



**CITY OF WATERTOWN
ZONING BOARD OF APPEALS
ADMINISTRATION BUILDING
149 Main Street
Watertown, Massachusetts 02472**

BOARD MEMBERS

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

TEL. (617) 972-6427

**ZONING BOARD OF APPEALS MEETING
WEDNESDAY, JANUARY 25, 2023 AT 7:00 PM**

AGENDA

The City of Watertown Zoning Board of Appeals will hold a meeting and public hearing on Wednesday, January 25, 2023 with the meeting starting at 7:00 pm in the City Council Chamber, Administration Building, 149 Main St., Watertown, Massachusetts. Pursuant to Chapter 107 of the Acts of 2022, the meeting and public hearing will be conducted with remote opportunities for participation. Remote participation and access methods include:

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://zoom.us/j/606857230>
- C. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 606 857 230#
- D. Public may comment through email: spirani@watertown-ma.gov

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- 1. Acceptance of Minutes
 - A. Meeting Minutes-December 21, 2022 (Draft Minutes)
 - 2. New Cases
 - A. [99 Water St.](#) – 51 Water Street LLC. – Special Permit with Site Plan Review – Construction of a 4 story, 224,000 sq. ft. Laboratory/Research and Development building with mechanical penthouse and partial 5th story and 430 lower-level parking spaces. This building was discussed as a 2nd phase of 66 Galen St and includes internal garage access between the sites. Pursuant to: §5.01.5(a, e and j) New Construction Laboratories/Research and Development with c) complimentary retail/service/office; Section 5.02 (n) accessory licensed day care use; Special Permit §4.10 additional height and rooftop mechanicals and screening; § 4.11 (d) Expanded Build to Line, §5.05 (d) Reduced Side Yard Setbacks, §5.05(f) Contiguous Façade and building length in keeping with Design Guidelines §5.05 (i) FAR of 1.9; §6.01(e-g) TDM/parking management for cross-site shared parking and other relief; ; all in accordance with §9.03 through §9.06 . Industrial-2 (I-2) Zoning District. ZBA-2022-10
 - 3. Other Business
 - A. [93 California St.](#) Request for Extension ZBA-2021-18 SPF/VAR. Conditional Approval (5-0), January 26, 2022
Request for Variance and SPF to construct a two-and one-half story living space addition in

place of an existing one-story garage and create one new front yard parking space. Property is located in the Open Space Conservancy (OSC) district. ZBA 2021-18.



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MINUTES

On Wednesday evening, December 21, 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*; Michael Brangwynne, *Member* (attending remotely); Christopher Heep, *Member*; Gregory Girard, *Alternate Member*. Also present: Gideon Schreiber, *Assistant Director of Planning*; Larry Field, *Sr. Planner*; Sameena Pirani, *Zoning Clerk*; Antonio Mancini, *Zoning Enforcement Officer*.

Chairperson SantucciRozzi opened the meeting. She noted the Board Members in attendance, both in person and remotely via Zoom, and introduced the staff.

Staff made an announcement explaining how the meeting and methods of participation for the public could be accessed remotely.

The Chairperson outlined the agenda for the meeting announcing that the cases would be taken in the order they were received, with the first case on the agenda, 99 Water St, being continued to the ZBA meeting on January 25, 2023. She listed the order of the other cases.

Item #1: Administrative Chairperson SantucciRozzi requested a motion to approve the Minutes from the meeting on September 28, 2022, and November 30, 2022. The Motion to approve the minutes was made by Member Ferris and seconded by both Alternate Member Girard and Member Heep. Motion was passed by roll call vote (5-0), with Member Ferris, Alternate Member Girard, Member Brangwynne, Chair SantucciRozzi and Member Heep voting in favor.

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Item #2: 47 Copeland Street.

Chair SantucciRozzi introduced the next item to be heard, a petition for a Special Permit Finding at 47 Copeland St., and Member Ferris read the legal notice.

