



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, APRIL 26, 2023 AT 7:00 PM

AGENDA

The City of Watertown Zoning Board of Appeals will hold a meeting and public hearing **on Wednesday, April 26, 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

1. Administrative Business

- A. Meeting Minutes- February 22, 2023 (Draft Minutes)

2. New Cases

- A. [212 Westminster Ave](#)-Shalise Couvertier & Thomas Blaisdell-Special Permit Finding §4.06 (a) for relief from § 5.04 to allow addition of a second-floor bathroom within pre-existing non-conforming side setback. Two Family (T)-Zoning District. ZBA-2023-01.
- B. [104 Main St.](#) -*The Planning Board continued this case to their next meeting scheduled for May 10, 2023*- O'Connor Capital Partners LLC/ O'Connor Management LLC- Special Permit with Site Plan Review to redevelop five lots (with addresses of 104 and 116-126 Main Street, 2 Cross Street, 53 Pleasant Street, and a vacant lot at the corner of Cross Street and Pleasant Street) into a new mixed-use development. Project will include approximately 6,201 sq.ft. of first floor commercial/retail space along Main St. with 143 apartment units and 5 townhome units, and a two-level parking garage with 154 spaces, and 2 handicap surface spaces. Pursuant to §5.01 (k)(2) mixed use development; § 4.10 additional height and rooftop features; § 5.05(f) increased length of contiguous facade and building length in keeping with Design Guidelines; §6.01 (e & f) shared parking and reduced parking with encouragement of alternative modes of transportation; subject to §5.07 Affordable Housing Requirements; § 4.06 (a) alteration, change, extension of non-conforming use and structure and § 9.12 all in accordance with §9.03 through §9.05. Central Business (CB) Zoning District. ZBA-2023-02.



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MINUTES

On Wednesday evening, February 22, 2023, 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*; Christopher Heep, *Member*; Gregory Girard, *Alternate Member*. Also present: Steve Magoon *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, introduced the staff and made an announcement explaining how the meeting and methods of participation for the public could be accessed remotely. A moment of silence was observed for longtime City Manager, Michael Driscoll, who passed away earlier this month.

Item #1: Administrative Chairperson SantucciRozzi requested a motion to approve the Minutes from the meeting on January 25, 2023. The Motion to approve the minutes was made by Member Ferris and seconded by Alternate Member Girard. Motion was passed by (5-0), with Member Ferris, Alternate Member Girard, Member Brangwynne, Chair SantucciRozzi and Member Heep voting in favor.

Item #2: 99 Water Street.

Chair SantucciRozzi introduced the item to be heard, a petition for a Special Permit/Site Plan Review at 99 Water St., and Member Ferris read the legal notice.

[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

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Laboratories/Research and Development, Light Industry; §5.01.3 (a,b) 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 §9.06 (b); §6.01(e-g) TDM/parking management and cross-site shared parking on lots within site and other relief; all in accordance with §9.03 through §9.06 . Industrial-2 (I-2) Zoning District.

ZBA-2022-10

Bob Doherty, Vice President of Development and Leasing at Boston Development Group, and a partner in both the 66 Galen St. and 99 Water St. projects provided the background on the site. He explained that the proposed project was a 2nd and final phase of 66 Galen St which was currently under construction. The core and shell of this project was expected to be completed by late August this year. Work on the proposed project began approximately two years ago and the DEP Certificate and approval had been obtained. He described the current market for life science space given the economic challenges caused by rising interest rates, increase in construction costs, as well as implementation of the Stretch Energy Code and linkage fees. Despite these conditions, the petitioner remained optimistic about future demand for this sector and Watertown becoming a growing hub for this industry. After introducing other members of the development team, he invited architect David Manfredi from Elkus Manfredi Architects to present plans and provide additional details.

David Manfredi detailed the history of the site, referring to the virtual meeting two years ago when the first phase had been proposed. He reiterated the importance of its location relative to the River and Watertown Square and the creation of two open spaces for the public that had resulted from it, one of which one would be expanded through the proposed project and created into additional open space. Other points described included the topography of the site, existing conditions, recent acquisition of 85 Water St and the reconfiguration of Water St. that will allow significant improvements to the site in terms of multi-modal safety as well as publicly accessible green space that is valuable not only to the tenants but also the neighborhood. Commenting on the design, he stated that the project was designed to be viewed as two distinct buildings in a park—a park that comprised three beautifully designed parks that were connected, both visually and in their design approach.

Upon conclusion of his presentation, Manfredi invited Tim Talun to detail plans and the building design. Describing the design approach, Talun explained how it was driven by two goals, namely creation of a great public realm around the building, and creation of a building that supports the wellness of the occupants. All parking had been located below grade, allowing the creation of a frontage facing new park. The lobby would be located at the southeast corner of the building facing the river and the new riverside park. Furthermore, the mechanical penthouse would be set back from the north end of the building, minimizing shadows on the open spaces. The building geometry related to 66 Galen but had its own design uniqueness. Solar exposure and shadow analysis on the open spaces around the building was studied to guide building orientation in order to maximize the amount of sunlight between the buildings and utilization of outdoor space for tenants of the building.

