

CITY OF WALTHAM
BOARD OF SURVEY AND PLANNING

The following are minutes of the 7:00 p.m., October 6, 2010 Board of Survey and Planning meeting held in the Auditorium of the Arthur Clark Government Center located at 119 School Street, Waltham, MA.

In attendance were Chairman Creonte and members Barrett, Callahan, Duffy, Moroney and Tarallo.

The Chairman opened the public hearing at 7:00 p.m. and asked if there was a motion to appoint Janice Deveney Acting Clerk for the meeting.

On the motion of Mr. Duffy, seconded by Mr. Barrett the Board

**VOTED: to appoint Janice Deveney as Acting
Clerk for the October 6, 2010 meeting.**

The Chairman then closed the public hearing and opened the regular meeting.

The Acting Clerk read the first item on the agenda which was for an Approval Not Required plan showing betterments for Mount Walley Road.

Mr. Wade Putnam, Assistant City Engineer of 119 School Street came forward representing the City of Waltham on this plan.

He reviewed the plan showing that Mount Walley Road is a private way and that the residents listed applied to the City to have their street resurfaced. The plan shows the assessments for this street only, which needs to be recorded with the Registry of Deeds.

After brief discussions with the Board the Chairman asked if there was a motion.

On the motion of Mr. Barrett, seconded by Mr. Duffy, the Board

**VOTED: to approve the ANR Plan for betterments
on Mount Walley Road submitted by the
City of Waltham and to allow the Clerk of
the Board to endorse the plan.**

The Chairman then closed the regular meeting and reopened the Public Hearing.

The Acting Clerk read the first item on the agenda which was for a Special Permit Curb Cut modification to an existing curb and a new curb cut within 100 –feet of an intersection. This petition was continued from the previous meeting and the Board must act by November 11, 2010.

Attorney Philip B. McCourt of 15 Church Street, Waltham, Ma came forward to address the Board on this matter. Mr. McCourt reviewed the previous discussions from the September meeting and at the Board's request has made all the requested revisions and has submitted a revised plan to the Board.

Mr. McCourt reviewed the revised plan with the Board.

After brief discussions with the Board, the members seemed satisfied that the public safety issue had been addressed.

The Chairman asked if there was a motion.

On the motion of Ms. Callahan, seconded by Mr. Barrett, the Board

**VOTED: to approve the Special Permit for modification
to a curb cut and a new curb cut both being
within 100-feet of an intersection at 325 Bacon
Street, Waltham, MA with the revision date of
plan being September 9, 2010. This petition was
submitted by Rogers & Company, Inc., 859
Emerson Garden Road, Lexington, MA.**

The Acting Clerk read the next item on the agenda of the public hearing which was for a Definitive Subdivision located at 110 Bear Hill Road, Waltham, MA. This petition was continued from the previous meeting. The time to act on this petition is December 16, 2010.

Attorney Philip B. McCourt came forward to represent the petition, Hilltop 110 Bear Hill, LLC of 34 Hilltop Road, Weston, MA.

Mr. McCourt reviewed the previous discussions at the September meeting and wanted to go over the modifications since that meeting. The Developer also has a model of what might go on the property if the Board would like to see that as well.

He also reviewed that the site still currently has a cease and desist order from Ralph Gaudet, Building Commissioner and that the Engineering Department and Fire Department want to see the approved curb cut work continue but they are still working with Mr. Gaudet to get his approval to continue.

He also said that the petitioner is meeting with Mass Highway to get a blasting approval from them for blasting work to be done within 250-feet of an intersection.

Tim Williams of Allen Major & Associates came forward to review the blasting permit application procedure currently before Mass Highway and where on the site the blasting would occur. Pitches and grades of the road were discussed. He reviewed the requested eliminations of the subdivision road with access to Main Street. Current and future drainage and run-off were discussed.

Mr. Williams then commented that they are still currently reviewing the Engineering Departments comments submitted on August 24, 2010 and would like to respond to those comments at the next meeting of October 6, 2010.

