



## **Zoning Board of Appeals Meeting**

**Wednesday, January 24, 2024 at 7:00 PM**  
**City Council Chamber, Administration Building,**  
**149 Main St., Watertown, MA 02472**

### **Agenda**

Pursuant to Chapter 2 of the Acts of 2023, the meeting and public hearing will be conducted with remote opportunities for participation. Remote participation and access methods include:

#### **ACCESS INFORMATION:**

- A. This meeting will be held on **January 24, 2024 at 7:00 PM**. Location: City Council Chamber, Administration Building, 149 Main St., Watertown, Massachusetts
  - B. The meeting will be televised through WCATV (Watertown Cable Access Television): [wcatv.org/government](http://wcatv.org/government)
  - C. The Public may join the virtual meeting online: <https://zoom.us/j/606857230>
  - D. 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](https://zoom.us/j/606857230)
  - E. Public may comment through email: [Zoning@watertown-ma.gov](mailto:Zoning@watertown-ma.gov)
  - F. Please Visit the Zoning Board of Appeals Website here: <https://www.watertown-ma.gov/228/Zoning-Board-of-Appeals>
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- 1. Administrative Business
  - A. Approval of Meeting Minutes
    - i. Minutes November 29, 2023--Draft
  - B. Request for Extension
    - i. 99 Water St. --Special Permit/Site Plan Review [ZBA-2022-10-SP/SR](#) Conditional Approval (5-0), February 22, 2023. (See attached letter)
- 2. Continued Cases
  - A. [221 Acton St.](#) REQUESTED CONTINUANCE TO MARCH 27, 2024. Edward and Claudia Hall request the Zoning Board of Appeals grant a Special Permit Finding to allow a full second story, a half-story attic and new roof within existing non-conforming front and rear yard setbacks. Located in the Single Family (S-6) Zoning District. **ZBA-2023-10.**



**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  
Samuel Odamah, Alternate

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**MINUTES**

On Wednesday evening, November 29, 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*; Christopher Heep, *Member*; Alexander Dale, *Member*; Gregory Girard, *Alternate*; Samuel Odamah, *Alternate*; Michael Brangwynne, *Member*; Also present: Larry Field, *Senior Planner*; Gideon Schreiber, *Assistant Director of Planning*; Sameena Pirani, *Zoning Clerk*; Antonio Mancini, *Zoning Enforcement Officer*.

Chair SantucciRozzi opened the meeting and introduced the Board Members and staff. Staff explained how the meeting and methods of participation for the public could be accessed remotely. Member Heep moved to enter into the executive session pursuant to G.L. c.30A, Section 21 (a) (3) to discuss litigation strategy regarding the property located at 61 Bigelow Avenue with the Board, to return to open session at the conclusion of the executive session. Motion was seconded by Member Brangwynne and approved 5-0 with Member Heep, Member Ferris, Member Brangwynne, Member Dale, and Chair Santucci-Rozzi voting in favor.

When the meeting resumed, the motion to approve the two sets of Meeting Minutes (September 27, 2023 and October 25, 2023) was made by Member Heep and seconded by Member Brangwynne. Motion was approved 5-0 with Member Heep, Member Ferris, Member Brangwynne, Member Dale, and Chair Santucci-Rozzi voting in favor.

**480 Arsenal Way**

Introducing the project, Rickie Golden, Vice President of Real Estate Development, Alexandria Real Estate Equities explained that the parking garage was an important component of the Watertown Mall Transformation Project, recently approved unanimously by the Planning Board. The proposed garage would replace the existing surface parking lot at 480 Arsenal Way to serve the existing office/lab R&D building on site and the proposed Watertown Mall Transformation Project that would include a vibrant mixed-use campus with 4 lab/office buildings, residential and retail uses, as well as 9 acres of publicly

accessible open space. Since the garage was adjacent to but outside the RMUD district where much of the Project was located, it was subject to a separate review by the Zoning Board. After her brief presentation, she invited Adrian Nial/Reed Hilderbrand to provide site context information.

Adrian Nial, principal Reed Hilderbrand, described the neighborhood context for the project. He highlighted the parcel which constituted one of four parcels comprising the Watertown Mall Transformation Project, the open spaces—particularly the Watertown Cambridge Greenway that ran between the 480 Arsenal Way parcel and the other 3 parcels. Describing the existing conditions, he noted that the garage was characterized by a one to two-story building surrounded by surface parking, similar to the other 3 parcels.

