



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
John G. Gannon, Alternate Member

Telephone (617) 972-6427
Facsimile (617) 926-7778
www.watertown-ma.gov

MINUTES

On Wednesday evening, **February 27, 2013** 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 and John G. Gannon, Alternate Member.** Also Present: **Gideon Schreiber, Senior Planner; Louise Civetti, Clerk to ZBA.**

Chair Santucci Rozzi opened the meeting, introduced the board and staff, swore in the audience and reviewed the agenda. She explained the two alternate members will each vote on separate cases as announced before each case.

Chair Santucci Rozzi announced the Comprehensive Plan meeting on March 7, 2013 and encouraged the public to attend.

Ms. Elliott motioned to accept the minutes for the November 28, 2012, January 2, 2013 and January 23, 2013 meetings. Mr. Heep seconded. Voted 5-0 to accept the minutes as written.

Ms. Elliott read the legal notice for the first case:

Matthew D. Engle, **16 Sunset Road**, Unit 2, Watertown, MA 02472, requests a Special Permit Finding in accordance with §4.06(a), Alteration to Nonconforming Structure so as to construct two (2) side dormers and a rear gable on a nonconforming 4-story structure within a nonconforming side yard setback. T (Two-Family) Zoning District. ZBA-2013-02

Steve Winnick, Attorney for the petitioner gave a brief overview of the project explaining that the neighborhood houses a number of large two-family homes, a non-conforming 4-story apartment building abutting the site at the rear, as well as the open space from Oakley Country Club. He wanted to describe the surrounding area as there are a lot of massive structures. Most of the front elevations are 20' from the street grade, making the roof heights 50' or more above grade. This project is converting attic space into a master bedroom suite without increasing the attic space footprint. He noted that the Staff and Zoning Enforcement Officer have provided their design input and this project has been revised to reflect a more aesthetically pleasing project while achieving the goals of the petitioner. He added that the word, 'addition', is a misnomer as there is only build-out of the existing attic footprint, meeting the half-story requirements and increasing FAR slightly.

Gary Moyer, Architect, displayed drawing titled, 'A3' showing the left side elevation. They will rebuild the existing dormer over the stair; align the new dormer and eave height as well as align the gable. The renovations will appear as though they were always there. The existing hip-roofed plane continues for the gable.

Atty. Winnick said the existing land and structure is non-conforming for several dimensional regulations. He believes it is not detrimental to the neighborhood, the Staff endorses the design and they are not able to increase the any adverse impact on neighborhood. It is a very high quality project, enhancing the aesthetics of the neighborhood.

Mr. Ferris asked if the entire roof will be fully re-shingled; if the windows and siding will match and confirmed one chimney will stay and one will be removed.

Mr. John asked if the existing dormer will be razed. Mr. Moyer stated that the dormer over the stair will be razed to improve the headroom over the stair and make the eaves align with the existing dormer on the front. They are raising it two feet.

Mr. Gannon asked how much additional living space is being added. Mr. Moyer said 527 square feet. 288 is 7' high and 239 is 4' high.

Ms. Santucci Rozzi said the Staff report states this is a 4-story structure. Mr. Mena explained that in the Zoning Ordinance, this does not meet the definition of a basement as 50% of its' floor area is above grade. It counts as a floor. Therefore, when you count the basement as a floor, this is a 3-story structure and the ½ story applies to the 2.5 story definition in the ordinance. This is considered a 4-story structure.

No one spoke from the audience. The public hearing is closed. Ms. Santucci Rozzi announced Chris Heep as the Alternate voting member. The Staff and Planning Board approved the project with standard conditions.

Mr. Ferris added that the elevation of the new gable, the overhang of the hip roof is about 18". It looks like the gable also has 18" to align with the rest of the roof – just clarifying.

Member Elliott moved to accept the proposed special permit finding for two side dormers and a rear gable. Member Ferris seconded. Adopted by unanimous voice vote with Members Ferris, Elliott, John, Santucci Rozzi and Alternate Member Heep voting in the affirmative (5-0). Alternate Member Gannon did not vote.



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
John G. Gannon, Alternate Member

Telephone (617) 972-6427
Facsimile (617) 926-7778
www.watertown-ma.gov

MINUTES

On Wednesday evening, **February 27, 2013** 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* and **John G. Gannon**, *Alternate Member*. Also Present: **Gideon Schreiber**, *Senior Planner*; **Louise Civetti**, *Clerk to ZBA*.