[47 Copeland St.](#)-Tanya and Robert Violette-Special Permit Finding §4.06 (a) for relief from § 5.04 to allow an increase in pre-existing non-conforming building coverage from approximately 34.9% to 36%, where 30% maximum is allowed. T (two-family) Zoning District. **ZBA 2022-14**

Petitioner Tanya Violette attending remotely via Zoom introduced herself and described the nature of the request. She explained that the increase in the pre-existing non-conforming building coverage was requested to allow the construction of a laundry room on the back of the first level of their house. The washer and dryer units were currently located in the basement which was not safe to access.

Board members noted no concerns. Member Ferris confirmed that the new siding would be consistent with the existing and made a motion to approve the request for a special permit finding to allow an increase in pre-existing non-conforming building coverage with conditions. Motion was seconded by Alternate Member Girard. Motion was approved by roll-call vote, 5-0, with Member Ferris, Member Brangwynne, Member Heep, Alternate Member Girard and Chair SantucciRozzi voting in favor.

Item #3: 490 Arsenal Way.

Member Ferris read the legal notice.

[490 Arsenal Way](#)-Columbia Massachusetts Arsenal Office Properties LLC – Special Permit with Site Plan Review Amendment for site improvement and new construction of a 68.5 ft/4 story, 104,000 sq. ft. Laboratory/Research and Development/office building, including shadow parking, shared parking on lots within site and reduced parking for office use, contiguous façade up to 250 feet, as well as additional site amenities. Pursuant to: §5.01.5(a, c, e and j) and §5.01.3(a) New Construction of light industry, office, lab, R&D; and §6.01(f), (g), and (h)(parking); Special Permit §4.10 additional height and rooftop mechanicals/penthouse; 5.05(f) contiguous facades in keeping with Design Guidelines; all in accordance with §9.03 through §9.06. Industrial-2 (I-2) Zoning District. **ZBA-2022-13**

Following the distribution of hard copies of the presentation by the architect, Brian Murrihy, Development Manager for the Project, representing the owner and petitioner Legatt McCall Properties began his presentation. He introduced himself and his colleague Robert Dickey, also present in person, and described the relief being sought and the general scope of the project.

He explained that the existing Linx I project was a 185,000 SF redevelopment, completed in 2018. Originally planned and permitted as an office, the building was eventually leased to life-science tenants and converted into a mix of office and lab space. The building was purchased upon completion by their client and was fully operational and occupied by lab tenants. For the past year, the team appearing before the Board, had been working on an additional building proposed as Linx II, a 4 story 104,000 SF lab/office development with a mechanical penthouse. It would also include 2-levels of subsurface

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parking-a net increase of 23 spaces from existing, resulting in a reduced parking ratio of 2.0 spaces per 1000 SF. He thanked the City and the community for their input in the planning phase of this project. Accordingly, this had allowed them to replace the surface parking in the southwest corner of the lot with a quality project that would minimize environmental impacts and provide meaningful benefits to the community. This location for the project had been preferred over potential locations north of the lot which abutted the residential neighborhood. Site improvements included maintenance and enhancement of existing open space, as well as provision of public amenities such as enhanced connectivity to publicly accessible open space, streetscape extension by creation of a pocket park and improved wayfinding signage. He also noted that there would be no increase in impervious coverage and the FAR would be well under what was allowed. Regarding sustainability, the project aimed to achieve a LEED gold certification as a minimum.

Upon the conclusion of his presentation, Murrihy invited Kristen O’Gorman, with Solomon Cordwell Buenz (SCB Architects) to present plans and provide additional details.

With the help of pictures, Kristen presented the context of the site, its proximity to the bike path and other life science developments in the Arsenal St commercial corridor. Included in her description of the site characteristics and surrounding land use, was a height diagram that highlighted how the project fitted into the step-down plane created with other commercial developments, as they approached the residential neighborhood. Zooming in closer to the actual site, to elucidate the location of the building footprint, she noted how the underutilized asphalt parking would be moved to subsurface parking with a design that was overall more sustainable and would reduce the heat island effect. She explained that different locations for this building footprint had been studied including replacing the existing parking structure close to Nichols Ave as well as expanding it vertically. Commenting on the layout and circulation, she added that loading had been located on the west, closer to the Data Center. Firetrucks and passenger vehicles would have full circulation around the building, with one-way flow between the existing and proposed building, designed to reduce the traffic flow. Improved wayfinding would inform the community about publicly accessible areas, including the bocce court, rain garden and the proposed pocket park.

