

APRIL 9, 2024



Watertown City Council

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

CITY COUNCIL MEETING
TUESDAY, APRIL 9, 2024, 6:30 P.M.
RICHARD E. MASTRANGELO COUNCIL CHAMBER
ADMINISTRATION BUILDING, 149 MAIN STREET

MINUTES

ACCESS INFORMATION:

- A. This meeting will be held on April 9, 2024 at 6:30 PM in the Richard E. Mastrangelo Council Chamber
- B. The meeting will be televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/?channel=3>
- C. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/92991331344>
- D. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 929 9133 1344
- E. Public may comment through email: vpiccirilli@watertown-ma.gov
- F. Please Visit the City Council Website here: <https://www.watertown-ma.gov/350/City-Council>

1. ROLL CALL

Council President Sideris called to order a regular meeting of the City Council at 7:00 p.m. in the Richard E. Mastrangelo Chamber, Administration Building. Those present were Councilors John M. Airasian, Caroline Bays, John G. Gannon, Nicole Gardner, Lisa J. Feltner, Emily Izzo, Anthony Palomba, Vice President Vincent J. Piccirilli, Jr., and Council President Mark S. Sideris. Also present were George Proakis City Manager, Mark Reich, City Attorney, and Brendan T. McCarthy, Council Clerk.

2. EXECUTIVE SESSION – 6:30 P.M.

- A. Executive Session pursuant to G.L. c. 30A, sec 21(a)(3) to discuss strategy

with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares - Robert Degeis v. City of Watertown, Department of Industrial Accidents Case No.4162195

3. RETURN FROM EXECUTIVE SESSION 7:00 P.M.

4. PLEDGE OF ALLEGIANCE

5. PUBLIC FORUM

Dennis Duff – 33 Spruce Street – Voiced concern against short term rentals as they do not serve the neighborhoods that are invaluable to the community. He remarked that most neighbors and members of the community are not in favor of STRs or the transient people that come along with them. He concluded by asking the Council to vote against the ordinance to protect the sanctity of the neighborhoods.

6. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS

A. Minutes from City Council Meeting March 26, 2024

Councilor Piccirilli moved to accept the minutes as written and Councilor Feltner seconded.

The minutes were accepted unanimously in a Voice Vote.

7. PRESIDENTS REPORT

President Sideris elected to move forward with the agenda.

8. PRESENTATION OF PETITIONS, PROCLAMATIONS, AND SIMILAR PAPERS AND MATTERS

A. Arbor Day Proclamation

President Sideris presented the Arbor Day Proclamation.

Councilor Piccirilli moved to approve the proclamation and Councilor Feltner seconded.

The proclamation was approved unanimously in Voice Vote.

9. PUBLIC HEARINGS

A. Public Hearing and Vote on a Zoning Code Amendment Regarding Short Term Rentals

President Sideris remarked that this proposal needs a super majority of 6 votes to pass, while any amendments made to any aspect of it only needs 5 votes.

Assistant Director of Planning for the Development of Community Planning Giden Schreiber announced that he would be presenting the Planning Board Report regarding STRs as well as the proposed draft ordinance.

At the Planning Board Meeting on March 13 2024 four members voted to move the zoning amendment forward after discussion and collaboration from committees and public members.

He stated that the drafted ordinance provides regulations and standards for STRs (rentals of 31 days or less) and will update the table of accessory use regulations from outdated language. It also provides a new section which creates intents and purposes, which is targeted to preserve the livability of the neighborhoods. That section limits the use of STR to owner occupants and only allows two types of operations. One is to share a portion of a unit while the owner is living in it (ex. Renting 2 bedrooms out of a 3 bedroom dwelling) with a limitation of 2 renters per bedroom. The other is a home share unit where an owner needs to prove they live there at least 9 months out of the year, and then they would be able to rent out the entire property for times that it was otherwise vacant. The limitation on this option is that the limit of bedrooms for these properties is 5 bedrooms and that the whole unit would have to be rented out to one party.

He continued to say that there is a set of draft regulations that could be updated that go into detail of seeking proof of residency, inspection, and enforcement. He remarked that, in terms of enforcement, any violation would be looked at as a zoning violation and have a fine of up to \$300 per day of violation.

Mr. Schreiber remarked that during the Planning Board Meetings, public comments voiced concern on negative neighborhood impacts, that the amount of STRs would increase greatly, that there is a lack of ability for the City to enforce penalties or monitor infractions, and that STRs could reduce property values. Some positives that were voiced were that it excludes investor models and allows homeowners to use their home how they see fit, and it also welcomes people to partake in Watertown commerce like shopping and entertainment.

He commented that STRs aren't currently technically allowed in Watertown, but that no one is really aware of it, which has led to a gray area, and that STR usage has stayed at about the same level for the past several years. He stated that from a staff's perspective, they've tried to facilitate the amendment process while hosting community meetings and collaborating over the course of several years. The proposed amendment being

considered is a much clearer and limited standard that should help regulate STRs.

Russ Arico - 51 Fayette Street - Stated that approval of STRs will allow businesses in residential areas which will make neighborhood watch impossible. He continued to state that while Watertown is a safe city, undocumented illegal aliens are invading our county, and asked what's to stop Maura Healey from mandating owners to take in these aliens, to which if you were to refuse, you would be charged with discrimination. He said that a stable neighborhood is the City's lifeblood, and that we should preserve our way of life. He then remarked that people who think the parking ban is a bad idea are not home owners, but tenants, and that it would be horrible if the Council were to remove the parking ban.

David - Resident - Asked to vote no to STRs. He stated that he followed the process of the item and believes that the City has not brought forward any benefits that would outweigh the detriments of STRs to Watertown residents. He recognized that it's hard to look at zoning amendments effects in a long scope, but it stands to reason that if you lived in between two STRs that could potentially have many transient individuals coming in and out of the property year-round, your quality of life would suffer. He remarked from an enforcement standpoint that it would be easier to outright ban STRs as opposed to forcing neighbors to have to report and regulate infractions. He then pointed out that the amendment is inconsistent with the current code, where currently home offices need special permits and are forced to not adversely affect neighbors.

Natalie Zakarian – Warren Street – Remarked that she attended Councilor Izzo's meeting and was taken away by how engaged her neighbors were with this issue. She recognized that it was a tense issue that a lot of work has been done on, but didn't believe that there was enough reassurance to the community that having STRs wouldn't be disruptive. She remarked that it's possible to have rooms rented 365 days a year, which could be multiplied by countless rooms. She concluded by urging the Council and Planning Board to take this back and continue working on it.

George Skuse - 43 Pilgrim Road – Urged the Council to vote no. He remarked that he was astonished that 15% of the STRs are operated by the same individual or LLC, and assumed that the percentage of out of town operators is much higher. He stated that the Planning Board report itself clearly states that they are not allowed, but current operators have flaunted their business, and yet the City has looked the other way - perhaps incentivized by revenue. He stated that he is unconvinced that the City would be able to enforce regulations, and that short term renters will continue to create havoc on the community – noting negative effects on noise, parties, trash, and parking. He concluded in saying that he sees more and more units being used by STRs instead of traditional long-term housing, implored the Council to vote no, and encouraged the Council to explicitly ban STRs and impose strong fines on those who violate that code.

John Spengler – 18 Stearns Road – Thanked the Planning and Zoning Board on their hard work, but believed the greatest hurdle of the amendment would be enforcement. He believes it is the equivalent of asking neighbors to enforce upon neighbors, which is not an optimal situation. He stated he was against the amendment because of what he has seen in other cities. He then stated he the only possible benefit he could come up with from having STRs is aging in place, but that that would have to be strictly defined.

Joan Gumbleton – 32 Falmouth Road – Voiced her opposition to STRs in Watertown. She

cited a terrible well documented experience that her and her neighbors endured in which the City was not able to regulate, and asked how the City could possibly keep up with enforcement if STRs were to expand. She remarked that negative situations continue to occur because individuals hope to make a quick buck with no regard for their neighbors. She then stated that the City doesn't need to add more staff, ask neighbors, or the police force to have to deal with STRs, and remarked that there is a need for an outright ban. She pointed out that Waltham does not allow STRs in their community, and that it is explicitly written in their code.

Ruth Rappaport – 28 Hunt Street – Stated that three houses on her street were turned into Air BnBs in which the owners were not present, and there were no managers on site. She remarked that up to 30 guests could be staying in those properties at any given time. She stated that the street endured endless taxis, large parties, and an excess of trash. She stated that their sense of safety was put at risk, and that the zoning enforcement officers were not able to mitigate the problem. She then remarked that Hunt Street renters' leases were terminated to make room for STRs. She concluded by saying that STRs are careless and damaging to neighbors, only benefit multi billion-dollar corporations, and asked to put a permanent ban on them.

Chris Demis – 27 Falmouth Road – Urged the Council to vote no on the amendment. He remarked that the negative feelings of the community are palpable. He stated that his family has been in the city for decades, and that they've enjoyed getting to know and cohabit with their long-term neighbors which adds value to the community.

Jacki VanLeeuwen – 32 Whites Ave – Stated that she originally didn't have strong opinions with the issue, remarking that there are instances people having the ability to rent a room temporarily to be able to visit family for an event or in the event of sickness while avoiding large hotel prices. She recognized the fear of individuals or companies buying properties for the sole reason of operating an STR, and understood the Planning Board's efforts to set forth an amendment to set regulations. She then remarked that complaints about noise might be misleading, as permanent residents make plenty of noise having parties and celebrating with their neighbors, and that that is part of being a neighbor.

Clyde Younger – 188 Acton Street – Voiced his opposition to the proposed zoning amendment. He remarked that he didn't see any language in the Planning Board report regarding need – what was the need for the amendment to be added and code changed? He then asked what the cost of policing the proposed code would be, and its overall efficacy.

Yasmina Spector - Whites Avenue – Stated “not in my back yard you don't”. She continued to express her appreciation for Watertown as a small tight knit community, which would make it difficult to enforce this proposed code.

Elodia Thomas – 67 Marion Road – Addressed that most people in the room are aging in place and voiced that many people are legally renting rooms to individuals like visiting professors or traveling nurses for several months at a time. This allows an opportunity for these tenants to engage in the community. She remarked that there was a solicitor who approached her husband and pitched to rent out their rental property as an STR, which was met with much offense. She stated that it is legal for seniors to differ property taxes so that they can age in place, but that most people do not know they have that opportunity. She rejected STRs and stated that the Watertown is a community that may

not always agree with one another, but always has a driving force to get back to “we”, which is in contrast to the benefits of a singular person.

Jennifer Ernst - Resident - Stated that she is new to Watertown and has experience with STRs. She recognized people’s concerns with STRs, but addressed a few positives. She voiced that some pros for STRs include an opportunity to earn funds for renovations of outdated homes (of which Watertown has many) which helps the community, and also ability to help age in place. She concluded that if it is done right, there is a possibility of positive results.

Anne Marie Cloonan – 14-16 Winthrop Street – Echoed the voices of Watertown in speaking against STRs. She remarked on the lack of enforcement, and the stress it would cause for the police.

Mary Ann Mulligan – 23 Falmouth Road – Remarked from personal experience of a neighbor operating a STR to then being forced to rent in a long term scenario, which has proved to be positive for the community. She remarked that the current tenants now have housing, which is extremely important. She concluded by saying that there is a difference between commerce and community, and urged the Council to vote no.

Bob Shay – Resident – Opposed the amendment. He voiced express concern for the home share units which will cause a lack of oversight for up to three months of rotating renters.

Barbara Ruskin – 140 Spring Street – Asked the Council to step back and take a longer look at what is needed. She expressed the need of housing, and voiced concern with transient individuals taking up otherwise available units. She stated that she doesn’t believe there is anything that will stop corporations from buying homes and converting them to small hotels.

Maureen Foley – 10 Winthrop Street – She remarked that initially she was complacent with STRs, but that the more she looked into it, she realized how disruptive it is for the community, and asked what the benefit is for the City. She remarked that there is no guarantee that the individuals renting the unit will contribute to commerce in Watertown, instead they could easily go into Boston or Cambridge.

Rita Colafella – 56 Cuba Street – Spoke in favor of the amendment. She stated that as a landlord who rents to long term tenants, she understands that the demand for STRs serve a different market. There are individuals who encounter times where they might need a boost in earnings to help pay the mortgage, but don’t necessarily want a long term tenant or a roommate. She stressed the importance of property rights, and stated she didn’t want to forfeit that right as a possibility in the future. She concluded by saying that you should trust your neighbors, and if they are in violation of the regulations, this amendment allows for recourse.

Dean Martino – 94 Edenfield Avenue – Stated that the known largest draw for the City is its neighborhoods. He remarked that if just one neighborhood is affected by STRs, there will be problems for the entire community. He continued to say that Watertown doesn’t have the ability regulate STRs, and that they are causing large problems in the major metropolitan areas that have greater resources. He concluded in asking the Council to vote no and to protect our neighborhoods.

Bill Chosiad – 15 Franklin Street - Spoke in favor of the proposed ordinance. He stated that he has heard a lot of what can go wrong with STRs, and admitted that bad things can happen, but that the Planning Board has done a good job to set up regulations to limit the more egregious negative aspects that are associated with STRs, remarking that owners wouldn't put up with bad behavior from individuals renting a room in an owner occupancy situations. He continued to say other positives are allowing empty nesters to earn some income, that renters do in fact take part in commerce with local shopping and entertainment, and that the host will have more money to spend in the community.

Councilor Piccirilli read the following emails submitted for Public Hearing:

“Dear Councilors,
Please accept this written testimony in lieu of my testifying at the City Council meeting. I am unable to be in attendance as I will be traveling.

I'm concerned about the proposed rules that lump two very different types of “owner occupied” STR properties into one.

Two types:

Renting a room to a guest while the owner is present at all times

Renting a property when the owner is absent

As I understand it, one of the proposed rules is to limit the operation of all STRs to less than three months in a calendar year. This makes sense if the goal is to protect the housing stock. However, the room that I rent out is within my home, and not a space I would ever consider renting to a longterm tenant. STRs of this type should be excluded from the three-month restriction.

