



CITY OF WALTHAM
BOARD OF SURVEY AND PLANNING

The following are minutes of the 7:00 p.m. January 3, 2018 public hearing held in the Public Meeting Room of the Arthur Clark Government Center located at 119 School Street, Waltham, MA. In attendance were Chairman Creonte and members Barrett, Callahan, DeVito, and Moroney.

The Chairman opened the public hearing at 7:00p.m. and informed the public that the meeting was being taped by the local WCAC Channel and if anyone was coming forward to speak to please sign in. He then opened the public hearing.

The Clerk read the first item on the agenda which was for a request from the Board to re-apply to the Waltham Zoning Board of appeals for 12-16 Rumford Ave.

Attorney Joseph M. Connors Jr. of 404 Main Street, Waltham, Ma came forward representing the petitioner, Deepak Mohapatra.

He explained that this was an unusual case. The statute states that an unfavorable decision from the ZBA says that the petitioner has a two year time frame to reapply but would require consent from the Board of Survey and Planning. He said that since there were only five out of the seven Board members present, and with the anticipation that there would only be five members at the February meeting as well, he requested that this matter be continued at the February 7, 2018 meeting.

The Chairman asked for that request to be put in writing and submitted to the Boards Secretary. He then asked if there was a motion.

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

**VOTED: to continue this matter at their February 7, 2018
meeting.**

The Clerk read the next item on the agenda which was for a Special Permit More Than One Principal Building on a Lot at 81-83 Orange Street.

Attorney Joseph M. Connors came forward representing the petitioners, Sean P. Donlon Jr. and 29 Orange Street, LLC.

This special permit application falls under Section 4.215 to allow more than one principal building on a lot. They received a copy of Wade Putnam's comments dated December 14, 2017 and have responses to those comments that he would like to review.

Comment #1. The required current recorded deed and Middlesex Registry plan have not been submitted.

Response #1. Submitted to the Board were the current deed to the property dated July 17, 2013 and recorded at the MSRD in Book 62544, Page 232, and the plan referenced, therein, dated May 1946, being Plan No. 700 of 1946.

Comment #2. Drain calculations have not been presented as required. Plan states that calculations are to be done later; however the drainage at this time appears to be in order based upon the assumptions made. Permit to be issued upon receipt of the required final calculations.

Response #2. Drainage calculations shall be presented to the City Engineer as part of its permit review for the building permit.

Comment #3. The engineer should verify that the drain tanks will not discharge any water to the basement in each building.

Response #3. No basements are proposed for buildings.

Comment #4. The plan shows two sewer connections with a six inch pipe going into a six inch main at the street. The connections into Orange Street into the old clay six inch sewer line must be made by a precast sewer manhole.

Response #4. The applicant agrees to install a precast sewer manhole as described above. The plans shall be revised to note this installations.

Comment #5. Sewer connections with more than one unit require that the owners are responsible for the entire connection from the unit to the main; which includes the portion in the street. A note to this effect shall be added to the plans.

Response #5. The applicant shall submit revised plans to add the note as stated.

Comment #6. The sidewall along the frontage of this lot will have to be rebuilt to City standards with two curb cuts not to exceed 12-feet each, the width of each drive is currently shown as having a 12-foot width. Drives to be replaced to City standards.

Response #6. Two curb cuts of 12-feet are shown. Both curb cuts and the sidewalk along the street line shall be constructed to City standards. The plan shall have been revised to note that the curb cuts and sidewalks shall be constructed to city standards.

Next discussed were the comments dated December 19, 2017 for the Fire Department.

Deputy Chief Richardson had concerns regarding emergency vehicle access to the dwelling in the rear. He asked the petitioner to provide a fire truck turning plan showing access into and out of the area in front of the rear building.

After reviewing this comment, they met with Deputy Chief Richardson to discuss options.

On December 28, 2017 the petitioner submitted a letter to the Fire Department agreeing to install a NFPA Automatic Sprinkler System for the rear building either a NFPA 13D or 13R system shall be installed as directed by the Fire Department, which will then comply with Chapter 18 of the Fire Code.

