

WATERTOWN PLANNING BOARD

DATE: July 11, 2018 PLACE: Town Council Chamber TIME: 7:00 PM COMMENCED: 7:00 PM
PURPOSE OF MEETING: Regular Monthly Meeting & Public Hearing
PRESENT: Jeff Brown, Chairman; Payson Whitney; Janet Buck; Gary Shaw
Ingrid Marchesano, Clerk to the Board; Gideon Schreiber, Senior Planner

ADMINISTRATIVE BUSINESS

Payson Whitney motioned to approve Minutes of 6/13/2018 meeting.

Janet Buck seconded the motion.

VOTE: 4-0 In favor

Payson Whitney motioned to continue the 36 Arlington Street/36 Arlington Street LLC petition.

Janet Buck seconded the motion.

VOTE: 4-0 In favor

CASES PENDING

- **14-16 Theurer Park;** Craig & Rose Hattabaugh – **Variance**

Craig Hattabaugh, this is a request for a variance to park 2 cars in an area connected through driveway of adjacent home. It is difficult to park the cars during winter time.

Gideon Schreiber, the 5,706 s.f. property contains 2-family house with a driveway on northwesterly side of the house. Detached garage was condemned and removed in 2016. It is adjacent to 18-20 Theurer Park which is also 5,706 s.f. with a two family house. It has a paved driveway and detached garage to the rear. It also has paving stone parking area which is not allowed. Staff reviewed the criteria for granting of a variance, none is met, site is not unique, there is no substantial hardship, onsite parking is already provided, buffer is needed for snow storage. Staff recommends denial of the petition.

Payson Whitney, this is a request for convenience not for necessity. Janet Buck, I live in a two family house, there are hardships involved. The petitioner can find a tenant with one car only.

Ron Berringer, 9 Theuer Park, there are many cars on the street, the street is very narrow, it is preferable to get cars off the street. Other neighbors are in the same predicament, if the Board approved this petition, others will come with the same request.

Janet Buck motioned to recommend to the Zoning Board of Appeals denial of the petition for Variance under Sections 6.02 (j) & 9.14 based upon the finding that it does not meet the criteria set forth in the Zoning Ordinance.

Payson Whitney seconded the motion.

Vote: 4-0 In Favor.

- **99 King Street;** Robert Martins – **Special Permit**

Robert Martins, I have moved to my mother's house to take care of her. I own heating company in Framingham and request to park my truck that contains tools to do emergency services in the existing driveway. I have received a permit previously to park in my previous house for the same vehicle.

Gideon Schreiber, the petitioner was granted a Special Permit in his previous residence in 2016 but it expired when he moved. New permit is now required. This is the same vehicle, it complies with regulations. Staff recommends approval.

Gary Shaw, are there other vehicles on the site? If the mother moves, will he have to come again? Having a large truck in the driveway, will change the characteristics of the neighborhood. He is asking the neighborhood to change because it is convenient. Presence of large boxed truck in residential neighborhood is rare.

Robert Martins, I grew up in this neighborhood, we have not received any complaints.

Janet Buck, the driveway has a slope and the truck does not impede on the sidewalk.

Payson Whitney, a condition regarding the Special Permit expiration should be added

Janet Buck motioned to recommend to the Zoning Board of Appeals approval of the petition for Special Permit under Section 5.02(f) based upon the finding that it meets the criteria set forth in the Zoning Ordinance subject to conditions set forth in the staff report.

Payson Whitney seconded the motion.

Vote: 3-1 In Favor, Gary Shaw opposed

PUBLIC HEARING

- **485 Arsenal Street**; BP Watertown Retail LLC – Amendment to the Watertown Zoning Ordinance

Andrew Copelotti, Boylston Properties, this is a request to amend the RMUD zone to allow a greater height. It is an amendment to subsection (c)(5)(B) of Section 5.18 by inserting the following language: (b) Maximum height of Building 55 feet or 79 feet by Master Plan Special Permit, or 130 feet (197 feet if a project encompasses a minimum of 10 acres by Master Plan Special Permit within a defined mixed-use project, using adopted Design Guidelines provided the project include a diversity of building heights and further the intent and purpose of Section 5.18.a of the RMUD (Regional Mixed Use District). Building G would be taller but not bigger than 188,000 s.f.. The change would create more open space, improve pedestrian experience, and improve the views from inside the park.

Eric Brown, PCA principal, submitted plans are showing location of Building G. Taller buildings are better looking. Many communities do not realize what impact they have when density is not allowed. The space between Buildings E & F will be larger, the park will open to the public. The width of the space between the buildings will double and allow for much greater use.

Laura Portney, shadow plan is showing the new height, the shadow cast will be about the same. The 197 foot height will make the area brighter.

Andrew Copelotti, the plans are showing existing and proposed scheme. The new proposal will provide better access to the park. We are committed to the Design Guidelines, to the materials. Views from different areas of the Town are showing the visibility of the new buildings. Most visible is the area from the adjacent park. The model is showing the building as approved and the new height.

Gary Shaw, this is about the Town to allow to erect a building of this size in the RMUD district, it is not about Building G in the Arsenal Yards. It could be in other area, this is very dramatic, it could be disappointing, it depends on the design. We have to think about the substantial impact. The developer can come back asking for more again.

William York, Atty, this request relates to RMUD but it is restricted to a site with minimum of 10 acres, which would be Arsenal Yards, Athena health or Watertown Mall.

