staff if there are statistics regarding the maximum variance or average variance – is it .75 or .7 as everyone could come to the board with a hardship at .7 and it would be moot to have all of these regulations. Mr. Magoon said there isn't a specific number in terms of how much of a variance is appropriate or what could be asked for in terms of averages but this is certainly a larger variance in terms of the average for FAR but there isn't a requirement for a certain number. It exceeds what the number is.

Ms. Evans said the original submission was for a much higher FAR and there were 4 different iterations of design where they have shrunk this down considerably. Her initial thought was to try to get it close to .625; the maximum for a two-family but their response was the same - that it wouldn't be worthwhile. If it is not worthwhile then she doesn't know if that is a significant hardship; if that is the opinion of the board. She wanted to be sure the board knew that this project has shrunk considerable from the original proposal.

Mr. Ferris said that it seems the hardship is potential for revenue based upon the fact that the first floor is not rentable for residential use. That is the primary driving force to this request. Dr. Stokowski said it is a practical use for the third floor – if you are sleeping up there you want a bathroom and in an emergency you want two stairwells.

Ms. Santucci said his points are good but he doesn't meet the requirements. Listening to some of the comments from the board, the hardship is not strong. There are a lot of houses in Watertown with this configuration and it is not just that you want a bedroom on the third floor; you want a library, a wet bar – a lot. Dr. Stokowski said that is just the space up there, they have only labeled them. He said the library is under the 4' sloped line. He said it is just chopped up to a wet bar, etc. There isn't a lot of room.

Mr. Ohannessian said the initial entry showed neighboring properties that have gabled roofs and shed and gable dormers. What they are proposing is not different in size. Ms. Santucci said their entire roof is visible from the corner lot – the others are not as massing. They spoke of the individual photographs submitted and the closest to what they are proposing has less of a dormer.

Ms. Elliott has concerns about approving a variance at .7 and asked if they could eliminate the width of the dormer as they could have the bedroom and a bath and eliminate the living area and wet bar. They would still have a bedroom, an office and a bathroom. She asked what the FAR would be for that scenario.

Dr. Stokowski asked if the FAR is the floor area ratio and the practicality is the dormer is going to be extended 6' over and to conform to the FAR they want a narrower dormer. Ms. Santucci stated that the dormer is 3' extra and Ms. Elliott is stating that you can get rid of the stairs and that entire section and start at the bathroom. Dr. Stokowski said they are just putting a little longer dormer. Ms. Santucci explained that he is asking to go over the requirement by .2 or 50% of the FAR in this zone. That is the issue here. This is too large – it doesn't fit. This request is very large – it even exceeds what the FAR is for a two-family. She said he may want to reconsider what would be granted for a two-family although he is not a two-family. She explained that he is entitled to go forward and ask this board to vote. The board is trying to work with him and compromise.

Mr. Ferris said that he should know the implications of a vote and his ability to come back with modifications. Ms. Santucci gave him the option of voting tonight with 4 of the 5 members voting yes and if he doesn't then he cannot come back to the board for two years. Dr. Stokowski asked if they would tell him how they would vote. Ms. Santucci said she is trying to help him and advise him to come back to the drawing board. Dr. Stokowski said they have already spent a lot of money trying to get to this point. Ms. Santucci said the original plan must have been ridiculously large, according to what the Staff has suggested. She said they could amend the plan, scrap the entire project or ask them to vote tonight.

Mr. Ohannessian asked if they were to turn the front gable into a hip, still all built new but with a slightly higher pitch than the existing hip roof, that would reduce the FAR a lot more than they are increasing the 18 sf of the stairwell, would that be substantial enough reduction to win their approval. Ms. Santucci said they are always allowed to revise their plan and come back to the board. They like to work with people. Dr. Stokowski asked to hear from each member.

Mr. Ferris said this is quite large and they are trying to put a lot of 'program' up there for someone to be completely independent from someone living on the second floor. It seems like he is trying to generate more space that is rentable because of the first floor business. It is large for an original two-family structure.

Mr. John said he has the same comments.

Mr. Heep said with a two-family they could go to .625 and he would use that as a measurement. He agrees with the other comments from the board.

Ms. Santucci asked for comments from the audience.

