

WATERTOWN PLANNING BOARD

DATE: November 12, 2011 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; Linda Tuttle-Barletta; Neal Corbett
Steve Magoon, Director; Ingrid Marchesano, PB Clerk; Danielle Evans, Senior Planner; Gideon Schreiber, Senior Planner

ADMINISTRATION BUSINESS

Jeff Brown motioned to approve Minutes of 10/12/2011.

Fergal Brennock seconded the motion.

Voted 4-0 In favor

PROPOSED AMENDMENT TO THE ZONING ORDINANCE

Steve Magoon, this is a zoning amendment regarding Assisted Living. This will make the Zoning Ordinance consistent with the Massachusetts General Laws. The proposal will add Section 2.05, 5.01, 5.03, 5.07 and 6.02 (See Attachment). The Amendment had a first reading before the Town Council. The Planning Board will vote tonight and forward to the Town Council for public hearing and vote.

Barbara Ruskin, 140 Spring Street, it is important for the public to have earlier access to the planning process. The time for a decision is now very short, 2 week notice is not sufficient.

Steve Magoon, this is an institutional use with greater level of use, the cost per unit is much greater. Various degrees of services are provided. It is very complicated when trying to apply affordability.

John Hawes, the Planning Board provides the first review and recommendation to the Town Council. The Board received the material last Friday before the meeting.

Linda Tuttle-Barletta motioned to recommend to the Town Council to approve the proposed Assisted Living amendment to the Zoning Ordinance.

Jeff Brown seconded the motion.

VOTE: 4-0 In favor

7:15 Neal Corbett arrived at this time

CASES PENDING

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

Ahmad Yasin, the request was first presented and withdrawn without prejudice in March. I have owned Kareem's restaurant on Mount Auburn Street from 1984 to 2000. We have provided catering at this location for 5 years. I have now submitted a business plan that will fit well with the neighborhood. I am proposing to operate a small 16 seat restaurant that would only be open on the weekends. We have submitted 13 letters of support. There will be no delivery trucks to this location, we will pick up all the supplies from local stores. There will be no smoking and no alcohol at the restaurant. The restaurant will be reservation only, when customers call, I will advise them to use public transportation and ask them not to park in front of the building. The parking lot of the nearby High School is also available on the weekend when the school is not in session.

Gideon Schreiber, this is a 65x61 ft. nonconforming lot. Originally the structure housed 4 commercial businesses, now there is the Handy Variety store and Mr. Yasin business. 8 foot wide driveway allows access to a single family home in the rear. The new proposal is for 16 seat restaurant that will operate on weekends only, catering and classes during the week, there will be no take out. The restaurant will

be open 11am-9 pm on Saturday and Sunday, few cooking classes will be held late in the afternoon and evening during the week. This will be a reservation only restaurant, no food deliveries, waste management container is located in the rear. The proposed new use is not substantially more detrimental than the existing nonconforming use, staff recommends approval.

Steve Magoon, the proposed cooking classes are part of tonight's submission, the classes have stopped until formerly approved.

Jeff Brown, this case was discussed 6 months ago with opposition from the neighborhood. It seems that there is now more support for the proposal.

John Hawes, Yasin's business history is beyond reproach. I sense that the neighborhood changed its view.

Sarkis Salakian, 107 Common St, I am here against it for the second time. My concerns have not changed. Common Street is one of the better neighborhoods in Town. This restaurant will turn it into commercial area, traffic and parking need will increase and the property values will drop. People will wait outside to be seated and trespass onto our property. Our visitors will not be able to park.

William Lovely, 111 Common Street, the support letters presented tonight are from friends. This is our neighborhood and the issues are quality of life, safety, and property values. We do not have issue with Ahmad but with the proposed restaurant. This is a specialized restaurant. If it succeeds he might come back and ask for more tables. I am asking the Board to carefully think before deciding.

Stephen Steadman, 91 Common Street, we have a genuine concern about parking and hours of operation. People coming to Handy Variety park on the street. Since Ahmad purchased the property, major improvements have happened. If the Special Permit is given just to him and change with a new owner, it would be satisfactory.

Gideon Schreiber, the special permit goes with the property not with the owner.

Ahmad Yasin, when people call for reservation, we will advise them about parking. The last reservation will be taken at 7:30 PM. I have been operating restaurant since 1984. I sold Kareem because I wanted to own my building. I am a teacher, people try to eat healthy, and the classes are only 2 days a week. We will not serve alcohol, only nonalcoholic specialty drinks that are much healthier. I have a 9 year old daughter, catering business is only seasonal, the restaurant income is important to support my family.

John Hawes, the 5 abutters who spoke against the proposal in March, are not here tonight.

Don Levy, 52 Hillside Rd, we have started an organization to help small businesses succeed. Ahmed is a perfect example, he should be opened daily. This block has been retail for the last 70 years, this is a great use of such space.

Rena Baskin, 15 Franklin Street, this is a walk to restaurant, it will enhance the neighborhood.

