

## **WATERTOWN PLANNING BOARD**

DATE: April 12, 2023 PLACE: City Council Chamber TIME: 7:00 PM COMMENCED: 7:00 PM

PURPOSE OF MEETING: Regular Monthly Meeting

PRESENT: Janet Buck, Chairman; Payson Whitney; Jason Cohen; Abigail Hammett  
Sameena Pirani, Clerk to the Zoning Board; Gideon Schreiber, Senior Planner; Larry Field, Senior Planner

Chairperson Janet Buck opened the meeting, announcing its “hybrid” format in accordance with applicable law. She listed the cases on the agenda and requested a motion to approve the meeting minutes for March 3, 2023.

Approval of Minutes\_2023 0308: Jason Cohen made a motion to approve the minutes. Seconded by Payson Whitney. VOTE: 4-0 In favor

John O’Connor, Principal of O’Connor Capital Partners, introduced himself and gave a brief background of the company noting that it was family-owned, founded by his father about 40 years ago. The company is based in New York with regional offices in S. Florida, Mexico, and the New England area. He highlighted the deep local ties of the company; his father and his ten siblings grew up in Newton. The company has developed over 15000 apartment units, many of which are in the Boston area. He expressed his excitement about the project and looked forward to presenting its latest version.

Upon concluding his presentation, O’Connor invited Brett Buehrer, Senior Vice President, Development to detail the project. Buehrer thanked the Planning Board for giving their team the opportunity to present the project. He also expressed his gratitude to the staff, their consultants, and community for their input in the process. After introducing the project team, he provided an overview of the project which included 6201 sf of commercial/retail, 143 rental units (21 affordable units), 5 townhouse units (1 affordable), resident amenities such as the dog park, outdoor lounge and roof deck, gym, flexible co-working space, 156 parking spaces (with 154 in the garage and 2 surface spaces at the entrance to the property). He emphasized the smart growth and sustainable design strategies that were a big goal in the project, hoping to achieve LEED silver standards at a minimum with elements such as EV parking spaces, reduction in impervious coverage, solar arrays on at least 50% of the roof, LED interior lighting, low flow plumbing fixtures and energy star dual pane low e-glazing. At the conclusion of his presentation, Senior Principal Nancy Ludwig from ICON Architecture was invited to detail the design elements of the project.

With the help of pictures, Ludwig presented the context of the site, as well as site characteristics and surrounding land use. The site is located in close proximity to the Charles River. It is currently nearly 100% paved, serving as a parking lot to the back of the retail buildings along Main St.

In explaining the concept of the site, Ludwig drew attention to the attempt made to allow the height to be limited to the center of the site, thus stepping the mass of the building down both along Main St. and Pleasant St. Also mentioned was the incorporation of open space both on the east and the west, utilizing the through block connection along the Main St - Pleasant Street connection. The town house building would be included

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into the project to create five duplex town houses along Pleasant St, within that footprint. Other noteworthy features of the site included the significant increase in open space to 38.7%, created as a result of the through block, the dog park, and the rooftop terraces; setbacks that were respectful of the neighborhood, especially along the side-yards; taking advantage of the significant grade level changes to offer subsurface parking; safe and logical circulation around the site, that also incorporated a walk from the through block connection, down to the entry court off of Pleasant St and onto the dog park in the rear; usable retail space along Main Street, stepped back from the sidewalk to allow it to widen and be used for outdoor seating; replication of the line and setback of the existing commercial building; outdoor courtyard on the garage top and on the roof of the building for residential use; native plantings on the landscape; replication, possibly reusing, the stone on the existing wall on the corner of Pleasant and Cross St.

Also described were the elevations along Main St compared to neighboring structures; site section elevations with context; parking plan; upper-level plans; rooftop plans with potential solar areas; design elements that came from studying the existing buildings characterized by masonry as seen in the Watertown library, as well as nearby apartments at the Riverbend and North Beacon St.

Ludwig stated that a conscious effort was made to incorporate the comments and suggestions of the public regarding building façade, truncating the masonry wall along Main St to a 3-story height. Also described were the following: other setbacks and step-backs along Main St; the row houses along Cross St; replication of the line of the existing commercial building to accommodate outdoor seating for restaurants; the entry drop-off area; the material palette; results of the sun study, indicating very little shadow cast by the building for a significant part of the year.