Freddie Zartarian, Prentiss Street said he owns a two-family house and he loves his home and his neighborhood but there are 3<sup>rd</sup> floor apartments popping up all around him and this petitioner is trying to put in another apartment. They are going to be paying taxes for a 3-family. Ms. Santucci said that is not allowed in this zoning district. He has a variance to operate the dentist on the first floor and the second floor is a residential unit. Mr. Zartarian asked what would happen if they went ahead and did this without approval. Ms. Santucci said she would hope someone would notice the roof ripped off. He would then be enforced on. Mr. Mena, Zoning Enforcement Officer said they would be cited to remove all work that was done or get appropriate permits to legalize it. They would be subject to penalty. Ms. Santucci said if he has concerns regarding his neighborhood, to address Mr. Mena after the meeting.

Dennis Duff, 33 Spruce Street asked why they need a wet bar. He remembers a three hour discussion with the board over a wet bar for an addition several years ago and the result was that the plumbing would be there to change into the needs for a separate apartment. He said this is a two-family with an original lawyer's office and a change to a dentist office and the FAR should remain the same as the two-family requirement.

Mr. Ohannessian said they would like to modify their plan and come back.

Ms. Elliott motioned to accept the request for continuance to September. Mr. John seconded. Voted 5-0, Continued.



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### MINUTES

On Wednesday evening, **August 31, 2011** at 7:00 p.m. in the Council Chambers on the second floor of the Administration Building, the Zoning Board of Appeals held a public hearing. In attendance: **Melissa Santucci, Chairman; Deborah Elliott, Clerk; David Ferris, Member; Suneeth P. John, Member; Christopher H. Heep, Alternate Member; Michael Mena, Zoning Enforcement Officer; Daniel Evans, Senior Planner; Gideon Schreiber, Senior Planner; Louise Civetti, Clerk to ZBA.**

Ms. Elliott read the legal notice:

#### **66 Townly Road – Nicholas Avtges – Variance and Special Permit Finding**

Nicholas Avtges, 66 Townly Road, Watertown, MA, herein requests the Board of Appeals grant a **Variance** in accordance with §5.04, Table of Dimensional Regulations, Maximum Building Coverage and a **Special Permit Finding** in accordance with §4.06(a) Alts/Additions to Non-Conforming Structures, Side Yard Setbacks, Zoning Ordinance, so as to extend existing porch towards northerly side setback 9', maintaining northerly side yard setback at 6.9', where 12' is required and creating building coverage of 30%, where maximum 25% is allowed. S-6 (Single Family) Zoning District.

Mathew O'Connell, ADG, Inc., representing the owner, Nicholas Avtges, explained the petitioner proposes to tear down the existing 228 s.f. illegal rear covered deck/screened porch in order to construct a new 191.4 s.f. rear addition. The proposed 11.6' x 16.5' addition would be flush with the exterior wall of the main structure, extending it an additional 11.6' along the nonconforming 6.9' northerly side yard setback. Also proposed is an attached 134 s.f. (15.6' x 8.6') uncovered deck.

This is a small addition, moving it over would compromise. They are maintaining the building setback. The neighbor to the addition has given his full support. The porch was built 40 years ago. The protection for a structure is 10 years (grandfathered) until it is changed, then the "grandfathering" is lost. The current is 228 s.f. and the proposed is 191 s.f. The interior door will remain in the same location. The interior door will be widened to 3' as required by building code. If the need arises in the future, they can put a ramp on the bottom level.

The hardship is in regards to the retaining wall to the entry to the basement. Having to eliminate the egress to the basement and move it would be a financial hardship.

The proposal would increase the building coverage from 23.7% to 27.1% where 27.9% is existing. Although the proposed is less than the existing coverage, this request exceeds the maximum 25% building coverage allowed and therefore would require a **Variance** from maximum building coverage (§5.04 table of dimensional requirements).

Also required is a **Special Permit Finding** under §4.06(a) in order to extend the non-conforming structure an additional 11.6' along the 6.9' side yard setback.

Chair Santucci read into the record letters of support written by: Dana Torrey, 60 Townly; Jason & Cynthia St. Clair, 72 Townly; Lucille & Donald Barbato, 84 Townly; Carolyn Dix Shanahan, 65 Townly; Sonya & Armen Palandjian, 77 Townly, Frederick Hamilton, 85 Townly and Gary & Patricia Murphy, 65 Townly Road.

The Planning Board met on August 10, 2011 and recommended approval. The Staff recommended the 191.4 s.f. addition be reduced to 73s.f. to be in compliance with the maximum building coverage.

