



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
Kelly Donato, Member
Michael E. Brangwynne, Alternate

Telephone (617) 972-6427
Facsimile (617) 926-7778
www.watertown-ma.gov

MINUTES

On Wednesday evening, June 23rd, 2021 the Zoning Board of Appeals held a public hearing at 7 p.m. in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20. Due to the 2020 Covid-19 emergency and to avoid group congregation, the meeting included remote access with public participation through WCA-TV (Watertown Cable Access Television) and during the meeting, utilizing virtual meeting software for remote access.

In attendance: Melissa SantucciRozzi, *Chairperson*; David Ferris, *Clerk*; Christopher Heep, *Member*; Kelly Donato, *Member*; also present: Gideon Schreiber, *Sr. Planner*; Mike Mena, *Zoning Enforcement Officer*; Joshua Manion, *Zoning Division Clerk*

Chair SantucciRozzi opened the meeting and called roll for the Board Members in attendance; and noted for the record that Alternate Member Brangwynne was unable to be at this meeting. After staff reviewed the different methods of participation for the public, the Chair briefly outlined the Agenda for this meeting and noted the petition regarding 23-29 Elm St. was continued to the July meeting.

Item #1: Administrative

Chair SantucciRozzi requested a motion on the Minutes from April. Member Ferris motioned to approve the April Minutes; motion was seconded by Member Heep. Motion to approve the April Minutes was passed by roll call vote, 4 – 0, with Members Ferris, Heep, Donato, and Chair SantucciRozzi voting in favor. Member Heep then motioned to approve the May Minutes; motion was seconded by Member Donato. Motion to approve the May meeting Minutes was approved by roll call vote, 3-0-1, with Members Heep, Donato, and Ferris voting in favor – Chair abstained.

Item #2: 47 Waltham St.

Chair SantucciRozzi introduced the Applicant for the first petition to be heard and noted that the Board had received revised plan sets since the last meeting. Zhan Xi (a.k.a. Charley), the petitioner, provided a refresher on the scope of his project and described the revisions made to the plans since the last meeting. Mr. Xi noted the revisions made to the plans were done in accordance with the Board's suggestions; specifically, adding landscaping to the front driveway area and reorienting the parking spaces located toward the rear of the property.

The Board thanked the Applicant for his presentation and proceeded with questioning the project. Member Ferris questioned the depth of the garage and driveway, Town staff addressed Member Ferris' question and clarified the dimensions of the garage and driveway. Member Ferris then asked if one of

the parking spaces behind the garage could be a tandem space, Staff responded that while that was an option that was looked at when coordinating with the Applicant, the dimensional situation prohibits a tandem parking plan. Member Ferris thanked the Applicant and Town Staff and noted that he was just looking to minimize the parking footprint as much as possible.

Member Donato thanked the Applicant for including the additional landscaping in the front of the site. She then questioned the status of the Applicant's discussions with the rear abutter about the back fence – are they planning on refurbishing this fence? Mr. Zi confirmed the intend on refurbishing the fence in coordination with the neighbor.

Chair SantucciRozzi commented that the Board greatly appreciates the Applicant's cooperation in making the requested revisions, noting that minimizing pavement and increasing greenery is a high priority for the Board when examining petitions.

The Chair then recapitulated the scope of relief being sought, and requested a motion be made on this petition. Member Ferris motioned to approve this petition with conditions as outlined by the Staff Report, to be verified by Staff. Member Heep seconded this motion. Motion to approve was passed by roll call vote, 4 – 0, with Members Ferris, Heep, Donato, and Chair SantucciRozzi voting in favor. Petition was approved with conditions.

Item #3: 23-25 Molloy St.

Chair SantucciRozzi introduced the next item on the Agenda, and welcomed the architect for the Applicant, Tavis Babbitt, to present the details of the petition. Before proceeding, the Chair recapitulated the concerns raised by the Board at the last hearing of this petition and commented that if the property owner wants to establish a good rapport with the surrounding neighborhood, they should be more conscious of the entire process involved in developing properties.