The nightmare scenarios associated with STRs are well-documented in the Facebook group I belong to for STR hosts. All of these stories belong to hosts who are not on the premises during the rental. It is an entirely different scenario in my home when a guest comes back to their rental only to be greeted by me for a brief chit-chat before quietly retiring for the night.

I am retired and rely on the income that is generated by my renting out an extra bedroom that would otherwise be empty. I will be at a loss to understand how my business adversely affects Watertown if my type of STR is not excluded from these rules.

Thank you,
Judi Fitts
9 Bridgham Ave”

“RE: Agenda Item 9. Public Hearings
A. Public Hearing and Vote on a Zoning Code Amendment Regarding Short Term Rentals

Greetings:

When Short Term Rentals were first discussed; in my position as a representative of the local electorate, I voiced many concerns against the legalization. I ask the City Council to think seriously, before exposing Watertown's residents to adverse ramifications. Vote "NO" to Short Term Rentals in residential zoning districts.

Many cities and towns, nationwide, have been subjected to the many pitfalls associated with Short Term Rentals in residential zoning districts. Please, do not allow your votes to create "serious problems".

Learn from areas such as: Nantucket and Lynnfield, MA; Houston, TX; New York City, NY; and San Francisco, CA, to name a few.

"Quasi Hotel", commercial uses, in residential neighborhoods, may infringe on the community as follows:

- Curtailed access to the City's limited rental housing stock
- Limited off-street and on-street parking spaces to accommodate multiple guests
- Constant turnover of unknown guests in the neighborhoods
- Excessive, unregulated noise
- Accumulation of trash from coming/going guests
- Fire hazards
- Lack of property maintenance
- Required monitoring for proliferation of illegal listings

<https://nantucketcurrent.com/news/judge-rules-against-town-in-short-term-rental-court-challenge>

<https://nantucketcurrent.com/news/select-board-will-not-appeal-court-ruling-on-short-term-rentals>

<https://www.bloomberg.com/news/articles/2023-09-05/airbnb-s-new-nyc-regulations-what-renters-and-hosts-need-to-know>

https://www.bisnow.com/houston/news/hotel/houston-short-term-rentals-are-a-serious-problem-whitmire-says-123562?utm_source=outbound_pub_1&utm_campaign=outbound_issue_75873&utm_content=outbound_link_14&utm_medium=email

Please do not pit neighbor against neighbor, as the City's enforcers of quality-of-life. Preserve neighborhood cohesiveness by voting "NO", against Short Term Rentals in Watertown's residential zoning districts. Thank you.

Best,

Angie

Angeline Maria B. Kounelis
Retired District A, East End, City Councilor
Landline: 617-926-2352
Mobile: 617-538-9252"

Joan Gumbleton – 32 Falmouth Road – Remarked that people that the community doesn't know could be here for up to 31 days, and once the parking ban is lifted, the streets will be clogged by their cars. She remarked that the argument that a loss of STRs contribution to local commerce falls on deaf ears due to Watertown not being a destination. She asked why the City isn't putting residents' wants and needs over strangers. She remarked that an ideal way to age in place could be for several individuals to live together and share expenses a la The Golden Girls. She asked for the Council to not put their personal preferences ahead of the needs of the community, and asked the Council to vote no.

Elodia Thomas – 57 Marion Road – Stated that the City has collected about 120K+ a year from STRs all the while residents have been left dealing with problems brought about by STRs. She continued to say that Air BnB and Vrbo, the companies that run platforms for STRs, are multi billion dollar corporations that represent big business. She also remarked that many of the units on these platforms are ADUs, which could otherwise be used as additional long term housing in the community, which is desperately needed. She stated that the world is a crazy place these days, but the community has been warm and comforting oasis that should be protected.

Clyde Younger – 188 Younger Street – Stated that he believes the need for this amendment is working in concert with the influx of development. He remarked that this wasn't an issue years ago, and that this is one way of accommodating ongoing development.

Dennis Duff – 33 Spruce Street – Stated that two issues are a common theme in all the comments. The first is enforcement. He stated that he wasn't aware that Air BnB's weren't allowed, and yet they do operate currently. The second is that big corporations are buying up more and more properties in the community with the intent of building STRs. He remarked that the prices for houses will only continue to rise if this trend continues.

Russ Arico – 51 Fayette Street – Remarked that he has never seen so much public opposition to this amendment in all his years of appearing in front of the Council, and that the main concern is public safety. He continued to say that Watertown should follow Waltham's lead in outright banning STRs.

Greg Gerard – 41 Maple Street – Remarked that he lives by several STRs and that he and his dogs do not like to walk by those houses any longer. He believes the amendment could possibly work in a specific vetted scenario, but ultimately he is against the it.

Richard Cohen – 134 Standish Road – Stated that he currently lives in an Air BnB due to severe damage to his home, but that he feels somewhat not welcomed in the neighborhood because he is inhabiting an STR. He remarked that, just as the City wouldn't let a person turn their garage into a autobody shop, they shouldn't let people turn their homes into hotels because it changes the character of the community. He did state that he could see an owner renting out a spare bedroom, but aside from that, he is against the practice.

Russ Arico – 51 Fayette Street – Remarked that if people need extra, they can bring in a

roommate or differ taxes.

Councilor Piccirilli moved to adopt the zoning amendment as presented and Councilor Feltner seconded.

Councilor Palomba asked to clarify that an owner has to live in their home for 9 out of 12 months a home share.

Assistant Director Schrieber responded that is correct and that they would have to produce proof confirming that the owner has lived there for that time.

Councilor Palomba then asked that if lives in his house for 9 months, could he rent his house as a home share for the 3 months he is away, and then rent out individual rooms for the other 9 months he is living there – essentially being able to operate STRs for 12 months of the year.

Assistant Director Schreiber responded that you couldn't use both at the same time, but you could theoretically use both in the scenario Councilor Palomba stated.

Councilor Palomba asked if you would be able to take a unit off the market for an STR.

Assistant Director Schreiber responded that you could not.

Councilor Piccirilli remarked that, in code, section 2.18 – Dwelling – says that a single family, two family, multifamily, shall not include hotel, lodging house, and bed and breakfasts. Section 2.35 – Home Occupation - says conducting of a guest house shall not be deemed as Home Occupation (home business that has customers coming to the home). Section 5.02d states Home Occupation is only allowed with a special permit. He then asked if it is safe to say that, under the current definitions, STRs are in fact traditional bed and breakfasts, which are prohibited under the current Watertown ordinances.

Assistant Director Schreiber replied that STRs are defined differently than traditional Bed and Breakfasts because STRs are using primary residences, and that they aren't prohibited for that same reason because they are regulated differently on the state level and have different health and safety standards.

Councilor Piccirilli responded that he is not talking about the state but is only talking about the Watertown ordinance. He continued to say that the language seemed explicit and not a gray area when it says, “shall not include BnB's or BnB's homes” and that home operations/guest houses are prohibited. Due to those two sections explicitly defining them as prohibited, is it safe to say that under the current definitions, that STRs are explicitly prohibited.

Assistant Director Schreiber responded that he understood the Councilors line of thinking, but that he wouldn't respond directly to his statement, and offered that the Planning Board and Zoning Board both determined that STRs are not allowed because they are not well defined.

Councilor Piccirilli asked if a traditional Bed and Breakfast is prohibited.

Assistant Director Schreiber responded that those are specifically prohibited, but that just

because one of the STR platforms are called “Air BnB” doesn’t necessarily make it a BnB.

Councilor Piccirilli then asked if it correct to say that if this amendment passes, that STRs will be allowed by right in all residential districts while every other home occupation business is either prohibited or only allowed by special permit in residential districts.

Assistant Director Schreiber remarked that Home Offices are not prohibited in residential districts.

Councilor Piccirilli responded that Home Offices and Home Occupations are clearly defined as different entities, and that Home Offices are designed as businesses where no customers come to your home.

Assistant Director Schreiber responded that the Planning and Zoning Boards agree that STRs are not allowed and gave the example of an individual buying a 2 family, and operating one full unit as an STR, and that that was determined to be prohibited.

Councilor Piccirilli asked for clarification on how accessory buildings differ from previous examples of home occupations.

Assistant Director Schreiber responded that they, along with other rooms and spaces, could be allowed upon special permits, but that the proposed ordinance would allow room shares by right.

Councilor Piccirilli asked if it was safe to say that if the proposed ordinance fails, STRs will still be prohibited and the code enforcement team has the ability to shut them down.

Assistant Director Schreiber responded yes, that it will remain as is.

Councilor Piccirilli stated that, speaking on behalf of the administration, STRs will be prohibited should the proposed amendment fail and that the code enforcement team has the ability to shut them down.

City Manager Proakis reiterated a point that Mr. Shreiber made, which is that while if this proposed ordinance is voted down, they administration can enforce against the prohibited practice of STRs, but that it would be better and more effective to write into the use table language that clearly defines STRs and outright prohibits them. That would bring uniform clarity to use for future use and possible disputes.

Councilor Piccirilli stated that ultimately the problem he sees with the zoning amendment is the inherent conflict between it and language elsewhere in the ordinance, particularly with “Dwelling” and “Home Occupation” which puts significant restrictions on the operations on home businesses including prohibiting STRs as accessory uses in residential districts. He continued to remark that if the proposal were to pass, that Watertown will create two tiers of home businesses, one where STRs are allowed to operate by right, and all other home business need to obtain a special permit including examples like giving piano lessons in your home. He then asked why we would want to do this? He remarked that Air BnB is a large corporation, and that the core question is why this multi-billion-dollar corporation would be allowed by right in residential districts, where other businesses are either prohibited or allowed under special permit. He remarked that

STRs have negatively affected residents' quality of life over the years, and the community has asked that the Council do something about it. He concluded in saying that if the Council were to pass this, that they would be allowing every residential district to be a mix use district by right specifically for the benefit of global companies like Air BnB and Vrbo to the detriment of the public health and safety, and due to that fact, he will be voting no.

Councilor Gannon remarked that currently there are roughly 150 units that are listed on platforms as STRs in the City, and asked what amount Watertown gets in return with regard to revenue.

Assistant Director Schreiber responded that it is 6%, the same as hotels.

Councilor Gannon remarked that Watertown received roughly \$120k through the units, which roughly means that the STRs total revenue is an estimated amount of \$2,000,000. He then asked if there is any explicit permission for Watertown to receive the \$120k from STRs.

Assistant Director Schreiber responded that it is not specifically allowed in the code.

Councilor Gannon then stated that if the amendment were to pass, which would legalize STRs, then that would lead to significant investments in STRs. He continued to say that there may be situations where operators could be incentivized to make more bedrooms out of say living rooms or family rooms so long as the unit doesn't exceed 5 bedrooms, or potentially altering a 2-family house into a single family, which would lead to a net decrease in housing units for permanent residents or long term tenants. That effect would lead toward a more transient environment and cause a detriment to the community.

Councilor Gannon remarked that he has sat on committees that have heard these issues in the past and has a record of voting to limit sizes of STRs, and that that is indicative of his feeling that adding STRs causes strain upon the quality of the community. He concluded by saying that he wants to incentive affordable housing, and a sense of community, so he will be voting no.

Councilor Feltner stated that this zoning ordinance has been brought forward because STRs have been occurring in Watertown for over seven years without much regulation. Over the years, there have been several complaints of STRs, but those operators were either absentee owners, or people buying 2 families with sole purpose of using one unit as a STR. The amendment sets regulations to prohibit those practices, and the proposed amendment does not affect long term units or affordable units. She continued to remark that STRs are not a new economy, but this amendment is focused on proposing strict barriers in which this existing state condoned business model can operate in. She stated that the typical current use of STR in Watertown are in fact single bedroom in owner occupied properties at specific times, such as graduations, medical visits, or other specific area events, and not large vacation type uses. She went on to state that a positive of the amendment includes yearly inspections of these homes that promote safe dwellings.

Councilor Feltner asked the Director of Planning to explain the merits of by right zoning for STRs, and how having explicit language in code that promotes regulations for STRs makes it easier to enforce them.

Assistant City Manager of Community Development Planning Steve Magoon replied that

when the process started, there was a community forum where the consensus was that it made more sense to regulate it than turn a blind eye to it. He continued to remark that through the years the ordinance has evolved greatly.

Councilor Feltner asked Mr. Magoon to explain that, if this amendment was adopted, it replaces ambiguity of accessory house use etc.

Assistant City Manager Magoon replied that that is correct, and that language would clarify different dwellings and uses.

Councilor Feltner asked Mr. Magoon to confirm that any person operating an STR in a condo would have to get permission from the condo association.

Assistant City Manager Magoon confirmed that to be true.

Councilor Feltner asked for confirmation that the staff has looked into these illegally run STRs.

Assistant City Manager Magoon replied that while they do not want a scenario of neighbor enforcement, any time there has been reports or complaints made of infractions, the enforcement staff has investigated. He continued to say that because this item was pending for some time, he did not ask staff to go out and proactively enforce as the regulations were bound to change one way or another.

Councilor Feltner asked Mr. Magoon to confirm that this ordinance creates a much more strictly documented agreement including registration and abutters notices.

Assistant City Manager Magoon confirmed that to be true.

Councilor Feltner then asked City Manager Proakis to speak to the concern of the City's lack of resources to enforce regulations.

City Manager Proakis replied that the administration runs a nimble staff where a few enforcement personnel wear a lot of hats. He recognized that the administration can't handle everything they would like to year in and year out and said that the staff and administration is not well structured to pro-actively enforce these types of regulations. The City would have to add staff in order to have dedicated individuals scouring websites and properties to enforce violators, or the City could hire an outside firm to do so; either way, it would come at a cost.

Assistant City Manager Magoon reiterated that they haven't had any dedicated staff for enforcement because the outcome of the ordinance is yet to be determined. He continued to say once the outcome is reached, they would be able to take the first steps in deciding what is needed.

Councilor Airasian remarked that he has heard arguments on both sides of the issue, but to him, the issue comes down to quality of life. He stated that Watertown's neighborhoods are precious, and that many have had to take on added pressure with a lot of development. He continued to say that if people want to temporarily stay in Watertown, they can stay at Watertown's hotels as opposed to clogging up neighborhoods with no vested interests. He claimed STRs do not improve the quality of life for residents that have

been here for 1 or 30 years, and thus he will vote no.