No public testimony was made.

Chair Santucci noted that although there is no building permit for the work done over 15 years ago, the impact exists at 27.8% and the petitioner is now seeking a variance for 27.1%.

Ms. Elliott motioned to allow the Variance at 27.1%. Mr. John seconded. Voted 5-0. Granted.

Ms. Elliott motioned to allow the Special Permit Finding, side yard setback. Mr. Ferris seconded. Voted 5-0. Granted.

The Control Plans shall be: The plot plan showing the existing conditions entitled "Site Plan, 66 Townly Road" prepared by Snelling & Hamel Associates, Inc. dated March 3, 2011; the plot plan showing the proposed conditions entitled "Site Plan, 66 Townly Road" prepared by Snelling & Hamel Associates, Inc. dated April 27, 2011; and the architectural drawings "Proposed Sun Room/Deck" sheets A1, A2, and A3 dated 3/22/11 and revised 7/14/11 prepared by ADG INC. Sheet A4, "First Floor Plan, Existing Conditions", dated 7-14-11; supplement 8-31-11.



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Ms. Santucci asked for a representative from 383 Orchard Street. No one replied.

Ms. Santucci announced the next case does not have required a legal notice be read as it is under the title of 'Other Business' for **140 Pleasant Street.**

Rob DelSavio, Architect for the project, explained the information in the packets for the modifications. They highlighted in red, the items that were modified - the windows & door configuration shifts, modifications to the metal railing on the third floor window level; slight massing change to the bay window and some roof-top equipment. The window changes were due to when they were laying out the configuration of the apartments, they changed from 3 windows to 2 and shifted one over. The south elevation has a massing change at the 4<sup>th</sup> (top) floor – they wanted to brake down the relentlessness of the 4<sup>th</sup> floor band (increase of 42 s.f.). One of the conditions of approval is to remove the mechanical equipment from the roof of the building. They successfully hid the bulk of them under the garage podium level, not visible from the street. The items on the roof are the vent elevator shaft – mandated by elevator code. The make up air unit (common spaces) It is 14'4" long and 34" wide and cannot go under the building. They tried to use the elevator penthouse to screen this from the street. The elevations show it at its worst state and the 3-dimensional drawings (provided in the packets) show that it is far enough back and is screened enough to not be visible. They also had a request to show the elevator vent on the south side of the building and they have done that.

Mr. John asked what the treatment material would be going on the shaft. Mr. DelSavio said it would be clapboard – the same material that is on the building and the air conditioning unit will be metal in a tan color.

Mr. Ferris is concerned with the placement of the unit to the rear elevation as the grade is so low in the rear that you cannot really see that. He asked what the additional square that is shown on the roof plan is. Mr. DelSavio said it is a condensing unit that feeds two copper lines to the roof-top unit. It is the refrigeration component to the roof-top unit. It is a couple of inches shorter than the roof-top unit itself. It is not shown on the elevations as they were not sure they were going to go ahead with air conditioning the hallways. Mr. Ferris reiterated that this is a mansard vs. a parapet and if they do add the other equipment, it is too close to the edge of the roof. The public expressed their desire for the lack of mechanical equipment on the roof. He would like for them to be sure if they are doing this or not and what it looks like and if there should be screening. Mr. DelSavio said the footprint size shown on the plan is accurate at 7'x7' and 6" shorter than the main unit. Curtis William, Cresset Developers, added that the view from the rear is deminimus and they showed the option of screening in another plan and they would not be opposed to that if they decided to put air conditioning in the hallways. They would get pricing to add the structure to carry that; the roof framing and then size it as an add alternative to get pricing to see if they could afford it – and if someone is living on the 4<sup>th</sup> floor and it is extremely hot, they want the option to add it and they would be hopeful that the other units cooling at that time would be

enough to cool common areas. They want the option to add it later. Mr. Ferris agreed that getting some knowledge on what that would look like would allow the board to state the requirement of additional screening.

Mr. Magoon stated that there is a condition that there will be no mechanical equipment added to the roof top. They would have to agree to stipulations that the addition with the screening would be as though there were no roof top equipment. Otherwise, they would have to come back to the board and advertise again to amend the decision.