Also on December 28, 2017, Deputy Chief Richardson forwarded a comment to the Board that the installation of a sprinkler system in the building in the rear of the lot would satisfy the access requirements for the Fire Department as well as no parking would be allowed in the driveways on both sides of the structure in the front of the house.

Attorney Connors said that they had resubmitted revised plans dated 12/29/2017 addressing all of these concerns.

Since those plans were revised, they had received comments from the Transportation Director dated January 3, 2018 which listed some concerns he had.

They have addressed those concerns and revised the plans dated 1/03/2018 to hand out.
(Exhibit "A")

The Board took a few minutes to review the new plans.

Attorney Connors reviewed the comments and revisions.

The comment on parking spaces #1 and #2 seem to be somewhat awkward to pull into or out of.

The original plans showed the parking spaces perpendicular, now they are shown on the revised plans at an angle, which will make it more design compliant for the parkers, with the one way in. The one way in was reviewed on the plans, showing the new angled parking and the exit of the lot. There are eight parking spaces for the four units, several of which would be in the garage underneath, so four will be inside and four would be outside. So we will have one parking space #2 angled parking, and the parking space #3 and #4 will be adjacent to the rear of the building so the four parking spaces that are outside in the back left and back right and against the building. The other four will be interior in the garage. We are hoping that the angling of the parking spots would address the concerns of the Traffic Engineer.

The Traffic Engineer also commented that there was not a snow storage area shown on the plans.

Attorney Connors said that if you look at the zoning code discusses snow storage is a requirement of the zoning code that when you construct a parking area for more than five cars you need to provide 40 square feet of snow storage area for each vehicle. We are not constructed a lot for more than five cars, we are putting four cars outside. However, we added a note to the plan that in the rear of the building, behind parking space #3 and #4, we have added snow storage of 160 square feet, which would be the requirements if we were contracting a parking lots for over five cars.

So these are the design changes that we have made.

Our lot is 12, 000 square feet and the requirements are to have 6,000 square feet for each lot which we have. We have sufficient lot area for both buildings. We have under the zoning district of the required 60-feet frontage, we have 80-feet on Orange Street. There is additional land, a 2-2 ½ foot right of way, other access to the site. This was discussed.

They would restrict the residents to an entrance only on Orange Street. There will be proper signage showing this restriction. There will be two 12-foot driveways that would be up to city standards. In that 9-foot right of way that runs 91-feet into the lot which allow us to get into the lot and into the space between the building and rear building. Also under section 4.215 we have to have 100% of the rear yard and there is more than 45 square foot area that more than satisfies the requirements under section 4.215. We meet all the front yard, side and backyard setbacks. In this area, this a fairly large lot, this is a good plan for this particular lot with adequate parking for each unit, four inside and four outside.

We have added the snow storage area. Also in your package we added a rendering and also shows a turning simulation for 81-83 Orange Street, so we are attempting to show you how a vehicle would enter and par and exit the lot.

There were discussion on the rendering handed out.

Attorney Connors then commented that the petition for Two Buildings on a Lot is a good opportunity and hopes the Board is receptive.

The Chairman the opened up the meeting to the Board for questions.

Mr. Barrett had no questions at that time.

Ms. Callahan asked if the Traffic Engineer had seen the revisions to the plan with the new parking layout.

Attorney Connors said that they just made these changes to the plans today and the only change is the parking spaces, we went from a 90 degree to an angle.

Ms. Callahan asked if the entrance into the property is a shared driveway with the neighbor.

Attorney Connors said the 1946 document plan there is a 9-foot shared right of way, but our driveway will actually be 27-feet wide, so the majority of the driveway would be on their property. The right of way only extends over 2 ½ feet.