Councilor Bays asked if it is possible to turn a two family into a single family.

Assistant Director Schreiber replied yes.

Councilor Bays stated that she discovered 38 independent locations of STRs on Air BnB and Vrbo platforms in Watertown, and out of those, there were 2 properties that said they unit could house 8 people, and one that could house 10, but that both were illegal for lack of bedrooms. She continued to state that it's easy to determine which ones were not owner occupied, and that she determined there to be 8 owner occupied units. She then remarked that the best thing would be to take what would be made illegal Air BnB's off the website, and asked what that process would look like.

Assistant Director Schreiber replied that the staff would contact the website and report them, there would then be a warning, and then a shut down if the violation persisted.

Councilor Bays asked to confirm that if they were to vote down the amendment, then business would continue as usual.

Assistant Director Schreiber replied no, that if the amendment is voted down, there would be proactive enforcement to get the listings off the platform as an active user.

City Manager Proakis clarified that a vote either way would result in shutting down absentee owners. He then stated that if this resulted in an overwhelming work load, they would address the staff enforcement issue at that point.

President Sideris remarked that the expectation should not be that illegal STRs are going to be shut down overnight, but that it will be a process.

Councilor Gardner remarked she entered tonight intending to vote yes, and that cost for enforcement is going to be a factor regardless of what they decide. She continued to say that the housing stock is a red herring because this ordinance would only allow owner occupants to be operators of STRs. She believes that the ordinance should give the administration the teeth to go after violators. Through experiences engaging with the community, she recognized that there have been some bad experiences, but that there are many people who responsibly operate STRs to help them afford to live and stay in Watertown. She remarked that she is empathetic to the single moms and the commission-based individuals who rely on this option to be a part of the community. She herself rented out her own property after very careful vetting, and it turned out to be a positive experience to all involved. She stated that she wants to protect the property rights of individuals, who can legally rent part of their space for 31+ days, to have the ability to rent the same space for 4 days at a premium if it helps them stay as neighbors.

Councilor Palomba remarked that this is a fairly complicated topic, and balanced the pros of STRs bringing money into the Watertown as well as a source of income for owner occupant operators with the cons of possible disturbances to the communities. He concluded by saying that he wanted to wait to hear what friendly amendments his fellow Councilors had before making a decision.

Councilor Feltner moved to make a friendly amendment to reduce the capacity limit from

10 to 8, which in almost all cases would result in securing a bedroom for the homeowner. She then remarked that she knows individuals who, if this ability to rent out rooms is taken away from them, they will have to sell their home, so in good conscience she can't vote no, is trying to find a way to make it more palatable so it may pass.

Councilor Gardner seconded the motion.

The amendment failed 6 No (Palomba, Piccirilli, Airasian, Gannon, Izzo, Sideris) to 3 Yes (Bays, Feltner, Gardner) in a Roll Call Vote.

Councilor Palmoba moved to make a friendly amendment to eliminate the home share unit use and enforce that the only permittable STR would be one where the owner is present.

Councilor Gardner seconded.

Councilor Palomba stated that he believes the major concerns come from the scenario where an entire unit is rented out, as opposed to an owner occupant renting out spare bedrooms, and that is the reason behind his amendment.

Councilor Feltner emphasized the difference between hosting someone in their own home where the owner specifically vets.

The amendment failed 5 No (Piccirilli, Airasian, Gannon, Izzo, Sideris) 4 Yes (Feltner, Palomba, Bays, Gardner) in a Roll Call Vote.

President Sideris thanked the members of the Committee on Rules and Ordinance over the years, Planning and Zoning staff, and the members of the public who have reached out. He continued to say that what has been going on is a shadow business that hasn't met a lot of regulations. He stated that there is an opportunity tonight to either regulate this business or say that the community does not want it. He stated that he will be voting no, as a lot has already been asked of the community and recognized that there are many more voices of people who are against the zoning amendment. He concluded in saying that if this amendment indeed fails, that there needs to be specific language to go into code that specifically outright bans STRs.

City Attorney Reich remarked that it has been a robust discussion. Regarding the language of the zoning code, he reiterated that though this practice of STRs is not allowed, action will have to be taken to explicitly say so. He stated that the Council voting this down will serve as the policy guideline. He concluded that it will be easier to enforce something with clarity.

The motion to approve the proposed zoning amendment ordinance failed 6 No (Airasian, Gannon, Izzo, Palomba, Piccirilli, Sideris) 3 Yes (Bays, Feltner, Gardner) in a Roll Call Vote.

President Sideris then asked for a motion to work with City Attorney Reich to prepare what is necessary to amend zoning code to outright ban STRs.

Councilor Piccirilli made the motion and Councilor Gannon seconded.

The motion passed unanimously in a Voice Vote.

B. Public Hearing and Vote on an Amendment to the FY2024 Budget to Fund WMEG Agreement

City Manager Proakis stated that this funds the Watertown Municipal Employees Group Agreement which includes retro pay for FY23 as well as FY24. A total of \$160,500 will be transferred from the Collective Bargaining Stabilization Account to the City Council Reserve in order to facilitate it.

Councilor Piccirilli moved to approve the budget amendment and Councilor Feltner seconded.

The motion passed unanimously in Roll Call Vote.

10. MOTIONS, ORDINANCES, ORDERS, AND RESOLUTIONS

A. Resolution Authorizing a Transfer of Funds in the Amount of \$20,00 from the FY24 Procurement Full Time Salaries Account to the FY24 Procurement Contracted Services Account

City Manager Proakis stated that there is an assistant procurement position that is till posted, but they now have an opportunity to take on a temporary staff member to help clear up some back log in procurement until a permanent staff member is hired. The transfer is necessary to facilitate this action.

Councilor Piccirilli moved to approve the transfer and Councilor Feltner seconded.

The motion passed unanimously in a Roll Call Vote.

B. Resolution Authorizing a Transfer of Funds in the Amount of \$35,000 from the FY24 City Council Reserve to the FY24 BB&N Field Lights Account

City Manager Proakis stated that the City has a great relationship with BB&N in sharing use of their new field. As part of the agreement, Watertown takes on responsibility for lighting the field when it the City uses it, which is often. This transfer represents paying that light bill.

Councilor Piccirilli moved to approve the transfer and Councilor Feltner seconded.

The motion passed unanimously in a Roll Call Vote.

C. First Reading on a Proposed Loan Order that the sum of \$2,625,000.00 is appropriated to pay costs of the reconstruction of various streets and sidewalks as part of the Fiscal Year 2024 - 2028 Capital Improvement Program, including George Street, Bromfield Street, Mangano Court,

Grandview Avenue, and Dwight Street, and including costs of the design, engineering, construction, construction administration services, installation of curbing, bicycle lanes, tree plantings and other appurtenant work, and further including the payment of all costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the City Manager, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefore.

City Manager Proakis presented the First Reading.

11. REPORTS OF COMMITTEES

There were no Reports of Committees.

12. NEW BUSINESS

There was no New Business.

13. COMMUNICATIONS FROM THE CITY MANAGER

A. Request for Confirmation of Appointment to the Stormwater Advisory Committee

City Manager Proakis requested Warren Tolman be appointed as a member of the Storm Water Committee to a term expiring July 15, 2026.

President Sideris stated that this referral goes to the Committee on Public Works.

B. Request for Confirmation of Reappointment to the Board of Assessors

City Manager Proakis requested that Kathleen Colleary be reappointed as a member of the Board of Assessors to a term expiring May 15, 2027.

President Sideris stated that this referral goes to the Committee Personnel and City Organization.

C. Request for Confirmation of Reappointment to the Traffic Commission

City Manager Proakis requested that Robert Airasian be reappointed to the Traffic Commission to a term expiring May 15, 2026.

President Sideris stated that this referral goes to the Committee on Public Safety.

D. Community Development & Planning Organizational Update

City Manager Proakis stated that this document (attached) will be a sneak peek into an update of the organizational chart and part of the FY25 Budget. He noted that the most significant changes and time sensitive items include the removing the Assistant Planning Director position and replacing it with three positions – two division heads that are a lower rate than current Director but above current Assistant Director, and one entry level position. This creates three divisions that each answer to the Director, and four teams which are smaller than the divisions. The divisions are Building, Community Design, and Planning and Zoning. The teams are Events, Wellness, Sustainability, and Code Enforcement.

He continued to announce that his immediate plan is to promote Gideon Schreiber from Assistant Director of Planning for the Development of Community Planning to the title of Director of Planning and Zoning and to continue to fill part time the Energy Advocate and the Senior Planners for Open Space and Economic Development roles.

He then thanked the community for attending the Watertown Square Meeting on April 4th, and asked people to fill in the feedback forms. He stated he is seeking a community member to become an alternate member of the Planning Board.

14. REQUESTS FOR INFORMATION/REVIEW OF LIST OF PENDING MATTERS

Councilor Feltner requested what the status was of screening the roof top utilities at 48 North Beacon, what is the status of the Host Community Agreements with local cannabis businesses, and what is the status of enhanced notification materials.

15. ANNOUNCEMENTS

Councilor Bays announced her annual meeting on April 16th.

Councilor Feltner announced that tonight was the kick off of the Watertown Schools art show at the Watertown Mall.

President Sideris announced the grand opening of the Watertown Cable Television facility.

16. PUBLIC FORUM

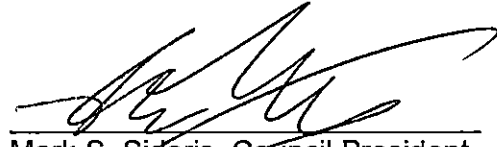
17. RECESS OR ADJOURNMENT

Councilor Piccirilli made a motion to adjourn and Councilor Feltner seconded.

The motion was adopted unanimously in a Voice Vote.

The meeting adjourned at 10:11 p.m.

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above minutes were adopted by a vote of ___ for, ___ against, ___ present on April 23, 2024.


Mark S. Sideris, Council President
s:/BTM

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Caroline Bays,
Councilor At Large
Nicole Gardner,
District A Councilor

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor

John G. Gannon,
Councilor At Large
Lisa J. Feltner,
District B Councilor

John M. Airasian,
Councilor At Large

Anthony Palomba,
Councilor At Large
Emily Izzo,
District D Councilor

City Council Meeting
Tuesday, April 9, 2024 at 6:30 PM
List of Documents

1. Arbor Day Proclamation– Item 8A
2. Short Term Rental Ordinance and PB Report– Item 9A
3. FY2024 Budget Amendment - WMEG– Item 9B
4. Transfer of Funds FY24 Procurement Full Time Salaries – FY24 Procurement Contracted Services Account– Item 10A
5. Transfer of Funds FY24 City Council Reserve – FY24 BB&N Field Lights Account – Item 10B
6. Proposed Loan Order Sidewalks and Streets – Item 10C
7. Request for Confirmation – Stormwater Advisory Committee– Item 13A
8. Request for Confirmation – Board of Assessors – Item 13B
9. Request for Confirmation – Traffic Commission – Item 13C
10. Community Development & Planning Organization Update – Item 13D
11. Former Councilor Kounelis Email
12. Judi Fitts Email

**ADDENDUM TO THE
MINUTES OF THE APRIL 9,
2024 CITY COUNCIL
MEETING**



City Council Meeting

Tuesday, April 9, 2024 at 6:30 PM
Richard E. Mastrangelo Council Chamber

Agenda

ACCESS INFORMATION:

- A. This meeting will be held on April 9, 2024 at 6:30 P.M. Location: Richard E. Mastrangelo Council Chamber
- B. The meeting will be televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/watch-now?site=3>
- C. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/92991331344>
- D. Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 929 9133 1344
- E. Public may comment through email: vpiccirilli@watertown-ma.gov
- F. Please Visit the City Council Website here: <https://www.watertown-ma.gov/350/City-Council>

-
- 1. ROLL CALL
 - 2. EXECUTIVE SESSION - 6:30 P.M.
 - A. Executive Session pursuant to G.L. c. 30A, sec 21(a)(3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares - Robert Degeis v. City of Watertown, Department of Industrial Accidents Case No. 4162195
 - 3. RETURN FROM EXECUTIVE SESSION 7:00 P.M.
 - 4. PLEDGE OF ALLEGIANCE
 - 5. PUBLIC FORUM
 - 6. EXAMINATION OF RECORDS OF PREVIOUS MEETINGS
 - A. Minutes from City Council Meeting March 26, 2024
 - 7. PRESIDENT'S REPORT
 - 8. PRESENTATION OF PETITIONS, PROCLAMATIONS, AND SIMILAR PAPERS AND MATTERS
 - A. Arbor Day Proclamation
 - 9. PUBLIC HEARINGS
 - A. Public Hearing and Vote on a Zoning Code Amendment Regarding Short Term Rentals

- B. Public Hearing and Vote on an Amendment to the FY2024 Budget to Fund WMEG Agreement
- 10. MOTIONS, ORDINANCES, ORDER, AND RESOLUTIONS
 - A. Resolution Authorizing a Transfer of Funds in the Amount of \$20,000 from the FY24 Procurement Full Time Salaries Account to the FY24 Procurement Contracted Services Account
 - B. Resolution Authorizing a Transfer of Funds in the Amount of \$35,000 from the FY24 City Council Reserve to the FY24 BB&N Field Lights Account
 - C. First Reading on a Proposed Loan Order that the sum of \$2,625,000.00 is appropriated to pay costs of the reconstruction of various streets and sidewalks as part of the Fiscal Year 2024 - 2028 Capital Improvement Program, including George Street, Bromfield Street, Mangano Court, Grandview Avenue, and Dwight Street, and including costs of the design, engineering, construction, construction administration services, installation of curbing, bicycle lanes, tree plantings and other appurtenant work, and further including the payment of all costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the City Manager, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.
- 11. REPORTS OF COMMITTEES
- 12. NEW BUSINESS
- 13. COMMUNICATIONS FROM THE CITY MANAGER
 - A. Request for Confirmation of Appointment to the Stormwater Advisory Committee
 - B. Request for Confirmation of Reappointment to the Board of Assessors
 - C. Request for Confirmation of Reappointment to the Traffic Commission
 - D. Community Development & Planning Organizational Update
- 14. REQUESTS FOR INFORMATION/REVIEW OF LIST OF PENDING MATTERS
- 15. ANNOUNCEMENTS
- 16. PUBLIC FORUM
- 17. RECESS OR ADJOURNMENT

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Caroline Bays,
Councilor At Large

Nicole Gardner,
District A Councilor

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor

John G. Gannon,
Councilor At Large

Lisa J. Feltner,
District B Councilor

John M. Airasian,
Councilor At Large

Anthony Palomba,
Councilor At Large

Emily Izzo,
District D Councilor

CITY COUNCIL ATTENDANCE
MEETING DATE: APRIL 9, 2024

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to enter into Executive Session

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to accept minutes from City Council Meeting March 26, 2024

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to accept the Proclamation for Arbor Day



Watertown City Council

Administration Building

149 Main Street

Watertown, MA 02472

Phone: 617-972-6470

ARBOR DAY PROCLAMATION

WHEREAS: In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and,

WHEREAS: This holiday, called Arbor Day, was first observed with the plantings of more than one million trees in Nebraska; and,

WHEREAS: Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate temperature, clean the air, produce oxygen, and provide a habitat for wildlife; and,

WHEREAS: Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and,

WHEREAS: Trees in our cities increase property values, enhance the economic vitality of our business area, and beautify our community; and,

WHEREAS: Trees, wherever they are planted, are a source of joy and spiritual renewal;

NOW THEREFORE BE IT RESOLVED: That the City Council of the City of Watertown is proud to proclaim April 26, 2024 as **ARBOR DAY** and urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

IN WITNESS WHEREOF,

I hereunto set my hand
And caused the Great Seal of
The City of Watertown on this
9th day of April 2024.