Mr. Ferris said the elevator shaft is not considered roof top equipment but the mechanical equipment is mechanical. Mr. Magoon agreed that the elevator shaft is necessary and the air conditioning unit is clearly mechanical. Mr. Ferris said if it were screened that would be good but the first meeting said there would not be anything on the roof. The neighborhood is filled with hills and two-family houses that were told at the meeting they would not be looking at anything. Down the street at River Loft there is a screening around the rooftop and it appears as part of the structure not something that is hiding something behind it. Mr. Ferris said that if they were to go that route, to screen it to be sure it looks like it is part of the architecture.

Mr. Ferris asked if the window muntons are part of the glass or between the glass. Mr. DelSavio said they are fixed on the outside surface of the glass.

Ms. Elliott thanked Mr. DelSavio for the clearly defined materials on the plan. She asked if the concealed condensing units under the deck were taking any parking spaces. Mr. DelSavio said no, they are up high or in the inside corner where you cannot park. She then asked if they need special access to them if they break down. Mr. DelSavio said no, they are small units. She asked if there is noise anticipated if the units are placed on the roof. Mr. DelSavio said they would not be concerned with the noise spreading beyond the property line and they would be within the requirements of the noise ordinance.

Mr. John said he is happy that they will come back to the board if they are to have any equipment on the roof.

Ms. Santucci asked if the areas that are being changed to doors open up to what? Mr. DelSavio said they open to a one foot area.

Ms. Santucci asked if they are required to receive a letter saying they can put roof top equipment up there if there is screening as the condition does not allow it. Mr. Magoon stated that the board could do that or they could do that at the discretion of Staff or if there were discrepancies, it could come back to the board. Mr. DelSavio added that the screening would be the same cement clapboard that is on the building. Mr. Ferris said that would be acceptable.

Ms. Evans added that a change to condition #11 to extend the timeframe for executing the affordable housing agreement to after the building permit to before the certificate of occupancy – prior to approval of rough electrical wire and plumbing inspections for logistical reasons as getting through the state has been tough and they do not want to hold up the building permit. Ms. Santucci clarified that these are rental units and therefore not an issue as they will not be selling the units. Prior to the issuance of any electrical.

Dennis Duff, 33 Spruce Street said that at the initial hearing, people were not in favor of this project as it is out of scale with the neighborhood. He would like to the board to consider the addition of the screening would add to the building height and the neighbors think the building is already too high. Does this add to the visual height?

Mr. Ferris asked about the affordable housing. Ms. Santucci said they usually have the affordable housing agreement signed off before the building permit is issued but they do not have that and they are asking for a little more time. The board has agreed to state that it would be ironed out prior to the Electrical. They can put the foundation in and frame it while they are pursuing the affordable housing agreement. Ms. Evans said the floor plans changed and one unit became 20 s.f. too small and the housing authority did not catch it so they are now trying to get the 20 s.f. or designate different units. Mr. Willams added that they had negotiated the agreement, signed it, executed it and then it came back from the state saying there is a new agreement.

Ms. Elliott motioned to approve the modifications to the control documents and to allow the condition regarding the affordable housing agreement. The letter of agreement relative to the agreement, as well. Mr. Ferris seconded. Ms. Santucci clarified that there is a motion and seconded for approval to the changes to the control docs with the three stipulations. Voted 5-0, Granted.

Documents Reviewed: The Plan Set “140 Pleasant Street, Watertown, MA Cresset Development, LLC, 120 Water Street, Boston, Massachusetts” dated August 16, 2011 “Design Comparisons” containing sheets “North Elevation” conceptual drawing; “North Elevation” window, door and railing detail; “West Elevation” conceptual drawing; “West

Elevation" elevator vent detail and window changes; "South Elevation" conceptual drawing; "South Elevation" Window and door detail; "East Elevation" conceptual drawing; "East Elevation" Bay addition and window detail; "Roof Plan"; "View 1, View 2, View 3"; "Second Floor Plan, Third Floor Plan, Approved 12-6-2010"; "Fourth Floor Plan, Unit Mix Chart, Approved 12-6-2010"; "Affordable Unit Distribution" floor plans, Approved 12-6-2010; "First Floor Plan Proposed"; "Second Floor Plan Proposed"; "Third Floor Plan Proposed"; "Fourth Floor Plan Proposed"; "Affordable Unit Distribution Proposed"; all prepared by Bargmann Hendrie + Archetype, Inc., 300 A Street, Boston, MA



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Ms. Santucci stated the last case on the agenda is **532, 550, 580 Pleasant Street.**

Ms. Elliott read the Legal Notice:

Michael A. Russo, President, A. Russo & Sons, Inc., 560 Pleasant Street, Watertown, MA 02472, herein request the Zoning Board of Appeals to grant **Variances from §5.16(d) 8 & 9**, Maximum Impervious Surface and Minimum Open Space to allow impervious coverage greater than the maximum of 80% allowed and to provide less than minimum required 20% Open Space.