Sean Donlon Jr. of 74 Crestview Road, Waltham, MA came up to the podium to address this further. Mr. Donlon is the petitioner and wanted to clarify the driveway issue. He reviewed the property line on the plan at 12-feet from the proposed front building, there is also a 9 foot and 2.6 feet is deeded to 81 Orange Street, on the 85 parcel, so it would be a total of 14.6 feet of deeded access to 81 Orange Street just for our use. The total width for both properties is 27-feet, which is an additional 13 1/2 feet outside of our right of way line which is deed 81 Orange Street to the existing building on 85 Orange Street. This makes it plenty wide for two way street access.

Ms. Callahan commented that she was concerned with the width

that it shared.

Mr. DeVito asked that on the untitled map that you had handed out to the members (Exhibit A), on the Legend it's marked as 81 Orange Street but he was concerned with Crescent Street round perpendicular to it from Moody Street and Adams Street, and asked Mr. Connors to explain why it shows Crescent street at Woerd Avenue shown.

Attorney Connors said he could not explain that. He printed that map from Goggle Earth. He said that there is quite a distance from Orange Street to Adams Street and to Woerd Ave.

Mr. Devito said that Woerd Avenue is off Crescent Street which has nothing to do with Orange Street.

Attorney Connors said that he can't tell you why, he went to Google Earth and searched 81 Orange Street and that's what printed out.

Mr. Devito asked what the proposed height of the building is from the parking lot to the ridge of the roof.

Attorney Connors said that it shown on Sheet C-1, measured the average existing elevation, as that is how we determine height in the City of Waltham, and it measures 39.43 feet.

Mr. DeVito asked what the maximum amount is allowed for this zone.

Attorney Connors said the maximum amount is 40-feet, so they meet that requirement.

Mr. DeVito then asked if the all the drainage would be kept and maintained on the lot.

Attorney Connors said it would be kept on the lot.

Mr. Donlon came forward and said that the drainage systems were designed for the 100-year design event, everything would percolate into the ground in accordance to city standards.

Mr. DeVito said that your calculations state that there would be no run off onto the city property?

Attorney Connors said that is correct.

Mr. Moroney said regarding the driveway, it is currently shared and appears to be there because the existing house and the way it sits has no access to the back of the lot without having to go over the property line?

Attorney Connors said yes, that is correct.

Mr. Moroney then asked why the proposed buildings are so enormous and why that easement is necessary, and why can't the size of those building be reduced so that your driveways now remain inside your own lot.

Attorney Connors said that they can't take away the neighbors easement. They have a right to travel up and down there as well.

Mr. Donlon commented that the 12-foot drive is the typical drive for most of the residential uses in the city, which is on the Lucas property that straddles the property line.

Mr. Moroney said that the picture with the green house is 81 -83 Orange Street. He said there is a garage in the back of that building with a parked car that doesn't appear to need to use the easement to access that area.

Mr. Donlon said that they don't technically need it because they have the 12-foot access drive.

Mr. Moroney said that the way your buildings are situated, you have 12 feet off the side of those buildings to the property line, so your property can have its own driveway.

Mr. Donlon said that is correct. We are significantly pushing the new building back from that eastern property line, the existing wall of the green building will be several feet back from where it is currently and widen it up.

Mr. Moroney then commented that the existing house on the lot is what he would consider to be a 2 -½ story, your new building is now a 3 -½ story.

Mr. Donlon said that it is a 3 story, no basement, with just three finished floors.

Mr. Moroney said, "No, you have a 3 -½ story building in a neighborhood that is filled with Victorian style houses that are 2 -½ stories". He asked what the square footage was going to be for each of the units.

Mr. Donlon said, "Approximately 2,000 square feet".

Mr. Moroney then said that they are enormous, and asked how many bedrooms there would be.

Mr. Donlon said there would be 3 bedrooms in each unit.

Mr. Moroney then asked how many units are in the current building.

Mr. Donlon said it is a bit unclear as they weren't able to get into the house. He said they believe there are three units with approximately 6 bedrooms total, but can't be sure.

Mr. Moroney said then you would be going from say 6 bedrooms to 12 bedrooms.

Mr. Donlon said, "That is correct".

