



Watertown City 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

John M. Airasian,
Councilor At Large

Caroline Bays,
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor

CITY COUNCIL MEETING TUESDAY, JANUARY 25, 2022 AT 6:00 PM RICHARD E. MASTRANGELO COUNCIL CHAMBER AGENDA

ACCESS INFORMATION:

- A. The meeting will be televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/?channel=3>
- B. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/92991331344>
- C. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 929 9133 1344 #
- D. Public may comment through email: vpiccirilli@watertown-ma.gov

-
1. ROLL CALL
 2. EXECUTIVE SESSION - 6:00 P.M.
 - A. Pursuant to G.L. c. 30A, sec. 21(A)(2), To Conduct Strategy Sessions in Preparation for Negotiations with Nonunion Personnel or to Conduct Collective Bargaining Sessions or Contract Negotiations with Nonunion Personnel – Interim City Manager
 - B. To Consider the Purchase, Exchange, Lease, or Value of Real Property as an Open Meeting May Have a Detrimental Effect on the Negotiating Position of the Public Body - 319 Arlington Street
 - C. To Consider the Purchase, Exchange, Lease, or Value of Real Property as an Open Meeting May Have a Detrimental Effect on the Negotiating Position of the Public Body - 341 Mount Auburn Street
 3. RETURN TO SESSION – 7:00 P.M.
 4. PLEDGE OF ALLEGIANCE
 5. PUBLIC FORUM
 6. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS
 - A. City Council Minutes of the Special City Council Meeting - December 1, 2021
 7. PRESIDENT’S REPORT

- A. Request from the Watertown Contributory Retirement Board to Increase the Base of the Retiree Cost of Living Adjustment; and a Referral to the Committee on Budget and Fiscal Oversight for Review and Report to the Full City Council
8. PUBLIC HEARINGS
- A. Public Hearing and Vote on a Petition for a Grant of Location from National Grid to Install and Maintain 522 Feet of 8-Inch Plastic Main on Bigelow Avenue, from Artsakh Street to Mount Auburn Street, to Tie into the 4-inch Main in Merrifield Avenue. Upon Completion of the Department of Public Works Review, Said Work Is Subject to the Recommendations and Conditions by the City Council Should the Grant of Location be Approved for This Application
 - B. Public Hearing and Vote on a Petition for a Grant of Location from NSTAR d/b/a EVERSOURCE ENERGY for the Installation in Dexter Avenue from Pole 43/25, for a Distance of About 56+/- Feet of Conduit. This Work is Necessary to Provide OH/UG Electric Service to 191 Dexter Avenue. Upon Completion of the Department of Public Works Review, Said Work Is Subject to the Recommendations and Conditions by the City Council Should the Grant of Location be Approved for This Application
 - C. Public Hearing and Vote on a Resolution on an Amendment to the Watertown Zoning Ordinance to Create a Definition of Firearm Business, and Amend the Table of Permissible Uses to Include Firearms Business, and Create Regulations Specific to This Use.
 - D. Public Hearing and Vote on an Amendment to the Watertown Zoning Ordinance to Define Short Term Rentals, Include This Use in the Table of Accessory Use Regulations, and Add Requirements Specific to This Use.
9. REPORTS OF COMMITTEES
- A. Committee on Public Works Report Regarding the Appointments and Reappointments to the Stormwater Advisory Committee and the Environment and Energy Efficiency Committee - Vincent J. Piccirilli, Chair
ACTION ITEMS:
 - 1. That the City Council Approve the Appointment of Janet Buck to the Stormwater Advisory Committee for a Term Ending July 15, 2023
 - 2. That the City Council Approve the Appointment of Pat Rathbone to the Environment and Energy Efficiency Committee for a Term Ending November 15, 2022
 - 3. That the City Council Approve the Reappointment of Jeanne Trubek to the Environment and Energy Efficiency Committee for a Term Ending November 15, 2024
 - 4. That the City Council Approve the Reappointment of Brian Hebeisen to the Environment and Energy Efficiency Committee for a Term Ending November 15, 2023
 - 5. That the City Council Approve the Appointment of Ellen Parker Menounos to the Environment and Energy Efficiency Committee for a Term Ending November 15, 2023
 - 6. That the City Council Approve the Appointment of Laurie Murphy to the Environment and Energy Efficiency Committee for a Term Ending November 15, 2023
 - B. Committees on Public Works and Rules and Ordinances Report Regarding the Management of Snow and Ice Removal and to Make Recommendations on a Sidewalk Snow Shoveling Ordinance - Vincent J. Piccirilli, Chair, Public Works; John G. Gannon, Chair, Rules and Ordinances

10. NEW BUSINESS
 - A. Referral to the Committee on Rules and Ordinances to Create a Human Rights Commission
 - B. Referral to the Committee on Personnel and City Organization a Discussion on the Creation of the Position of a City Council Analyst
11. COMMUNICATIONS FROM THE CITY MANAGER
 - A. Submission of the Proposed Fiscal Year 2023-2027 Capital Improvement Program
 - B. Good Government Items/Issues
12. REQUESTS FOR INFORMATION/REVIEW OF LIST OF PENDING MATTERS
13. ANNOUNCEMENTS
14. PUBLIC FORUM
15. RECESS OR ADJOURNMENT



Watertown Contributory Retirement Board

Administration Building
149 MAIN STREET
WATERTOWN, MA 02472
TEL (617) 972-6456 - FAX (617) 923-3531
www.watertownretirement.com

THOMAS V. THIBAUT, JR., Chairman
THOMAS J. TRACY, Ex-Officio

DOMENIC ARONE, Elected Member
JOHN T. LOUGHRAN, Appointed Member
KATHLEEN KIELY-BECCHETTI, Fifth Member

January 20, 2022

Watertown City Council
Administration Building
Watertown, MA 02472

RE: Increase to Base of Retiree Cost of Living Adjustment

Dear Honorable Council Members:

At the most recent Watertown Retirement Board (Board) meeting held on January 18, 2022 the Board discussed the current retiree cost of living adjustment (COLA) which is currently 3% of \$13,000 (max of \$390 per year per retiree). In attendance at this meeting was all of the Board members as well as Michael J. Driscoll, City Manager and the Board's Actuary Dan Sherman. We discussed our current funding schedule, current funding status, as well as the Board's significant Return on Investments for the last three calendar years.

After discussion with the City Manager, the Watertown Retirement Board (Board) respectfully requests approval by the City Council to increase the base amount upon which a retiree's cost of living adjustment (COLA) can be calculated, from its current maximum of 3% of \$13,000, last approved in 2015, to 3% of \$14,000. After review of the social and financial impact of such action, and after consultation with its actuary, the Board unanimously supports this proposed increase.

Additionally, it was agreed that the Board would determine if certain financial indicators were met each year prior to considering or requesting future Retiree COLA base increases. The City Manager participated in this discussion and believed it to be a prudent approach in working collaboratively with the City Council, Retirement Board and City Manager in accordance with the City Council's Ongoing Budget Policy Guideline 1C.

Therefore, the Board respectfully requests that the Honorable City Council vote to allow the increase COLA base from 3% of \$13,000 (max \$390 per year per retiree) to 3% of \$14,000 (max \$420 per year per retiree).

Retiree COLA History

Chapter 17 of the Acts of 1997 changed the way in which COLAs were granted to retirees, which previously required an act of the Legislature. Because of the enactment of Proposition 2½, which prohibited state mandated costs upon municipalities, from 1982 to 1997 reimbursement to each retirement board from the State Retirement System was required.

The law was changed so that each retirement system would pay for the COLAs that were granted by the retirement board. The Public Employee Retirement Administration Commission (PERAC) annually reports the COLA as determined for benefit recipients by the Social Security Administration, which is based upon the Consumer Price Index (5.9% for 2022). The retiree COLA would be based upon that amount, or three percent (3%), whichever was less, as applied to the first \$12,000 of a retiree's allowance, or \$360 annually. The changes, incorporated into Section 103 of Chapter 32, were subject to local acceptance, and accepted by the City Council Meeting.

Subsequently, Section 51 of Chapter 127 of the Acts of 1999 was enacted, again subject to local acceptance, which allowed for retirement boards to grant a COLA up to 3% of the first \$12,000 of benefits.

Chapter 188 of the Acts of 2010 was enacted to allow a local option to increase the \$12,000 base amount of the retiree COLA. Section 103(j) of Massachusetts General Laws Chapter 32 provides authority to municipalities and retirement boards to increase the COLA base in increments of \$1,000, for members and surviving spouses of members of the retirement system receiving retirement allowances on June 30th of the prior fiscal year.

With the approval of the Board and the City Council, the COLA base was increased to \$13,000 effective July 1, 2015, where it remains today. Acceptance of this new COLA option, as is the case with previous COLA enactments, is irrevocable.

Social and Financial Impact

The Board has noted with some concern that inflation is on the rise. Costs for energy, food, housing, and medical treatment have steadily increased while the economy strives to recover from the pandemic. Inflationary increases impact our retirees significantly. As noted above, based on the CPI increase, Social Security recipients have received a 5.9% COLA as of January 2022, an increase which is based in the full amount of the Social Security. The average Social Security benefit in Massachusetts is now \$19,000 a year, and the Social Security COLA is uncapped.

The current retirement COLA has been factored into the System's funding schedule, which will be revised upon approval of 3% COLA on the first \$14,000 of benefits. Such increase will have no financial impact on the System's funding. The Board voted to reduce the System's assumed rate of investment return to 7.75%, which also will have no impact on the System's funding. The Board will continue to review all of the actuarial assumptions on an annual basis.

The System's investments have been successful in the long term; the System's funding is on solid ground and is fiscally sustainable. The Board firmly believes that under all of these circumstances, it is reasonable and appropriate to increase the retiree COLA base to \$14,000 as of July 1, 2022. It is respectfully requested that the City Council act favorably on this request.

Sincerely,



Thomas V. Thibaut, Jr., Chairman

cc: Michael J. Driscoll, City Manager



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Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor

NOTICE OF PUBLIC HEARING – NATIONAL GRID

Grant of Location: BIGELOW AVENUE (WO #1405156)
January 10, 2022

Dear Abutters:

The City Council of the City of Watertown will hold a public meeting on Tuesday, January 25, 2022 at 7:00 p.m. in the Richard E. Mastrangelo Council Chamber, 149 Main Street, Watertown, MA. Anyone wishing to attend may do so in person or access the meeting using the following public access methods.

ACCESS INFORMATION:

- A. The meeting will be televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/?channel=3>
- B. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/92991331344>
- C. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 929 9133 1344 #
- D. Public may also comment through email: vpiccirilli@watertown-ma.gov

This meeting is in regards to a petition by National Grid for the consideration of a Grant of Location to install and maintain 522 feet of 8-inch plastic main on Bigelow Avenue, from Artsakh Street to Mount Auburn Street, to tie into the 4-inch main in Merrifield Avenue. Upon completion of the Department of Public Works review, the following recommendations and conditions are being submitted for consideration by the City Council should the Grant of Location be approved for this application.

Additional Conditions

1. During construction, uninterrupted pedestrian access (or temporary pedestrian facilities) shall be provided all times or an appropriate alternative path provided.
2. Please be aware that there may be utility infrastructure that is not shown on the plan and may be encountered in the field. If a conflict occurs between the proposed installation and existing City-Owned and/or private utility infrastructure, The City Engineer shall be contacted directly to discuss an appropriate resolution.
3. It is the sole responsibility of the Applicant, and their Contractor, to ensure that any City-Owned and/or private utilities, if located within the limits of work should be properly marked and protected during construction activities. **The City of Watertown is not a member of Dig Safe and must be notified separately.**
4. The proposed scope of work requires a DPW Street Opening Permit through the

Watertown DPW prior to the start of construction.

