

WATERTOWN PLANNING BOARD

DATE: June 11, 2008 PLACE: Lower Hearing Room TIME: 7:00 PM COMMENCED: 7:00 PM

PURPOSE OF MEETING: Regular Monthly Meeting

PRESENT: Jack Zollo, Acting Chairman; Linda Tuttle-Barletta; Peter Abair;
Jeff Brown

Acting Chairman Jack Zollo opened the meeting at 7:00 PM.

ADMINISTRATIVE BUSINESS

Jeff Brown motioned to approve Minutes of 5/14/08 & 5/19/08 meetings.

Linda Tuttle-Barletta seconded the motion.

VOTE: 4-0 In favor

CASE PENDING

- **136 Acton Street;** Irada & Kevin Brady – Special Permit Finding & Variance

Irada Brady, the 5,001 s.f. lot is located in S-6 zone. We have purchased the single family home in 2005 and would like to remove existing staircase and build a 15"x21.7' deck onto the left side of the home. The front and rear yard setbacks are nonconforming. The proposed deck would be located 6' from the garage and stay in line with the edge of the house. A special permit finding is needed to allow continued setback in the front and 12.1' to 11.5' setback. A variance is required due to the proposed 6' distance from the deck to the garage where 10' is required. Because of the placement of the house on the lot, we do not have a backyard. The house has a detached garage. The deck would not be visible to our abutting neighbor. If we build the deck within 10 feet of the garage, the deck would be only 11' wide and not very functional. The

neighbors are in agreement with the proposed deck. The house consists of small rooms and this proposed deck would expand our living space making the house more functional.

Danielle Fillis, staff reviewed the request for special permit finding and variance. The proposed 15'x21.7' deck is larger than the detached garage and would be detrimental to the neighborhood. Staff is unaware of any special circumstances related to the land. The desired relief cannot be granted, the proposed deck is visible from the public way. Staff recommends denial of the petition, staff would be willing to recommend approval of reduced size 11'x21.7' deck that would conform to the requirements of the Watertown Zoning Ordinance.

Peter Abair, I agree with the staff report recommendation. The size of the deck should be reduced, 11' is sizeable.

Irada Brady, if reduced in size, the deck would not be usable. Table and grill would make the space tight. We have made many improvements to the house, the house has been painted. As proposed the deck would be more pleasurable to us.

Kevin Brady, the abutting house in the rear built an addition. This deck would square the space off.

Jeff Brown, I agree with the staff, the deck should be smaller.

Linda Tuttle-Barletta, granting of a variance requires higher standards, there are other options.

Linda Tuttle-Barletta motioned to recommend to the Board of Appeals approval of the Special Permit Finding under Section 4.06(a) based upon the finding that it meets the criteria set out in the Zoning

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Ordinance subject to conditions set forth in the staff report and that we agree with the staff that reduced size deck measuring 11'x21.7' would be preferable.

Peter Abair seconded the motion.

VOTE: 0-4 Denied

Linda Tuttle-Barletta motioned to recommend to the Board of Appeals denial of the Variance under Section 5.04 based upon the finding that it does not meet the criteria set out in the Zoning Ordinance.

Jeff Brown seconded the motion.

VOTE: 4-0 In favor

- **445 a/k/a 441 Main Street; Arto Demovsesian – Special Permit**

Arto Demovsesian, the gas station is located on the corner of Main Street and Edenfield Avenue. I wish to supplement my current business, gas station and repair, by selling used motor vehicles, maximum of 2 vehicles. The property is located in LB district where such a use is permitted by a special permit. My auto repair license allows for 10 vehicles, I am asking for 2 more vehicle spaces which would be located near the sidewalk on Main Street, near the brick wall of adjoining businesses. There are 8 other similar businesses in Watertown. The sale of 2 vehicles will not adversely affect the neighborhood. They have been no objections from abutters when I have applied for license before. There is a sufficient space for cars to enter and exit my service station.

Frank Salvucci, 12-14 Edenfield Ave, I have supported the previous petition. I cannot support this request. There are too many vehicles on the site already. Trash, equipment, old batteries are scattered on the lot.

Danielle Fillis, staff reviewed the petition and evaluated the request. The proposed use is not allowed in LB district as a principal use, only as an accessory use. 2 extra cars will add to the problems. The proposed use would adversely affect the neighborhood. Site is not adequate for the existing use, there is no space for additional 2 vehicles. Staff recommends a denial of the request. Staff would recommend an approval if only 1 vehicle sale space be allowed. The second space would be used as a temporary customer parking. All 12 spaces should be striped, sign on the abutting brick wall should be removed.