Jeffrey Dirk, representing VAI provided the traffic analysis in terms of safety, mobility, and connectivity. It was noted that while traffic patterns were returning to pre-Covid times, the time periods for when the peak traffic was occurring were significantly different, primarily caused by the working from home options. This was manifested by increased traffic all day which needed to be accounted for in the traffic analysis. Overall, the peer reviewed analysis concluded that the project would not result in a significant impact on motorist delays or vehicle queuing at the study intersections. This was reflected in the trip generation data calculated in the study. Also, the study area intersections were found to have a motor vehicle crash rate that was less than the MassDOT average crash rates for similar intersections.

Improvements recommended based on the traffic analysis included reducing the height of the existing masonry wall at the corner of Pleasant and Cross Streets to improve visibility and the lines of sight at the driveways.

Also highlighted was the proximity of the site to the bus terminals. Public transportation services provided by the MBTA (3 bus routes that serve the Watertown Square, 3 that serve Watertown Yard) and the Watertown Transportation Management Association (TMA) along with the connected sidewalks and shared use pathways provide opportunities to reduce traffic and parking demands for the project.

Transportation recommendations made included those related to the accessibility of the site and off-site improvements.

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As part of the project, a pedestrian safety and mobility study would be conducted that would result in recommendations. Additionally, these safety recommendations would be implemented, subject to receipt of all necessary rights, permits and approvals. A contribution of 100k would also be made to the City's Street Light Improvement Program and for other improvements identified as an outcome of the Pedestrian Safety and Mobility Study. Other transportation recommendations include contributions to the City to be used toward the study and design of long-term improvements for Watertown Square and/or extension of the Watertown Community Path to Main St and the Charles River Greenway; signage identified by DPW at the intersection of Galen Street at Nonantum Road/Watertown St; other pedestrian and bicycle wayfinding signs on specific routes; preparation of a construction management plan for review and approval by DPW and DCDP prior to the commencement of any construction activities that would occur within or that impact the public right of way or that would otherwise impede the movement of pedestrians, vehicles or bicyclists.

Also detailed was the robust TDM Program that would reflect their commitment to encourage the use of alternate modes of transportation to single-occupancy vehicles (SOV). Key components of the TDM plan would include amenities such as on-site weather protected bicycle parking, financial incentives for public transportation and blue bike use, an Emergency Ride Home (ERH) program, and wayfinding signs for access to the Charles River Greenway multiuse path and bike parking areas, 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.

Upon request from the Chair, the Staff Report was presented. Staff suggested a favorable recommendation to the Zoning Board of Appeals. The benefits described were based on how the project fulfilled elements of the City's Housing, Climate, Economic Development, Public Garden and Culture, and Bike Ped Goals/Plans.

- 1) The project proposed to provide 148 homes with a net gain of 134-there are 14 existing apartments in the two buildings on Cross and Pleasant St. Twenty-two would be deed-restricted affordable units, 7 would be 3-bedroom units, much needed in Watertown;
- 2) The project located in a prime transit-oriented location- would allow an easy walk to seven bus lines serving different directions (Cambridge, Boston, Newton, Waltham) and would use the hub of Watertown Square.
- 3) The Site which currently consists of building and parking space would increase from 10% pervious/open space to 39%.
- 4) The building would be all electric, at the required silver LEED, with the possibility of gold.
- 5) The stormwater plan would improve management for the site.
- 6) There would be a lively ground floor with outdoor seating. Commercial spaces would have garage parking available.
- 7) A pedestrian alley proposed from Main St to Pleasant would display public art.
- 8) Many bike amenities would be provided along with a robust TDM Plan.

Staff also explained the nature and scope of the relief requested. Staff concluded that the scale and height were appropriate in this location. The FAR was below what is allowed in this zoning district and the mass had been shifted from Main St. and Pleasant St. into the center of the building through step backs and terraces. The project specifically met the two criteria in section 4.10 that allowed height

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greater than 55 feet, (the building was at an important civic intersection/square, and additional approved public amenities had been incorporated). In evaluating the request for additional height, it was also important to consider the surrounding land use. Hamilton Place (six stories), 170 Main St (4 stories), 166 Main Street (5 stories), Watertown Savings Bank, the municipal campus buildings are other large buildings near the site.