5. All disturbances to curbing, grass strips, sidewalks, walkways, and roadway surfaces, should be repaired in kind to the satisfaction of the City of Watertown DPW. If any existing sidewalk is proposed to be removed and replaced in full width, the restoration must be completed in accordance with all current ADA, AAB and City of Watertown standards.
6. All work within the right of way shall require the Contractor to schedule and coordinate a police traffic detail. Traffic control and safety measures shall be implemented in adherence to applicable OSHA requirements, Massachusetts DOT Work Zone Safety Guidelines and Part VI of the Manual of Uniform Traffic Control Devices.
7. All material stockpiled on roadways and/or roadway shoulders shall be protected with erosion control devices, such as silt fence or straw wattles. It will be the sole responsibility of the Contractor to remove any sediment that enters the City drainage system as a result of the proposed work.
8. Equipment, staging, and stockpiles shall not be located in a manner so as to interfere with intersection sightlines and be kept in a neat and orderly fashion.
9. Public shade trees within and adjacent to the proposed work zone must be protected. The Contractor shall install individual tree protection on any public shade tree that may be impacted and the Contractor shall not stockpile material or equipment within the drip zone of a public shade tree.
10. Contractor shall coordinate with City Health Department on rodent control requirements.

Please feel free to contact Mary Mulroney at 617-894-3890 or at Mary.Mulroney@nationalgrid.com for any technical questions you may have.

Your participation is not necessary, if you choose not to object to the above petition.

Sincerely,

Watertown City Council



TOWN OF WATERTOWN

DEPARTMENT OF PUBLIC WORKS
124 ORCHARD STREET
WATERTOWN MA 02472

(P) 617-972-6420
(F) 617-972-6402

TYPE: Grant of Location Recommendations
DATE: October 6, 2021
APPLICANT: National Grid
LOCATION: Bigelow Avenue

Watertown Department of Public Works has reviewed the attached petition by National Grid for consideration of a Grant of Location to install and maintain 522 feet of 8-inch plastic main on Bigelow Avenue, from Artsakh Street to Mt Auburn Street, TO tie into the 4-inch main in Merrifield Avenue. Upon completion of our review, we are submitting the following recommendations and conditions for consideration by the Town Council should the Grant of Location be approved for this application.

Additional Conditions

1. During construction, uninterrupted pedestrian access (or temporary pedestrian facilities) shall be provided at all times, or an appropriate alternative path provided.
2. Please be aware that there may be utility infrastructure that is not shown on the plan and may be encountered in the field. If a conflict occurs between the proposed installation and existing Town-Owned and/or private utility infrastructure, The Town Engineer shall be contacted directly to discuss an appropriate resolution.
3. It is the sole responsibility of the Applicant, and their Contractor, to ensure that and Town-Owned and or private utilities, if located within the limits of work should be properly marked and protected during construction activities. **The Town of Watertown is not a member of Dig Safe and must be notified separately.**
4. The proposed scope of work requires a DPW Street Opening Permit through the Watertown DPW prior to the start of construction.
5. All disturbances to curbing, grass strips, sidewalks, walkways, and roadway surfaces, should be repaired in kind to the satisfaction of the Town of Watertown DPW. If any existing sidewalk is proposed to be removed and replaced in full width, the restoration must be completed in accordance with all current ADA, AAB and Town of Watertown standards.
6. All work within the right of way shall require the Contractor to schedule and coordinate a police traffic detail. Traffic control and safety measures shall be implemented in adherence to applicable OSHA requirements, Massachusetts DOT Work Zone Safety Guidelines and Part VI of the Manual of Uniform Traffic Control Devices.
7. All material stockpiled on roadways and/or roadway shoulders shall be protected with erosion control devices, such as silt fence or straw wattles. It will be the sole responsibility of the Contractor to remove any sediment that enters the Town drainage system as a result of the proposed work.
8. Equipment, staging, and stockpiles shall not be located in a manner so as to interfere with intersection sightlines and be kept in a neat and orderly fashion.
9. Public shade trees within and adjacent to the proposed work zone must be protected. The Contractor shall install individual tree protection on any public shade tree that may be impacted and the Contractor shall not stockpile material or equipment within the drip zone of a public shade tree.
10. Contractor shall coordinate with Town Health Department on rodent control requirements.

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

Town of Watertown / Town Council:

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **Town of Watertown** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain 522 feet of 8-inch plastic main on Bigelow Avenue, from Artsakh Street to Mt. Auburn Street, Watertown, (tie into the 4-inch main in Merrifield Av).

Date: September 24, 2021

By: Mary Mulroney
Mary Mulroney
Permit Representative

Town of Watertown / Town Council:

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **Town of Watertown** substantially as described in the petition dated September 24, 2021 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **Town of Watertown** applicable to the enjoyment of said locations and rights.

Date this _____ day of _____, 20____.

I hereby certify that the foregoing order was duly adopted by the _____
the Town of _____, MA on the _____ day of _____, 20____

By: _____

Title

WO #1405156

**RETURN ORIGINAL TO THE PERMIT SECTION
NATIONAL GRID
40 SYLVAN RD, WALTHAM, MA 02451
RETAIN DUPLICATE FOR YOUR RECORDS**

FORM # 1444, Rev. 90

RECEIVED
WATERTOWN D.P.W.
2021 SEP 24 PM 2:19

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

Town of Watertown / Town Council:

The Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **Town of Watertown** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain 522 feet of 8-inch plastic main on Bigelow Avenue, from Artsakh Street to Mt. Auburn Street, Watertown, (tie into the 4-inch main in Merrifield Av).

Date: September 24, 2021

By:


Mary Mulroney
Permit Representative

Town of Watertown / Town Council:

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **Town of Watertown** substantially as described in the petition dated September 24, 2021 attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Nationalgrid shall comply with all applicable provisions of law and ordinances of the **Town of Watertown** applicable to the enjoyment of said locations and rights.

Date this _____ day of _____, 20____.

I hereby certify that the foregoing order was duly adopted by the _____ of the Town of _____, MA on the _____ day of _____, 20____.

By: _____

Title

WO #1405156

**RETURN ORIGINAL TO THE PERMIT SECTION
NATIONAL GRID
40 SYLVAN RD, WALTHAM, MA 02451
RETAIN DUPLICATE FOR YOUR RECORDS**

FORM # 1444, Rev. 90



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Emily Izzo,
District D Councilor

NOTICE OF PUBLIC HEARING – NSTSAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY (WO # 6565501)

Grant of Location: 191 DEXTER AVENUE
January 10, 2022

Dear Abutters:

The City Council of the City of Watertown will hold a public meeting on Tuesday, January 25, 2022 at 7:00 p.m. in the Richard E. Mastrangelo Council Chamber, 149 Main St., Watertown, MA along with remote opportunities for participation with public access provided as follows:

ACCESS INFORMATION:

- A. The meeting will be televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/?channel=3>
- B. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/92991331344>
- C. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 929 9133 1344 #
- D. Public may also comment through email: vpiccirilli@watertown-ma.gov

on a petition from NSTSAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for consideration of a Grant of Location for the installation in Dexter Avenue from pole 43/25, for a distance of about 56 ± feet of conduit. This work is necessary to provide OH/UG electric service to 191 Dexter Avenue. Upon completion of our review, the following recommendations and conditions are being submitted for consideration by the City Council should the Grant of Location be approved for this application

Additional Conditions

1. During construction, uninterrupted pedestrian access (or temporary pedestrian facilities) shall be provided at all times or an appropriate alternative path provided.
2. Please be aware that there may be utility infrastructure that is not shown on the plan and may be encountered in the field. If a conflict occurs between the proposed installation and existing City-Owned and/or private utility infrastructure, The City Engineer shall be contacted directly to discuss an appropriate resolution.
3. It is the sole responsibility of the Applicant, and their Contractor, to ensure that and City-Owned and or private utilities, if located within the limits of work should be properly marked and protected during construction activities. **The City of Watertown is not a member of Dig Safe and must be notified separately.**
4. The proposed scope of work requires a DPW Street Opening Permit through the Watertown DPW prior to the start of construction.
5. All disturbances to curbing, grass strips, sidewalks, walkways, and roadway surfaces, should be repaired in kind to the satisfaction of the City of Watertown DPW. If any existing sidewalk is proposed to be removed and replaced in full width, the restoration

must be completed in accordance with all current ADA, AAB and City of Watertown standards.

6. All work within the right of way shall require the Contractor to schedule and coordinate a police traffic detail. Traffic control and safety measures shall be implemented in adherence to applicable OSHA requirements, Massachusetts DOT Work Zone Safety Guidelines and Part VI of the Manual of Uniform Traffic Control Devices.
7. All material stockpiled on roadways and/or roadway shoulders shall be protected with erosion control devices, such as silt fence or straw wattles. It will be the sole responsibility of the Contractor to remove any sediment that enters the City drainage system as a result of the proposed work.
8. Equipment, staging, and stockpiles shall not be located in a manner so as to interfere with intersection sightlines and be kept in a neat and orderly fashion.
9. Public shade trees within and adjacent to the proposed work zone must be protected. The Contractor shall install individual tree protection on any public shade tree that may be impacted, and the Contractor shall not stockpile material or equipment within the drip zone of a public shade tree.
10. Contractor shall coordinate with City Health Department on rodent control requirements.

Please feel free to contact Joanne Callender at 781-314-5054 for any technical questions you may have.

Your participation is not necessary, if you choose not to object to the above petition.

Sincerely,

Watertown City Council

November 23, 2021

Town Council
Town Hall
149 Main Street
Watertown, MA 02472

RE: Dexter Avenue
Watertown, MA
W.O.# 6565501

RECEIVED
WATERTOWN D.P.W.
2021 NOV 23 PM 4:05

Dear Members of the Council:

The enclosed petition and plan are being presented by the NSTAR Electric Company d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 56 feet of conduit on Dexter Avenue.

The reason for this work is to provide overhead/underground service to 191 Dexter Avenue, Watertown.

If you have any further questions, contact Joanne Callender at 781-314-5054.
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Richard M. Schifone

Richard M. Schifone, Supervisor
Rights and Permits

RMS/wls
Attachments

**PETITION OF NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS
AND MANHOLES**

To the **Town Council** of the Town of **WATERTOWN** Massachusetts:

Respectfully represents **NSTAR ELECTRIC Company d/b/a Eversource Energy** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **T. Thibault Dated November 6, 2021**, and filed herewith, under the following public way or ways of said Town:

**NSTAR ELECTRIC COMPANY
d/b/a EVERSOURCE ENERGY**

**Dexter Avenue – Northwesterly, from pole 43/25, approximately 291 feet
Southwest of Cypress Street, install approximately 56
feet of conduit.**

WO# 6565501

BY *Richard M. Schifone*
Richard M. Schifone, Supervisor
Rights & Permits

Dated this 9th day of November 2021

Town of **WATERTOWN** Massachusetts

Received and filed _____ 2021

**ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of WATERTOWN**

WHEREAS, **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

**Dexter Avenue – Northwesterly, from pole 43/25, approximately 291 feet
Southwesterly of Cypress Street, install approximately 56 feet of
conduit.**

WO# 6565501

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by
T. Thibault, dated November 6, 2021, on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the town council or such officer or officers as it may appoint to supervise the work.

1	_____	
2	_____	
3	_____	Town Council
4	_____	the Town of
5	_____	WATERTOWN

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the council to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the 9th day of November 2021 at _____ in said Town.