Adrian Nial also gave an overview of the larger Project, providing a bird's eye view of the full Transformation Project, including the 4 office/lab buildings, tenant amenity building, residential building with retail on the ground floor similar to OL1, and the two structured parking garages. The concept for the landscape was three large typologies – a plaza place in the center surrounded by the three lab/office buildings, the “park-like landscape” along the Greenway, and the multi-purpose pathway labeled the “paseo” along Arsenal St. Five new connections to the Greenway would be created. In connection with this project would be a new multipurpose path between Cypress Street and the Greenway on the western edge of the 480 Arsenal Way parcel and from the Greenway to Arsenal St down Talcott Ave to Arsenal Park. He stated that all the landscaping was fully accessible to the public, drawing people to the area. Besides the activation programs, new walks, trails, and the event lawn, a natural play area and a micro forest north of OL2 had also been proposed.

Adrian Nial described the site plan for the garage including the reconfigured entryway for pedestrians, the revised and safer drop-off area for guests arriving by vehicles, and the new multipurpose path connecting Cyprus Street to the Greenway. He also displayed the proposed tree planting plans, saying that 55 trees would be removed, all of which were along the islands of the parking lot, while 90 new trees would be added. Slides were also shown of the pedestrian circulation plan, bicycle circulation, and parking plan with 32 covered bike stalls near the entry, as well as other spaces within the building and around the backside and the vehicular circulation plan with two entry/exits in and out of the garage.

At the conclusion of his presentation, Adrian Nial invited Victor Pechaty, architect and design director with Gensler to detail the architecture of the garage. His presentation included building elevations and perspectives. He explained that the glass towers were meant to provide an inviting and welcoming experience for those parking, as well as visibility to those moving up and down within the tower. Also shared were the safety enhancement features at the Greenway crossing and the palette of materials proposed.

After a brief presentation by Adrian Nial that described the landscape experience in the immediate context of the garage with the help of existing and proposed perspectives, Rich Hollworth from VHB provided an overview of the stormwater infrastructure and how it related to the garage, stating that a very robust infrastructure was already available in the immediate vicinity from the former industrial base. In addition, there was a very comprehensive stormwater management system as part of their design, including multiple features to enhance water quality and reduce runoff and off-site flooding. Also summarized were the sustainability goals associated with the project. Importantly, the heating and cooling system would not rely on fossil fuel consumption, there would be 90% rooftop solar coverage, and electric car charging infrastructure.

Following this presentation, Jeff Dirk with VAI, transportation consultants for the project, provided a transportation summary. He stated that the project was an integral part of the larger Watertown Mall Transformation Project and their analysis. Given that the garage would occupy the parking lot that was currently on site and the users of that building would use the parking spaces, there would not be a significant increase in traffic during the peak hour. There would be a reduction in Saturday midday peak hour traffic volumes attributed to the reduction in on-site retail space. The availability of robust transportation services in the area, the multiple connections to the Greenway, and the bike infrastructure and amenities would allow for multiple modes of transportation. A comprehensive transportation improvement program coupled with a Trip Reduction Program (TDM) Program and Traffic and Parking Monitoring was also part of the transportation improvement measures proposed to reduce automobile trips.

Jeff Dirk also described other off-site transportation mitigation measures associated with the Project including improvements to the traffic signal system for pedestrian and bicycle crossings of Arsenal Street, the construction of a raised median along Arsenal Street opposite Eldridge Avenue, and other connecting pathways along Arsenal Street and the Greenway. The safety enhancements related to the Greenway Crossing, specifically concerning the Garage, were also detailed.

Attorney Bill York explained the relief requested, as it related to the Garage.

Upon request from Chair SantucciRozzi, Rich Hollworth clarified the parking calculations. Referring to the parking calculations on C3.00 of the Plan set, he explained that based on staff request, they had provided the required numbers for an “all office” and “all R/D” scenario (2,880 spaces if 100% Office Buildings, 2,131 spaces if 100% R/D). Eventually, the numbers would fall between the two requirements. From a parking ratio perspective, their effective ratio was about 2.05 on a per 1000 basis, about 20% less than AOTC.

Rich Hollworth also confirmed that parking for Target (550 parking spaces) was included in the required and proposed parking summary. He added that the number of parking spaces was necessary to attract potential tenants in the development and be competitive with other uses in the market. Also, there would be an increase of a little less than 2000 new parking spaces in the development, given that the garage would replace some of the displaced surface parking.

Rickie Golden summarized the project’s public benefits and mitigation commitments that included the following: the creation of shared-use path and bike/pedestrian crosswalks along Arsenal Street between Elm Street and Talcott Street, the creation of shared use path connection from Cypress Street to the Greenway, overall campus and Arsenal St, installation of the raised median along Arsenal St, installation of the traffic signal at the intersection of Arsenal St and Little Greenough Blvd (or \$600,000 payment in lieu if DCR does not consent), contribution to City for improvements at the intersection of North Beacon Street and Little Greenough Blvd (or \$1,000,000 payment in lieu if DCR does not consent), contribution of up to \$100,000 to city-wide wayfinding program and contribution of \$2,000,000 to City’s Complete Streets Prioritizing Plan and Bicycle and Pedestrian Plan and payment of \$8,000,000 plus in Affordable Housing Linkage payments.

