



## Watertown Town Council

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

ELECTED OFFICIALS:

Mark S. Sideris,  
Council President

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

Caroline Bays  
Councilor At Large

Anthony J. Donato,  
Councilor At Large

John G. Gannon  
Councilor At Large

Anthony Palomba,  
Councilor At Large

Angeline B. Kounelis,  
District A Councilor

Lisa J. Feltner,  
District B Councilor

Kenneth M. Woodland,  
District D Councilor

### ORDINANCE # 14

2020 – O - 14

#### **AN ORDINANCE AMENDING THE TOWN'S ZONING ORDINANCE TO REGULATE THE REMOVAL OF SOD, LOAM, GRAVEL, SAND OR QUARRIED STONE FROM A LOT**

**WHEREAS**, pursuant to Massachusetts General Laws Chapter 40A, Section 5 and Article IX of the Watertown Zoning Ordinance, the Zoning Ordinance may be amended from time to time; and

**WHEREAS**, on August 13, 2019 the Town Council of the City known as the Town of Watertown conducted a First Reading of a petition of Zoning Ordinance Amendment, and referred the Amendment to the Planning Board for Public Hearing; and

**WHEREAS**, the Planning Board held a duly advertised Public Hearing on September 11, 2019 in accordance with the requirements of M.G.L. c. 40A, Section 5 to discuss the Amendment language as recommended by Department of Community Development & Planning ("DCDP") staff, and where public comment was received; and

**WHEREAS**, the Planning Board, with five members present, the Planning Board voted unanimously to recommend approval of the request to amend the Section 8.00 of the Zoning Ordinance to add new language regulating the removal of ledge when performed by a vehicle mounted hydraulic jackhammer. the Watertown Zoning Ordinance; and

**WHEREAS**, on February 11, 2020, the Town Council conducted a duly advertised Public Hearing with respect to the proposed Amendment where the Amendment was discussed and the report and recommendations of the Planning Board were received and considered.

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the City known as the Town of Watertown that Title XV of the Watertown Code of Ordinances, Chapter 155, Zoning Ordinance, is hereby amended as follows:

**ARTICLE VIII - OTHER REGULATIONS**

**SECTION 8.00 REGULATION OF SOIL REMOVAL OR LEDGE**

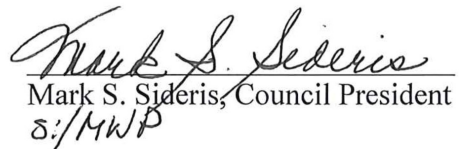
In no district shall any sod, loam, gravel, sand or quarried stone be removed from a lot, except when incidental to and in connection with the construction of a building or a parking or loading area for which a permit has been issued, except in an Industrial district by special permit. The foregoing shall not prohibit the replacement of existing sod or loam by fresh sod or loam for landscaping purposes.

**If ledge is to be removed when incidental to and in connection with a By-Right project using a vehicle-mounted hydraulic jackhammer or rock breaker, then a Community Meeting in accordance with WZO Section 9.03 will be held prior to any such removal, to discuss the extent of the removal, methods to be utilized, the timing and duration of such work, unless the removal is determined by the Director of the Department of Community Development & Planning, in writing, to be less than a significant quantity. The meeting will then be followed by a letter to abutters with the agreed upon process.**

  
\_\_\_\_\_  
SS/MWP Council Member

I hereby certify that at a Meeting of the Town Council for which a quorum was present, the above Ordinance was adopted by a roll call vote of 9 for, 0 against, 0 present on February 11, 2020

  
\_\_\_\_\_  
Marilyn W. Pronovost, Council Clerk

  
\_\_\_\_\_  
Mark S. Sideris, Council President  
SS/MWP