1	_____	
2	_____	
3	_____	Town Council
4	_____	the Town of
5	_____	WATERTOWN

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Town Council** of the Town of **WATERTOWN**, Massachusetts, duly adopted on the 9th day of November, 2021 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **WATERTOWN**, Massachusetts

Unofficial Property Record Card - Watertown, MA

General Property Data

Parcel ID **1211 5C 0**
 Prior Parcel ID **10116000 -1211 5C 0-**
 Property Owner **SDC WATERTOWN PARTNERS LLC**

Account Number **101160-00**

Mailing Address **150 EAST 58TH ST, STE 2000**

Property Location **165 DEXTER AV**

Property Use **R+D BLD**

Most Recent Sale Date **10/21/2015**

Legal Reference **66259-421**

City **NEW YORK**

Grantor **REV MCFARLAND, REV COLLINS &, REV WITT TRUSTEES**

Mailing State **NY** Zip **10028**

Sale Price **6,500,000**

ParcelZoning **I-2**

Land Area **0.712 acres**

Current Property Assessment

Card 1 Value Building Value **784,500**

Xtra Features Value **18,600**

Land Value **1,109,600**

Total Value **1,912,700**

Building Description

Building Style **LAB-R&D-OFF**
 # of Living Units **1**
 Year Built **1947**
 Building Grade **AVG. (+)**
 Building Condition **Good**
 Finished Area (SF) **9332**
 Number Rooms **0**
 # of 3/4 Baths **0**

Foundation Type **CONCRETE**
 Frame Type **STEEL**
 Roof Structure **FLAT**
 Roof Cover **MEMBRANE**
 Siding **BRICK**
 Interior Walls **MINIMUM**
 # of Bedrooms **0**
 # of 1/2 Baths **3**

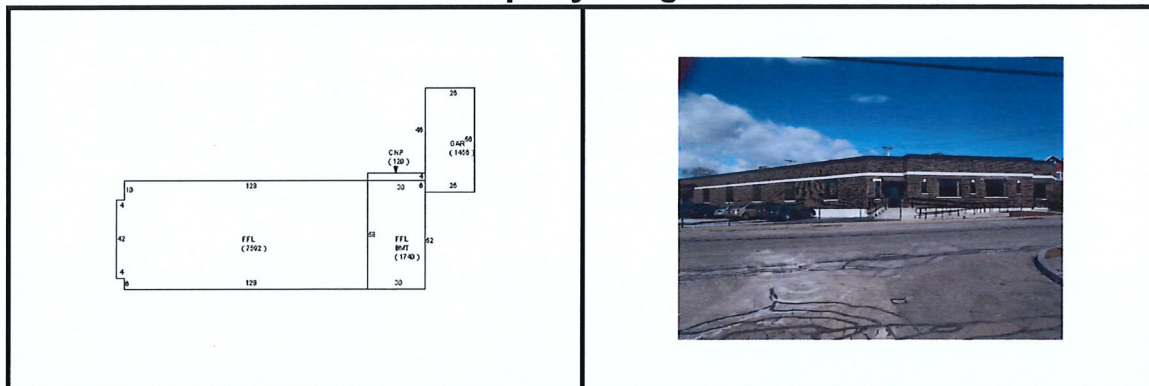
Flooring Type **CONCRETE**
 Basement Floor **N/A**
 Heating Type **FORCED H/A**
 Heating Fuel **GAS**
 Air Conditioning **100%**
 # of Bsmt Garages **0**
 # of Full Baths **0**
 # of Other Fixtures **5**

Legal Description

Narrative Description of Property

This property contains 0.712 acres of land mainly classified as R+D BLD with a(n) LAB-R&D-OFF style building, built about 1947 , having BRICK exterior and MEMBRANE roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 3 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Unofficial Property Record Card - Watertown, MA

General Property Data

Parcel ID **1214 1A A**
 Prior Parcel ID **10117033 -1214 1A A-**
 Property Owner **UNITED ELECTRIC CONTROLS CO**

Account Number **101170-33**

Mailing Address **180 DEXTER AV**

Property Location **180 DEXTER AV**

Property Use **FACTORY**

Most Recent Sale Date **3/31/1978**

Legal Reference **13414-363**

Grantor **UNITES STATE POSTAL SVC**

City **WATERTOWN**

Mailing State **MA** Zip **02272-9143**

Sale Price **1**

Parcel Zoning **I-2**

Land Area **6.606 acres**

Current Property Assessment

Card 1 Value Building Value **4,606,000**

Xtra Features Value **134,300**

Land Value **8,416,900**

Total Value **13,157,200**

Building Description

Building Style **INDUSTRIAL**
 # of Living Units **1**
 Year Built **1981**
 Building Grade **AVG. (+)**
 Building Condition **Average**
 Finished Area (SF) **96440**
 Number Rooms **0**
 # of 3/4 Baths **0**

Foundation Type **SLAB**
 Frame Type **STEEL**
 Roof Structure **FLAT**
 Roof Cover **MEMBRANE**
 Siding **BRICK**
 Interior Walls **MINIMUM**
 # of Bedrooms **0**
 # of 1/2 Baths **8**

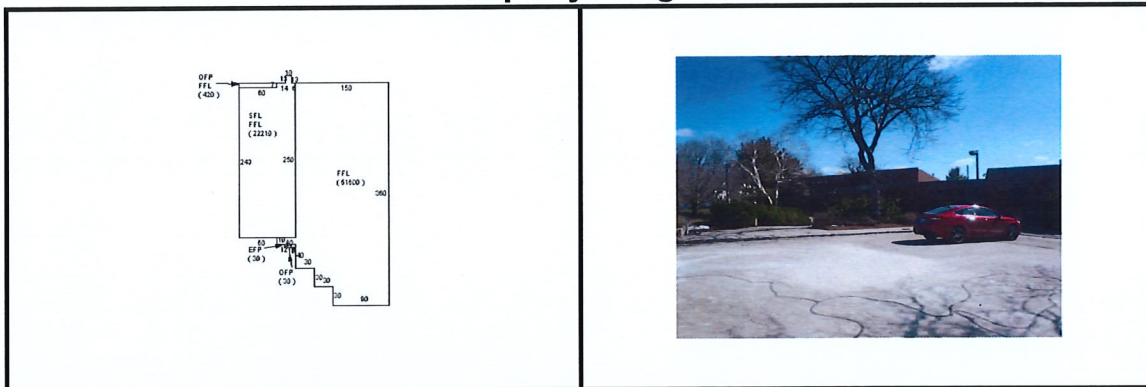
Flooring Type **ASPHL TILE**
 Basement Floor **N/A**
 Heating Type **FORCED H/W**
 Heating Fuel **GAS**
 Air Conditioning **100%**
 # of Bsmt Garages **0**
 # of Full Baths **0**
 # of Other Fixtures **10**

Legal Description

Narrative Description of Property

This property contains 6.606 acres of land mainly classified as FACTORY with a(n) INDUSTRIAL style building, built about 1981, having BRICK exterior and MEMBRANE roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 8 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Unofficial Property Record Card - Watertown, MA

General Property Data

Parcel ID **1211 6 B2**
 Prior Parcel ID **10118029 -1211 6 B2-**
 Property Owner **JOKAR PROPERTIES LLC**
C/O CAMBRIDGE SCIENTIFIC
 Mailing Address **199 DEXTER AV**

Account Number **101180-29**
 Property Location **191 199 DEXTER AV**
 Property Use **IND WHS**
 Most Recent Sale Date **4/1/2010**
 Legal Reference **54490-322**
 Grantor **191-199 DEXTER AVENUE LLC,**
 Sale Price **1,850,000**
 Land Area **0.538 acres**

City **WATERTOWN**
 Mailing State **MA** Zip **02472**
 ParcelZoning **I-2**

Current Property Assessment

Card 1 Value Building Value **991,400** Xtra Features Value **6,600** Land Value **925,700** Total Value **1,923,700**

Building Description

Building Style **WAREHOUSE**
 # of Living Units **2**
 Year Built **1940**
 Building Grade **AVERAGE**
 Building Condition **Avg-Good**
 Finished Area (SF) **17188**
 Number Rooms **0**
 # of 3/4 Baths **0**

Foundation Type **SLAB**
 Frame Type **STEEL**
 Roof Structure **FLAT**
 Roof Cover **TAR+GRAVEL**
 Siding **CONC BLOCK**
 Interior Walls **MINIMUM**
 # of Bedrooms **0**
 # of 1/2 Baths **4**

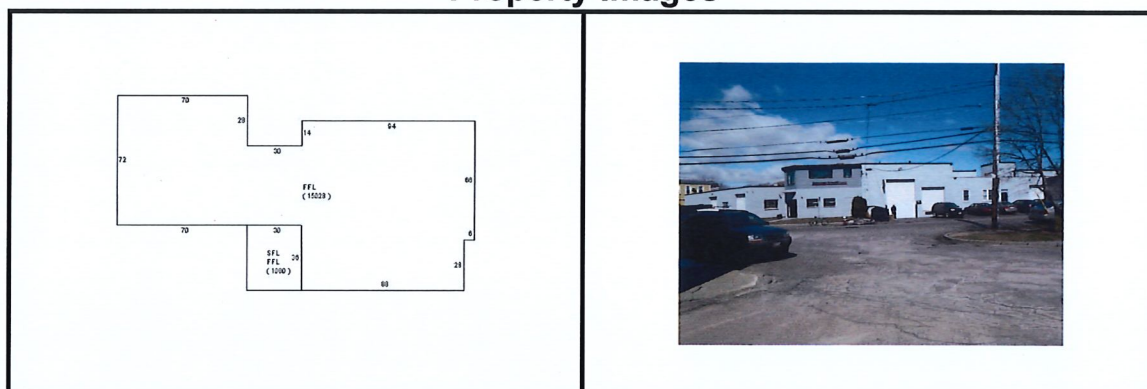
Flooring Type **CONCRETE**
 Basement Floor **N/A**
 Heating Type **FORCED H/W**
 Heating Fuel **OIL**
 Air Conditioning **0%**
 # of Bsmt Garages **0**
 # of Full Baths **0**
 # of Other Fixtures **1**

Legal Description

Narrative Description of Property

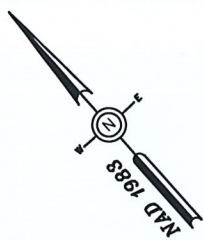
This property contains 0.538 acres of land mainly classified as IND WHS with a(n) WAREHOUSE style building, built about 1940 , having CONC BLOCK exterior and TAR+GRAVEL roof cover, with 2 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 4 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

