



CITY OF WALTHAM

BOARD OF SURVEY AND PLANNING

The following are minutes of the 6:02 pm April 6, 2022 meeting held remotely through Zoom. In attendance were Chairman Creonte and members Barrett, Callahan, DeVito, Keefner, Moroney and Tarallo.

The Chairman opened the Public Hearing at 6:02 p.m. and informed the public that this meeting is via Zoom. Before he opens the public hearing the Board needs to appoint Janice Deveney as Acting Clerk.

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

**VOTED: to appoint Ms. Janice Deveney as Acting Clerk
for the April 6, 2022 meeting.**

The Chairman then opened the Public Hearing and there being no items on the agenda immediately closed it and opened the regular meeting.

The Acting Clerk read the first item on the agenda which was for an Approval Not Required plan at 610 Lincoln Street.

Attorney Michael Connors of Connors and Connors and Associates with offices at 689 Main Street in Waltham was present. Also present was the petitioner David White of Hobbs Brook Real Estate. The ANR plan is to subdivide the property at 610 Lincoln Street. He explained that 610 Lincoln Street is a large lot with over one million square feet and approximately 24.4 acres with buildings known as 590 and 610 Lincoln Street located there on.

The plan shows a creation of a 435 square foot lot forming a corner lot at Lincoln Street and Wyman Street labeled as Lot A accompanying a non-buildable lot on the plan. The purpose of the subdivision with the creation of the new 435 square foot lot is to grant a fee interest in the lot to the City of Waltham to create a roadway intersection improvement. The improvement is being done pursuant to a condition of the petition before the City Council for a Special Permit of 225 Wyman Street that's presently nearing completion. Condition #24 of said Special Permit reads

impertinent part, upon written request of the City of Waltham, the Petitioner shall grant to the City, at no cost to the City the land at the northeast corner of Wyman Street and Lincoln Street in order to allow the City to widen Wyman Street heading north to construct a right-hand turn lane onto Lincoln Street. Since the grant of the Special Permit this matter went before the Traffic Commission at its March 20, 2021 meeting, at which time the Traffic Commission voted to accept the design concept. It is his understanding that the Traffic Engineer and the Purchasing Department are in the process of putting together an RFP for the work associated with improving the intersection. The plan also notes an easement area on construction by the city related to said intersection improvement.

On March 29th after they filed the matter this year, they received a copy of an email from Traffic Engineer Garvin, to Janice Deveney that he confirms he is in favor. Furthermore, after a couple of minor revisions, they received a copy of an email from Wade Putnam, of the Engineering Department confirming impertinent part the plan submitted on April 5, 2022 meets all requirements for approval of the Waltham Board of Survey and Planning. Once the plan is signed the Petitioner shall continue to work with Mayor McCarthy's office and the Law Department to finalize the transfer and Title to Lot A to the City. That concluded his presentation for Approval Not Required plan.

The Chairman asked the Board if they had any comments or questions.

Mr. Barrett said that he welcomed it.

Mr. Moroney wanted is stated for the record that Wade Putnam's email stated that the plan meets all the Board's requirements for approval.

The Chairman then asked for a motion.

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

**VOTED: to approved the Approval Not Required
Plan for 610 Lincoln Street as submitted
and to allow the Clerk of the Board to
endorse said plan.**

The Chairman then informed the Board Members that they will need to go to Ms. Deveney's office to sign the Notice of Determination for the approval.

Both Mr. Barrett and Mr. Creonte publicly granted Ms. Deveney permission to sign their names in their absence.

The Acting Clerk read the next item on the agenda which was for a request to extend the time to commence work for the Special Permit curb cuts at 214 Third Ave and 95 Fourth Ave.

Attorney Philip B. McCourt, Jr. of 14 Church Street, Waltham, MA came was present representing the Petitioner. This property is now known as 180 Third Avenue after they received their building permit and you may have noticed that the building is currently under construction.

At this point they couldn't put in the curb cuts as there was some delay in starting all construction between some changes in the plan and then Covid, so they are asking the Board to extend the time to commence work on the curb cuts for an additional two years from April 3, 2022 until April 3, 2024 to allow time to complete the base property and then finalize with the curb cuts after completion the buildings.

The Chairman said so you are asking for twenty-four months.

Mr. McCourt said that is correct, just to cover ourselves during the construction period.

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

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

**VOTED: to extend the time to commence work at
180 Third Avenue from April 3, 2022
until April 3, 2024. as stated in the letter
submitted on April 1, 2022.**

The Acting Clerk read the next item on the agenda which was for the Board to vote on a to the Land Rules and Regulations Section 1.8- Advertisement.

Ms. Deveney explained that the current location to submit legal notices is in the Waltham News Tribune. The Waltham New Tribune has notified the city that they no longer will be publishing hard copies of the newspaper and will be digital only.

The City Clerk notified the Boards office that all notice will now be submitted in the Boston Globe.

She said the Board would need to vote to make this change in the Land Rules and Regulations.

Ms. Tarallo commented that under Section 81 Q that any amendments need to be voted on in a public hearing and advertised.

Ms. Deveney apologized for not be aware of this procedure and said she will do that and put this in the public hearing of the May 4, 2022 meeting. She said she is requesting a vote tonight to allow her permission to put this legal notice and any other new petitions to be advertised for the May 4, 2002 meeting in the Boston Globe.

The Chairman asked if there was a motion.

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

**VOTED: to allow the Secretary of the Board to
advertise and legal notice pertaining to
the May 4, 2022 public hearing in the
Boston Globe.**

The Acting Clerk read the last item on the agenda which was for the approval of the minutes of the March 2, 2022 meeting.

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

**VOTED: to approve the minutes of the March 2,
2022 meeting as presented.**

The Chairman asked if there was a motion to adjoin.

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

VOTED: to adjourn the meeting at 6:15 p.m.

Respectfully submitted,



Michael L.J. Chiasson, Clerk
Board of Survey and Planning