Considering the site context, the design consultants for the City, Gamble Associates, in their peer review report concluded that the massing was appropriate.

In discussing the impact of this scale on the neighborhood, it was noted that based on the results of the shadow study, the proposed building would create shadows during some parts of the year on about five abutting structures on Main and Cross streets. Typical in a more urban setting, these one and two-story buildings were already affected by the existing building and would be affected by any increase in height. However, given the setbacks that the new structures had to conform to, the increased distance between these buildings and the proposed project would in effect allow more landscaping, light and air to these abutters. In conclusion, while the proposed building would create shadows during some parts of the year, it was not significant enough to prevent the project from moving forward. There would also be some shadows cast across Main St affecting the Library and the Fire Department sites for a short period during the late afternoon at the peak of winter. Given the season and because these shadows were going into the municipal place across the street when use of these open spaces was limited at this time of the year, the effect of these shadows was minimized versus what it would be in the summer where people sat at the tables outside the library to enjoy the sunshine.

In reviewing the conditions for approval of the project, staff recognized that most of them were either the standard ones or those carried over from the large commercial projects that had come before the Planning and Zoning Boards in the last three years. A few details were added to some of the conditions over time (Conditions 12, 14, 15, 16, 24). Also, given the last time that a housing project was brought before the Board, some of the conditions may seem new and unfamiliar-such as condition 19 on Affordable Housing and part of 23. Questions related to these could be discussed in additional detail if needed.

Before concluding his presentation staff pointed out two typos in the staff recommendation and summarized the approval language in case the Board decided to make a motion to approve the project.

At the conclusion of the presentation, the Chair opened discussion to the Board.

Member Whitney expressed his approval of the housing project recognizing the need for such residential developments in the Central Business District. He also approved of the opportunity for ownership provided through the town houses. He asked how these would be managed. Buehrer explained that there would be a master association and the condo units would be separate. He asked if the front of the building could be pushed back a few feet and not brought up to the property line, as did

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the existing building. Referring to 166 Main St, he noted that it was set back 2 feet from the property line. He also questioned the choice of the color white along the length of the building, which in his view tended to exaggerate the height of the building. He acknowledged that while the step backs and setbacks helped to reduce the mass of the building, he was concerned by the height-he wondered why this was a special case to deserve the height relief. While these were referenced in the Design Guidelines, and allowed at civically important intersections, he pointed out that based on the Guidelines “these taller sections should be limited to the corner facing the intersection.” He asked how this could be applied to the expanse of the sixth floor of the proposed building.

Attorney Bill York addressed these concerns. Referring to the Comprehensive Plan, he pointed out the need for high-density residential, mixed-use developments in the Watertown Square area. He stated that most of the existing and ongoing developments in this vicinity were built right to the street and allowed to go up to 55 feet. He pointed out that the FAR of the proposed project was only 2.5, well below the maximum allowed of 4.0. Setting back the massing and locating it in the center core had allowed significant setbacks on the front and rear of the building. Also noteworthy was the preservation of the rowhouse structure on 2 Cross St, which prevented the proposed structure from going out to Cross St; All this had helped to improve the overall design of the structure. He also specified that the increased height in Watertown Square had been allowed by City Council in a Zoning Amendment.

Other comments by Member Whitney included the absence of vehicle tracking at the entry on Pleasant St, the adequacy of circulation space near the entry turnaround for an EMS response and other emergency vehicles, location of the loading zone, whether garbage trucks needed to back out on Pleasant St to leave the premises. He also requested more elaboration on the pedestrian connection from Main St to Pleasant St and the rationale for the significant amount of permeable pavement along this area, suggesting making it more vegetative with a curvilinear path.

These concerns were addressed by the architect. Ludwig confirmed the adequacy of maneuvering space for trucks and EMS response vehicles. The way it was landscaped, the vehicles also had the option to come up to the building entrance and utilize the short-term parking spots by the side.

Following up on the observations made by Member Payson Whitney, Member Abigail Hammett also commented on the extent of the permeable paving on the pass-through between Main and Pleasant St suggesting the possibility of replacing some of it with landscaping. Also pulling the building back from this end to increase the amount of publicly accessible landscape; she suggested wrapping the retail front around the corner to draw people into that space, making it feel like a public amenity than an alley connected to a turnaround. She acknowledged that this might take away some of the parking space.

