



CITY OF WALTHAM

BOARD OF SURVEY AND PLANNING

The following are minutes of the 7:00 pm November 4, 2020 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 Callahan, Devito, Keefner, and Moroney. In attendance via zoom were members Barrett and Tarallo.

The Chairman opened the Public Hearing at 7:00 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. He also mentioned that members Barrett and Tarallo would be participating the hearing via Zoom. He also said that with the pandemic emergency, please stay six feet from each other and masks must be worn at all times. There is also a contact sign in sheet outside in the hallway and everyone in attendance must sign in, and if you do get up to speak and use the microphone, to please clean it with the wipes when you are finished speaking.

Prior to opening the public hearing the Chairman introduced Wayne Keefner, a new member to the Board and spoke a little about Mr. Keefner. The Board gave him a warm welcome.

The Chairman then opened the public hearing.

The Clerk read the first item on the agenda which was for a special permit for the increase in driveway width in excess of 25 feet for two (2) curb cuts and a location of a driveway within 100 feet of an intersection for 554 Lexington Street. The time to act on this petition is December 1, 2020.

Member Tarallo Recused herself from hearing this petition.

Member Keefner also had to recuse himself from this petition.

The Chairman wanted to thank the petitioner for having the site view as the board had a lot of questions there as well as the public, he then said he was going to open it up to the Board for any suggestions they may have at this time. They have also asked that the Fire Chief and the Traffic Engineer attend in case the Board had any questions for them regarding this special permit.

Mr. Barrett said he would defer his comments and let Mr. Moroney speak of any suggestions.

Ms. Callahan wanted to thank them for all the new information they had sent to them for review, especially the traffic flow video which so helpful to see. No matter what there is going to be traffic there but it appears to be a really good solution and what she took away from was that it would never be a perfect situation as Lexington Street is a very busy street and thinks that maybe the slip lane that was discussed at the site view and previous meeting could be looked into and maybe you can elaborate on that possibility after during questions.

Mr. DeVito just wanted everyone aware that this is not an easy situation to get through, we have Symmes Maini and McKee Associates firm that has done an excellent job and what they have done under the circumstances. We on the board have taken on quite a bit of responsibility trying to do the right thing for the city of Waltham for our students and however it ends up it will be the best for everyone.

Mr. Moroney said as you have seen in your packets and was sent to the Consultants as well and the Traffic Engineer, Mr. Moroney had tried to make some suggestions as he personally sits in that Lexington Street traffic back up all the time and had some concerns so he thought he would draw something up as a suggestion. The one little change on the drawing is he had used a 40-foot radius and at looking at the submission for today where the bus takes the right and has to cross into the other lane and would like to suggest that be increased to 50 or 60 feet, and that way when the bus either turns in or turns out it could stay in its own lane and that just goes along the concept of having Lexington Street a through lane. Other than that that is his contribution to this.

He also wanted to point out that he noticed that looking at this is that if you go north on Lexington Street, everybody who walks south on Lexington Street from Lake Street now turns left to go into the high school with the traffic light. If all those high school kids are now going to have to walk down the street. He also noticed the sidewalk opposite the current entrance to the high school does not meet ADA and his fear was that it needs to for the project be viable.

The Chairman added that he concurs with the members that slip lane would be great if that could possibly happen to the north of the project.

Also he noticed at the site view there was talk as to whether or not the roadways could be centered more to protect the northern and southern boundaries of the property and they had said that Fire Department had thought it would be a better idea not to do that so at this time he asked the Chief come forward and ask him if we could in fact move the roads into the middle more and certainly respect his opinion.

Chief Thomas McInnis, Waltham Fire Department and Deputy Chief Richard Grant came forward.

The Chief asked the Chairman if he was talking about Lexington Street.

The Chairman said the roadways going into the property there is one out and one going in, and they are pretty much not in the middle and more into the southerly side and what was suggested was could we bring them in more to give the two residents at the curb cuts a little more space. So we would like your thoughts on that.

The Chief said the radius for fire trucks and for buses is appropriate with the distance that they have proposed now and wouldn't bring them in any closer and feels it is good the way it designed.

There being no questions from the board the chairman thanked them for coming in.

Deputy Grant from the Fire Prevention Bureau asked to speak. The turning radius appear to be fine, and if there was any question as to if the fire apparatus or any other emergency vehicles could make it in there and stay in their own lane, a swept pass analysis could be made up by a traffic engineer or a fire protection engineer and that shows the ability for an emergency vehicle or apparatus to stay in its own lane while its turning into the property and up and around the property also.

The Chairman asked if he too thought that is fine as drawn.

Deputy Grant said the radius is sufficient as proposed.

The Chairman then asked Mike, Garvin, the city Traffic Engineer to forward and to comment on the abilities, the board would have loved to seen that slip lane continue north and with doing that they thought that maybe they could eliminate part of the bike path on the northern side of the property and they had said before that there was always four lanes on Lexington Street and since they put the bike path in they went down to three lanes. So the boards suggestion was could they eliminate that piece of the bike path say 100 to 200 yards, not getting into the corner as its very dangerous spot there, then traveling south on Lexington Street knowing the traffic you could slip cars and buses into that far right lane that it may help the traffic. Bikes are nice and all, but when you look up Lexington Street and see the number of cars if we can't have both then what is more important. So they have asked Mr. Garvin to come in to question whether or not that's possible.