Mr. Moroney then said that regarding the back building in the lot, looking at your diagram you come out the front door. Just say I come out that front door at the same time someone is backing out of one those spots and hits me, there isn't two feet off those steps. How do you handle that?

Mr. Donlon said the steps are for each individual unit, it's not a public access thing.

Mr. Moroney said it's their front door.

Mr. Donlon said this is very similar to all the new residential properties currently being constructed.

Mr. Moroney asked where they are currently being constructed like this, not any he has seen.

Mr. Donlon said it's just a landing out the front door.

Mr. Moroney said, "Yes, but you have parking spaces with people back in and out feet away from this landing and what would people with children coming out the front door do when someone is backing out and doesn't understand why there are parking spaces there at all".

Mr. Donlon said that these spaces are now angled, but understood Mr. Moroney's point of view.

Mr. Moroney said, "Why can't they take the back building and push it back further into the lot, as you have quite a bit of real estate back there. And you could at least give the back building some kind of front lawn".

Mr. Donlon said they have a 30.25 setback, so they are right at it.

Mr. Moroney asked why they aren't just putting in a reasonable sized 4-family. You are easily doubling the size of the building that is there now. You would have a nice house with a nice yard with plenty of parking and room.

Attorney Connors said, "Because it's a residence B 2-family zoning".

Mr. Moroney commented that you are then restricted. You can put a 2-family in, but you currently have a building with three units, How they can be allowed to stay there?

Attorney Connors said that was a good question and that there is no evidence at the building department that it was converted from a two to a three unit building, so the legality of #3 is in question. The street card dated July 3, 1922 remodel single family into two. The building was built in the 1890's and then flipped into two in 1922.

Mr. Moroney said, "You are at 39.9999 feet and the requirement is 40 feet. Why can't you put two car garages on the first level, then you won't have any cars to worry about. There would be plenty of room to plow the snow, nobody would have to move their cars in order to plow the snow and also provide some kind of yard.

Mr. Donlon said that he couldn't think of a technical reason why they could. They would have to rethink the layout.

Mr. Moroney then said he isn't sure of the requirements, but he is going to request that the drainage calculations be provided for two reasons. The first reason is you are required to keep the drainage on site, and the fact that you have now built slabs and not basements makes him concerned that even though you may have captured the water on your lot, if you're not comfortable enough to put basements on your lot, he wants some sort of demonstration that the water is not going towards the neighbors and not going to flood their basements.

Mr. Donlon said that was not the reason, but just the design of the building, slab on grade. Mr. Moroney asked why not use a foundation and a basement.

Mr. Moroney said because the garage monopolizes so much square footage on the first floor that it is inefficient to build a basement underneath it,

Mr. Moroney said he would like to see it made that the sizes of what you are planning on putting in the ground accommodates the drainage. What he is looking for is the statement from your drainage engineer that that large amount of tanks is not going to cause water migration to the adjacent properties into their basements.

Mr. Donlon said that would not be a problem. The standard practice is that those tanks are 10-feet for storm water standards. We are well within ten feet. We will get you those calculations.

The Chairman asked if the right away had been there since May of 1946.

Attorney Connors said yes by looking at the deed.

The Chairman had concerns since they had been given the right of way, they were giving it to a single family home.

Attorney Connors said, "No, in 1922 it was converted into a two family, in 1946 the easement was created.

The Chairman then said that now you are doubling that with two 2-family homes.

Attorney Connors said, "Yes".

The Chairman said that the original intent of the right of away was for four families.

Attorney Connors agreed and said that is why we are putting a 12-foot driveway completely on our property. We can't take away the neighbors right of way. We are putting the majority of the driveway and driveway opening on our property. It would only extend that 2 ½ feet into the neighbor's property. He said that is why we are going to restrict it to a one way.

The Chairman said a 12-foot driveway is not very large for 8, 10 or 12 cars or whatever is going to be there. You bring in moving trucks, an ambulance or a fire truck and then you don't have a lot of space. What you're proposing may be a little too large for the property.

