

WATERTOWN PLANNING BOARD

DATE: October 14, 2015 PLACE: Lower Hearing Room TIME: 7:00 PM COMMENCED: 7:10 PM
PURPOSE OF MEETING: Regular Meeting
PRESENT: John Hawes, Chairman, Linda Tuttle-Barletta, Fergal Brennock, Jeff Brown
Ingrid Marchesano, Clerk to the Planning Board; Steve Magoon, Director; Gideon
Schreiber, Senior Planner; Andrea Adams, Senior Planner

ADMINISTRATIVE BUSINESS

Linda Tuttle-Barletta motioned to approve Minutes of 9/9/15 meeting.
Jeff Brown seconded the motion. Voted: 4-0 In Favor

CONTINUED CASES

- **82 Highland Avenue;** Evan Hearty - Special Permit Finding (ZBA-2015-18)

Linda Tuttle-Barletta motioned to continue the above petition to the next meeting of the Planning Board.
Fergal Brennock seconded the motion. Voted: 4-0 In Favor

CASES PENDING

- **124 Watertown Street;** Bell Atlantic Mobile/Verizon Wireless - Variance (ZBA-2015-19)

Victor Manougian, Atty, introduced the Applicant's project team: Jose Xavier from Hudson Design Group (Plans); Martin Lavin, C-squared Systems (RFR Engineering); Tim Yee, Structure Consulting Group (Site Acquisition). The Petitioner is seeking a Telecommunications Act (TCA) Variance to install camouflaged antennas on the roof of the building. The Applicant is seeking to install 16 antennas, with 4 per sector, on the roof. The antennas would be camouflaged by faux brick enclosures, patterned and colored to match the brickwork on the existing building. The equipment shelter would be at ground level, near the fire exit stairs. The Petitioner would use backup batteries in place of the originally proposed natural gas fueled generator. The existing roofline is 42 feet high, and with the equipment, the faux chimneys would be 52 feet in height, below the 57 foot maximum. The equipment shelter will be enclosed with a 6-foot stockade fence. The Radio Frequency report which showed the gaps in coverage which would be solved by this installation. Filling the gaps would improve private cellular usage, as well as public usage by public safety officials.

Andrea Adams, Senior Planner, the subject property is two story brick building built in 1914 that once housed the Parker School, which was converted into a commercial office building in 1983. The Petitioner requests a TCA Use Variance for roof-top wireless telecommunication facility concealed behind Radio Frequency-friendly faux fiberglass brick screen walls. The installation also includes associated antenna equipment, conduits for network service, and electronic equipment within an equipment shelter, to be located on the ground, behind 6 foot stockade fence. The Petitioner has eliminated the proposed natural gas fired generator and will use backup batteries in a cabinet instead.

The Federal Telecommunications Act of 1996 mandates that local land use regulations not prohibit or have the effect of prohibiting the provision of personal wireless services. As such, finding the Board must make is to *"determine whether the location sought by the Petitioner will cover a significant gap in its signal coverage and that there are no other feasible alternative sites to cover the same gap."*

The Petitioner's Radio Frequency Design Engineer conducted research which confirmed that a gap in wireless coverage exists, requiring installation of a personal wireless service facility in the search area, and that installation on the existing rooftop would enable the Petitioner to close gaps in its wireless coverage. In an email received by staff on September 30, 2015, Verizon's RF Design Engineer stated that he *"exhausted all alternative candidates and there are currently no existing candidates with other carriers installed within the given search ring."* Based on this information, the staff recommends that

no suitable alternative locations have been identified to eliminate the coverage gap; therefore, the Town must allow the proposed use.

