

WATERTOWN PLANNING BOARD

DATE: July 10, 2013 PLACE: Town Council Chamber TIME: 7:00 PM COMMENCED: 7:03 PM

PURPOSE OF MEETING: Public Hearing
Regular Monthly Meeting

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

PUBLIC HEARING

MEDICAL MARIJUANA TREATMENT CENTERS MORATORIUM

Steve Magoon, a state wide vote on November 6, 2012 was taken to legalize cultivation, distribution and use of marijuana for medical purposes in Massachusetts. Regulations were adopted by the State, now the local municipalities have to decide how to regulate. Under the existing Watertown Zoning Ordinance, such a use is not permitted. This is a proposal to amend the Ordinance by inserting Section 5.17 Temporary Moratorium on Medical Marijuana Treatment Centers and also amend the Table of Contents with the same. This will allow the municipality to look at the regulations and made the decisions. The Moratorium will end on June 30, 2014. The Planning Board will vote tonight and the amendment will continue to the Town Council hearing on July 16, 2013.

William King, 41 Harrington St, 3 of our children grew up in the Watertown School system. One of them started to use drugs in High School, fortunately we were able to get him treatment. I am urging the Board to keep marijuana out of Town.

Vincent Piccirilli, Town Council Chair of Public Safety Committee, marijuana is now legal in Massachusetts. We need time to make changes in Zoning Ordinance. This Moratorium will give us a year to develop regulations.

Neal Corbett, is this Moratorium consistent with other communities in the State?

Steve Magoon, some communities banned the marijuana outright and now are going through a process with the Attorney General office. Other communities decided to approve a moratorium.

Janet McCullough, 106 Fayette St, as a landlords, we make rules for tenants. Would approving marijuana overrule our rules? This use will require additional police to monitor these businesses.

John Hawes, these comments will be appropriate when discussions regarding this issue continue.

Linda Tuttle-Barletta motioned to recommend to the Town Council to amend the Zoning Ordinance to insert a new Section 5.17 Temporary Moratorium on Medical Marijuana Treatment Centers through June 30, 2014.

Jeff Brown seconded the motion.

VOTE; 5-0 In favor

HOUSING PRODUCTION PLAN (HPP)

Steve Magoon, the document that is before the Planning Board tonight is the result of meetings by MAPC, DHCD and staff. HPP is a proactive strategy to provide diverse housing supplies, it will allow us to not be a subject of Section 40B. We are now in the midst of Comprehensive Plan process that will need to be adopted by the Planning Board and the Town Council, and then forwarded to DHCD for final approval. Plan will have strategies how to increase affordable housing stock in Town.

Linda Tuttle-Barletta motioned that the Planning Board adopt the Watertown Housing Production Plan.
Fergal Brennock seconded the motion. VOTE: 5-0 In favor

ADMINISTRATION BUSINESS

Linda Tuttle-Barletta motioned to approve Minutes of 6/12/2013.
Jeff Brown seconded the motion. VOTE: 5-0 In favor

CASES PENDING

- **244 Edenfield Avenue;** Joseph & Diane Messina – Special Permit & Variance

Joe Messina, we are proposing to convert a single family home to a 2 family and to construct a 2-story addition. This is a request to approve a Special Permit to allow parking in the front yard.

Gideon Schreiber, this is an existing single family house located in a T zone. A 2-story addition is being proposed to convert the structure to 2 family with parking in the front. When the addition is build, one of the existing bedrooms will lose a window? The curb cut opening will be reduced to 22'. The criteria for granting of special permit has been met, it is an appropriate location for such a use. It will not have adversely effect on the neighborhood. Staff recommends an approval with conditions.

Joe Messina, roof windows will replace the bedroom window.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Special Permit under Section 4.(j) 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

- **615 Arsenal Street;** Home Depot – Special Permit, Amendment to Special Permit ZBA-2012-19

Chris Toomey , Atty, this is a request for a Special Permit to allow outdoor display and rental of Penske trucks, and to amend a previously issued Special Permit ZBA-2012-19 to allow additional outdoor space for display/storage of Penske trucks for rent and outdoor space for merchandise for sale, and space for Load-N-Go area. Also to change hours of operation to open at 6:00 AM.

Steven Chouinard, Civil Engineer, the petitioner received permit for outdoor space previously. We are now proposing to make the space more permanent with couple of kiosks. We are proposing to create a rental Penske trucks area, we will need 16 parking spaces for 8 trucks. The area will be away from the store entrance.

