



Watertown Town Council

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

ELECTED OFFICIALS:

Mark S. Sideris,
Council President

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor

Caroline Bays
Councilor At Large

Anthony J. Donato,
Councilor At Large

Susan G. Falkoff,
Councilor At Large

Anthony Palomba,
Councilor At Large

Angeline B. Kounelis,
District A Councilor

Lisa J. Feltner,
District B Councilor

Kenneth M. Woodland,
District D Councilor

TOWN COUNCIL MEETING TUESDAY, DECEMBER 11, 2018 AT 7:15 P.M. RICHARD E. MASTRANGELO COUNCIL CHAMBER MINUTES

1. ROLL CALL

Council President Sideris called to order a regular meeting of the Town Council at 7:15 p.m. in the Richard E. Mastrangelo Chamber, Administration Building. Those present were Councilors Caroline Bays, Anthony J. Donato, Susan G. Falkoff, Lisa J. Feltner, Angeline B. Kounelis, Anthony Palomba, Vice President Vincent J. Piccirilli, Jr., Kenneth M. Woodland, and Council President Mark S. Sideris. Also present were Michael Driscoll, Town Manager, Mark Reich, Town Attorney, and Marilyn W. Pronovost, Council Clerk.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC FORUM

Pat Gold – Thanked Council President Sideris for his donation to the Senior Holiday Party.

Artie Bhakta – Stated she has been involved in Assisted Living for 21 years and that the increased services component cost must be considered in the affordable housing as well as the rent.

Vital Bhakta – As an owner of assisted living facilities, he finds that services are diminished by the increasing regulation and that people are entering at an older age requiring more services.

Steve Corbett – 14 Irving Park – Stated the percentage for affordable housing should be the same for all districts. The current assisted living is on town land and the town required higher percentages. This is difficult for a privately owned operator and requested the item be sent to Committee or the language revised.

Jocelyn Tager – Thanked the many people who helped make the Solar Zoning Ordinance a reality

There being no other speakers, President Sideris closed the Public Forum.

4. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS
Minutes of the November 27, 2018 Town Council Meeting

This item was tabled, as the minutes were not yet complete.

5. PRESIDENT'S REPORT
There was no item brought up.

6. UNFINISHED BUSINESS FROM PRIOR MEETINGS

- A. Vote on Proposed Zoning Text Amendments Relating to Affordable Housing Section 5.07, Inclusionary Zoning, to
- Add Definitions for [Assisted Living](#), Independent Living and Dementia Care/Skilled Nursing,
 - Create an Affordable Unit Contribution for Assisted Living Facilities Based on the Number of Assisted Living Units (5% for Up To 75 Units and 10% for 76 or More Units),
 - Allow a Fee in Lieu Contribution for Assisted Living Units, and
 - Exempt Dementia Care and Skilled Nursing from the Requirements of 5.07

Mr. Magoon explained that his department clarified the language regarding assisted living by breaking the affordable housing requirements into two tables. Any project with Individual Living Units will use the affordable housing requirements used for other projects; for those with Assisted Living Units, the requirements will be 5% of the units for those projects with 0-75 units and for projects of 76 or more units, 10% of the units would need to be affordable. Dementia and skilled nursing care are exempt from these requirements. The note has been expanded so that the basic service package is the same as for the market based used units. This was done in order for the housing to qualify for the 10% mandated State Subsidized Housing Inventory (SHI).

The following points were made in the Council's discussion:

- ~ Such projects usually break down to 50% Individual Living Units; 30% Assisted Living Units, and 20% for dementia and skilled care nursing.
- ~ In order to make up the discrepancy in income from affordable units, the market rates will probably increase. There should also be money derived from grants and program support to assist with the affordable units costs.
- ~ For a 75 unit project, the affordable units would be a maximum of 4 units

- ~ The rent and service costs should not be separated because the services could not be paid for by lower income participants; this would in effect limit the facility to residents with wealth.
- ~ Newton imposes a 2 ½ % payment of gross receipts to a trust fund and developers continue to invest in Newton. Imposing an affordable housing restriction should not limit development in Watertown.
- ~ Such a project would be defined as a residence, not an institution, and as such would be able to benefit from tax shifts
- ~ The selection process for affordable housing participants is fairly standardized: Advertisement, Pre-Qualification, and Selection by Lottery.
- ~ If a project were seeking a special permit, it would use the Affordable Housing criteria; if it were seeking an Overlay District application, other rules are used, some being more restrictive than the Special Permit use.
- ~ If a developer creates an assisted living project in a permitted zone, the special permit rules would apply and a minimum 5% affordable housing standard would be used; if an overlay zone change were requested, it would be able to place an assisted living facility where it is not currently permitted and the minimum affordable housing would be 10%.
- ~ Based on this percentage discrepancy, the matter should be reviewed to provide equity to all facilities no matter where they are located