Frank Salvucci, this is a very small lot, the owner promised to clean up the area before but it never happen.

Arto Demovsesian, we had an arrangement with AAA to store the batteries temporarily, they have now been removed.

Jeff Brown, this is not a family court, we do not settle neighbor disputes. If there is an objection from the abutter, we usually vote with them.

Peter Abair, I would suggest to ask for continuance, clean up the lot to satisfy the abutter, and come back.

Linda Tuttle-Barletta, this looks like a hazardous site, it needs to be cleaned up.

Danielle Fillis, parking is chaotic because of lack of striping, signage and place for customers to park. If there is evidence that the current use operates properly and no outdoor storage, the Board's vote can be different from staff recommendation.

Linda Tuttle-Barletta, this is a very busy corner. If the site is cleaned up, there might be a potential for adding additional use.

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Linda Tuttle-Barletta motioned to recommend to the Board of Appeals denial of the Special Permit under Section 5.02(m) based upon the finding that it does not meet the criteria set out in the Zoning.

Jeff Brown seconded the motion.

VOTE: 4-0 In favor

- **71 Arsenal Street a/k/a 32 North Beacon Street;** Richard Menson, President, United Cerebral Palsy of Metro Boston, Inc. – Special Permit Finding, Special Permits & Variance

Steve Winnick, Arty, United Cerebral Palsy is a nonprofit organization. The 4,850 s.f. property is located in LB zone, bounded by Arsenal and North Beacon Streets, adjacent to Hess gas station and Chinese restaurant on the east. The 2,630 s.f. structure is L shaped, the remainder of the site is blacktopped with no landscaping. UCP is proposing to add a second story addition within the existing footprint. The relief is needed for parking, there use to be 13 nonconforming spaces on-site, 5 in the front 8 in the rear. The UCP is proposing to grandfather 4 of the existing 13 spaces. The additional second story will require 5 more spaces which would be auxiliary. A 2 year agreement was reached with Bernard Loughran located at 75 North Beacon Street, to provide the additional 5 spaces. The structure will be used for administrative workers only, and management workers who travel to the clientele.

Ronald Jarek, Architect, this is a one-story existing building that will be gutted and rehabbed to provide modern office space. Second floor will be added, as well as dormers and an elevator located in the tower. The façade treatment will include brick, stone and stucco panels, replacing the existing vinyl siding. New metal roof and energy efficient windows will be used. The main address will be on Arsenal Street, North Beacon Street will be strictly for deliveries. If the building is sold in the future, the rear door can be changed to be larger and canopy could be added. There will be no usable space in the attic area. All windows in the front and rear are identical in size. All will have operable sash and can be opened and closed. The façade is fiber cement, smooth finish. Variety of the elements is consistent with other buildings in Watertown.

Peter Abair, where are the air conditioner units? Is there a crosswalk to get to the off site parking spaces?

Ronald Jarek, the units are located outside, behind the dumpster. There is no crosswalk.

Richard Menson, President, the construction should take about 6 months. There are 15 staff members on the site now, we will not add any new staff after the addition is build.

Danielle Fillis, staff reviewed the criteria for special permit finding for a nonconforming structure, the expanded structure will not be more detrimental than the existing structure. All the criteria for granting of the special permit have been met. The site is an appropriate location for such use, there will not be adverse effect on the neighborhood. Parking situation will improve, there are no pedestrian safety concerns. The parking facilities will improve. The site is unique, sandwiched between two major streets. The variance requirements have been met. The staff recommends that the façade in the rear be changed to better relate to North Beacon Street. Staff recommends approval of all the relief.

Steve Winnick, we have incorporated some of the suggestions in the staff report.

Linda Tuttle-Barletta motioned to recommend to the Board of Appeals approval of the Special Permit Finding under Section 4.06(a) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Jeff Brown seconded the motion.

VOTE: 4-0 In favor

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Linda Tuttle-Barletta motioned to recommend to the Board of Appeals approval of the Special Permit under Section 6.01(g), 5.05(d), based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Peter Abair seconded the motion.

VOTE: 4-0 In favor

Linda Tuttle-Barletta motioned to recommend to the Board of Appeals approval of the Variance under Section 5.04 based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Jeff Brown seconded the motion.

VOTE: 4-0 In favor

Acting Chairman Jack Zollo adjourned the meeting at 8:20 PM.

MEETING ADJOURNED: 8:20 PM MINUTES APPROVED: _____

For more detailed Minutes see tapes dated 6/11/2008 available in the DCD&P office.