PARCEL ID: 1211 6 B2
191 DEXTER AVE
N/F
JOKAR PROPERTIES LLC
C/O CAMBRIDGE SCIENT



APPROX. PT.
OF PICKUP

PARCEL ID: 1211 5C 0
165 DEXTER AVE
N/F
SDC WATERTOWN PARTN

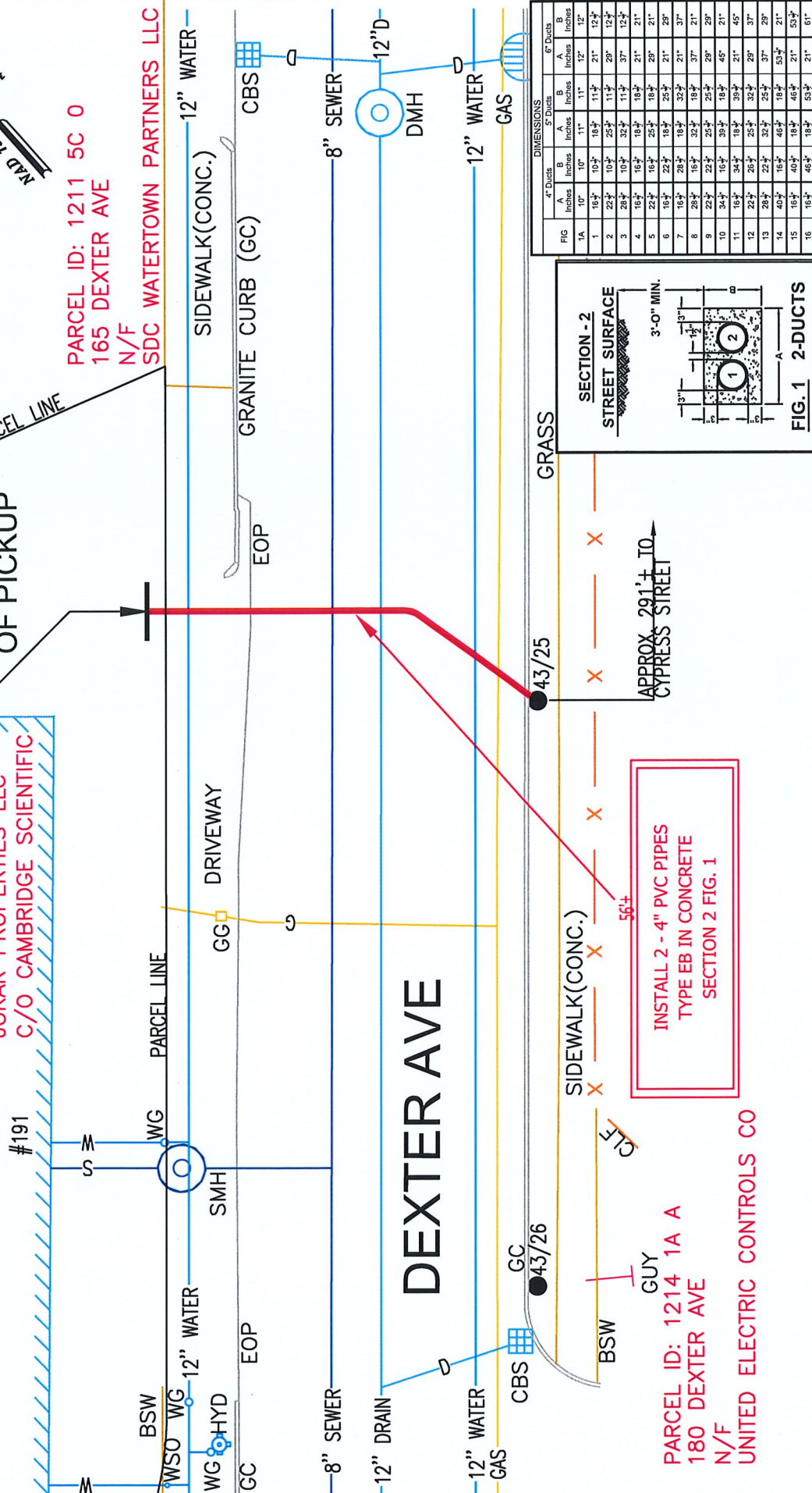


FIG.	DIMENSIONS					
	4' ducts			5' ducts		
	A Inches	B Inches	B Inches	A Inches	B Inches	B Inches
1A	10"	10"	11"	11"	12"	12"
1	16 1/2"	10 1/2"	18 1/2"	11 1/2"	21"	12 1/2"
2	22 1/2"	10 1/2"	25 1/2"	11 1/2"	27"	12 1/2"
3	28 1/2"	10 1/2"	32 1/2"	11 1/2"	37"	12 1/2"
4	16 1/2"	18 1/2"	16 1/2"	10 1/2"	21"	21"
5	22 1/2"	16 1/2"	25 1/2"	10 1/2"	29"	21"
6	16 1/2"	28 1/2"	18 1/2"	25 1/2"	21"	29"
7	22 1/2"	18 1/2"	32 1/2"	21"	37"	21"
8	28 1/2"	16 1/2"	32 1/2"	25 1/2"	29"	29"
9	34 1/2"	16 1/2"	38 1/2"	30 1/2"	45"	21"
11	16 1/2"	34 1/2"	18 1/2"	39 1/2"	21"	45"
12	22 1/2"	26 1/2"	25 1/2"	35 1/2"	28"	37"
13	28 1/2"	22 1/2"	32 1/2"	25 1/2"	29"	29"
14	16 1/2"	46 1/2"	16 1/2"	46 1/2"	18 1/2"	53 1/2"
15	16 1/2"	46 1/2"	18 1/2"	53 1/2"	21"	61"

SECTION - 2
REET SURFACE

APPROX. 291' ± TO
EXPRESS STREET

INSTALL 2 - 4" PVC PIPES TYPE EB IN CONCRETE SECTION 2 FIG. 1

PARCEL ID: 1214 1A A
180 DEXTER AVE
N/F
UNITED ELECTRIC CONTR

FIG. 1 2-DUCTS

INSTAR EVERSOURCE
ELECTRIC
a la/c

SCALE IN FEET

C#	176-21
----	--------

Vard #

Work Order # 6565501

Surveyed by: GR/SJ

Research by: JC

plotted by: BP

Proposed Structures: BP

Approved: T THIBAU

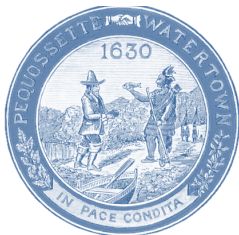
#C

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MASS. I AW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233



CITY OF WATERTOWN
Department of
Community Development and Planning
Planning Board

Administration Building
149 Main Street
Watertown, Massachusetts 02472
Phone: 617-972-6417
www.watertown-ma.gov

Board Members:
Jeffrey W. Brown, Chair
Janet Buck
Jason Cohen
Payson R. Whitney, III
Abigail Hammett

Planning Board Report

This Report provides the Planning Board's recommendation to the Honorable Council for the Council's public hearing on a Zoning Text Amendment for regulating firearms.

ZONING AMENDMENT:	Article II, Definitions; Article V, §5.01, Use Table; and §5.05, Notes to Table of Uses
TOWN COUNCIL COMMITTEE REPORT	June 23, 2021- Committee Report
DATE OF FIRST READING:	July 23, 2021
STAFF RECOMMENDATION:	Adopt Zoning Amendment
DATE OF PLANNING BOARD HEARING:	November 10, 2021
PLANNING BOARD RECOMMENDATION:	Adoption (5-0), with one proposed change

I. PUBLIC NOTICE

A. Procedural Summary:

As required by the Watertown Zoning Ordinance § 9.22, notice was given as follows:

- Published in the newspaper of record (Watertown Tab) on October 22 and 29, 2021;
- Posted at the Administration Building on October 22, 2021; and,
- Mailed to parties of interest on October 27, 2021

B. Planning Board Public Notice:

"The Town of Watertown Planning Board will hold a public hearing on Wednesday, November 10, 2021 with the meeting starting at 7:00 pm in the Town Council Chamber, Administration Building, 149 Main Street, Watertown, Massachusetts, to consider amendments to the Watertown Zoning Ordinance. Pursuant to Chapter 20 of the Acts of 2021, the meeting and public hearing will be conducted in person and via remote means, in accordance with applicable law. This means that members of the public body as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be at the meeting location listed above. Remote participation and access methods include:
1. Televised on Watertown Cable Access Television:
https://cloud.castus.tv/vod/#/watertown/?page=HOME *2. Join the virtual meeting online:*

<https://watertown-ma.zoom.us/j/92709029148> 3. Join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Meeting ID#: 92709029148 4. There is also an opportunity to email comments to imarchesano@watertown-ma.gov prior to or during the meeting.

***Sale of Firearms** as a new Use Category separating it from the general retail use category, with a definition and a new note identifying buffers from certain other uses."*

II. DESCRIPTION

A. Nature of the Request

The Department of Community Development and Planning, at the request of the Honorable Council, proposed zoning amendments to regulate firearms businesses as a use, separate from other types of retail. The proposed amendment provides a definition for firearms business and creates a new use category for firearms. Firearms businesses are currently considered a retail use. In defining the use, the amendment proposes to continue to allow the use within all commercial and industrial zones where retail is allowed, but with a requirement that the use is only allowed by Special Permit and with further restrictions based on buffers from certain uses. Specifically, a new note is proposed (consistent with Marijuana Uses) that prohibits new firearms businesses within 500 feet of:

1. another firearms business,
2. pre-existing public or private grades K up to grade 12 schools, and
3. public parks and playgrounds identified in the adopted Watertown Open Space and Recreation Plan

III. STAFF FINDINGS AND RECOMMENDATIONS

DCDP Staff submitted background information on regulating firearms businesses to the Council Committee, where various options for regulation and licensing were discussed. The Committee requested that DCDP draft a Zoning Amendment for them to discuss. During the meetings, a couple of questions were asked about antiques, non-operational, and display of firearms within institutions such as museums. It was noted that the amendment language regulates the sale and repair of firearms but is not intended to regulate ownership or other uses not specifically defined as a firearms business. The Committee then recommended that the Zoning Amendment be submitted to the full Council for a First Reading.

As drafted, the proposed amendment requires any business defined as a firearms business to obtain a Special Permit, which is a discretionary process before the Permit Granting Authority, which can be approved, approved with conditions, or denied, based on the criteria as set out within the Zoning Ordinance. In addition, the amendment provides further limitations on where firearms businesses can locate. The requirement for businesses to be separated by 500 feet limits the possibility of clustering of similar businesses. For reference, a typical commercial block is 200 feet by 400 feet. The other limitation is from municipal parks consistent with other regulated uses. Staff created a graphic representation of the setbacks from parks with the zones where the use is allowed highlighted to show possible locations where the use could be permitted. The buffers between uses and confirmation of the buffer zones would be required to be submitted as part of a request for a Special Permit. The graphic confirms that this use, as a protected use, continues

to be allowed within a reasonable area and has not been regulated to the point where it is, in effect, no longer allowed anywhere within the municipality.

Based on these facts and findings, Staff recommended that the Planning Board recommend **approval** of the requested Zoning Amendment to define and regulate Firearms Business as a new Use Category with the proposed buffers from certain other uses.

IV. PUBLIC COMMENT

Following Planning Board discussion about whether firing ranges should be included in the definition of “firearms businesses,” Councilor Feltner asked for elaboration on why the Planning Board was considering this change and whether members had an opportunity to read the committee report on regulating firearms businesses as a new use category. There were no other public comments.

V. PLANNING BOARD DELIBERATION AND RECOMMENDATION

Member Whitney said firing ranges should be included in the definition of firearms businesses. He said that some other Massachusetts communities have done that. Member Cohen asked staff to confirm that the buffer language was substantially similar to that used for marijuana businesses. The Board voted 5-0 to recommend adoption of the zoning amendment, with the following proposed change: that the definition of firearms business include “associated indoor shooting or firing range.”

VI. PROPOSED ZONING LANGUAGE:

Exhibit 1 is the proposed amendment, with the Planning Board’s recommended change highlighted in red.

Exhibit 1 - Proposed Firearms Zoning Amendment:

Amendment 1: Article II Definitions - Add a new definition as follows with the renumbering of the following Definition sections, as necessary, starting with Flood, base:

§2.27 Firearms business. A retail or wholesale operation involving the purchase or sale of firearms, ammunition, and/or firearm accessories, including the repairing, altering, cleaning, polishing, engraving, blueing or performing of any mechanical operation on any firearm, and any associated indoor shooting or firing range.

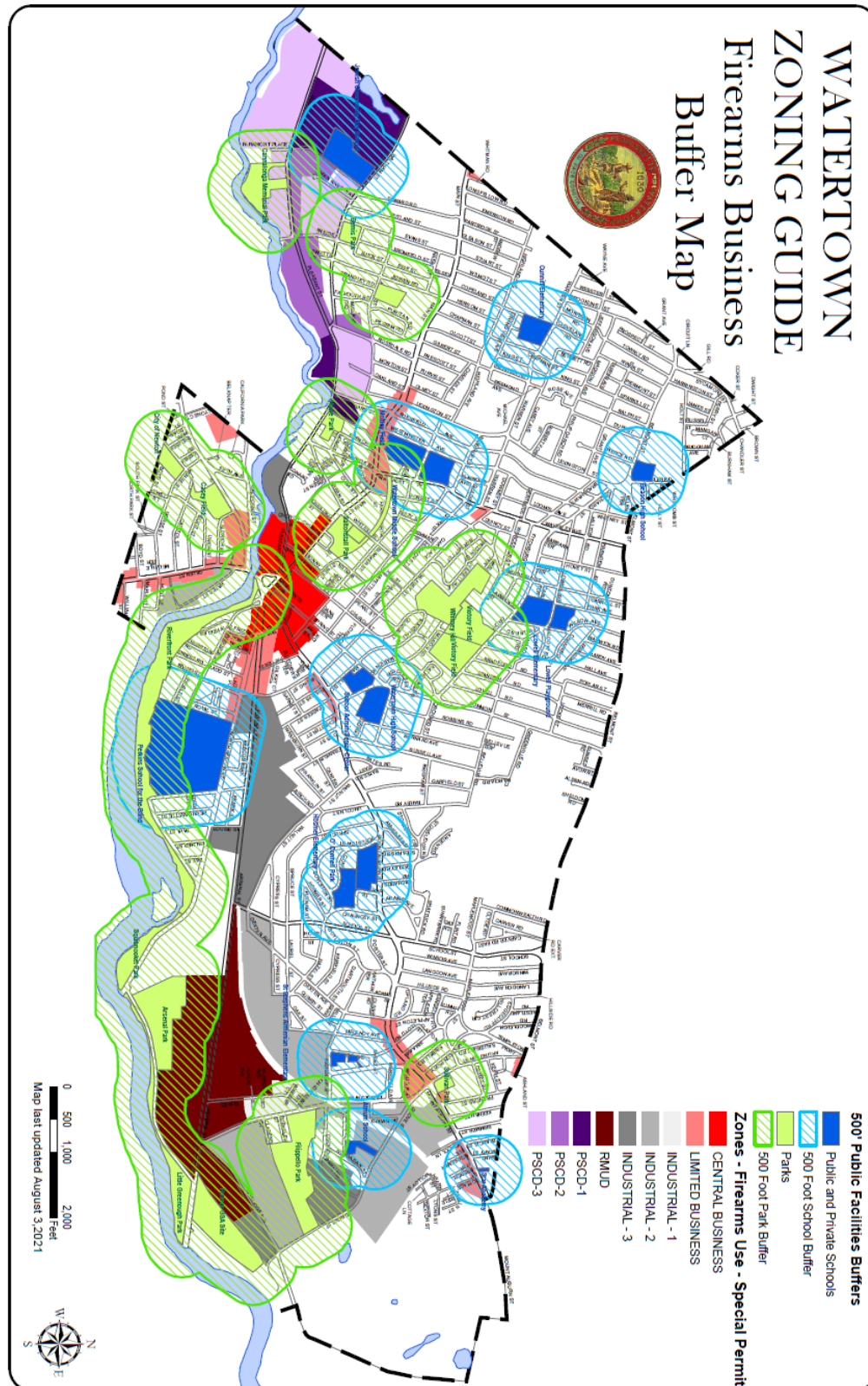
Amendment 2: Article V Tables of District Regulations. Add a new row to § 5.01 Table of Use Regulations as follows:

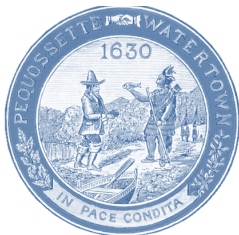
As a Principal Use	S-6	S-10	CR	SC	T	R.75	R1.2	NB	LB	CB	I-1	I-2	I-3	PSCD	OS C	RMU D
3. Business, Office, and Consumer Service Uses																
<u>p. Firearms Business</u>	N	N	N	N	N	N	N	N	SP (18)	SP (18)	SP (18)	SP (18)	SP (18)	SP (18)	N	SP (18)

Amendment 3: Article V Tables of District Regulations. Add a new note to § 5.05 Notes to Table of Use Regulations as follows:

(18) Firearms businesses are prohibited from siting within a radius of five hundred feet (500 ft.) both between other like businesses and/or around pre-existing public or private schools providing education in kindergarten or any of grades 1 through 12. Further, there shall be a 500 foot buffer from public parks, playgrounds, and the Charles River Reservation, all as identified within the Watertown Open Space Plan. The distance shall be measured in a straight line from the nearest point of the property line of the proposed use to the nearest point of the property line of the pre-existing establishment or park.

Exhibit 2 - Firearms Zoning Guide – Firearms Business Buffer Map: (Please note that this is not an official Zoning map, and is to be used only for initial guidance)





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Planning Board Report

This Report provides the Planning Board's recommendation to the Honorable Council for the Council's public hearing on a Zoning Text Amendment for regulating short-term rentals.

ZONING AMENDMENT:	Article II, Definitions; Article V, §5.02, Table of Accessory Use Regulations; §5.03, Notes to Table of Uses; NEW §5.19 Short-Term Rentals
TOWN COUNCIL COMMITTEE REPORT	March 29, 2021 Committee Report
DATE OF FIRST READING:	June 22, 2021
STAFF RECOMMENDATION:	Adopt Zoning Amendment
DATE OF PLANNING BOARD HEARING:	November 10, 2021
PLANNING BOARD RECOMMENDATION:	Adoption (5-0), with proposed changes

I. PUBLIC NOTICE

A. Procedural Summary:

As required by the Watertown Zoning Ordinance § 9.22, notice was given as follows:

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B. Planning Board Public Notice:

"The Town of Watertown Planning Board will hold a public hearing on Wednesday, November 10, 2021 with the meeting starting at 7:00 pm in the Town Council Chamber, Administration Building, 149 Main Street, Watertown, Massachusetts, to consider amendments to the Watertown Zoning Ordinance. Pursuant to Chapter 20 of the Acts of 2021, the meeting and public hearing will be conducted in person and via remote means, in accordance with applicable law. This means that members of the public body as well as members of the public may access this meeting in person, or via virtual means. In person attendance will be at the meeting location listed above. Remote participation and access methods include:

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Short-Term Rentals as a Use Category (replacing a previous renting of rooms use category) with supporting language, definitions, and a section for the requirements to operate short-term rentals as an accessory use within certain residential dwelling units."

II. DESCRIPTION

A. Nature of the Request

The Department of Community Development and Planning, at the request of the Honorable Town Council, proposed zoning amendments to regulate Short-Term Rentals within the Zoning Ordinance summarized below:

1. **Define Short-Term Rentals** – rental of a dwelling unit, or bedroom of not more than 31 days in a row
2. **Table of Accessory Uses** – Strike out a previous category for renting up to two rooms and replace. Short-Term Rentals to be allowed in all districts with a new note restricting them to be an accessory use to residential dwelling units, as allowed within a new Section
3. **New Section for Short-Term Rentals** – Identifies the intent/purpose to legalize short-term rentals while ensuring safety, primary residential use, and protecting the character and livability of residential neighborhoods. With this in mind, the amendment proposes three types of operations. The section authorizes the Department to issue regulations that ensure compliance and allow for updates to address issues as they arise.
 - a. **Limited Share Unit:** a **private bedroom or shared space** at the primary residence of the Operator while the Operator is **present** with occupancy limited to **three bedrooms or six guests**, whichever is fewer. One bedroom must be reserved for the Operator.
 - b. **Home Share Unit:** a **whole unit** available for a short-term rental which is the primary residence of the Operator with occupancy limited to **five bedrooms or 10 guests**, whichever is fewer.
 - c. **Owner Adjacent Unit:** one whole unit offered as a Short-Term Rental by an Operator that is not the Operator's primary residence, but that is located within the **same** residential building as the **owner's primary residence** and where all dwelling units in the building are owned by the Operator. An Operator of an Owner-Adjacent Unit may only register and use one Owner Adjacent Unit as a Short-Term Rental.

The Council also requested that the Planning Board consider concerns raised at the First Reading, including two main points:

- a. Allowing Lessee as Operator (i.e., the current draft allows a renter to use their unit for short-term rentals with the owner's permission); and
- b. Maximum Number of Guests (the current draft is based on the building and health code with a maximum)

B. Background and Findings

The Department of Community Development and Planning held a community meeting on February 21, 2018 and created a questionnaire at the same time (which was open for comments over the entire year) to gather general concerns and comments in regard to short-term rentals. Subsequently, Spring Semester of 2019, the City worked with Boston University Initiative on Cities - Metrobridge to review the public comments from 2018 and consider implications and aspects for short-term rentals in partnership with staff and City Councilors.

The Metrobridge study suggested some key points to consider, including:

- limit to owner occupied and adjacent properties,
- do not create an arbitrary cap on the number of days,
- require the additional tax,
- consider creating a violation process, and
- consider additional staffing or third-party support for implementation/enforcement.

Subsequently, the City Council Committee on Rules and Ordinances held meetings to discuss options with DCDP staff in attendance. Meetings were held on August 7, 2019, September 23, 2019, November 25, 2019, February 18, 2020, and March 29, 2021. At the initial August 7, 2019 City Council Committee meeting, DCDP Staff presented Cambridge, Newton, and Salem as examples of how other communities structured their short-term rental policy. The Committee considered a City Ordinance and Regulations as an option but decided to focus on a Zoning Amendment with Regulations by the Department(s), as this would allow a quicker and more flexible response to changing conditions.

Comments were incorporated from the November 25, 2019 Committee meeting to clarify the length of stay to be consistent with State Law and add definitions and regulations consistent with language developed by the City of Boston for different types of short-term rentals. The next draft also incorporated comments about creating a fee structure, considering consultant services for monitoring and enforcement, and having an implementation timeframe for the regulations. As part of this, short-term rental properties would be required to register and renew with the City. DCDP noted that staffing capacity will be an important aspect of successful implementation of regulation and registration.

The City Council Committee provided a report to the City Council (March 29, 2021 [Committee Report](#)) recommending a proposed ordinance language and draft regulations to start the Zoning Amendment hearing process. The Committee suggested further discussion on allowing a lessee to operate a short-term rental and on the maximum number of guests.

III. STAFF RECOMMENDATIONS

The Planning Board was asked to assist the Council in finalizing a new short-term rental policy by addressing two questions; below is a brief summary of the staff comments on each:

Owner or Owner and Renters: Staff is neutral. Staff does not believe that allowing a renter to operate a short-term rental with owner approval is problematic. There are situations where this flexibility would be beneficial, such as if a long-term renter takes a one-month vacation

every year and uses a short-term platform to rent the space to a visiting family. On the other hand, limiting short-term rentals to owner occupied units would be reasonable and easily implemented. This would not be a hardship to tenants, as short-term rental is accessory to the unit's primary use. Either way, it is likely that most owners would not consent to a tenant operating a short-term rental.

Staff provided draft language if the Planning Board wished to recommend limiting short-term rentals to owners:

Operator: The person or persons offering a dwelling unit or bedroom for short-term rental, who ~~may be either~~ shall be the owner ~~or the primary leaseholder~~ of the dwelling unit with the written permission of ~~the property owner and~~ the condominium association if applicable.

Number of Guests: Staff believes that the short-term rental ordinance/regulations should include a maximum number of guests to minimize overly intensive use of the space.

State codes define the maximum capacity of residential units. The amendment requires that only legally created and code compliant units and bedrooms can be used for short-term rentals. The following table provides a summary of the type of units, threshold requirements, and the additional up limits:

Type	Unit Use Summary	Threshold Requirement	Max # of Bedrooms/Guests
Limited Share Unit	Bedroom(s)	One bedroom for occupant/resident Total not to exceed max # of legal bedrooms	Up to 3 bedrooms or 6 people
Home Share Unit	Whole House or Unit	Primary Residence Total not to exceed max # of legal bedrooms	Up to 5 bedrooms or 10 people
Owner Adjacent Unit	Whole Unit	Primary Residence	Max based on Occupancy Permit/MA Sanitary Code*
* 105 CMR 410 – In summary, a dwelling unit must have 150 s.f for first occupant and 100 s.f. for each additional occupant. Bedrooms must have 70 s.f. minimum and must have 50 s.f. per occupant.			

Staff previously presented scenarios to show common and worst-case situations:

- a. A two person household lives in a six bedroom single-family house. There are five extra bedrooms but only three can be rented out short-term. The rooms can be rented individually or together for up to 6 people but with only 3 reservations at one time. They enjoy meeting new people and like the eclectic mix when several reservations overlap. They could have one or two smaller families, a mix of professionals visiting for

- work, or vacationers looking for local experiences. In this case the rooms are integrated into the home and facilities are shared.
- b. A one-person household has a larger house with three bedrooms. There is a partially separated area with a large primary bedroom and attached bathroom. Adjacent to the bedroom is a family room with a wet bar. In this scenario a rental would be limited to two people maximum.
 - c. A Watertown family has a planned one-month vacation every year and want to use their six-bedroom house for people visiting Watertown while they are away. The house has easily accommodated them and their multigenerational family, with up to 14 people living there. As noted, in renting it, it can only be rented as one single unit. The following are two scenarios for this house:
 1. Two sibling and one friend with their families (2 spouses and 7 children) are looking for a single house to rent in Watertown so they can be near their family. The Home Share is capped at 10 so they couldn't use the house that meets the code and could accommodate 12 people.
 2. A group of friends want to meet up in Watertown to go to a reunion. There are 10 friends. They decide to have a huge party in the large yard. They forget about the garbage, parking, and other rules. The neighbors call the police and the owner gets a fine and warning that any further infraction will eliminate the ability to have a short-term rental.

Limiting the maximum number of guests is necessary to minimize overly intensive use of the space. During the City Council process, the proposed language has been strengthened to address the potential that a particular rental will cause a nuisance. Staff suggested a further change (discussed below). On balance, the proposed cap is reasonable and provides enough flexibility for most units while limiting large gatherings.

The proposed Owner Adjacent Unit definition should be strengthened by including a maximum capacity limit; unlike the other definitions, this category is only limited by code requirements. For clarity and consistency, Staff suggested that the language in the Home Share Unit definition and section (e) Requirements be updated to be consistent with the Operator - Home Share, as follows (new language in red):

“Operator - Owner Adjacent Unit: consists of one whole unit offered as a Short-Term Rental by an Operator that is not the Operator’s primary residence, but that is located within the same residential building as the owner’s primary residence and where all dwelling units in the building are owned by the Operator with occupancy limited to five bedrooms or 10 guests, whichever is fewer, but the number of rooms may not exceed the lawful number of bedrooms in the unit. An Operator of an Owner-Adjacent Unit may only register and use one Owner Adjacent Unit as a Short-Term Rental.”