Mark S. Sideris, Council President



CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	YES	NO	PRESENT
JOHN M. AIRASIAN	_____	___X___	_____
CAROLINE BAYS	___X___	_____	_____
LISA J. FELTNER	___X___	_____	_____
JOHN G. GANNON	_____	___X___	_____
NICOLE GARDNER	___X___	_____	_____
EMILY IZZO	_____	___X___	_____
ANTHONY PALOMBA	_____	___X___	_____
VINCENT J. PICCIRILLI JR.	_____	___X___	_____
MARK S. SIDERIS, COUNCIL PRESIDENT	_____	___X___	_____

Motion to amend the proposed zoning ordinance to limit the number of guests allowed in an STR at one time from 10 to 8

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	YES	NO	PRESENT
JOHN M. AIRASIAN	_____	___X___	_____
CAROLINE BAYS	___X___	_____	_____
LISA J. FELTNER	___X___	_____	_____
JOHN G. GANNON	_____	___X___	_____
NICOLE GARDNER	___X___	_____	_____
EMILY IZZO	_____	___X___	_____
ANTHONY PALOMBA	___X___	_____	_____
VINCENT J. PICCIRILLI JR.	_____	___X___	_____
MARK S. SIDERIS, COUNCIL PRESIDENT	_____	___X___	_____

Motion to amend the proposed zoning ordinance to exclude home share units.

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	YES	NO	PRESENT
JOHN M. AIRASIAN	_____	____X____	_____
CAROLINE BAYS	____X____	_____	_____
LISA J. FELTNER	____X____	_____	_____
JOHN G. GANNON	_____	____X____	_____
NICOLE GARDNER	____X____	_____	_____
EMILY IZZO	_____	____X____	_____
ANTHONY PALOMBA	_____	____X____	_____
VINCENT J. PICCIRILLI JR.	_____	____X____	_____
MARK S. SIDERIS, COUNCIL PRESIDENT	_____	____X____	_____

Motion to adopt the proposed Zoning Amendment Ordinance as written.



Watertown City Council

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

ELECTED
OFFICIALS:

ORDINANCE #

2024 – O –

Mark S. Sideris,
Council President

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor

John M. Airasian
Councilor At Large

Caroline Bays
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor,

WHEREAS, pursuant to Massachusetts General Laws Chapter 40A, Section 5, and the Watertown Code of Ordinances, Title XV, Land Usage, Chapter 155, Zoning Code, Article IX, Enforcement and Application Procedures, §9.20, Amendments to Zoning Ordinance, the Zoning Ordinance may be amended from time to time; and

WHEREAS, on January 24, 2023, the City Council conducted a first reading on amendments the Zoning Code in regard to Article II, Definitions, and Article V, Tables of District Regulations, §§ 5.02, 5.03, and a new §5.19, to regulate short-term rentals; and

WHEREAS, on March 13, 2024, with four members present, the Planning Board voted to recommend approval of the amendments and directed Department of Community Development and Planning staff to submit the Planning Board's report and recommendations to the City Council with respect to the proposed amendments; and

WHEREAS, on April 9, 2024 the City Council conducted a duly advertised Public Hearing with respect to the proposed Amendment.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown that Title XV, Chapter 155 of the Watertown Code of Ordinances, the Zoning Code, is hereby amended, with the bold and underlined language inserted and the strike through language deleted, as follows:

- I. Article II, Definitions– insert a new Section 2.76 alphabetically (after Section 2.75, 4 Setback) to define short-term rental for zoning regulation, as follows with all subsequent sections renumbered sequentially as necessary.

Proposed Language:

Section 2.76 Short-Term Rental(s)

Any rental of the owner's primary residence or of a bedroom within their primary residence, in exchange for payment, as residential accommodations for a duration of not more than thirty-one (31) consecutive days.

- II. Article V, Table of District Regulations – delete the language found in Section 5.02(a) and insert in place therein the new Section 5.02(a) Short-Term Rental, as follows, with a note added to reference the proposed Ordinance.

SECTION 5.02 TABLE OF ACCESSORY USE REGULATIONS

	Accessory Use Only	S-6	S-10	C R	SC	I	R.7 5	R1. 2	N B	LB	C B	I- 1	I- 2	I- 3	PSC D	OS C	RM UD
a.	Within a dwelling unit that is owner occupied, renting of not more than two rooms as a lodging without separate cooking facilities and for not more than two lodgers	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	SP	SP	N	N	N
a	<u>Short-Term Rental (21)</u>	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

- III. Article V, Table of District Regulations – insert a new note in Section 5.03, Notes to Table of Use Regulations, as follows:

(21) Notwithstanding Section 4.03, Short-Term Rentals may be allowed as an accessory use within residential dwelling units in all districts, as specified in Section 5.19.

- IV. Article V, Table of District Regulations – insert a new Section 5.19, Short-Term Rentals, with the zoning requirements for Short-Term Rentals, as follows:

SECTION 5.19 SHORT-TERM RENTALS

(a) Intent and Purpose

This Section is intended to make the operation of Short-Term Rentals legal for residents, promote the safety of renters and residents, ensure that the primary use remains residential, and ensure that short-term rentals will not be a detriment to the character and livability of the surrounding residential neighborhood.

(b) Definitions

For purposes of this section of the Ordinance, the following terms shall have the following meanings:

- (1) **Booking Agent: Any person or entity that facilitates reservations or collects payment for a Short-Term Rental on behalf of or for an Operator.**
- (2) **Short-Term Renter: Any person or persons occupying a dwelling unit, or a bedroom within a dwelling unit, as a Short-Term Rental for a duration of not more than thirty-one (31) consecutive days.**
- (3) **Operator: The person that seeks to offer a residential dwelling unit or bedroom as a Short-Term Rental, who is the owner of the dwelling unit, and with the written permission of the condominium association if applicable. Only one owner may be**

registered as an Operator on the Short-Term Rental Registry for a Residential Unit.

- (4) Limited Share Unit: consists of a private bedroom or shared space at the primary residence of the Operator while the Operator is present. Occupancy is limited to a maximum of two guests per legal bedroom, with a maximum of six guests. One bedroom must be reserved for the Operator.
- (5) Home Share Unit: consists of a whole unit available for a Short-Term Rental which is the primary residence of the Operator. Occupancy is limited to a maximum of two guests per legal bedroom, with a maximum of 10 guests.
- (6) Primary Residence – The Residential Unit which is the Operator’s domicile for at least nine months out of a twelve-month period. In the event that the Operator is not a natural person, the Residential Unit must be the domicile of a natural person with an ownership interest in the entity which equals or exceeds fifty (50) percent.
- (7) Registration Number – A unique identification number generated for a single Residential Unit registered as a Short-Term Rental. Registration Numbers shall be valid for the calendar year during which they are assigned and shall be associated with both a single Residential Unit and a single Operator. The Registration Number must be included on any listing or advertisement offering a unit as a Short-Term Rental.
- (8) Residential Unit—A Residential Unit is a dwelling unit within a dwelling classified as a residential use, as those terms are defined in the Code, but excluding: a congregate living complex; elderly housing; a group residence; and transitional housing. The term “Residential Unit” shall not include a hotel, motel, executive suite, or other commercial or non-residential use.
- (9) Short-Term Rental Registry – the database maintained by the city that includes information on Operators who are permitted to offer their Residential Units as Short-Term Rentals. The Short-Term Rental Registry may be a stand-alone registry or may be incorporated into an electronic database maintained by the City, provided that the location of the Short-Term Rental with the Short-Term Rental Registry shall be made public.

(c) Applicability

The requirements of this Section shall apply to all short-term rentals in all districts where residential uses are located but shall not apply to principal transient accommodations including Hotels.

(d) Regulations

The Director of the Department of Community Development and Planning (DCDP) or the Director’s designee, shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section. DCDP is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this section.

(e) Requirements: Only operator-occupied Short-Term Rentals are permitted as follows:

- (1) No one shall operate a Short-Term Rental in Watertown without first registering with the DCDP and obtaining a certificate of registration from DCDP. Said registration shall be subject to annual renewal.**
- (2) An Operator may rent to only one party of guests at a given time.**
- (3) An Operator may rent to that party of guests either:**
 - a. Limited Share Unit: An Operator may offer a Limited Share Unit as a Short-Term Rental; or**
 - b. Home Share Unit: An operator may offer a Home Share Unit as a Short-Term Rental.**
- (4) A dwelling unit or bedroom offered for Short-Term Rentals shall comply with all standards and regulations promulgated by DCDP.**
- (5) All Short-Term Rental operators shall register with the State and DCDP prior to short-term rental use and occupancy, showing conformance with regulations in place.**
- (6) Operators shall comply with all applicable federal, state, and local laws and codes, including but not limited to the Fair Housing Act G.L.c. 151b and local equivalents and regulations related thereto, and all other regulations applicable to residential dwellings.**
- (7) Operators of Short-Term Rentals shall remit to the appropriate body all fees and taxes as required by city and/or state authorities.**
- (8) Short-Term Rental operators shall comply with the liability insurance requirements set forth in G.L. c. 175, Section 4F.**
- (9) Renting for an hourly rate, or for rental durations of less than one day, shall not be permitted.**
- (10) Notifications:**
 - a. The Operator shall include the Registration Number issued by DCDP on any listing offering the Residential Unit as a Short-Term Rental and shall post a sign on the inside of the Residential Unit providing information on the location of all fire extinguishers in the dwelling unit and the maximum number of occupants set by the city for operation as a Short-Term Rental.**
 - b. The Operator shall, within thirty days of approved registration, provide written notice to abutters of a Residential Unit that the Residential Unit has been registered as a Short-Term Rental. For the purposes of this section, an abutter shall be defined as any residential dwelling located within 300 feet of said Residential Unit.**

- (11) Retention of Records: The Operator shall retain and make available to DCDP, upon written request, records to demonstrate compliance with this section, including but not limited to: records demonstrating number of months that Operator has resided or will reside in Residential Unit; records showing that Operator is the owner of Residential Unit offered as a Short-Term Rental; and records demonstrating number of days per year that Residential Unit is offered as a Short-Term Rental. The Operator shall retain such records for a period of three years from the date the Residential Unit is registered with the City of Watertown.

(f) Ineligibility

The following residential units are not eligible to be offered as Short-Term Rentals: Residential Units designated as below market rate or income-restricted, that are subject to affordability deed restrictions or covenants, or that are otherwise subject to housing or rental assistance under local, state, or federal law.

Council Member

I hereby certify that at a regular meeting of the City Council for which a quorum was present, the above Ordinance was adopted by a vote of ___ for, ___ against, and ___ present on April 9, 2024.

Brendan McCarthy, Council Clerk

Mark S. Sideris, Council President



CITY OF WATERTOWN

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PLANNING BOARD REPORT

This Report provides the Planning Board's recommendation to the Honorable Council for the Council's public hearing on a Zoning Text Amendment for regulating short-term rentals.

ZONING AMENDMENT:	Article II, Definitions; Article V, §5.02, Table of Accessory Use Regulations; §5.03, Notes to Table of Uses; NEW §5.19 Short-Term Rentals
DATE OF CITY COUNCIL FIRST READING:	January 23, 2024
STAFF RECOMMENDATION:	Adopt Zoning Amendment
DATE OF PLANNING BOARD HEARING:	March 13, 2024
PLANNING BOARD RECOMMENDATION:	Adoption (4-0)

I. PUBLIC NOTICE

A. Procedural Summary:

As required by the Watertown Zoning Ordinance § 9.22, notice was given as follows:

- Published in the newspaper of record (Boston Globe) on February 28 and March 6, 2024; and
- Posted on the City's website and at the Administration Building on February 28, 2024;

B. Planning Board Public Notice:

"City of Watertown Planning Board will hold a public hearing on Wednesday, March 13, 2024 with the meeting starting at 7:00 pm, City Council Chamber, Administration Building, 149 Main St., Watertown, MA. Pursuant to Chapter 2 of the Acts of 2023, or as updated, the meeting will be conducted with remote participation opportunities identified on the agenda posted 48 hours prior to the meeting."

To consider Watertown Zoning Ordinance amendments for Short-Term Rentals as a Use Category (replacing a previous renting of rooms use category) with supporting language, definitions, and a section for the requirements to operate short-term rentals as an accessory use within certain residential dwelling units.”

II. DESCRIPTION

A. Nature of the Request

Over the last five years, the City has considered whether and how to allow Short-Term Rentals (STRs). The latest proposal received a first reading at the City Council on January 23, 2024 and a referral to the Planning Board for public hearing and recommendation. Below is a summary of the current proposed zoning amendment and accompanying regulations. This Planning Board report also includes factual background from staff consisting of information gathered in February 2023 and February/March 2024. The Planning Board’s record included a full copy of the proposed zoning amendment and regulations and relevant excerpts from the November 27, 2023 Report of the City Council Committee on Rules and Ordinance.

