



TOWN OF WATERTOWN
Zoning Board of Appeals
Administration Building
149 Main Street
WATERTOWN, MASSACHUSETTS 02472

Melissa M. SantucciRozzi, Chairperson
David Ferris, Clerk
Christopher H. Heep, Member
John G. Gannon, Member
Kelly Donato, Member
Neeraj Chander, Alternate
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MINUTES

On Wednesday evening, April 26, 2017 at 7:00 p.m. in the Richard E. Mastrangelo Council Chamber on the second floor of the Administration Building, the Zoning Board of Appeals held a public hearing. In attendance: Melissa SantucciRozzi, *Chair*; David Ferris, *Clerk*; Kelly Donato, *Member*; Christopher Heep, *Member*; John G. Gannon, *Member*; Jason Cohen, *Alternate Member*. *Absent: Neeraj Chander, Alternate Member*. Also Present: Steve Magoon, *Director, Community Development & Planning and Assistant Town Manager*, Mike Mena, *Zoning Enforcement Officer*; Andrea Adams, *Senior Planner*; Louise Civetti, *Clerk to the ZBA*;

Chair SantucciRozzi opened the meeting at 7:02 p.m., explained that there were some agenda items that would not be moving forward and that she would introduce the board members and staff, and then review the agenda. She stated the order of the agenda would be 15 Arden Road, Request to Withdraw; then 136 Acton Street, then 101-103 Morse Street and then 23 Elm Street. She then introduced the staff and members.

Chair SantucciRozzi swore in the audience.

Chair SantucciRozzi asked for a motion to approve the minutes for January and March. Member Ferris asked to table the minute for March as he has not had time to review them. Chair tabled the minutes and asked for motion on the January Minutes. Member Ferris motioned to accept the minutes of the January meeting. Member Heep seconded. Voted 5-0. Approved.

Member Ferris read the legal notice for 15 Arden Road:

15 Arden Road

Richard Williams and Jeanne Segal, 15 Arden Road, Watertown, MA 02472, herein request the Zoning Board of Appeals grant a **Special Permit Finding** in accordance with Watertown Zoning Ordinance §4.06(a), Non-Conforming Front and Side(s) Setbacks and Maximum Building Coverage, so as to construct second, third floor and garage additions within the non-conforming front and side yard setbacks, and to increase the non-conforming building coverage from 20.02% to 20.35%, where 20% maximum is allowed. S-10 (Single Family) Zoning District. ZBA-2017-05

Member Ferris motioned to withdraw the case. Member Heep seconded. Voted 5-0. Withdrawn.

Member Ferris read the legal notice for the next case:

136 Acton Street

Allyson Cronan Shields, 136 Acton Street, Watertown, MA 02472, herein requests the Zoning Board of Appeals grant a **Special Permit Finding** in accordance with Watertown Zoning Ordinance §4.06(a), Non-Conforming Front and Rear Setbacks, so as to reconfigure the second floor, maintaining non-conforming front and rear yard setbacks. S-6 (Single Family) Zoning District. ZBA-2017-06

Cadido Soares, Douglas Okun & Associates, Cambridge, MA explained that the existing house is a Cape-style (Ms. Adams set up a computer for Mr. Soares to use in his presentation). He explained that it is a Raised Cape on the rear side with a dormer and the front is roof-level with 1.5 stories. They are removing portions of the existing roof. They are proposing larger dormers on the front. They are removing two small dormers on the existing roof and adding two larger dormers and in between, there are shed dormers. The point is to provide headroom to make the upper level useful. It is on a corner lot and conforming to the neighborhood. It maintains the existing footprint. Mr. Soares explained each of his drawings.

Member Cohen stated the elevation plan states 'possible new windows' and asked if they would be new. Mr. Soares said it is up to the homeowner to replace the existing windows on the first floor. He said the word 'possible' will be removed from the plans.

Member Ferris asked about the siding. Mr. Soares said it is currently an 8 inch siding. He may just leave it. The rear elevation would be stripped and replaced. They may do the entire house if the budget provides. They will try to match it at the dormer or put in the 4 inch. Member Ferris said the siding is painted. Mr. Soares said a company in Maine will match it but it depends on the budget. He said they can buy white and paint it. Mr. Ferris commented that it would look better if it were consistent.