The Chairman asked if there were open balconies or decks on top and what would the height be?

Attorney Connors said that from the pavement to the bottom of the deck is 9 ½ feet.

The Chairman commented that was truly too low. An average dump truck is over 9-feet. That is way too low.

The Chairman's final comment was that section 4.215 was designed to allow more than one principal building on a lot, but we shouldn't infringe on it at all and he felt they do not have enough space between the two buildings. You need 45-feet and you have 42-feet.

Attorney Connors said, No we do have 45-feet between buildings. On sheet C-1 the zoning analysis shows there is 45-feet".

The Chairman asked what were the 12' and 18' calculations that he was looking at.

Mr. Donlon came forward and reviewed the drive space area that explained those calculations.

The chairman asked if they were required to have greenspace.

Attorney Connors said it is not required, but they have about 30% and will do some landscaping.

The Chairman asked if they have met all the setback requirements.

Attorney Connors said yes and reviewed all the setbacks. There were further discussions on the setback requirements.

Mr. Moroney asked the petitioner to go back to the 1946 plan and asked who had the easement over whose property. There is a building on the left and building on the right and you keep talking about preserving people's rights to use the driveway.

Attorney Connors said it is shown on the plan as a right of way. The petitioner's property is burdened to allow the next door neighbor to drive 6 ½ feet into our property.

Mr. Moroney said so he is allowed to drive 6 ½ feet onto a common driveway that you have stated is a one way and would not be blocked at any time. How do you do that?

Attorney Connors said it is a right of way and needs to remain open. We can't restrict the neighbor to drive up and down the right of way. We will put up a sign to tell our tenants that it is a one -way entry only.

Mr. Moroney asked how they get past. He has the first 6 ½ feet and needs to park in it.

Attorney Connors said it is a right of way and has to be open for traffic and he can't park there. He would go onto the right of way and into his driveway and park there.

Paul Campbell the land surveyor came forward to address this.

There is 27-feet between the two buildings, 12 feet is the drive aisle for this development and is entirely on this property. Fifteenfeet plus or minus is on the neighboring property and that's where the neighbor parks. There is a right of way of 9-feet that straddles the property line and each party has access to the fraction of the 9-feet that you see on the 1946 plan. So the other neighbor has 15-feet to park on his side. Our 12-foot driveway is entirely on our 12,000 square foot lot.

This was reviewed on the plan and discussed further unit all were satisfied.

Mr. Moroney then said that there is no curb cut.

The Clerk, Mr. Chiasson, said that #85 has the curb cut.

There were brief discussions on the curb cut.

The chairman then closed that part of the hearing and opened it to anyone that would like to speak or stand in favor of this petition.

There being none, the chairman closed that part of the hearing and asked if there was anyone that would like to speak or stand in opposition.

Joseph and Maria Alfeo of 85 Orange Street came forward to speak in opposition. They are the owners of the property right next to the locus. They were very concerned with the over development happening in Waltham. It can take up to 30 minutes to get from Moody Street to Trapelo Road due to all the traffic. He commented that he is a licensed electrician and has worked on some of these new developments and can't believe how some of them are set up. Some of them just don't fit the character of neighborhoods. What really concerns him is the drainage at the back of the house, between the green house and their house. They have installed a drainage system in their basement so when we get those heavy rains, their back yard would be filled with puddles, seeps through their foundation, then goes into the drainage system and now he has to pump it. Over the summer there was a heavy rainfall and their cellar pump was pumping 24 hours a day, 7 days a week. The green house next door was flooded with over 5-inches of water in the basement.

He felt that the reason they don't want to put basements in these two units is because of the flooding problem. He doesn't know how they are going to control flooding and drainage on their lot.