Barbara Ruskin, 140 Spring St, I have been a neighbor for 35 years and I am in support of the proposal. Mr. Yasin provided major improvement to the property. We need vibrant, small businesses in Town. Mr. Joseph Arotella, 157 Common St, was unable to attend tonight but is in support of the restaurant. Mr. Yasin is sharing his knowledge with us, as well as students in the nearby High School. The vision of sustainable Watertown is to help such businesses.

John Hawes, this space is very small and would not allow for expansion.

Neal Corbett, if the business is successful, what would be the next step?

Ahmid Yasin, it will remain the same. I am very particular, I want to be in the business. Ten students from the Watertown High School attended the class, if the success has been accomplished, everyone will benefit.

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

Jeff Brown seconded the motion.

VOTE: 5-0 In favor

CONTINUED CASES

- **Stanley Avenue Lot 807-1B-1; WP Acquisitions LLC – Special Permit with Site Plan Review**

Linda Tuttle-Barletta motioned to recommend to the Board of Appeals approval of the Special Permit under Section 5.16(d)(6)(D) based upon the finding that it meets the criteria set forth in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

VOTE: 4-0 In favor

Steve Winnick, Atty, the petition has been continued from October. The site consists of 3 lots, total of 18.79 acres. Lot 1, 11.62 acres, is irregularly shaped and includes 1.35 acre archeological preservation area, Walker Pond and small kettle pond. 30 foot wide storm drain easement runs through the site. Wood Partners is proposing to dedicate Lot 2, 2.96 acre parcel, as enhanced public open space. The project consists of 3 buildings, with a total of 222 units. Building 1 and 3 are 5 stories with a parking at grade with 4 stories above. Building 2 has frontage on Waltham street, is a 4-story building without parking under. Wood Partners is represented by Kevin Maley, John Bensley from Beal&Thomas is a Civil Engineer, Michael of The Architectural Team, and Matthew Kealey, traffic engineer from VHB.

Matthew Kealey, after careful study of various intersections in the area, it was determined that the traffic impact will be minimal. The original traffic study was done in May. Future conditions were taken into consideration. To provide safer pedestrian access, we recommend that the trees near the sidewalk be trimmed. DPW recommendations are supported by the planning staff. The project requires 356 parking spaces, we will provide 364 spaces.

Steve Winnick, few small changes were made. Building #2 was originally 10' from Waltham Street, now the setback is 30' with an architecturally enhanced entrance. The building will lose 8 units and some but parking will stay the same. The curb cut is now 24' wide. Police Department, Public Works and the Planning Department suggested that it be made wider. To make the entrance wider, a variance approved by the Zoning Board of Appeals, would be required. We are proposing to clean-up the northern part of the Walker Pond. Walking paths will be provided to connect Waltham and Pleasant Street. The developer will donate that portion to the Town. A kiosk area is proposed by the Gore Estate. Boulevards will link the buildings with a central area. Each building will have separate character with a village feel.

Kevin Maley, VP Wood Partners, the company was founded in 1998. We have built several multifamily developments, 1900 units, across the country. We have developments in Arlington, Melrose, and

Wakefield. This project will benefit the Town. We will work together with Aetna Mills to address the Bridge Street intersection

John Bensley, Civil Engineer, Beal & Thomas, the 11.6 acre paved site was used for Raytheon parking. There are 2 kettle ponds, one being on our property. The Walker Pond needs to be cleaned up. The use of the property is limited due to 60" drainage line that crosses the site. Out of the 364 parking spaces, 144 will be under buildings 1 and 3. Emergency access will be provided on the easterly side. Sidewalks will be provided along Waltham Streets. All utilities will be placed underground. Surface water run-off and infiltration will be addressed, as well as sump catch basin, storm cepton and water quality inlet. We will encourage pedestrian traffic, create community aspect, recreational area and walking paths. West side of Walker Pond will allow pedestrian circulation with views of the Pond. A variance relief is required to provide 50' wide entrance on Waltham Street.

Michael Liu, The Architectural Team, the site is now paved, we are not allowed to build in buffer areas. The 60" line divides the property. The 222 units will be divided into 3 buildings. There are 4 studios, 121 1-bedroom units and 97 2-bedroom units. Building #1 has 79 units, #2 53 units, and #3 90 units, with 8 units removed, the final will be 214 units. We are trying to produce sense of a village. Individual facades will be treated with different materials and have different details. Building 2 will have about 5,000 s.f. of amenities and the entryway will be more formal. Building #2 will be setback 30' from Waltham Street.

John Connery, Fiscal Impact consultant, this project will add revenues of 516,000 and provide annual benefit of 152,000 to Town. The Town will collect \$300,000 in permit fees. The will be \$2.5 million in additional local retail sales. We have used very conservative numbers, 56% of the units are 1-bedroom with no school age children. A 10% affordable housing component will be provided. The project is consistent with the long term plans for the Pleasant Street Corridor district (PSCD).