Staff recommended **approval** of the proposed Zoning Amendments to define and regulate Short-Term Rentals, based on the findings, with such changes necessary to address the questions posed by City Council. Further, Staff recommended that the Board endorse the draft regulations, with changes to conform to the final ordinance on adoption of the Zoning Amendments.

IV. PUBLIC COMMENT

David Leon commented that the potential benefits of allowing short-term rentals was outweighed by the likely negative effects. On the benefit side, the individual argued that there has not been a public outcry for allowing short-term rentals and it is not clear there will a public benefit. On the cost side, the individual felt there was risk that “monetizing” homes would tear at the community fabric. He felt that the ordinance and regulations could not prevent abuses.

Councilor Donato made the general comment that the proposed short-term rental ordinance/regulations are designed to protect short-term renters and the neighborhood. Since it is widely acknowledged that short-term rentals are already occurring in Watertown, regulation is needed. Donato also commented on the rationale for distinguishing between occupants of market-rate and affordable units. He said that income-restricted units are specifically created for those at the designated income levels. In addition, there is generally a written requirement that the owner or tenant live in the unit.

V. PLANNING BOARD DELIBERATION AND RECOMMENDATION

Chair Brown asked staff to explain why a new short-term rental policy was needed. Staff said that there is demand for short-term rentals because of the “sharing economy” and that some Watertown residents are operating such rentals now without regulation.

There was discussion about whether tenants should be permitted to operate short-term rentals with owner consent. Members Cohen and Hammett spoke in favor, stating that the Town should not intrude if the owner and tenant were agreed and that there are equity arguments for allowing tenants to derive an income from such rentals. Member Whitney raised questions about how tenant short-term rentals would operate in practice. Member Buck thought few owners would want to consent but was supportive of allowing it to remain.

There were questions about the general operation of the proposed ordinance/regulation. Member Cohen asked about the fees; staff said the fees would be designed to cover administrative costs. He also asked how people would know about the new policy and its requirements; staff said the Town would publicize the new rules and process on the website and with social media, and is hoping that the short-term rental online platforms would help in the public education needed. Member Whitney asked when the regulations would be effective; staff said they would be issued soon after the ordinance was approved.

Member Buck asked why deed-restricted affordable units could not be used for short-term rentals under the proposed regulations. Staff said the regulatory agreements for such units generally require that the occupants live in the units and not rent them to others. Staff also said there is a policy argument against use as a short-term rental because of the public subsidy involved. Members Buck and Cohen said they would be interested in pursuing this further and staff indicated it could do further research on the subject prior to the Council hearing.*

* Staff contacted the Department of Housing and Community Development and reviewed regulatory agreements and deed riders used for the vast majority of affordable units in Watertown. Occupants are generally not permitted to lease or sub-lease their units and the rare exceptions are leases for one year or more if the occupant is required by military service to be away from the residence. In those instances, the rent is limited to the unit’s carrying charges. In addition, staff believes there are strong policy reasons

Member Hammett asked what would happen if a proposed short-term rental was in an older structure that could not meet current building code standards. Staff said the ordinance did not intend for a home with an existing certificate of occupancy to be required to be updated to meet all current code requirements but that the habitability was critical. There was discussion between members about how to differentiate between building code requirements that would not require upgrades (e.g., height of risers on existing stairs) and those that are essential (e.g., smoke/CO2 detectors and means of egress) with agreement that the Zoning Amendment be modified to be clear about habitability rather than all code requirements.

There was discussion on whether the proposed caps on the number of guests should be changed. Members thought the proposed caps were reasonable and agreed that the maximum for “owner-adjacent” units should be added.

The Planning Board voted 5-0 to recommend approval of the Zoning Amendments and suggest updates to the draft regulations, with the following answers to Council questions and further recommendations:

- 1) The Board recommends that tenants be allowed to operate short-term rentals with owner consent.
- 2) The Board supports the proposed capacity maximums and recommends that the Council add one for “owner-adjacent” units (“with occupancy limited to five bedrooms or 10 guests, whichever is fewer, but the number of rooms may not exceed the lawful number of bedrooms in the unit.”)
- 3) The Board recommends that the term “building and health code requirements” in (e) (4) be replaced with “basic habitability and life safety standards.” The corresponding change should be made in the proposed regulations.
- 4) The Board recommends that staff investigate the rationale for not allowing use of deed-restricted affordable units and report its findings to the Council.
- 5) The Board recommends that the word “protect” in (a) be replaced with “promote.”

VI. PROPOSED ZONING LANGUAGE:

Attachment 1 and 2, are the proposed amendment and regulations (respectively), with the Planning Board’s recommended language highlighted in red.

against use of affordable units as short-term rentals because that necessarily involves use of a public benefit for private gain.

Attachment 1. Proposed Zoning Amendments:

- I. Article II – Insert a new Section alphabetically (after Section 2.74 Setback) to define short-term rental for zoning regulation. Subsequent sections would be renumbered.

Proposed Language:

Section 2.75 Short-Term Rental

Any rental of a residential dwelling unit, or of a bedroom within a dwelling unit, in exchange for payment, as residential accommodations for a duration of not more than thirty-one (31) consecutive days.

- II. Article V – Strike out Section 5.02(a) and replace with NEW Section 5.02(a) Short-Term Rental. Add a note to reference the proposed Ordinance. This removes an unused section and replaces it with an allowance for short-term rentals. This amendment does not have a requirement for a Special Permit for any scenario, and only requires registration and compliance with new regulations.

Proposed Language:

SECTION 5.02 TABLE OF ACCESSORY USE REGULATIONS

	Accessory Use Only	<u>S</u> <u>-</u> <u>6</u>	<u>S-</u> <u>10</u>	<u>C</u> <u>R</u>	<u>S</u> <u>C</u>	<u>T</u>	<u>R.</u> <u>75</u>	<u>R1</u> <u>.2</u>	<u>N</u> <u>B</u>	<u>L</u> <u>B</u>	<u>C</u> <u>B</u>	<u>I-</u> <u>1</u>	<u>I-</u> <u>2</u>	<u>I-</u> <u>3</u>	<u>PS</u> <u>CD</u>	<u>O</u> <u>SC</u>	<u>R</u> <u>M</u> <u>UD</u>
<u>a</u> <u>z</u>	<u>Within a dwelling unit that is owner occupied, renting of not more than two rooms as a lodging without separate cooking facilities and for not more than two lodgers</u>	<u>S</u> <u>P</u>	<u>SP</u>	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>	<u>SP</u>	<u>SP</u>	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>	<u>N</u>	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>a</u> <u>z</u>	<u>Short-Term Rental (18)</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

- III. Add a new note within SECTION 5.03 NOTES TO TABLE OF USE REGULATIONS, referencing that Short-Term rentals are only allowed as specified in the new Short-Term Rentals Section within the ordinance.

Proposed Language:

(18) Short-term rentals may be allowed as an accessory use within residential dwelling units in all districts, as specified in Section 5.19.

- IV. Add a new Section 5.19 with the zoning requirements for Short-Term Rentals, as follows.

Proposed Language:

SECTION 5.19 SHORT-TERM RENTALS

(a) Intent and Purpose

This Section is intended to make the operation of short-term rentals legal for residents, ~~protect~~ **promote** the safety of renters and residents, ensure that the primary use remains residential, and ensure that short-term rentals will not be a detriment to the character and livability of the surrounding residential neighborhood.

(b) Definitions

- (1) Booking Agent: Any person or entity that facilitates reservations or collects payment for a Short-Term Rental on behalf of or for an Operator.
- (2) Short-Term Rental: Any rental of a residential dwelling unit, or of a bedroom within a dwelling unit, in exchange for payment, as residential accommodations for a duration of not more than thirty-one (31) consecutive days.
- (3) Short-Term Renter: Any person or persons occupying a dwelling unit, or a bedroom within a dwelling unit, as a short-term rental for a duration of not more than thirty-one (31) consecutive days.
- (4) Operator: The person or persons offering a dwelling unit or bedroom for short-term rental, who **may be either** the owner **or the primary leaseholder** of the dwelling unit with the written permission of **the property owner and** the condominium association if applicable.
- (5) Operator - Limited Share Unit: consists of a private bedroom or shared space at the primary residence of the Operator while the Operator is present with occupancy limited to three bedrooms or six guests, whichever is fewer. One bedroom must be reserved for the Operator.
- (6) Operator - Home Share Unit: consists of a whole unit available for a short-term rental which is the primary residence of the Operator with occupancy limited to five bedrooms or 10 guests, whichever is fewer.
- (7) Operator - Owner Adjacent Unit: consists of one whole unit offered as a Short-Term Rental by an Operator that is not the Operator's primary residence, but that is located within the same residential building as the owner's primary residence and where all dwelling units in the building are owned by the Operator **with occupancy limited to five bedrooms or 10 guests, whichever is fewer, but the number of rooms may not exceed the lawful number of bedrooms in the unit.** An Operator of an Owner-Adjacent Unit may only register and use one Owner Adjacent Unit as a Short-Term Rental.

(c) Applicability

The requirements of this Section shall apply to all short-term rentals in all districts where residential uses are located, but shall not apply to principal transient accommodations including Hotels.

(d) Regulations

The Director of the Department of Community Development and Planning, or their designee, shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section.

(e) Requirements: Only operator-occupied short-term rentals and owner-adjacent short-term rentals are permitted as follows:

- (1) A short-term rental operator may make available:
 - a. **Limited Share Unit:** a private bedroom or shared space at the primary residence of the Operator while the Operator is present with occupancy limited to three bedrooms or six guests, whichever is fewer, but the number of rooms may not exceed the lawful number of bedrooms in the unit. One bedroom must be reserved for the Operator.
 - b. **Home Share Unit:** one whole unit available for a short-term rental which is the primary residence of the Operator with occupancy limited to five bedrooms or 10 guests, whichever is fewer, but the number of rooms may not exceed the lawful number of bedrooms in the unit.
 - c. **Owner Adjacent Unit:** one whole unit offered as a Short-Term Rental by an Operator that is not the Operator's primary residence, but that is located within the same residential building as the owner's primary residence and where all dwelling units in the building are owned by the Operator **with occupancy limited to five bedrooms or 10 guests, whichever is fewer, but the number of rooms may not exceed the lawful number of bedrooms in the unit.** An Operator of an Owner-Adjacent Unit may only register and use one Owner Adjacent Unit as a Short-Term Rental.
- (2) A dwelling unit or bedroom offered for short-term rentals shall comply with all standards and regulations promulgated by DCDP.
- (3) All short-term rental operators shall register with the State and the Department of Community Development and Planning (DCDP) prior to short-term rental use and occupancy, showing conformance with regulations in place.
- (4) A dwelling unit or bedroom offered for short-term rentals shall comply with ~~building and health code requirements~~ **basic habitability and life safety standards** for occupancy.
- (5) Operators of short-term rentals shall remit to the appropriate body all fees and taxes as required by the City and/or State authorities.
- (6) Short-term rental operators shall maintain liability insurance appropriate to cover the short-term rental use.

- (7) Renting for an hourly rate, or for rental durations of less than one day, shall not be permitted.
- (8) Commercial meetings and uses are prohibited in short-term rentals.

Attachment 2. Proposed Short-Term Rental Regulations:



**Town of Watertown
Department of Community Development and Planning
149 Main Street
Watertown, MA 02472**

SHORT TERM RENTAL REGULATIONS

These regulations are developed pursuant to the Watertown Zoning Ordinance, Section 5.19 Short-Term Rentals, to carry out and provide enforcement requirements for operation of short-term rentals within Watertown. The regulations are intended to provide clear guidance and requirements for short-term rentals to be legal for residents, ~~protect~~ **promote** the safety of renters and residents, ensure that the primary use remains residential, and ensure that short-term rentals will not be a detriment to the character and livability of the surrounding residential neighborhoods.

