CITY OF WATERTOWN

ZONING BOARD OF APPEALS

WATERTOWN ADMINISTRATION BUILDING
149 MAIN STREET
WATERTOWN, MASSACHUSETTS 02472

Melissa M. SantucciRozzi, Chairperson
David Ferris, Clerk
Christopher H. Heep, Member
Michael E. Brangwynne, Member
Gregory Girard, Alternate

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

MINUTES

On Wednesday evening, September 28, 2022, at 7:00 p.m. in the Council Chamber of the Administration Building, the Zoning Board of Appeals held a public hearing. Pursuant to Chapter 20 of the Acts of 2021, the meeting and public hearing were conducted in a 'hybrid' format with options for public participation both in-person and via remote means, in accordance with applicable law.

In attendance: Melissa SantucciRozzi, *Chairperson*; David Ferris, *Member/Acting Chair*; Michael Brangwynne*, Member*; Christopher Heep, *Member*; Gregory Gerard, *Alternate Member.* Also present: Gideon Schreiber*, Assistant Director of Planning*; Sameena Pirani*, Zoning Clerk;* Antonio Mancini, *Zoning Enforcement Officer* - attending remotely.

An announcement was made by staff before the start of the meeting that two of the five Board members, would be participating remotely, namely Chair SantucciRozzi and Full Member Michael Brangwynne.

Member Ferris opened the meeting by announcing that he would be serving as the Chairperson for this meeting. He introduced the members who were present in person, staff, as well as members who were participating remotely. He added that Chair SantucciRozzi would leave after the first hearing. After outlining the agenda for the meeting and noting that the order in which the cases would be taken, he listed the voting members for each of the cases and called roll for all the members in attendance.

Item #1: Administrative

Acting Chair Ferris requested a motion on the Minutes from the meeting on August 24, 2022. The Motion to approve the minutes was made by Member Heep and seconded by Member Brangwynne. Motion was passed by roll call vote 5-0, with Acting Chair Ferris, Alternate Member Girard, Member Brangwynne, Chair SantucciRozzi and Member Heep voting in favor.

Case #1 23-25 Molloy St.

Attorney Leitner, on behalf of Traolach Cahillane, the petitioner and owner of the property, opened the hearing. He stated that it was a continued petition from July 2022 and recapitulated the scope of relief being sought. At the last hearing, Acting Chair Ferris had suggested an alternative option for the parking plan with two side-by-side or tandem spaces on one side and two stacked spaces on the other. In effect, a combination of parking Option 1 and Option 2 that was proposed by the petitioner.

The landscape plan for the new proposed parking plan was displayed on large boards. According to Attorney Leitner, landscaping, including lawn and planting beds had already been installed. No species had been added to the beds as it was their plan to leave it to the discretion of future proprietors. A demising fence was in the rear and gravel had been placed in the proposed parking areas.

Attorney Leitner provided the Board with a rationale for approving the petition. He emphasized the uniqueness of the property in terms of its shape and location. Not providing parking for four spaces would end up with additional cars on the street, consistent with what had been demonstrated in the pictures shared with the Board at the previous meeting. Accordingly, the four parking spaces, reconfigured at the suggestion of Member Ferris from the last meeting, would offer a safer parking alternative.

Attorney confirmed that three plans, labeled L1, L2 and L3 had been provided since the last meeting in July. L1 and L2 had been presented at the prior board meeting. The Petitioner would prefer Option 1. However, Option 3/L3 was submitted based on suggestions from the Board at the last meeting, as it would allow more available green space.

At the conclusion of this presentation, Acting Chair Ferris opened the floor for questions from the Board. Chair SantucciRozzi confirmed with Attorney Leitner that the survey plan dated 5/20/2022 matched Opt.3/L3. Scaling off the parking spaces, she noted that they were all different dimensions. Cars in Parking 1 and Parking 2 were out of the 4 ft buffer. While they were within the 5 ft buffer in the front, she noted with satisfaction that they are not in the circulation area in the front yard of the dwelling. Similarly, Parking 4 appeared to allow adequate circulation. However, she expressed concern about Parking 3 as it was difficult to measure and closest to the front lot line. Overall, she expressed her approval of the parking plan proposed in Opt. 3/L3, in terms of responding to some of the Boards concerns, provided that the circulation area in front of the structure was not impeded by them, especially Parking 3.

Acting Chair Ferris expressed his disapproval of not including details of the plantings in the landscape plans, as had been requested by the Board at the previous hearing. He felt that it was the current owner's obligation to provide landscaping versus leaving it to the future owners who may wish to do otherwise.

Acting Chair reiterated Chair SantucciRozzi's concerns about Parking 3, wanting to make sure that it was not in the way of other cars getting on to Molloy St. in which case parking would end up within the 4 ft buffer on the eastern property line. He appreciated the revisions made to the plan, that would allow a maximum of 4 cars to be parked on the site with minimal common space, for ease of entry and exit.

After confirming that no public comments were waiting to be heard, both Chair SantucciRozzi and Acting Chair Ferris agreed to approve the petition with a condition that an appropriate landscaping plan for the front yard for the full width of the property, along the front and sides of the parking spaces (provide screening of the parking to adjacent properties) and along the front of the building. Additionally, these plans must be implemented by the petitioner.

