



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

COMMITTEE ON ECONOMIC DEVELOPMENT AND PLANNING MEETING

TUESDAY, MARCH 28, 2023 AT 6:00 PM

RICHARD E. MASTRANGELO COUNCIL CHAMBER AGENDA

ACCESS INFORMATION:

- A. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/83549340015>
- B. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Meeting ID: 835 4934 0015
- C. Public may comment through email: vpiccirilli@watertown-ma.gov

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- 1. Call to Order
 - 2. Discussion
 - A. Discuss Updates to the Proposed DCDP Regulations for Enhanced Notification to Neighbors on Projects.
 - 3. Adjournment

Councilors

Lisa Feltner, chair

John Gannon, vice chair

Vincent Piccirilli, secretary

cc: Steve Magoon, DCDP



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Report of the Committee on Economic Development & Planning Meeting Date: November 14, 2022

The Committee convened on Monday November 14, 2022 at 6:00 pm in the Louis P. Andrews Upper Conference Room, with remote participation by Zoom. Present were Lisa Feltner, chair; John Gannon, vice chair; and Vincent Piccirilli, secretary. Staff present were Steven Magoon, Assistant City Manager/Director of Community Development and Planning, and Josh Manion*, Code Enforcement Officer. Also present were President Mark Sideris, Councilors John Airasian and Anthony Palomba*, and residents Jacky van Leeuwen* and Carolyn Gritter*. (* attended by zoom.)

The purpose of the meeting was to discuss recommendations for providing a process to notify neighborhoods affected by a proposed development.

The meeting was called to order at 6:00 but because of technical difficulties with zoom, the meeting was paused at 6:30. The Committee voted to restart the meeting at 6:37 when the zoom connection was established.

Councilor Feltner provided two documents: discussion points (Attachment A), and Somerville's zoning regulations "15. Administration 7. Public Notice" (Attachment B) which helped guide the discussion.

Mr. Magoon began by saying the current requirement of notifying abutters and abutters to abutters within 300 feet is required by state law, and is what is in our zoning ordinance. These are letters mailed to property owners who have legal standing to challenge a decision in court. He pointed out that the notices do not go to the tenants, which leads to the feeling that residents don't know what's happening, as their landlords have no obligation to pass the notice along. He also said creating the mailing lists is done by the Planning Department using the Assessor's database, and was concerned that expanding the notification would increase the workload on the department. He also stated that anyone who is signed up for Planning and Zoning notification on the city website is already getting these notices, no matter where they live, and notices are also posted on the city's social media.

President Sideris suggested sending post cards like we do for community meetings, and expand the area they are sent to. Councilor Emily Izzo submitted comments by email suggesting notification of neighbors within 1 square mile when there is (1) an official proposal submitted to the planning department, (2) when they have the community meeting and (3) when the project is in front of the planning board, and she also thinks the developer should have to mail the notices.

After considering all the options, the Committee agreed on the following points:

- a. The enhanced notification should be done as a regulation, not as an amendment to the zoning ordinance, to give the Department of Community Development and Planning flexibility.
- b. The legal requirement in the zoning ordinance to notify abutters and abutters to abutters within 300 feet will remain unchanged.

- c. The enhanced notification should be by postcard, mailed to every postal address within 500 feet of the proposed development, to ensure tenants are notified.
- d. Because the postal addresses can be obtained from the post office, there is no need for the Planning Department to generate the mailing lists from the Assessor's database.
- e. The developer should be required, at their cost, to generate the list of addresses using postal data, and mail a postcard to every postal address within 500 feet of the property.
- f. This enhanced notification shall be required of "large projects" using the criteria in the zoning ordinance Section 9.03 (b), which are residential development with four or more units, or commercial development greater than 10,000 sq. ft.
- g. The enhanced notification for these projects should be required for the "public information meeting", and Planning Board and Zoning Board of Appeals hearings.
- h. The regulations should allow the Planning Department to require a larger area of notification in special circumstances.

➔ **Action Item:** Councilor Piccirilli made a motion, seconded by Councilor Gannon, to recommend that the City Council request the Administration have the Department of Community Development and Planning develop regulations for expanded notification as described in (a) through (h) above. Voted 3-0.

Mr. Manion mentioned that some cities, as a best practice, require a notice to be posted at the site of a proposed development so passers-by are aware of what is going on. This could include a description of the project and the dates of the meetings. Mr. Magoon said that there should be a standard size and standard language. The Committee agreed with this suggestion.

➔ **Action Item:** Councilor Piccirilli made a motion, seconded by Councilor Gannon, to recommend that the City Council request the Administration have the Department of Community Development and Planning develop regulations for requiring developers of large projects to post a physical sign at the site with project information. Voted 3-0.

There was discussion if another meeting was required on this topic, but all felt that DCDP had enough information to proceed, and that under the Charter, proposed regulations would be sent to the City Council before implementation.

