



CITY OF WATERTOWN
ZONING BOARD OF APPEALS
WATERTOWN ADMINISTRATION BUILDING
149 MAIN STREET
WATERTOWN, MASSACHUSETTS 02472

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MINUTES

On Wednesday evening, June 22nd, 2022, the Zoning Board of Appeals held a public hearing at 7 p.m. 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: Michael Brangwynne, *Member/Acting Chair*; David Ferris, *Clerk*; Christopher Heep, *Member*; Gregory Girard, *Alternate Member*. Also present: Gideon Schreiber, *Sr. Planner*; Larry Field, *Sr. Planner*; Antonio Mancini, *Zoning Enforcement Officer*; Joshua Manion, *Code Enforcement Officer*.

Acting Chair Brangwynne opened the meeting and introduced City Staff and the Board Members in attendance, noting that the Board had only four members present, meaning any petition would require a unanimous vote in order to receive an approval. The Chair then briefly outlined the agenda for the meeting and explained the different methods of participation for the public.

Item #1: Administrative

Acting Chair Brangwynne requested a motion to table the Minutes from the April meeting, as the Board did not have an opportunity to review them. Member Ferris motioned to approve, seconded by Member Girard. Motion to table the meeting minutes from April was passed by roll call vote, 4-0-0, with Members Ferris, Girard, Heep, and Brangwynne voting in favor.

Item #2: 16 Gill Rd.

Acting Chair Brangwynne introduced the first item to be heard, a petition for a Special Permit Finding at 16 Gill Rd. for the addition of a second floor to the existing house within a pre-existing, non-conforming setback, and Member Ferris read the legal notice.

Tinamarie Ricci, property owner, presented her petition to the Board in conjunction with the project architect, Paul Worthington. Ms. Ricci described the scope of the project and the relief being sought. Mr. Worthington briefly detailed the project, explaining the proposal is for a second-floor addition to accommodate the addition of two bedrooms, two bathrooms, and a living room; but keeping within the existing building footprint and the property would remain a single-family home.

The Acting Chair thanked the Petitioner for their proposal and opened the floor to the Board for questions.

Member Ferris questioned the Petitioner whether the intent of the project was to create a second unit; Ms. Ricci responded that they plan to keep the house as a single-family dwelling and confirmed that a

kitchen would not be installed on the second floor. Member Ferris noted that certain features of the plans, such as the doorways at the bottom of the staircase, indicate the creation of a second unit. The Petitioner reiterated that the intent is not to add a new unit, just create space to accommodate a family member and children in the house. The Petitioner also noted that the extra door at the base of the stairs is primarily a safety measure as there will be children in the house. Member Ferris pointed out shorter window on the second level appears as one that would typically be placed over a sink. Ms. Ricci responded that this space is a family room and did not have much space for anything else. Member Ferris questioned if the first-floor windows would be egress complaint; Mr. Worthington responded that he was not aware of any requirement to upgrade the existing windows on the house, but that they would be amenable to doing so if required. Member Ferris also asked if the siding and window trim would be kept as is and matching with the new addition; Mr. Worthington confirmed the house would be clad in new hardy-plank siding and that the window trim would be matching. Mr. Worthington also addressed concerns about light and ventilation in the basement, outlining the egress points and window wells.

Member Ferris then questioned whether the one parking space shown on the plot plan would be adequate for the needs of the house. Mr. Worthington responded that this condition is pre-existing and as no more than two bedrooms are being created, the project does not trigger the addition of another parking space. Staff confirmed this assessment and noted that due to the lot size, the property would be ineligible for conversion to a two-family dwelling. Staff also addressed concerns about the possible creation of a second unit, pointed out that the top of the stairway opens into common area with no separation that would typically indicate a second unit. The Petitioner then confirmed for the Board that the masonry chimney is staying in place despite its impact on the floor plans.

Acting Chair Brangwynne asked the petitioner about the parking plan for the house, given there is only one parking space and there will be an additional driver moving in. The Petitioner explained that Waltham allows overnight parking, even in the winter, so this will not be an issue.

The Acting Chair thanked the Petitioner for their explanations and opened the public comment section of the meeting, however, no comments were made or submitted in writing.

Staff commented on a previously raised concern about the extra doorway at the base of the staircase, noting that the Board could condition the approval of this petition with the removal of the door. Member Ferris reiterated his concerns about the floor plans and window placement but indicated that the additional details provided by the Petitioner were sufficient to address concerns about the creation of a second unit. Acting Chair Brangwynne questioned Staff about monitoring policies to ensure no additional unit is created; Staff pointed to proactive inspections and building permit reviews as the primary monitoring methods and outlined the steps that would be taken should anything be added that is outside the scope of this petition. The Acting Chair then questioned Member Ferris if there were any architectural steps that could be taken to alleviate the concern about the creation of a second unit. After a brief discussion with Staff, Member Ferris stated he is willing to trust the Petitioner's intent with the project and Staff's monitoring policies, so no further condition was necessary.

The Chair closed the public hearing and requested a motion on this petition.

Member Ferris motioned to approve this petition, with conditions as discussed. Member Heep seconded the motion, which was passed unanimously by roll call vote, 4-0-0, with Members Ferris, Girard, Heep, and Brangwynne voting in favor. Petition was approved with conditions.

Item #2: 32 Chandler St.

The Acting Chair opened the next item on the agenda, a petition for a Special Permit Finding to create a building addition at 32 Chandler St. within a pre-existing, non-conforming setback, and Member Ferris read the legal notice.

Laura Aversa, property owner of 32 Chandler St., introduced the proposal to the Board and explained their rationale for pursuing this project, which would add two bedrooms, a master bedroom, and accompanying bathrooms, as well as a play area for their children.

Member Ferris stated this proposal seems to be much more clearly a single-family home based on the design, but questioned the Petitioner about the exterior cladding materials. The Petitioner indicated that the existing house is clad in cedar shingle, with one section being clapboard, and that the addition and windows would be made to match the existing materials.

The Acting Chair opened the public hearing for comment, but no comments were submitted verbally or in writing and the Chair closed the public hearing.

Member Girard motioned to approve this petition, with conditions; motion seconded by Member Ferris. Motion was approved by roll-call vote, 4-0-0, with Members Girard, Ferris, Heep, and Brangwynne voting in favor. Petition was approved with conditions.

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