



Zoning Board of Appeals Meeting
Wednesday, February 28, 2024 at 7:00 PM
Revised Agenda (Posted on 2/20 and Reposted 2/27)
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 **February 28, 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
 - 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
 - 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. Executive Session (Closed to the Public) - Postponed
 - A. Executive Session pursuant to G.L. c. 30A, Section 21(a)(3) to discuss litigation strategy and the chair has determined that having such discussion in open session would have a detrimental effect on the Board's litigating position: 61 Bigelow Ave, LLC v. Watertown ZBA, Middlesex Superior Court C.A. No. 2381CV01837 regarding the property located at 61 Bigelow Avenue.
- 2. Administrative Business
 - A. Minutes January 24, 2024--Draft
- 3. Cases/Hearings
 - A. [20 Thurston Rd](#)-Ming Qiao requests the Zoning Board of Appeals grant a Special Permit Finding to allow construction within existing non-conforming front and side yard setbacks to construct a full second story and a new half story within a new roof. **ZBA-2024-01**
 - B. [18 Lovell Rd](#)-Joshua Heiber and Cara Kimberg request the Zoning Board of Appeals grant a Special Permit Finding to allow construction within existing non-conforming front and side yard setbacks to construct a second floor above an existing sunroom/garage. **ZBA-2024-02**.

- C. [390 Arsenal Street](#)-NS AJO Holdings, Inc d/b/a Ethos Cannabis/Natural Selections requests an Amendment to Special Permit ZBA-2020-21 SP to change the closing time from 8 PM to 10 PM. **ZBA 2024-03.**
- D. [20 Irving Park](#)-Douglas and Lauren Syer request the Zoning Board of Appeals grant a Special Permit Finding to allow construction within existing non-conforming rear yard setback and increasing existing non-conforming FAR to construct a mudroom/rear entryway and an office. **ZBA-2024-04.**



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, January 24, 2024, 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 (In person): David Ferris, *Member*; Alexander Dale, *Member*; (Remote): Gregory Girard, *Alternate*; Samuel Odamah *Alternate*; Michael Brangwynne, *Acting Chair*; *Absent*: Chair SantucciRozzi and Member Heep: Also present remotely: Gideon Schreiber, *Assistant Director of Planning*; Antonio Mancini, *Zoning Enforcement Officer*. In person: Sameena Pirani, *Zoning Clerk*.

Member Brangwynne opened the meeting and introduced the Board Members and staff.

Motion to approve the November 29, 2024, Meeting Minutes was made by Member Ferris and seconded by Member Girard. The motion was approved by roll call vote 5-0 with Member Ferris, Member Brangwynne, Member Dale and alternates Girard and Odamah voting in favor.

Case #1: 99 Water St

Bob Doherty participating remotely introduced himself and outlined the rationale for the extension on the Special Permit. Attributing it to the uncertainty of economic conditions this past year, he remained optimistic about the future health of the biotech market. They were in the process of actively marketing 66 Galen, the first phase of the redevelopment.

Following the conclusion of the presentation, Member Brangwynne opened up the discussion to the Board.

Member Ferris asked staff to elaborate on the typical duration of a special permit. Staff recognized the permitting challenges faced by large-scale developments. Therefore, it was not unusual for them to seek an extension. The request for an additional two years was also consistent with state law, recently modified to allow up to three years.

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.

Member Girard asked staff what needed to be done within the two years for the process to move forward compliant with the extension. Staff explained that in this case a physical versus administrative start to the process was necessary.

Member Odamah asked how the project would be impacted if the economic climate failed to be in their favor. Would they need to return to the Board? Bob Doherty reiterated that he was hopeful about the future. They had seen a growing interest from prospectives for the 66 Galen project and were working on making it tenant ready. Mid-size, versus big pharmaceuticals, were more likely to be interested in this development. Typically, these size firms did not commit too far in advance. If the market continued to trend upwards, they were confident about the future and the bullish trajectory.

Staff discussed options for a time frame for the extension. Since the permitting process for large-scale projects was longer, extension requests were typical. The Board could choose the timeframe, keeping in mind that extensions would need to be made prior to expiration of the Special Permit.

Bob Doherty provided the rationale for a two-year extension, versus a shorter time frame, as was proposed by Member Brangwynne. He added that there were many stakeholders including the T and the City, and current tenants of 51 Water St. They would be foregoing income in the short and medium term from the current tennants of 51 Water. All these factors would keep them on the path of pursuing development.

Following the resolution of questions and comments from the Board and clarification from staff that this was administrative business and not a public hearing, Member Ferris made a motion to approve the request for a two-year extension of the Special Permit/Site Plan Review ZBA-2022-10 SP/SR conditional approval. Motion was seconded by Member Dale and approved unanimously by roll call vote (5-0), with Member Ferris, Member Brangwynne, Member Dale and alternates Girard and Odamah voting in favor.

Item #2: Continued Case

221 Acton St. Motion to approve the request for continuance to March 27, 2024 was made by Member Ferris and seconded by Member Odamah. Motion was approved by roll call vote (5-0), with Member Ferris, Member Brangwynne, Member Dale and alternates Girard and Odamah voting in favor.

Motion to adjourn was made by Member Dale, seconded by Member Ferris. Motion was approved by roll call vote (5-0), with Member Ferris, Member Brangwynne, Member Dale and alternates Girard and Odamah voting in favor.

MINUTES APPROVED:-----

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