



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

Melissa M. SantucciRozzi, Chairperson
David Ferris, Clerk
Christopher H. Heep, Member
Michael E. Brangwynne, Member
Alexander Dale, Member
Gregory Girard, Alternate

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MINUTES

On Wednesday evening, August 23, 2023, at 7:00 p.m. in the Council Chamber of the Administration Building, the Zoning Board of Appeals held a public hearing. 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*; Alexander Dale, *Member*; Gregory Girard (remote), *Alternate Member*; Christopher Heep, *Member*. Also present: Larry Field, *Senior Planner*; Sameena Pirani, *Zoning Clerk*; Antonio Mancini (remote), *Zoning Enforcement Officer*.

Chairperson SantucciRozzi opened the meeting. She noted the Board Members in attendance and introduced the staff. Member Ferris explained how the meeting and methods of participation for the public could be accessed remotely.

Item #1: Administrative Chairperson SantucciRozzi requested a motion to approve the Minutes from the meeting on July 26, 2023. Upon request from Member Ferris a motion was made to table the minutes till the next meeting scheduled for September 27, 2023. Motion was made by Member Ferris and seconded by Member Heep. The motion was passed by roll call vote (5-0), with Member Ferris, Alternate Member Girard, Member Heep, Member Dale and Chair SantucciRozzi voting in favor.

Item #2 and Item #3: Chair stated the order of the cases, explaining that the first case on the agenda, 480 Arsenal Way would be opened and continued without testimony. Member Ferris read the legal notice. Motion to continue the case to the regularly scheduled meeting on September 27 2023 was made by Member Dale, seconded by Member Heep. Motion was approved by roll call vote (5-0) with Member Ferris, Alternate Member Girard, Member Heep, Member Dale and Chair SantucciRozzi voting in favor.

The above minutes represent only a summary of the public hearing. For a more detailed account of the meeting, please visit the Watertown Cable Access Corp channel at, vodwcatv.org/CablecastPublicSite/gallery/47?channel=3 where a video of the hearing can be viewed.

Upon request from the Chair, a motion to continue 104 Main St to September 27, 2023 was made by Member Dale, seconded by Member Girard. Motion was passed unanimously by roll call vote (5-0) with Member Ferris, Alternate Member Girard, Member Heep, Member Dale and Chair SantucciRozzi voting in favor.

Item #4: Chair Santuccirozzi provided a brief background to the case. Upon the recommendation of the Board at the last meeting on July 26, 2023, the applicants filed a formal amendment to Condition 11 of the ZBA Decision, 2020-17 SP which addressed the hours of operation by the business. Member Ferris read the legal notice.

48 N Beacon Street-Sira Naturals, Inc. d/b/a AYR-Requests an Amendment to Special Permit ZBA-2020-17 SP for a condition of approval to amend the hours of operation from 10 AM to 8 PM to 10 AM to 10 PM in accordance with §5.01.5 for Adult Use Marijuana Establishment and Medical Marijuana Treatment Center. Limited Business (LB) Zoning District. ZBA 2023-07.

Attorney Alycia DeAngelis representing Sira Naturals d/b/a AYR introduced herself and detailed the petition. She stated that AYR was seeking an amendment to ZBA 2020-17 SP, specifically to amend condition 11 which dictated the operating hours of the business. At the last meeting pursuant to condition 15 of the ZBA Decision, an initial report was submitted. Additionally, at this time, they had requested the Board to approve modification of its operating hours from 10 AM to 8 PM to 10 AM to 10 PM. While the Board unanimously approved the hours of extension to 10 PM, 7 days a week on a conditional basis for 90 days, AYR wished to formalize this request by filing this petition and asking for a permanent change to the hours of operation. She confirmed that this was not a detriment to the existing use of the building. Furthermore, it was consistent with other cannabis retailers in the city as well as other commercial activity on their block. She also thanked the Board for accommodating their need to be on the August Agenda.

Upon the conclusion of her presentation, the Chair SantucciRozzi opened the discussion to the Board. Acknowledging the thorough presentation at the meeting last month and having no additional comments from the Board, the Chair opened the discussion to the public.

Lisa Feltner, Counselor for the district in which the business is located, stated that she had received complaints about improper screening of the rooftop HVAC, particularly along Arsenal Street. The matter has also been brought to the attention of staff. The Chair noted that since condition 8 of the ZBA Decision 2020-17 SP required any maintenance, business, and HVAC equipment installed on the roof to be screened from public view, this matter would be brought to the attention of DCDP staff.

Attorney Alycia DeAngelis, after confirming that she had not been made aware of this concern before the meeting, committed to follow up and review this concern with their facility staff.

In response to the Chair's questions, staff stated that they had received all sign-offs for the Certificate of Occupancy. The city staff would also work with the organization to ensure compliance with Condition 8

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and take any corrective measures if needed. The Counselor would also be updated with any corrective outcomes.

Following the resolution of comments from the public, a motion was made by Member Ferris to approve the amendment to the special permit to allow expansion of the hours of operation. The motion was seconded by Member Heep and approved unanimously by roll call vote (5-0), with Member Ferris, Alternate Member Girard (remote), Member Heep, Chair SantucciRozzi, and Member Dale voting in favor.

The motion to adjourn was made by Member Heep and seconded by Member Dale. The motion was passed unanimously (5-0), with Member Ferris, Alternate Member Girard, Member Heep, Chair SantucciRozzi, and Member Dale voting in favor.

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