

WATERTOWN PLANNING BOARD

DATE: November 9, 2015 PLACE: Lower Hearing Room TIME: 7:00 PM COMMENCED: 7:00 PM

PURPOSE OF MEETING: Regular Meeting & Public Hearing

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

ADMINISTRATIVE BUSINESS

Linda Tuttle-Barletta motioned to approve Minutes of 10/14/15.

Jeff Brown seconded the motion.

Vote: 4-0 In Favor

CASES PENDING

- **Waltham Street, Lot #3;** Joseph M. Dedato – Special Permit (ZBA 2105-21)

Linda Tuttle-Barletta motioned to continue the above petition to the Planning Board 12/9/2015 meeting.

Fergal Brennock seconded the motion.

Vote: 4-0 In Favor

- **30 Pilgrim Road;** Patrick E. and Rebecca A. Menton – Special Permit Finding (ZBA-2015-22)

Ken Leitner, Atty, the Petitioners have owned the property located in S-6 residential zone, since 2006, They are proposing to add master bedroom to the 1943-1944 house, located on the non-conforming lot.. The relief needed is for frontage and setbacks. There is a fireplace/chimney that will be removed, creating a hip roof and gable. The third story will be truss built. The height would be under the maximum of 35 feet. Special Permit Finding is needed to build the new addition and front entry. Lot coverage and impervious coverage will remain under the maximums allowed by the Zoning Ordinance. The proposed addition will fit with the neighborhood.

Gideon Schreiber, the requirements for a Special Permit Finding will have potential impact on the neighborhood. The project does not increase the building coverage, although it does alter the appearance of the house. Colonial Style is common to expand Cape style houses. The increased height will be noticeable, but appears to fit into the neighborhood. Staff recommends conditional approval.

Elodia Thomas, 67 Marion Road, the design of the windows is unbalanced. The proposed design does not mimic Colonial style.

John Hawes, drawings and other materials are very sparse, particularly compared to 82 Highland Avenue. I agree with the comment about the windows. I would encourage the Petitioner to improve the design.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Special Permit Finding under Section 4.06(a) 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

- **25 Langdon Avenue;** Sara Sclaroff – Special Permit Finding (ZBA-2015-23)

Dan Sclaroff, the brother of Sara Sclaroff, my sister recently received vintage photographs from her abutting neighbors of the porch on her house. These photos confirm that there was a wider porch on the house, with a center staircase. The request to reconfigure the porch is to honor the original

configuration of the house, and porch. A front-facing photo of the porch as it was does not appear to exist, therefore the 3-D concept rendering in the Board packets is an attempt to show what a porch with a front entry would look like. There are similar porches in the neighborhood. The measurements of the porch have changed based on discussions with the Planning staff and revised drawings have been submitted. My sister is requesting a 4-foot extension to the front porch. She is hoping to use the average setback of her abutting neighbors, to change her house's front setback from 23 feet to 19 feet, 5 inches, where 25 feet is required.

Gideon Schreiber, the project has some complications, because of the recently approved Design Standards and Guidelines. These new zoning provisions changed Ms. Sclaroff's request from Variance to a Special Permit Finding. Through conversations with Planning Staff, the Petitioner came up with a revised plan that relies on a measured/averaged front setback of 19 feet, 5 inches. There is a determination made by staff that Ms. Sclaroff could use this setback, as allowed by the Ordinance. This project had a Special Permit Finding in February 2015 to expand building coverage. The Petitioner had considered amending the porch at that time, but had not found the historic photographs of her house at that time. While the proposed new porch would increase the coverage, the bulk of it would be open deck. This is an historic, pre-existing, non-conforming structure. The proposed new porch is in keeping with the style of the house, and therefore staff recommends in favor of the requested Special Permit Finding.

Jeff Brown, the proposed new porch fits into the design of the house. This case is a good example of the recent discussions about the proposed Residential Design Guidelines, and knowing the style and history of your house, before you make alterations to it. I am in favor of this proposal.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Special Permit Finding under Section 4.06(a) 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: 4-0 In Favor

- **195 Mount Auburn Street;** Clark Elefteriadis – Special Permit Finding (ZBA-2015-25)

