

WATERTOWN PLANNING BOARD

DATE: July 8, 2009 PLACE: Town Council Chamber TIME: 7:00 PM COMMENCED: 7:00 PM

PURPOSE OF MEETING: Regular Monthly Meeting

PRESENT: John Hawes, Chairman; Jack Zollo; Jeff Brown

Chairman John Hawes opened the meeting at 7:00 PM.

ADMINISTRATIVE BUSINESS

Jack Zollo motioned to approve Minutes of 6/10/09 meetings.

Jeff Brown seconded the motion. VOTE: 3-0 In favor

CONTINUED CASES

- **7 Ralph Street;** Alan Marchant – Special Permit Finding

Ken Leitner, Atty, the undersized lot is located in S-6 zone. The lot is nonconforming in size, frontage and side yard setback. The petitioner proposes to add second story to have 3 bedrooms and a bath. The first floor will consist of kitchen, bathroom, living room, dining room and a small office. A single story 6.5x7 foot mud room will be added in the rear. The proposed change will be beneficial to the single family neighborhood.

Danielle Fillis, Special Permit Finding under Section 4.06(a) is required. Staff found that the proposed changes will not be substantially more detrimental than the existing nonconforming use, and recommends approval.

Jack Zollo 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: 3-0 In favor

- **132 & 140 Pleasant Street; Claudio Coppola,** Coppola Pleasant Street LLC – Special Permit Finding

William York, Atty, I have been contacted by the Coppola family to represent them in this request to extend nonconforming use on the above properties. Claudio has conducted landscape business from this site for the last 35 years. We are now proposing the same but upgraded use. A relief under Section 4.06(a) is needed to extend the use to include nursery items such as flowers and bushes. The will not be any retail business conducted on the site. Only vehicles associated with the landscaping business will be serviced on this site. The site will be cleaned up and improved. The area will be screened, well organized and maintained. Trucks will go out to construction sites in the morning and return in the late afternoon. The proposed hours of operation are April to November, 7AM to 7:30PM, Monday through Friday and ½ day on Saturday. During the winter months, only 10 employees will attend the snow operation as needed.

Landscape Collaborative has operated at 36 Washburn Street in Watertown for the last 20 years. They are willing to work with neighbors. This site is licensed for 25 vehicles, employee parking will be on site, and an attendant will be on the site. Mr.Coppola will provide a 3 year lease to this established business.

Michael Piering, owner of Landscape Collaborative, we have provided landscape services for homes, businesses and public spaces in the Boston area. We have always been based in Watertown and for the last 20 years rented a yard on Washburn Street. We pride ourselves on keeping a well organized

site. We spend large amount of our operating budget on purchases in Watertown and would like to continue our business in this Town.

Danielle Fillis, the request was reviewed by the staff. The proposed change is not substantially more detrimental than the existing nonconforming garage. The Planning staff recommends a 6' high solid fence to screen the area. The staff recommends an approval.

Steve Magoon, we have discussed the application very extensively with the applicant. Visual impact of the trucks from the street will be minimal. Jersey barriers will be removed. We have visited the applicants existing operation on Washburn Street that is very organized. Significant number of employees commute by bicycles.

William York, Mr.Coppola's landscape business will continue to operate in the rear. Smaller trucks can enter/exit easily. Trucks with a trailer will back into the site. There will be no structural changes to the former garage. The 118.Pleasant Street will continue to be used as a 2-family house.

Michael Piering, the utility trailer is 8-9' long, trucks 10-12'. They are all in immaculate condition. Yard waste is taken to a site in Cambridge. Only small amount of building material inventory is kept on this site.

Dominic Zaccagnini, 23 Conant Road, this project should be put on hold until the Pleasant Street improvements are completed. This is the only spot in an area surrounded by residential area that has commercial business.

William York, this is not a 24 hour operation, the business will be closed on Sundays. This is an existing use in this neighborhood and the applicant will have 3-year lease. 9 trucks and all equipment will be in enclosed fenced yard. A landscape business was on this site for the last 40 years.

Steve Magoon, we cannot restrict people's use of the property to wait for future process, we cannot put moratorium on individual uses. If planning effort happens, this is only temporary 3-year lease.

Dominic Zaccagnini, will the use change to residential after 3 years?