The meeting adjourned at 8:00 pm.

Report prepared by Vincent Piccirilli

Attachments:

- A. Councilor Feltner Discussion Points
- B. Somerville's zoning regulations "15. Administration 7. Public Notice"

Monday, November 14, 2022 Council Economic Development & Planning Committee

Chair Feltner, Discussion and recommendations to improve public notice process, e.g. for large development projects

Objectives: 1. Increase the number of “abutters” notified, by distance *within* project Site.

2. Increase types of notice to include renters and local businesses near Site.

3. Improve timing of notice (a) ensure window of opportunity before the formal project application -this seems OK to stay the same, 14 days’ notice of the “district” meeting that is held 10 days prior to ... see Watertown Zoning Ord ;

(b) ensure timely follow up with DCDP after the district mtg;

(c) ensure timely follow up sufficient content between Public Information Meeting, aka district community meeting, and formal Grant Authority Board (we don’t want too much time to go by and lose track of project & ten. impacts);

(d) Report submitted by Applicant should detail how the project addresses concerns raised to date (before the Planning Brd or ZBA);

(e) Improve public notice with consistency of content: communications/reports/minutes follow the Case through all stages.

4. Improve ability to receive notice /materials: Electronically, via email text or phone, and via USPS, and via hand-delivered paper notice.

(a) See Zoning language;

(b) Ask for new IT link on the city website “Connect” menu (aka Notify Me) in order to subscribe to the “Public Information Meeting”, aka District Project Community Meeting.

Remaining questions:

1. What about when a large project has Phases (66 Galen St/99 Water St; Cresset-Hanover-WS Arsenal St)

2. Notice for Continued cases, including if first continuance was not heard at all

Zoning amendment suggestions compared to current Watertown Zoning Ord -see from Somerville Zoning Ord: Administration, Public Notice”

15. ADMINISTRATION

Review Procedures

15.1 REVIEW PROCEDURES

1. General

- a. All DEVELOPMENT, excluding NORMAL MAINTENANCE, requires the submittal of a development review application to the BUILDING OFFICIAL and the issuance of a Certificate of Zoning Compliance prior to the issuance of a Building Permit or Certificate of Occupancy.
- b. Proposed DEVELOPMENT may or may not necessitate the need for a Discretionary or administrative permit based on the nature of the proposal.
- c. This Section describes the various common procedures required for development review applications. See Section 15.2 Discretionary Permits and Section 15.3 Administrative Permits for the specific procedural steps required for each type of permit.

2. Pre-Submittal Meeting

- a. Purpose
 - i. To inform APPLICANTS of relevant development review application criteria, standards, and procedures.
 - ii. To examine previous development review applications and permits for the subject property.
 - iii. To identify any potential concerns at the earliest opportunity in the DEVELOPMENT review process.
- b. Procedure
 - i. When a pre-submittal meeting is required by this Ordinance, development review applications are not considered complete until the pre-submittal meeting has been held with Planning Staff.
 - ii. Unless otherwise specified, a required pre-submittal meeting must occur at least fourteen (14) days prior to any required neighborhood meeting, at least fourteen (14) days prior to any required design review, and at least three (3) days prior to submittal of a development review application.
 - iii. APPLICANTS or their representatives are required to attend a pre-submittal meeting.
 - iv. APPLICANTS are required to bring all information and materials required by the BUILDING OFFICIAL and Director of Planning & Zoning to a pre-submittal meeting.

3. Neighborhood Meeting

- a. Purpose
 - i. To provide the public with an opportunity to review a conceptual design proposal and identify and discuss issues and potential impacts with the APPLICANT prior to the DEVELOPMENT of more detailed schematic design proposals.
 - ii. To provide the public with an opportunity to review a chosen schematic design plan and identify and discuss issues and potential impacts with the

APPLICANT prior to the submittal of a development review application.

- iii. Neighborhood meetings are required during the schematic design process to promote the submittal of a development review application that is more responsive to community concerns, expedite the review process, and to lessen the cost of DEVELOPMENT review by reducing continuances and appeals.

b. Procedure

- i. When a neighborhood meeting is required by this Ordinance, development review applications are not considered complete until the neighborhood meeting has been held.
- ii. Development review applications must be submitted within one hundred and twenty (120) days of the neighborhood meeting. If an application is not submitted in this time frame, the APPLICANT is required to hold a new neighborhood meeting.
- iii. Unless otherwise specified, a neighborhood meeting must occur at least fourteen (14) days prior to any required design review and at least fourteen (14) days prior to formal submittal of a development review application.
- iv. Neighborhood meetings must be open to the public.
- v. Neighborhood meetings should be held at a location in close proximity to the subject property on a weekday evening after 6:00 p.m. or on weekends at any reasonable time.
- vi. Neighborhood meetings may not occur on a local, state, or national holiday or election day.
- vii. APPLICANTS or their representatives, along with the designers, are required to attend a neighborhood meeting.
- viii. The APPLICANT is responsible for scheduling a neighborhood meeting in consultation with the Ward representative from the City Council, the Director of Planning & Zoning, and any NEIGHBORHOOD COUNCIL for the area where the DEVELOPMENT SITE is located.
- ix. The format and agenda of a neighborhood meeting is at the discretion of the Applicant, in consultation with the Ward representative from the City Council and any NEIGHBORHOOD COUNCIL for the area where the DEVELOPMENT SITE is located, subject to the following:
 - a). Only one (1) DEVELOPMENT proposal may be presented to the public at a neighborhood meeting.
 - b). Attendees must be able to hear and discuss each others feedback at the neighborhood