Ms. Elliott read the legal notice:

448 Main Street

D&A Donuts, Inc. d/b/a Dunkin Donuts, 414 Main Street, Watertown, MA 02472, requests to Amend Special Permit #95-20 SP in accordance with Watertown Zoning Ordinance §4.06(a) and §5.01.4(f) to construct a 448 s.f. addition; add outdoor tables with seating for 16; 5 interior seats; modify the site plan to accommodate 3 additional parking spaces and add new landscaping. LB (Limited Business) Zoning District. ZBA-2013-04

William York, Attorney for the Cavalho Family, D&A Donuts d/b/a Dunkin Donuts introducing Arthur Rodriguez, Principal and David Cavalho, Principal. Founder Duke Cavalho is in Florida. Dunkin Donuts has been a part of the community for 32 years. This site was a gas station 17 years ago. They are here to amend the special permit from 1999 to renovate the building with a one-story brick addition of 448 s.f. for an office and create a better interior flow within the service area for take-out and with the addition of 5 seats, where there are not usually 4 people seated at a 4-seat table. The building will remain less than 2000 s.f. They will eliminate the drive-thru; add significant landscaping and buffering; add 3 parking spaces for a total of 23, where only 11 are required; add an outdoor seasonal (May thru October) seating area for 16 seats; maintain the existing 6' sound-proof fence with additional buffers; landscaping and planters and a 2.5' ornamental fence surrounding 3 sides; a door from the service area to the patio; increasing open space from 25% to 30% and decreasing impervious from 75% to 70%, where 90% is allowed. The hours of operation will be decided by the Licensing Board and they are requesting 7am – 8:30 p.m. as the Mt. Auburn Street location is open 5 am – 1 am without incident.

Ms. Santucci Rozzi noted Chris Heep will be the voting member.

Mr. Gannon asked about the signage and the neighbors' letter regarding trash overflowing and being taken by the wind and wants to add a condition relating to litter pick-up on and off-site. Atty. York stated the signage will not be changed and they will accept the condition for cleanliness. Mr. Mena noted the condition to be added.

Mr. Heep asked what new planting is going in. Mr. York referred to the Landscape Plan, L 1.1 – the rear right of the patio area will have trees, shrubs, and groundcover, with planters placed seasonally along the patio. The landscaping will be added primary to rear and along the side where the impervious pavement is removed and additional landscaping around the site. The soundproof fence will remain.

Mr. John asked how the demolition will take place – there isn't a plan. Mr. York said the pavement *will* be taken out. Ms. Santucci Rozzi said the demo notes are on plan C 1.1 and the proposed conditions are on L 1.1. Mr. York added there will also be a smaller loading area on the right of the site; however, all of the impervious area now will become landscaped.

Ms. Elliott asked how deliveries are handled now – where do they park. David Cavalho said the twice-a-week deliveries by 18 wheel tractor-trailers pull onto Main Street and back into the site and deliver through the side door. They deliver around 11:30 a.m. after the peak rush. That will be the loading zone. That will not change. The existing dumpster is now where the addition will be and it will be moved to the right with its' own enclosure and will be picked up after the morning rush, 11:30 – noon, 2-3 times a week. Ms. Elliott said there will be people coming in from the Lexington Street side and queuing up onto Main Street but nothing is going to change there; however, more parking will help that. Ms. Elliott noted there was a comment about outdoor smoking and asked if smoking were to be allowed on the new patio. Mr. Cavalho stated that because it is a part of a restaurant, there is no smoking allowed. Ms. Elliott asked about the trash receptacle by the bus stop that is usually overflowing. Mr. Cavalho stated that the trash receptacle is owned by the town. Mr. York said they have an extensive maintenance plan where they have an employee responsible for policing the area – they do not hear complaints about trash as the site is clean. Ms. Elliott asked about sheet A 3.1, elevation to the north (viewing from Main Street), she asked if staff would enter through that door. Mr. York stated that door is just to break up the brick façade as that

is just a storage and prep area. On the color rendering, a window is added – the board did not have a copy of the rendering that showed a window.

Mr. Mena stated that the smoking ban for restaurants does not apply to outdoor seating. This has to be enforced by the operation. Mr. York stated that it can be posted and they will enforce it.

Mr. Ferris asked if L 1.1 shows correctly as a more solid fence extending fully behind the outdoor area (shown on the color rendition). He asked if someone could walk through the ornamental fence from the patio area to the parking lot. Mr. York said the proposal is to have a gate along the face of the building and a door directly to the patio from the restaurant. Mr. Ferris asked if the umbrellas were steel or canvas. Mr. Cavalho said they would be canvas. Mr. Ferris asked about the trash screening. Mr. Cavalho said the fencing around the dumpster would match what is currently there – chain link with slats. Mr. Ferris asked if they could change the fencing to match the site and just keep the opening area chain link. Mr. York said they would do that. Mr. Ferris said the existing walk-in freezer or compressor has something on the roof. Screen the compressor or add landscaping by way of a deciduous tree. On all of the exposed sides (N, E, W) to buffer against the neighbors. Mr. York agreed to do this.