Clark Elefteriadis, this is a proposal to turn two non-conforming business uses into one no-conforming business use which is a Pilates studio. Currently, there are two businesses located at the property, and one residential unit, for a total of 4 uses. The real estate office on the first floor has a 5-year lease. There is a TCM Massage Center on the first floor of the addition, and the Writing Company on the lower level. The proposed Pilates studio would take over the Massage Center and the Writing Company spaces. This would be less disruptive to the neighborhood. The proposed use is quiet and passive, one-on-one instruction. We are also proposing a new parking plan, which is an ongoing issue. The new plan would greatly improve the situation, it will provide 7 parking spots, where the 2015 Ordinance would require 9 parking spots. The proposed parking spots are more compliant with the Ordinance, and would allow for safer access/egress. I recognize that two less parking spots would be provided on but they will reduce the need for tandem spots to only two, and those would be dedicated to the residence. The removal of the garage would allow cars to better circulate the site, and configure the spots in such a way as to save the tree. The staff report states there will be no classes on Sunday. Boston Body is closed on Sundays, although there may be after-hours classes for staff. I ask that the hours of operation be adjusted, to allow an opening at 6:00 AM, because the Pilates studio at other locations currently has 3 clients who use the facility at that time slot for individual training. I am requesting that the hours be adjusted, to allow the Real Estate company to be open on Sundays. I understand why the staff report also recommends limiting the Pilates studio to no more than five (5) Pilates machines. The five machines are necessary for classes. We would be happy to be part of the neighborhood. The closest abutter to the left, Otis House, hope to work together to re-do the parking

and landscaping and to enhance the block. Letters of support from Michael Baptiste and Paul Airasian have been submitted as well as a picture of parking on Mount Auburn Street at 6:00 AM.

Gideon Schreiber, the permit history includes a Show Cause hearing before the Zoning Board of Appeals, which is currently an open case. This Special Permit Finding would be separate from that. The plot plan was incorrectly created which indicated there were 10 parking spaces attributed to the site, which is not feasible in a logical layout. This proposal suggests fewer than 10 parking spaces, but it is also a Change in Use. The plan provides more usable 7 parking spaces than the 10 spaces approved from the 1996 and 1998 Special Permit Findings. The staff analyzed the Change in Use and the original 10 parking spaces. The Ordinance would require 9 parking spaces for the proposed uses, where 7 are shown. These 7 are more usable than the original 10, only 2 spaces are stacked, and there are parallel spaces, and a few up front. The difference is only one space from before and there is less of an impact from a zoning perspective. Staff reviewed the project primarily from the parking component. The Transportation Demand Management component to lower the transportation demand for the site. The design of the building is under the control of the Historic District. Staff recommends conditional approval of the project. Condition #4 currently recommended certain hours, but that has been adjusted, 6AM to 5PM, Monday – Friday and 8AM to 5 PM on Saturdays. Number of students in the Pilates studio would be limited to five, based on discussions with the Real Estate company and the Pilates space

John Hawes, there is a new deck on the second floor – is that for the residence?

Clark Elefteriadis, yes the new deck is for the residence.

Gideon Schreiber, a hard copy of the parking plan is available in the office. Staff suggested conditioning the size of the parking spaces. The preferred plan for the Petitioner is to have one parking space off Franklin Street, to keep the tree, and make the space porous by using cobblestones. I suggest that the Board approve the *Proposed Planting Plan, Sheet L-01*, not Sheet L-01, Alternate B.

Johnathon Block, 9 Franklin Street, I am pleased with changes to the structure, and some of the landscaping. The staff report has errors, particularly with respect to calculation of Gross Floor Area. The parking requirements for the business uses are calculated from Gross Floor Area. How did the Town make this determination? The parking calculation did not include the area attributed to a kitchen, bathrooms or covered porch. Is this reasonable, is it consistent with the Zoning Ordinance definition? The definition includes stairwells, corridors and porches with roofs. It seems nonsensical to exclude a kitchen from this calculation, it's not excluded from the definition of Floor Area Ratio. The Gross Floor Area as determined by the Ordinance would increase to 13 required spaces. Therefore, a court could determine that any Special Permit Finding granted based on these calculations is in error, and revoke it. The alternative is that a Zoning Enforcement could require a reduction in the onsite uses, thereby also resulting in a reduction of onsite parking. Both outcomes are not desirable. Planning Board therefore must review its recommendation to the Zoning Board of Appeals.

John Hawes, Planning Board could, as a result of this process, recommend a reduction in onsite parking spaces to seven. The issue of Gross Floor Area is of interest, but may have no bearing on the matter if the parking spaces are reduced.