Moving on to describe the building form and design, Architect stated how occupant health had been the design driver, shown through the creation of an outdoor space at multiple levels. She also highlighted other design features such as breaking down massing and scale with the three- interlocking bar design where one bar was pulled out and celebrated while the other two were receded. This also allowed the penthouse to be receded back. Also detailed in the presentation were the following: choice of exterior materials to mitigate heat gain and solar glare, and to mimic the vernacular of Phase I; advantage taken of the 6-foot decrease in grade across the length of the building to create different levels of terraces; alignment of the first floor of the proposed building with existing plaza to make it universally accessible; the low visibility of Linx II from Nichols Ave; layout of the different levels; shielded location of the loading zones; location of the parking entry-way to pull cars quickly in and under the building; parking layout; enclosed mechanical penthouse; 3 tiered roof design allowing solar to be at the highest level, with all exterior mechanical equipment fully screened and located on the mid-roof or low roof;

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understanding the nature of the request for increased height in terms of the grade difference across the building footprint;

Carl Frushour, with IBI Placemaking, described the landscaping plans for the proposed site, focusing on the campus and community open space improvements. Given its location in the southern pocket of the site, their goal had been to create a campus-like environment, achieving this through improved neighborhood connections to and from the campus, new signage that informed pedestrians of spaces they could use, increased overall tree canopy with native and adapted varieties, as well as bike storage. Improvements in the infrastructure, such as painted intersections at every pedestrian crossing would emphasize the shared pedestrian/vehicular use of the areas. The shared pedestrian plaza would have no curb to allow universal accessibility between Linx I and Linx II.

Improvements would be made to the existing open spaces, including the bocce court, rain garden and along Nichols Ave. Open space would also be expanded through the creation of a pocket park close to the bike station and bike fixit station; improvements to the Greenway and Arsenal Way by pruning and limbing up the existing trees and repaving the stone dust path. Also included in the presentation was reference to the design inspiration that would be shown in the ground plane of the pedestrian plaza; lighting; expansion and improvements to the existing bike infrastructure.

Scott Thornton with Vanasse & Associates provided the traffic analysis for the project. The traffic study had been prepared in consultation with town engineers and DCDP staff. Nine intersections were studied and based on extensive studies minimum traffic delays at those intersections were projected. Project trip generation study highlighted that the project was expected to generate approximately 1,140 new vehicle trips on an average weekday, with 133 new vehicle trips (114 entering and 19 exiting) expected during the weekday morning peak hour and 126 new vehicle trips (21 entering and 105 exiting) expected during the weekday evening peak hour.

Other information presented included existing and proposed TDM measures encouraging the use of alternative means of transportation to the site. Buses, including the Watertown Connector as well as the proposed bike amenities would likely encourage alternative transportation and minimize the effect of traffic generation for the site.

The new parallel parking configuration would replace the previously proposed perpendicular arrangement. Also proposed was a raised cross walk near the driveway to the Data Center to slow down traffic; addition of an all-way stop sign on Arsenal Way at the entry of the site; additional off-site improvements such as the addition of a bike lane on Bigelow Ave; ADA compliant pedestrian push buttons at the intersection of Nichols Ave and Arlington St with Coolidge Hill Road.

Kristen O’Gorman, with SCB, highlighted additional aspects of the project that related to sustainability; Included were the following: replacement-in-kind of the stormwater retention system for the 100-year event; remediation of existing bioswale; 50% reduction of exterior water usage with native plantings and 35% reduction of indoor water usage; replacement of the underutilized asphalt parking lot with a

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more sustainable and energy efficient building; study to map out a pathway to net zero for operational carbon emissions; on-site fossil fuel savings of 85-90+% and moving towards all electric.