There are five criteria in Section 5.13(a) of Watertown's Zoning Ordinance. TCA variance is sought for the first and second criteria, as the proposed wireless facility is in the Two Family district. The project will meet the third criteria, because the building is at 42 feet above ground level, and the top of the highest antenna and the top of the RF equipment will be at 52 feet above ground level within the fifteen foot limit. The property in question is already taller than the maximum height allowed in the T-zone per Section 5.04 of the Zoning Ordinance, which is 35 feet or 2.5 stories. There is cabling connected to the underside of the antennas that accounts for additional space within and height of the faux brick screening. The fourth criteria of Section 5.13(a) is not applicable, because this proposal is a roof-top installation. The fifth and last criteria is that the Parker School is one of the few remaining largely intact legacy properties in Town, and as such, it is important to minimize the visual and aesthetic impact to the school building, as well as adjacent properties and public way. The Petitioner has offered to screen the proposed new equipment by using RF-friendly material that will match the existing brick façade and roof elements. The staff would recommend that the enclosures be reduced in height, but the Petitioner has stated that the enclosures must be ten feet high for the antennas to transmit properly. The staff recommends conditional Approval of the TCA.

John Hawes, the proposed RF screens appeared to be chimneys, and given that they would be set back from the roof edge, they were unlikely to have a significant detrimental impact on the former Parker School.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of a Telecommunications Variance for a rooftop telecommunications installation 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: 4-0 In Favor

CASES PENDING

- **252 Common Street;** Jeffrey Slone - Special Permit Finding (ZBA-2015-20)

Scott Curtis, General Contractor for the Petitioner, the Petitioner was seeking relief from the side setback. The house is at its closest point at 4 feet, ten inches to the property line. My client would like to construct a one-story addition for a mud room set at 5 feet 4 inches to the closest side property line. The addition would be in the required 10 foot setback. The proposed project would not be detrimental to the neighborhood.

Andrea Adams, Senior Planner, the size and characteristics of the lot as compared to zoning. The site was in the S-6 Residential Zoning District. The Petitioner is requesting a Special Permit Finding from the Zoning Board of Appeals to construct a new addition (a mudroom) and landing to the mudroom on the rear of the house. The project provides an opportunity to improve and maintain an existing structure, consistent with the 2015 approved Comprehensive Plan. According to Section 4.06(a), pre-existing non-conforming structures or buildings may be extended or altered provided that the Board makes the finding that *"such change, extension or alteration shall not be substantially more detrimental than the existing non-conforming use, structure or building to the neighborhood."* The staff suggests that the construction of the new addition for a mudroom, and a landing to access the mudroom will not be substantially more detrimental to the neighborhood than the existing condition. The mudroom will take the place of existing stairs and a landing, as evidenced in part by the surrounding single and two-family homes, several of which have similar additions, rear entries, or are significantly larger dwellings overall. This is also a logical location for the mudroom, and it is in keeping with the architecture of the existing house. Staff recommends a conditional approval of the proposed project.

Linda Tuttle-Barletta motioned to recommend conditional approval to the Zoning Board of Appeals of a Special Permit Finding under Section 4.06(a) for the proposed mudroom addition subject to the conditions in the Staff Report.

Fergal Brennock seconded the motion.

Vote: 4-0 In Favor

OTHER BUSINESS

- **480 Pleasant Street;** Riverworks – Minor modification review

James Divellis, Professional Engineer, representing Spear Street Capital. Spear Street Capital purchased the Riverworks building at 480 Pleasant Street. The Petitioner came back in 2011 and renovated the site, and did other work on both sides of Pleasant Street. The one item that had not been addressed was the entrance. It is narrow, and 4 feet of that drive is on DCR property. There was and is encroachment on DCR property at the rear. The proposal today is to widen the entrance drive from 19-20 feet to 22 feet, and move it towards the existing building, to alleviate the encroachment on DCR property. There would also be minor improvements to a wall and landscaping, and the proposed work would also result in the loss of 4 parking spaces. The property requires 500 spaces, and there are 666 parking spaces between two parcels – more spaces than what's required or are being used. The work would be outside of the jurisdictional area of Watertown's Conservation Commission, and no impact to drainage or utilities.

Gideon Schreiber, Senior Planner, this was a request for a Minor Modification. Staff felt it was appropriate to bring the request before the Planning Board, so that the Board could verify if this request was a Minor Modification, given the changes would modify both the 2011 approved landscaping and parking. If the Applicant submitted a formal amendment request, the staff would have prepared a report. The Applicant was seeking a determination as to whether the proposed changes were minor in nature.

John Hawes, it would have been easier for the Board to understand the proposed changes if the Petitioner has submitted an existing conditions plan.