In response to this suggestion, Buehrer anticipated more retailers wanting frontage along Main St than around the corner. Member Abigail Hammett clarified that she was not suggesting putting entry doors along the sides, as if it were additional retail. It was more to continue the Main St retail façade around

the corner to activate the pass-through. This would also increase the outdoor dining opportunities from being limited to the side-walk space along Main St. as it could be offered as additional leasable space.

Architect Ludwig explained that the decision to limit the pass-through space to its existing width had been driven by consideration for their residential neighbors along the beginning portion of this passageway.

Ian Ramey with Copley Wolff Design Group was invited to elaborate on the character of the area in front of the entry. The intent of providing the extent of the permeable paving around the lobby area was to reduce stormwater runoff. The decision to pave and not landscape it was to allow its use as an activated public realm space that allowed the use of the lobby area to be extended outdoors as this would also contain outdoor seating. Member Abigail Hammett appreciated the multiple use of the area and suggested adding more landscaping to the area with planters.

Member Abigail Hammett asked for more three-bedroom rental units to be incorporated in the development, given the scarcity of rental family housing in this neighborhood. Buehrer acknowledged that this was a difficult request from an economic standpoint, and 3 BR would not have been part of the development had the City not asked for it. On a per square foot bases rents were much lower in a 3 BR versus 1 and 2 BR units. Member Hammett clarified that, unlike Member Whitney, she was not opposed to the additional height and explained that the additional story provided grounds for a few additional 3 bedroom rental units. The petitioner agreed to investigate this request.

Member Jason Cohen asked if the traffic study assumed that the post office would return to the site. Jeff Dirk clarified that the trip generation calculations accounted for the presence of the Post Office, despite the uncertainty about its continuity. Along the same note, Member Cohen asked the petitioner for updates on their conversations with the Post Office. Despite significant efforts, the Post Office has not engaged with them in this regard. The petitioners also anticipated that the Post Office would need less space than what they currently occupy.

After applauding the architects for their design, Member Cohen supported Member Hammett's suggestion to wrap the retail front around the corner. It would be beneficial not only to the tenant but to the experience of going down the thoroughway.

Member Cohen expressed his disapproval of the sixth story which he considered a full story, versus the partial story as it had been labeled, given that its expanse covered more than two-thirds of the footprint. He also asked for the rationale behind the color choices on the façade. Addressing this question, Architect Ludwig explained that the colors were a personal choice which could be revisited- darker colors at the top were to highlight an attic story. Member Cohen proposed that a continuous lighter color would be more effective in conveying the receding design. He also asked if the sixth story could be reduced to half its size.

Reiterating Member Hammett's observations about the "alley," Member Cohen stated that it seemed too narrow, suggesting a change to 15 feet from the 10 feet or so proposed.

Chair Buck announced that she would save her comments for later, opening the discussion to the public.

Linda Scott, 55 Olcott St, asked how the foundation of the vintage building that abutted the site (only ten feet away) would be protected during the excavations. Buehrer acknowledged the importance of this issue and stated there had been related conversations with the owner. With about 20 feet to 22 feet distance between the buildings, this would be addressed in the Construction Management Plan which would be reviewed by City staff. He expressed their commitment to ensure the safety and goodwill of their neighbors. Member Payson Whitney suggested consulting the owners of 166 Main St. to elicit any lessons learned.

Barbara Ruskin (attending remotely), Spring St, expressed her appreciation of the arts walk, setbacks for the restaurants and variety in the material palette of the building. In addition, she felt like it did not seem to have the "Lego block design" that has been replicated in many built structures in the last ten years. She "did not mind the sixth floor" recognizing that the additional height was needed to accommodate the density, retail, and housing needs. She inquired about the location of the utilities, hoping that they were set back and as invisible as possible. She also asked if it was time for the City and State to engage with the post office, as it was an important amenity. Additionally, she asked if more 3 bedrooms units be considered, parking be unbundled from rents, well designed city-wide wayfinding signs be made by artists hired by the public arts and culture committee. She "liked the idea of solar" but was not sure how it would align with the fire-department code proposal for solar. In response, Buehrer clarified that parking had been unbundled. Also a plan had been submitted for utilities. He expressed their commitment to providing solar on the roof.