Councilor Piccirilli made a motion to withdraw his motion of November 27, 2018 and to replace it with the motion to adopt the zoning amendment as written with the clarification in the memo of December 7, 2018; Councilor Feltner seconded the motion. The motion was adopted unanimously on a roll call vote.

B. Committee of the Budget and Fiscal Oversight Report Regarding Recommendations on the [FY 2020 Budget Priority Guidelines](#) – Vincent Piccirilli, Chair

ACTION ITEM: That the Town Council Adopt the FY 2020 Budget Policy Guidelines as Compiled by the Committee of the Budget and Fiscal Oversight

Councilor Piccirilli read the Committee Report. Councilor Woodland moved to accept the report; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote.

Councilor Woodland made a motion to adopt the FY 2020 Budget Policy Guidelines as compiled by the Committee of the Budget and Fiscal Oversight; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote.

President Sideris reminded the Councilors to provide their individual priority rankings of budget items by Tuesday, December 18, 2018.

- C. Committee on [Media and Public Outreach Report](#) – Anthony Palomba, Chair

Councilor Palomba read the Committee Report. Councilor Piccirilli moved to accept the report; Councilor Woodland seconded the motion. The motion was adopted unanimously on a voice vote.

7. MOTIONS, ORDINANCES, ORDER, AND RESOLUTIONS

First Reading And Referral To Committee an Amendment to the Code of Ordinances that Would Delete, in its Entirety, Chapter 92.04 Gasoline Pumps, Which Prohibits [Self-Service Gasoline Pumps](#).

Mr. Magoon stated that this was a request to remove the prohibition of self-operated gas pumps that had been instituted in the past due to safety concerns. As there was no opposition from Public Safety officials, this change was being recommended.

Councilor Piccirilli made a motion to forward the item to the Rules and Ordinance Committee; Councilor Feltner seconded the motion. The motion was adopted unanimously on a voice vote.

8. REPORTS OF COMMITTEES

Committees on [Public Works and Public Safety Report](#) regarding Watertown's [Hazard Mitigation Plan](#). – Vincent J. Piccirilli, Jr., Chair

Councilor Piccirilli read the report of the Public Works and Public Safety Committees. Councilor Woodland moved to accept the report; Councilor Kounelis seconded the motion. The motion was adopted unanimously on a voice vote.

9. NEW BUSINESS

Councilor Falkoff asked that the Town look at the Zoning Overlay District so that it is applied evenly throughout the community.

10. COMMUNICATIONS FROM THE TOWN MANAGER

- A. [AT&T Small Cell Utility Pole Project](#) - Request for Hearing.

Mr. Driscoll received a request for a Public Hearing from AT&T regarding a small cell utility pole project and requested that the item be referred to Committee. Councilor Piccirilli moved that the item be referred to the Committee on Public Works; Councilor Falkoff seconded the motion. The motion was adopted unanimously on a voice vote.

B. Community Preservation Committee Appointments.

Mr. Driscoll announced four citizen appointees:

- ~ Mark Kaczkiwicz – Term Expires February 1, 2020
- ~ Dennis Duff – Term Expires February 1, 2020
- ~ Elodia Thomas – Term Expires February 1, 2021
- ~ Jonathan Bockian – Term Expires February 1, 2022

The appointed members are

- ~ Jason Cohen – Planning Board Designee – Term Expires February 1, 2020
- ~ Maria Rose – Conservation Commission Designee – Term Expires February 1, 2021
- ~ Susan Steele – Historic Commission Designee - Term Expires February 1, 2021
- ~ Michael Lara – Housing Authority Designee - Term Expires February 1, 2022
- ~ Dennis J. Sheehan – Board of Park Commissioner, Town Manager Employee Designee – Term Expires February 1, 2022.