Chair SantucciRozzi thanked the architect and their consultants for their comprehensive presentation and opened discussions to the Board, using roll call. Member Brangwynne had no questions.

Member Girard had questions and comments. He commented on the increased use of bikes along pathways in the neighborhood (specifically mentioned Nonantum Road) and asked if there had been any study on the number of bike trips the project would generate as opposed to the trip generation study. Given the many incentives in place for bikers, he expected to see a flip in trends—from more vehicular traffic to more bicycle counts; he asked if any studies had been completed on the impact of increased bike use on the neighborhood. In response to this question, Thornton reported that based on initial observations, no significant increase in bike use had been noted. He also added that projections were difficult to make. In anticipation of change, biking amenities would continue to be improved and offered. Staff added that the TDM ordinance required annual reporting of numbers, and this would enable tracking of commuting trends.

Member Girard also commented on the design inspiration of the project that incorporated Watertown's past magnificence in manufacturing, such as the rubber-canvas Hood footwear. He asked if informational signage could be added to celebrate this and educate the community. He also mentioned the Stanley Steamer as Watertown's brainchild. Murrihy responded that the team had studied the history of the community along with other features such as the rain garden and bioswale. The provision of informational signage, similar to that for the rain garden and bioswale, could be explored and investigated in this regard.

Member Ferris complemented the comprehensive presentation. He confirmed that the heights identified in the drawing set were referring to the building heights and not the heights including the rooftop elements. Given this information and referring to page 4 of the presentation that compared height of the proposed project with other developments in the vicinity, he observed that the heights of the different rooftop elements would vary based on the use and needs of the rooftop mechanical equipment. Understanding the calculation of the building height and the height of the mechanical equipment, and their context in relation to the neighboring residential units, he did not appear to be concerned about it, describing that the building was "nestled in" and "buffered" from residential neighbors.

He asked staff to elaborate on the 79 feet Watertown Mall development. Staff explained that this project was in the Community Meeting stage and the height indicated was an estimate based on the maximum height allowed in the RMUD district for a non-residential project.

He also asked the architect to explain the 3-tiered roof design, location and materials for the mechanical enclosure, and exterior materials on the rest of the building. Architect explained that choices for the exterior design and material mimicked those established by Linx I.

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Other questions related to location of solar equipment. Member Ferris asked whether, in the event that some panels needed to be located elsewhere, placing them on the rooftop of Linx I could be explored. He would also prefer not to have them located on top of the garage closer to the residential neighborhood.

Architect responded that the structural implications of this option were currently under study.

Member Ferris asked if there were projections of air quality impact for this type of use, especially for the residential neighbors.

Thomas Joyner with AHA Consulting Engineers, attending remotely, was asked to respond to this comment. Due to technical issues, he was unable to provide a response on Zoom. Staff clarified that this would be addressed by the Air Dispersion requirement within the conditions. Certificate of occupancy would not be issued till this condition was met.

Member Ferris also questioned pedestrian safety in zones shared with vehicles. Improvements to the infrastructure, lighting, materiality, and signage that emphasized the multi-modal use of those areas would be used to address this concern.

Member Ferris also discussed opportunities for additional landscaping near the existing garage, such as towards Nichols Ave, with plantings that would retain foliage and density in the winter. He confirmed the future continuity of connected pathways such as Nichols to Arsenal St. with the proposed development of the Watertown Mall.

Member Heep asked if the parking proposed was adequate based on needs of the tenants and the pattern seen in similar buildings.

His questions were followed up by Chair SantucciRozzi. She asked why a trip generation study versus an actual parking study had been completed to determine the parking ratios and expressed concern over the accuracy of these measures for addressing future needs. Scott Thornton provided the rationale for these calculations. Based on the lower-than-expected trip generation counts, it was concluded that the site was generating less traffic than expected. Hence, a parking study was not deemed necessary. This was discussed further by Rob Dickey with Leggat McCall Properties. Parking on the current site had been greatly underutilized, due to several reasons including covid-related changes in the need for office space, effective TDM measures that had reduced reliance on single-occupancy vehicles and the dispersed on-site work schedules of lab users.