Staff added that they had engaged with the post office and would continue the conversation as the project progressed. Also, the solar requirements for commercial buildings within the building code would be followed.

Jan Nygren, resident of Church Ln, stated that he had three concerns. Firstly the height, given that the site was surrounded by other residential buildings. He corrected that the location was near Watertown Square, not in the Square; constructing a six-story building amid other two stories was not the best mix. Secondly, the retail space could be revitalized and made open; he supported Member Hammett's suggestion to widen the thoroughway to make it more attractive; increasing the setback along Main St. would make it more inviting. Bringing up projects all the way to the edge of the sidewalk was a "historical mistake" that needed to be corrected; Widening the sidewalk would allow outdoor seating that has been very successful in other cities and towns. Thirdly, he had a hard time believing that adding 143 units would not increase the traffic; the increased bike and pedestrian activity that the project was hoping to achieve also required the need for widening sidewalks and increased number of bikes; the project had no increase in the number of bike stations.

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Sarah Sidownick (Mt Auburn St.) wanted to share her reasons for favoring the project; As a former resident in a housing complex that included Affordable Housing, she appreciated the inclusiveness of this housing model in terms of diversity of age, background. The proposed project provided an opportunity to demonstrate supporting those values; she reiterated the need for more three-bedroom housing, to encourage more families to stay in this community.

Daniel Pritchard (attending remotely), 13 Hosmer St., added another voice of support to the project; The 143 units would be beneficial to the community, increasing supply in response to the acute demand for housing. As a former library trustee, he believed that the additional units would bring more visitors to the library. The additional retail would also benefit the community. He asked how more units could be added.

Buehrer explained the reasons for not maxing out the FAR on the site which included preserving the rowhouses, creating setbacks within different levels, additional setbacks based on the public feedback, provision of the amenity spaces, all of which reduced the space available for the residential units.

Joan Gumbleton, 32 Falmouth Rd, expressed concerns about increasing the density along the Main St and Pleasant St. area. It would exacerbate the traffic; the cost of the residential units was likely to attract younger people who could afford the rents; Older people would not be able to use bikes and buses as modes of transportation. Having participated in earlier discussions of the project, she was disappointed to learn that the proposed height had been increased from five stories to six stories. Most of the public had asked that the project be reduced to four stories-instead it had gone up to six. She asked that the building be pushed back from the front; she also believed that the three- bedroom units were unlikely to attract families—they were meant more for couples who would use the extra space for an office or guest room—such buildings were not attractive for families as they did not offer much outdoor play space. Covid has led families to move out of the city and into the suburbs. Developers often failed to provide information on the actual height of the buildings-very often discussed height in terms of stories and in relation to surrounding buildings. Traffic was another concern, especially merging onto Pleasant St. Given the existing conditions, barely 4 cars could get through one traffic light cycle. Traffic studies were not reliable in predicting data. She hoped that the developers would contribute to the Pleasant St shuttle; the study reports on motor vehicle crash rate was below the MassDOT average crash at the study area intersections because not many cars could get through the traffic cycle; the City tends to give space to amenities at the expense of building design; instead of the cookie cutter approach, design elements from buildings such as the library could have been incorporated. Finally, she wished that the density in this part of the city was not increased.

Dawn Slaven, 33 Dexter Ave, recognized the housing shortage in the City and wanted to express her approval of projects that provide more housing. She stated that the code allowed for 5 stories and an additional two at important civic intersections and squares. Given its location the project qualified for



height relief. She spoke favorably of the design and coloration of the project, stating that darker colors offered more longevity and are less likely to get dated.

Len Holt (attending remotely), 128-130 Main St, noted that he did not see any slides indicating the west side view from Church Hill Ln. As the nearest abutter, he would like to see what that looked like; also, at the back of his property was a 50 ft or so retaining wall- he wanted to know what would happen to that wall on his side. He also inquired about the length of the dog run, hoping it would not be too close to their building which is a two-family house.

Buehrer described the location of the dog park, explaining that it would be about 14 feet from his property. He also added that the view from his property would be the landscaped roof top of the garage, which would be characterized by heavy plantings, and a terrace to provide a buffer between the space. The petitioners offered to send him a view of that later. Also, the retaining wall would not be touched in the construction process.