Steve Winnick, this project fulfills the vision of PSCD. It will be built around conservation preservation area, create a new pedestrian connector. We are not seeking any incentive credits as allowed in the PSCD. The project exceeds all the dimensional requirements and parking. We will provide 22 affordable units. The Town will benefit with tax baser and it brings vitality to the community. Based on staff report that provides positive recommendation with acceptable conditions. We are asking the Board to approve the project, including the 30' setback from Waltham Streets.

Steve Magoon, the Planning Board is the permit granting authority in PSCD. Updated control plans showing all the changes are needed. We can defer the staff report to the December meeting and allow the audience to speak now.

Jeff Brown, we are not seeing the Gore Estate and the neighboring Repton Place on the plans. The 3 lots are not clearly shown. The site provides too much parking, only some enclosed, with too much asphalt, there is no need to provide more parking then required by the Zoning Ordinance. These are all rental units, what will happen to the rest of the property? What is LIG? Why is the property line splitting the pond?

Steve Winnick, there are no plans at present, any proposal will have to come back before the Board. The property is in multiple ownership. Will the Town wait until the entire area is fixed?

Linda Tuttle-Barletta, we have never received a traffic study that would show increase in traffic. Very few people walk on Waltham Street. The façade of the buildings is very busy, too many different materials. This project is heading towards the residential neighborhood.

Fergal Brennock, 8 units will be eliminated, could the remaining 4 parking spaces be used for public? Drawing EX1 provides good overview. The circular activity for the pedestrian aspect is not well designed.

Steve Winnick, the Zoning Ordinance has a ratio for number of parking spaces, there is no suggestion that the petitioner provides less.

Danielle Evans, we have added conditions regarding the pedestrian connector and trim of trees along the entire Waltham Street length. This is the same situation as Repton Place that has too many parking spaces, shadow parking is an option.

Neal Corbett, the courtyard in the center will not provide village feel.

John Hawes, we need to try to provide links between Waltham and Pleasant Streets. What is the access between this project on parcel #3? What is happening with the largely undeveloped Jewish Community Day School (JCDS) property? The Board needs to see elevations, this is an important project, and we should see all the materials used on this project.

Kevin Maley, we have met with JCDS, they want to expand the existing building and use the other areas as sport field.

John Lawn, State Representative & District D Councilor, the developer had a community meeting at the Police station. The residential neighborhood will be directly impacted. There is no access onto Pleasant Street, the scale of the project is too large. Other large projects in the area have too much parking, there will be more projects proposed for the area. Cars will cut through the residential streets, the nearby intersections are dangerous. Not one resident is in favor of the proposal, the size is far too big for this location.

Bob Manzelli, 24 Evans Street, I can barely get out of my driveway now. A similar plan was presented by a developer 8 years ago and it was rejected. Watertown is too dense, same reasons for not allowing this project still exist. No one in the neighborhood is in favor of this project.

Mary Ryan, 13 Bromfield St, the streets are already heavily travelled by people trying to avoid the traffic lights. Each 1 bedroom unit will have 2 cars. We still have many questions. A good judgment needs to be used to come up with a design to satisfy the neighborhood. Many children have been hit near the neighborhood playgrounds.

Rena Baskin, 15 Franklin St, we have similar issues in our neighborhood. If you add the units in all the buildings, there will be major impact on the traffic, it will affect the whole Town. These are rental units, people will not stay and raise their families. Enormous amount of pavement for the parking.

Ann Miller, 95 Evans Street, Waltham Street is like a racetrack, heavily travelled already. How can the pond be divided in half?

Vince Piccirilli, District C Councilor I have worked on the PSCD with the planning staff. The entire area around Walker's Pond should be restored. The developer should provide stronger effort. We have envisioned Pleasant Street to be redeveloped with retail businesses, restaurants, etc. Now the area is being walled off. No one will be walking on Waltham Street, connectors are needed.

Danielle Evans, one of the conditions to approve Repton Place was to provide pathway, which is very important pedestrian connector.

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Steve Winnick, we need to have larger view and long term vision. This project is supported by the Economic Development Study. Affected neighborhoods will not be happy with any development. We have had numerous discussions with all surrounding neighborhoods. Not all is controlled by us, the developer has limitations.

John Hawes, the bigger picture is missing, this is an important project.

Linda Tuttle-Barletta motioned to continue the petition to the December meeting of the Planning Board.
Fergal Brennock seconded the motion. VOTE: 5-0 In favor

OTHER

190-192 Arlington Street

Linda Tuttle-Barletta motioned to continue the above petition to the December meeting of the Planning Board.
Fergal Brennock seconded the motion. VOTE: 5-0 In favor

Chairman John Hawes adjourned the meeting at 10:50 PM.

MEETING ADJOURNED: PM MINUTES APPROVED: _____
For more detailed Minutes see tapes dated 11/10/2011 available in the DCD&P office.