Ms. Santucci Rozzi asked about the additional 13 seats. Mr. York said this site is permitted for 20 and they only have 12 currently. They removed the original seating as there were interior flow issues. Ms. Santucci Rozzi wondered if they are gaining service area with all of the additional seating. Mr. York said the flow is addressed in the service area. There are three areas - to the right is the service area; tables to the left and the entry to the patio and then a retail display is in the middle. Ms. Santucci Rozzi requested they submit one landscaping plan showing the existing and proposed, as the plans show different existing things. She requested they add more loam and seed where they are taking up the drive-thru instead of the mulch and one Final plan be submitted. She doesn't see the plan with the window and asked about adding fake windows. Mr. York said a mural may be added without advertising. She requested they add something – even windows with shades pulled or decorative art would be nice. Something to address the emptiness of that space. She asked about the parking buffers on the original decision. Mr. York explained that the parking buffers were allowed to be less than what is required today as they were altering an existing non-conforming site. The parking will remain untouched. Ms. Santucci Rozzi asked about the condition relating to the drive thru area and the buffer at the time. Mr. York stated this will be improved now.

Ms. Santucci Rozzi read a letter from Brian MacDonald, owner of 36 Lexington Street, Unit 3, regarding trash, traffic, noise and litter. She said she has never witnessed traffic issues there and the operation is typical. She likes that the drive-thru is not there and they are adding parking. A condition will be added for litter control at and around the site.

No one spoke from the audience. Ms. Santucci Rozzi closed the public hearing noting this was a decision by the board of appeals in 1995 and this will amend that decision. The site was non-conforming to parking and rear yard setback parking buffers and this proposal improves that.

Mr. Ferris asked if they could change the fencing to match the site and just keep the opening area chain link. Mr. York said they would do that. Mr. Ferris said the existing walk-in freezer or compressor has something on the roof. Screen the compressor or add landscaping by way of a deciduous tree. On all of the exposed sides (N, E, W) to buffer against the neighbors

Member Deborah Elliott moved to accept the proposed amendment as it meets the criteria set out in the ordinance and with the conditions discussed this evening. Member David Ferris seconded. Adopted by unanimous voice vote with Members Ferris, Elliott, John, Santucci Rozzi and Alternate Member Heep voting in the affirmative (5-0). Alternate Member Gannon did not vote.



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
John G. Gannon, Alternate Member

Telephone (617) 972-6427
Facsimile (617) 926-7778
www.watertown-ma.gov

MINUTES

On Wednesday evening, **February 27, 2013** 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 and John G. Gannon, Alternate Member.** Also Present: **Gideon Schreiber, Senior Planner; Louise Civetti, Clerk to ZBA.**

Chair Santucci Rozzi announced Member Gannon will be the voting alternate on the next case. Ms. Elliott read the legal notice:

New Cingular Wireless PCS, LLC by and Through Its Manager, AT&T Mobility Corp., c/o Brown Rudnick LLP, 10 Memorial Blvd., Providence, RI 02903, requests a Special Permit in accordance with Watertown Zoning Ordinance §5.13(a) (1) and (2), Wireless Telecommunications Facilities and Variance under the 1996 Federal Telecommunication Act (TCA) to install 12 rooftop panel antennas. PSCD (Pleasant Street Corridor District) Zoning District. ZBA-2013-03

Edward Pare, Brown Rudnick, Attorney, stated that the coverage plots show the deficiencies in the AT&T coverage. They are trying to get adequate in-building coverage. The legend for the plots: Green=adequate in-building coverage; yellow-adequate outside coverage; purple-in-vehicle; red-inadequate coverage. The building the acquisition specialist came up with is this 49.5' tall building with a 15' screening structure. They will install 12 antennas behind the existing screen wall with the top portion of the metal screen wall changed to fiberglass. The additional equipment will be radio-heads behind the wall. He said 4 antennas will be located on each side with the related equipment and a natural gas back-up generator. AT&T has been upgrading their network to provide long-term evolution (LTE) coverage, high-speed data, they needed to switch to electricity and install a back-up emergency power at each of their sites.

Member Gannon asked if this condo associated submitted a vote on this installation. Atty. Pare said the Riverbank Loft Condo Trust approved this unanimously and a copy of their letter is in the packets, tab 6.

Member Heep confirmed all condo owners received notice of this and asked if they are going to match the existing screening. Atty. Pare said Durafibre is a company that designs steeples and other stealth installations – it will match in texture and paint. You will not be able to see any of the AT&T equipment.