Demi Gordan, Fitchburg St, expressed her approval of the project. She saw this project as an opportunity to add brand new housing and affordable housing to the City in an area offering many amenities, such as closeness to the library, farmers markets, summer concerts, and preschool. The units would relieve the pressure off of other parts of Watertown so that two families are not being converted to condo units; she hoped that the post office would be convinced to stay; she asked if retail parking was in the traffic study.

Buehrer confirmed that retail parking would be provided in the garage with access to the retail establishments. There was a shared parking agreement so the use of the garage could be maximized- when renters were not using the garage, the space could be used by customers.

In response to questions raised about the usage of parking space within the garage versus along Main St. by customers, it was concluded that more than likely the garage would be used for longer-time retail users and their employees. Buehrer added that the robust TDM measures included the encouragement of employees to use alternatives to SOV.

Member Hammett suggested the addition of accessible space near the retail area as opposed to all of them being located near the lobby where they were currently situated.

Josh Rosmarin (attending remotely), 29 Ashland St, stated that the number of new units added were essential and much needed, especially to take pressure off of the rest of the City. He was “not bothered” by the height, as this area was really earmarked for tall dense housing. He also favored the mixed-use development with the retail component, which would help to revitalize the Square.

Tim Waylin, 37 Murtle Street expressed his support for the project recognizing the need for more housing in downtown Watertown, especially what is Affordable. He wished there was more Affordable

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Housing included in the project and hoped that the developers would support low to moderate income applicants including veterans and people with disabilities. He was in favor of the height and scope of the project, as well as the setbacks incorporated in the design, as it was in keeping with the new Comprehensive Plan that is under consideration. The project would also enhance the tax base of the community, ensuring its economic viability, both in the short term and long-term. He appreciated the efforts made by the developers to engage with the post office and remained optimistic about its progress. Expressing his faith in the thoughtfulness of the Board and City staff in reviewing these plans, he thanked them for allowing him the opportunity to speak on behalf of the project.

Libby Shaw (attending remotely), 73 Templeton Pkwy, provided her comments on the green space in the project. She stated that landscaping would be an important part of the project and it was important to think about the total natural environment of the area that was affected by the many individual projects currently taking place in Watertown. She asked the petitioners to detail their plantings and efforts to ensure the long-term health and growth of the trees, providing adequate space and irrigation for their underground growth. She also favored the pushing back of the edge of the building along Main Street, to allow for outdoor seating, pedestrian walkway and tree canopy. She commended the project, especially the changes made to the massing along Main Street. She also appreciated the awning and their effect.

In discussing their landscaping plans, Ramey expressed their commitment to plan for the long-term growth and well-being of the trees. He described their efforts that would be made to preserve the long term growth of the existing trees along Main St. Additional trees would be planted along Pleasant St and within the site to address the heat island effect and to create a greener environment. Detailing the planting plans, he added that native plantings with continuous bloom cycles would be selected for the site to help native pollinators.

Following up on these details, Shaw made recommendations on the type of soil to be used for the trees.

Staff noted that given the location of these trees, details about the plantings and their specifications would have to be reviewed and approved by DPW and the Tree Warden.

Marybenham Nygren, 15 Church Ln wondered what allowing the increased height for this project would mean for future developments, especially given a situation where it was not in a corner and was taking up two thirds of the floor. She also expressed concern about the increased traffic that the project would bring.

Jeff Dirk addressed the traffic concerns, acknowledging the improvements that were to come as part of the traffic plan for other upcoming developments and these were part of their traffic analysis.

Elodia Thomas, 67 Marion Rd, expressed her disapproval of the alley space the way it was currently proposed. She supported the idea of widening the space and wrapping the retail front around the corner. She questioned the amount of parking that was proposed, given the availability of public transportation; the post office relocation, if it were to happen would be a loss to the community; she disapproved of the Lego-like coloring of the building proposing a single color; she also raised concerns about height, as it effected the library, albeit in the winter; she commented on the large inventory of available rental units in the City; the proposed project would also displace a number of existing Affordable Housing tenants. Will there be a right of return for those displaced?