Mr. Soares said they have considered other options (to provide the budget for the siding). One consideration is the second bathroom may not be finished upstairs – they could leave it as a closet, put in the rough plumbing and go back later.

Mr. Ferris asked about the new canopy. Mr. Soares said it is 18" wide from the fascia. There may or may not be brackets. They could attach it with bolts like hanging cabinetry (cantilever). He said he would go to a structural engineer for sign off and the brackets would be decorative.

Member Donato expressed concern to match the siding. Mr. Soares reiterated that the budget may allow them to do the siding and hold off on the second floor bathroom.

Chair SantucciRozzi said she has seen the rear dormers before and they do not look done. Mr. Soares said it provides extra headroom for those two rooms – similar to old carriage houses. Member Ferris suggested going straight across the two gabled dormers to create a shed dormer instead. Chair SantucciRozzi said these gabled dormers take away from the building and add to the massing in the rear. Mr. Soares agreed to continue the shed across at the same level of the middle.

Chair SantucciRozzi said half to two-thirds of the second floor is going to be stripped and what the neighbors see is just as important as the interior. There will be three baths when they are done so delaying the other bath to budget for the siding and windows will keep with the spirit of the ordinance.

Mr. Soares asked if they wanted to have the elevations redrawn before they submit to the building permit. He agreed to submit them early.

No one spoke from the audience. The business mode was declared and the report of the Planning Board was summarized, noting the planning board voted 4-0 to approve the petition with "boiler-plate" conditions. This board added the following conditions: Whatever material they choose, make it match the entire exterior – not new siding throughout but consistency in the siding. Mr. Soares stated that he will remove the word, 'possible' from the windows. Chair SantucciRozzi stated that if the windows are

replaced, that they match, as conditioned in #6. She added that he can follow-up with staff with updating the plans. Mr. Ferris again stated that the consistency of the siding is conditioned and the rear dormer should have a single fascia line (at about 7'3" plate height) and he asked if they are conditioning the windows. Chair SantucciRozzi clarified that they are stating the windows should match. Mr. Soares added that they will add the brackets to the front.

Mr. Mena asked if the windows are going to change to the proposed. Member Cohen said for the consistency, the existing windows should change.

Member Ferris motioned to approve the petition for Special Permit Finding with the conditions stated. Mr. Heep seconded. Members Ferris, Heep, SantucciRozzi, Donato and Gannon voted in the affirmative (5-0). Alternate Member Cohen did not vote.

Member Ferris read the legal notice for the next case:

"101-103 Morse Street. Hendren Associates Architects, Agent for 101-103 Morse Street, LLC, 99 Yarmouth Road, Chestnut Hill, MA 02467, herein requests the Zoning Board of Appeals grant a Special Permit Finding in accordance with Watertown Zoning Ordinance §4.06(a), Alterations to Non-conforming Uses/Structures, Side, Front and Rear Yard Setbacks, so as to allow the conversion from one non-conforming use (Retail/Commercial) to another non-conforming use (Residential/Multi-Family 4+) in an existing building adding several dormers to the easterly building (#101), maintaining the non-conforming side, front and rear yard setbacks and further the proposed 48 units are subject to §5.07, Affordable Housing requirements. T (Two-Family) Zoning District.

William York, representing 101-103 Morse Street, LLC. He introduced the owner, Kamran Shahbazi and Hendren Associates Architects. He provided history of the building stating the legal non-conforming use of the building is in a residential 'T' zone. He said the use of the building from 1870 – 1920's was a manufacturing facility for textiles. This evolved into a commercial structure, most recently occupied by businesses and a school. The use and the building are legally non-conforming to parking, height, front, rear and side setbacks. The use, as proposed, will restore and revitalize the building, as the Historic Commission commented in their letter. He added that the proposed use as a residential building will be more conforming than the existing use, which is consistent with the (Town's) Comprehensive Plan. This proposed use is not substantially more detrimental than the existing use and is more beneficial. Atty. York thanked the Planning Board for their unanimous recommendation and noted the Planning Staff for the work they put in.

