

WATERTOWN PLANNING BOARD

DATE: June 13, 2012 PLACE: Town Council Chamber TIME: 7:00 PM COMMENCED: 7:00 PM

PURPOSE OF MEETING: Regular Monthly Meeting

PRESENT: John Hawes, Chairman; Jeff Brown; Linda Tuttle-Barletta; Neal Corbett; Fergal Brennock
Steve Magoon, Director; Ingrid Marchesano, Clerk to the Board; Danielle Evans, Senior Planner

ADMINISTRATION BUSINESS

Jeff Brown motioned to approve Minutes of 5/9/2012.

Linda Tuttle-Barletta seconded the motion. Voted 5-0 In favor

CASES PENDING

- **21 Bartlett Street;** Dorothy A. Pacitto – Special Permit Finding

Dorothy Pacitto, this is a proposal to enclose an existing porch to be used as a 3-season room.

Danielle Evans, the nonconforming lot is located in S-6 zone. The proposed change would not be substantially more detrimental than the existing condition. Staff recommends conditional approval.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Special Permit 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 report.

Jeff Brown seconded the motion. VOTE: 5-0 In favor

- **28-32 Center Street;** David Aposhian – Special Permit

David Aposhian, we are proposing to raze an existing 1-story 3-family house and replace with two, 2-1/2 story structures.

Edrick vanBeuzekom, EvB Design, this is a large 12,712 s.f. lot. The existing brick house will be razed. The original proposal had 2 garages under, accessible from the front. After several meeting with the staff, the structure is closer to the street, the detached garages are in the rear and part of the brick driveway will serve as a patio. The original brick structure did not fit into the neighborhood, the new design is more appropriate. The first floor is a large open space, 3 bedrooms are on the second floor, third floor consist of bedroom and a roof deck. Clapboard/shingle combination will be used for the façade, roof will be slate. Both garages will have identical materials like the main structure. We will provide extensive landscaping.

Danielle Evans, staff reviewed the request, all conditions of the Zoning Ordinance have been met. Site has adequate parking. It will not adversely affect the neighborhood and the garages will be consistent with the surrounding historic neighborhood and carriage houses. Parking in the driveway within the front yard is not allowed. The project does not require any dimensional relief, the Special Permit is for change in use. This proposal will be a decrease in number of units, staff recommends conditional approval.

Fergal Brennock, the new design is much better that the existing 1-story structure.

Jeff Brown, how long was the existing house vacant? The new design is very close to the lot lines.

David Aposhian, ideally the structure would be smaller, but economically it did not work out. We have worked with the planning staff and this design is the result.

John Hawes, this is a nice solution but little tight. We have received 3 letters in support of this project. Elevations showing the windows should be completed before the ZBA hearing.

Tim Kelleher, 17 Center Street, this proposal is a huge improvement, we are in support of the project.

Paul Martin, Phillips Street, I have worked with David in Somerville. The quality of his work is exceptional. This design will enhance the neighborhood.

....., 21 Franklin, David presented the plans to all the neighbors. This is a great design that will be a great improvement to the neighborhood.

Sonia Boyajian, Belmont Street, I am a lifelong resident of Watertown. As a real estate agent I have worked with David many times, every client was very happy with their purchase. David uses the best materials, provides excellent landscaping. This architectural design is appropriate for this neighborhood. David's last project was the rehab of the former Palfrey Street school. The properties renovated are always high end, I am asking the Board to recommend the approval.

Lynn Taylor, 14 Center Street, the existing property is hideous and inappropriate for this neighborhood. I have lived in the neighborhood for 22 years. This developer has introduced himself to the neighbors and made plans available for everyone. The new design is in keeping with the neighborhood, I am in support of the project.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Special Permit under Section 5.01.1.c 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: 5-0 In favor

- **2 Rosary Drive;** Sprint Spectrum LP – Amendment to Special Permit and Special Permit Finding

Ricardo Sousa, Atty, Prince Lobel Tye LLP, on behalf of Sprint Spectrum, we are asking to amend a previously issued Special Permit. We are in process of updating all the sites. The old equipment will be removed and new panels placed. The new equipment will provide high speed data service.

Danielle Evans, staff reviewed the request. The equipment is located on a residential building but the permit was granted in 1999 under the previous rules. The equipment will be fully concealed, the change will not be visible. The site is in CR zone and is appropriate for such use. No serious hazard to pedestrian and no significant traffic. The equipment will be services twice a month. Utilities are sufficient, this is nonconforming structural use, no substantially more detrimental. Staff recommends conditional approval.

Steve Magoon, will the RF levels be the same or increase?

Ricardo Sousa, the EME (Electro Magnetic Energy) is minimous. We will provide the information regarding the RF to the ZBA.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Amendment to previously issued Special Permit/Finding under Section 99-46 based upon the finding that it meets the criteria set forth in the Zoning Ordinance subject to conditions set forth in the staff report.

Jeff Brown seconded the motion.