Mr. McCourt then introduced Ron Muller of Ron Muller & Associates to review the Traffic and Safety Assessment dated July 29, 2010 which was submitted to the Board. He reviewed the traffic assessment which was thoroughly reviewed by Board. Discussions included, speed, traffic volume, site view and traffic lights and police detailing that would be needed at this access location.

After review of the traffic assessment was discussed the members were still extremely concerned with the safety of this entry/egress to this proposed subdivision. It was determined that the petitioner waiting come to the next meeting addressing the safety and traffic concerns the Board has and to also review all the comments submitted by the Engineering Department dated, August 24, 2010.

The Chairman asked if there was a motion.

On the motion of Mr. Duffy, seconded by Mr. Barrett, the Board

**VOTED: to continue the Petition for a Definitive
Subdivision at 110 Bear Hill Road
submitted by 110 Bear Hill LLC of 34
Hilltop Road, Weston, MA at their next
meeting of November 3, 2010.**

The Chairman closed the public hearing and reopened the regular meeting.

The Acting Clerk read the next item on the agenda which was for the status of the 201 Jones Road agreement.

Mr. McCourt addressed the Board on this matter and asked that it be continued to the next meeting.

The Chairman asked if there was a motion.

On the motion of Mr. Duffy, seconded by Mr. Barrett, the Board

**VOTED: to continue the 201 Jones Road
Easement Agreement at their next
meeting of November 3, 2010.**

The Acting Clerk read the next item on the agenda which was for a Preliminary Subdivision at 9 Hope Avenue, Waltham, MA submitted by CHB Properties, Inc.; the Board must act on this petition by October 17, 2010.

Mr. Kevin Renna the representative for CBH Properties came forward to address the Board on this petition.

There were discussions on freezing the zoning, the cul-de-sac area, the current lease at the Cancer Center which is up next summer and will not be renewed.

Ms. Callahan commented that she feels the site is over developed and would not like to see any more development there and it would also cause a lot more traffic in the area.

Mr. Moroney had issue with approving paper plans showing roadways and cul-de-sacs that don't show what may be being built. He has issues with drainage and site run-off at this time.

There were further discussions on freezing the zoning.

Mr. Duffy commented that this is just a preliminary and all the details of curbing, sidewalks and drainage and run-off will be discussed at that time.

The Chairman then asked if there was a motion.

Mr. Duffy made a motion to approve the Preliminary Subdivision for 9 Hope Avenue, Waltham, Ma as submitted.

The motion was seconded by Mr. Barrett.

The Chairman called for a roll call.

ROLL CALL:

John Duffy	YES
Justin Barrett	YES
Kathleen A. Callahan	NO
Mila R. Tarallo	NO
Brian E. Moroney	NO

The vote being two in favor and three opposed to the approval, the motion to approve did not pass.

The Acting Clerk read the next item on the agenda which was for the deliberations and a recommendation to the City Council on Amending Chapter 21 of the General Ordinances of the City of Waltham entitled "Zoning District Map" for locus at 135 Lexington Street.

Attorney Philip B. McCourt came forward to answer any questions the Board may have. A new plan was reviewed that showed some requested revisions.

There were discussions on traffic, zone use, entrance and egress and the roadway.

After discussions the Chairman asked if there was a recommendation.

On the motion of Mr. Duffy, seconded by Mr. Moroney, the Board

VOTED: to recommend to the City Council that Summer Avenue be used as the main entrance and egress to the property and they would also like to see the roadway that was approved in 2006 be improved to show curbs and sidewalks to make the area pedestrian safe.

The Acting Clerk read the next item on the agenda which was for the approval of the minutes to the September 8, 2010 meeting.

The Chairman asked if there was a motion.

On the motion of Mr. Duffy, seconded by Mr. Moroney, the Board

VOTED: to accept the minutes to the September 8, 2010 meeting as submitted.

There being no further business on the agenda the Chairman asked if there was a motion to adjourn.

On the motion of Mr. Duffy, seconded by Ms. Callahan, the Board

VOTED: to adjourn the meeting at 10:03 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Janice Deveney".

Janice Deveney
Acting Clerk
Board of Survey and Planning