Kamran Shahbazi addressed the board stating he purchased the building about a year ago as an investment and at the time fully occupied with a great cash flow. He did not expect to be in front of the board and had not expected the anchor tenant, Cortiva Institute to vacate. He looked into the possibility to convert this to a residential use to conform to the residential zoning district it is in.

Gary Hendren, Architect, thought the building could be converted to housing and considered an alternate use. It is a challenge with the windows, floor patterns, etc. He shared some of the history of the building – noting with photos projected onto the monitors, that this was built as a factory; a single building in 1871 with the mansard roof. There have been 9 different additions since then. There are 5 different structural systems with columns made of steel, wood and iron. There are floor levels that do not line up and some windows do not line up. It is a strong and sturdy building although it could use some help. The building is covered with vinyl siding. The building with the mansard roof is the main building. The mansard is only on three sides now. The two-story building is the annex building built around 1921 and has less character than the original. The brick is still at the base of the main building where the entry is located. They plan to have no addition to the foot print of the building but doing a complete re-use. They will add and expand some windows to the existing building. The courtyard (the center building) is a series of four different buildings put together. The elevation from Morse Street is another building with a gable roof. They looked at 48 units and have now reduced it to 44 units. The plans they are using are dated April 20th as the revision date. The annex building will be townhouse style units. This was built into a hillside and explained the portion of this building that does not have windows is used for storage; mechanical and an

elevator. He added that there are two units that enter at grade. Sprinkler updates to the building had been done along with the elevator. He stated there are plans for said there were 44 windows – one for each bedroom and 45 parking spaces. He showed a map with a diagonal dotted line with 45 parking spaces towards Morse Street and on the back side of the dotted line, an additional 15 spaces through an easement (not counted in their parking count). They have added landscaping into the parking lot to decrease the impervious surface. The storm drainage systems were upgraded about 10 years ago with gas/oil separators and they only need to seal coat and stripe the parking lot. He said this is an oddly shaped building with a courtyard in the center and they planned the units around the courtyard for light and air, utilizing the existing elevator, it was suggested that they cluster their accessible units because this building is on a hill with access through the courtyard but that accessible unit would have to come outside and around the building to use the laundry. There are two laundry areas in the building and the accessible units would park in the parking lot, take the elevator to this unit and then be able to use the laundry in that building. He displayed a chart with the planned number of bedrooms per unit – 3 studios; 29 one bedroom units; 11 two bedroom units and 1 three bedroom unit. They have 7 affordable units scattered throughout the building. Because of the high ceilings in the rear building, they created townhouse-style units. The mechanical systems are large and are exposed on the pitched portion of the roof – they will change that, cluster and move them to the flat roofed area and screen them. The elevations with the mansard roof will be maintained, with siding and windows replaced. The annex building will have larger windows. The east elevation will have double-window style and consistent windows. At that area, they are only 7' from the property line so they are limited. The siding will be a fiber-cement material. He then went through each elevation. He added that they had a traffic engineer compare this to a commercial building and to the school and they have the results of the IT study. They are substantially decreasing the traffic and parking for this site.

Chair SantucciRozzi said these plans are done by people that are traffic engineers, architects, etc. and she asked what the acronym 'FSL' stands for. Mr. Hendren said it is Fred S. LeBeau.

Mr. Hendren said there is a large power pole in front of the building that will be relocated and the transformer, etc. will be put underground. The look from the street will be cleaned up.

Connie Krystle, 66 Morse Street, saw in the Tab (newspaper) that there will be 62 units and she wondered how they would fit all of these in those buildings. Now it is 44 units – she wonders how the parking is going to work out for all of these units. How will they all get to work at the same time – will that create a lot of traffic. She added that there aren't that many cars on Morse Street for the people living there. She asked if they can enter on one side and exit on the other. Chair SantucciRozzi said that the 45 spaces that are there will function in the same manner as it had before. She then asked for the traffic engineer to go over the traffic generation.