In summary, the proposed ordinance and regulations would:

- Define Short-Term Rentals – rental of a dwelling unit, or bedroom of not more than 31 days in a row.
- Table of Accessory Uses – Replace an obsolete use category for renting up to two rooms. STRs, as proposed, would be allowed in all districts with a new note restricting them to be an accessory use within residential dwelling units, and only as allowed within a new section.
- New Section for Short-Term Rentals – Identifies the intent/purpose to allow STRs while ensuring safety, primary residential use, and protecting the character and livability of residential neighborhoods. The use is limited to owner occupied units only, with two types of operations proposed:
 - a. Limited Share Unit: a private bedroom or shared space at the primary residence of the Operator while the Operator is present with occupancy limited to three bedrooms or six guests, whichever is fewer. One bedroom must be reserved for the Operator.
 - b. Home Share Unit: a whole unit available for a short-term rental which is the primary residence of the Operator with occupancy limited to five bedrooms or 10 guests, whichever is fewer.
- Transparency—Operators would be required to register and post the registration number on short-term rental sites. Information on approved operators and short-term rental locations would also be posted on a city-maintained registry. In addition, operators would be required to provide renters with certain information and notify abutters that a unit has been approved to be used for short-term rental.

The section authorizes the Department of Community Development and Planning (Department) to issue regulations that ensure compliance. Accompanying the amendment is a set of draft regulations, which include the following additional points:

- **Proof of Residency**— The regulations specify the evidence that each operator must provide annually to prove their primary residency is at the identified location. These include proof of enrollment in the city’s residential tax exemption program; voter registration; motor vehicle registration; driver’s license or state-issued identification; deed; or utility bill.
- **Inspection**—The regulations provide for inspections to ensure compliance with building/public health/fire codes.
- **Enforcement**—The regulations provide a complaint process and penalties for violations, including suspension of the short-term rental license.

B. Background

1. Pre-November 2021 Planning Board Hearing

The Department started soliciting community input on STRs in February 2018 and in spring 2019 worked with the Boston University Initiative on Cities - Metrobridge to review the public comments from 2018 and identify key points to consider in allowing such rentals.

The Council Committee on Rules and Ordinances held meetings to discuss STRs on August 7, 2019, September 23, 2019, November 25, 2019, February 18, 2020, and March 29, 2021. The Committee reported to the Council on March 29, 2021 recommending language for a STR zoning amendment and draft regulations. On June 22, 2021, the Council referred the proposal to the Planning Board with specific questions: 1) should renters be allowed to offer their premises for short-term rental? and 2) what should be the maximum number of guests?

At the same June 2021 meeting, the Council also voted to adopt G.L. Chapter 64G, Section 3D (a) and (b). Those sections allow municipalities to impose a 3% community impact fee on, respectively, STRs that are “professionally managed” or STRs located in an owner-occupied two- or three-family building. Community impact fees go to support affordable housing or local infrastructure projects.

2. November 2021 Planning Board Hearing

On November 10, 2021, the Planning Board voted 5-0 to recommend allowing STRs, with proposed changes in the language that was referred to the Board for public hearing. There was limited public comment, with a supporter arguing that since STRs are already occurring in Watertown, regulation is needed, and an opponent arguing that “monetizing” homes would tear at the community fabric.

The proposal considered March 13 differed significantly from that considered in November 2021 as “owner adjacent” units are not allowed under the current proposal. An owner-adjacent unit is one located within the same residential building as the owner’s primary residence and where all dwelling units in the building are owned by the Operator (e.g., a two-family). The current proposal also includes additional detail about local registration, proof of residency, transparency and enforcement.

The Board’s 2021 report answered the Council’s questions by recommending that 1) tenants be allowed to operate STRs with owner consent and 2) supporting the proposed maximum number of guests (adding a maximum for owner-adjacent units). It made several other recommendations, most significantly that the term “building and health code requirements” be replaced with “basic habitability and life safety standards” to clarify that owners did not need to comply with the same requirements as new residential units.

3. Council consideration between November 2021 and January 2024

On January 22, 2022, the Council considered the proposed ordinance, along with the Planning Board's report. There was considerable public comment at the meeting, with residents expressing concern about the neighborhood impact of allowing STRs. Particular concerns included increased demand for parking, additional noise and trash, and frequent turnover of renters. The Council referred the matter to the Rules and Ordinance Committee for further consideration of the issues raised during the public hearing.

The Rules and Ordinance Committee held four meetings in 2023 on this topic: January 30, February 13, April 3, and April 20. There was robust public comment, mostly negative about allowing STRs and allowing "owner adjacent" units. Some comments also expressed concern about allowing as many as 10 guests in a five-bedroom house and suggested reducing maximums to six or eight guests even in large houses. Major points included the following:

- There will be a large increase in STRs, particularly if investors can operate;
- Allowing STRs will create parking problems in already dense neighborhoods;
- There will be additional noise and trash, particularly if operators do not live in the same residence;
- Hotels in Watertown will lose customers and might close or cut jobs;
- There will be many transients in residential neighborhoods; and
- Several commenters did not believe that the city would enforce the ordinance/regulations and criticized the city for not shutting down illegal STRs.

Supportive comments about allowing STRs focused on acknowledging the role of the "sharing economy" (e.g., helping owners to age in place), the benefit of having local accommodations for those needing extended visits (e.g., family or hospital visitors) and the need to regulate the STRs already operating here.

The Department provided a memo in February 2023 analyzing the pros and cons of STRs and offering regulatory options. The memo also furnished new information on the operation of STRs in Watertown, including their estimated number and the level of neighborhood complaints. The next section summarizes that information, along with updated data where available.

As indicated in its report, the Committee ultimately voted to eliminate the "owner adjacent" unit category and otherwise tighten the proposal to "regulate STRs and ensure safety while balancing concerns of negative impacts." The Committee voted to submit the updated ordinance language, with two points noted for further discussion:

- Whether the proposed cap on the number of renters per residence be reduced from 10 to 8 per booking (i.e., even in a 5-bedroom dwelling, the maximum would be 8 rather than 2 per bedroom for a maximum of 10); and
- Whether the City should pass/use G.L. c. 40, Section 22F so that administrative/inspection fees can be included in regulations; otherwise, the Council would be required to pass a fee schedule (and amend it as needed).

On January 23, 2024, this matter was referred to the Board for public hearing and recommendation.

C. Findings/Analysis

1. Information on Short-Term Rentals now operating in Watertown

The Commonwealth has an online registry of short-term rental (STR) operators in each city or town. According to this registry, there were 154 registrations in Watertown as of February 27, 2024.¹ These STRs pay their room occupancy excise tax to the Department of Revenue. The data does not provide information on which operators are actively renting, the number of unique rentals, or duration of unique stays, so it is not clear how many are actively operating in Watertown. Moreover, when an operator reverts to renting for more than 31 days, they may remain on the registry.

There were 128 entries in February 2023. However, because of the way the data is kept, it is not clear how much of an actual increase has occurred in the last year.

Based on the commencement date in a separate Mass DOR database, many of these STRs began operating before 2020. The STRs are predominantly in single or two-family homes and mostly appear to be whole units. About 15% appear to be operated by the same person/company.

Over seven of the last eight quarters, tax revenue from STRs has averaged \$31,459 per quarter. There was one outlier—the quarter ending September 30, 2023—that may be attributable to a state-level data issue.² Except for that outlier, STR's percentage of all lodging revenue has been steady since July 1, 2022 (at 8-9%). Between July 1, 2021 through June 30, 2022, that share was between 12-15%.

The city administration can divert time and effort from code enforcement priorities to identify and start enforcement actions against STRs. It has not done so, other than when complaints are received, because the Council is considering allowing STRs. The current enforcement policy is to investigate complaints and obtain prompt compliance.

Between January 2017 and December 31, 2023, there were 27 complaints to code enforcement regarding STRs, most occurring before 2020. In the last nine weeks, there have been 23 such complaints. While some of the older complaints appear to have been triggered by other issues (e.g., noise), the 2024 complaints have not. There appears to be a concerted effort by one or more individuals to shut down STRs by triggering city investigation.

The city's enforcement has consisted of demanding that the operator either cease operation or revert units to month-to-month rentals. If there were other code violations, compliance was required. There have been relatively few repeat complaints once an operator has responded to the initial complaint.

2. Adoption of the Current Proposal

The City has a policy choice between allowing/regulating STRs or taking the initiative in stopping their operation. Either course would likely require the City to increase staff capacity or look at contract services.

If the city decides that STRs will be banned, there should be a strong enforcement effort to stop the operations that may be active-- and to continually act whenever a new STR opens. On the other hand, if

¹ <https://www.mass.gov/info-details/public-registry-of-lodging-operators#search-the-registry->

Under state law, a STR is for 31 days or less. Although some STRs call themselves Bed & Breakfasts or Lodging Houses in the registry, neither are allowed in Watertown.

² Revenue for that quarter jumped 325% from FY23/4Q and 230% from FY23/1stQ for STRs and only 58% and 13% (respectively) for hotels. STR revenue then fell the next quarter to a number much closer to the longer-term average.

legalized, there will still need to be a robust effort to bring current and future STRs into compliance. Experience in surrounding communities indicates that most STRs will not automatically comply with city regulations.³

Legalizing STRs will require at least the following: a webpage that clearly describes the licensing and regulatory requirements; adding STRs to the online permitting system; a checklist and inspection process for code compliance; linking to and posting STR locations online; and a publicized means for residents to report complaints about STRs. The Department believes that the webpages created by Lexington and Brookline are good models.⁴

The two scenarios—legalize or ban—differ financially. While both require administrative capacity, legalizing STRs includes some of the current flow of occupancy taxes and allows for a local registration fee. If the City adopts the proposed ordinance, however, it could not take advantage of the community impact fee authorized by the state, which applies to the kind of STRs that would not be allowed here.

The Planning Board has previously recommended that allowing and regulating STRs is a better course. Allowing and regulating STRs allows Watertown residents to participate in the sharing economy, brings new people to Watertown (potentially supporting local businesses), and makes it easier to maintain safety for those staying in STRs. However, the proposed amendment in its current form will substantially reduce the market and the potential benefits of allowing short-term rentals.

The Board's previous recommendations also acknowledged the potential for some negative impact on neighbors and suggested ways to minimize that impact. The proposed ordinance and regulations incorporated these suggestions—and others from community members—to make the current proposal narrowly tailored to allowing Watertown residents use their own home for short-term rental of a bedroom while they are present or the entire home if they are temporarily away. The current proposal basically eliminates the potential for investors/professional operators because the unit must be the operator's primary residence.

3. City Council Questions

The Committee Report identified specific two questions for the City Council. First, the Committee identified the maximum number of guests as an issue where there was a difference of opinion. The current proposal uses a metric of two guests per bedroom, with a maximum of 10 even if there are additional bedrooms. The majority of "whole unit" STRs are likely to offer between 2 or 3 bedrooms, or between 4 and 6 guests. The argument for a 10-guest maximum is that it allows for a "family" rental, e.g., for a reunion or family event like a college graduation. The argument for an 8-guest (or even 6-guest) maximum is the potential that a larger group will create more impact on neighbors. Staff suggested, before the Planning Board, that rentals involving 10-person rentals are likely to be rare and would lead to relatively few instances of abuse. Staff cited the fact that so few past STR complaints have included noise, trash buildup or other tangible impacts supports allowing a 10-guest maximum. Moreover, staff pointed out that if problems occur, the ordinance can be amended to lower the maximum.

³ While the number of Boston STRs on the state registry in February 2023 was 2,551, the number licensed by the city was only 677. Similarly, Cambridge had 671 on the state registry and 345 licensed. Based on conversations with several other nearby communities, this is a common pattern.

⁴ Lexington: <https://www.lexingtonma.gov/591/Short-Term-Rentals>; Brookline: <https://www.brooklinema.gov/2022/Short-Term-Rentals>.

Second, the Committee highlighted the need to adopt G.L. c. 40, Section 22F if the Council wished to include administrative/inspection fees in regulations. Unless a municipality has adopted this statute, the initial fees and any change in the fees must be approved by City Council. Adoption of this state statute would still require the Council to delegate fee-setting to the city administration. Once adopted, the statute would allow the Council—if it wishes—to similarly delegate other types of fee-setting to a board or commission. Staff suggested that the Council should have the freedom to delegate fee-setting in those instances where flexibility is desirable. Moreover, staff suggested that STR fees are an appropriate area for flexibility because it will take trial-and-error to determine fee levels that both compensate the city for its time/effort in regulating STRs and is appropriate for residents using their own home as part of the “sharing economy.”

To be clear, adoption of an STR ordinance that allows the Department to set fees can occur before the Council decides on adoption of G.L. c. 40, Section 22F. However, this authorization cannot be implemented until and unless the Council adopts G.L. c. 40, Section 22F.

Staff proposed the following language as the second sentence of Section 5.19 (d): **“DCDP is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this section.”**

III. STAFF RECOMMENDATIONS

Staff recommended approval of the proposed Zoning Amendments to define and regulate Short-Term Rentals, based on the findings. Further, Staff recommended that the Board endorse the draft regulations, with changes to conform to the final ordinance on adoption of the Zoning Amendments. Finally, with respect to the two questions posed in the Committee Report, staff recommended that (1) the Zoning Amendments continue to use a 10-guest maximum and (2) the Council adopt G.L. c. 40, Section 22F and add the following as the second sentence of Section 5.19 (d): “DCDP is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this section.”

IV. PUBLIC COMMENT

Six residents testified against allowing short-term rentals and an eighth resident sent an email opposed to STRs. The main reasons for opposition included:

- Concern over neighborhood impacts such as noise and having extra cars on the street.
- Belief that the City will not enforce STR regulations and will not respond to complaints.
- Concern that allowing STRs would reduce property values.
- Belief that there are no community benefits to allowing STRs.

Several of those opposed said that limiting STRs to owner-occupied properties would help reduce impacts but they were unconvinced that this was enough.

