



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

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MINUTES

On Wednesday evening, August 29, 2018 at 7:00 p.m. in the Phillip Pane Hearing Room, Lower Level of the Administration Building, the Zoning Board of Appeals held a public hearing. In attendance: Melissa SantucciRozzi, *Chair*; Kelly Donato, *Acting Chair*; John Gannon, *Member*; Christopher Heep, *Member*. Absent: David Ferris, *Clerk*. Also Present: Steve Magoon, Director of Community Development and Planning/Assistant Town Manager; Mike Mena, *Zoning Enforcement Officer*; Louise Civetti, *Zoning Assistant*.

Chair SantucciRozzi opened the meeting, introduced the board and staff; appointed member Donato to act as Clerk in Member Ferris' absence; reviewed the agenda, noting 80 Elm Street will not be heard as it was continued at the Planning Board, 36 Arlington Street was withdrawn and 101-103 Morse Street is continued to October. She announced that the September meeting will be held on Thursday, September 27th due to quorum issues and this date will allow the most members to be in attendance. She then swore in the audience.

Chair SantucciRozzi asked for a motion regarding the minutes of the June and July meetings. Member Donato motioned to accept the minutes for both months as written. Member Gannon seconded. Voted 4-0. Approved.

Member Donato read the legal notice for the first case:

169 Sycamore Street

"Dan Lombard, 169 Sycamore Street, Watertown, MA 02472, herein requests the Zoning Board of Appeals grant a **Special Permit** in accordance with Watertown Zoning Ordinance §5.02(e), Home Occupation & 5.02(f), Accessory Truck Parking, to permit a Home Occupation with 2 employees and a greater than ¾ ton truck at the owner's property. T (Two-Family) Zoning District." ZBA-2018-20

The Board clarified that the area in the rear, identified as the 10' buffer or setback, which had been used for parking previously and had been requested by the Planning Board to have curbing delineating it from the remaining 8' area, also previously used for parking, is to be planted with 3' high shrubs to prevent any parking but allowing snow to be moved there, instead of the curbing. The Board requested the Petitioner back the business truck up to the garage. The Zoning Enforcement Officer commented that it would be difficult to enforce this condition.

The Petitioner clarified that the garage is used for parking and there will be four vehicles – his wife's car, his business truck, his personal vehicle, a pick-up truck and his uncle (or employee)'s vehicle. He has no intentions of widening the driveway from what is paved there now (which he received approval for in 1996), although the area between the driveway and the 10' setback is an 8' compacted soil area which he will not park on. Although the 10' setback is also compacted soil where nothing will grow, he agreed with the plantings instead of the curbing.

The Board questioned the home office requirement of 25% of the home as there was not a floor plan in their document package. Planning Staff did receive a floor plan; however, and noted in their report that the home office complied with the required regulations.

Member Heep motioned to approve the request with the amended conditions discussed. Member Donato seconded. Members Heep, Donato, SantucciRozzi and Gannon voted in the affirmative, 4-0. Approved.

Member Donato read the legal notice for the next case:

71 Bradford Road

"Jing Ma, 38 California Street, Watertown, MA 02472, herein requests the Zoning Board of Appeals grant a **Special Permit** in accordance with Watertown Zoning Ordinance §6.02(j), To permit a front-facing attached carport/garage (no garage door) under the sunroom, with access to the compliant Side Yard. T (Two-Family) Zoning District." ZBA-2018-21

Norman Kerlof, Architect, showed photos with the proposed plan drawn and explained the downhill slope to the parking area which would be open on three sides.

The Board questioned how this Petition came before them as it is an unusual request. The Zoning Enforcement Officer clarified that this is not a Code Violation; however, there is limited parking for the newly renovated units and the area with pavers in the front of the house will not be used for parking.

The Board is concerned with not having structural plans; no material noted on the plans; how the posts will take up the area intended for parking; no calculations on open space; not having updated civil drawings with topography; landscaping; column size, snow removal, etc. and not meeting the requirement of the 5' setback and that not being part of this request.

The Board agreed to allow the Petitioner to come back with detailed plans that meet the requirements of the ordinance.

Member Gannon motioned to continue the case to the next Zoning Board meeting in September. Member Heep seconded. Members Gannon, Heep, SantucciRozzi and Donato voted in the affirmative, 4-0 to allow the continuance.