The regulations shall be in effect at the time of passing of the Zoning Ordinance Amendment, with the understanding that there will be a three-month initial timeframe for existing sites to become compliant and properly permitted. This timeframe may be extended by the Director upon a written request by a pre-existing operator explaining the need for an extension.

I. Procedural Requirements

The following information shall be provided to all short-term renters and posted in all owner-adjacent short-term rentals in a manner to be determined by the Department of Community Development and Planning:

- a. Instructions for disposal of waste per the Town of Watertown's rules and the conditions of the particular residence.
- b. An emergency-exit diagram in all bedrooms used for owner-adjacent short-term rentals and on all egresses from the dwelling unit.
- c. Instructions for parking rules and limitations for off-site public parking (including the rules about no parking on sidewalk or planter strips, and the winter parking ban).
- d. Contact information for the short-term rental operator, or when the operator is not present, the contact information for a locally available contact designated to respond to all emergencies and problems that may arise during the rental period, whether from renters, neighbors or municipal authorities.

- e. The Certificate of Registration for the short-term rental.
- 2. The operator of an owner-adjacent short-term rental shall keep accurate books and records, make them available upon request of the Department, and maintain such books and records for a three year period.

II. Registration and Eligibility

All dwelling units offered for short-term rental shall first register with the municipality and secure a Certificate of Registration according to standards set forth by the Building Inspector/Inspectional Services Division, and pay all associated fees. The Certificate of Registration shall require the operator to agree to abide by the requirements of these Regulations.

- ☐ **Owner Consent:** If the operator is not the owner of the property, the operator shall provide written evidence that the owner, and the condominium association if applicable, has consented to the short-term rental use of the property.
- ☐ **Proof of Residency:** All operators shall provide the municipality with proof that one of the units in the structure is used as the operator's primary residence, either by:
 - ☐ Providing proof of enrollment in the municipality's residential tax exemption program, or
 - ☐ Providing an affidavit, signed under the pains and penalties of perjury, stating that the dwelling being used for short-term rental is the operator's primary residence, a property title or tenancy agreement along with a photo ID, and a government or utility correspondence with operator's name and address issued within the last three (3) months.
- ☐ **Ineligibility:** The following residential units are not eligible to be offered as Short-Term Rentals:
 - ☐ Residential Units designated as below market rate or income-restricted, that are subject to affordability covenants, or that are otherwise subject to housing or rental assistance under local, state, or federal law.
- ☐ **Inspection:** Prior to issuing or renewing a Certificate of Registration, the Department must conduct an inspection to verify that each dwelling unit and bedroom to be rented to short-term renters:
 - ☐ Meets ~~all Building/Health/Fire Code requirements~~ **basic habitability and life safety standards** for occupancy.
 - ☐ Meets all other requirements of this Section and regulations promulgated by the Commissioner of Inspectional Services.

- ☐ It is the responsibility of the short-term rental operator to renew its certificate of registration every five years or upon change of operator or owner.
- ☐ Is an eligible unit, including not having affordability restrictions.
- ☐ **Proof of Insurance** – Proof of liability insurance shall be required. You should confirm with your insurance company on what level of insurance you will be required to have. If you have a house loan, also make sure to check with your mortgage company to confirm that they allow short-term rental.
- ☐ **Listing Information:** The Operator, upon listing a Short-Term Rental or modifying an existing listing, shall file with the municipality an exact duplicate of the listing, including property address. Listings must specify the quantity of off-street parking, if any, and include language relative to Watertown parking regulations.
- ☐ **Agent Updates:** A Booking Agent with any listings in Watertown shall provide to the municipality on a quarterly basis an electronic report, in a format to be determined by Watertown. The report shall include a breakdown of where the listings are located, whether the listing is for a room or a whole unit, the number of nights each unit was reported as occupied during the applicable reporting period, and the Operator's name and full contact information.

III. Registry

The Town will keep a public registry of approved sites.

IV. Complaint Process and Violations

Complaints shall be made to the Department, unless it is an emergency in which case it should be reported to emergency services, and an investigation shall commence within 30 days. Violations may, at the Director's discretion, result in a warning or a ticket and the maximum fine appropriate per the Zoning Ordinance.

One (1) or more such tickets within a six (6) month period will result in the unit no longer being eligible to that Operator for use as a short-term rental for a period of six (6) months following the most recent violation.

Violations may also include any failure to abide by these Regulations, including, but not limited to:

- Offering an ineligible unit,
- Excessive noise, improper trash disposal, disorderly conduct,

- Failure to furnish a copy of a Booking Agent listing or include required parking information in such listing, or
- Failure to remit any required excise tax or surcharge as required by law

Watertown City Council

Committee on Public Works

Councilor Piccirilli, Chair, Councilor Donato, Vice Chair, Councilor Palomba, Secretary

Meeting on December 9, 2021 in City Council Chambers

Committee Report

The Committee on Public Works met on Thursday, December 9, 2021 at 5:00 PM in the City Council Office for the purpose of interviewing candidates for appointment and reappointment to the Stormwater Advisory Committee and the Watertown Environment and Energy Efficiency Committee. Present at the meeting were Councilor Piccirilli, Chair, Councilor Donato, Vice Chair, and Councilor Palomba, Secretary.

The Committee decided that each candidate would be asked two questions:

- 1) What would you like to see the Committee achieve in the next two years?
- 2) What do you think you can contribute to the Committee?

Stormwater Advisory Committee (SAC)

The Committee began by interviewing **Janet Buck** for reappointment to the SAC. Ms. Buck would like to see SAC increase its outreach and education, such as the successful efforts at the FOTS, and identify and help to prepare grant opportunities. She is particularly interested in establishing green infrastructure for new buildings. She would like to see greater contact with our schools and students and increased outreach to businesses. Ms. Buck would like SAC to promote incentives for landscapers and property managers to come up with solutions that emphasize the use of organics.

The Councilors expressed their appreciation for Ms. Buck's contribution to Watertown as a member of the SAC and as a member of the Planning Board. Councilor Piccirilli made the following motion:

The Committee recommends that the full City Council approve the appointment of Ms. Janet Buck to the Stormwater Advisory Committee for a term ending July 15, 2023.

The motion was seconded by Councilor Donato and approved 3-0.

It was noted that the Committee will need to interview David Jay for reappointment to the SAC and Camilla Kuo-Dahab for appointment to the SAC.

Watertown Environment and Energy Efficiency Committee (WE3C)

The Committee began by interviewing **Pat Rathbone**. Ms. Rathbone has been an active volunteer member of WE3C for nearly three years attending meetings regularly and contributing to its working groups. As she said, "I show up, go to the meetings, and do the work I volunteer to do." She understands that role of the WE3C is to advise the City on how it can best achieve its stated goals to reduce emissions. She is pleased with WE3C's work around the Watertown's Electric Choice program, but believes there needs to be a more aggressive approach to encourage residents to OPT UP to a higher use of clean energy. She is particularly interested in the technology of micro grids and would like to see a possible pilot in a Watertown neighborhood. She would like to explore what WE3C can do to help "clean the grid" on both a state and regional level.

Members of the Committee expressed their appreciation for Ms. Rathbone's willingness to volunteer as an active member of WE3C. Councilor Piccirilli made the following motion:

The Committee recommends that the full City Council approve the appointment of Ms. Pat Rathbone to the Environment and Energy Efficiency Committee for a term ending November 15, 2022.

The motion was seconded by Councilor Palomba and approved 3-0.

The Committee then interviewed **Jeanne Trubek**. Ms. Trubek stated her desire to see a greater mix of individuals on WE3C (and other City committees, commissions, and boards) that represent the diversity of the City's residents. She felt that many of the goals of the WE3C would not be accomplished without greater community involvement. She noted that it may be necessary to go door-to-door to enlist the support of others. She has a particular interest in transportation, which contributes 49% of the GHG emissions, and serves on the Transportation Working Group. She would not like to see the existing trolley buses that are powered by electricity through the overhead catenary wire system be replaced by diesel buses, but rather she would like to see the diesel buses that service Galen Street and Arsenal Streets be replaced with electric buses. She thinks WE3C should consider working with area organizations, like a group in Allston, and take a more regional approach to addressing emissions from various modes of transportation. Ms. Trubek believes her commitment to democracy is something she brings to the group. She feels all ideas deserve a hearing, but once the group makes a decision, then everyone must abide by it.

The members of the Committee expressed their appreciation to Ms. Trubek for her commitment to Watertown and the issue of transportation. Councilor Piccirilli made the following motion:

The Committee recommends that the full City Council approve the reappointment of Ms. Jeanne Trubek to the Watertown Environment and Energy Efficiency Committee for a term ending November 15, 2024.

The motion was seconded by Councilor Donato and approved 3-0.

The Committee interviewed **Brian Hebeisen** next. Mr. Hebeisen has served on the WE3C for fourteen years! He would like to see a greater focus on mitigation of the climate emergency than on building resiliency to its effects. He understands that it is often harder to look at the bigger picture of climate change than on the immediate steps to lessen the impact of climate change. During his tenure on WE3C he has seen an initial focus on energy issues slowly change to a greater focus on the environment, like the Watertown Electric Choice program. He is a member of the Energy and Climate Action Plan where he serves as the Chair of the Energy and Buildings Working Group. He would like to see the WE3C devote time to getting the Plan "over the finish line" and to implementing its proposals through City policies and City Council ordinances. He believes he brings continuity to WE3C given his 14 year tenure as well as technical expertise as an engineer and practical experience having worked in the software industry and in the clean energy field. This experience allows him to evaluate proposals addressing electrification, the clean-up of the grid and the use of bio-fuels. Mr. Hebeisen made it a point to compliment the City Council for its support of WE3C and its work over many years

The members of the Committee expressed their appreciation to Mr. Hebeisen for his many years of service to the WE3C and the residents of Watertown. Councilor Piccirilli made the following motion:

The Committee recommends that the full City Council approve the reappointment of Mr. Brian Hebeisen to the Watertown Environment and Energy Efficiency Committee for a term ending November 15, 2023.

The motion was seconded by Councilor Donato and approved 3-0.

The Committee then interviewed **Ellen Menounos**. Ms. Menounos has been attending the WE3C meetings as a volunteer for the last year and is also a member of the Energy and Climate Plan working primarily on the Natural Resources Working Group. She has a deep interest in horticulture, planting design, and organic land care. She would like to make these topics as well as land use, landscaping design, and use of native plants a priority for programs and projects initiated by WE3C. She believes it would be possible to work with schools and young people to introduce these concepts and related issues into the curriculum. Ms. Menounos also sees a wonderful opportunity for students to learn more about energy, the environment, and climate by studying how the two new elementary schools are net-zero. She feels this is the right time for her to join WE3C. She is ready and eager to share her knowledge, experience, and energy with the members of WE3C.

The members of the Committee expressed their appreciation to Ms. Menounos for her willingness to join WE3C. Councilor Piccirilli made the following motion:

The Committee recommends that the full City Council approve the appointment of Ms. Ellen Parker Menounos to the Watertown Environment and Energy Efficiency Committee for a term ending November 15, 2023.

The motion was seconded by Councilor Palomba and approved 3-0.

The Committee interviewed the final candidate, **Lauri Murphy**. Ms. Murphy was a founding member of WE3C and brings enormous historical knowledge to WE3C as well as research and outreach skills. She believes that WE3C should do more community outreach – pointing to the successful efforts to canvass the City with OPT UP literature this spring and summer. This effort was coordinated by Ms. Murphy. She would like to see members of the City Council attend the WE3C meetings and to work together to get initiatives passed by the Council. Although she recently found a full time job in the wind energy field, she remains committed to continuing to work with WE3C.

The members of the Committee expressed their appreciation to Ms. Murphy for her long-standing dedication to WE3C and its work. Councilor Piccirilli made the following motion:

The Committee recommends that the full City Council approve the appointment of Ms. Laurie Murphy to the Watertown Environment and Energy Efficiency Committee for a term ending November 15, 2023.

The motion was seconded by Councilor Donato and approved 3-0.

It was noted that the Committee will need to interview Ari Stern for appointment to the WE3C and Meredith Fields and Ed Lewis for reappointment to the WE3C.

The meeting ended at approximately 6:45 PM. The minutes were prepared by Councilor Palomba.