Mr. Garvin said that any changes to the lanes onto Lexington Street are subject to approval from the Traffic Commission, so it's not like he can make a change tonight. To give the board a little history on the lane reduction on Lexington Street, the driving forces for that was that the four lanes were not really needed for capacity and found through many times of the day it encouraged increased speeds on Lexington Street which led to a significant amount of accidents, so really the Traffic Commission moved into the direction of three lanes to reduce the speed of the traffic and slow it down. We did a before and after study of the accidents of the whole corridor and we found that that traffic measure reduced accidents by 19%. So with the safety aspect, we then had to add in the bike lanes.

The Chairman said that now with the added traffic that is going to into there, things have changed so could the board suggest that they take another look at that?

Also, driving through other cities at high schools they have flashing lights during certain times and speed bumps in place which is something we could do and that this may be the time for the professionals to think about it. So how does the board go about doing that?

Mr. Garvin said that would be through the Traffic Commission for discussion. He know the Architects are going to going back to the Traffic Commission with final plans for the two signals so that would be the point to have that discussion.

The Chairman then asked the representative for 554 Lexington Street to come forward.

Lorraine Finnegan from SMMA of 100 Mass Ave., Cambridge came forward and said that they have Katie Laughman from the City Law Department had requested to speak to the Board.

Ms. Laughman came forward and informed the Board that she would like to speak on behalf of the Petitioner, the City of Waltham. She has reviewed the previous meeting and is aware of the abutters concerns. She would like to go over some legal aspects of this petition and then would be happy to answer any questions from the Board. The Board has touched upon some of the issues that she would like to discuss you particularly with respect to the jurisdiction of this Board to consider for the layout and the lane divisions and any additional slip lanes along Lexington Street, so in this the Board is acting as a special permit granting authority for the special permit under the zoning act 40A and there are only two instances in the zoning ordinance where this Board has this authority and its very different scope of authority that you would normally have under the subdivision control law at which you get to look at a full scope of the project clearly laying out new roadways to determine appropriate widths.

The case before you tonight is really just about these two (2) curb cuts and the offset intersection which is the exit lane. The standard for the board to review those under the zoning ordinance is actually quite limited, and the finding that you are required to make under the zoning ordinance with respect to the curb cuts being greater than 25-feet is whether the increase over 25-feet would be a benefit to public safety and traffic flow. And with respect to the driveway egress that offset from the intersection at Stanley Road the Board is asked to make a determination that the location of that driveway, being offset from the other intersection is deemed feasible and that in no instances that location of the radius of the intersection and council has been to the Traffic Commission and has received that approval.

She said she knows that the Board is concerned about the Lexington Street traffic flow and some of those issues, and as the Traffic Engineer just spoke with you the appropriate venue for you to address those concerns would be the Traffic Commission. Certainly the Board has the ability as a Board to vote to send correspondence to the Traffic Commission outlining your concerns and ask that they take consideration. It would not be appropriate with the Boards limited scope of findings under the zoning ordinance to expressly condition the project, on requiring those type of approvals because that's technically outside of the Cities authority as applicant, the Mayor doesn't have the authority of the applicant here to unilaterally make those changes to Lexington Street.

The last issue you would like briefly address is principal that applies to educational uses which is known as the Dover Amendment. The Dover Amendment is a principal of state law that basically provides that when there is an educational use coming before a board for permitting under zoning that the board's ability to condition and know decision you make or conditions you oppose can have the effect of limiting that educational use, so she wanted to caution the Board as you proceed with this petition that you are aware that under this State Law and the Dover Amendment, you can certainly look at these curb cuts, you can certainly make findings under your authority in that ordinance but to expand that beyond the scope of those curb cuts to the extent that it might affect other things on the site or the use it self those type of conditions you can't due to those overriding of the Dover Amendment which gives basically exemption from educational uses when they are subject to approvals.

She will be happy to answer any questions the board may have about the limit and scope of its authority on these applications.

The Chairman then thanked Ms. Laughman for this information, being on the Board for 27 years he had never heard of the Dover Amendment but that is good to know. He asked if the Board had any questions. There were none. The Chairman the commented that that is why the board wanted to just simply make suggestions that we have and asked for the Chief and the Traffic Engineer to come in and help us out with this as well.

Lorraine Finnegan then came forward to answer any questions the Board may have. They appreciated the board taking the time to come to the site view and they are trying to make this the best they can with the limitations that they have, there are reasons to keep the entrance point at Stanly Road rather than put them in the middle.

There Chairman then asked the Board if they had any questions.

Mr. Barrett had none. Ms. Callahan asked if they could send a correspondence to the Traffic Commission with regards to the slip lane. Mr. DeVito did not have any questions or comments. Both Mr. DeVito and Mr. Moroney had no questions.

The Chairman reminded the public that he had closed the public hearing at the October meeting so he would not be asking for anyone to speak and hoped their concerns were answered at the site view.

