



# TOWN OF WATERTOWN

## Zoning Board of Appeals

Administration Building

149 Main Street

WATERTOWN, MASSACHUSETTS 02472

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

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### MINUTES

On Wednesday evening, **April 25, 2012** 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 Rozzi, Chairman; Deborah Elliott, Clerk; David Ferris, Member; Suneeth P. John, Member; Christopher H. Heep, Alternate Member; Steve Magoon, Director, Community Development & Planning; Michael Mena, Zoning Enforcement Officer; Gideon Schreiber, Senior Planner; Absent: Louise Civetti, Clerk to ZBA.**

Chair Santucci Rozzi opened the meeting introduced the board and staff and swore in the audience.

Chair Santucci Rozzi asked if the members if they reviewed the minutes of March 28, 2012 and if there is a motion. Ms. Elliott motioned to accept the minutes of March 28, 2012. Mr. John seconded. Voted 5-0. Approved.

Chair Santucci Rozzi asked Ms. Elliott, Clerk to the Board, to read the legal notice for the first case:

Member Elliott read the legal notice:

#### **14 Fayette Street – Special Permit Finding**

Ruwen Gao, 14 Fayette Street, Watertown, MA herein request the Zoning Board of Appeals to grant a Special Permit Finding in accordance with §4.06(a), Alts/Additions to Nonconforming Structures, Rear and Side Yard Setback(s), Zoning Ordinance, so as to increase the height of the structure and replace the existing roof with a new gable roof in the T (Two-Family) Zoning District.

Brian Lau representing the petitioner spoke on raising the roof up on the second unit at the back of the house and creating two parking spaces on the right-hand side of the property as there is only one parking space on the left side now. They will also add landscaping to the front of the property to add curb appeal. The roof at the rear is being razed and rebuilt as it is leaking and the interior ceiling height does not comply with current building code requirements of 7'. The front of the units will remain the same. They will put new siding up all around the house. The owner purchased the property a couple of months ago. He added that from the front of the house, you can only see a bit of the rear change. The house does not comply with current setback requirements.

Ms. Santucci Rozzi clarified with Staff that the plot plan shows the two proposed spaces do not require relief and the concrete area is to remain on the other side for the existing parking space. Mr. Schreiber stated that the proposed spaces comply and the existing does not change.

Mr. Ferris asked about the new elevations, specifically on drawing #4 as existing and #8 as proposed, as there is no change to the height although they are raising the roof about 2' in height. Mr. Lau stated that it appears as a misrepresentation but they are raising the roof 18 – 24". Mr. Ferris stated that all of the drawings do not show the increase in height.

Mr. Ferris said the interior plan shows the bathroom sticking out on the drawing elevation #5. He added that the building may not know what to build if it is not shown correctly and the board does not get a true simulation of what is being proposed. Mr. Lau said the floor plans are more accurate than the elevations. They tried to stay to the existing conditions as much as possible. They will keep the windows where they are and re-side the entire house.

Mr. Ferris stated that in drawing #8 and #6 the chimney shows; however, he does not see it in #5. Mr. Schreiber said he believes the chimney was removed. He viewed a substantial amount of bricks at the front of the house when he visited. Mr. Lau said the homeowner does not need the chimney.

Mr. Ferris stated that in drawing #8, the elevation at the entrance to the front unit, the roof has lots of angles and not a simple pitch as the drawing indicates. Mr. Lau said they are keeping the current profile as they do not wish to change the architectural elements that much.

Mr. John said the proposed roof does not clearly define how the water will runoff as it is going into another roof. Mr. Lau said the proposed roofline is one shed roof to connect with a pitched roof. Mr. John said a roof plan would have helped lessen the confusion. He asked where the water flows from the old roof. Mr. Lau said it comes from the pitched roof to the shed roof and runs right down.

No one spoke from the audience. Nothing was submitted in writing.

Ms. Santucci Rozzi stated that she did not have questions and asked if the staff would like to receive updated drawings to properly show the 24" increase. Mr. Mena stated that staff would like to receive the drawing showing the increase in height and they would need those at the building permit stage anyway. He recommends this to be a condition.