Mr. Hendren said Cortiva School had 60-70 students in the building at the same time and 6-8 tenants. They had an additional 50 parking spaces at the Hibernian Hall. He went over the trip generation from a commercial use to a residential use. He identified all of the prior uses which had different land use codes with Cortiva (school) having the largest square footage at 21,000. He said the commercial use had a trip generation of 816 trips a day and the residential use will have 299, a reduction of 63% under the proposed use. Chair SantucciRozzi questioned the residential codes used; why the IT person wasn't there to represent the outcomes and that the driveway should have been counted in the trips. Atty. York stated that the building was primarily vacant when the report was done. He pointed to the Watertown Zoning Ordinance, section 6.02(j), parking requirements, and for a commercial are around 90+ spaces, where for residential, it would be 50 spaces – a significant reduction. He then added the definition which explains the by-law and how the reduction in parking reduces the number of trips. Chair SantucciRozzi said there will be more activity on the site and more people entering and exiting the site (than there is now). She agrees that they are becoming less non-conforming for the parking use and today, the parking lot is not fully utilized. She added that the traffic report is not an accurate depiction of what is happening there today.

Linda Atamian, Morse Street, asked if there are 45 parking spaces and 44 units, what if there are two cars in one unit. Mr. Shahbazi said his experience is in managing multi-families for 15 years, the parking

need is two-thirds the number of units. He does not think all 44 spaces will be rented out. The units will be unbundled, they will pay for their parking space and be required to register – the spaces will be numbered and the unit will coincide with the space. He asked to consider the trip generation Cortiva, where there was a lot more cars coming in and out – they had to get 50 spaces off-site. The parking lot was not full because the students parked off site. The use has tapered off since the school was winding down.

Member Gannon asked about the parking easement spaces. Mr. Shahbazi said the town/public uses it from 6 pm – 7 am and this property uses it the rest of the day for overflow guest parking and if they are not able to provide additional guest parking on their site. They plan to use 5 additional spaces for their guests. He plans to have a registry by plate. Since he will have the registry, the concern is with others parking in the other lot past 7 am. Atty. York added that if a sticker program were to be what the board wanted, they would do that. The difference is 5 spaces that are required (they have 45, they need 50). He added that this town is looking at reducing single resident vehicles in a space and this is a single smart building. Mr. Shahbazi said stickers can be moved from vehicle to vehicle and he wants to have more control than that.

Ms. Krystle is concerned that all of the cars in the parking lot are going to be idling in the morning at the same time.

Councilor Kounelis asked about the un-bundling and if there will be on-site management to monitor those that do not purchase parking. There should be specifics in place including over-night guest parking. There shouldn't be spill-over into the neighborhood streets.

Councilor Feltner asked about a snow management plan for this parking lot. The easement agreement that was signed isn't the same that she thought they were working with. This needs a new easement agreement to be voted by town council. This appears to be a new opportunity for the applicant to pay into improvements to Casey Park or green space on-site. This is a substantial use change and they will need to use 5 additional spaces in the easement parking. Open space would be a better use at the easement site. She added that the original agreement to use that easement area for parking had expired after 5 years.

Chair SantucciRozzi stated that the town owns the land that is shown as 15 additional parking spaces and if the town wants to make it open space, then they can make it open space. Member Gannon said the Community Preservation Act was recently passed and the committee can make recommendations. If the agreement has expired, there is nothing to go on from here. Chair added that the town can access the utilities on the petitioner's property if they needed to and they haven't any obligation to do anything with the 15 spots. Councilor Feltner said they could negotiate between the Planning Board, the petitioner and the town to be open green space. Chair clarified with the petitioner that they do not want to re-negotiate the agreement because they need an additional 5 spots. Member Gannon said the easement is expired and this board does not have the ability to condition town property. Councilor Feltner said if they put that many units in, they should have more open space and they do not have enough space to add open space without taking away parking and they need all of that parking with that many units. She stated that a dual space could benefit the neighborhood and this petitioner. She said people are not concerned with the use being residential; they are concerned with the number of units.

Steve Magoon, Director, Community Development and Planning, Assistant Town Manager, said the comments thus far are regarding if the previous use had scaled down and didn't have much of an impact recently (or ever) and from a Land Use perspective, the building could be occupied by a commercial use that would generate a lot more traffic than is proposed by the residential use. The change in use requires approval by the town and this board and it is fair to look at this proposal compared to what it could be as a commercial building. He stated the town will work out the details of how the easement arrangement will be executed. Chair confirmed that the ZBA cannot bind the petitioner into an easement arrangement. If he chooses not to use that area, we do not have to make him use the area.