Mr. Babbitt detailed the revisions to the plans and presented the board with two, updated options for a parking configuration for the property that had been drawn up by Civil Engineer Carlos Ferreira. The first plan showed was similar to the original plan, with slight dimensional modifications to increase maneuverability; the second plan showed a tandem parking layout with less pavement surface area. Mr. Babbitt noted that there was no alternative parking configuration for the right side of the property; it is simply too tight. He stated that they tried to work with the space as best they could to minimize pavement and still provide a functional parking situation; Town Staff added that a variance for front yard parking would've been required in any case.

The Board thanked the Applicant for the presentation, and Chair SantucciRozzi opened up discussion to the Board. Member Donato questioned how the changes to the parking plan would affect the proposed landscaping plan. Mr. Babbitt responded that while they did not alter the landscaping plan to represent the parking layout revisions, they believe only minor revisions would be needed in the front landscaping area and the window well area.

Chair SantucciRozzi questioned the window wells further, Mr. Babbitt explained that they are not meant to be egress windows and as such they are not included on the plans. Member Donato asked how close the parking area would be to these windows and egress points at the front of the house. Mr. Babbitt did not provide specific measurements, but stated that the parking spaces would not obstruct egress from the building in the event of emergency. Member Donato noted that she still has concerns about the proximity of parked cars to the egress points in front of the building; and more generally Member Donato expressed concern about the precedent the Board would be setting in approving this petition, as

only one of the two variances requested was absolutely necessary – the other seems to be needed due to the developer’s additions to the house. Member Heep echoed this concern and commented that he does not see the second layout option as being a significant improvement on the first.

Member Ferris questioned whether or not the windows at the front could be removed and that space be dedicated for landscaping. Mr. Babbitt responded that the basement would be finished, and they see the windows as necessary to bring in natural light and air. Member Ferris suggested that the Applicant explore the possibility of moving the windows to a different area of the house to make this front parking situation more palatable. Member Ferris then posed a question to the Town Staff about the dimensional peculiarity of this lot, noting that less than a quarter of the frontage for the lot is actually accessible. Town Staff confirmed that, in their view, this lot is unique both in its dimensional constraints and its general position relative to other properties.

Member Ferris then asked the Applicant if they believed both the new parking options are equally usable. Mr. Babbitt stated that he prefers the original option best, but thinks any of the options presented would work. Lastly, Member Ferris noted the dimensions shown on the new plans and questioned what the existing conditions were prior to the construction of the home additions. Mr. Babbitt showed the plans for the addition and discussed the implications of the added mass of the building, making the case that even without the addition, paving to the back of the house and placing parking there would not have been desirable.

Chair SantucciRozzi followed up on Member Ferris’ question about the existing conditions of the site prior to the building addition, noting that there are discrepancies between the two plans they have seen. The Chair went on to ask why the owner of the property had not considered the impact that adding to the building would have on the parking possibilities for this site. The owner and Applicant, Traolach Cahillane, responds that he genuinely hadn’t considered it and that he typically leaves the details of planning out a site to the architect/contractor. Mr. Cahillane apologized for the oversight and reiterated that he was not initially aware he would need a Variance for parking. The Chair questioned Mr. Cahillane about the number of bedrooms that are in the two units at this property, to which the Applicant responded that about three bedrooms would be in each unit. The Chair then asked how many properties the Applicant owns in Watertown, he responded that he owns about eight or nine properties here. Chair SantucciRozzi expressed disappointment that he is not more familiar with the Zoning laws in Watertown, given that the Applicant owns so many properties here.

Member Heep asked Staff if there was an option for the Applicant to request a Variance from the required amount of parking; Staff explained that that is the current situation, the house was already existing without the required amount of parking. Member Heep commented that he is still struggling with the idea of approving this project based on the fact that the owner built out more of the property and effectively took another parking option off the table.

Chair SantucciRozzi thanked the architect for his time and effort, but stated that she is not pleased with the way in which the Applicant has approached this project. The Chair recapitulated the issues the Board has with the petition and suggested that the Applicant go back and correct the discrepancies on the plans before proceeding. Member Ferris suggested the Applicant revisit the right side parking layout to see if any more room can be found to increase maneuverability. The Board and the Applicant agreed that this project should be continued to the September Zoning Board meeting to allow the Applicant more time to revise and perfect their proposal.

Motion to adjourn made by Member Heep, seconded by Member Donato. Motion to adjourn passed by roll call vote, 4 – 0, with Members Heep, Ferris, Donato, and Brangwynne voting in favor. Meeting was adjourned.