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Mr Talun discussed the floor plans beginning with the below grade parking levels, highlighting the internal connection between the garages at 66 Galen Street and 99 Water Street on two of the parking floors. Also detailed were the parking spaces, location of play space, enrollment information of the daycare located on the ground level.

Describing the plans for the other floors, Mr. Talun stated that each floor had access to two tenant outdoor spaces. The roof level would house the penthouse, receded back to allow the creation of a common outdoor amenities space.

Mr. Talun assured the Board that the height of the mechanicals had been minimized to what is necessary and required by code. Also, the roof top layout allowed for maximum space for the solar panels. The panels would be located both on the roof of the penthouse and on a solar canopy over the penthouse outdoor space.

The façade of the building was informed not only by aesthetics, but also by an understanding of the building's energy usage, with a desire to minimize the use of energy. One way to optimize energy usage was by varying the glazing on the windows. After briefly describing the exterior materiality of the building, Mr Talun went on to share various approaches to the building including coming from the newly configured bus stop at 66 Galen, through Sloping Park from Galen Street and from the Charles River Walkway.

Other details discussed by Mr. Talun included the following: calculation of building height, diagrammatic display ensuring that the penthouse amenity space was within the two stories permissible for additional height above the height limit, building elevations with respect to the height plane, how the project addressed the criteria for additional height consistent with Design Guidelines by Special Permit, public benefits and amenities provided by the project.

The applicants team then presented the details of the transportation management plan proposed for the site. Jeffery Dirk representing Vanasse & Associates, the transportation consultants for the project, recapitulated what had been previously presented for 66 Galen St. He stated that when planning for 66 Galen, they had anticipated a larger building on this site than was being constructed. This would have the effect of reducing the traffic that had been planned for. He confirmed that this did not result in changes to the transportation improvement plans proposed at that time. In providing the transportation summary, he brought to attention that only 74 additional vehicle trips would be added. The robust transportation demand management program would reflect their commitment to encourage the use of alternate modes of transportation to single-occupancy vehicles (SOVs). Key components of the TDM plan would include amenities such as on-site internal, weather-protected bicycle parking between the two buildings, financial incentives for public transportation and blue bike use, shuttle services to the site with no cost to employees and annual monitoring reports to the city to document achieving of the TDM goals and to refine and expand the elements of the program as may be necessary.

Mr. Dirk also went over the off-site traffic flow and safety improvements: realign Lower Water St., improve intersection of Aldrich Rd, and install an adaptive traffic signal system, coordinate with adjacent

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traffic signals, install bus lane to Watertown Yard, install pedestrian crossing beacon (RRFB) and improve access for Casey Park, improve pedestrian/bike access to Charles River Reservation, coordinate with the City and MBTA to relocated access to Watertown Yard. Also discussed at length was the significance of the realignment of Water St. and the ensuing improvements along Nonantum Rd. in terms of automobile and pedestrian safety.

Shauna Gillies-Smith, of Ground Landscape Architecture, outlined the landscape plans for the site, highlighting the connectivity of the open spaces, as well as the circulation plans for the site. The open spaces would be privately maintained and publicly accessible. Detailing the open spaces, Riverside Park adjacent to the existing DCR parcel would provide opportunity for small concerts, perhaps a small beer garden, food trucks pulled off to the side or into the park itself, outdoor dining, casual seating for everyday use. Upper Park would provide fenced-off outdoor opportunities for the preschool. Also presented were images of the Upper Park with the plaza connecting the two buildings, connection to Water St., to provide a sense of the character and nature of these open spaces and images of the streetscape of the realigned Water Street to highlight their commitment to adding numerous street trees, as well as comfortable and generous sidewalks.

Before wrapping up the presentation, Mr Talun highlighted additional aspects of the project that related to sustainability; This included their commitment to the Resilient Watertown Plan and the Leed checklist for sustainability, which was used as a framework in the early stages of design. The use of on-site fossil fuels would be minimized. Electric heat pumps would meet 85% of the energy load, with gas boilers used only during peak demand. Sustainability was integrated into many decisions, including choice of materials, overall massing, location of windows and solid walls, and design of site elements.

Mr. Talun also reviewed the Stormwater Management Plan, noting that all landscaping on this site would be irrigated by capturing the rainwater on site, thus reiterating their commitment to sustainability. With this, Mr. Talun concluded his presentation, thanking the Board for their attention and looking forward to their questions.

Upon request from Chair SantucciRozzi, Bill York, attorney to the applicant, reviewed the nature of relief being sought.

After confirming the conclusion of all presentations, the Chair opened discussion to the Board, using roll call.

Member Brangwynne sought clarification on the bus circulation pathway as they enter/exit the MBTA Yard. He also questioned the adequacy of the daycare spaces dedicated for pick up and drop off. Petitioner cited measures taken at another location with similar space allocations. These included location of spaces near the entry for peak drop off/pick up times, implementation of a staggering pick up/drop off schedule, utilization of staff to assist with outside drop off and pick up.

Member Heep asked about the accuracy of the trip generation study in terms of determining whether drivers would use Galen/New Water Street versus Upper Water St for garage access. Due to the lack of traffic congestion once drivers got off Galen, the petitioner did not think this would be an issue.