Councilor Piccarelli read from a document that he believed was the easement. However, Mr. Magoon

stated that was not the signed easement agreement.

Councilor Piccarelli stated that unless the town has an easement agreement to come across their (the petitioner's) property, there isn't any way to access this town-owned property. He added that as Ms. Feltner was saying, if this special permit is granted, is there a condition that allows the public to travel over their property to get to the Town's parking lot? The town-owned lot is being used by this petitioner for his own property and if the public is excluded from the use, it doesn't make sense. He added that if this board is going to grant the permit, then this is the time to clarify this easement. Chair SantucciRozzi said that the town needs this petitioner's property to gain access to the town's property. This petitioner does not need the town. Councilor Piccarelli stated that the town may want to ask this petitioner to allow the easement to be able to use those 15 spots for residential over-night parking.

Member Gannon asked if the neighbors know there is overnight parking at this lot. This is not listed on the town's notices for free over-night parking. Councilor Feltner said Cortiva had signs up that read, Private Property, No Trespassing' and 'Cortiva Parking Only'. Therefore, no one else would dare park there. There are not any signs stating that the public is allowed to use that lot. Although some people did know there was public parking there.

Mr. Magoon said there is mutual benefit to have an agreement similar to what was in place previously. He has every intention of looking into this agreement and he has already spoken to the applicant regarding this. The parking lot was not well utilized or advertised for public overnight parking; access to the park; utilities in the parking lot, etc.

Chair declared a business mode after no further questions were asked by the audience.

Member Donato commented that the description the property is conducive to family living and 70% of the units are small or studios. She asked what the plan is for snow removal. Atty. York said the snow would be stored on the site unless it were a significant snow fall, then it would be removed from the site.

Member Donato asked how they would manage not having more than 5 overnight guest passes. Mr. Shahbazi said he has personal experience with registered plates and they would tow anyone without being registered. If they renew the agreement with the town, the 15 spots would not be managed. He added that it will be managed by him over all day. The tow company would not tow the 15 spots.

Member Ferris said a residential use is appropriate for the site and the plans leave a lot of questions. The plan A100, the 45 spaces show 2-tandem. Mr. Shahbazi said the tandem could be one unit and other units would not have any parking.

Member Ferris said the trash placement is probably in the worst place as it is next to a neighbor's home who had their windows open. Mr. Shahbazi said the existing 8 yard dumpster has been there. He said the 'roll-outs' will benefit the area as the truck will not have to back up to them. They can be managed through the parking lot. He originally had the dumpster in a different spot and he was requested to move it closer to the building, which he did.

Member Ferris asked about the bike rack placement as it appears they have to carry their bikes down an exterior stairway to get to the storage room. Mr. Hendren said that is one way to access that storage room – through the exterior stairway from the courtyard. He said there is also an access through the storage area from the ramp. There are two summer use bike racks in the courtyard. He added that it is easy to carry your bike down the stairs to the storage area. Member Ferris added that it appears impractical to park bicycles on the lawn.

Member Ferris asked who owns the stockade fencing around the property. Mr. Hendren said that is owned by the school. The chain link fence around the parking lot is owned by the project. The fence between the residential neighbor is owned by this group (Mr. Shahbazi). Mr. Hendren said the fences will be replaced. Member Ferris asked that the replacement fences be noted on the plans as well as site lighting (will not change). He said the traffic islands in the center of the lot contain two light poles. The

site will not be regraded; more green space will be added near the handicapped parking area. The rest of the parking lot will be undisturbed.

Member Ferris said the stairway emptying into the lobby may not be grandfathered in with this extensive change in use.

Member Ferris said unit 101, has a roof area with mechanical equipment. Mr. Hendren said that will all be removed.

Member Ferris commented that all of the accessible units are on floor one and someone may like to live on a different floor.

Member Ferris is concerned with the distribution of windows. He notes big rooms with two small windows. He asked if there are enough windows for daylight requirements (unit 209). He added that he is uncomfortable approving plans that are not finalized. Mr. Hendren said he put windows in where they were allowed to put windows – the historic group requested they do not change the Morse Street elevations. Two of the facades have property line issues and other building code issues where he could not place windows where he wanted.