Ms. Santucci Rozzi said these plans would need to be submitted before the decision is filed. Mr. Ferris recommended it would be better if the windows would be raised in the roof area being raised. Mr. Lau said he may make the windows taller but keep the bottom where it is.

Ms. Santucci Rozzi read from the Planning Board report, meeting of May 11<sup>th</sup> recommending approval with conditions including the requirement for revised architectural drawings. The rest of the conditions are boiler-plate with the exception of #7, regarding the front pavement area shall be removed and landscaped. That is shown on the plot plan noting a section remaining to one side of the dwelling and the inclusion of the two conforming spaces.

Ms. Elliott motioned to approve the special permit finding with the conditions noted. Mr. Heep seconded. Voted 5-0. Granted.

Documents reviewed: Planning Board Report from Planning Board Meeting on May 11, 2012. Plot Plan of Land in Watertown, MA prepared by George C. Collins, PLS of Boston Survey, Inc. dated 4/4/2012 and the plan page, sheet A-2, titled, "Proposed Roof Alteration 14 Fayette St Watertown Ma" showing elevations and first floor interior floor plan.



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Member Elliott read the legal notice:

“386B Arsenal Street – Special Permit

Jonah Sturtevant, Boston Mobile Concepts, 81 Walnut Street, Somerville, MA 02143, herein requests the Zoning Board of Appeals to grant a Special Permit in accordance with §5.01.5(f), Motor Vehicle Repair, I-1 (Industrial) Zoning District, so as to occupy a 2100 s.f. leased space with a car stereo installation business.”

Jonas Sturtevant, Boston Mobile Concepts (BMC), founder and owner of the company. He gave a brief history stating he has 20 years of experience customizing car audio, video, system design and integration.

Ms. Santucci Rozzi asked for plan detail and explanation of the changes. Mr. Sturtevant said his space at 386 Arsenal Street is attached to a body shop and separated by one wall. He will be modifying the prior occupants layout, which was a cabinet place with a customer waiting area, a workshop in the back and enclosing the bathrooms. He will also be painting the exterior and adding landscaping. The numbered spaces on the interior plan will be for vehicles installing equipment in. Parking for employees in the outside rear of the building, handicapped spot and spaces 5 & 3 are for customers coming to visit the property. They work by appointment only as there are two of them. They will mostly have vehicles inside. No new pavement. Sign will be requested at the front where the prior sign was.

Mr. Ferris asked where the dumpster would go. The site is bituminous and they plan to add landscape along the driveway and the dumpster will be screened. They do a lot of recycling. The driveway is large and a truck will not have an issue getting to the dumpster. Mr. Ferris suggested a wheel barrier for the front spaces 4 & 5.

Ms. Elliott asked if the customer is to test their new sound system, will the noise level impact the bike path. Mr. Sturtevant stated that they add sound deadening to a vehicle and if their back door is closed to the outside of the building, there should not be an issue with disturbing the bike path. He added that they do not focus on the ‘ridiculous’ side of audio, they focus on a more cleaner and appropriate sound in a vehicle.

Ms. Santucci Rozzi asked if they could put a raised planter in the front of the spaces at the front door for definition and color. Mr. Sturtevant said he didn’t think would be an issue. Ms. Elliott supports this suggestion. Mr. John asked if it would block the handicapped space. Ms. Santucci Rozzi said to flip the two spaces (4 & 5) so the aisle for the handicapped space is clear to the doorway and the planting can go in front of the other space.

Ms. Santucci Rozzi said the landscape plan and the dumpster plan are both conditioned to be reviewed by the staff and adding Condition #9 for a raised landscape planter; revising the plot plan to flip spaces and show the planter in the plan. This will be a raised planter vs. a planting area.

Ms. Santucci Rozzi asked if Condition #6, stating a special permit lapses after one year, if it should be two years. Mr. Mena stated that it is correct at one year.

Mr. Schreiber stated that a sign permit has to be applied for and permitted. Ms. Elliott stated that this is normally a 'boiler plate' condition and suggested adding it.

No one spoke from the audience. A business mode was declared by Ms. Santucci Rozzi and she read from the Planning Board report with a Staff and Planning Board recommendation from their meeting of April 11<sup>th</sup> with conditions and the three added by this board: raised planter, revised parking 4 & 5, boiler plate condition related to signage.