The Chair asked for a summary of the parking table displayed on OS-1 that would include the location of the 87 shadow spaces and if that was included in the total number provided. She also confirmed that there would be shared parking between Linx I and Linx II tenants/building.

One of the consultants explained how the parking would be shared; the subsurface parking proposed in Phase II would be primarily used by Linx II tenants, while the Linx I tenants would use the surface parking and the parking garage to the north. Overall, spaces would be shared and “co-mingled.”

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He also explained how the “head-on” parking configuration along Arsenal Way had been changed to a parallel parking configuration. Also, that these spaces originally proposed as shadow parking would be built as part of the initial construction.

The Chair commented on the subpar condition of the existing stormwater retention areas of Linx I, such as the bioswale and rain garden, and looked toward the petitioner to investigate and revisit their maintenance plan. For the proposed site, she asked for a comprehensive plan that would include long term maintenance procedures as well as inspection details for these areas. She encouraged plantings that would retain foliage and density in the winter. Staff suggested that Petitioner’s signage could delineate these retention areas and, in the process, educate the landscape crew about their unique maintenance needs. Chair also recommended hooking up the project manager of the landscaping company with the engineers from LINX I to better understand the site’s operation and maintenance needs. Chair SantucciRozzi asked that a Stormwater Operation and Maintenance plan be included as a condition.

Further discussion centered around the location of the solar equipment. In response to her question, staff reported that solar equipment would not be included in the building coverage. Petitioner said that placing the equipment on the rooftop of Linx I would be explored. Chair asked for a condition that all solar panels be installed on rooftops.

Chair also raised concerns about the height of the penthouse. She asked for the rationale behind the proposed mechanical height. Petitioner responded that they were in sync with recently approved heights and were recessed so not visible from the bike path and similar places with people on the ground level. The Chair then specifically asked if the size of the penthouse enclosure could be minimized. She noted that, constituting nearly a third of the building height, the penthouse appeared disproportionately tall in relation to other levels, taking away from the building aesthetics. She asked if the dimensions could be reduced to become more in line with a typical floor height.

Member Ferris did not appear to be concerned about the height of the mechanical equipment in this location, given that they were nestled in and buffered from the residential units.

Following the resolution of comments and questions from the Board, Chair opened the meeting for public comments.

Jocelyn Tager, Robbins Rd, participating remotely shared her concerns and comments. She asked if the penthouse could be downsized and placed on a lower level. She also suggested that the petitioner consider placing the solar equipment on top of the penthouse, as was proposed for the High School project. Finally, she noted that beginning January 2023, the City would be adopting the specialized opt-in stretch code, which will require reporting their EUI. The need to build to the specialized stretch code would go into effect by July 2023.

Susan Ladou, 5 Stearns Rd, echoed concerns raised regarding the proposed height of the mechanical equipment. She spoke favorably of the tree canopy. She also appreciated the attention given to the energy efficiency of the proposed building and asked how this could be determined without having

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information on how much they would be using and producing on site with solar. In response to her question about how the energy needs would be met, the petitioner backed by the architect stated that most of the energy would be electric to reduce fossil fuels, and studies were underway to understand whether and how Net Zero could be achieved.

After confirming that there were no additional comments, the Chair closed the public hearing and requested a motion on this petition. A motion was made by Member Ferris to approve the application for a special permit and site plan review for site improvement and new construction with conditions proposed by the Planning Board and additional conditions discussed during the Board's deliberations related to a Stormwater Operation and Maintenance Plan, and placement of solar components. The motion was seconded by Member Heep and approved by roll-call vote, 5-0, with Member Ferris, Member Brangwynne, Member Heep, Alternate Member Girard and Chair SantucciRozzi voting in favor.

Motion to adjourn was made by Member Heep. Seconded by Member Girard. Motion to adjourn passed unanimously by roll call vote, (5 – 0), with Members Ferris, Girard, Heep, Brangwynne and Chair SantucciRozzi voting in favor. Meeting was adjourned.

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