

CITY OF WALTHAM

BOARD OF SURVEY AND PLANNING

The following are minutes of the 6:00 pm May 4, 2022 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, DeVito, Keefner, Moroney and Tarallo.

The Chairman opened the Public Hearing at 6:00 pm and informed the public that the meeting was being recorded by the local Waltham Cable Access Channel and if anyone was planning to speak, when they come forward, they are required to sign in.

The Clerk read the first item on the agenda which was for a Utility Plan and Profile for a sewer and water extension and road construction to service Lot 12 and Lots 546-550 Braemore Road. The Board must act on this petition by June 15, 2022.

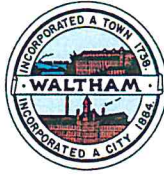
Attorney Philip B. McCourt, Jr. of 15 Church Street, Waltham, MA came forward representing the petitioner, Curtis Beaton of 705 Beaver Street, Waltham, MA.

Mr. McCourt had submitted a letter on April 27, 2022 requesting that this petition be continued to the Boards June 1, 2022 meeting. The Time to Act was previously extended until June 15, 2022.

The Chairman asked if there was a motion.

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

**VOTED: to continue the Utility Plan and Profile for a
sewer and water extension and road construction
to service Lot 12 and Lots 546-550 Braemore
Road at their next meeting of June 1, 2022.**



The Clerk read the following item which was for the Extension of Prospect Hill Road for the land located at the easterly end of Prospect Hill Road. The Board must act on this by June 15, 2022

Attorney Philip B. McCourt, Jr. of 15 Church Street, Waltham, MA came forward representing the petitioner.

Mr. McCourt had submitted a letter on April 27, 2022 requesting that this petition be continued to the Boards June 1, 2022 meeting. The Time to act was previously extended until June 15, 2022. This will allow additional time for the to work with the City and the neighborhood in relation to the possible purchase of the property by the City as previously discussed and to allow the engineer to revise the plans.

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

VOTED: accept the request to continue the petition for the Extension of Prospect Hill Road at their next meeting of June 1, 2022.

The Clerk read the next item on the agenda which was for Amendments to the Boards "Land Rules and Regulations: Section 1.8 Advertisement.

The Chairman asked Ms. Deveney to review why these amendments are necessary.

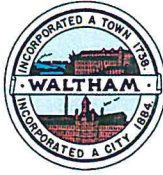
Ms. Deveney explained that we have always published the Boards public hearing legal notices in the Waltham News Tribune. The Waltham News Tribune starting May 1, 2022 will no longer be publishing a hard copy newspaper anymore and will be a digital only newspaper.

The City Clerk reached out to the Boards and Commissions with the information to publish our legal notices in the Boston Globe newspaper.

The Boston Globe charges over three times the amount for advertisement submittals then the Waltham News Tribune did so we are requesting the following amendments.

- 1: Page 10 – Section 1.8 Advertisement.
#7 Advertisement Fee \$300.00 amend to:

**#7 Advertisement Fee- to paid in full by Petitioner prior to the public hearing.
Invoice for advertisement provided by Board's office.**



- 2: Section 1.8 Advertisements: In Notes section: - For insertion in the Waltham News Tribune- amend to:

For insertion in the Boston Globe.

The Chairman asked the Board if they had any comments.

Ms. Tarallo suggested instead of revising to “For insertion in the Boston Globe” we should amend to: “For insertion of the Boston Globe or a newspaper of general circulation in the City of Waltham.”

This being a Public Hearing the Chairman opened it up to the public.

Attorney Philip McCourty said he would be in favor of that, there are other newspapers that circulate for Waltham, such as the Boston Herald.

Mr. DeVito asked Ms. Deveney to investigate what the Boston Herald charges for advertisement.

Ms. Deveney said she would look into that.

The Chairman asked if there was a motion.

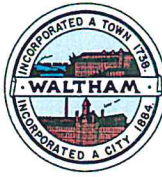
On the motion of Mr. Barrett, seconded by Mr. Moroney, the Board

VOTED: to accept the amendments to the Land Rules and Regulations Section 1.8 Advertisement as shown:

- 1: Page 10 – Section 1.8 Advertisement.**

#7 Advertisement Fee \$300.00 amend to:

Amendment - #7 Advertisement Fee- to paid in full by Petitioner prior to the public hearing. Invoice for advertisement provided by Board’s office.