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Member Ferris commended the team for their comprehensive and thoughtful presentation and followed up with several questions. He asked if the daycare would be a use for the life of the building. Petitioner expressed their commitment to provide this underserved need in the community. A similar amenity had been offered at another site and reported success both in terms of enrollment and return on investment. Member Ferris also asked how a change in use would be considered. Staff explained that the request would be evaluated based on the use proposed. A significant change in use would require an amendment to the approvals.

Member Ferris also asked questions related to access to the 66 Galen Street and 99 Water Street garages from Galen Street, including the signal systems. VAI said that these signals, as well as others in Watertown Square and along Arsenal Street, would be “adaptive” to provide signal times that would change with traffic volume.

Member Ferris confirmed that the amenity space on the top level would be for the exclusive use of tenants of the building. He also clarified that heights identified in the context diagram estimated height to the main roof and did not include the penthouses. In response to his question about relative heights, staff confirmed that one lab building at Arsenal Yards is taller than the proposed 99 Water Street building.

Upon request from Member Ferris, Mr. Talun described the materiality of the rooftop screening. In response to his questions regarding the location of solar equipment, the architects clarified that they would remain on top of the roof plane allowing visibility from the interior, in effect providing not only solar benefits but also view to the sky.

In response to Member Ferris’s concerns about the effects of interior and exterior lighting on the neighborhood, petitioner noted that this was addressed by Condition 15 in the Planning Board Report. Also, the rooftop mechanical units of the building would not be illuminated at night and exterior roof tops would have shielded lights.

Member Girard confirmed the enrollment capacity of the daycare and hoped that the use of this amenity would be extended to Watertown residents and not limited to tenants. The petitioner said enrollment would be on a first come first served basis.

Member Girard noted that the project was proposing more parking spaces than required by zoning. Petitioners explained that it was based on the broker recommendations on the ratio of parking spaces desired by potential tenants.

Concerned about the increased biking activity along Nonantum Road that the project would lead to, Member Girard suggested the need for mitigation measures. Staff addressed these concerns, stating that they could be discussed in subsequent meetings with DCR. Member Girard also observed that the site earmarked as a gateway into Watertown Square was more like a “drive through” gateway with limited retail/pedestrian activity. The petitioner responded that there would be some retail component open to the public. Along with the foot traffic from the bus stop, this would add vitality to the streetscape.

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Chair SantucciRozzi asked about the current market for life science space, with a large volume of lab buildings in the national and regional pipeline and recent weakening of demand. Petitioner remained optimistic about the growth of this industry and future occupancy of these buildings.

Chair Member SantucciRozzi confirmed that the entry to the garage was the same grade as Upper Water Street. She asked about the legal status of New Water Street; VAI explained that it would be a private way, with an easement allowing public use. She was informed that DCR's requests for intersection improvements and mitigation measures were reflected in the plans submitted.

Petitioners assured the board of their compliance with the latest Building Energy codes. EV charging spaces would be offered in two clusters to allow space between charging stations in case of fire. They will also provide capacity to add EV charging stations if demand increases.

Chair SantucciRozzi asked for the rationale behind the proposed height. She expressed her concern over the visibility of the 66 Galen St building now under construction and asked if the Petitioner had considered reducing the proposed building's height. The petitioner said that 66 Galen Street looks great, and its design is respectful to the neighborhood. Staff attributed some of the apparent mass of 66 Galen Street to the site's topography, including proximity to the river bend. Attorney Bill York, representing the petitioner, explained that the developments aligned with the Comprehensive Plan.

Upon the conclusion of her comments and questions, the Chair sought additional thoughts from the Board. Member Girard asked if the improvements to the signal system could be extended to include Hunt St. as it would benefit the operations of the bus service. Mr. Dirk agreed with the suggestion and acknowledged the advantages of doing so.

After addressing the landscaping concerns of Member Girard and clarifying that the sloping walkway system was independent of the construction on 99 Water St, the Chair opened the discussion to the public.

Libby Shaw representing Trees for Watertown offered her comments and concerns. Participating in the meeting remotely, the resident expressed her excitement about the project from a landscaping perspective. She hoped that the proposed park space was being designed for the long term (at least 100 years). This required appropriate variety in the selection of trees as well as conditions for healthy growth. The petitioner expressed their commitment to provide for long-term growth. Other concerns expressed related to the effects of window reflection on migrating birds given the number of windows facing the river, a natural highway for them. The resident also expressed skepticism about the promise of 100% watering from the rainwater harvesting from roof, particularly during drought conditions. Petitioner detailed their plans for irrigation as well as commitment to ensure minimally reflective glass. Lastly the resident suggested that appropriate landscaping along the frontage of 66 Galen would help screen the site and building height.

Following the resolution of questions and comments from the Board as well as public comments, a motion was made by Member Ferris to approve the application for a special permit with site plan review

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for the zoning relief sought with conditions proposed by the Planning Board. The motion was seconded by Member Heep and approved 5-0 with Members Ferris, Brangwynne, Girard, Heep and Chair Santucci Rozzi voting in favor.

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