John Hawes, did the petitioner do a study regarding the truck circulation in the parking lot?

Gideon Schreiber, this is an amendment to a project that was approved in 2012. This proposal is to clean up the approved outdoor area. The area is located in industrial zone which is appropriate for such use. The parking for the store is adequate. The criteria for special permit to allow truck rental have not been met. It is not clear how will excess vehicles be dropped off at this site. It will be visible from Greenough Boulevard. Truck rental is a separate business from the existing retail. We are concerned that such a large vehicles will be used by drivers with a regular license. The petitioner has not provided date for the nearby intersection of Arsenal & Arlington streets. The 6 AM start of the business is appropriate, it will be the same as other businesses in the area. Staff recommends an approval for the extended hours and outdoor retail space, but denial of the Penske truck rental.

Steve Magoon, all the requests would be in compliance with the Zoning Ordinance. Truck rental on the site is causing concerns, especially customers returning the trucks this site. There will be an enforcement issues with compliance, it is an all-night operation. I have visited similar site with Penske trucks parked everywhere, not in one designated area. Representative Lawn submitted a letter expressing his support of the proposal. The store manager has been very involved with the community.

John Hawes, why is Home Depot proposing this use, trucking is a separate use. When do we ask for traffic study, large trucks might present a problem.

Fergal Brennock, how many Home Depot open trucks are at this site now? 8 Penske trucks and 3 Home Depot trucks present change of use.

John Kerekes, these trucks will be used for moving of items purchased in this store. The store sells moving items, so the trucks will also be used for moving. It is a new use but Home Depot employees will manage it. It would be the manager's responsibility to make sure that they are parked in the designated areas. If there are too many trucks being dropped off, they will be moved within 24 hours to another location. These trucks can be driven by people with regular license, they are 29.5' long and under.

Pedro Figuero, Home Depot Manager, the biggest interest in moving trucks is May/June and August/September. The rest of the year the trucks are used for transportation of supply only.

Steve Magoon, this is a new different use. It seems that it will be more for people moving not purchasing items and taking them home. How do they make sure that students will drop off the trucks in designated areas only.

Gideon Schreiber, this site might be too successful for renting of Penske trucks due to the number of students in the area.

John Kerekes, trucks are tall, maybe we will use vans which are much smaller at this site. Vehicles could be rented here but returned at different site. We would accept a 1 year trial and come back for renewal.

Linda Tuttle-Barletta, I do not see this as true accessory use. This seems to be different line of business. I appreciate the Home Depot sensitivity.

Pedro Figuero, this service is just another part of helping our customers, which will include moving. Most of our associates live in this community, we are trying to be better partner of this community. 85% of Home Depot stores have Penske trucks.

John Hawes, we could limit it to vans and ask for 1 year review.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the amendment to previously issued Special Permit #ZBA-2012-19 to change hours of operation to 6 am 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

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Special Permit under Section 5.02(j) based upon the finding that it meets the criteria set forth in the Zoning Ordinance subject to conditions set forth in the staff report with additional conditions that only 8 Penske trucks will be on the site and the petition will be reviewed in 1 year..

Neal Corbett seconded the motion.

VOTE: 3-2 In favor
Linda Tuttle-Barletta & Fergal Brennock against

COMPREHENSIVE PLAN UPDATE

Ralph Wilmer, VHB, we have been working on the Plan since the beginning of the year. We are now about halfway done. Level of interest by the public is exceptional. Extensive public outreach was provided by exhibit in the Library and couple of public hearings. The kickoff meeting on March 21 was well attended, presentation was given and tables setup for different areas of the Town. Second meeting was on May 20 attended by about 100 people. Vision statement was drafted and additional goals incorporated. The project website www.vhb.com/watertowncomplan allows opportunity for people to submit comments. We also have a Facebook page which received more hits than other projects. Mind Mixer was created by planners to get people involved, it is used throughout US and this project is among the 3 top cities every 30 days. Our work will continue through summer, another public meeting will be scheduled in September. The final adoption in December.

Steve Magoon, the existing regulations were not adequate. This Plan will allow to regulate projects coming before the Boards. A vision document was needed to measure projects against.

Jeff Brown adjourned the meeting at 8:45 PM.

MEETING ADJOURNED: 8:45 PM MINUTES APPROVED: _____
For more detailed Minutes see tapes dated 7/10/13 available in the DCD&P office.