Member Ferris said the third floor may not be highly desirable if it is a large room with small windows. Mr. Magoon said the comments from the planning board were that the relief requested did not match the plans submitted and they would have to apply for a variance to add the dormers. They then decided to keep the existing dormers on the third floor.

Member Ferris commented that the documentation that was submitted is going to be different once the construction is started and the board would want to approve what was being constructed. He added that residential use is good and the south elevation is not a great depiction of the actual grade. He wondered at first, if they were changing the road grade. He added that there are notes on the plans that do not include the details – what is the material on the mansard roof; types of window material, he wants this type of detail on the drawings. They want the drawings to be representative of what is actually built.

Mr. Hendren said there are lots of decisions to be made about the project and they could submit the documents at the end. Chair SantucciRozzi said the plans submitted are the plans that will be used to build. They do not wish for him to have to come back to the board for all types of changes. Mr. Hendren said the detail could be added when the decisions are made. Member Ferris said the drawings could be clapboard but it doesn't say. He reiterated that the board will approve what is on the plans and requires detailed plans. He added that these plans do not represent the project sufficiently.

Member Heep agrees with Member Ferris and commented that he is having difficulty with the number of units in a two-family zoning district. They have seen a lot of multi-unit homes going up in Watertown recently and they are within zoning districts that allow multiple units. A two-family zoning district does not. He stated that the board looks for the details to off-set the density. He is concerned with the absence of corresponding mitigation.

Member Gannon stated that he is also concerned with the number of units. He said there were 7 affordable units on site and wondered who is monitoring those and the location of them. Andrea Adams, Senior Planner, noted that the Commission on Disability changed the project somewhat to what the Planning Board considered. The criteria addressed in the Planning Board report remain in place – even though the number of total units has dropped. The unit placement is adequately distributed. They are required to enact an agreement meeting the criteria of the Department of Housing and Community Development. The monitoring agent is DHCD and overseen by her on an annual basis. They can self-certify the tenants or they can use Metro-West Collaborative or SEB or they can pay the town to do the income certification and the annual monitoring – she (the town) oversees all of these.

Member Gannon confirmed that these units will be applied to the subsidized housing inventory.

Member Gannon asked about the remediation of the hazardous waste. Mr. Shahbazi said he has been working with the experts on this and wanted to close the file. He said the property was approved for commercial levels of air and water quality and he wants it to be at the level for residential quality. He is working with DEP and will do the mediation on this property should the residential use be approved. He would install a system – similar to radon, where the interior air quality would be monitored. The initial source of the contamination was the school building on Union Street. They have their own remediation in place. The plume is effecting this property. Ms. Adams clarified that this property is not the source of the contamination and is the unfortunate recipient. 101-103 does have to deal with it but they are not the source. Atty. York said the property would be cleaned to the requirement should this become a residential property.

Member Gannon wanted to know if this plume effected the town's property – the playgrounds in Newton and Watertown. No one could answer that question. This property is the only item they can speak on.

Member Gannon stated that there is not a lighting plan. Mr. Shahbazi said there are four existing poles on the site. Member Gannon asked if this is going to be upgraded since it will be a 24/7 use now. Mr. Shahbazi said they were on timers to shut off at midnight and the timers will just stay on now. Member Gannon asked about the photometric plan; the drainage plan; the storm drain plan; the catch basins...Mr. Hendren said the plan #1.01 shows the existing conditions where the storm drains were upgraded about 10 years ago. DPW has reviewed the existing plans and are satisfied.

Member Gannon asked staff about the traffic plan and who has reviewed it. Mr. Magoon said this was not submitted for peer review as the numbers did not qualify it for that. He added that if this were a new property, they may have required that; however, this is an existing property with a change of use.