He recalled that when Wayne Brasco was building the chapel, he wanted to build it with a basement, but couldn't due to all the flooding in this area. What also concerned Mr. Alfeo is that years ago, there was a fire at the Brasco Home. Also, a fire at Shoppers Café on Moody Street and a fire at the 350 unit complex that burnt down on Elm Street this past year. Another fire at a 4-family home on Russell Street. All these dwellings had something in common. The fire department had more than enough room to put the fires out. Of the two proposed buildings that the petitioner wants to build, the back building is set back from the street 95 feet. If there was ever a fire in that building, Engine 3 or a Ladder 2 would not fit in a 12-foot driveway to put a fire out. If there was ever a fire in the back building, the Fire Department would be all over Mr. Alfeo's Property; their front lawn and on top of their driveway. The proposed buildings are too large. They would now have to look at these 3 story high houses. They are concerned about the number of cars being added to the lot and with his children playing outside, he was very

concerned. They also have concerns with the shared driveway and all the cars coming and going.

These buildings would restrict our current view. It is too large and out of place with the rest of the neighborhood. The Alfeo's are hoping the board looks carefully at this petition and sees what is happening with the city and why these extra homes are being built on these properties.

Maria Alfeo added that they do live in a single family home. The green house which is next to us is a 2-family with an illegal apartment. Across the street from them is the Waltham Housing Authority and two large complexes owned by the LaCava's, along with the chapel next door. You can see how their single family home is getting eaten up by these larger structures. The proposed structure next door would not only be obstructing our view coming in and out of our driveway, but it is also out of place because it is going to be 3 stories high. There is a safety concern for them as pedestrians when they are walking; it is a safety hazard.

Mr. Moroney asked Mr. & Mrs. Alfeo how deep their basement was.

Mr. Alfeo said it was 8-feet deep.

Mr. Moroney said so from the driveway level you are down 6 ½ feet to 7-feet.

Mr. Alfeo said, "Yes".

Mr. Moroney asked if they could tell whether or not the house next door had about the same depth?

Mr. Alfeo said, " Yes, just about the same".

Mr. Moroney asked, " Do you need to use that 6 ½ foot easement right of way or do you have your own driveway?"

Mr. Alfeo said, " Yes, they have their own driveway and a two car garage".

Next to come forward in opposition was Tom Cromer of 40 Chester Avenue who lives behind the lot.

He agreed with his neighbors. He truly thinks the size of this project was too large and was concerned with the flooding issue. He was not opposed to development there, just the size; they should scale it down.

Next to speak in opposition was Ward 8 City Councillor Cathyann Harris of 42 Hovey Road in Waltham. She had received a call from the Alfeo's and a few other concerned residents. She too is from Waltham and has lived on the south side for over twenty years. While she was running for office, she had spent numerous occasions at the elderly housing on Orange Street and saw first hand the parking challenges that occur during the day on Orange Street.

She is not opposed to development, but this project would be tripling the size of the footprint on that side of Orange Street which would have a significant impact not only to the abutting neighbors, but also the entire community. The density doesn't support that kind of aggressive approach. She is urging the board to make some other recommendations or oppose this petition.

Mr. DeVito asked Ms. Harris if Orange Street was a one -way street heading east to west.

Ms. Harris said that is correct.

He asked if parking was allowed on one side of the street, the north side.

She believed that was true.

Mr. Devito said that cars are able to legally park on Orange Street on the opposite side of this proposed project. With congested traffic in close proximity to the locus, it is a challenge to get through Orange Street for driving and parking.

There being no other persons to speak or stand in opposition, the chairman closed that part of the hearing and re-opened it to the board.

The chairmen commented that the board members have made some suggestions and the residents have made some. It appears that there needs to be some work done to this proposal. He doesn't oppose development, but he does not like to see one house taken down and two houses go up. He doesn't like it at all and is not in favor of this petition as proposed.

Most of the board had commented that this project was way too big for the area. You have met the requirements, however, as a truck owner and if he had to drive down a 12-foot driveway, you would be limited and he felt that wasn't safe. Comments from the fire department stating that if the petitioner puts in a sprinkler system it would be fine, but we can't rely on sprinkler systems; not enough for safety.

He then re-opened the meeting to the board for comments or recommendations.