2: Section 1.8 Advertisements: In Notes section: - For insertion in the Waltham News Tribune- amend to:

“For insertion of the Boston Globe or a newspaper of general circulation in the City of Waltham.”

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

The Clerk read the first item on the agenda which was for a Preliminary Subdivision at 677-679 South Street. The Board must act on this by June 15, 2022.

Attorney Philp B. McCourt, Jr. came forward on behalf of the petitioner.

There were several items mentioned last time by members of the Board and they have taken that into account and Alex Beaton, and his father Curtis Beaton are both here to assist with the presentation.

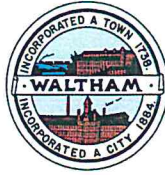
They have tried to incorporate the items that he will have Alex explain to you, but he would like to go over their responses to Wade Putnam’s comments.

Comment #1. The proposed 8-inch cement lined ductile iron pipe must be looped to Hayes Road through the 20- foot public easement to Hayes Road and maintain at least five feet of cover. The water line also must have a 20 x 20 x 8 installed on the water main in South Street with an 8-inch gate and 20- inch gate. The easement at Hayes Road is still in place.

Response: We agree.

Comment #2. The existing sewer line shown from the 20-foot-wide public easement in Hayes Road on the plan as PVC is actually a plastic sewer line according to the record plans; care must be taken when entering this sewer line. City of Waltham records do not show a sewer manhole 25-feet more or less into the property from the sewer main in South Street; is this an existing manhole or is it proposed? How the sewer connections from 40 and 48 Hayes Road were connected into the sewer on the property being subdivide is not known.

Response: Petitioner appreciates the information in connection with the plastic sewer line and care will be taken accessing said line. We will work with the City and with all the regulations that are required.



Comment #3. No underground lines have been shown including but limited to cable, fire alarm and electric.

Response: The lines referred to will definitely be underground, however their precise location cannot be determined until the houses are built.

Comment #4. The stone bounds for this development (new street) must be shown on the two-foot offset into the street. Any other bounds used to produce this plan must be shown.

Response: Agreed. We will show the current bounds on the Definitive plan.

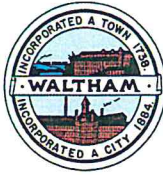
Comment #5. Typical section for a street by today's standards is for fifty-foot layout with 30-feet of pavement for safety reasons; vehicles parked on both sides of the street (this being a private way) leaves little room for passage. The new proposed pavement width of 25-feet with cars parked on both sides leaves even less room. The typical width of the pavement for the former 1930's layout calls for 25-feet of pavement at minimum. The new cul-de-sac diameter is 120-feet which allows for cars to parked on both sides of the cul-de-sac and a turning radius for vehicles. It is not known whether the city can control parking on a private way which necessitated the 50-foot layout with a 60-foot radius cul-de-sac. The Fire Department should determine what is practical safety wise when a car is parked on both sides of the cul-de-sac.

Response: The width of the proposed street is subject of the requested waivers. The Traffic Engineer has and will discuss the width and parking. The Fire Department will also comment. Applicant has already agreed to parking on only one side of the street as it is becoming a standard request in the city. The waiver requests for street width and also the cul-de-sac radius are standard requests for secondary streets.
If approved we would agree to parking on one side, preferably the left side so if a fire truck came in from South Street and entered to the right it would be cleared of vehicles. The Fire Department would be agreeable with that.

Comment #6: No benchmark has been shown on the required datum (NAVD88).

Response: The benchmark will be shown.

Comment #7. The plan must be on the NAD 83 coordinates system and a coordinate of at least one lot corner provided upon the plan.



Response: **Agreed and said coordinate will be provided on the plan.**

Comment #8. The street line radii at South Street are to be a minimum of 25-feet with curb at a 15-foot radii minimum for site distance purposes.

