

WATERTOWN PLANNING BOARD

DATE: November 11, 2021 PLACE: Town Council Chamber TIME: 7:00 PM COMMENCED: 7:00 PM

PURPOSE OF MEETING: Regular Monthly Meeting

PRESENT: Jeff Brown, Chairman; Payson Whitney; Jason Cohen; Janet Buck; Abigail Hammett
Ingrid Marchesano, Clerk to the Board; Gideon Schreiber, Senior Planner; Larry Field,
Senior Planner

ADMINISTRATIVE BUSINESS

Janet Buck motioned to approve Minutes of 10/13/2021 Planning Board meeting'

Payson Whitney seconded the motion.

VOTE: 5-0 In favor

PUBLIC HEARING

ZONING AMENDMENTS

- **SALE OF FIREARMS**

Gideon Schreiber, at the request of the Town Council, Planning Board is providing an amendment to regulate Sale of Firearms establishments. Staff provided support for Council subcommittee. The subcommittee submitted their report which recommended substantial buffer that included 500 feet from public parks and playground – See attached Staff report & Proposed amendment. Staff recommends that the proposed language is consistent and recommends approval.

Payson Whitney, gun ranges should be added to the definition. Some Towns do include gun ranges.

Janet Buck, do we know if any other Town include this in the regulation?

Gideon Schreiber, there is no current use, it is usually accessory to other use, indoor and outdoor. Fire & Police Department have gun range, this amendment is for a sale of firearms. Everything is regulated through Special Permit process. We are not regulating use of firearms. We will include ...associated gun ranges.

Lisa Feltner, Town Councilor, why does the Planning Board want to include gun ranges?

Jeff Brown, I agree, it should be included in this amendment.

Gideon Schreiber, we have provided link in the attached staff report.

Janet Buck motioned that the Planning Board recommends to the Town Council to approve the Zoning Amendment Sale of Firearms as stated in the attachment, with the definition to be modified to include "Associated Fire Ranges" – See the attached Planning Board report.

Jason Cohen seconded the motion.

VOTE: 5-0 In Favor

- **SHORT TERM RENTALS**

Gideon Schreiber, the Planning staff had several meetings with the Town Council subcommittee. First reading of the Town Council recommended to proceed to the Planning Board. Regulation is combining recommendation from Boston University students. Short term rental would be allowed in all districts for no more than 31 days. Town Council would like to provide clear intent, limit to owner occupied

properties only, max. number of guests minimum space required, etc. Staff recommends that the proposed amendment be forwarded to the Town Council.

Jeff Brown, what initiated this amendment?

Gideon Schreiber, we do not have anything in the Zoning Ordinance that defines such use. Two cases appeared before the Planning Board, the property was owner occupied, they wanted to rent 2 rooms but were not allowed. Another was a 2-family house using both units for short term rental. Zoning Board agreed that it was not allowed. There are 100 to 200 such operators in Watertown, these numbers are based on complaint process, people desire such a use, but it needs to be regulated.

Janet Buck, there are many questions for us. Allowing lessee as a operator, owner allowing such a renter, would the owner have any input?

Jason Cohen, I am in favor to allow the lessee the short-term rental, the owner has no input.

Abigail Hammett, I am in favor of allowing lessee to have short term rental, we should allow the mechanism.

Payson Whitney, I am in favor of owner having short term rental. If it is open to renters who would be responsible regarding insurance, etc.?

Gideon Schreiber, the operator/lessee is responsible. Modification of the proposed amendment can be done in Planning Office. There are different platforms, we do not know who the owner or the operator is. You have to be primary resident, you cannot convert houses into hotels.

Abigail Hammett, this is an important issue, people are buying houses and turning them into short term rentals. It would have minimal effect on rental units.

Janet Buck, I am an owner of a two-family house, I would not want this happen in my house, things can go wrong. I would not give my tenant permission to do this. Sublets do not work out well.

Jason Cohen, will such a use be investigated? Did any fees be determined? The whole process has to be outlined.

Gideon Schreiber, this amendment would allow the owner and renter to consider short term rental. Any indication of violation will be followed up by zoning, code enforcement officer, health, etc. More enforcement capability will help with the cost. Our building inspector has worked with short term rental in Cambridge.

Janet Buck, people in affordable units would not be allowed short term rental. The regulations are not the same for everyone. I don't know how many such units are in the town. If they go on vacation for a month, will they be allowed short term rental?

Larry Field, Affordable Housing has different use for every program. The requirement is that they live in the unit. We are opening door for someone who receives subsidy to have additional income. This issue can be investigated by staff and agreed by legal counsel Kopelman & Paige.

Jason Cohen, if someone is renting below market unit, they should be excluded from such opportunities.

Payson Whitney, there are things that have not been figured out yet. Will the regulations be in effect on specific date?

Gideon Schreiber, the Town Council would define when it would be effective. As soon as Town Council approves the amendment, it can be used, approximately 3 months' time frame.

Abigail Hammett, how would older homes comply with building code requirements? Alarms are important, my stairs might not be code compliant, do I have to change them to do short term rental?

Janet Buck, if you are renting a room, does the whole house have to be compliant?

David Leon, Russell Ave, cities and towns are wrestling with short term rentals. This amendment will have negative impact on Watertown residents. Are people asking for short term rentals? It will impact affordable housing, there will be smaller # of units available. There is a potential of having mini hotels in every district. Unless there is significant benefit, it will invite big enforcement problem. Is there a limitation on how long this can go on? It would change the entire housing market in Watertown.

Jason Cohen, this will happen whether or not we try to regulate it. We need to have these regulations in place. People will tell if someone is renting it out.

Payson Whitney, some people rent big houses for large parties. This regulation would prevent it.

Gideon Schreiber, we have been discussing this issue for several years, for most people is not an issue. But regulations would provide clear guidelines.

Anthony Donato, Town Councilor, this was an acknowledgment that this is going on in Town. It will make sure that neighbors are not overrun by this. Councilor Feltner and I were concerned if tenants would be allowed short term rental. It will limit # of units. Many programs have income restrictions. The biggest issue is enforcement of the rules.

REGULAR MONTHLY MEETING

Gideon Schreiber, some changes to the Amendment as written in the report can be made by the Board – owner only? Limiting number of guests, resident requirement – 1 bedroom for operator, up to 6 guests. Review through a submittal.

Jason Cohen, I would include renters. No more than 2 adults per bedroom.

Payson Whitney, reasonable # of people/rooms.

Janet Buck motioned that the Planning Board accept the Amendment as presented, and that the Planning Board chooses the option that will allow short term rental by owners/lessees as defined in the attached Planning Board Report.

Payson Whitney seconded the motion.

VOTE: 5-0 In favor

OTHER

Gideon Schreiber, this is an update of AOTC, the petitioner is moving forward with building permit process. Changes have been submitted to the Board and Mass Historic Commission who told the petitioner that they have to make the minor changes. Mass Historic have the final review decision. All changes on the project are on the website.

Jeff Brown adjourned the meeting at 9:05 pm.

MEETING ADJOURNED: 9:05 PM MINUTES APPROVED: _____

For more detailed Minutes see the DVD dated 11/10/2021 available in the DCD&P office.

[Zoning Ordinance\2021 Amendments\Sale of Firearms\PB Report_firearms_2021_Nov.docx](#)