Watertown City Council
149 Main Street, Watertown, MA 02472
[Remote-Only Participation](#)

Joint Committee of Public Works and Rules & Ordinances
Meeting Minutes of Tuesday November 16, 2021 at 6PM

Councilors Vincent Piccirilli, chair; Anthony Palomba, secretary for Public Works and Anthony Donato, chair; Lisa Feltner, secretary for Rules and Ordinances jointly met remotely in committee, in accordance with the Governor's Order suspending Certain provisions of the Open Meeting Law, relating to the 2020 COVID-19 Emergency in order to:

Discuss managing snow and ice removal in order to make recommendations on a sidewalk snow shoveling ordinance.

Also in attendance were DCDP Director-Asst. City Manager Steve Magoon, Senior Transportation Planner Laura Wiener, DPW Superintendent Greg St. Louis, Council President Mark Sideris, Councilors Caroline Bays, John Gannon and Angeline Kounelis; Susan Falkoff, John M. Airasian, Nicole Gardner, Bike-Pedestrian Committee Chair Andy Compagna, Bob Shay, Peter Ginsburg, Susan Flint, Colleen Treacy, Jeanne Trubek, Lee Longman, William F. Furtado, Josh Rosmarin, Russ Arico, Janet Jameson, George Corsi, Amy Plovnick, Maria Saiz, Emily Izzo, Hannah Rakoff, Jean Dunoyer.

Chair Piccirilli called the meeting to order on a roll call vote at 6:04 p.m. and noted that this referral came out of a recommendation in the [Town-wide Bicycle and Pedestrian Plan \(see page 4-15\)](#), and there is quite a bit of public interest in moving this forward. He envisions discussion centering on three questions: (1) What is not working with existing conditions, (2) What are the changes we need to make, and (3) What are the challenges.

It was also noted that there have been legal decisions at the state level since 2009 and when Watertown last took up issues around residential snow and ice management, and although this is a complicated topic it is important to benchmark what neighboring communities are doing; both Belmont and Newton have ordinances. Also we can look to Somerville, Boston, Cambridge, and Waltham which covers some of their commercial area, so we don't need to re-invent the wheel.

The final question means we need to address what a new sidewalk ordinance would encompass. Piccirilli thinks we should devote one full meeting to a public forum to hear those concerns. Once a final draft is composed, which addresses key concerns, we would work to address implementation and enforcement concerns. The last step would be to bring this to the final Council for a vote.

Committee discussion included a desire to put some substance together on an ordinance at this first meeting, to put some parameters around a residential Snow and Ice Removal Ordinance with people that are present, even though the outline for this plan on how to proceed sounds good.

Superintendent Greg St. Louis shared that sidewalk snowplows are used only on arterial sidewalk widths, with approx. 52" blades, and DPW tends to focus on clearing these areas first, then the schools along with the ADA ramps, ensuring police and fire access, and then the bus stops. We certainly would appreciate the residents contributing to clearing snow but he knows that not everyone is able to clear their own walkway. He has worked in other municipalities that partnered with the high school and senior center. DPW does appreciate the patience for plowing and clearing the streets for emergency access.

Steve Magoon's biggest concern is enforcement, and making that a reality. And since enforcement is focused on commercial areas, he is concerned about who and how residential properties would be enforced. Also, I don't think non-owner-occupied residences should be distinguished from owner-occupied.

Laura Wiener thinks the stated approach makes sense and she reported that last year, Watertown received \$2000 funds through the Marshall Home. This was a start, partnering with the high school and Senior Center, but we need more volunteers as we recognize that folks need help.

The committee anticipates changing most of our existing snow ordinance, so in practicality we are looking at creating a new ordinance. [Superintendent St. Louis left the meeting at 6:30].

Attendees shared concerns about residents becoming pitted against each other in addresses these issues, especially when there are multiple storms or freezing-thawing conditions that make it difficult to assure safe passage. And even if many homeowners clear their walks, there are large apartment buildings that do not, or only do a partial clearing. Others feel we are

nowhere near “80%” of snow removal and are frustrated that after so many years and examples in other towns, it feels we are starting from scratch to craft an ordinance. It’s good to aim for high compliance while being realistic we won’t get there right away or perhaps much of the time. Education and social expectations would help understanding and compliance, so that people don’t just focus on their driveways.

Research has shown that people of all ages want to be able to walk on the sidewalks in the winter, including dog walkers and, so seniors are not just focused on having access to shuttles. We can also learn from other communities who pay to have walks and even some roads and piled corners roads cleared; it’s also helpful to have some plowing standards or clear communication with plow contractors about particular problem areas. It was recognized that most all communities have some exceptions on snow removal requirements due to financial or physical limitations.

Email from John Ovoian of 18 Carroll St was read aloud by Councilor Donato. Councilor Gannon asked to acknowledge that the legal document from Kopleman and Paige that was recently forwarded is outdated information from 2009 about liability of property owners, so he’d like to request a more fresh opinion from KP Law, as things have changed since then. Councilor Piccirilli asked the committee to take some time to identify some of the provisions we would like by reading what Bob Shay and Andy Compagna forwarded “Draft Sidewalk Snow Removal Ordinance 4.0”. We will disregard the draft Provisions for Non-owner-Occupied Residences received before the meeting.

Pres. Sideris remarked that we do have issues with contractors who put snow on neighbors’ walks after they’ve already shoveled. Remember that if you put too much onus on the drivers, and the area has limited plows available, they will go to other cities for hire, but I also think that if we do this, it means that we will have to add staff for enforcement.

Councilor Piccirilli suggested we ask staff to bring back (1) what works in other communities, (2) what issues have they had since their ordinance was introduced, and (3) based on best practices we could have staff outline a proposal on what a new ordinance would include (without exceptions for non-owner-occupied properties). Palomba and Gannon pointed out that we were looking to a new ordinance and would also like to receive updated case law or information on issues regarding legal liability. It was suggested we ask DPW to come to the next joint committee meeting to discuss plowing techniques in certain areas, and discuss ideas about clearing all town-owned sidewalks. Feltner also suggested we review education materials for residents such as “winter guides” produced by other communities (Somerville is one example); thus Laura Wiener said she would (4) also include some guide examples.

7:30 MOTION by Donato that the committee asks staff to bring information, speaking to these four points, to share with Council before our next meeting; seconded by Palomba; adopted unanimously on a roll call vote.

Feltner asked about the expected timeframe of meetings and where a dedicated full public hearing might take place. Piccirilli suggested it be after the Joint Committee has an initial draft snow ordinance, so he sees it as the third meeting, counting tonight as the first. The fourth meeting would be a Joint Committee meeting to produce a final draft, after these public comments.

Donato noted that the only email received during the meeting was from John Ovoian, which will be attached to minutes.

7:44 Motion to Adjourn by Palomba; Seconded by Donato; Adjourned Unanimously on a roll call vote.

Report respectfully prepared by Lisa Feltner.

Attached: Emails from John Ovoian, and Bob Shay (two); Residential Snow Removal Spreadsheet from Laura Wiener; Draft Sidewalk Snow Removal Ordinance 4.0

Nov 16 meeting regarding Snow Removal

john ovoian <johnovoian@yahoo.com>

Tue 11/16/2021 3:30 PM

To: Donato, Anthony <adonato@watertown-ma.gov>

Thoughts on Home Snow Removal

I would like to have all or at least most sidewalks in Watertown cleaned of snow in some reasonable timeframe but there are many situations where having such an ordinance would create multiple headaches for the homeowners and the town.

If we are going to create an ordinance for home owners then we must have some exceptions for those homeowners that live in their Watertown home and are:

1. Unable to remove snow because they are physically handicapped and have limited income. Use CPA exemption rules.
2. Elderly. Homeowners over 65 years of age Use CPA exemption rules (no need to place elderly at risk of a heart attack)
3. Would the town be comfortable in punishing a homeowner who could not remove snow because their snow blowing equipment needed repair?
4. Other exemptions could be considered for situations where we encounter multiple storms in a short period of time.

Questions:

1. How would the town handle a situation where the home owner rents their home under the condition that the tenant is responsible for snow removal and the tenant does not follow the ordinance?
2. How would the town handle a situation where the homeowner is out of state when a snow storm occurs, and this home owner is the one who removes snow from their property?
3. Would the town consider providing homeowners one yearly no punishment for their first offense?
4. Who would provide enforcement of such an ordinance?

I am sure that I have not thought of all of the situations that must be considered for such an ordinance but the above are those that I could think of.

Thank you,

John Ovoian

18 Carroll Street

Sent from [Mail](#) for Windows

From: Robert Shay <bob@rpshay.com>

Sent: Friday, November 12, 2021 11:27 AM

To: Donato, Anthony <adonato@watertown-ma.gov>; Piccirilli, Vincent J <vpiccirilli@watertown-ma.gov>

Cc: Compagna, Andy <andy.compagna@natixis.com>; Wiener, Laura <lwiener@watertown-ma.gov>

Subject: Re: Next Week's Joint Committee Meeting

Anthony and Vinnie,

The ad hoc Sidewalk Snow Removal Committee also reviewed the residential snow removal ordinances of surrounding communities and using those as models developed draft provisions for a full residential ordinance. As I think the discussion on Tuesday should consider the question of what such an ordinance might include, I'm attaching the draft of the provisions of a full ordinance.

Thanks,

Bob

On Thu, Nov 11, 2021 at 10:11 AM Robert Shay <bob@rpshay.com> wrote:
Hi Anthony and Vinnie,

Thanks again for scheduling next week's joint Rules and Ordinances and Public Works committee meeting on Sidewalk Snow Removal. I am writing today to ask how the ad hoc Sidewalk Snow Removal committee and the Bike/Ped committee can be most helpful at Tuesday's meeting. I am thinking that this being the initial meeting to get the process of developing an ordinance started our groups should not try to rally supporters of an expanded ordinance until the two committees arrive at an agreement on what such an ordinance should contain. Let Andy and I know if I'm right about this.

When we last considered how to approach a new ordinance we had concluded that a two step process would be the most effective in arriving at a full residential sidewalk snow removal ordinance. The first step being broadening the existing ordinance to cover non-owner occupied residential properties followed by the second step after the first had been successfully implemented of extending it to owner occupied residential properties. We had developed an outline of the provisions that could be added to the existing commercial ordinance to include non-owner occupied residential properties, which I have attached.

As this meeting is taking place as part of a referral to address the Bike/Ped committee's recommendation for such an ordinance in the Bike-Ped Plan approved by the Council in the Spring, will you be wanting Andy or Laura to present this to the committee as background to start the discussion?

Let us know how we can be most constructive.

Thanks,

Bob

Residential Snow Removal					
	Amount of time to remove	Fine	Hardship Exemption	Other	Multi-family
Arlington	8 hrs. of daytime	\$25/day	Yes	Town can remove and charge owner	\$50 fine, within 3 hours
Belmont	8 PM the following day	\$50, once per snow event, warning first, up to \$350/season	Yes, with tax exemption		
Cambridge	12 hours after snowfall	\$50/day for each day of non-compliance	Low income and elderly or disabled	City can remove and charge owner.	
Newton	Residential--24 hours, Commercial and multi-family--12 hours	\$100 for commercial only, first offense. No fine for residential.	Yes, for health and financial duress	"Reasonable effort" required for residential owners.	Higher standard for multi-family and commercial
Standard required width is 36".					

Draft Sidewalk Snow Removal Ordinance Provisions 4.0

- Require all owner occupied residences to clear snow, slush and/or ice from their sidewalks within eight hours between sunrise and sunset after the snow and/or ice have come upon the sidewalk. The fine for noncompliance will be \$25 per each day the sidewalk is not cleared.
- Amend Watertown's commercial ordinance to include all non-owner occupied properties (rentals) whether or not in the commercial district.
- Allow low income older and/or disabled residents to apply for exemptions. Use HS student paid volunteers to clear for low income older and/or disabled residents who apply for exemptions.
- Use an online or 311 system for resident reporting of uncleared sidewalks – code enforcement officers follow up on reports, but are not required to patrol to find violations as they do in the commercial district.
- Start with a one year trial period where warning citations to violators are sent before fines for residential noncompliance are implemented.
- Send a comprehensive brochure on the ordinance along with supporting information to all households prior to each snow season.
- For chronic non-complying property owners have town clear their walks and bill them.

RPS 8/13/20