Chair Santucci Rozzi doesn't want to see any unequal wear on the screening. She asked why this isn't providing them with more coverage. AT&T RF Engineer, Depat Gretel explained the factors are that this is only 62' in height and the terrain limits their coverage. Chair Santucci Rozzi asked what adequate

coverage is today as it used to be walking down the sidewalk and now it is in the basement of a residential building. Mr. Gretel said today's requirements are greater as more people are using cell phones in their basements, etc. AT&T has to improve their networks to keep up the demands. Member John said he lives on Pleasant Street and this isn't improving his coverage. Mr. Gretel said there are plans to increase the coverage in this area.

Member Elliott asked why they wouldn't want to seek coverage for the 'red' or inadequate coverage areas. Mr. Gretel said they are looking at different areas to increase the coverage in a lot of different areas. Atty. Pare said it also depends on customer demand. Ms. Elliott mentioned that her calls drop whenever she drives through the 'red' area. She asked what the long term goal is on these coverage maps. Mr. Gretel said ideally they'd like to have full coverage.

Member Ferris asked about the photo sims regarding the screening – he asked if they will be creating new vertical (lines/sections) as well as matching the corrugated pattern. Atty. Pare said they do not know for certain where the antennas will be located and that may affect the screening. Ms. Santucci Rozzi said there is a condition to seamlessly match the screening. Atty. Pare said he understands the expectations of the board that the screen will look the same as it does today.

Member Heep asked if there is room for additional providers on the roof. Atty. Pare said they would have to have a willing landlord and there is plenty of room on the roof. They do not prohibit anyone else.

Chair Santucci Rozzi asked Staff which carriers are on the building across the street. Director Magoon said there is at least one carrier and he is not certain who it is.

Chair Santucci Rozzi opened the meeting for public comment.

Laura McLaughlin, 290 Pleasant Street, #215, is completely opposed to having antennas on the rooftop of her home and she knows of others that are opposed, as well. She said they do not know enough about the health risks and she doesn't want to be the 'Guinean pig'. She is on the north side and will be under the panels.

Member Gannon asked her what grounds she is opposed on. Ms. McLaughlin said the unknown health risks from being in the wavelengths of the radiation from the cell towers. She said the building to the left and the building across the street are higher than this building and she is curious why they chose the lower building. Member John asked how trustees came to allow this. Ms. McLaughlin said she only heard about this as they had a meeting that she could not attend. There wasn't further information sent to the residents. She did receive a postcard about this meeting and sent it around to others. Member Ferris asked how the association votes as it usually isn't how many people show up at one meeting. Ms. McLaughlin said she is confused about that because the Association told her this wasn't going to happen and then she is receiving a discount on her condo fees because it is already signed. She is opposed to this going on a residential building.

Chair Santucci Rozzi read a letter from Barbara Ruskin, 140 Spring Street who is unable to attend the meeting and is a member of Sustainable Watertown. She voices opposition for health reasons. Chair Santucci Rozzi reiterated that this board cannot consider a denial based on health risks. We consider adequate coverage, site alternatives and other materials provided by the applicant. They have the lease and the authorization for them to proceed. They have a copy of the master deed, which speaks of how these things can happen. She added that their attorney would not be here if he could not move forward legally with their request. Atty. Pare said at tab 11, they submitted the exposure level, which is well below the maximum provided by the FCC. He added that the building across the street has reserved roof space for future tenants he may have.

Member John asked about the 5 year lease (tab 9) and if it automatically renews for 20 years. Atty. Pare said it renews four times at 5 years, actually 5, 5 year terms.

Chair Santucci Rozzi read from the Staff report and Planning Board report recommending approval.

Member Elliott motioned to approve the TCA Variance. Mr. John seconded. Voted 5-0, Member Heep not voting.

Documents Reviewed: "MA2925 Watertown Copeland ST, 290 Pleasant St: T-1, Title Sheet; C-1, Site Plan; Z-1, Roof Plan; Z-2, Elevation; Z-3, Details, all dated 01/02/13 prepared by Hudson Design Group. "Statement of Site Acquisition (sic) Specialist", executed February 7, 2013 by Dan Bilezikian, SAI-Communications.



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
John G. Gannon, Alternate Member

Telephone (617) 972-6427
Facsimile (617) 926-7778
www.watertown-ma.gov

MINUTES

On Wednesday evening, **February 27, 2013** 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 and John G. Gannon, Alternate Member.** Also Present: **Gideon Schreiber, Senior Planner; Louise Civetti, Clerk to ZBA.**

Chair Santucci Rozzi announced the continued case on the agenda is T-Mobile Northeast for 462 Mt. Auburn Street. Ms. Elliott will read the legal notice as it has been a while since they have been before the board. Member Heep will be the voting alternate as he was here for the prior hearing on this case.

