

WATERTOWN PLANNING BOARD

DATE: September 8, 2014 PLACE: Lower Hearing Room TIME: 7:00 PM COMMENCED: 7:00 PM

PURPOSE OF MEETING: Regular Monthly Meeting
Public Hearing

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

ADMINISTRATION BUSINESS

Jeff Brown motioned to approve Minutes of 8/13/14.
Linda Tuttle-Barletta seconded the motion.

VOTE: 5-0 In favor

CONTIUED HEARING

- ***Pleasant Street Corridor District***

Gideon Schreiber, the Department of Community Development & Planning has had continuous meetings and discussions with the community and business interests in the corridor.

John Hawes, the Board will consider the Pleasant Street Corridor District amendment at a meeting in October, 2014.

John Hawes, opened the public hearing.

PUBLIC HEARING

- ***Affordable Housing Text Amendment*** - Zoning Text Amendment for Inclusionary Zoning to change the affordability requirement to 12.5% from 10% and to allow the state minimum gross floor areas for unit sizes

Andrea Adams, the Watertown's Housing Production Plan recommended increasing the affordable set aside for residential projects over 5 units to 12.5%. The proposal is supported by Watertown Housing Partnership. Text changes also include removal of the unit exemption for small mixed use projects of 6 to 15 units to be the same as other housing projects, and to allow the minimum size of any affordable unit be the same as required by the Massachusetts Department of Housing and Community Development. The proposed changes in unit size would not affect the requirement that affordable units be similar in size by requiring them to be within 20% of the size of the market rate units within a project. The Town Council conducted a First Reading on the proposed text amendments at its meeting on August 12, 2014, and referred it to the Planning Board for a public hearing.

Jeff Brown, when does the requirement for the next whole affordable unit affect a proposed development? We need clarification for language dealing with minimum unit sizes.

David Leon, Watertown Housing Partnership (WHP), the Zoning Ordinance requirement applies to developments that have more than 5 units. Round up to the second whole affordable unit when the development has a minimum of 15 units. At 12 units, the rule for rounding up of numbers would round up from 1.5 units to 2 units.

Andrea Adams, the language dealing with minimum unit sizes is shown on page 4 of the handout, under Section (f). Location and comparability of units – see attached.

Gideon Schreiber, unit sizes change, and having defined size minimums in Watertown has caused issues for developers.

Fred Reynolds, Chair, WHP, the issue with the unit sizes is that Watertown currently requires larger affordable units be constructed than the comparable market rate unit in terms of number of bedrooms. It causes problems with units particularly with rental units. We must rotate the units. Rotate a potential tenant into the next available unit in the building, which may be smaller than a comparable market rate unit. The main goal is to approach the 10% goal, we are now at 6.25%. If we don't change the percentage set aside, the Town will never achieve the State's goal.

Jennifer Van Campen, Director, MetroWest Collaborative Development, and resident of Watertown. Our organization is a private and non-profit, dedicated to affordable housing production. We have submitted a letter in support of the proposed Text Amendment when it was first brought before the Board. At 10%, Watertown will never catch up to the State's goal, as the overall pool of housing stock also increases. The Town's percentage of housing stock as affordable would increase from 6.5% to 6.6% with a new proposed project of 280 units. Watertown's Inclusionary Zoning Bylaw is a cheaper option for developers than the Comprehensive Permit process. Watertown's requirements are very clear and straightforward. It is a cheap, effective and efficient way to develop residential projects than Comprehensive Permits which requires 25% set aside. We need to be on the clear side of the potential tipping point in terms of impacts to development.

Tony Palomba, Town Councilor, spoke in favor of the proposed Text Amendment. Watertown is facing a large number of developments, such as 202-204 Arsenal Street, in the next few years. Additional residential projects are coming forward. We need to move the needle towards meeting the State's ten percent goal.

David Leon, WHP, the minimums from the State are less than what Watertown requires now. It strikes a balance between affordable housing and the impact to developers.

Paul Fahey, WHP/former Town Council Member/ former Planning Board Member, I am in support of the proposed Text Amendment. It strikes a balance for sensible development.

Cliff Cook, WHP, this proposal allows the unit sizes to change relative to the housing stock and keep Watertown abreast of unit sizes.

