



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 at 7:00 p.m. in the Town Council Chamber of the Administration Building, the Zoning Board of Appeals held a public hearing. In attendance: Melissa SantucciRozzi, *Chair*; David Ferris, *Clerk*; Kelly Donato, *Member*; John Gannon, *Member*. *Absent*: Christopher Heep, *Member*. Also Present: Mike Mena, *Zoning Enforcement Officer*; Gideon Schreiber, *Senior Planner*; Louise Civetti, *Zoning Assistant*.

Chair SantucciRozzi opened the meeting at 7:00 pm; reviewed the agenda, stating 36 Arden Road will be continued; 195 Mt. Auburn Street is still being reviewed by the Planning Board and would not be discussed, and 56 Putnam Street had requested a continuance to December. The Chair also announced the cases that would be heard: 36 Arlington and 570 Arsenal Streets. The Chair introduced the staff and then announced that there were four full members in attendance and anyone being heard would need all four votes unanimously and proceeded to introduce the four members present. The audience was sworn in.

Chair SantucciRozzi asked to have the September minutes tabled until next month.

Chair SantucciRozzi asked if the cases coming up for 36 Arlington Street and 570 Arsenal Street are companion cases. Upon receiving an answer, she announced both legal notices will be read.

Member Ferris read the legal notice(s):

“36 Arlington Street - Matt Harrington, 36 Arlington Street LLC, 132 Newbury Street, Boston, MA 02116, herein requests the Zoning Board of Appeals grant a Special Permit/Site Review in accordance with Watertown Zoning Ordinance §5.01.3(b); §5.01.3(a); §5.01.3(f)2; §5.01.5(h), to partially convert former Fitness Center to Retail, Business, Fitness and Warehouse use. RMUD (Regional Mixed Use District) Zoning District. ZBA-208-28 (Combined with ZBA-2018-29)”

“570 Arsenal Street - Matt Harrington, 36 Arlington Street LLC, 132 Newbury Street, Boston, MA 02116, herein requests the Zoning Board of Appeals grant a Special Permit in accordance with Watertown Zoning Ordinance §6.01(b); §6.01(e); §6.01(f); §6.01(g) Off-Site Shared Parking. RMUD (Regional Mixed Use District) Zoning District. ZBA-2018-29 (Combined with ZBA-2018-28)”

Steve Winnick, Attorney representing Matt and Michael Harrington of ‘Gym-It’, provided some history into why this site continues to be out of conformance in regards to parking. He explained that SuperFitness was granted the use at this site for the entire building via a Special Permit for off-site parking. Since that time, the off-site parking has ceased, SuperFitness is no longer in business and Gym-It is occupying only one floor of the building in order to maintain the parking on-site, as required. However, they are now seeking to have off-site parking located at the Marriott next door (570 Arsenal Street), in order to fulfill the prior granted Special Permit and further to allow the upper level of the building be occupied by two business - a retail business, Dollar Store and an unknown occupant for the warehouse space.

Steven Hawk, VHB spoke about the improvements to the site by re-striping the existing lot and adding two spaces (from 83-85 spaces). They added landscaping, bike parking and protection to the fire hydrant fronting on Arlington Street.

Randy Hart, VHB spoke on the traffic assessment – for warehouse and ‘specialty’ retail, there would be no peak hour. Gym-it now uses the 30 spaces provided at the Marriott (out of a possible 65) and they found that UPS workers were using parking at the Gym-it site, and that has since been stopped. The hotel parking is underutilized even at peak (full occupancy) at 119 spaces. They included a specialty retail store at peak (5pm) at 16 spaces and Saturday at noon (20 spaces) and the warehouse, 3 spaces at peak to show there is still enough parking on the site and the combined Marriott site.

Councilor Kounelis stated that there is history of parking issues at this site between SuperFitness and the East Watertown Betterment Association (which she was the leader of). It wasn’t just the number of parking spaces; it was the accessibility of those spaces. She asked what the difference between passive retail and active retail is; why ‘specialty retail’ was used in the calculations; what the number of employees would be; hours of operation; type of warehouse and the hours of operation. She understands the financial hardship with a 25 year lease. She added that the neighbors that were affected by SuperFitness were not sent notices regarding this proposal.

Member Ferris asked about the site entrances vs. accessibility. Where is the location of the gym, the retail component and the warehouse in relationship to their entrances, parking, etc? Member Ferris also asked where they would store the shopping carts if the entrance is at the front of the building.

Attorney Winnick stated that this location has been plagued with issues regarding parking but this plan provides parking that meets the requirements of zoning. Gym-it has been allowed to operate at ½ capacity (1/2 the building) in order to meet the requirements of the special permit granted to SuperFitness.

Member Ferris suggested locking carts to prevent them from existing and asked about the ‘specialty retail’.

Member Gannon asked about the accessible spaces and Dollar Tree vs. Amazon (Brick and Mortar) Store;

Ms. Kounelis asked about the accessible parking spaces;

Mr. Hawk stated that the requirement is for four ADA spaces – 2 are in the front and 2 are in the rear.

Mr. Harrington stated that Dollar Tree is a model for future uses and no longer an actual tenant. They have had 5-6 possible tenants walk away.

Attorney Winnick said they tied together the special permits for the shared parking. They could be approved separately.

Chair SantucciRozzi said they cannot separate these as the conditions of approval from the Planning Board are not clear. They do not know what they would be approving. How would the loading dock work if there is parking and an entrance to the gym on that side? What would the floor plan look like? Where are the exits for these businesses planned? There are too many questions to try to determine how this site will work. The Chair suggested coming back to the board in December with a plan for resolving the special permit that is not in compliance now.

Attorney Winnick suggested approving 570 Arsenal Street at the current meeting, and continuing 36 Arlington Street next month. Chair SantucciRozzi said the details in the easement agreement are not known – these details must be in the proposal – landscaping; lighting; snow removal; floor plans – all of it, plus if the easement ceased to be in place, what would happen to this site.

Attorney Winnick agreed to continue both to the December 19, 2018 meeting.

Member Gannon motioned to continue to December 19th. Member Donato seconded. Voted 4-0 to continue to December 19, 2018.

Member Donato motioned to adjourn. Member Gannon seconded. Voted 4-0. The meeting ended at 9:25 p.m.