Member Donato read the legal notice for the next case:

527 Pleasant Street

"Roshan Bhakta, VBR LLC, 52 Oak Trail, Bolton, MA 01740, herein requests the Zoning Board of Appeals grant a **Special Permit** in accordance with Watertown Zoning Ordinance §9.11, Temporary Structures, to allow the temporary storage of approximately 25 housing module at any one time, with modules delivered to and leaving the site, over four months. PSCD (Pleasant Street Corridor District)." ZBA-2018-23

Scott Oran, Project Manager spoke about the temporary staging of the RCM Manufactured modular units for the 68 affordable housing units planned in Newton. Each unit weighs 40,000 pounds, plus the truck would be a total of approximately 60,000 pounds, that will be driving down Pleasant Street with a Police escort for 1/3 of a mile and over the sidewalk into the storage area, 3-4 times per day to deliver and 1-2 times per day when being removed (and driven to North Street – not Bridge Street in Newton). The site will be surrounded by a gated and locked temporary fence; gravel will fill the unpaved areas to level the soil; there will be two dumpsters, which will be serviced 1x per week and an outhouse (which the Board requested both be out of the public view from Pleasant Street). They will also install two bollards at Stanley Avenue, as requested by DPW.

Jim Shutt noted these trucks (with the modular units) cannot travel on the Mass. Turnpike before the hour of 9 am and must be escorted by the State Police (once on local roads, local police will escort).

The Board concluded that the deliveries will be for 4-6 weeks and 105 modules will be delivered. There are two trees that will be protected; the fence will be removed when the project is completed; the sidewalk will be repaired, if necessary; the site will be kept clean at all times and will be left better than it was found; and if necessary, snow will be removed from the site. The Board also acknowledged the letter submitted from the Director of Community Development in Newton in support of the staging. The submitted detailed plans will be updated from the Planning Board report to the ZBA decision.

Mr. Oran noted that there will be one van delivery of people (up to 6) from the Newton site that will be transported to the Watertown site to un-wrap the modules and prepare them for delivery to Newton. He requested the time be adjusted from September – January to October to February 28, 2019.

Member Heep motioned to approve the request for temporary storage of the modules with the conditions discussed. Member Donato seconded. Members Heep, Donato, SantucciRozzi and Gannon voted in the affirmative, 4-0. Approved.

Member Donato read the legal notice:

36-38 Hillcrest Circle

“Kaveh and Kambiz Abdi, 36 Hillcrest Circle, Watertown, MA 02472, herein request the Zoning Board of Appeals grant a Variance in accordance with Watertown Zoning Ordinance §6.02(j), Front Yard Parking, so as to install a paved parking area in the front of the home, where not allowed. T (Two-Family) Zoning District. ZBA-2018-03”

Attorney Ken Leitner submitted a package of 8 exhibitions and explained that the houses on this circle had always parked straight into their properties as there had never been curbing. When the town installed sidewalks and curbing, it limited the parking areas for most of these homes. His client’s home was approved for a driveway on the left side but it is too steep to use. He stated that the exhibitions he submitted provided him to have an educated guess of the percentage of the slope, which he determined would not meet the requirements of another town’s maximum driveway grade. His client was more recently approved to use his neighbor’s driveway on the right side of the house to access another parking area near the right-front of his property.

Mr. Mena noted that the Petitioner did not use the driveway as proposed and instead paved a larger area of the front yard and accessed that area by driving over the curbing. The Petitioner was cited by the Code Enforcement Officer to not use the area in the front of the house to park upon and not to cross the sidewalk and curbing.

The Board stated that they were not clear on what the Petition was asking for. Neither of the drawings submitted show where the proposed parking area is with clarity and the application just states ‘front yard parking’. The Board noted that the more recent approval for parking should be taken back as it does not meet the requirements of the ordinance.

The Board will allow the Petitioner to withdraw his request. The Board suggested to the Petitioner to consider raising the slope of the driveway 2-3’ to make it more accessible.

Member Heep motioned to allow the petitioner to withdraw without prejudice. Member Donato seconded. Member Heep, Donato, SantucciRozzi and Gannon voted in the affirmative, 4-0. Withdrawn.

Member Heep motioned to adjourn. Member Donato seconded. Voted 4-0, the meeting was adjourned at 9:35 p.m.