Mr. Barrett stated that he would rather see the petitioner go to the ZBA and request a 4-family building. What is being proposed is in close proximity to everything and it's just too big a project.

Ms. Callahan agreed with Mr. Barrett. She said that maybe an option would be to appear before the ZBA or trying to rework the proposal because what is being proposed is too big for this area and it doesn't fit in with the rest of the neighborhood. She will take a ride and look at the site. She would support a 4-family, but not this proposal.

You are now talking about adding 12 bedrooms, which could possibly mean three drivers per unit. Some may park on site; others will be trying to park on Orange Street. If there is a blizzard, where would you put all that snow and cars when there is no on street parking allowed during storms. She does not support this proposal as it is shown.

Mr. DeVito felt that developers are taking advantage of what could be put there; it's being built out to the max. He didn't feel it was fair to the neighbors. We have heard objections from the next door neighbors. He had personally driven down Orange Street and was well aware of the traffic congestion and when there are wakes or funerals at the Brasco Funeral Home at the corner of Moody and Orange Street, overflow parking goes onto to Orange Street.

He fully understands the congestion in the area.

The other concern he had was the drainage issue. It seemed to him that the topography of that lot was allowing the natural flow of rain water to flow towards the rear and unfortunately, because of it, the neighbors are encountering water in their basements. This petition will exacerbate the situation. The structures would have garages on grade, which led him to believe that there would

be a serious drainage problem in the area. He is opposed to these structures as proposed and stated that there should be some serious revisions to the proposal.

Mr. Moroney advised the engineers involved with this proposal, that there was a house adjacent to this site that already had documented water problems. You will be owning the water problem as soon as you build this. The engineer should have his drainage calculations take into account the height of the ground water table and where all those storage units sit into relation to all of that ground water table. If you build this and your neighbor's water issues start to increase, you will own the problem. Where those tanks are going to sit would make all the difference. He understood that they were trying to fit garages underneath, but you should also have some basements at least for storage so that your buildings are balanced to the ones around you. He wanted to know from the percentage of green space that is on the lot now to the percentage of the green space that is put back as dirt and grass, which can hold water. He wanted to know quantitatively what that change would be from all the asphalt, the roofs, all of the space. Your neighbors most effective comments were that there is no way a fire truck is getting to that back building. Fire trucks would have to utilize the neighbor's property which is not right. He already commented that the size of this project is too big. He agreed with Mr. Barrett, a nice sized one building 4-family, he would support that.

Attorney Connors said the Zoning Board of Appeals doesn't have the authority to do that as they are in a Residence B Zoning district which allows 1 and 2 family buildings by right. He can't go to the ZBA and ask for permission for a 4-family, they would have to go before the City Council for a zone change, which they wouldn't allow as they would be creating spot zoning. That is not a vital option.

The chairman asked if they thought they would like a motion tonight or would they like to extend this petition and digest what the Board had offered as recommendations.

Attorney Connors asked for a 2 minute recess to discuss this with his clients.

The Chairman called for a 2-minute recess at 8:37p.m.

At 8:39 pm the Chairman re-opened the hearing.

Attorney Connors spoke to his client and they would like the opportunity to go back to the drawing board, and revisit the design based on the comments we heard from the board and see if we can come up with something different, and come up with the drainage calculations. They are also welcomed to the idea of a site visit if the board would like to entertain that.

They requested a 60 day extension and return to the March 7, 2018 meeting.

The Chairman asked for a motion.

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

**VOTED: to continue the petition of a Special
Permit More Than One Principal
Building on a Lot at 81-83 Orange**

**Street at their meeting of March 7,
2018.**

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

The Clerk read the only item on the agenda which was for the approval of the minutes of the December 6, 2017 meeting.

Ms. Callahan commented that she had spoken to Ms. Deveney regarding a typo that will be corrected.

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

**VOTED: to approve the minutes of the December 6, 2017
meeting as submitted with the correction.**

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

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

VOTED: to adjourn at 8:43p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael L.J. Chiasson', written in a cursive style.

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