Ms. Elliott motioned to approve the car stereo installation including the conditions added; Mr. Ferris seconded. Voted 5-0, granted.

Documents reviewed: The Planning Board report, dated April 11, 2012. The Plot Plan dated March 8, 2012 and stamped received March 13, 2012, titled "Proposed Plot Plan #386B Arsenal Street" by Clifford Rober, PLS, last revised 4/3/2012.



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Member Elliott read the legal notice:

"Ara Dermovsesian, 21 Mason Road, Lexington, MA 02421, herein requests the Zoning Board of Appeals to grant a Special Permit in accordance with §6.02(j), Location and Design of Off-Street Parking, Garage, so as to construct a two car garage under the building with access from the front yard, and further requests a Special Permit Finding in accordance with §4.06(a), Alts/Additions to Non-Conforming Structure, Side Yard Setback, so as to enlarge existing front entryway, located in the T (Two-Family) Zoning District."

Ara Dermovsesian stated that he is the owner of the property and is being represented by Argen Roy. Argen Roy stated that the architect, Ed Danielson is also in attendance to answer questions. Mr. Roy explained the request: the special permit to build an attached garage with a driveway in the front requiring an 11' curbcut and to have 17' in width and 18' in length. The garage at the end of the driveway will be 19' wide and 24' long. There is insufficient room on either side of the house to build a driveway. There are no designated parking spaces for the two-family dwelling, creating a hardship especially in the winter months when there is a ban on parking in the street. Mr. Roy went through all criteria. He then explained the Special Permit Finding for the front entry at 7.5' to the side setback, where 10' is required. It is consistent with the character of the other homes in the area.

Mr. Ferris asked if the stairway shown in drawing A1 going up to the third floor will not be added now. Mr. Danielson said that Mr. Ferris has an old drawing and that staircase has since been removed and the plans revised.

Mr. Ferris asked if the column that will be supporting the house at the front right corner where the garage is indented will be of what finished material. Mr. Danielson stated that it is a decorative column not a plain lally column, perhaps fiberglass.

Mr. Ferris asked if there will be some type of drain at the garage entrance since the driveway dips towards the house. Mr. Danielson said that there will be a drain shown on the engineering plans.

Mr. Ferris asked if the existing lower steps are concrete and then wooden steps leading to the existing platform. Mr. Danielson explained that the one door shown in the existing drawing leads to the second floor now. The second door will be added for the first floor entrance.

Mr. Ferris asked if there is an existing retaining wall on the right side elevation. Mr. Danielson said they would only be down to the street by 2' and may only need landscape timbers. Mr. Ferris said it looks taller. Mr. Danielson said they thought of raising the house but they chose to dig down instead.

Mr. Ferris said the new column will be sitting on a new retaining wall and the new railing will have to be extended along the walkway. Mr. Danielson agreed that that will be done.

Ms. Elliott stated that the current basement has a concrete floor and they will be digging that up and going down 18" to 24" and on section A, of Sk-1, will there be a French drain added. Mr. Danielson said that will be added on the engineering plans as previously stated.

Ms. Santucci Rozzi clarified that the house will project out over the driveway. Mr. Danielson said that is what they had to do to get the required dimensions.

Ms. Santucci Rozzi asked if it is a double wide garage as 19' is narrow and there are storage areas in there. Mr. Danielson said the house is only 24' wide. He said he could make a long hallway but he thought storage of barrels, etc. would be better. Ms. Santucci Rozzi stated that two cars side by side opening their car doors will be tight. She suggests getting rid of the storage areas. Mr. Danielson said there is a beam that runs left to right from 12' in. Then there is a column that is 5' in from the left wall and he ended the driveway there instead of having to remove that column. Ms. Santucci said with the doors on the storage areas, there will be no room to open the doors to the car and remove car seats, groceries, etc. she suggested removing the storage area doors. She wants them to use the parking spaces and not complain that there isn't enough room to open their doors.

Ms. Elliott agreed. Mr. Ferris said they could indicate areas for condo use without closing the storage areas off.

Ms. Santucci Rozzi asked what the area behind the garage is. Mr. Danielson said there is a regular basement in the rear with a couple of steps leading from the garage. He then noted the middle storage has a column. Mr. Ferris said they are not asking to remove the column just the enclosed storage area.