Ms. Elliott read the legal notice:

T-Mobile Northeast, LLC herein requests the Zoning Board of Appeals to grant an **Amendment to TCA Variance #05-02** so as to replace 3 existing panel antennas and to add 3 new panel antennas. T (Two-Family) Zoning District.

Jackie Slaga, Zoning Manager, T-Mobile, clarified that this is a continued hearing from November and that they are upgrading this location as part of a nationwide up-grade by T-Mobile. They are replacing the three existing antennas and adding three additional antennas; one per sector. One would be added to each of the antennas on the penthouse and one would be added to the antenna on the chimney. The mounting mechanism will be improved significantly. There is a pipe mounting system now, which will be removed and they will be now attached to the façade with a low profile bracket, bringing the antennas closer to the facades they are mounted on and decreasing the visual impact. The Staff recommends that the antennas be painted a brick pattern, which they will comply with. At the November hearing, the

concern was with the proposed antenna for the chimney sector – the board asked if they could stealth that installation. She mentioned she is envious of AT&T having a nice screen wall provided for them. The structural issues regarding the chimney took some investigation. They were going to mount the antennas as proposed but then add the screening, as requested. What was determined that the additional loading would require guywires on the four corners of the chimney to add structural capacity. She doesn't think the guywires would be any more attractive and the landlord is concerned that the guywires would be a safety concern since the chimney is located close to the entrance to the roof top. She said there are not other structures on the roof to attach to and the façade in this area is too low to provide the coverage, they are left with the original proposal. It is an improvement although they are adding antennas – the new bracket system is an upgrade visually and painting them to match would significantly reduce the visual impact. The Planning Board approved this and Staff recommended this with conditions. In her 16 years with AT&T, they have always complied with the request to stealth, when possible but the structural capacity here doesn't allow for that to happen. She asks that the design in the original request be approved.

Chair Santucci Rozzi said that Ms. Slaga's statement was a good recap. She recalls some of the board members asking (at the last meeting) for her to take a look at this. She asked if they could live with just the two antennas – did they look at repositioning of the 3 new ones. Ms. Slaga said she asked the same question and was told that the orientation of these is what is needed (the chimney is facing away from Mt. Auburn Street) and from that part of the building on that part of the rooftop, the chimney is the only area to mount to. They also cannot mount to the façade in that area as it would be blocked by the buildings and trees in the area. There isn't any other spot to place this sector. They cannot put it on the penthouse as the signal would not clear the rooftop in this direction.

Chair Santucci Rozzi asked how many existing antennas do they have there now. Ms. Slaga said there are 3 – one on the chimney and 2 on the penthouse (south and east). Ms. Santucci Rozzi asked if they are then also adding the 3. They are.

Member Ferris asked if the chimney is just not stable enough to support the stealth and the landlord is unwilling to rebuild it to allow the stealth to be supported and that is why the guywires are required – Ms. Slaga said the wind-loading against the chimney that the stealthing would create would need the guywires to support it. The chimney is not stable enough to support it. Member Ferris reiterated that if the chimney were to be rebuilt, it could support it. Ms. Slaga agreed but added, "potentially". Member Ferris said the owner is not willing to make improvements to support this. Ms. Slaga added that there are also the safety concerns. Member Ferris noted that you wouldn't have the safety issues if the chimney were rebuilt - the guywires would not be there. The building owner does not want to make the improvements but would like to have the antennas there for the income. Ms. Slaga said he took it one step further and said he did not want any more penetrations on the roof. So that stopped any thought of redesigning the roof, as well. She added again, that they are typically happy to accommodate stealthing and unfortunately, this is not one where they can.

Member Elliott asked if the building owner was agreeable to guywires or rebuilding, T-Mobile would pay for those improvements? Ms. Slaga said definitely the guy-wires but they would have to look at the cost of the chimney rebuild to see if it would be cost justified – that can get pricey as a homeowner.

Member Elliott said she is surprised that a building owner in Watertown would allow a building to look like this – getting approvals and approvals. The building is a mess up there – they want to take more money from mobile companies but not willing to make improvements to improve the appearance of this eyesore on Mt. Auburn Street. Ms. Slaga said if they could do it without the added structural issues, he would be amenable to it. The low profile mounts are a huge improvement and make it much less obvious visually to someone walking by.

Member Elliott asked if the building owner was invited tonight. Ms. Slaga said that he is aware of these hearings. Member Elliott asked if he has ever come to any of the hearings as she would love to talk to the building owner. He sends the mobile companies in to do all of this work and he collects the paychecks every month. Ms. Slaga said they all do that. Her site acquisition team and engineering team

have dealt with the building owner, she has not. She appreciates his concern with the guywires. She doesn't think redoing the chimney makes financial sense for either the building owner or T-Mobile.