After confirming that there were no public comments both in person and via Zoom, Chair SantucciRozzi opened the discussion to the Board.

Member Girard said he remained unconvinced about the analysis of the 40% reduction in weekday traffic attributed to the reduction in retail space. Jeff Dirk/VAI confirmed that the existing traffic counts were based on empirically measured volumes. He also said that a retail giant like Target, if established today, would not be allowed to generate their current volume of traffic. As part of the Watertown Mall Transformation Project, they would be required to implement TDM measures. Staff clarified that the TDM program would apply to their employees and not the shoppers.

Member Ferris thanked the petitioners for their thorough and thoughtful presentation. He asked if the solar components were included in the height calculations. Attorney York confirmed that the penthouse and solar elements were not in the building height but would be within the 15 feet requirement for rooftop equipment. Member Ferris noted that relative to the garage, other structures in the overall development (OL2, OL3, and OL4) would appear taller to the residential neighbors north of the garage when looking into the distance.

Member Ferris also confirmed that the ground floor of OL4 would be the building lobby and a tenant space serving that building.

Member Ferris asked about the anticipated material and coloration of other buildings in the development. Based on staff's clarification that the materials and color were not final at the master plan stage and would be subject to site plan review, he requested that the Petitioner reference the wider campus colors and consider the use of texture and a warmer shade on the garage's concrete façade to help soften its visual impact.

Member Ferris asked for the replacement of deciduous plantings with more evergreens and climbing vines to provide more coverage to the garage and minimize the visual impact of the structure to Cypress Street residents (especially the less obscured views from the northwest).

Member Brangwynne asked about the nature of amenities offered in A2. Rickie Golden explained that it would be retail, food, and beverage as well as a tenant amenity where tenants could rent out the food and beverage space for private events. This would be open to the public unless rented out by tenants for a specific event.

Member Dale appreciated the responsiveness of the project to climate design and environmental goals. He also commended the planning for 100% EV and the use of more conservative rates that represent more intense rainfall events on a greater frequency for 100 year stormwater management.

Member Dale also asked about the accuracy of their measures for transit utilization. Jeff Dirk explained that 24% was expected to be achieved through transit utilization, while 7% would be through pedestrian and bicycle modes.

Member Dale asked about the ability to put pricing on the garage. Pechaty confirmed that the infrastructure was built to allow that in the future if desired.

Based on Member Dale's concerns about expanding bike parking, Pechaty explained that each of the four office/lab buildings had robust indoor bicycle facilities, showers, and bike storage spaces. The bicycle capacity on the 480 Arsenal garage site was only for the building and for a small proportion of the parking garage.

The petitioners expressed their commitment to address concerns about the future expansion of this space given the garage's proximity to the Greenway and the bike path.

Alternate Odamah asked if the garage could be celebrated instead of concealed or hidden. Pechaty said that designing iconic garages was site-specific. In this case, the concepts for the campus were driven by urban principles, outdoor space, and connections for bicycles and vehicles. Even in some of the highly designed lab buildings, the site experience and the places that were formed conceptually were the foregrounded experiences. Since the P2 garage was occupying the front façade of the existing 480 building, making it the background structure seemed most appropriate in this context.

Alternate Odamah also asked about the long-term landscape maintenance plans. Adrian Nial, addressing his concerns, said that their goal was to create a low-carbon landscape, utilizing composting and collaborating with other ARE projects in this regard. All this was yet to be finalized.

In response to his question about public open space, Rickie Golden confirmed that other than one private amenity building and A2 being a combination where tenants could rent the space for private use, everything outdoors was publicly accessible open space, including retail.

Regarding Chair SantucciRozzi's concerns about the future public accessibility of the Watertown Mall Transformation Project, should there be a change in ownership, Attorney York confirmed that these would be incorporated in the agreements with the City.

In response to Chair SantucciRozzi's question whether efforts had been made to comply with the Ordinance and complete it by-right, Victor Pechaty listed the limitations and challenges faced including the setbacks from the Greenway, as well as from the west and south side of the property, considerations for vehicle circulation and grade variations.

Chair SantucciRozzi asked if other locations had been considered for the garage, especially given that a significant number of parking spaces served other buildings in the project. Pechaty explained that in earlier versions of the master plan, the garage had been located on Arsenal St, where currently OL4 was proposed. At that time the 480 parcel was not part of the development. Later when this site was brought to the table, this location was preferred for the location of the garage.

The Chair pointed out the garage's proximity to the residential neighborhood. Pechaty confirmed their attempts to capture the lack of visibility of the garage for the Cypress Street residents. Chair noted that the shots had been taken from ground level, not from a height.