Mr. Heep asked if they are looking to pave over the front yard, he'd like to be convinced that the strips on both sides of the house are landscaped. Mr. Danielson said the area on both sides will be landscaped – there isn't any reason to do anything else. Ms. Santucci Rozzi said condition #4 states that they will provide one shade tree on either side of the driveway or make arrangements with the tree warden for a public street tree at the front of the property. She then asked if the staff would like a landscape plan. Mr. Schreiber stated that condition #3 asks that a landscape plan for the entire property be submitted and reviewed by staff. Mr. Ferris said that a tree on the right side of the property would be better than the left as it would be between the neighboring driveway and would look nicer. Mr. Schreiber said they would be providing a tree on both sides or the ability to plant a street tree. Mr. Santucci clarified that staff will review the landscape plan and note that the areas around the driveway is "heavy".

Dennis Duff, 33 Spruce Street, suggested that the retaining wall be block or stone as timber would rot in 15 to 20 years – especially if a column is going on top of it.

Mr. Duff asked where the previous occupants parked their vehicles. Mr. Schreiber said there was one parking space to the right of the structure. Mr. Duff asked if there is 4 spaces under the house as his concern is vehicles blocking the sidewalk. Ms. Santucci Rozzi said that the proposed spaces are one deep and two wide – two total spaces and the one in front of the building is a little bit under the house. She explained that the garage doors are set back under the house 5' to meet the requirement of 23' in the front for a parking space. Mr. Duff said his concern was the blocking of the sidewalk as he has been advocating for sidewalks since the late 1970's. That was his only comment.

Ms. Santucci Rozzi declared a business mode and stated that Mr. Duff made a good point in regards to the walls. The landscape plan could have an engineered block wall. Mr. Danielson said there will be a complete set of construction documents for permits and it will show under the structural column either a concrete or brick pier that will go 4' below grade on a footing as that is code. He said if need be, the retaining wall will be in accordance with good structural practices and to code as he wouldn't get a permit. He added that he may bring the concrete to about a foot above grade and then put bricks on top of that for appearance. Ms. Elliott said he can add that to the landscape plan and point it out. Ms. Santucci Rozzi asked how tall the wall will be as she doesn't think it will reach 4' which would then kick in the code requirements. She believes it will be under 4'. Mr. Danielson said at the garage entry you may have a 5' wall and it will go down to the street level at to a foot or zero. Ms. Santucci Rozzi said that no one wants to see an exposed 5' poured concrete wall. Mr. Danielson agreed. Ms. Santucci Rozzi emphasized that the wall is decorative and frames the landscape vs. a structural feel and look.

Ms. Santucci Rozzi read from the Planning Board report from their meeting of April 11, where they recommended conditional approval by unanimous vote noting this is a special permit finding for the location and design of the garage as well as the parking spaces and the alteration of the entrance way for the side yard setback. The ZBA has addressed the landscaping, the issues pertaining to the wall, the storage areas in the garage are going to be removed to improve circulation and conditioning a trench drain at the bottom of the driveway to capture stormwater runoff from the sloped area. She then requested two motions, one for the special permit finding for the alterations and a special permit for the parking.

Ms. Elliott motioned to approve the special permit finding for the alteration of the non-conforming side yard setback with the conditions discussed. Mr. John seconded. Voted 5-0, granted.

Ms. Elliott motioned to approve the special permit for location and design of off-street parking with the conditions discussed. Mr. Heep seconded. Voted 5-0, granted.

Documents Reviewed: "Proposed Plot Plan #66 Edenfield Avenue in Watertown, MA" dated 2/14/12 & prepared by Rober Survey; the architectural plans prepared by John G. Danielson Inc.: "SK-1" (existing & proposed front elevations, section, & basement plan) dated 3/5/12, "SK-2" (proposed side elevations) dated 4/3/12 & revised 4/4/12, "SK-3" (existing side elevations) dated 4/3/12, "A-1: Front & Rear Stair Design" dated 2/2/12, & "A-2: Front & Rear Stair Design" dated 2/2/12.

Ms. Elliott motioned to adjourn. Mr. John seconded. Voted 5-0. Meeting ended at 9:00 p.m.