Mr. Magoon asked if they considered a stealth chimney that wasn't attached to the existing chimney. Ms. Slaga said they did not as the owner would not consider any more penetrations into the roof and that would require additional penetrations.

Chair Santucci Rozzi said this building is not that large and it is now tipping to too many antennas. There is a ratio of x-amount of roof space and antennas and the antenna are starting to overpower the roof. She suggested T-Mobile reposition the existing antennas in conjunction with the new antennas. The proposed views are not meeting the stealth that they would like to see on this roof. Ms. Slaga said the antennas are sectorized and there are three that create that circle. They each cover a pie-shaped area that they are pointing at and playing around with the sectors will not do anything for the other sectors. This installation is not to provide more coverage – it is a technology upgrade.

Chair Santucci Rozzi asked if there is something they can do with the existing antennas – remove those and put up a more improved antenna or a curved antenna that will provide the same coverage but without as much massing. Ms. Slaga said you'd still be looking at the three different sectors.

Member Ferris thanked Ms. Slaga for the drawing of the chimney and stated that the antenna components are about 4' tall or so and asked if it is feasible for the main penthouse to have the components placed on top of it with screening around the top of the penthouse – the penthouse would look taller itself and you may get a similar elevation and orientation. Raising the appearance of the penthouse.

Ms. Slaga said height is always good in RF land. She would have to take this option back to the engineers. It would improve the coverage from the penthouse façade and would be a huge improvement. The concern would be the chimney – it would be taller than the chimney. She would have to be certain it would clear the chimney and the edge of the building. At that height, she guesses it would be.

Member Ferris said the approach when you have structures on the roof that they would add to the side but in this case...

Mr. Schreiber said the height of the penthouse is 61' and that is substantially taller than what is allowed in that zone and increasing that height would be an actual variance which would create more issues with the approval through the zoning ordinance.

Chair Santucci Rozzi questioned the antennas cannot be more than 15' above the roof and the roof is the roof and not the top of the penthouse. Mr. Schreiber said the elevation of the penthouse is 61'. Member Ferris asked if the height limitation includes the penthouses. Mr. Schreiber said the height maximum in the T – Zone is 35' and this structure is non-conforming in this zone.

Chair Santucci Rozzi asked if the chimney they are wanting to stealth is a functioning chimney. If it doesn't do anything for the building, then maybe something else could be placed there to support the antennas. She added that she is not hearing positive comments from the board and she asked if they want to go back to the drawing board as this is not something that is 'stealthy' enough for her taste – the chimney and the overall cluttering. Are there new technologies – there are three sectors with three antennas. This is a capacity issue. If this installation is not provided there is no loss to coverage.

Ms. Slaga said this is capacity and to enhance data and voice speed and/or quality given the demand on texting has become a full-time job for the carriers. It is more than capacity – it is a technological enhancement. She reiterated that this board is not amenable with adding to the top of the penthouse and she is not aware of what the structural issues would be there anyway but is that something she should explore?

Ms. Santucci Rozzi asked if they could add a faux chimney or does that make this a double-wide chimney. Or remove one and increase the other. They can potentially look at that. The chimney has one antenna on it now and T-Mobile wants to replace that and add one. It is not depicted on the drawings. It is not labeled on E-201 exterior elevations. It is a T-Mobile antenna. One to be replaced on the penthouse and one to be added E-101 drawing. Ms. Slaga reviewed all of the proposed and existing antennas on the drawings.

Member Ferris referred to drawing E-201 and noted on the bottom left, there is a faux chimney that is not theirs and asked if they added a similar faux chimney on the other side, it would be facing the right direction.

Ms. Slaga said the existing antennas are being replaced and another is being added. They all reviewed the elevations and tried to determine what is being proposed – 6 new installations.

Ms. Slaga said the reason they did not look at other designs is the feedback from the owner that he did not want any more penetrations on the rooftop.

Chair Santucci Rozzi asked what would the board like to do.

Member Elliott said she continues to be surprised that the building owner will not allow any more penetrations but will allow what is there now. One penetration to make something look better by rebuilding a chimney seems painless given what they are looking at now – especially if the chimney has no function.

Member Ferris said it seems that it has been explored to use the existing chimney to support the stealth enclosure and another option would be to build another stealth enclosure supported by the roof. He said the options would be to reconsider and come back.

Ms. Santucci Rozzi said she is not going to be supportive of this.

Ms. Slaga said she would go back to the owner and tell him the board wants some type of stealthing - if they come up with something.

