

WATERTOWN PLANNING BOARD

DATE: October 9, 2013 PLACE: Town Council Chamber TIME: 7:00 PM COMMENCED: 7:03 PM

PURPOSE OF MEETING: Regular Monthly Meeting

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

ADMINISTRATION BUSINESS

Jeff Brown motioned to approve Minutes of 9/11/2013.

Linda Tuttle-Barletta seconded the motion.

VOTE: 5-0 In favor

CONTINUED CASES

- **60 Howard Street/45 Bacon Street;** World Realty & Development – Special Permit & Site Plan Review

Linda Tuttle-Barletta motioned to continue 60 Howard Street/45 Bacon Street to the next meeting of the Planning Board

Fergal Brennock seconded the motion.

VOTE: 5-0 In favor

- **450 (458) Arsenal Street;** John Joyce – Special Permit

Linda Tuttle-Barletta motioned to continue 450 Arsenal Street to the next meeting of the Planning Board

Neal Corbett seconded the motion.

VOTE: 5-0 In favor

CASES PENDING

- **86 Common Street;** Simon Kennedy – Variance

John Hawes, the petitioner was notified but is not present. The staff will present the case.

Gideon Schreiber, this is a request for a variance to construct a tree house platform and railings that are taller than the 12' allowed. The structure is closer than the allowed 5' side yard setback. The Town has received a complaint that it was being build and the building inspector issued Stop Work Order. At that point the petitioner decided to apply for a variance. The picture shown on the screen shows the view from the abutter's property. Four criteria have to be met to issue a variance. The lot is not unique, it is a large lot, and there is not hardship. The request would be detrimental to the public good. The impact on the abutting property is significant. It is not clear where the property line is located, the schematic drawings are not clear, they cannot be accepted as a plot plan. The criteria have not been met and staff recommends denial.

Jeff Brown, if the structure was not on a property line, could it be build?

Gideon Schreiber, the major issue is the height and also the proximity to the neighboring property.

Fergal Brennock, does the petitioner have the right to come before the Board if the petition is incomplete? This petition is a waste of everyone's time and resources.

Steve Magoon, usually we speak to the applicant who is advised about different options. Even if they are discouraged by the staff, they have a right to apply.

Hamid Omid, 20 Middlesex Road, as an immediate abutter, the biggest issue is lack of privacy. The bathroom and bedroom windows are just few feet away from the platform. I would like to see the structure taken down quickly. The problem was reported to the Town in July.

Fergal Brennock, the petitioner is not present tonight, can the Board vote on it?

Steve Magoon, the Board can still make recommendation to the Zoning Board of Appeals who are the decision making authority.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Variance under Section 4.03(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.

Jeff Brown seconded the motion.

VOTE: 0-5 Against

Steve Magoon, it is important that the petitioner is allowed through all the steps. Part of the issue was the adequacy of the application.

OTHER

Comprehensive Plan

Steve Magoon, the next Comprehensive Plan meeting has been scheduled for Saturday October 19, to interact with public to see what aspects people are interested in. This session will be in the morning to allow participation of residents unable to come to an evening meeting. People will be divided into groups to allow for conversation between the residents and staff.

John Hawes adjourned the meeting at 7:30 PM.

MEETING ADJOURNED: 7:30 PM MINUTES APPROVED: _____

For more detailed Minutes see tapes dated 10/9/13 available in the DCD&P office.