Member Gannon asked if the fire department received a fire vehicle access drawing. Mr. Magoon stated that the template was placed on there and the circulation was not sufficient for their largest vehicle. However, the fire department said they had adequate access with the sprinkler system in place. Atty. York said the larger trucks cannot get down the ramp or turn around; however, the building has a full sprinkler system and is grandfathered. Member Gannon asked how the firefighters would rescue people from windows if this is so close to other buildings. Mr. Magoon stated that the fire department has signed off on this property. Chair SantucciRozzi asked if the fire department is satisfied with having access from one side of the building as there is no other access. Mr. Magoon said he does not know what the fire department requires for minimum access; however, in this case, they asked for a template and they know the larger trucks do not fit and they are satisfied with the access they have. Beyond that, he cannot say. Mr. Hendren said they can get their other apparatus down the ramp, just not the largest vehicle.

Member Gannon asked about pedestrian access, wheelchair access regarding the steepness of the driveway access. He asked about sidewalk access as the driveway is beyond the ADA requirements. Mr. Magoon stated that the commission noted the visibility of the entrance from the courtyard and the entrance from the parking lot - you would have to drive down to. They referenced plan A1.01 which shows the access via the courtyard on a slight slope.

Member Cohen commented that the parking layout for a new site would be required to have 50 parking spaces and this has 45. Attorney York stated that the parking requirement would be for a new building, 50 parking spaces; however, in WZO section 6.01(j), stated the parking requirement today is 45. Mr. Cohen said there are not 45 legal, conforming spaces on this plan. He noted the trash cannot be rolled out with cars parked there. The two handicapped parking spaces to the east of the ramp would need to back all the way out to get out of those spaces next to the entrance – that does not seem to be very safe. He wanted to know where the condensing units go – on the gable end of the roof. There is a planting strip of 2-3' on the landscape plan where these 4 units are to be moved to and there is not enough room to maintain the two parking spaces. There isn't another place for these units. Mr. Hendren said they would have to be moved to the roof where the others are now. He added that there are compromises to the plan. The handicapped spaces were important to be near the entrance but do have to back up. This eliminates them from crossing any traffic. There is more safety in getting out of your car than backing up. Member Cohen said there is more safety concerns to anyone else using that entrance. This is requiring

more parking and this is a shoehorn approach. There really is only 40 parking spaces when you eliminate the ones that are not adequate. He said the reality is there may not be 50 parking spaces required today and 45 is really not provided and the density of the units forced into this building makes him uncomfortable regarding the project in general. Mr. Hendren said they could use the wall-pack (a/c) units instead and made note about Mr. Shahbazi explaining the density as there are reasons for the number of units. Mr. Shahbazi said they could replace the existing units with new units.

Chair SantucciRozzi said there is a massive puddle around the catch basin in the middle of the parking lot. They would need to make some improvements as the parking lot appears to be sinking. She asked if all of the drains under the building have been looked at. Mr. Shahbazi said all of the downspouts and roof drains all connect to a catchbasin in the corner of the courtyard and it is all visible inside the building and is in excellent condition.

Chair SantucciRozzi commented that she doesn't know what type of storm event could be stored on this site at all as it would impede access with already deficient isle access. Mr. Shahbazi said they did an excellent job removing snow this past winter.

Chair SantucciRozzi asked if they had considered widening the narrow access ramp. Mr. Shahbazi said they were asked to park two cars side-by-side and take a photo – which they did and there was plenty of space. He does not want to lose any further parking. They did exercises of cars coming in and out and provided the photos to the staff. Chair SantucciRozzi asked to see those photos and commented that this is a non-ideal, insufficient scenario.

Chair SantucciRozzi asked about the system for the air quality. Mr. Shahbazi explained there are two systems – one is active and one is inactive. The School has a system in place that is actively monitored. The vapors are in open air – it is only when it is enclosed that it requires a system. This would be vented to the roof.

Chair SantucciRozzi said she wanted to have the LSP here to answer questions. The people that did the plans that were submitted must be experts in all areas as they did the LSP, the traffic report, the sewer system – that is unusual. She wants to hear about how this system will be put in the different buildings. Mr. Shahbazi said the townhouses require the mitigation and the mechanical area. He has to answer to DEP and would have the system designed once this was approved. He went to this company first for the LSP and they offered to help with the rest of the project.

Chair SantucciRozzi wants to see a fiscal impact report. She said this is a two-family zoning district and is taxed as a commercial property. She wants an outline of the impact due to the change of use. She wants to see how this site performs now from a fiscal impact to what the change of use will use for services, taxes – excise, even what this could do for Watertown's economy (dining, spending, etc.). she would like to see the rent projections.