Ms. Santucci Rozzi said it started to look promising. This was in response to what they had requested (the chimney). If there are things on the roof that do not provide a purpose can be removed and something else added that provides a purpose – like concealing the antennas, the board would consider it.

Ms. Santucci Rozzi asked if the continued this to the next month, would this give her enough time. Ms. Slaga said it would be. The next meeting is March 27th. She said she would encouraged the landlord to come.



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
John G. Gannon, Alternate Member

Telephone (617) 972-6427
Facsimile (617) 926-7778
www.watertown-ma.gov

MINUTES

On Wednesday evening, **February 27, 2013** 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* and **John G. Gannon**, *Alternate Member*. Also Present: **Gideon Schreiber**, *Senior Planner*; **Louise Civetti**, *Clerk to ZBA*.

Chair Santucci Rozzi explained that the next case is under Other Business and will not have a legal notice read.

OTHER BUSINESS – 20 Summer Street

William York, Attorney representing LCB Senior Living, the owners and developers of 20 Summer Street, are here to discuss modifications between the design plans and the construction plans. The demo permit has been approved and the construction plans submitted. The four changes are minor and intended to improve the functionality and maintain the character. They are: window patterns, the bays on Spring Street, continuing the brick treatment on the upper levels on the south and west elevations and coordinating elevations floor to floor regarding mechanical and other building systems.

Chair Santucci Rozzi swore in: Ed SanClemente, Director of Real Estate and Facilities; Ted Doyle, VP of LCB and Anthony Vigorito, TNT (not the original architect).

Atty. York explained that Weston Associates was able to get the plans approved. LCB wanted to acquire the property and get through the building permit stage knowing the functioning of the building. They will be the owner and operator.

Anthony Vigorito said the four minor alterations which were stated in a letter dated February 22, 2013 was a discussion between Steve Magoon and their client, Ed SanClemente. The windows have been reduced in quantity from the special permit and they have enlarged the rough openings. The larger windows are in keeping with the residential use and proportionate to the unit size. The two bays on Spring and the west facades of the building. The architectural bays on Spring Street will still be metal-clad and will maintain the integrity of the design. He said when they rationalize the plan with the unit mix and the structural grid of the building responds to the parking garage below the building, the bays were connected. Still the same material with metal cladding on the bays and they enhanced the integrity of the design with the residential feel.

The third item is the cladding on the south and west elevations and are clouded on the rendered elevations. The special permit elevations indicate a calcium-silicate unit or cast stone and the stone was shown to go up 5 stories in the back and they feel the mass of the stone is heavy to go up 5 stores and they now show that in brick.

The last item is the floor to floor height – they have not changed the height of the building and they have modified the building as a result of rationalizing the structural steel, the mechanicals, the layouts and the programmatic needs of their client and made changes to the first floor. It was shown as a 13' floor-to-floor with a dedicated retail space and the first floor in the original design wanted to distinguish the first floor from the rest of the building. They wanted to reduce the scale and massing from the street and the residential character could be maintained with the new design. They have provided emergency vehicle access to the drop off area and there is of the building and the steel and unit layouts and program needs for their client. 13' and a delivery area for the commercial kitchen and adjusted to accommodate commercial trucks – clear height of 10' (6 inches lower than special permit height).

They feel the modifications are minor and ask the board to approve them.

Member Heep asked Staff what their take is on the changes compared to the original plans. Mr. Magoon said the brick 'wrap-around' doesn't strike him as problematic. The change in the number of windows and the size of the windows will change the character of the building and he would like the board to weigh-in on this. His concern is the reduction in the height of the first floor. The loading dock height and the board discussed this substantially to make sure the trucks would not stop of Summer Street and making sure the height of the loading dock would be sufficient for trucks to get off of Summer Street. Looking at the Spring Street elevations, there were 4 tall openings to the reception area or outdoor lobby of the building. The 4 bays are much less and the vehicle entries are taller. This area will have much less light, air and will not have as nice an appearance on Spring Street. On the original plan the glazing is evident on the first floor and not evident on the revision. Mr. Vigorito said there were a pair of doors into the vestibule on the original plan and they want the main entrance to be on Summer Street (there were two pairs of doors). At the base of the building the glazing is a gate enclosure for a transformer – originally to be set over the parking area below but the utility companies did not like that. The transformer location is now on the Summer Street elevation 10' off sitting on a pad, enclosed. The landscaping has not changed. The gate on Spring Street is no longer there.

Member Ferris said the dining terrace access is going to have to be shifted to the left and the kitchen now touches the rear wall.

Mr. Vigorito said it is the same size and will maintain the same landscaping.

Member John said a recent project that was approved on Pleasant Street had the utilities changed and now you can see it from the walk. He would like to see the change on the plan. Mr. Schreiber showed Member John a plan that was submitted and asked how they could keep the 10'. Mr. Vigorito said they will show the updated plan.