Response: **Street line radii at South Street will be shown on the plan.**

Comment #9. It has been stated that the owners of 671 and 685 South Street will be consulted in regard to the strips as previously noted along the proposed street.

Response: **The owners of those lots will be notified, and discussion will be held upon the filing of the Definitive Subdivision.**

Comment #10.

Maintenance of drain cleaning for the site must be submitted together with all the drainage details when the definitive plan is presented.

Response: **Petitioner will comply with all requirements when filing the Definitive Plan.**

Comment #11.

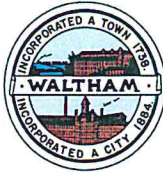
Response: **The steepness of the slope at the end of the cul-de-sac rising up towards Hayes Road may require a retaining wall to be built. This will be explored.**

Mr. McCourt then said that Mr. Beaton is there to answer any questions.
Mr. Alex Beaton came forward.

The Chairman opened the meeting to the Board for questions.

Mr. Keefner commented at the last hearing the Board asked for a little more description of what's allowed in those two easements, a more definite of what is allowed in those two easements.

Mr. Beaton said they plan on aligning as per Lot C and one that is of the site and is a little staggered and we will address with the future plan.



Mr. Keefner stated his question was more directed towards the Attorney as to if there is sewer, or sewer access in easements, but it can wait until the next meeting and you can answer it at that time.

Mr. Beaton believes those easements are lined up for sanitary and water connection in relation to the subdivision that run down towards South Street.

Mr. Keefner said that's great, but would like the Attorney to address that or at least forward the Board the deeds pertaining to the easements.

Mr. Beaton agreed.

Mr. Keefner then asked that on the proposed site plan, the 28-inch main in the that is connected up to an 8-inch and you need to make sure that connection is desirable for the city where it is high to low.

Mr. Barrett had no questions other than he would suggest the site view.

Ms. Callahan agreed with Mr. Barrett that she too would like to have a site view to get a better overview of the property.

Ms. Tarallo had no questions or comments.

Mr. DeVito asked about comment #4 of Mr. Putnam's comments, is there any reason why we don't add the current bounds to these plans.

Mr. McCourt said that we would do that on the definitive plan if the preliminary gets approved.

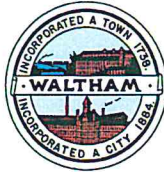
Mr. DeVito then asked why are you requesting a waiver on the width of the street and not going with the standard 25-feet.

Mr. McCourt explained that most of these smaller cul-de-sacs don't need that 40-foot radius for only 2 or 3 houses. He said when they have the site view, we can take a look at that.

Mr. Moroney said that relative to Mr. DeVito's question your plan does not a 150-foot radius only a 100-foot radius, so his question is the size of the cul-de-sac that now drawn the way it is supposed to be then you would not have enough lot footage.

Mr. Beaton said he would have to go over that with the civil engineer and see if it is a missed detail.

Mr. Moroney said then the plan needs to be updated to show 120-feet or come back with a radius that is 100-feet.



Mr. Moroney asked that if the radius of the cul-de-sac shown on sheet 3, is that is the back property line. Sheet 3 doesn't show any of the sidewalks yet. That radius is the back of the sidewalk, is the property line between the cul-de-sac and the lots?

Mr. Alex Beaton said yes, he believes so.

Mr. Moroney said so if that is that radius is shown as 60 but should be 50 then you are going to have an issue with the lot footage.

Mr. Beaton said he plans to address that with the engineer.

Mr. Moroney said great, take a look at that. His next comment was that nothing was done about getting rid of the rat tails.

Mr. Beaton said that they expanded the road out to 20-feet, and they could expand out 27-feet, as of right now,

Mr. Moroney said those aren't the rat tails he doesn't like. The rat tails he doesn't like are the ones for Lot B and Lot D, there is a rattail on the back.

Could you look at that line at lot B and see if you can rotate it, he understands you need to keep the frontage out front, so could you investigate if you rotate that line to balance those two footages, and that will get the rat tail out.

Mr. Beaton said they could look into that.

Mr. Moroney said that is also his concern between lots C & D and couldn't see the front of the lots, lot C was stepping on the easement.