One resident spoke in favor, arguing that STRs are part of the “sharing economy” that is now prevalent, that the proposal has now been narrowed to exclude investors, and that responsible homeowners should not be foreclosed from renting extra space or their home when away.

Three residents asked questions about the proposed ordinance: one about “grandfathering” (staff said STRs are not allowed, so there would be no grandfathering) and one about condo units (staff said condo

association consent must be documented, with the necessary majority governed by the condo documents); and one about whether STRs should be treated like a home “occupation.”

V. PLANNING BOARD DELIBERATION AND RECOMMENDATION

The Board deliberated with four members present (Member Whitney absent). Chair Buck and Member Cohen spoke in favor of allowing and regulating STRs. Both said STRs are here and it would be better to establish a framework for them. Both said many of the concerns about STRs are not limited to that form of rental; they are present with multi-generational homes with many occupants and cars, and can be present with longer rentals.

Buck cited two examples of STRs that provide a community benefit: she used one when her daughter had a baby and she needed to stay in another community for 3 weeks, and a family needing to stay near a hospital during someone’s recovery.

Cohen said that banning STRs would send the wrong signal about Watertown: that it was not a welcoming community. He noted that the City has been discussing this since 2018 and that the present proposal is 100% better than the original version and should be approved.

Cohen and Member Hammett exchanged comments about tightening the language on occupancy. Cohen suggested that there is a good argument that owners should be required to have lived in the residence for 9 of the prior 12 months rather than prove they “intend” to do so. Hammett said that STRs might help a new household afford to buy a property and that having to wait 9 months might make the difference. She noted that one of the true benefits to allowing STRs was augmenting the income of people faced with high housing costs. Finally, Hammett said she hoped the City Council would consider putting owner-adjacent units back into the proposed ordinance to support this type of homeowner.

There was discussion on whether the Board should support the 10-guest maximum. Cohen said he was sympathetic to lowering it to 6 or 8. Member Sack said she was not sure about whether 6 or 8 would be better if the maximum was reduced. She also asked if the registration would include the maximum number of guests in the particular unit (staff said yes). Hammett was opposed to lowering the cap. Cohen said that in the absence of a consensus on lowering the maximum, he was willing to move the current proposal forward.

Cohen moved, Hammett seconded, and the Planning Board voted 4-0 to:

(1) recommend approval of the Zoning Amendments with one change: add the following as the second sentence of Section 5.19 (d): “DCDP is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this section.”

(2) endorse the draft regulations, with changes to conform to the final ordinance on adoption of the Zoning Amendments.

A copy of the proposed zoning amendments, with the proposed change in red, along with the draft regulations, are attached as “A.”

ATTACHMENT "A"

Text of proposed zoning amendments... pages 2-5

Text of proposed regulations... pages 6-9

Proposed Zoning Amendments:

- I. Article II – Insert a new Section alphabetically (after Section 2.74 Setback) to define short-term rental for zoning regulation. Subsequent sections would be renumbered.

Proposed Language:

Section 2.75 Short-Term Rental(s)

Any rental of the owner's primary residence or of a bedroom within their primary residence, in exchange for payment, as residential accommodations for a duration of not more than thirty-one (31) consecutive days.

- II. Article V – Strike out Section 5.02(a) and replace with NEW Section 5.02(a) Short-Term Rental. Add a note to reference the proposed Ordinance. This removes an unused section and replaces it with an allowance for short-term rentals. This amendment does not have a requirement for a Special Permit for any scenario, and only requires registration and compliance with new regulations.

Proposed Language:

SECTION 5.02 TABLE OF ACCESSORY USE REGULATIONS

	Accessory Use Only	<u>S-6</u>	<u>S-10</u>	<u>C</u> <u>R</u>	<u>SC</u>	<u>I</u>	<u>R.7</u> <u>5</u>	<u>R1.</u> <u>2</u>	<u>N</u> <u>B</u>	<u>LB</u>	<u>C</u> <u>B</u>	<u>I-</u> <u>1</u>	<u>I-</u> <u>2</u>	<u>I-</u> <u>3</u>	<u>PSC</u> <u>D</u>	<u>OS</u> <u>C</u>	<u>RM</u> <u>UD</u>
a.	Within a dwelling unit that is owner occupied, renting of not more than two rooms as a lodging without separate cooking facilities and for not more than two lodgers	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	N	SP	SP	N	N	N
a	<u>Short-Term Rental (20)</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

- III. Add a new note within SECTION 5.03 NOTES TO TABLE OF USE REGULATIONS, referencing that Short-Term Rentals are only allowed as specified in the new Short-Term Rentals Section within the ordinance.

Proposed Language:

(21) Notwithstanding Section 4.03, Short-Term Rentals may be allowed as an accessory use within residential dwelling units in all districts, as specified in Section 5.19.

IV. Add a new Section 5.19 with the zoning requirements for Short-Term Rentals, as follows.

Proposed Language:

SECTION 5.19 SHORT-TERM RENTALS

(a) Intent and Purpose

This Section is intended to make the operation of Short-Term Rentals legal for residents, promote the safety of renters and residents, ensure that the primary use remains residential, and ensure that short-term rentals will not be a detriment to the character and livability of the surrounding residential neighborhood.

(b) Definitions

- (1) Booking Agent: Any person or entity that facilitates reservations or collects payment for a Short-Term Rental on behalf of or for an Operator.
- (2) Short-Term Rental(s): The use of the owner's primary residence or of a bedroom within their primary residence, in exchange for payment, as residential accommodations for a duration of not more than thirty-one (31) consecutive days.
- (3) Short-Term Renter: Any person or persons occupying a dwelling unit, or a bedroom within a dwelling unit, as a Short-Term Rental for a duration of not more than thirty-one (31) consecutive days.
- (4) Operator: The person that seeks to offer a residential dwelling unit or bedroom as a Short-Term Rental, who is the owner of the dwelling unit, and with the written permission of the condominium association if applicable. Only one owner may be registered as an Operator on the Short-Term Rental Registry for a Residential Unit.
- (5) Limited Share Unit: consists of a private bedroom or shared space at the primary residence of the Operator while the Operator is present. Occupancy is limited to a maximum of two guests per legal bedroom, with a maximum of six guests. One bedroom must be reserved for the Operator.
- (6) Home Share Unit: consists of a whole unit available for a Short-Term Rental which is the primary residence of the Operator. Occupancy is limited to a maximum of two guests per legal bedroom, with a maximum of 10 guests.
- (7) Primary Residence – The Residential Unit which is the Operator's domicile for at least nine months out of a twelve-month period. In the event that the Operator is not a natural person, the Residential Unit must be the domicile of a natural person with an ownership interest in the entity which equals or exceeds fifty (50) percent.
- (8) Registration Number – A unique identification number generated for a single Residential Unit registered as a Short-Term Rental. Registration Numbers shall be valid for the calendar year during which they are assigned and shall be associated with both a single Residential Unit and a

single Operator. The Registration Number must be included on any listing or advertisement offering a unit as a Short-Term Rental.

- (9) Residential Unit—A Residential Unit is a dwelling unit within a dwelling classified as a residential use, as those terms are defined in the Code, but excluding: a congregate living complex; elderly housing; a group residence; and transitional housing. The term “Residential Unit” shall not include a hotel, motel, executive suite, or other commercial or non-residential use.
- (10) Short-Term Rental Registry – the database maintained by the city that includes information on Operators who are permitted to offer their Residential Units as Short-Term Rentals. The Short-Term Rental Registry may be a stand-alone registry or may be incorporated into an electronic database maintained by the City, provided that the location of the Short-Term Rental with the Short-Term Rental Registry shall be made public.

(c) Applicability

The requirements of this Section shall apply to all short-term rentals in all districts where residential uses are located but shall not apply to principal transient accommodations including Hotels.

(d) Regulations

The Director of the Department of Community Development and Planning (DCDP) or the Director’s designee, shall have the authority to promulgate regulations to carry out and enforce the provisions of this Section. **DCDP is authorized to adopt a schedule of reasonable fees to cover the costs associated with the administration of this section.**

(e) Requirements: Only operator-occupied Short-Term Rentals are permitted as follows:

- (1) An Operator may rent to only one party of guests at a given time.
- (2) An Operator may rent to that party of guests either:
 - a. **Limited Share Unit:** An Operator may offer a Limited Share Unit as a Short-Term Rental; or
 - b. **Home Share Unit:** An operator may offer a Home Share Unit as a Short-Term Rental.
- (3) A dwelling unit or bedroom offered for Short-Term Rentals shall comply with all standards and regulations promulgated by DCDP.
- (4) All Short-Term Rental operators shall register with the State and DCDP prior to short-term rental use and occupancy, showing conformance with regulations in place.
- (5) Operators shall comply with all applicable federal, state, and local laws and codes, including but not limited to the Fair Housing Act G.L.c. 151b and local equivalents and regulations related thereto, and all other regulations applicable to residential dwellings.
- (6) Operators of Short-Term Rentals shall remit to the appropriate body all fees and taxes as required by city and/or state authorities.

- (7) Short-Term Rental operators shall comply with the liability insurance requirements set forth in G.L. c. 175, Section 4F.
- (8) Renting for an hourly rate, or for rental durations of less than one day, shall not be permitted.
- (9) Notifications:
 - a. The Operator shall include the Registration Number issued by DCDP on any listing offering the Residential Unit as a Short-Term Rental and shall post a sign on the inside of the Residential Unit providing information on the location of all fire extinguishers in the dwelling unit and the maximum number of occupants set by the city for operation as a Short-Term Rental.
 - b. The Operator shall, within thirty days of approved registration, provide written notice to abutters of a Residential Unit that the Residential Unit has been registered as a Short-Term Rental. For the purposes of this section, an abutter shall be defined as any residential dwelling located within 300 feet of said Residential Unit.
- (10) Retention of Records: The Operator shall retain and make available to DCDP, upon written request, records to demonstrate compliance with this section, including but not limited to: records demonstrating number of months that Operator has resided or will reside in Residential Unit; records showing that Operator is the owner of Residential Unit offered as a Short-Term Rental; and records demonstrating number of days per year that Residential Unit is offered as a Short-Term Rental. The Operator shall retain such records for a period of three years from the date the Residential Unit is registered with the City of Watertown.

(f) Ineligibility

The following residential units are not eligible to be offered as Short-Term Rentals: Residential Units designated as below market rate or income-restricted, that are subject to affordability covenants, or that are otherwise subject to housing or rental assistance under local, state, or federal law.

Proposed Short-Term Rental Regulations:



City of Watertown
Department of Community Development and Planning
149 Main Street
Watertown, MA 02472

SHORT TERM RENTAL REGULATIONS

These regulations are developed pursuant to the Watertown Zoning Ordinance, Section 5.19 Short-Term Rentals, to carry out and provide enforcement requirements for operation of short-term rentals within Watertown. The regulations are intended to provide clear guidance and requirements for Short-Term Rentals to be legal for residents, promote the safety of renters and residents, ensure that the primary use remains residential, and ensure that Short-Term Rentals will not be a detriment to the character and livability of the surrounding residential neighborhoods.

The regulations shall take effect on the date that the Short-Term Rental Zoning Ordinance Amendment goes into effect, with the understanding that there will be a three-month initial timeframe for existing locations to become compliant and properly permitted. This timeframe may be extended by the Department of Community Development and Planning (DCDP) Director upon a written request by a pre-existing Operator explaining the need for an extension.

I. Definitions

The definitions contained in Section 5.19 of the Watertown Zoning Ordinance are incorporated by reference.

II. Information to be Provided to Renters and Abutters

The following information shall be provided to all short-term renters and posted in all Short-Term Rentals in a manner to be determined by the DCDP:

- a. Instructions for disposal of waste per the City of Watertown's rules and the conditions of the particular residence.
- b. A diagram in each bedroom used for Short-Term Rentals and at each point of egress from the dwelling unit, showing the location of emergency exits and fire extinguishers.
- c. Instructions for parking rules and limitations for off-site public parking (including the rules about no parking on sidewalk or planter strips, and the "overnight parking restrictions").
- d. Contact information for the Short-Term Rental operator, or when the operator is not present, the contact information for a locally available contact designated to respond to all

emergencies and problems that may arise during the rental period, whether from renters, neighbors, or municipal authorities.

- e. The Certificate of Registration for the Short-Term Rental, including that portion showing the maximum number of occupants set by the city for operation as a Short-Term Rental.

The Operator must provide written notice to abutters within thirty days of approved registration that a unit has been registered as a Short-Term Rental unit. An abutter is defined as any residential dwelling within 300 feet of the Short-Term Rental unit. Operator may obtain an abutter list from DCDP.

III. Registration and Eligibility

All dwelling units offered for Short-Term Rental shall first register with the municipality and secure a Certificate of Registration and pay all associated fees. The Certificate of Registration shall require the Operator to abide by these Regulations, including:

- a. **Proof of Residency:** Primary residence is demonstrated by showing that as of the date of registration of the Residential Unit on the Short-Term Rental Registry, the Operator has resided at the property for nine of the past twelve months, or that the Operator intends to reside in the Residential Unit for nine of the next 12 months as demonstrated by at least two of the following: proof of enrollment in the city's residential tax exemption program; voter registration; motor vehicle registration; driver's license or state-issued identification; deed; or utility bill. DCDP may require additional documents as needed to corroborate Operator's residency.
- b. **Condominium Consent:** If the property is a condominium unit, the Operator must provide written evidence that the condominium association has consented to the property's use as a Short-Term Rental.
- c. **Inspection:** Prior to issuing or renewing a Certificate of Registration, the Department must conduct an inspection to verify that each dwelling unit and bedroom to be rented to short-term renters meets applicable Building/Health/Fire Code requirements, including those listed in the DCDP's Inspection Checklist. In addition, the inspection shall verify that the Operator and Home Share or Limited Share Unit meet all the requirements set forth in Section II of these regulations.
- d. **Maximum Occupancy.** The definitions of Limited Share Unit and Home Share Unit use both a "two persons per legal bedroom" and total occupancy limit. The two person per bedroom limit is intended to provide a limit considering the number of legal bedrooms in the unit and does not regulate guest living arrangements.
- e. **Renewal:** It is the responsibility of the Operator to renew its certificate of registration annually or upon change of operator. New owners are responsible for ensuring that they re-register with the city to obtain a new Registration Number in order to continue to list the Residential Unit on the Short-Term Registry. If an

Operator offering a registered Residential Unit ceases to use the unit as a Primary Residence, the Operator shall immediately notify the city to remove the unit from the Short-Term Rental Registry.