Linda Tuttle-Barletta motioned to approve the requested changes to the landscaping and parking plan, including a reduction in 4 parking spaces, as a Minor Modification to the existing site.

Jeff Brown seconded the motion.

Vote: 4-0 In Favor

PUBLIC HEARING

- **Regional Mixed Use District (RMUD)**

Bill McQuillan, Boylston Properties and Arsenal Project, introduced the project team: Bill Wilder, Wilder Companies; Michael Wang, Form & Place; David Chilinski, Perlwitz, Chilinski, Architects. The existing I-1 zone where his properties are located are the most industrial in Watertown. This is a remnant of a bye-gone era. Watertown's new Comprehensive Plan sees this area as transformative. Housing is not allowed on the site, although housing units surround the site. The land already has many regional characteristics, and a considerable mix of uses: Harvard Vanguard, major retailers, offices, a hotel across the street, and athenahealth. This is step one of a multi-step process, that will result in a Master Plan. The proposed zoning would produce four general changes: dimensional changes, open space, greater mix of uses, and changes to the sign code.

David Chilinski, of Perlwitz, Chilinski, Architects, slides presented tonight show various examples of what we characterized as similar projects. These are used as examples for the proposed outcome of

the requested zoning change. The term “live, work, play” is a very important aspect of a mixed-use project. Introducing office and residential to a retail environment, such as Legacy Place, Dedham, MA, or Market Commons in Arlington, Virginia. These are living places throughout the day, not just on the weekend. Placemaking involves a network of streets, sidewalks, and different places. The key is that the environment is pedestrian oriented, where vehicles are invited. Careful study is given to the design of the internal streets, and the orientation and design of buildings, including outside cafes and a place to walk. Also pay attention to careful planning for parking garages. Integrate the ground level of a garage into the overall design, and create an inviting street front. Important for spaces to actually be used, including public spaces. Need to pay attention to “programming” public spaces; where there are things for people to do. The Arsenal Project creates a great opportunity to work with the Planning staff and the community to create a new mixed use center. It is respectful of the great and robust historic structures in Watertown. As an example we are showing slides of the revitalization of the Ames Shovel Works in Easton, MA into housing. A commitment to environmental sustainability and Low Impact stormwater management. The need to strongly encourage a multi-modal access: pedestrian friendly, bicycle repair stations, ZipCar, etc.

Michael Wang, Form & Place, the Town has just passed the commercial Design Guidelines, and had closely watched the development of the Comprehensive Plan. The proposed district, the RMUD, is anticipated by the Comprehensive Plan. New district includes part of the current I-1 and 1-3 districts. The Comprehensive Plan and the 2011 Economic Framework reinforce this area as the location for a new mixed use district. The Comprehensive Plan calls for innovative zoning, and recommends specific amendments to transform the area from industrial to mixed use, and in a more urban character. The importance of architecture, and the need to be compatible with the new Design Guidelines and Standards. The proposed RMUD also envisions a new permitting process to handle the transformation of the area.

Gideon Schreiber, the proposed language in the draft zoning was reviewed by staff and with the Petitioner. I will summarize the proposed changes to the Zoning Ordinance to accomplish the desired new RMUD district, including changes to the *Definitions*, the *Use/Accessory Use Tables*, the *Table of Dimensional Regulations*, including Height, Setback, Building Coverage, and changes to Note (f) and Note (p).

There are various parts of the new zoning language, which would be added to the Zoning Ordinance, but not directly change existing language, such as the Intent and Purpose, District Delineation, and Dimensional Criteria, and the Authority and Purpose. The Authority and Purpose also created a new permitting procedure, a Master Plan Special Permit, as an option for a larger site of two acre or more. The key components of the Master Plan Special Permit would include:

- A. Planning Board as Special Permit Granting Authority.
- B. Standard application procedure but without specific building details required. This allows a comprehensive review of the project for floor area, general uses, stormwater, traffic, and other community impacts and improvements.
- C. Two-step review would be initiated through a Site Plan and Design Review as part of a Planning Board Hearing process to receive a Master Plan Special Permit. As a second phase specific buildings would have a Site Plan Review Approval by the Planning Board (by right) to determine final architecture and design of each building. Minor site modifications would be finalized as part of this Site Plan Review phase.
- D. Parking is clarified to allow flexibility during phasing since this type of project would almost always be a redevelopment with some uses/users remaining during the approval and constructions phases of a redevelopment.