Mr. Curtis Beaton came forward and said they would be looking to see about having that made a public way or leave it a private way.

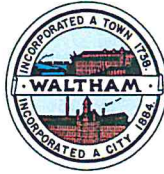
Mr. Moroney then asked Mr. Chiasson, if the that is what the city prefers a grass strip.

Mr. Chiasson said that on larger roads they prefer the grass strip as it helps with plowing, and provides some storage for the snow. On a street like what is proposed here, we basically when we get into snow plowing, we have to push it into areas that we feel best, and not in people's driveway, not enough area at times to store the plowed snow.

So, regarding the grass strip, sometimes we like them sometimes we don't.

Mr. Moroney said, you are reducing it down to 40-feet, so why don't you take a look at it and see if you compromise and put a 5-foot strip and then there's the extra pavement.

Mr. Curtis Beaton said the sidewalk is a 4-feet of sidewalk and 2 ½ feet of grass.



Mr. Moroney said he just wants to make sure the sidewalk remains a 5-foot sidewalk. You have 5 feet of grass strip on either side could be reduced, take a little bit out of that and give us a better width of pavement. You will still have a grass strip left that will nice.

Mr. Beaton agreed to investigate that further.

Mr. Moroney than commented, being still on sheet 3, they call the line shown on this plan are radiuses at the back of the property line. He is concerned about the right-hand turn gong from the title block into the cul-de-sac because it bows out.

Mr. Curtis Beaton said what they tried to do is along that road, that entrance is close to 90 degrees to the radius on South Street as possible, which gives you the best look urn to the right.

Mr. Moroney said, okay, however by doing that on the north side of that entrance, if there is a way to open that up a little bit, to make it easier for a truck to make the turn. You may not be able to do it, but if you could just take a look at that.

Mr. Curtis Beaton said that they would take a look into that, they have to keep in mind that this wouldn't be a primary or secondary road, and wouldn't know the classification of what this road is, so that radius at the curb would be 22-foot. Now if we were to widen it heading out and do a give and take with the grass strip, they could probably would increase the radius to 23-foot.

Mr. Moroney felt that would be reasonable. He then asked if there were sidewalks on South Street on that side.

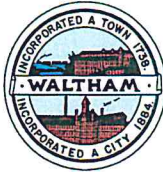
Mr. Curtis said there were not.

Mr. Moroney said than your plan is to make provisions for sidewalks, that d if sidewalks were ever put on South Street your driveway will have the two required handi-cap strips.

Mr. Curtis Beaton said he does not have that detail on the current plan but they would be happy to put that detail in.

Mr. Moroney said that is what they are doing all over r the city and let's make this consistent to that and have them on both sides.

Mr. Beaton asked to back track, to clarify something that was discussed. Was #2, of Wades comments, he had expressed concern about the sewer system that goes through the property, and goes to Hayes Road to South Street. What they did was do that situation is that his understanding and addition to Mr. Putnam's concern about the system being fragile, it was his understanding that the city has a problem with backups at the second to last manhole on the existing line, coming up to Hayes Road. So, they have shown on the road design near 44 or 48 Hayes Road area from Hayes Road through the property, towards the back of this you have a transition of



17- feet and you have an existing sewer structure at the property line at the high altitude a top of the foundation, and the you have a sewer manhole at the proposed roadway, it you look at the 66-foot elevation line on and see just below that a very light gray structure, it is his understanding there a 27% grade between the top structure and the lowest and that's where the city has to occasionally take care of a backup problem there around three times a year. The 27 percent grade seems to be creating a separation of liquids and solids creating the back up.

So, what they did, we are proposing a completely new system which is located to the left of that existing system, so what they want to do is come of at a 90-degree angle from the sewer system on South Street up towards their first structure, turn south slightly, and run a new line all the way up to the back and then do the transition between the high elevation at the back of Hayes Road or that lot, we are proposing four (4) drop manholes where we transition drops yet keep the sewer line between those drops at 2% to correct the issue of the backups.

The Chairman asked if the backups happen on Hayes Road.