Johnathon Block, I agree with Chairman Hawes, but the basis for the reduction in the staff report is incorrect. Number of uses in the building may be reduced under the proposed condition, but the square footage in the building has not changed. I will distribute pictures for the record. The areas in the first floor colored yellow are not included in the calculation. The areas included in the calculation are in red. We do not want there to be a risk that the permit could be revoked.

Gideon Schreiber, a bit of an anomaly is to use Gross Floor Area in a historically residential structure. Gross Floor Area is primarily for commercial structures. This is a Victorian house, no one will run a business in an open porch. We have used the Gross Floor Area of the businesses. For example, the basement has some parts that are not useable, or are storage space. The method used in the staff report is how the staff typically defines the calculations for parking. There is only so much space on the site for parking.

Paul Martin, 58 Phillips Street, a neighbor and Buyer's Agent, we are in support, primary because he is also a neighbor. It will create less traffic and reduce use. New buyer will be renovating the building, which is positive for the neighborhood.

Jan Tara, Olcott Street, I support the proposed new use. I was introduced to Boston Body about 7 years ago, it is not your run of the mill fitness center. The facility serve community members, people of all types and needs. I am inspired by the work of Boston Body, and I have become a Pilates instructor, although not at Boston Body. They will be very good neighbors.

John Bartlee, 33 Robbins Road, I am familiar with the neighborhood. I live about a block and a half away and know the site well. Boston Body is respected business. I am supportive of the Petitioners, it is realistic and viable parking plan. It is small studio and owner-occupied, I hope that the Board approves the petition.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Special Permit Finding under Section 4.06(a) based upon the finding that it meets the criteria set forth in the Zoning Ordinance subject to revised conditions, condition #4, hours of operation and parking configuration shown on Sheet L-01, set forth in the staff report.

Jeff Brown seconded the motion.

Vote: 4-0 In Favor

CONTINUED CASES

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

Evan Hearty, the proposal had been changed. It now incorporates shed dormers, to change the roof line.

John Hawes, the Petitioner did a very nice job redesigning the proposal. The height is lowered and it changed the roof line. The change will be an improvement for the neighbors.

Linda Tuttle-Barletta motioned to recommend to the Zoning Board of Appeals approval of the Special Permit Finding under Section 4.06(a) 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: 4-0 In Favor

PUBLIC HEARING

Regional Mixed Use District (RMUD); Amendment to the Zoning Ordinance & Map – continued from October 14, 2015

PLEASE NOTE ATTACHED REPORT.

Gideon Schreiber, a brief modification based on comments from October meeting has been provided. It also includes minor clarifications to the Zoning Ordinance. 1. Height – based on the Board

deliberation, staff recommends keeping it at 55 feet/5 stories unless project applies for a RMUD Master Plan Special Permit which will allow 79 feet/7 stories or is limited by FAR.

Steve Magoon, applicant from the Arsenal Project has a vision for the site. Amendment to the Zoning Ordinance will provide additional flexibility. This is not an approval, the applicant will still have to go through the approval process through the town boards. Larger project going through the Master Plan process, it will remain the same for other projects. The additional language will address comments, will have to comply with Design Guidelines.

John Hawes, we have read all the emails that were passed along by the planning staff. Residents expressed their many concerns, what should impact review of the district. It is difficult to keep track of variations from district to district.

Aaron Dushku, Town Councilor, parking demand is now in front of the TC subcommittee, it has been tabled for now, this amendment will give the developer opportunity to address the issues, and TDM should be included for all projects. When the Arsenal Overlay came in front of the Town Council if TMA will be included.

Jonathan Bockian, Irving Street, I am generally in support of the amendment but concerned with transportation, parking and building heights. Assembly Square Mall in Somerville has 5 story limit, Lynnfield and Dedham 2 stories. Low rise developments are preferable. What can we do to meet our goals? Every application in RMUD should require submission of TDM plan. The Mall abuts Home Depot parking lot and park, area is not protected from the maximum height. A buffer area along the Mall in the rear should be included

John Hawes, The TDM language is in the proposal, it should not apply to this district only. This is a complicated document.

Angie Kounelis, 55 Keenan Street, District A Councilor, it is important to protect open space. Initially the RMUD was brought in by Boylston Properties, staff decided to include Coolidge Avenue. It will be voted on by Planning Board and Town Council. Owners in the area need to come forward and express their concerns.

Rick Robertson, 131-151 Coolidge Ave, there are major developments proposed for Arsenal Street, Coolidge Avenue does not need to be included. Board should make better decision, hundreds of residents on Coolidge Ave would be affected. We need more transparency.