- f. **Proof of Insurance** – The Operator must show proof of liability insurance complying with G.L. c. 175, Section 4F.
- g. **Listing Information:** The Operator, upon listing a Short-Term Rental or modifying an existing listing, shall file with the municipality an exact duplicate of the listing, including property address. Listings must specify the quantity of off-street parking, if any, and include language relative to Watertown parking regulations.
- h. **Agent Updates:** A Booking Agent with any listings in Watertown shall provide to the municipality on a quarterly basis an electronic report, in a format to be determined by Watertown. The report shall include a breakdown of where the listings are located, whether the listing is for a room or a whole unit, the number of nights each unit was reported as occupied during the applicable reporting period, and the Operator's name and full contact information. Nothing herein shall prohibit a Booking Agent from entering into an agreement with the city to provide registration services for Short-Term Rental Operators.

IV. Short-Term Rental Registry

The City will keep a public registry of approved Operators and Short-Term Rental locations as set forth in the ordinance. [Information placeholder: to be added once the details are finalized by the City for permitting and database location]

V. Complaint Process and Violations

Complaints shall be made to the Department and an investigation shall commence within 30 days. Violations may, at the Director's discretion, result in a warning or a ticket and the maximum fine appropriate per the Zoning Ordinance. Emergencies requiring immediate assistance shall be reported to emergency services, with any needed follow-up reported to the Department during working hours.

Operators who have violated any of the following three (3) or more times within a six (6) months period shall have their registrations automatically suspended:

- (1) the Short-Term Rental Ordinance;
- (2) these Regulations; or
- (3) any municipal ordinance or state law or code relating to excessive noise, improper disposal of trash, disorderly conduct, or other similar conduct.

At the Director's discretion, an Operator's registration may be suspended upon notice of a single violation endangering life or safety, or upon notice of a single egregious violation of the Short-Term Rental Ordinance or these regulations. An example of an egregious violation is falsifying evidence of a Primary Residence.

Suspended Operators may apply for reinstatement. The Director may reinstate the Operator's registration if the Operator presents sufficient evidence that one or more of the violations were not committed and/or the Operator/Short-Term Rental will comply with all applicable requirements during the remainder of the registration period or, if the period has expired, the next period.

VI. Reporting

DCCDP will produce a report to the City Council annually providing information on the number of Short-Term Rentals and complaints about their compliance with any municipal ordinance or state law or code.



Boston Globe Media

Order Confirmation

Town of Watertown
149 Main Street
Watertown, MA 02472

Thank you for placing your advertisement in The Boston Globe.

Your order information and a preview of your advertisement are displayed below for your review. If there are any changes or questions, please contact the Classified Department at 617-929-1500 or email classified@globe.com.

Any and all proposed edits, revisions, and/or other changes to the advertisement must be communicated to us in writing prior to the deadline specified in the Advertising Specs + Deadlines page located at <https://www.bostonglobemedia.com/specs-deadlines>.

Thank you,
Boston Globe Classified Sales

617-929-1500
Monday – Friday 9:30 am - 4:30 pm
classified@globe.com

Order Number	730988	Order Price	\$947.74
Sales Rep.	Lindy Rodriguez	PO No.	
Account	2105782	Payment Type	Invoice
Publication	Boston Globe	Number of dates	2
First Run Date	03/26/2024	Last Run Date	04/02/2024
Payment Type	Invoice		

AD PREVIEW:

City of Watertown
City Council
Administration Building
149 Main Street
Watertown, Massachusetts 02472

LEGAL NOTICE

Watertown City Council Public Hearing: Tuesday, April 9, 2024, 7:00 pm, Council Chamber, Administration Building, 149 Main St. Watertown, MA, with remote access link on the Agenda posted 48 hours prior to the meeting.

To consider Watertown Zoning Ordinance amendments for Short-Term Rentals as a Use Category (replacing a previous renting of rooms use category) with supporting language, definitions, and a section for the requirements to operate short-term rentals as an accessory use within certain residential dwelling units.

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to approve the FY24 Budget Amendment to fund WMEG



Watertown City Council

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

ORDER # 34

O-2024- 34

ORDER ADOPTING AN AMENDMENT TO THE FISCAL YEAR 2024 BUDGET

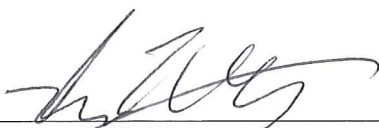
BE IT ORDERED: That the City Council of the City of Watertown hereby adopts an amendment to the Fiscal Year 2024 General Budget as attached.

BE IT FURTHER ORDERED: That a copy of said Order be forwarded to the City Auditor and City Treasurer.

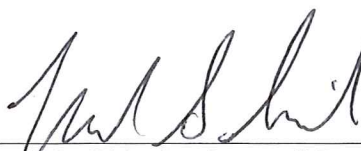


Council Member

I hereby certify that at a regular meeting of the City Council for which a quorum was present, the above resolution was adopted by a vote of 9 for, 0 against, and 0 present on April 9, 2024.



Brendan T. McCarthy, Council Clerk



Mark S. Sideris, Council President

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Caroline Bays,
Councilor At Large
Nicole Gardner,
District A Councilor

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor
John G. Gannon,
Councilor At Large
Lisa J. Feltner,
District B Councilor

John M. Airasian,
Councilor At Large

Anthony Palomba,
Councilor At Large
Emily Izzo,
District D Councilor

**FISCAL YEAR 2024
BUDGET AMENMENT #4**

REVENUE	INCREASE (DECREASE)	TO READ
OTHER FINANCING SOURCES - TRANSFER FROM COLLECTIVE BARGAINING STAB 00100970-497100	\$ 160,500	\$ 640,550
TOTAL REVENUE ADJUSTMENT	<u>\$ 160,500</u>	
EXPENDITURES	INCREASE (DECREASE)	TO READ
CITY COUNCIL RESERVE 0111152-570780	\$ 160,500	\$ 4,746,385
TOTAL EXPENITURE ADJUSTMENT	<u>\$ 160,500</u>	



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: March 21, 2024

RE: Proposed Amendment to the Fiscal Year 2024 Budget

I respectfully request your favorable consideration of the attached Proposed Amendment to the Fiscal Year 2024 Budget.

The Proposed Amendment is related to the Memorandum of Agreement Between the City of Watertown and Watertown Municipal Employee Group for Successor Collective Bargaining Agreement that was ratified on March 13, 2024.

I respectfully request this Amendment be placed on the March 26, 2024 City Council Agenda as a First Reading amending the Fiscal Year 2024 Budget.

Thank you for your favorable consideration in this matter.

**FISCAL YEAR 2024
BUDGET AMENMENT #4**

REVENUE	INCREASE (DECREASE)	TO READ
OTHER FINANCING SOURCES - TRANSFER FROM COLLECTIVE BARGAINING STAB 00100970-497100	\$ 160,500	\$ 640,550
TOTAL REVENUE ADJUSTMENT	<u>\$ 160,500</u>	
EXPENDITURES	INCREASE (DECREASE)	TO READ
CITY COUNCIL RESERVE 0111152-570780	\$ 160,500	\$ 4,746,385
TOTAL EXPENITURE ADJUSTMENT	<u>\$ 160,500</u>	



Boston Globe Media

Order Confirmation

Marilyn Pronvost
Watertown City Council
149 Main Street
Watertown, MA 02472

Thank you for placing your Legal Notice in The Boston Globe.

Your order information and a preview of your notice are displayed below for your review. If there are any changes or questions, please contact the Classified Department at 617-929-1314 or email legals@globe.com.

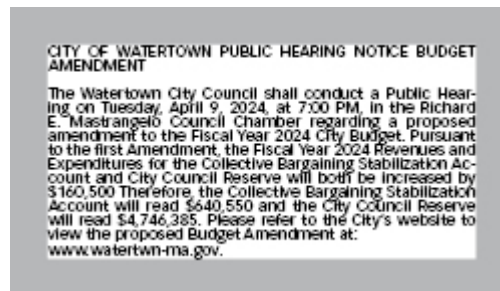
Any and all proposed edits, revisions, and/or other changes to the notice must be communicated to us in writing prior to the deadline specified in the Advertising Specs + Deadlines page located at <https://www.bostonglobemedia.com/specs-deadlines>.

Thank you,
Boston Globe Classified Sales

617-929-1314
Monday - Friday 9:30 am - 4:30 pm
legals@globe.com

Order Number	731280	Order Price	\$380.38
Sales Rep.	Jackson Kocak	PO No.	
Account	3028420	Payment Type	
Publication	Boston Globe	Number of dates	1
First Run Date	03/30/2024	Last Run Date	03/30/2024
Payment Type			

AD PREVIEW:



The Boston Globe | Classified Advertising Proof | Printed on: Mar 29 2024

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	YES	NO	PRESENT
JOHN M. AIRASIAN	<u> X </u>	<u> </u>	<u> </u>
CAROLINE BAYS	<u> X </u>	<u> </u>	<u> </u>
LISA J. FELTNER	<u> X </u>	<u> </u>	<u> </u>
JOHN G. GANNON	<u> X </u>	<u> </u>	<u> </u>
NICOLE GARDNER	<u> X </u>	<u> </u>	<u> </u>
EMILY IZZO	<u> X </u>	<u> </u>	<u> </u>
ANTHONY PALOMBA	<u> X </u>	<u> </u>	<u> </u>
VINCENT J. PICCIRILLI JR.	<u> X </u>	<u> </u>	<u> </u>
MARK S. SIDERIS, COUNCIL PRESIDENT	<u> X </u>	<u> </u>	<u> </u>

Motion to Authorize the Transfer of Funds in the amount of \$20,000 from the FY24 Procurement Full Time Salaries Account to the FY24 Procurement Contracted Services Account



Watertown City Council

Administration Building

149 Main Street

Watertown, MA 02472

Phone: 617-972-6470

RESOLUTION# 35

2024 – R – 35

**RESOLUTION APPROVING A TRANSFER OF FUNDS FROM FISCAL YEAR 2024
PROCUREMENT FULL TIME SALARIES ACCOUNT TO FISCAL YEAR 2024
PROCUREMENT CONTRACTED SERVICES ACCOUNT**

BE IT RESOLVED: That the City Council of Watertown hereby approves the transfer of funds in the amount of \$20,000 from the Fiscal Year 2024 Procurement Full Time Salaries Account to the Fiscal Year 2024 Procurement Contracted Services Account.

BE IT FURTHER RESOLVED: That a copy of said transfer is forwarded to the City Auditor and City Treasurer/Collector.

Council Member

I hereby certify that at a Meeting of the City Council for which a quorum was present, the above resolution was adopted by a vote of 9 for, 0 against, and 0 present on April 9, 2024.

Brendan T. McCarthy, Council Clerk

Mark S. Sideris, Council President

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor

John M. Airasian,
Councilor At Large

Caroline Bays,
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager

Date: March 26, 2024

RE: Agenda Item – Transfer of Funds Request

Attached please find a transfer of funds request in the amount of \$20,000 from the FY24 Procurement Full Time Salaries account to the Fiscal Year 2024 Procurement Contracted Services account to pay for expenses associated with our Temporary Assistant Procurement Director, who is working for the City as a contract employee.

I respectfully request the attached transfer be placed on the April 09, 2024 City Council Agenda.

Thank you for your consideration in this matter.

TRANSFER AMOUNT: \$ 20,000

FROM: FY 2024 PROCUREMENT FULL TIME SALARIES \$ 20,000
0113851-510111

TO: FY 2024 PROCUREMENT CONTRACTED SERVICES \$ 20,000
0113852-530303

I hereby certify to the availability, authority of funding source, mathematical accuracy and appropriate fiscal year.

3/22/2024
DATE

Megan Taylor
CITY AUDITOR

CITY COUNCIL ROLL CALL VOTE
MEETING DATE: APRIL 9, 2024

	YES	NO	PRESENT
JOHN M. AIRASIAN	___X___	_____	_____
CAROLINE BAYS	___X___	_____	_____
LISA J. FELTNER	___X___	_____	_____
JOHN G. GANNON	___X___	_____	_____
NICOLE GARDNER	___X___	_____	_____
EMILY IZZO	___X___	_____	_____
ANTHONY PALOMBA	___X___	_____	_____
VINCENT J. PICCIRILLI JR.	___X___	_____	_____
MARK S. SIDERIS, COUNCIL PRESIDENT	___X___	_____	_____

Motion to Authorize the Transfer of Funds in the amount of \$35,000 from the FY24 City Council Reserve to the FY24 BB&N Field Lights Account.



Watertown City Council

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

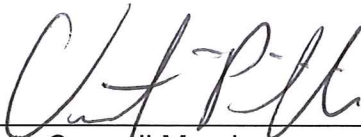
RESOLUTION# 36

2024 – R – 36

RESOLUTION APPROVING A TRANSFER OF FUNDS FROM FISCAL YEAR 2024 CITY COUNCIL RESERVE TO FISCAL YEAR 2024 BB&N FIELD LIGHTS ACCOUNT

BE IT RESOLVED: That the City Council of Watertown hereby approves the transfer of funds in the amount of \$35,000 from the Fiscal Year 2024 City Council Reserve to the Fiscal Year 2024 BB&N Field Lights Account.

BE IT FURTHER RESOLVED: That a copy of said transfer is forwarded to the City Auditor and City Treasurer/Collector.



Council Member

I hereby certify that at a Meeting of the City Council for which a quorum was present, the above resolution was adopted by a vote of 9 for, 0 against, and 0 present on April 9, 2024.



Brendan T. McCarthy, Council Clerk



Mark S. Sideris, Council President

ELECTED OFFICIALS

Mark S. Sideris,
Council President

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor

John M. Airasian,
Councilor At Large

Caroline Bays,
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Nicole Gardner,
District A Councilor

Lisa J. Feltner,
District B Councilor

Emily Izzo,
District D Councilor



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager

Date: March 26, 2024

RE: Agenda Item – Transfer of Funds Request

Attached please find a transfer of funds request in the amount of \$35,000 to the Fiscal Year 2024 BB&N Field Lights account. This proposed transfer of funds request to the BB&N Fields Lights account is necessary to sufficiently fund services for the remainder of Fiscal Year 2024.

