



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
Jason D. Cohen, Alternate

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MINUTES

On Wednesday evening, April 25, 2018 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: David Ferris, *Acting Chair*; Kelly Donato, *Acting Clerk*; John G. Gannon, *Member*; Christopher Heep, *Member*; Kelly Donato, *Member*; Jason Cohen, *Alternate Member*. Also Present: Mike Mena, *Zoning Enforcement Officer*; Gideon Schreiber, *Senior Planner*; Louise Civetti, *Zoning Assistant*.

Member Ferris opened the meeting at 7:00 p.m.; introduced the board and staff and noted he will be 'Acting' Chair and 'Kelly' Donato will be Acting Clerk until such time as Melissa SantucciRozzi arrives. He swore in the audience and reviewed the agenda: **28 Robbins Road, a Special Permit Finding; 187 Chapman Street, a Special Permit Finding; 575 Mt. Auburn St., a request to withdraw; and 490 Arsenal Way, an amendment to a Special Permit.**

Cases Pending:

Acting Chair Ferris noted that the agenda will be taken out of order with the request for withdrawal coming first. Member Gannon motioned for the withdrawal to be approved. Member Donato seconded. Members Gannon, Donato, Ferris, Heep and Cohen voted in the affirmative, 5-0, Member SantucciRozzi absent. **575 Mt. Auburn Street, Uncommon Ground, Inc.**, has been withdrawn.

Legal notice:

"Thalia Meehan and Gretchen Grimshaw, 28 Robbins 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), Alterations to Non-Conforming Setback, Side Yard, so as to construct a one-story addition, maintaining the northerly side yard setback at 6.4', where 10' is required. S-6 (Single Family) Zoning District. ZBA-2018-06"

Thalia Meehan, owner and architect, Ernie Demeo were present. Ms. Meehan noted that after living there for 25 years, she and Gretchen have decided to redo their kitchen but maintaining the tree in their backyard.

Acting Chair Ferris noted they received a letter in support from the neighbor on the non-conforming side, where the work will be located.

Dennis Duff, 33 Spruce Street stated that he is not opposed to this particular case but Massachusetts is the third densest state in the U.S.A. and we fill our green space with additions and buildings. He wants the board to be aware as 50% of what comes before the board is an add-on. Acting Chair Ferris said the required open space for this district is 15% and the proposed is 69.5% open space.

Member Donato asked about the windows and siding. Ernie Demeo, Architect noted the existing home has combination windows and they will match all of the windows on the exterior of the house. There is also aluminum and wood paneling on the house now and they plan to use a 'Hardy Plank' material to match the existing.

Member Cohen asked if the (air conditioning) unit on the side of the house will remain where it is. Mr. Demeo stated they have no intention of moving the unit unless it is required.

Member Ferris asked if the new siding will match the existing in color and coursing and how he will work in the corner board. Mr. Demeo stated they will match the existing siding and the textural portion of the corner board will be matched. They will use a flat-seam to avoid the noise of the standing seam on the copper roof and the design of the roof was lowered to maintain the existing windows, providing less massing.

Member Ferris confirmed the fence between this house and 32 Robbins Road will be maintained.

No one else spoke from the audience.

Member Ferris noted the Planning Board recommended approval with standard conditions.

Member Donato motioned to grant the relief for **28 Robbins Road**. Member Heep seconded. Members Donato, Heep, Ferris, Gannon and Cohen **voted in the affirmative, 5-0**. Member SantucciRozzi absent.

Legal notice:

"Tigran Yassayan, 187 Chapman 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), Alterations to Non-Conforming Setback, Front and Side Yards, to construct a second story addition above existing single story, maintaining non-conforming front yard setback of 7 feet, where 15 feet is required and side yard setback of 6.1'-6.4' where 10 feet is required. S-6 (Single Family) Zoning District. ZBA-2018-07"

Norman Kherlop, Architect, explained the initial project was larger and after renditions, is presenting the revised plan which is lower in height, removes a portion of the front porch, extends the basement to the rear, maintains the existing non-conforming setback on the side and meets all other requirements. All of the windows and the siding will be replaced.

The Board discussed and added the following conditions: #1-6, as written. #7, the stone veneer will encompass the entire foundation except the back of the house, which is at grade. #8, there will not be an additional basement door or stairs added to the front of the house. #9, the unregistered vehicle will be removed from the lawn. #10, the timbers will be removed from the landscaping at the front of the house and proper landscaping will be added. #11, the porch design will remove the center post and add 6" of overhang to the roof.