Further, the Applicant requests variances from the following subsections of §6.02- Location and Design of Off-Street Parking: **Variance from § 6.02(b)** Minimum Size of Parking Spaces (138 spaces at 8'x18', where 8.5'x18' is required), **Variance from § 6.02(h)** Maximum Driveway Width (28 ft where a max. of 24 ft is allowed); and **Variances from § 6.02(k)** Parking Area Setbacks & Landscaping: 0% interior landscaping, where 5% is required; setback of 0' from the northwestern side of the structure where 8' is required; setback of 0' from rear lot line of **560 Pleasant St.** where 8' is required, setback of 0' from eastern side lot line of **560 Pleasant St.** where 0' currently exists and where 8' is required. Further, at **532 Pleasant St.**, varying setback of 6.06'-10.39' from eastern lot line where 8' is required, setback of 4' from western lot line where 8' is required, and setback of 0' from southern lot line where 8' is required.

Lastly, the Applicant seeks a **Variance from §6.04(c)** Design and Layout of Off-Street Loading Facilities, Maximum Driveway Width, in order to allow a 68 ft driveway where a maximum of 30 ft is allowed.

An application for a Special Permit Amendment (PB-11-02) to expand existing retail space 4,051 s.f., expand existing warehouse space 15,556 s.f., expand outdoor display area 4,530 s.f., and construct new loading dock at rear of building has also been filed to be heard before the Planning Board.

Suneeth John, Full Member of the Zoning Board of Appeals is recusing himself from the case as he is a direct abutter to this property and has a close relationship to one of the design team members.

Ms. Santucci swore in the public.

Daniel Bailey, Esquire, Rackemann Sawyer & Brewster, 160 Federal Street, Boston, MA 02110-1700 representing A. Russo & Sons, Inc. introduced Niles Sutphin, Architect; Fred Keylor, Project Manager, Engineer; Nelson Hammer, Landscaping and Michael "Tony" Russo, Owner.

The board expressed concerns regarding the 8' spaces as opposed to meeting the 8.5' requirement; a secondary entry to the parking lot; no cart corrals to the west of Paramount Place; the 200 employees (150 at one time, peak) parking area is 8.5' and not 8'; possible further expansion to abutting properties; decrease in storm water runoff; no perk test provided; drainage based on existing soil; landscaping at rear buffer (missing); granite on both sides (not Cape Cod berm); no corner visibility; design of private way as functioning street; signage for employee parking or restricting customers from entering truck parking area; site lines from piled snow; and a snow management plan. The case is continued and a revised plan is expected before the next meeting with modifications to the rear landscaping buffer; 8' wide parking spaces; curbing at Paramount Place; a snow management plan and additional cart corrals.

Public Testimony:

Edward Rabinovitch, Attorney, Shadrawy & Rabinovitz, 31 State Street, Boston, MA 02109 stated that he is representing American Venture at 594 Pleasant Street and is happy about the truck redirecting. However, he is concerned with the landscaping buffer at the rear of Russo's property as it will have an effect on his client's property.

Dennis Duff, 33 Spruce Street, is concerned that the 8' wide spaces are too small; the asphalt curbing will be torn up by the trucks entering and exiting the area and Russo's should consider granite curbing as well as the addition of trees into the new parking lot. He suggests the Zoning Ordinance should be changed to include a provision for a certain number of trees to be added where a certain number of parking spaces are being added.

Mr. Bailey said they will continue and will be prepared by the next meeting date September 26, 2011 as they will meet with Staff next week to review all of the discussions this evening.

Ms. Elliott motioned to continue the case to Monday, September 26, 2011. Mr. Ferris seconded. Voted 4-0 to be Continued to next meeting.

Ms. Elliott motioned to adjourn. Mr. Ferris seconded. Voted 4-0. Meeting adjourned at 10:00 p.m.