Susan Ladue, 5 Stearns Rd expressed her excitement about the project and wished to learn about their energy goals. How much energy would be produced on site and where would the remainder come from? She expressed fear that not having enough production on site would encourage owners to revert to fossil fuels. Also, if electric were used, it did not guarantee green energy. She would like them to follow the Climate Action Plan, which would be written in part into the Comprehensive Plan and cover more than 50% of the roof with solar given the extra space available on the roof.

Chair Buck addressed some of the questions regarding the production and usage of solar, explaining that the calculations were not easy to determine. Given that the project was pursuing the LEED silver and possibly gold standards, it would contribute to the energy efficiency of the project.

Staff confirmed that the petitioners were not able to answer questions about achieving net-zero at this point in the project.

Qibin Ye, 16 Olcott St, expressed his disapproval of the proposed height, particularly the sixth floor. In comparison to other towns and cities, he believed that Watertown had the most density, with nearly 50% more people per square mile than nearby towns. The Square was already the most populated area in the City. Allowing the additional height would set a precedent for future developments. He questioned the affordability of the Affordable Housing units in the project. He also asked for the consideration of additional setbacks on the first two floors to widen the space for outdoor dining. He confirmed that financial incentives offered to retail tenant employees, as part of the TDM program, were to remain in perpetuity and not cease with changes in management and retail ownership.

Buehrer clarified that the TDM program was a long-term, permanent commitment and would continue with future retail and residential tenants.

George Skuse, Pilgrim Rd, Watertown, expressed disapproval that a through way street like Cross St was considered a major intersection in the traffic study calculations. He also felt that renderings of the west side of Pleasant St had been deliberately excluded from the presentation. to avoid showing the absence of setbacks and step backs on that side of the building. He was concerned about the impact on traffic especially as it would affect Pleasant St. and Bridge St. He suggested connecting the green space in the

project to the library and the neighboring green space, offering more than a public alleyway in a narrow, confining space.

Attorney Bill York clarified that Watertown Square had been designated for high density residential mixed-use development. The sixth floor provided opportunities for not maxing out the FAR and instead allowing setbacks for a well-designed project. The focus was not on increased height allowed at civic intersections. It was to set a precedent for bringing more housing to the Square.

Staff clarified that a 5-story building was allowed in Watertown Square. A FAR of 4.0 would end up with a four-story building across the entire site to the property lines. The additional story allowed shifting of the massing to the center so that the historic residential structure on the site could be preserved. It would also continue the connectivity of the site to the Charles River Corridor, green space important to the community.

Staff also clarified that this is not a request for a variance and hence not precedent setting. Further, in reference to statements made by residents, the housing units lost were not Affordable Housing units. - what is on site are market rate units set at a very low price.

Member Cohen acknowledged staff statements adding that the project would have looked very different if the petitioners had access to the Main St -Cross St parcel. More height could come at the expense of the historic houses that the petitioners had preserved, in compliance with the City and residents requests.

Attorney Bill York confirmed that the design process had been very interactive and significantly reviewed by David Gamble. Based on the peer design review report the project “has been responsive to the design review and meets the aspirations of the Design Guidelines.”

Jacky vanLeeuwen, 32 Whites Av, voiced her support for as many residential units as they could get, more three-bedroom units and outdoor dining.

Josh Matloff, 19 Stuart St, spoke favorably about the project as he looked forward to utilizing the retail areas of this project with his family. He acknowledged the need for more housing in the City, especially with the development of the new lab/science buildings. Developments such as this one would provide the customer base needed by the retailers. This project would help revitalize Main St. He thanked the Board and staff for their time and careful consideration of the project.

Marianne Cameron, expressed concerns about the increased which this project along with other lab science buildings would bring, especially on Pleasant St. What would be the cost of the Affordable Housing units and who would oversee this- the Association or the City? How long would they stay affordable? What would be the cost of the 3-bedroom apartments (Affordable Housing and others). She noted that while there was housing available in the city, it was too expensive and really meant to serve people in the city.

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Staff clarified that all Deed-Restricted Affordable units would serve in perpetuity. Rental details and application process for the Affordable units as well as the other units (including condos) were described by staff. The City would insure that the HUD limit was followed.

Comments received from Sam Ghilardi, 17 Derby St, were read by staff, expressing approval of the project in light of the desperate need for housing and Affordable Housing units.