The petitioner's agent Rickie Golden and its consultants described their efforts to explore other locations. The provision of publicly accessible open space, children's playground, and other forms of activation elsewhere in the project made sense for this site to be the location for the garage. Also, a combination of contamination concerns that would require hauling off any materials to a licensed facility and prohibitive costs made subsurface parking not a viable option especially given the few number of parking spaces that could be supported in that space. The efficiency requirements of parking structures (certain length of ramp) and interests of immediate abutters were other reasons cited. Attorney York explained that the project was consistent with Watertown's land use plans, including the most recent Comprehensive Plan (2023). Additionally, the building would replace existing surface parking, was set more than 200 ft from the closest neighbors, and would be buffered with landscaping to reduce visibility.

Member Heep requested a condition that would make clear that the garage was tied to the Watertown Mall Transformation Project campus. Members discussed the wording of such a condition, with the final language as follows: "The parking structure shall be used only to provide parking for the building/buildings located on 480 Arsenal Way and the properties and buildings covered by the Special Permit PB 2023-01 Master Plan, provided that nothing contained in this condition shall prohibit snow emergency parking as otherwise discussed in the Special Permit."

Member Ferris requested the incorporation of the conditions related to the garage landscape screening and color. He requested the reconsideration of placement of deciduous and evergreen planting in relation to the garage along the western façade to minimize the structure's visual impact to Cypress Street residents (especially the less obscured views from the northwest). In addition, the Petitioner shall consider using a warmer shade on the concrete façade to help soften its visual impact and reference the wider campus colors.

Following the resolution of questions and concerns from the Board, Member Heep moved that the Zoning Board of Appeals approve Special Permit/Site Plan Review and Amendment to ZBA #01-32SP; to approve the requested relief under §4.10 increased height; §4.11(d) expanded build to line; §4.11(e) exceptions to side yard setback requirements; §5.05(f) increased contiguous walls and building length in keeping with Design Guidelines; §6.01 (e, g) TDM/parking management for cross site shared parking provided on another lot; §9.03-9.06, §9.09-9.13, all in keeping with the Design Guidelines, the intent and purpose of the Industrial-2 District.

Also, that this approval be contingent on and can only proceed in tandem with a phase of the PB-2023-01 Master Plan, to be coordinated through the Planning Board review and approval of that phase, and the subsequent building permits. Further, to add two additional conditions discussed during deliberations (on the garage façade and on the use of the garage for the Watertown Mall Transformation Project campus and 480 Arsenal Way). The motion was seconded by Member Dale and approved 4-1 by the board members with no alternates voting.

## 221 Acton Street

Motion to grant continuance to the January 24, 2024 ZBA Meeting was made by Member Heep, seconded by Alternate Girard. Motion was approved unanimously 5-0.

Motion to adjourn the meeting was made by Member Heep and seconded by Member Dale. Motion was approved unanimously, 5-0

51 WATER STREET, LLC  
93 UNION STREET  
SUITE 315  
NEWTON, MA 02459

***Via Email***

January 17, 2024

Zoning Board of Appeals  
City of Watertown  
Attn: Melissa Santucci – Rozzi, Chair  
Administration Building  
149 Main Street  
Watertown, MA 02472

Re: ZBA -2022-10 SP/SR-99 Water Street

Dear Madam Chair and Members of the Board:

On behalf of 51 Water Street, LLC, I am writing to request an extension of the above-noted Special Permit/Site Plan Review (Permit) – ZBA-2022-10 – SP/SR which was issued in February of 2023, Certificate of Grant on March 21, 2023. Under Condition 9 the Permit will “...lapse one year from the date of grant thereof if substantial use thereof has not sooner commenced except for good cause...”.

99 Water Street is the second phase of a redevelopment that includes an adjacent 2.5 acre site (66 Galen Street). The 66 Galen Street site is well under construction and is in the process of acquiring initial occupancy permits. In light of rising construction costs, economic headwinds and market challenges impairing the life science industry and real estate market we have temporarily delayed development of the 99 Water Street phase of the project. As noted over the past year Lab/R&D tenant demand has been significantly curtailed due to economic concerns as well as banking and capital constraints. Most life science tenants have delayed real estate decisions leading to an overall weaker rental market. Inflated construction and financing costs have also presented meaningful impediments to our immediate development of the second phase of the campus.

As a result of these challenges, we are requesting , for “good cause”, a two (2) year extension of the Permit from the date of grant until March 23, 2026. We, along with the industry, expect that life science demand will return from this lull and remain confident in Watertown as a desirable and strong market.

Zoning Board of Appeals  
City of Watertown  
Attn: Melissa Santucci-Rozzi, Chair  
January 17, 2024  
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Thank you for your understanding and consideration of our request.

Sincerely,

Robert Doherty

51 Water Street, LLC

Cc: Via Email: Steve Magon, DCDP  
Gideon Schreiber, DCDP  
Sameena Pirani, Zoning