



Zoning Board of Appeals Meeting

Wednesday, July 24, 2024 at 7:00 PM
City Council Chamber, Administration Building,
149 Main St., Watertown, MA 02472

Agenda

Pursuant to Chapter 2 of the Acts of 2023, the meeting and public hearing will be conducted with remote opportunities for participation. In-person and remote participation and access methods include:

ACCESS INFORMATION:

- A. This meeting will be held on **July 24 at 24, 2024**. Location: City Council Chamber, Administration Building, 149 Main St., Watertown, Massachusetts
- B. The meeting will be televised through WCATV (Watertown Cable Access Television): wcatv.org/government
- C. The Public may join the virtual meeting online: <https://zoom.us/j/606857230>
- D. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: [606 857 230](https://zoom.us/j/606857230)
- E. Public may comment through email: zba@watertown-ma.gov
- F. Please Visit the Zoning Board of Appeals Website here: <https://www.watertown-ma.gov/228/Zoning-Board-of-Appeals>

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- 1. Administrative Business
 - A. Approval of Meeting Minutes-June 26, 2024
 - 2. New Cases
 - A. [87 Bromfield St](#)- Amadou Gallo Thiam requests a Special Permit Finding to allow construction within pre-existing non-conforming front and both side yard setbacks to construct a full second story and a new half story within a new roof. Single Family (S-6) Zoning District. **ZBA-2024-11**.
 - B. [9-11-13 Boyd St](#)- First Path Daycare Inc. d/b/a First Path Day Care Center (Owner: The University Prints Building, LLC) requests the Zoning Board of Appeals to hear and rule on an Appeal of the Issuance of a Building Permit. Located in the Two Family (T) Zoning District. **ZBA 2024-12**



CITY OF WATERTOWN
ZONING BOARD OF APPEALS
WATERTOWN ADMINISTRATION BUILDING
149 MAIN STREET
WATERTOWN, MASSACHUSETTS 02472

Melissa M. SantucciRozzi, Chairperson
David Ferris, Clerk
Christopher H. Heep, Member
Alexander Dale, Member
Gregory Girard, Alternate
Samuel Odamah, Alternate

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MINUTES

On Wednesday evening, June 26, 2024, at 7:00 p.m. in the Council Chamber of the Administration Building, the Zoning Board of Appeals held a public hearing. The meeting and public hearing were conducted in a 'hybrid' format with options for public participation both in-person and via remote means, in accordance with applicable law.

Members in attendance (in-person): Melissa SantucciRozzi, *Chair*; Alexander Dale, *Member*; David Ferris, *Member*;
In attendance (remote): Samuel Odamah, *Alternate*.
Members Absent: Christopher Heep, *Member*. Gregory Girard, *Alternate*

Staff present: Gideon Schreiber, *Director of Planning and Zoning*; Larry Field, *Senior Planner*; Antonio Mancini, *Zoning Enforcement Officer*; Sameena Pirani, *Zoning Clerk*.

Chair SantucciRozzi, opened the meeting at about 7: 17 and introduced the Board Members and staff. She said that Member Odamah would be attending virtually. Staff explained how the meeting and methods of participation for the public could be accessed remotely.

Motion to approve the May 22, 2024, meeting minutes was made by Member Ferris and seconded by Member Dale. The motion was approved 4-0 with Member Ferris, Member Dale, Member Chair SantucciRozzi and Alternate Odamah voting in favor.

Chair said that the cases would be heard in the order they were received.

133 School St

Member Ferris read the legal notice. Petitioner Jacqueline Sharon informed the Board of the recent change in address of the second level and attic from 133 School St to 135 School St. Most of the renovation pertained to 135 School St. She explained the scope of the project and the nature of relief

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sought with a detailed presentation (posted online). She said the project would allow flexible use of the property by diverse occupants, draw families with growing children and encourage tenants to stay longer. The upper and lower units would have the same number of bedrooms and baths to attract prospective tenants. Additionally, other properties along the street had comparable habitable attic floors. The proposed attic space would not alter the roofline or building façade. It would have no windows overlooking abutters, and the area greater than 7 ft high would be 11.7% of FAR increase. The entire habitable area would be about 335 SF. Recent elevations were shared to highlight that there was only one front facing window in the attic, located in the bathroom. Petitioner also said that the recent renovations had incorporated comments of the ZBA from the previous application. Details of the proposed fence on the left side were also included in the presentation.

Comments from abutters regarding the project were included in the presentation. Other than the abutter on the north (Ms Manoogian) who had expressed concerns about the cleanliness, construction debris and rodents' control, none of the other abutters raised objections to the project.

Chair SantucciRozzi confirmed with staff that the fence was not subject to any relief from the Board and would fall outside the jurisdiction of the Board. She also verified with the petitioner that not much had changed since the previous application for relief. The petitioner confirmed that most of the project had been completed "by right" and that she owned both properties. Following the conclusion of her presentation and response to her questions, Chair SantucciRozzi opened discussion to the Board.

Member Dale had no questions.

In response to Member Ferris's question about FAR, the petitioner clarified that there had been no changes since the last application. The allowed was .5 while the requested was about .9.

Staff confirmed that a driveway that conformed to all zoning requirements had been added to the right. It had passed inspection.

Member Ferris noted that the application before them was "not that different" from the previous application.

Member Odamah asked if the petitioner expected to do more work on the property. The Petitioner said that the project had taken more time than anticipated. Work to be completed would be internal and "minimally disruptive to the neighborhood." The mechanicals were all in place, just the knee walls remained. There would be no exterior changes.