President Sideris stated that the Ad Hoc Committee would be interviewing the citizen appointees. The members of the Committee would be Councilors Falkoff, Feltner, and Palomba and President Sideris.

Mr. Driscoll further stated that the Administration Building would be closed on December 24 and 25, 2018, open on December 31, 2018, and closed on January 1, 2019 due to the holidays.

11. REQUESTS FOR INFORMATION/REVIEW OF LIST OF PENDING MATTERS

Councilor Kounelis requested a [clarification of the disabled veterans tax exemption](#) and what could be done to rectify the change from the Town Assessor and the Town Manager.

Councilor Falkoff asked how the Community Preservation Committee would be established. Both President Sideris and Mr. Driscoll stated that the Committee would convene, determine their own organization, and create their own agenda.

Councilor Feltner asked for information regarding the [Parking Management Survey and the potential conflict of employees being appointed to the CPC.](#)

12. ANNOUNCEMENTS

Councilor Palomba announced that on December 20, 2018 at 7:15 pm, there would be a meeting of the Human Services Committee in the Council Chamber to discuss the status of the Snow Removal Program.

President Sideris announced that on December 12, 2018, at 10:00 am, the MSBA would be voting on the Feasibility Study regarding the Watertown High School to determine whether the proposal would be accepted into the program.

13. PUBLIC FORUM

Libby Shaw – 73 Templeton Parkway – Thanked the Council for creating an Urban Forest long range plan for Watertown by collecting data.

Jocelyn Tager – 103 Robbins Road – Finished her thank you regarding the passage of the solar paneling zoning amendment.

14. RECESS OR ADJOURNMENT

Councilor Piccirilli made a motion to adjourn the meeting; Councilor Woodland seconded the motion. The motion was adopted unanimously on a voice vote. The meeting adjourned at 8:58 p.m.

[ADDENDUM](#)

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes were adopted by a vote of _9_ for, _0_ against, _0_ present on January 22, 2019.

Mark S. Sideris, Council President
s:/MWP

**TOWN COUNCIL MEETING
TUESDAY, DECEMBER 11, 2018 AT 7:15 P.M.
RICHARD E. MASTRANGELO COUNCIL CHAMBER
LIST OF DOCUMENTS**

1. Planning Board Report Regarding a Zoning Amendment to Amend Section 5.07, Affordable Housing Requirements in Regard to Assisted Living – November 19, 2018 – Item 6A
2. Proposed Zoning Text Amendment: Affordable Assisted Living – Steve Magoon, Director of the Department of Community Development and Planning to the Town Council and Michael Driscoll, Town Manager – December 7, 2018 – Item 6A
3. Committee of the Budget and Fiscal Oversight Report Regarding the FY 2020 Budget Policy Guidelines – November 5 and 19, 2018 – Item 6B
 - ~ FY 2020 Budget Priority Guidelines Worksheet
 - ~ FY 2020 Budget Priority Guidelines For Approval by the Town Council
 - ~ FY 2020 Budget Priority Guidelines Ranking Sheet
4. Committee on Media and Public Outreach Regarding Recommending Actions for Improvements – Item 6C
5. Allow Self Service Gasoline Pumps – Steve Magoon, Director of the Department of Community Development and Planning to the Town Council and Michael Driscoll, Town Manager – December 6, 2018 – Item 7
6. Committees on Public Works and Public Safety Report Regarding Watertown's Hazardous Mitigation Plan – December 4, 2018 – Item 8
 - ~ Current Natural Hazards Mitigation Plan
 - ~ Watertown Natural Hazards Mitigation Plan – Public Meeting , Public Works and Public Safety Committees – Martin Pillsbury, Metropolitan Area Planning Council – December 4, 2018
 - ~ Town of Watertown Draft Hazard Mitigation Plan 2019 Update – Draft – January 7, 2019 – MAPC
7. AT&T Small Cell Utility Pole Project – Request for Hearing – Michael Driscoll, Town Manager, to Town Council – December 6, 2018 – Item 10A
8. Community Preservation Committee Appointments – Michael Driscoll, Town Manager, to Town Council – December 7, 2018 – Item 10B
9. Request for Information Regarding Clause 22E Merit/100% Disabled Veterans Tax Relief – Councilor Kounelis – December 11, 2018 – Item 12
10. Request for Information Regarding the parking Management Survey and Housing Authority appointee to the Community Preservation Committee – Councilor Feltner – Item 12