Member Ferris asked about the change in the quantity of residents. Someone answered the amount of residents will be the same even though they have switched over from studios to one bedrooms. The green roof will be the same, as well and all three materials, brick, cast stone and metal panel will all match. Mr. Ferris would favor a higher ground floor. The 11' floor to floor will require thin materials. Mr. Vigorito said the building is steel beams and the floor is 6" deep. Mr. Ferris asked about the canvas awnings and signage for the retail. Mr. Schreiber said the awnings have to clear 9' over a sidewalk. Mr. Vigorito said they will arrange that and each window will have an awning. Mr. Ferris added a comment that there is not a lot of communal area in the building. Ted Doyle said they have been building since 1993 and they have built in Burlington, Fair Haven, Marina Bay Quincy and they sold the company. Then 2 years ago they restarted their business. There is common area on the 1st and 2nd floor and they have spread them throughout. There are family rooms, libraries, computer rooms, etc. They are known for their livability. The upper floors are memory care and they are more confined and they minimize chaos.

Member Gannon said he was not on the board when this was approved and asked about the commercial spaces – the 8 storefronts. Ed SanClemente explained they are yet to be identified and will begin to put out RFP's for 1500 s.f retail use - bakery, etc. and the hair care will serve the residents as well as off the street. Ms. Santucci Rozzi added that there are only two retail tenants.

Mr. Heep said the asked about the loss of height on the first floor – Mr. Vigorito said the first floor loses 2' and it is expanded towards the upper floors. Mr. Heep said it is a real loss on the street level aesthetically.

Ms. Santucci Rozzi asked about the maximum height. Mr. Vigorito said they have 55' and this is a steel building and they cannot change the structural frame. The parking is a condition of this permit and they cannot decrease the column width without putting columns and transfer beams in there. She then asked if they could make it look like there is more height on the outside and do what they have to do on the inside. Visually, just bring the materials up two feet. Mr. Vigorito said there is a band above the precast floor and yes, they could make that band larger or raise it up. Mr. Ferris said they would like to see the precast to brick visually have the retail base look more like a main street building.

Ms. Santucci Rozzi said Spring Street is not looking springy anymore. She liked the look of the entrance from both streets -it gave the corner a better feel. She suggests they reexamine that – even if it is not an

operable door. She asked if it will be pink. Mr. Vigorito said it will be brick - metal panel brick. There is a similar building in the packet. The entrance into the drop off is exactly the same.

Mr. Magoon said the original had three pillars and the new has two openings. Mr. Vigorito said one opening is larger and the next one. Mr. Magoon said they are all different heights. Mr. Ferris asked if all 4 openings can be the same height – the taller height to allow more light into the space.

Ms. Santucci Rozzi said they are going to make Spring Street better.

Mr. John asked about the transformer setback. Mr. Mena said mechanical equipment cannot be closer than 5' to the property line. Mr. John said the fire escape coming down on that side and a walkway and a gate and pervious pavers – a lot going on. He added again, he wants to see that landscaping. Mr. Mena said that the path was required for an emergency egress and now this is changing will they also lose trees and landscaping. Mr. Vigorito said they will submit a new landscape plan.

Ms. Elliott reiterated that they will look at changing the exterior façade to appear as a higher first floor level; they will have canopies as in the original proposal; they are going to look at Spring Street and the consistency of the openings and in addition to the corner openings. Are they planning the walls and the seating area. Mr. Vigorito said they show all of the changes in the site plan. Ms. Elliott added they will include the transformer location and the outdoor eating area.

Member Ferris clarified that the kitchen exhaust will go through the roof and noted that the front elevation will have less screening. Mr. Vigorito explained that all of the equipment will be set closest to the mechanical penthouse to minimize the visual impact. There will be screening around it – 11.7'. The top of the parapet and the top of roofline is about 18".

Ms. Santucci Rozzi asked if they could come back next month. Mr. Vigorito asked if they could come back on the Staff level as they can have it done within a month. Ms. Santucci Rozzi asked what it is that they are not able to do within that time. She wants to see the final product next month and they will not be going vertical with steel in the next 30 days. No one has a problem with demolition or foundation. Mr. Vigorito said the Building Inspector will not sign off if there is not an approval from this board. Mr. York asked if they can move forward with the building permit on the things that do not affect what was presented to the board. Mr. Magoon said the building permit has been held up primarily to work through some of these issues and he feels with the guidance, they can move forward. However, they need to meet again with DPW to address some of these issues. He does not see a problem moving forward.

Ms. Elliott motioned to adjourn. Mr. John seconded. Meeting adjourned.