Mr. Beaton said the sewer runs off of Hayes Road and comes up through the property and according to the owners, the city is on that property 2 or 3 times a year with the truck to blow out the blockage that happens in that line. He assumes that is happening because the 27% that is on the existing sewer line in that section of pipe, that manhole that is located between our property and the property that fronts on Hayes Road, so between there, that manhole and the low manhole which can be seen on our plan, is almost at the back of the cul-de-sac.

Mr. Moroney said he can see that manhole shown on the plan in light gray, and sees small lines coming off of that, does 52 and 48 go to the houses at 52 and 48 or do they drain directly into that manhole.

Mr. Beaton said that system is carrying the sewer off of Hayes Road.

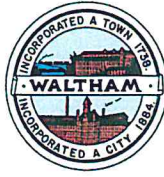
Mr. Moroney said see how it has 2 tails, one that comes in light gray comes from Hayes Road into that manhole, and then he sees two lines to the left and the right that appears.

Mr. Beaton said he understands and they aren't going to remove that manhole, but adding another one just off of that one.

Mr. Moroney said that part of the problem with the backup is have these houses also dumping into said manhole.

Mr. Beaton is guessing it is the 27 percent coming off of that line causing the backups, but maybe your thoughts could be the case.

Mr. Moroney, said okay and thinks the city would have no problem with you fixing their problem.



Mr. Moroney then said you will need to come back and show us all these changes at your definitive subdivision.

Mr. Beaton said yes.

The Chairman had a few comments. This our send time looking at this and we should be doing a better job of addressing the comments that were made at the last meeting, and the items discussed tonight some were already discussed and these should have been addressed as that is what a preliminary plan is for. So, the next time we meet, we want to see the improvements, the comments addressed, if you can't do, just say you can't do it.

Mr. Keefner said regarding Brian's comments, he thinks it would be helpful to show that existing sewer on the profile, and he thinks as Brian was mentioning some things are shown on one plan, and not on another, it would be helpful and make it a lot readable cleaning the plans up a little bit, will make it easier for us to read them.

The Chairman said you are asking for a waiver on the street width from 50-feet to 40-feet, so you will be asking for a sidewalk waiver as well, is that correct.

Mr. Beaton said yes, they would need to.

The Chairman said it is not on the waiver list.

Mr. McCourt said the waiver for grass strip and sidewalk on one side of the road, but now we need to alter that after our discussion this evening, and now revise to have the waiver talk about the width of sidewalk.

Mr. McCourt said it is, but not the width of the sidewalk, they will be adding that from tonight's comments. The one on the proposed waivers is for 5.61 based on the February 2, 2022 waiver submittal letter.

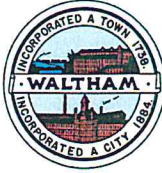
The Chairman then commented on the grade of the landing.

Mr. McCourt said originally when you asked for the grade difference so we met the 200-feet in at 2% for 200 -feet.

Mr. Keefner said it looks like 2% for 100 feet.

Mr. Beaton said he wanted to highlight what they have done based on our last meeting.

They changed their proposed grade from the original application which was something like to 2% up to 2.5% or 2.7 % the up to 4%, he didn't remember the exact numbers, so we created a



new design with the 2% grade for the first 100 -feet then rolling that grade into a 6 to 7% for the remaining part of the road so keeping it at a limit.

The Chairman said so no waiver on that.

Mr. Beaton said that was correct, no waiver, and they widened the road 2-feet from the original application, and we could get another 1 or 2 feet, and we will look into that, as well as altering the grass strips. We did loop the water as a request of the Board, to Hayes Road.

We added a complete new sewer system on this revised plan, so that wasn't on the original submitted plan.

We did place the parking on one side as requested. He did ask the surveyor to add the stone bounds on the plan, but that didn't happen but we will get it added to the plan.

We did place trees on the plan to the lot, and added sidewalk on one side and we encompassed the old envelope of the road.

They thought they had hit every point of the Boards requests from the previous review.

He understands Mr. Moroney is concerned about the configuration of the lots, and the lot lines on two lots, and they are juggling with all of it and trying to come up with as good as a layout as possible.

The Chairman said that is what the preliminary is supposed to do.