Linda Tuttle-Barletta motioned to recommend to the Town Council to adopt the proposed Affordable Housing Text Amendment.

Jeff Brown seconded the motion.

Vote: 5-0 In favor.

John Hawes closed the public hearing at 7:20 pm.

PENDING CASES

- **68 Piermont Street;** John Shields - Variance

John Shields, an addition on the rear of my house was built without a Building Permit. We have applied for a building permit, documents and plans are on file with the Town. The 18-foot by 21-foot, A-frame, carport was built recently. We began to enclose it and did not realize that a permit was needed where there was an existing fence. The electrical permit coded for the garage in the staff report was instead for a shed. We are requesting a Variance for the carport that is in the same area as a fence. Gutters would be run back into his property. The door to the garage will face property.

John Hawes, was the carport foundation in place before the carport was constructed?

John Shields, that foundation was there, it was the back yard, and always concrete. A dilapidated stone wall was in the same location. Brick pillars were falling over when we purchased the house.

Andrea Adams, the subject property is located in the S-6 Zoning District. The permitting history on page 3 of the Staff Report is as described in the Town's electronic database and index cards on file. The petitioner has indicated that he has taken steps to legalize the addition at the rear of the house since the Staff Report was completed. The garage/carport is on the side yard lot line to Tappan Street with a zero side yard setback from Tappan Street, where 25 foot setback is required by zoning. The garage/carport has a one-foot rear yard setback, where 5 feet is required. Neither the subject property nor the Petitioner had met any of the criteria for a Variance. Staff recommends denial of the Variance.

Gideon Schreiber, the side yard is connected to the requirements for Accessory Structures.

Jeff Brown, how did this case come to the attention of the Town?

Gideon Schreiber, this is a code enforcement case. It was reported to the Zoning Enforcement Officer who inspected the property and found the infraction.

John Hawes, this is a clear-cut case. No permits were sought. A fence would be legal, but not a garage/carport. It does not meet criteria for granting of a Variance.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals denial of the Variance based upon the finding that it does not meet the criteria set forth in the Zoning Ordinance with additional recommendation that the Zoning Board of Appeals, if it denies the Variance, stipulate that the Petitioner must remove the garage/carport from the subject property within two calendar weeks of the Zoning Board of Appeals decision.

Jeff Brown seconded the motion.

Vote: 5-0 In favor.

John Hawes, the concrete slab should not be removed, it was always there, the site was always paved.

- **85 Garfield Street:** Sarah B. Stewart – Special Permit for Home Occupation

John Hawes, we have received letters of support of the request.

Sarah Stewart, Petitioner, I do not own the subject property. My mother owns the house and currently resides there. The proposal to establish a home occupation in the basement is to move into the house with her psychotherapy practice, and then for her Mother to transition to a retirement community. The house has a finished basement office, with a separate entrance, waiting area and bathroom. This was my deceased Father's study. I would like to live and work in the house. There is a lot of off-street parking. Nothing would need to be changed inside or to the exterior of the house to be used for psychotherapy practice.

Andrea Adams, the pictures of the house in the Staff Report were taken to illustrate the availability of off-street parking in the driveway as well as the separate side entrance. The subject property meets the requirements for "stacked parking" as stated in the Zoning Ordinance. The request is for the Petitioner to establish a Home Occupation in the house. The proposal meets the criteria for a Home Occupation, particularly with respect to potential trip generation and making no change to the residential character of the house. Condition #7 in the staff report stems from how the Petitioner seeks to run her business, so it should not be a burden on the proposed Home Occupation addressing its potential impacts. Condition #8 requires the use to revert to entirely residential should the Home Occupation ends or is abandoned. Staff recommends Conditional Approval of the requested Special Permit.

Jeff Brown, is there a door inside the building separating the residence from the proposed area to be used for the Home Occupation?

Sarah Stewart, I have several ideas to create a separation to the living space with a glass pane door. All of the abutters and abutters to abutters I was able to communicate with expressed support for the proposed Home Occupation.

Linda Tuttle-Barletta commended the Petitioner for the clarity of her proposal, and her outreach to her neighbors.

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

John Hawes adjourned the meeting at 7:45 PM.