Acting Chair also added that upon visiting the site this past week, he had observed that landscaping was already in place, as well as the parking spaces for the cars.

Staff confirmed that that there was adequate room for Parking 3 to maneuver their way in and out of the site without having to back up all the way down the street.

Staff also stated that they would update the control plans to strike the previously submitted sheets and only use sheet L3 and an original copy of the stamped Survey Plan.

Chair SantucciRozzi also added that she would like to see the location and dimensions of the parking spaces in the Plot Plans. Once approved, the revised plot plan shall be recorded and incorporated in the recorded condominium documents as expectations for now and in the future.

Chair SantucciRozzi made a motion to approve the variance relief for front yard parking based on L3 and the plot plan dated 5/20/22 with conditions related to changes and updates to the Plot plan as well as the Landscaping plans described by the Acting Chair. The motion was seconded by Alternate Member Girard. Motion was approved with conditions by roll with Member Brangwynne, Members Girard, Acting Chair Ferris, and Chair SantucciRozzi voting in favor. Member Heep was disqualified from voting as he was not present for the previous deliberations on this petition.

Acting Chair concluded the hearing for this petition by noting its prolonged application process. He attributed this to decisions made without appropriate approval from the Board. Knowing that the client had other properties, he asked that the sequence be more respectful of the zoning requirements and if that is the case it would be a less lengthy process.

Chair SantucciRozzi signed off the meeting affirming her presence at the next ZBA meeting.

Case #2 40 Lowell Ave.

Acting Chair Ferris introduced the next item to be heard, a petition regarding the property at 40 Lowell Ave., and Member Heep read the legal notice.

40 Lowell Ave– *Tal and Nora Viskin – Special Permit Finding §4.06(a) for relief from §5.04 to increase the height of the main roof within pre-existing, non-conforming side setbacks. The project also includes a new third floor shed dormer to the rear. Two-Family (T) Zoning District.* ***ZBA-2022-09***

Before asking the petitioner to make her presentation, Acting Chair Ferris announced that with the departure of Chair SantucciRozzi they were a four-member Board, and a unanimous vote would be needed to secure approval. Alternatively, the petitioner could request a continuance to participate with a Full Board at the next ZBA hearing.

Shelly Ziegelman, representing Tal and Nora Viskin, and architect for the Petitioners detailed the existing conditions and proposed changes. She also described the scope of relief being sought. The 2.5 story, side entrance colonial with an existing peak of 7.2 ft comprised of roof structures made of 2 X 6's which would not permit the minimum pitch of 3:12 required by the Zoning Ordinance. The proposed design kept the main part of the roof, raising it sufficiently to have a conforming half story within the maximum height allowed. Since the extension of the main roof was within pre-existing non-conforming side setbacks, a relief was requested.

Acting Chair Ferris sought member comments by roll call. Member Heep, Member Brangwynne and Member Girard agreed that the relief being requested was minimal. Acting Chair expressed his approval of the plans stating that rebuilding the primary roof at a steeper pitch was a “clever” way to get more headroom, with minimum visual change to the house. He agreed with the architect that this would allow proper insulation and light.

After reviewing the drawings of the proposed roof-line elements, Acting Chair requested that the gambrel roof be kept as the dominant roof and the rest of the house have trim that is flush-applied. He explained that in the current design, in the outline of the gambrel, typical of the gambrel design, the roof extended a foot or so beyond the wall by having the facia and rake extend. Additionally, in the dormer component within the gambrel, the rake was snug to the shingle wall, so it read secondary. In reviewing the proposed elevations, Acting Chair noted that it appeared as though all those roof line elements may be deep. During reconstruction, as the outline of the gambrel was being recreated, it was requested that the existing roofline elements be maintained. More specifically, the trim application be really similar to the existing home in terms of the strength of the gambrel in relation to the flat trim against the rest of the house. This way the gambrel will cast a shadow on the wall and will look like a gambrel even though it is a simulated gambrel, which is very typical.

Acting Chair Ferris confirmed that the existing house was shingled so it would be an extension of those shingles on the modified wall that gets taller. Architect confirmed that all materials, exposure, and color would match existing.

Staff reminded Acting Chair Ferris that the relief was for both side yards as the extension of the existing main roof would be within setbacks

After confirming with other members that there were no further comments, Acting Chair asked staff to summarize the conditions already listed on the form. Staff confirmed that the typical ‘boiler-plate' conditions relating to the siding that the Board usually adds had already been incorporated in the staff recommendation for approval.

After summarizing the added conditions that the gambrel roof outline shall be updated to have an extension of the roof trim which is similar to the existing in terms of overhang, whereas the secondary roof shall have a flat rake trim similar to the house so that it reads as a dormer, Acting Chair Ferris requested a motion to approve the petition.

Member Heep made a motion to approve the relief requested with conditions. The motion was seconded by Member Brangynne. Motion was approved by roll call 4-0, with Members Brangwyne, Member Girard, Member Heep and Acting Chair Ferris voting in favor.

After announcement from staff, a motion to adjourn was made by Member Heep, seconded by Member Girard. Motion to adjourn passed, 4-0, with Member Brangwynne, Member Heep, Member Girard and Acting Chair Ferris voting in favor. Meeting was adjourned.