Mr. Beaton said they will address these other issues for next meeting.

Mr. Moroney then commented, if we are looking at the profile on Sheet 5, he believes the pavement line shows the 2% for the first 100-feet, then there is a vertical curve, does that mean the entire cul-de-sac's circle is sitting on a 7% grade.

Mr. Beaton said yes it does, the road and the cul-de-sac.

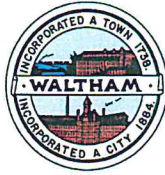
The Chairman asked if there was a waiver for that.

Mr. Beaton said he didn't believe he had to ask for a waiver for that.

Mr. McCourt agreed, he doesn't believe they need to, they only requested the waiver to have just 2% for the first 25-feet, then it goes slightly up to 7%,

The Chairman asked them to check on that.

Mr. McCourt said it is equal with the road.



Mr. Moroney said he would rather see a much steeper driveway with a leveled cul-de-sac. Kids like to play in a cul-de-sac, try to envision them playing ball on a 7% cul-de-sac, guess where the ball is going to, towards South Street.

The Chairman said more importantly is the 100-feet, especially with cars traveling on ice.

Mr. Moroney said and so is all the drainage water.

Mr. Beaton said there is a section of the road around 60 to 70 feet we could drop that grade down, if I can go to say 10% off the 2% and then drop to 5 or 4%, that could help.

Mr. Moroney said, great, try and play around with that idea, and also the sewer line flows the same pattern so maybe that could help with the sewer grade as well.

This was discussed a bit further and the petitioners will look into all the suggestions and see what can be done.

Mr. Beaton will look into that as well, and see what could be done within reason. They do follow the state grades.

The Chairman asked if there was a motion for a site view.

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

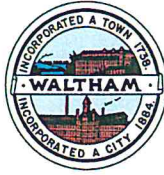
VOTED: to have a site view on Monday, May 16, 2022 at 5:00 p.m. at 677-679 South Street.

Mr. McCourt said the members could park right on the property.

The Chairman asked if there was a motion to continue the petition at the next meeting.

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

VOTED: to continue the Preliminary Subdivision for 677-679 South Street at their next meeting of June 1, 2022.



The Clerk read the next item on the agenda which was for a request for an Extension of Time to complete work of the Special Permit Driveway Openings exceeding 25-feet in width for 300 Third Ave. from June 26, 2022 until June 26, 2023.

Attorney Michael R. Connors of Connors & Connors, LLP of 689 Main Street, Waltham, MA came forward on behalf of the Petitioner, LPC Northeast, L.L.C. He updated the Board that construction is still underway and that with the Covid pandemic they are a bit delayed with the completion of construction. The requested extension will allow the necessary time to complete construction.

There being no questions the Chairman asked for a motion.

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

VOTED: to accept the request of a one-year extension of time to complete construction from June 26, 2022 until June 26, 2023 for the Special Permit at 300 Third Ave.

The Clerk read the next item on the agenda was for a request for an Extension of Time to commence work of the Special Permit Driveway Openings exceeding 25-feet in width for 300 Third Ave. from June 14, 2022 until June 14, 2023.

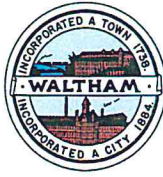
Attorney Michael R. Connors of Connors & Connors, LLP of 689 Main Street, Waltham, MA came forward on behalf of the Petitioner, 275 Wyman LLC.

Mr. Connors updated the Board that construction is still underway and that with the Covid pandemic they are a bit delayed with the completion of construction. The requested extension will allow the necessary time to complete construction.

There being no questions the Chairman asked for a motion.

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

VOTED: to accept the request of a one-year extension of time to complete construction from June 14, 2022 until June 14, 2023 for the Special Permit at 225 Wyman Street.



The Clerk read the last item on the agenda was for the approval of the minutes of the April 6, 2022.

The Chairman asked if there was a motion.

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

VOTED: to approve the minutes of the April 6, 2022 meeting as presented.

There being no further business, the Chairman asked for a motion to adjourn.

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

VOTED: to adjourn the meeting at 7:05 p.m.

Respectfully submitted,

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