I respectfully request the attached transfer be placed on the April 09, 2024 City Council Agenda.

Thank you for your consideration in this matter.

TRANSFER AMOUNT: \$ 35,000

FROM: FY 2024 CITY COUNCIL RESERVE \$ 35,000
0111152-570780

TO: FY 24 BB&N FIELD LIGHTS \$ 35,000
0194000-596821

I hereby certify to the availability, authority of funding source, mathematical accuracy and appropriate fiscal year.

3/26/24
DATE

Wesley Zanger
CITY AUDITOR



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 4, 2024

RE: Agenda Item – Proposed Loan Order - Highway and Sidewalk Reconstruction

Attached please find correspondence from Gregory M. St. Louis, Superintendent of Public Works, Department of Public Works requesting that the necessary actions be taken to authorize the Treasurer to fund \$2,625,000.00 as outlined and approved in the Fiscal Year 2024 - 2028 Capital Improvement Program budget for Highway Reconstruction (Bonds) for \$2,100,000.00 (line 317) and \$525,000.00 (line 322) for Sidewalk Reconstruction (Bonds), for the total of \$2,625,000.00. This recommendation is in accordance with the City Council Committee on Public Works report that was reviewed and approved by the City Council on December 12, 2023.

I respectfully request the attached proposed Loan Order be placed on the April 9, 2024, City Council Agenda as a First Reading.

Thank you for your consideration in this matter.



CITY OF WATERTOWN
DEPARTMENT OF PUBLIC WORKS
124 ORCHARD STREET

Gregory M. St. Louis, PE
Superintendent

(P) 617-972-6420
(F) 617-972-6402

TO: Mr. George Proakis, City Manager
FROM: Mr. Greg St. Louis, Superintendent, Department of Public Works
DATE: April 3, 2024
RE: Loan Order Request: Highway & Sidewalk Reconstruction

The Department of Public Works respectfully requests that the necessary actions be taken to authorize the Treasurer to fund \$2,625,000.00 as outlined and approved in the Fiscal Year 2024 - 2028 Capital Improvement Program budget for Highway Reconstruction (Bonds) for \$2,100,000.00 (line 317) and \$525,000.00 (line 322) for Sidewalk Reconstruction (Bonds), for the total of \$2,625,000.00. This recommendation is in accordance with the City Council Committee on Public Works report that was reviewed and approved by the City Council on December 12, 2023.

The work will consist of the reconstruction of various streets and sidewalks which include George Street, Bromfield Street, Mangano Court, Grandview Avenue, and Dwight Street. These funds will be utilized for the design, engineering, construction and construction administration services associated with the full reconstruction efforts of the aforementioned roadways and sidewalk. Work will also include the installation of curbing, bicycle lanes, tree plantings and other appurtenant work, as appropriate.

This work is also in accordance with the 2024 Road Program presentation to the City Council Committee on Public Works provided on November 16, 2023. The 2024 Road Program presentation can be found on the DPW website:

<https://www.watertown-ma.gov/asset/e7545088-480e-4fc9-ad79-2cec78c9d396>

If borrowing is approved as outlined in the FY2024 Capital Improvement Plan, construction is anticipated to begin later this Spring.

We thank you in advance for your consideration.

CC: M. Langan
T. Tracy
T. Glode
M. Albano
M. Morrissey
K. McPhail



28 State Street
Boston, MA 02109-1775
p: 617-345-9000 f: 617-345-9020
hinckleyallen.com

Kris A. Moussette
(617) 378-4136
kmoussette@hinckleyallen.com

April 4, 2024

George J. Proakis
City Manager
Administration Building
149 Main Street
Watertown, Massachusetts 02472

RE: Draft Loan Order – Highway and Sidewalk Reconstruction Bonds

Dear George:

As requested, I suggest the following form of loan order to approve the borrowing of funds to pay costs of the reconstruction of various streets and sidewalks:

ORDERED: That the sum of \$2,625,000.00 is appropriated to pay costs of the reconstruction of various streets and sidewalks as part of the Fiscal Year 2024 - 2028 Capital Improvement Program, including George Street, Bromfield Street, Mangano Court, Grandview Avenue, and Dwight Street, and including costs of the design, engineering, construction, construction administration services, installation of curbing, bicycle lanes, tree plantings and other appurtenant work, and further including the payment of all costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the City Manager, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

The order must be published at least five days prior to the holding of a public hearing with respect to the order and its final passage and requires the affirmative vote of at least two-thirds of all members of the City Council, as in the case of any other loan order for bonds.

Please call me if there are any questions about the suggested proceedings.

Sincerely,

Kris A. Moussette



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465
www.watertown-ma.gov
citymgr@watertown-ma.gov

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 1, 2024

RE: Request for Confirmation – Appointment to the Stormwater Advisory Committee

Pursuant to the provisions of the Watertown Home Rule Charter and Town Council Ordinance 2007-46, An Ordinance on the Timing and Process of Appointments to Town Boards, Commissions and Committees, I am transmitting herewith a request for appointment to the Stormwater Advisory Committee which requires Council confirmation.

- Warren Tolman – Appointment as a member of the Stormwater Advisory Committee to a term expiring July 15, 2026

In accordance with Council Rules, this appointment is referred to the Committee on Public Works for their review and report back to the full City Council.

Thank you for your anticipated cooperation in this matter.



George J. Proakis
City Manager

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To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 1, 2024

RE: Request for Confirmation – Reappointment to the Board of Assessors

Pursuant to the provisions of the Watertown Home Rule Charter and Town Council Ordinance 2007-46, An Ordinance on the Timing and Process of Appointments to Town Boards, Commissions and Committees, I am transmitting herewith a request for reappointment to the Board of Assessors which requires Council confirmation.

- Kathleen Colleary – Reappointment as a member of the Board of Assessors to a term expiring May 15, 2027

In accordance with Council Rules, this reappointment is referred to the Committee on Personnel and City Organization for their review and report back to the full City Council.

Thank you for your anticipated cooperation in this matter.



George J. Proakis
City Manager

CITY OF
WATERTOWN
Office of the City Manager

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6465

To: Honorable City Council

From: George J. Proakis, City Manager 

Date: April 1, 2024

RE: Request for Confirmation – Reappointment to the Traffic Commission

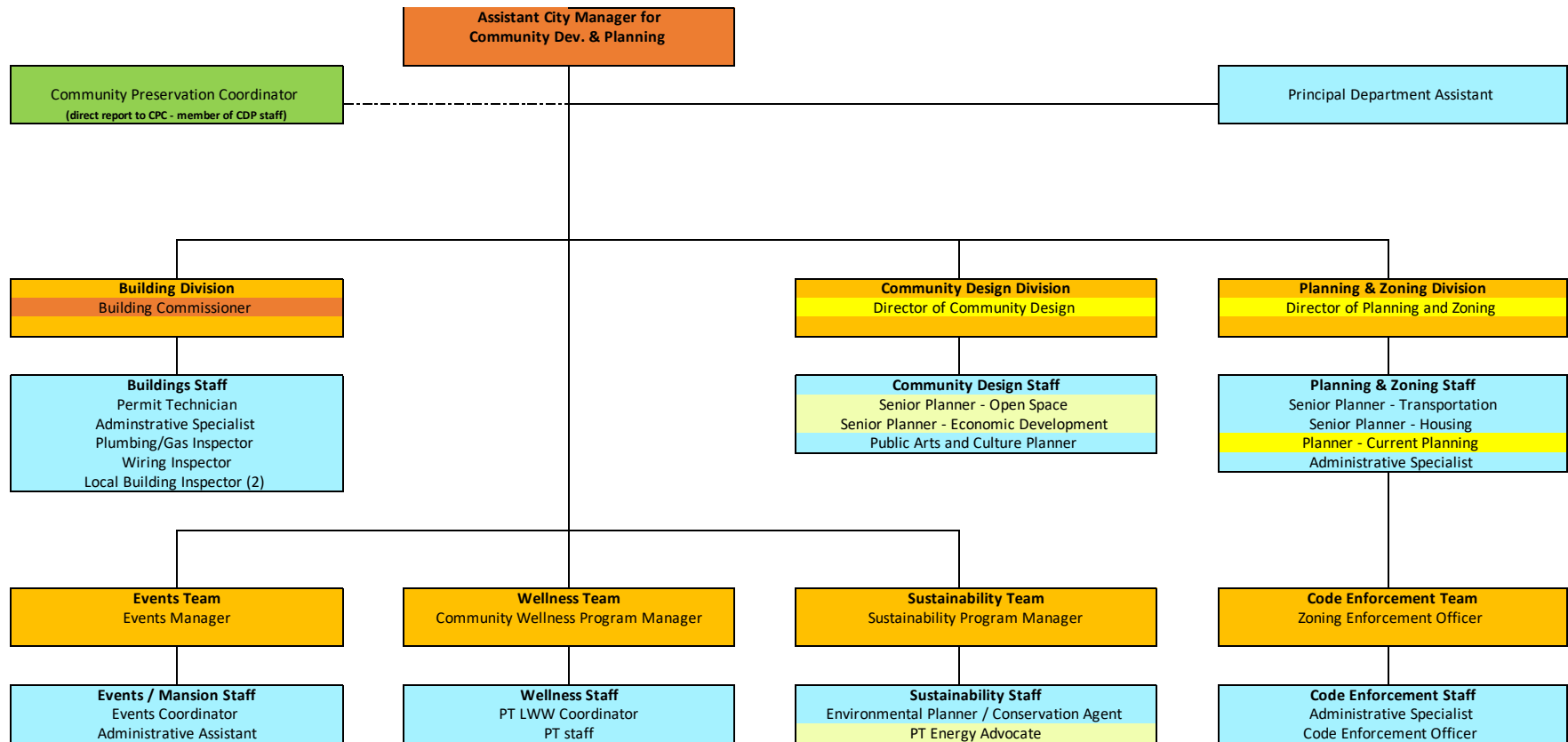
Pursuant to the provisions of the Watertown Home Rule Charter and Town Council Ordinance 2007-46, An Ordinance on the Timing and Process of Appointments to Town Boards, Commissions and Committees, I am transmitting herewith a request for reappointment to the Traffic Commission which requires Council confirmation.

- Robert J. Airasian – Reappointment as a member of the Traffic Commission to a term expiring May 15, 2026

In accordance with Council Rules, this reappointment is referred to the Committee on Public Safety for their review and report back to the full City Council.

Thank you for your anticipated cooperation in this matter.

Community Development and Planning - Proposed Amended Organization



SUBMISSION FOR CITY COUNCIL PUBLIC HEARINGS ON 04/09/2024

RE: Agenda Item 9. Public Hearings

A. Public Hearing and Vote on a Zoning Code Amendment Regarding Short Term Rentals

Greetings:

When Short Term Rentals were first discussed; in my position as a representative of the local electorate, I voiced many concerns against the legalization. I ask the City Council to think seriously, before exposing Watertown's residents to adverse ramifications. Vote "NO" to Short Term Rentals in residential zoning districts.

Many cities and towns, nationwide, have been subjected to the many pitfalls associated with Short Term Rentals in residential zoning districts. Please, do not allow your votes to create "serious problems".

Learn from areas such as: Nantucket and Lynnfield, MA; Houston, TX; New York City, NY; and San Francisco, CA, to name a few.

"Quasi Hotel", commercial uses, in residential neighborhoods, may infringe on the community as follows:

- Curtailed access to the City's limited rental housing stock
- Limited off-street and on-street parking spaces to accommodate multiple guests
- Constant turnover of unknown guests in the neighborhoods
- Excessive, unregulated noise
- Accumulation of trash from coming/going guests
- Fire hazards
- Lack of property maintenance
- Required monitoring for proliferation of illegal listings

<https://nantucketcurent.com/news/judge-rules-against-town-in-short-term-rental-court-challenge>

<https://nantucketcurent.com/news/select-board-will-not-appeal-court-ruling-on-short-term-rentals>

<https://www.bloomberg.com/news/articles/2023-09-05/airbnb-s-new-nyc-regulations-what-renters-and-hosts-need-to-know>

https://www.bisnow.com/houston/news/hotel/houston-short-term-rentals-are-a-serious-problem-whitmire-says-123562?utm_source=outbound_pub_1&utm_campaign=outbound_issue_75873&utm_content=outbound_link_14&utm_medium=email

Please do not pit neighbor against neighbor, as the City's enforcers of quality-of-life. Preserve neighborhood cohesiveness by voting "NO", against Short Term Rentals in Watertown's residential zoning districts. Thank you.

Best,

Angie

Angeline Maria B. Kounelis
Retired District A, East End, City Councilor
Landline: 617-926-2352
Mobile: 617-538-9252

Sent from my Smartphone - Apologies for brevity and/or typos

Dear Councilors,

Please accept this written testimony in lieu of my testifying at the City Council meeting. I am unable to be in attendance as I will be traveling.

I'm concerned about the proposed rules that lump *two very different types* of "owner occupied" STR properties into one.

Two types:

1. Renting a room to a guest while the **owner is present at all times**
2. Renting a property when the owner is absent

As I understand it, one of the proposed rules is to limit the operation of all STRs to less than three months in a calendar year. This makes sense if the goal is to protect the housing stock. However, the room that I rent out is within my home, and not a space I would ever consider renting to a longterm tenant. STRs of this type should be excluded from the three-month restriction.

The nightmare scenarios associated with STRs are well-documented in the Facebook group I belong to for STR hosts. All of these stories belong to hosts who are *not* on the premises during the rental. It is an entirely different scenario in my home when a guest comes back to their rental only to be greeted by me for a brief chit-chat before quietly retiring for the night.

I am retired and rely on the income that is generated by my renting out an extra bedroom that would otherwise be empty. I will be at a loss to understand how my business adversely affects Watertown if my type of STR is not excluded from these rules.

Thank you,
Judi Fitts
9 Bridgham Ave

"For things to reveal themselves to us, we have to be ready to abandon our views about them."
--Thich Nhat Hahn