Steve Magoon, this characterization is unfair. This is a creation of a district to be consistent with the Comprehensive Plan vision. This is not blank decision for one developer. All developers have to come back with a proposal. The present zoning of the area is Industrial use, Comprehensive Plan land use map recommended change.

John Hawes, people are confusing rezoning of the district with a specific project. AODD is one zone for one project, this is not. This new district – RMUD – was suggested by the Comprehensive Plan. We still don't know what is Boylston Properties vision is, the new district will allow more flexibility.

Tony Palomba, 40 Oakley Rd, Town Councilor, if Boylston Properties did not come forward, would we have come up with something different? We do not want developer determining what should be in RMUD. I am in support of TDM plan, reduction in height, protection of open space, LEED.

Steve Magoon, if Boylston Properties did not come forward, we would not have done it so quickly. This will be an opportunity of test case, which is valuable. Most projects with single use come in front of the Board.

Gideon Schreiber, LEED is now required for all projects over 10,000 s.f., for all industrial zones. Because of the significant acreage at the Arsenal, more comprehensive look by Town that is consistent with Master Plan, is important.

Susan Falkoff, there are implications to extending the district. Both sides of Coolidge Avenue are ripe for improvements, only one side is included in the RMUD.

Steve Magoon, it is based on land use maps, diversified land use is preferable. We are trying to maintain places that make sense for residential use, industrial, etc. Other side is different, more industrial. There is no specific proposal by Boylston.

Gideon Schreiber, I-3 uses are going to be changed, no residential uses, only heavy industry in I-1. East side allows residential.

John Hawes, this is the last part of open space along the River. We need to strengthen the language. Map needs more clarification.

Deb Peterson, School Street, there is widespread desire to see development integrate with the community. I do not see it being discussed, it can be addressed as part of the RMUD. Lots of developments are proposed, design makes a significant difference.

Chris Tumpy, Attorney representing Home Depot, residential development should be excluded on the Home Depot side. Residents would object to truck traffic, deliveries, lighting, etc. Properties will become nonconforming, some protection is needed.

Gary Shaw, Russell Ave, a statement has been submitted to the Board. We feel that some of the proposed zoning changes are reasonable. We need to ensure that more open space is created. High construction would be detrimental to Charles and OSC and would undermine the modest scale of the Town's historic setting. Visual presentation is important to allow the community to understand the design.

Bill McQuillan, Boylston Properties, we expect to extensify this property with structured parking and less surface parking. Very few people are familiar with the green space behind the Mall. We will enhance it, as per the Comprehensive Plan, and provide access to the River. We do not have any drawings yet, the plans are at least 6 month away, this is only step one. The height will provide opportunity to build tall interesting building. This is a \$100 million investment, we are anxious to move forward and would like the Board vote tonight. The 100 foot wide open space is not acceptable, we need to get started.

Jonathan Bockian, it is shocking to hear that people will enjoy the River from tall buildings. Protecting the Charles will not be enhanced by creation of private housing. We should not trade this for open space, it would be a mistake.

Doug, 86 Coolidge Ave, RMUD is a gift for east end of Watertown. This has been residential district for a long time, 1981 & 1986. Other areas need to be included, this is a great opportunity to create a special district.

Barbara Ruskin, Spring Street, this proposal is very complicated. We need to make sure that we are not creating city within city.

Tony Palomba, I am very concerned with the issue of height. I do understand the need for flexibility, but we need to plan ahead. I am in support of the 100 foot setback. If the Planning Board votes, can the Town Council make amendments?

Steve Magoon, if it's a substantial change, it has to be re-advertised. If small, the Town Council can amend the proposal.

Fergal Brennock, 100 foot distance from the River is more detrimental in parking area. 100 feet from center of Greenough, 200 from edge of the River.

Marcia Ciro, 13 Bay Street, 100 foot zone is to back of the parking lot, we could have tall buildings. Open space is very important.

Sara Ryan, Pearl Street, 100 foot buffer is essential, this is the last open area on the River, it is very valuable. This is Watertown, not Fenway.

John Hawes, the Planning Board can approve the amendment as is and allow the Town Council to make further changes if needed.

Linda Tuttle Barletta motioned to recommend to the Town Council approval of the RMUD zoning amendment including the revised language in the Staff report addendum dated November 9, 2015.
Jeff Brown seconded the motion. VOTE: 4-0 In favor

Jeff Brown motioned to adjourn the meeting at 10:00 PM.
Fergal Brennock seconded the motion. Vote: 4-0 In Favor.