

CITY OF WALTHAM

BOARD OF SURVEY AND PLANNING

The following are the minutes of the Board of Survey and Planning meeting of January 6, 2010, at 7:00p.m. held in the Auditorium of the Arthur Clark Government Center located at 119 School Street, Waltham, MA 02452. In attendance were Chairman Creonte and members Duffy, Moroney and Tarallo.

The Chairman opened the public hearing at 7:00p.m.

The Clerk read the first item on the agenda which was for a Utility Plan & Profile, Extension of Water and Sewer at Braemore Road. This matter was continued from the previous meeting.

Attorney Philip B. McCourt, Jr. of 15 Church Street, Waltham, Ma came forward to address the Board on this matter. He commented that after receiving further comments from the City Engineer they feel it would be best to withdraw the petition without prejudice to allow the petitioner more time to revise the plans and submit them at a later date. They also requested the Board to waive the filing fee for the resubmittal.

There being no comments from the Board the Chairman asked if there was a motion on this request.

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

**VOTED: to allow the petitioner to withdraw with
out prejudice the petition for the Utility
Plan & Profile, Water and Sewer
Extension at Braemore Road and to waive
the filing fee for this petition at the time
of resubmittal.**

The Clerk read the next item on the agenda which was for a Special Permit for Curb Cuts at 546 554 Moody Street, 7-9 Alder Street, 11 Alder Street, 10 Mrytle Street, 558 and 570 Moody Street and 7-9 Rear Alder Street.

Attorney Joseph Connors Jr. of 404 Main Street, Waltham, MA came forward to address the Board.

The Chairman pointed out that there were three members absent and that since there wasn't a majority, the Board could not hear this petition. He informed Mr. Connors that this matter would be continued at the next meeting.

Mr. Connors agreed.

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

VOTED: to continue the Special Permit Curb Cuts at 546-554 Moody Street and other locations at their next meeting of February 3, 2010.

There being no further business in the public hearing, the Chairman closed that part of the meeting and opened the regular meeting.

The Clerk read the first item on the agenda of the regular meeting which was for the request of bond reduction at 775 Trapelo Road, Wellington Crossing.

Mr. Mark Mastroianni of Pulte Homes came forward. He reviewed the status of the Board's request to have a representative from the Condominium Association be present at this meeting to answer questions from the Board. Mr. Richard Griffin and David Hamel came forward from the Association.

Mr. Griffin informed the Board that they are satisfied with the agreement they have with Pulte Homes to rectify the issue with the erosion problem. They have reviewed the Operation and Maintenance Manual and agree that they are responsible for every item listed, but feel that at the time of the cleaning of the retention pond they discovered that the drainage systems of garages 1, 2 and 3 were never properly cleaned as well as the external street catch basins and would like this done prior to the Association taking full responsibility of the maintenance.

There were discussions on this matter.

Mr. Mastroianni pointed out that from the previous meetings, Pulte Homes has resolved all the issues that were discussed and felt that this was the first time he was hearing about new issues. It was his understanding that he was to take care of the issues for this meeting and that the Board would be satisfied and approve the release of the bonds.

There were further discussions on these issues.

Mr. Mastroianni agreed to have the street catch basins cleaned as well as the drains in garages 1, 2 and 3 by the next meeting.

Mr. Duffy then told the Condominium Association that this is it, no new items can be added, and if Pulte Homes does this work then the Board will release the Bonds.

All agreed.

The Chairman asked if there was a motion.

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

VOTED: **to continue this matter at their next meeting of February 3, 2010 and to have Pulte Homes address the issues of cleaning the external street catch basins the drains in garages 1, 2 and 3, and submit documentation that this work has been completed.**

The Clerk read the next item on the agenda which was for the request to reduce the letter of credit for the Hickory Drive Subdivision.

Attorney Robert E. Connors, Jr. of 6 Lexington Street, Waltham, MA came forward to address the Board.

He reviewed the subdivision with the Board. He explained that work is almost complete, and that they will be finishing the roadwork and hydro seeding in the springtime. He reviewed the \$125,000.00 letter of credit which runs until January 29, 2010. They are requesting to reduce the line of credit and submit in its place another form of security in the amount of \$10,000 to cover the finish work of hydro seeding and the completion of the road work.

There were brief discussions.

The Chairman asked if the Engineering Department commented on whether or not \$10,000 was an appropriate estimate.

Mr. Tashjian, Clerk of the Board commented that Mr. Putnam had verbally informed him that \$10,000 was an acceptable amount.

There being no further comments the Chairman asked if there was a motion.

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

VOTED: **to release the Letter of Credit as requested and to allow the applicant to substitute in place of said letter of credit a passbook account, or other suitable security for \$10,000, \$5,000 of which will be posted for the hydro seeding and the other \$5,000 posted until completion of the road work, both of which commence in the springtime.**

The Clerk read the next item on the agenda which was for the request of an extension of two (2) years to build the Extension of Summer Ave.

Attorney Philip B. McCourt came forward to address the Board on this request.

There were brief discussions on this matter.

Ms. Tarallo commented that they need to make sure to post bond for the road work when they begin construction.

Mr. McCourt agreed that would be done.

The Chairman asked if there was a motion.

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

VOTED: **to grant a one (1) year extension of time for the construction of the Extension of Summer Ave.**

The Clerk read the final item on the agenda which was for deliberations and a recommendation to the City Council on an Ordinance Amendment of Chapter 21 of the General Ordinances.

The Chairman recommended that this matter be continued to the Boards next meeting since a majority vote was needed.

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

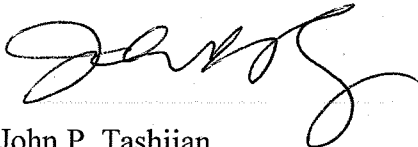
**VOTED: to continue this matter at their next meeting
of February 3, 2010.**

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

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

VOTED: to adjourn the meeting at 7:55 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'John P. Tashjian', written in dark ink.

John P. Tashjian,
Clerk

JPT/jed