The proposed RMUD would deal with the location and design of off-street parking spaces and signs/illumination.

Jeff Brown, why was the new zoning was initiated by the Petitioner, as opposed to the Town bringing the changes forward for consideration? Why didn't the proposed new district include Coolidge Avenue and Arlington Street? There were housing developments there now.

Steve Magoon, explained the purpose of the proposed new district, and how the language before the Planning Board came to be relative to the Petitioner's initial proposal. The 2015 Comprehensive Plan envisions this area as a new mixed-used district. The Petitioner has been considering this proposed zoning change for some time. With the Design Guidelines/Standards and Comprehensive Plan complete, it was appropriate for the Petitioner to file the amendment.

Bill McQuillan, I agree with Steve Magoon. We were waiting for the Comprehensive Plan to be complete, as the Plan envisions this area as a regional, mixed-use district. The proposed zoning changes took at least 6 months to develop.

Steve Magoon, the proposed configuration of the RMUD area was consistent with that envisioned by the Comprehensive Plan. The overall rationale was to apply the zoning change to locations where such a change made sense. In this vein, it would not generally be appropriate to apply the RMUD to residential areas.

John Hawes, have there been requests made to the Department of Community Development & Planning (DCDP) for other parcels to be included or excluded from the proposed new RMUD?

Steve Magoon, DDCDP has received a few such requests. This is one of the reasons why the area that was noticed for the proposed zoning change was larger than the actual district.

Richard Robertson, Coolidge Avenue, residents who live on Coolidge Avenue did not receive notice of the meeting. The residents of Charles River Towers are opposed to the proposed zoning change. A copy of a resident petition to the Planning Board.

Ken Sedagnati, 125 Coolidge Avenue, I am in opposition to any zoning change. Such a change would exacerbate already bad traffic problems on Coolidge Avenue. Adding mixed use developments would make things worse. 84 families that live on Coolidge Avenue signed a letter in opposition to the proposed zoning change.

Bill Crowley, owns 6.5 acres in the area. The problems on Coolidge Avenue need to be addressed. The asphalt plant and the UPS facility are a problem. Both cause cars or trucks to be parked on the street, idling for long periods of time. The area needed to be redeveloped as a gateway to Watertown. Zoning allowed 7 stories / 72 feet tall buildings when Charles River Towers was constructed. The area needs this kind of flexibility to redevelop.

Pason Whitney, 475B Arsenal Street, a comment letter was submitted to the Planning Board. We need to protect the significant and historic architecture in the area. Learn the lessons on height and mass from the PSCD. Step back buildings and reduce the "canyon" effect. The RMUD represents an opportunity to protect surrounding residential areas, such as the Arsenal Apartments. I am troubled by the ability to reduce or omit the 15 foot side yard setback to open space. Perhaps amend the proposed new zoning that this provision not take effect in the RMUD in locations where the new district abuts existing residential districts or residences in place as of January 1, 2015?

Deborah Peterson, School Street, we appreciate the developer's vision for the area and the technical skill of Mr. Magoon and the DCDP staff. We are concerned that the proposed new district will become insular to itself. We need to set criteria in the zoning to mitigate this: connect to existing street grid,

porous boundaries, require a substantial amount of family housing in the district, require more affordable units than zoning now stipulates, require substantial public spaces.

Roger Erickson, Concerned Citizens' Group, the RMUD rezoning process is confusing. Shouldn't the Planning Board and the developer start with the Master Plan first, and then propose new zoning? How is the Town, much less the neighbors, to understand what the developer is proposing, until the Master Plan is completed?

Jeff Brown, the developer has ideas for what he wants to do with the sites he controls. The proposed new zoning before the Planning Board is to create the process by which those plans can be fleshed out in more detail.