VOTE: 5-0 In favor

- **560 Pleasant Street;** Olgo A Russo Real Estate Trust – Amendment to a Special Permit/Site Plan Review PB-2011-02

Dan Bailey, Atty, this is a request to increase the building square footage by 2,900 s.f. to modify the refrigerated part of the warehouse space, covered loading dock space and basement and increase the height by 3 feet. More room and height is needed for refrigeration equipment.

Niles Sutphin, Architect, this is a relatively small increase. The refrigeration equipment needs more space and as Phase III the rear and basement walls will be pushed out by 5 feet. The tower will not be changed. The area will not be visible from Pleasant Street. Phase II will be the expansion of baking area and green house. The Phase I construction will start in early August.

Frank, Site Engineer, we have lost 1 parking space in the rear, the ramp configuration is slightly different. 3 loading dock spaces have been moved. The remaining parking is the same. Transformer has been to different location.

Steve Magoon, this is a request to amend a previously approved SPR. The four criteria have been met. The basement and first floor have been increased by 2,900 s.f.. The height of the freezer has increased by 3 feet. The site is appropriate for such a use. The increase is relatively small, it will not have adverse effect on the neighborhood. Adequate facilities will be provided, no nuisance or serious hazard. Staff recommends granting of the conditional approval including glass windows within the stairwell.

Niles Suphin, the storage racks come in certain height and require additional 10 feet above when they get lifted. The location of signage has not yet been determined.

Linda Tuttle-Barletta motioned for the Planning Board to approve the Amendment to a Special Permit/Site Plan Review PB-2011-02 based upon the finding that it meets the criteria subject to conditions set forth in the staff report with additional condition that a window will be installed in the glass stairwell.

Fergal Brennock seconded the motion.

VOTE: 5-0 In favor

- **401-405 Main Street;** Anthasasios & Vasilias Mitropoulos – Variance & Special Permit Finding

Tim McGoldrick, Esq., the property consists of 2 businesses, convenience and liquor store. The building has rear loading dock consisting of 94 s.f. exterior loading dock on top of platform and 96 s.f. indoor storage. We are proposing for the building to remain the same but the concrete slab to be enlarged from 190 s.f. to 518 s.f.. That will include enlarging the storage room to 478 s.f. The storage building is 14.1 ft from the rear lot line and 10.2 from left lot line. The proposed expansion will have the storage and platform at 6.3 and 10.3 ft from the rear lot line and 10.3 from the left lot line. We have met with the planning staff and the proposal has been reduced. The door in the back will be covered. The slab is next to the abutting properties back yard. The proposed change will not be detrimental to the neighborhood. This is a more economical way to have deliveries done. The property is located in LB district, we are asking the Board to vote in favor of the proposal.

Steve Magoon, the LB district requires 20 foot rear yard setback, the petitioner is proposing 10.3 ft. The Board might find that the proposed use is not substantially more detrimental. Staff finds that the 4 criteria for granting of a variance have not been met. The encroaching on the rear yard setback is not unique. Substantial hardship criteria has not been met. There is no buffer between the properties. Since the criteria have not been met, staff recommends a denial.

Neal Corbett, if the deliveries are made by truck, it seems to be very tight.

Tim McGoldrick, to provide buffer, we wanted to move the dumpster to different area, but the Waste Management company thought that it would be too tight.

Fergal Brennock, this is a minimal relief request, it will bring more efficiency to the business. Any lighting has to be recessed to have no effect on neighbors. It will improve the area, the dumpsters are not the issue tonight.

Tim McGoldrick, this process will be much quicker, quicker and more efficient. It will improve the area. Rail separates the property from the neighbors and Express Tire. It is difficult for the trucks to enter toward the dumpster during the snowy winter. We have looked at multiple options.

Steve Magoon, the staff looked at many options. This will bring the existing nonconforming use further into nonconformity. We are trying to protect the neighbors to provide some screening. Substantial hardship would have to be demonstrated by the petitioner.

John Hawes, it seems that the proposal would be improvement, but is it enough to grant a variance ? ZBA is the final authority to do that. Staff made a valid argument. This does not seem to be substantial hardship. Any discussion regarding hardship ?

Tim McGoldrick, it was stated in the staff report that this proposal would be substantially more detrimental to the neighborhood. This is positive improvement, this is not a detriment, and we have tried to address all the concerns. It will not be visible from Edenfield or Westminster Avenues. The buffer was discussed but it cannot be done.

Jeff Brown, did the petitioner reach out to neighbors ?

Anthasios Mitropoulos, no we did not. I have purchased the business in 1994. The deliveries will be twice a week.

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 report.

Fergal Brennock seconded the motion. VOTE: 5-0 In favor

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Variance under Section 5.04 Rear Yard Setback 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: 5-0 In favor

Chairman John Hawes adjourned the meeting at 9:20 PM.

MEETING ADJOURNED: 9:20 PM MINUTES APPROVED: _____

For more detailed Minutes see tapes dated 6/13/12 available in the DCD&P office.