Following the resolution of comments and questions from the public Chair Buck announced the closure of the public hearing.

A recess was announced, and the meeting was resumed in 5 minutes.

Chair Buck announced that while there were several positive comments, they would like to see the project developed further in some areas. In summarizing the public comments, she noted that a significant number of comments focused on the public corridor-the Main St-Pleasant St connection and how it incorporated into the path, with the inclusion of retail, as it connected with Pleasant St. She acknowledged the importance of this connection to the City. Other comments pertained to the need for 3 Bedroom apartments. She was excited about the way the project addressed the arts and culture aspirations of the City, how the outdoor seating of the library would be continued on the other side of Main Street and beyond;

Member Cohen supported the Chair's comments stating that the project "checked a lot of boxes for him" including, density, transit-oriented development, Affordable units, reduction of impervious surfaces, the breaking down of the massing, material palette, sustainable features. He hoped that it would revitalize the retail, pulling it away from Watertown Yards, that it would be the "first of many good projects." He would like to see more thought and reconsideration in some of the areas identified by the Chair.

Member Hammett echoed these sentiments and observations. She spoke favorably of the contrasting colors in the material palette. She also recognized the need for improvement in the alley, opportunities for outdoor dining, and provision of more three-bedroom units.

Member Whitney agreed with the comments of the Board. Based on the comments related to height it seemed that there was an almost even split between those favoring and opposing it. —contrary to his expectations.

Attorney York agreed to a continuance of the case. Member Whitney made a motion to continue the hearing to the next meeting scheduled for May 10. The motion was seconded by Member Cohen and approved 4-0 with Members Cohen, Whitney, Hammett, and Chair Buck voting in favor.

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## OTHER BUSINESS

### 330 Pleasant St-Buds Goods Marijuana Establishment

Staff announced that this was a previously approved project. The petitioners were required to have a 6-month review by the Board.

Philip Silverman from Vicente Law representing Bud Goods & Provisions Corp. summarized the operations of the business and provided an explanation of the request to extend the operating hours of the retail establishment.

This company was currently one of the most successful ones in the state, attributed to their compliance with all the requirements; they had engaged in a substantial number of community engagement activities, including food drives, cleanup of the Charles River Pathway; they handle about 200 customer transactions a day; no reported unusual incidents at the facility with regard to health and safety; no issues with traffic; one issue with a neighbor having concerns with people parking in the wrong place- concerns have been mostly alleviated, partly through signage, and partly checking with customers where they are parked as part of their sign-in process. Where parking is not appropriate, customers are guided to the approved areas. No complaints have been received in the last month. This was confirmed by staff.

The request to extend the hours of operation was made in response to customers' requests. A listing of other comparable businesses in the area with respective hours of operation was distributed to the Board. It was pointed out that most of the liquor stores, the most comparable business to theirs, were open till 10-10:30 and even 11:00 pm, pharmacies like CVS were open till 10:00 pm or 24 hours. Also, their facility had more security than the other businesses.

Member Whitney inquired about the hours of the other marijuana establishments. Staff provided their hours and explained that consistency of hours had been maintained in the conditions. The ZBA was the permit granting authority for the other stores and had not been approached in this regard.

Member Whitney confirmed that the extended hours would not be a burden on the police department. The petitioner clarified that this would be coordinated with them. To date no security issues have been reported.

Staff explained that an operating plan would need to be submitted to DCDP and the police department.

Having no additional questions, the Chair requested a motion to allow the extension of hours till 10:00 pm, subject to further review if complaints were received by the Board from the public. Furthermore, complaints be directed to the Zoning Enforcement Officer versus the Board.

Member Whitney made a motion to allow Buds Good to extend their hours of operation to close at 10 pm every night and that the applicant update their operating plan submitted to the police department to match. The approval for this petition is subject to review if any complaints are received by the Zoning Enforcement Officer, Police Department or DCDP. Motion was seconded by Member Cohen. Motion was approved 4-0 with Members Cohen, Whitney, Hammett, and Chair Buck voting in favor.

Motion to adjourn was made by Member Cohen and seconded by Member Whitney. Motion was approved 4-0 with Members Cohen, Whitney, Hammett, and Chair Buck voting in favor.



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