Gary Shaw, parcels change hands, they can become accumulative.

Janet Buck, tonight we are discussing a zoning change only, the Town Council will make the final decision. Building G would have to come back, the footprint would stay the same.

Andrew Copelotti, developer's conference and community meetings will follow. If the amendment is not approved, the building will stay wider and 130 feet high.

Payson Whitney, I am a direct abutter, but I am representing the Town by being part of this Board.

Jeff Brown, we spend lots of time discussing the 130 foot height.

Gideon Schreiber, in order for this site to have anything other than what is allowed, variance would have to be approved, all the criteria met. None of the criteria would be met, the site dimensions were created by the petitioner. The proposed language is for RMUD as a whole, spot zoning is not allowed.

William York, variance is not appropriate. The amendment would allow the Board to go to 197 feet by making discretionary decision.

Gary Shaw, there is no such mechanism that the Board could use.

Jeff Brown, the Board will not vote tonight, but we would like to hear all the comments. The staff has received many emails from Watertown residents in opposition of this request

Clyde Younger, Acton Street, I am confused about the RMUD district, would this not be spot zoning ? We are submitting petition with 100 signatures asking the Board to deny this request for zoning change.

Margaret Van Deusen, Deputy Director & General Counsel, Charles River Watershed Assoc., we are very concerned about the height increase. Charles River is a resource for this community, more views are needed, there will be a shadow impact on the River.

Jonathan Bockian, there is no good reason to amend the existing zoning. Benefits can be reached without changing the height. Taller building will increase the developers profit. Town changed Zoning Ordinance at the petitioner's request 2 years ago, compromised was reached at 130 feet which makes it the highest in Watertown. The Town would not be better off with this change, this would open the door for more such projects, it would become detriment to the Town. The Community is already stressed out with all the new development. Residents are entitled that the settlement will stay in place and not changed again. I urge the Board to reject this proposal.

Jamie Venezia, Watertown resident, the Arsenal Yard was an eyesore for a long time. The petitioner is improving the area. I am asking the Board to approve this request.

Carol Wilson Brown, I am concerned that this will become precedent for more such projects. Open space can increase with shorter buildings.

Renee Hartman, 90 Summer Street, my children and grandchildren are in the Watertown school system. Taller buildings will generate more traffic, garbage, etc. This request will not benefit us, 130 feet is tall enough.

Sara Ryan, 130 feet is already incredibly tall, it will change the flavor of our Town. We like this Town because it is not Cambridge, this is not our issue, do not approve the height increase.

Thomas Gorman, 473 Arsenal Street, the petitioner is developing pristine site, great construction. The only possible other site would be combination of Mount Auburn Club, Dunkin Donuts, McVey property or Watertown Mall. We will not see another tall building, this proposal makes sense to me.

Ari Koufus, Real Estate/resident, the proposed design makes sense, we need to focus on the future, I am in support.

Bob Lauricella, taxes have nothing to do with the height, we will not have more open space, just more surface parking.

Michele Cokonougher, 37 Paul Street, I do not want to see cluster of tall buildings, open space is not guarantee. This will create more expensive units. 130 foot height was reasonable 2 years ago, now they are asking for more.

David Martin, 229 North Beacon Street, please reject this proposal, it would be a statement. 130 feet is still the highest building in the Town, units will be very high priced, east side of the Town will become extension of Cambridge.

Marilyn Peitto Devaney, 98 Westminster, I was opposed to 130 feet, now they are asking for 67 more feet. We will lose character of Watertown. Family housing is very important, these units will be \$800,000 and up. Our Fire Department cannot reach such heights. It is all about money.

Dennis Duff, 33 Spruce Street, I am former WRA member. This proposal is out of scale, it will change character of the Town. Athenahealth build 80 foot garage. 130 feet was proposed for this site and we thought it was too much. If UPS moves, more land becomes available. We are a Town, very few people refer to us as City.

Tony Palomba, Town Councilor, what does this Board use as a criteria to decide this issue, how do you determine if 197 feet is appropriate.

Jeff Brown, we all operate independently, this is another 50% height increase. We need to decide if it's appropriate.

Elodia Thomas, Marion Road, I love the taller building. 2 years ago we had 4 community meetings, lots of negotiation and discussing followed. Bill McQuillan stated from start that he wanted taller buildings. We are all Watertown residents, this Town is very different from Cambridge and Boston. I want to have the best possible project on this site.

Ann Asnes, 185 Bellevue, I have been a resident for 45 years, people want the Town to prosper. We are pressed on all sides by other communities, if we do not do it, other Towns will. What can the River tolerate, how can we come together as a community.

Mark Sideris, Town Council President, I would like to thank the Planning Board for telling everyone that they will not vote tonight. The petition was presented tonight, it will help the Board to make better decision.

Libby, Robbins Rd, the petitioner mentioned that people can use Home Depot parking, does the petitioner own it ?

Andrew Copelotti, 130 spaces can be used by us. We appreciate the opportunity to make our presentation tonight.

Jeff Brown, I am pleased that something is happening on the site. All the comments were very useful.

Payson Whitney motioned to continue the petition to the next Planning Board meeting.
Janet Buck seconded the motion. VOTE: 4-0 In favor

Jeff Brown adjourned the meeting at 9:00 PM.

MEETING ADJOURNED: 9:00 PM MINUTES APPROVED: _____
For more detailed Minutes see the DVD dated 7/11/2018 which is available in the DCDP office.