Chair SantucciRozzi asked questions about the "block wall" that continued from the retaining wall. Petitioner explained that the blocks rested on 2 to 3 inches of gravel and were connected to each other with surface bonding cement. Every 8 feet, the blocks were loose to allow the insertion of a fence post, in anticipation of the fence to be installed.

Chair SantucciRozzi confirmed the adequacy of parking space for the two units. There would be parking for 3 single stacked cars on one side and 1 car on the other side. Chair said that given this parking configuration, cars would likely end up on the already congested School St. The petitioner said that she had not observed a lot of cars parked along School St. Member Dale agreed with the Chair's concerns.

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Noting the FAR changes, Member Ferris confirmed that the basement was excluded from this calculation.

Chair SantucciRozzi noted that the existing FAR was already high. Granting the relief would exceed typical requests. She explained that requests were considered on a case-by-case level based on lot size, setbacks, building coverage, non-conformities etc. The request, in this case, would increase the non-conformity significantly, especially after looking at the Zoning Table.

Member Ferris noted the changes made to the porches since the previous application. Regardless of it being a 3 bedroom or 4 bedrooms, it would need parking for two cars. Overall, he had mixed feelings about the relief requested. He said that this was an example of a very tight site with a “very aggressive” plan.

Following the resolution of comments and questions from the Board, Chair opened the meeting to comments from the public. Melissa Manoogian (137 School St) attending remotely reiterated the contents of her letter to the Board. Chair clarified that the fence was outside the jurisdiction of the Board. Her other concerns related to construction debris and parking of construction vehicles on the street. Overall, she supported the increase in FAR and the improvements made to the property.

Staff clarified that in the event of condo conversion, each unit could have 2 parking spaces even though there was a single stack of 3 cars on one side and 1 car parking on the other. Staff confirmed that parking 2 cars in the driveway on the right would be a zoning violation.

Staff noted that other emails from her neighbors had been received and would be posted online.

Member Ferris noted other changes made in response to the Board’s comments on the previous application. This included moving the trash areas to the back of the house.

Staff explained that the increase in FAR was due to the access stairway. The calculation of FAR included the entire floor, even though some of it was as low as one foot high. Additionally, if there had been a preexisting set of stairs to the attic, the FAR would have remained unchanged and no relief needed.

Chair SantucciRozzi requested the incorporation of a condition to ensure that the storage of the trash/recycling totes would remain in the rear yard.

Member Ferris made a motion to approve the application for a special permit finding for alterations to the non-conforming structure with conditions, as the requested relief meets the criteria set forth in the Watertown Zoning Ordinance. The motion was seconded by Member Odamah. Motion was approved 4-0 with Members Ferris, Dale, Odamah and Chair SantucciRozzi voting in favor. The Petition was approved (4-0) with conditions.

8-10 York Ave

Carolyn Day, the owner and resident, accompanied by architect Levi Tofias of Lightbox Architecture described the nature of the relief sought and the scope of the project. She explained that the garage

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was within pre-existing, non-conforming left side and front setbacks, located on the lot line with their neighbor on Belmont St. The garage was about a hundred years old—as old as the house. The petitioner would like to rebuild and extend the garage, given its current state and width that made it difficult to enter/exit. Images of the garage were shared (like those included in the submittal), pointing out that new cracks were apparent. Also presented was the zoning table indicating a slight change in the Building Coverage. The application also had a second part—The petitioner would like to rearrange the rear stairs to make them safer. This would entail enclosing the existing second floor covered rear porch to build a legally complying staircase.

Following the presentation, Chair SantucciRozzi opened discussion to the Board.

Given the proximity to the left side lot line, Member Dale asked if the project had been discussed with the neighbors. The petitioners confirmed that they were in support of the project.

Member Odamah asked about the materials and design elements in the project. The petitioner planned to replace it with a concrete block that had a steel beam across the front to avoid a big post in the middle. There might be potential for a deck on top.

Member Ferris asked if the front retaining wall along the sidewalk would be saw-cut. He also confirmed that in the process of enclosing the rear porch, the siding would match the existing. He asked if the first-floor unit would have access to the backyard. He noted that for someone living upstairs, going down into the basement would require going through a series of doors. The petitioner explained that one of the door frames would be removed.

Chair noted that trimming the front wall would affect some of the vegetation in the area. The petitioner said that they had offered to replace in kind anything affected by the construction on the north side. She confirmed that the south side garden would be replaced.

Chair also asked if the exterior of the garage would be finished with some material. She requested the addition of a condition related to the exterior finish on the garage. The proposed language was, in substance, that any part of the garage façade not screened by landscaping at the time of construction shall have some exterior finish on it.

Following the resolution of questions and comments from the Board, Member Dale made a motion to approve the application for a special permit finding for alterations to the non-conforming structure with conditions, as the requested relief meets the criteria set forth in the Watertown Zoning Ordinance. The motion was seconded by Member Ferris. Motion was approved 4-0 with Members Ferris, Dale, Odamah and Chair SantucciRozzi voting in favor. The Petition was approved (4-0) with conditions

Motion to adjourn was made by Member Ferris, seconded by Member Dale. Motion was approved (4-0) with Members Ferris, Dale, Odamah and Chair SantucciRozzi voting in favor.

Meeting ended at approximately 8:45 PM

MINUTES APPROVED:-----

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