15. ADMINISTRATION

Review Procedures

- d. If a neighborhood meeting or design review meeting was required for the proposed DEVELOPMENT, the staff report must include also an account of the meeting that includes, but may not be limited to, the following:
 - a). the date, time, and location of the meeting;
 - b). a roster of members of the Urban Design Commission in attendance at the meeting;
 - c). a summary of issues discussed at the meeting; and
 - d). a description of any changes to the proposed DEVELOPMENT that the Director of Planning & Zoning deems necessary as a result of the meeting.

7. Public Notice

- a. General
 - i. Public notice of a neighborhood meeting, public meeting, or DEVELOPMENT review or legislative procedure public hearing is provided to inform the general public of the meeting or hearing and to direct interested parties to any available information concerning the DEVELOPMENT proposal.
 - ii. Costs incurred by the City for public notice must be prepaid by the APPLICANT according to the review boards rules of procedure.
- b. Mailed Notice
 - i. APPLICANTS shall provide notice of a neighborhood meeting as follows:
 - a). mailing notice to parties in interest.
 - b). mailing notice to direct ABUTTERS;
 - c). mailing notice to PROPERTY OWNERS within three hundred (300) feet;
 - d). making best efforts to mail notice to the residents of addresses owned by parties in interest, as provided by the U.S. Postal Service;
 - e). making best efforts to hand deliver notice to each direct ABUTTER;
 - f). contacting individuals that have requested to be notified about DEVELOPMENT in the neighborhood via email or telephone; and
 - g). requesting local businesses to post notice in their establishment.
 - ii. The Director of Planning & Zoning shall provide notice of a public hearing or a design review public meeting or as follows:
 - a). mailing notice to direct ABUTTERS;
 - b). mailing notice to PROPERTY OWNERS within three hundred (300) feet or five hundred (500) feet for DEVELOPMENT in the High-Rise district; and
 - c). mailing notice to the Planning Board of any ABUTTING City or Town sharing a municipal boundary the City of Somerville within three hundred (300) feet of the subject property.
 - iii. The Director of Planning & Zoning shall mail notice

of a public hearing for a LAND CONVEYANCE to direct ABUTTERS.

- iv. The Director of Planning & Zoning shall mail notice of a public hearing for an amendment to the Somerville Zoning Ordinance or Zoning Atlas to the Planning Board of City or Town sharing a municipal boundary with the City of Somerville, the Massachusetts Department of Housing & Community DEVELOPMENT, and the Metropolitan Area Planning Council.
- c. Published Notice
 - i. The Director of Planning & Zoning shall publish notice of a public meeting or public hearing in a newspaper of general circulation in the City of Somerville and the City of Somerville website at least fourteen (14) days in advance of the scheduled hearing date, with a second notice the following week.
- d. Posted Notice
 - i. The Director of Planning & Zoning shall post notice of a design review or neighborhood meeting in a conspicuous place in City Hall at least seven (7) days in advance of the scheduled meeting date.
 - ii. The Director of Planning & Zoning shall post notice of a DEVELOPMENT review or legislative procedure public hearing in a conspicuous place in City Hall at least fourteen (14) days in advance of the scheduled hearing date.
 - iii. Applicants shall post notice of a DEVELOPMENT review public hearing in a conspicuous place at the subject property at least fourteen (14) days in advance of the scheduled meeting date.
- e. Appeal for Improper Notice
 - i. Any aggrieved party may appeal the decision of any review board or official when claiming improper notice of a DEVELOPMENT review public hearing required by M.G.L. Chapter 40A in accordance with to the procedures of §15.5.3 Judicial Appeal.
 - ii. Judicial appeals claiming improper notice of a DEVELOPMENT review public hearing or meeting must be filed per MGL 40A.

8. Public Hearing

- a. Procedure
 - i. A public hearing must be held within sixty-five (65) days after receiving a completed development review application that requires a Special Permit, Master plan Special Permit, Hardship Variance, Site Plan Approval, or SUBDIVISION Plan Approval.
 - ii. A public hearing must be held within ninety (90) days after receiving a completed development review application that requires a Neighborhood DEVELOPMENT Plan Approval.
- b. Hearing Administration