Chair SantucciRozzi said she understands what they did with the traffic report and this site generated very little traffic. The use will bring a different traffic – not negative, just different. It is just a change to the neighborhood. There is a curve in the road and when someone is exiting the property, they are coming up the ramp with sides.

She asked if the floor plans are to scale. Some of the dimensions look like they are different sizes. The rooms that are labeled 10x10 are larger than the rooms labeled 11x11. Mr. Hendren said there has been a lot of reconfiguration and he agrees that they are not accurate.

She asked about the 2nd floor on the larger building. There are massive voids next to the walls. Mr. Hendren said they could be little storage areas but they are not usable areas. Member Ferris said the floor plan A1.04 to the left there is a large rectangle – that would not be a lack of roof area. Mr. Hendren stated that these rooms were originally designed with shed dormers. Because of the WZO, they would need to seek a variance for these dormers so they were removed and this area became a den instead of a bedroom.

Chair SantucciRozzi confirmed that the site was surveyed but the plan did not have a surveyors stamp on it. They need a surveyors stamp on their plan. She asked where he believes the difference in the lot size is as they lost over 1000'. Mr. Shahbazi does not know.

Further questions were asked regarding the parking spaces being moved due to the comments from the Developer's Conference; the site plan is not stamped by a PE and does not have grading or even spot grading and it is unknown if the lot is level; there is a 15" difference at the building and it was asked if that walkway could be made to be accessible; the landscape plan is done by an architect; the screening on the roof is unknown. There should be elevations, street views, screening – these plans are lacking. The plans should show the views that people will actually have – The chair is concerned with the abutters on Union Street and the Capitol Street Extension and how they will be impacted. The details on the screening on the roof equipment; screening on the trash details; the color of the building – all of this should be included in these plans.

Chair SantucciRozzi said the number of units at 44 is not a large number for a residential complex; however, they are maximizing the space. She doesn't understand how they could have originally had 49 units drawn in here. She asks that they think about the floor plan and the layout; the potential for a better layout; she wondered if the units meet the minimum size for the SHI. Ms. Adams responded said the units are substandard for DHCD but this is a specific situation in regards to re-using this building. She added that this building is challenging for any re-use. All of the units are challenged due to size, but they are willing to accept these units for the SHI. New development must meet the requirements. Chair SantucciRozzi is adamantly opposed to any substandard units. She feels they are trying to fit too much into this building. She questions why the Town of Watertown would promote substandard affordable units. If there are units that meet the requirements, those should be the affordable units. She summarized some of the issues: squeeze the dumpster in the corner; the ramp is not wide enough; the handicapped people are backing up 20 feet, etc. Ms. Adams added that the DHCD did not come up with their decision easily. They want to provide affordable units. Chair SantucciRozzi said she believes that is precedent setting and she opposes their decision for substandard units.

Member Ferris stated that more information on the drawings will be helpful – elevations with more material identification drawn more extensively; include what exists there now in the same massing way. They want to see the difference between what is existing and what is proposed. They want to see the materials, the windows, the siding, etc.

Member Gannon said they are promoting a commuter rail location but the closest is a 2 mile walk away.

Chair SantucciRozzi read into the record a letter in opposition from the owners of 102-104 Morse Street, Ms. Hornbuckle – the scope, size, traffic.

Chair SantucciRozzi stated they will continue this case to the May agenda.

Mr. Shahbazi said he would provide letters in support. He said this building is a commercial use in a two-family zone and will be a less intensive use. The number of units needs to be viable for him. He thought he would be a hero in this neighborhood by turning this blight into residential. He said there will be 7 affordable units going to the town; he is at the threshold of whether or not to move forward. He could come up with a plan for a lesser amount of units or 60 studios. He said this has been going on for several months and the plans have changed from the Developer's conference comments; the staff's comments; the planning board comments; the affordability comments; the state affordability comments; the disability comments. These plans are from all of these comments.

Chair SantucciRozzi said she is only holding him accountable to the same standards as other developments.

Member Gannon motioned to continue the case to the May agenda. Member Heep seconded. Voted 5-0 to continue to May.