Member Heep motioned to approve the requested Special Permit Finding under §4.06(a) Alterations to Non-Conforming Setback, Front and Side Yards, as it meets the criteria set forth in the Ordinance. Member Gannon seconded. Members Heep, Gannon, Ferris, Donato, Cohen **voted in the affirmative (5-0)**. Member SantucciRozzi absent.

Legal Notice:

“William McQuillan, Manager, 480 Arsenal Group LLC, 800 Boylston Street, Ste 1390, Boston, MA 02199, herein requests the Zoning Board of Appeals grant an Amendment to Special Permit/Site Plan Review #ZBA-2015-17, to amend the approved site plan to allow limited driveway access for deliveries shared with the emergency entry/egress at the north east corner. I-2 (Industrial) Zoning District. ZBA-2018-09.”

Member Donato asked how the parking was affected. Mr. Schreiber, Senior Planner, Town of Watertown stated that there are 7 long-term parking spaces designated. Member Ferris asked if the ‘call-box’ would be required to exit the site as well as to enter. Mr. Alejandro stated that the ‘call-box’ to exit is necessary so as to keep the entrance/exit as intended for limited delivery and emergency vehicles only. Member Heep noted the turning radius provided for the fire/police vehicles is the same but the straight-in access from the public way is easier. Member Gannon asked about the type of deliveries at this entrance. Mr. Alejandro stated there will be dry ice, gases, beakers, etc. – items used in a research and development lab and delivery by box-truck only (no larger trucks). They have a delivery plan for off-peak school pick-up/drop-off and will assure no idle time at the gate or in the neighborhood. There is a TDM (Transportation Demand Management) monitoring program in place – the condition from this board will warrant the landlord providing tenant diagrams with notations of truck routes on Arsenal Street and not on Nichols Avenue. Member Cohen noted that queueing, if ever required, will be from Arsenal Way (the private way) not from the public street, Nichols Avenue). A copy of the letter in support from Police Sgt., Sampson will be provided for the record. Member SantucciRozzi asked how the fire department would get through the call box. Mr. Alejandro explained they would have a key pass in the fire truck that would open the gate automatically. The board complimented the petitioner on the success of the 5 tenants leases; working with the neighbors and the design of the building.

Member Ferris motioned to approve the amendment to the special permit for the re-design of the limited delivery access and emergency access point from Nichols Avenue with the conditions, as amended. Member Donato seconded. Members Ferris, Donato, SantucciRozzi, Heep, Gannon **voted in the affirmative, 5-0**. Alternate Member Cohen not voting.

Other Business:

Request for Extension:

Case Number: ZBA-2017-03 SP
Subject Property: 23 Elm Street; Parcel ID: 1236 4 G
Petitioner: NS AJO Holdings, Inc. Agent: Michael Ross, Esquire, Prince Lobel Tye, LLP

At their meeting on April 25, 2018, the Zoning Board of Appeals took under advisement a letter dated April 9, 2018, by Attorney Michael Ross, Prince Lobel Tye LLP, for NS AJO Holdings, Inc., the Petitioner of the subject property, requesting that the Board allow an extension to exercise its Special Permit #ZBA-2017-03 rights for an additional one year from June 7, 2018 (Decision recorded in the Town Clerk’s office on June 7, 2017) to June 7, 2019 in order to secure a building permit and begin construction.

Attorney Ross's letter indicated that due to this new industry and corresponding laws, the State review process has continued to change and therefore, delayed.

In accordance with §6 and 9, Chapter 40A, Massachusetts General Laws, the Zoning Board of Appeals have rendered a finding that the petitioner has shown good cause why construction cannot begin before June 7, 2018 and therefore, GRANTS APPROVAL to allow NS AJO Holdings, Inc. a **one year extension to June 7, 2019** to obtain a building permit and begin construction.

Member Ferris motioned to grant the continuance, as requested. Member Heep seconded. Members Ferris, Heep, SantucciRozzi, Gannon and Donato **voted in the affirmative, 5-0.**

Member Heep motioned to adjourn the meeting. Member Gannon seconded. Voted 5-0, the meeting ended at 8:40 p.m.