John Hawes, this is an ideal use with minimal investment, the use is almost by right. The Planning process needs to go forward.

Clyde Younger, 188 Acton Street, I am very impressed with Mr.Piering comments regarding his company's use of local businesses. It is important to keep his business in Watertown, I am in favor of the petition.

Chuck Langenhagen, 111 Pleasant St #36, can there be a restriction to this permit, is there a time limit? If this company decides to move later, other company might not have the same reputation. Will any composting done on the property? Restrictions should be placed, promises were made before and not kept.

Michael Piering, only small supply is kept on the site, mostly organic materials, no composting.

Steve Magoon, the permit is for the site/property owner, not the applicant. The lease is very short. This is only a change in existing operation. The trucks parked in the front could be screened with a gate. The previous auto repair business had 25 vehicles parked in the front.

William York, the permit runs with the land, the neighbors can petition review.

Susan DeLong, 26 Conant Rd, this is a great use and there are only few minor concerns. How far back is the fence will sidewalks be added, how wide is the entrance, any plantings placed in the front? Will traffic lights be placed at the Myrtle/Pleasant Street intersection?

Steve Magoon, the Pleasant Street project is ongoing and will include sidewalks, curbing and the lights. A fence will be right behind the sidewalk with driveway apron as part of the sidewalk. The owner saw the plans showing the curb cuts.

Teresa Jones, daughter of Claudio Coppola, there used to be 10 potato chip trucks parked on the lot. Property has been unoccupied for the last couple of years. My father needs income from this property.

John Hawes, hours of operation can be added into the conditions.

William York, we have been asked not to start before 7. Some employees come at 6:30, some evenings the trucks will come beyond 5, 6:30 during the summer.

Steve Magoon, the hours could be 6:30 to 7, Monday to Friday, Saturdays 6:30 to 3.

Jeff Brown 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 with additional conditions that hours of operation will be 6:30 to 7, Monday to Friday and Saturdays 6:30 to 3.

Jack Zollo seconded the motion.

VOTE: 3-0 In favor

CASE PENDING

- **32 North Beacon Street a/k/a 71 Arsenal Street;** Richard Merson, President, United Cerebral Palsy of Metro Boston, Inc. – Amendment to Special Permit, Special Permit Finding #08-19

David Webster, CFO, the organization came in front of the Boards year ago. Due to budget cuts we are now representing ourselves. A Special Permit Finding was granted but our concern was with the off-site parking and we have decided not to add the second story. We are proposing a scaled back renovation of the existing building and asking for an amendment to previously approved plan. We are proposing to add a half-story attic with no enlargement of the existing footprint, a new exterior siding will be installed, new working spaces.

Danielle Fillis, there will be no increase in the square footage, special permit is eliminated but variance for rear yard setback will remain. Parking layout has been improved. The building is an appropriate site for such a use, there will be no hazards to pedestrians. Adequate facilities will be provided and criteria have been met. Staff recommends approval.

Ronald Jarek, Architect, the new roof will make the building more grand and provide better corporate image, making the building look more important. The left wall is adjacent to a Chinese restaurant, because of 6" setback on our property, the siding on our building can only be done if the neighbor allows us to use their side yard. Otherwise we would have to bring the wall down, place the siding and reposition. We are trying to meet with the owner of the Chinese restaurant.

July 8, 2009

Page Four

Jack Zollo motioned to recommend to the Board of Appeals approval of the Amendment to Special Permit Finding and Special Permit # 08-19 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: 3-0 In favor

OTHER

Steve Magoon, we have received a letter from Cindy Munch who is concerned with cell phone antenna impact. She suggested that an independent radiofrequency engineer who is not associated with the cell phone industry providers should provide review for the Town at the expense of the applicant.

Jeff Brown, as per FCC, the Boards are not allowed to address radiation concerns, only aesthetics.

Steve Magoon, we cannot delay/amend an application based on our perception of health impact. Independent analysis would be helpful. It should be done on case by case basis.

Chairman John Hawes adjourned the meeting at 8:45 PM.

MEETING ADJOURNED: 8:45 PM MINUTES APPROVED: _____

For more detailed Minutes see tapes dated 7/8/2009 available in the DCD&P office.