Steve Magoon, the RMUD is part of implementation of the 2015 Comprehensive Plan. The proposed zoning does not give any developer a right to do anything, other than to come forward with a proposed Master Plan. It sets the ground rules for the types and kinds of development that may proceed in the new zone. The Master Plan process also includes opportunities for public input and comment.

Mathew Raymond, The Home Depot, this amendment is specifically requested for the Arsenal Project. The proposed re-zoning is inconsistent with the Arsenal Mall. There needs to be development in scale with a Best Buy or a Home Depot. Putting residential uses near or next to large scale retail, such as a Home Depot is inconsistent. This will result in conflicts and the potential for complaints.

John Hawes, why is Home Depot opposed to the inclusion of housing on the site? If the proposed new zone could work, if one of the entity in the Arsenal Project objects, and does not participate in the new zone?

Chris Tumpy, Attorney representing Home Depot, putting housing next to big box retail is not consistent. In addition, stormwater infiltration on the site will be difficult.

Max, I own several parcels on Coolidge Avenue and surrounding streets. The overall transformation will be a positive for the area and Watertown as a whole.

Angie Kounelis, District A Councilor, I am surprised that the proposed area had been expanded. Will the proposed new district include parcels on Elm Street? Could the parcels in the district be assembled to make 2 acres or more, and thereby be able to use the Master Plan process?

Steve Magoon, the area for the new zoning reflected the one in the Comprehensive Plan. The area to receive a notice of the hearings had been expanded to include more people. The RMUD district boundary did not include the parcel on Elm Street that was most recently the site of a proposed hotel. The proposed new zoning would allow for the assemblage of parcels to make new parcels of two acres or more.

Bill McQuillan, the Planning Board hearing was a first step. There would also be a presentation before the Town Council.

Chris Tumpy, Atty, questioned how many parcels would become pre-existing and non-conforming if the proposed new RMUD zoning was adopted? I question the wisdom of proposed changes to dimensional requirements, signage allowances, etc.

Gideon Schreiber, the District would continue to have pre-existing, non-conforming uses, and there is a process to allow one non-conforming use to change to another non-conforming use. The setbacks and

some of the other dimensional requirements in the proposed new RMUD zone are being made more flexible. DCDP staff could provide the Planning Board with information on properties that would become existing, non-conforming as a result of the proposed zoning change.

Doug Hartwell, 86 Coolidge Avenue, the proposed RMUD would be great for Watertown in general terms. Why was one side of Coolidge Avenue included in the proposed new zone, and the other side of the street was not? The RMUD should include both sides of Coolidge Avenue. The zone should also extend to Grove Street.

Paul Devee, 99 Coolidge Avenue, I am concerned about all of Coolidge Avenue being included in the new RMUD zone. I do not want to see commercial/retail sprawl all the way up the street. I am also concerned that there was not mention to date in the presentations of the impact on Arsenal Street from the proposed new zoning district. Arsenal Street is gridlocked now. Neither Coolidge Avenue nor Arsenal Street are capable of absorbing more traffic, which will be created by the redevelopment in the RMUD.

Linda Tuttle-Barletta, why was the threshold for inclusion in a Master Plan process set at two acres? What benefit would there be to the developer, or the Town, by two different approval processes? I am also concerned about the ability of a developer to seek increased building heights above 79 feet / 7 stories, and increased density.

Gideon Schreiber, the two approval processes give developers flexibility. A Master Plan could allow for phased development in a more coordinated manner than a Special Permit. A Master Plan envisions that the developer has figured out project components such as landscaping, utilities, etc. and the actual type of development is given a review as it comes "on line."

Jeff Brown, the Planning Board should discuss these and other issues at its next regular meeting in November.

Fergal Brennock and Linda Tuttle-Barletta agreed with Mr. Brown.

Linda-Tuttle Barletta moved to continue the RMUD discussion to the Planning Board's meeting on November 9, 2015.

Jeff Brown seconded the motion.

Vote: 4-0 In Favor

Jeff Brown motioned to adjourn the meeting at 9:50 PM.

Fergal Brennock seconded the motion.

Vote: 4-0 In Favor.

MEETING ADJOURNED: 9:50 PM MINUTES APPROVED: _____
For more detailed Minutes see the DVD dated 10/14/15 which is available in the DCDP office.