He then called for a motion.

Ms. Callahan made a motion to approve the Special Permit for the increase in driveway width in excess of 25-feet for tow 92) curb cuts and location of a driveway within 100-feet of an intersection for 554 Lexington Street and in addition to send a letter to the Traffic Commission that they explore whether or not a "slip lane" be added in place of portion of the bike lane.

The motion was seconded by Mr. Barrett.

Roll Call:

M. Justin Barrett	YES
Kathleen Callahan	YES
S. Anthony DeVito	YES
Brian E. Moroney	YES
William M. Creonte, Jr.	YES

There being five yes votes the motion passed.

The Chairman asked for a 2 minute recess to allow members Tarallo and Keefner to return to the hearing.

The Clerk read the next time on the agenda which was for a Special Permit existing driveway openings greater than 25-feet at 49-53 Linden Street. The time to act on this petition is November 25, 2020.

Robert Fitzgerald of 100 Northern Avenue, Boston, MA came forward representing the petitioner. He said he was there for this special permit under section 5.41 of the zoning ordinance for the use of pre-existing driveway openings greater than 25-feet located at the property at 49-53 Linden Street.

The need for this special permit was that was identified from comments from Mr. Wade Putnam from the Engineering Department on the Petitioners Development Prospectus in support of a separate petition with the City Council of r the construction and operation of a drive through automated telling machine within the existing parking lot on the property.

The existing curb opening on the site exceed the twenty feet that are shown on the application on sheet C2, the first is on the southwestern corner of the property to be coming off of Main Street which is 30-feet in width, the other is in the northwest corner of the lot coming off of Linden Street which is 35-feet in width and one adjacent to the northwest corner of the commercial property off of Linden Street which is 34- feet in width. These are all pre- existing driveways and we are not asking for any modifications.

We have received comments for this petition from the engineering Department and the Fire Department the latter two which had no concerns about the petition, Mr. Putnam raised tow comments with regards to his site visit that he noted the curb returns on driveway on Linden Street nearest to the gas station need to be replaced which the petitioner are in agreement in response to that comment. We have added to condition to the draft decision that require the replacement of that curb return.

The second comment was related to drain improvements that would be required as the result of the ATM project and was a similar comment received for the special permit with the City

Council for the ATM project. WE have had a conference with Mr. Putnam who indicated that the city would require that the ATM project retain onsite an amount of storm water as associated with a 100-year storm event by the ATM project. The petitioners have agreed to a condition of the City Council Decision to that effect which requires that the storm water system be approved by the City Engineer prior to the issuance of a building permit for the ATM project.

The final design of the system will depend upon some field work to evaluate infiltration rate but the system will handle an area of about 6500 square feet and is likely to have somewhere between 1100 and 2200 hundred cubic feet of storage capacity again depending how well the water infiltrates the soils. The design will be the standards established by the city and will be a significant improvement over existing conditions.

He respectfully asks the Board to vote in favor of this petition and would be happy to answer any questions.

The Chairman then asked the board if they had any questions.

Mr. Moroney asked if this property was sold.

Mr. Fitzgerald said the owner is still Kimko Realty Corp. and has been for quite some time.

Mr. Moroney said then BOA would be a new tenant.

Mr. Fitzgerald said yes.

Mr. Moroney said whether you are or not, the water on this parking lot in the bottom right corner of the drawing flows out onto the MBTA's commuter rails right of way.

Mr. Fitzgerald said he was aware of it.

Mr. Moroney said for the most part the water is coming from the area that you're developing. He doesn't see any existing flow arrows on the plan. Since the whole parking lot slopes to the right and down how are you catching all that water basically in the zone of influence and preventing it from going out onto the railroad right of way.

Mr. Fitzgerald said it was his understanding that after his discussions with the City Engineers that the obligation was to come up with a storm water management system that would address the area to be disturbed by the ATM Project, we evaluated that and the amount of area to be disturbed by that project is about 6500 square feet.

Mr. Moroney asked if the circle he sees on sheet C6 and C7 if that was the point of influence or the elevations.

Mr. Fitzgerald said the circle actually part of the lighting plan.

Mr. Moroney asked where the drainage is on the plan.

Mr. Fitzgerald said that at this time they do not have a drainage because it's a function of some additional field work that is going to be performed to determine the infiltration rates, but in effect there will be a storage capacity, a certain amount of the water would be infiltrated, the balance would be stored in some type of storage unit.

Mr. Moroney said so what you're going to provide for drainage would be able to handle a 100-year storm but what he is not hearing is that whatever you are going to do in your footprint is still going to allow all the water adjacent to your footprint to run onto somebody else's property which isn't cool. So how can your guys who now are going to put something in the middle of this and almost prevent that drainage from being corrected, how you are going to step up and correct that situation.

Mr. Fitzgerald said that the current owner was considering drainage improvements beyond that wasn't needed, just the area to be disrobed near the ATM project, they understand the current situation is not ideal and havn't been for awhile, but the improvements that will be associated with this project would make a significant improvement, it won't eliminate all of the issues on the site which are unrelated to the construction of this project and would continue even if the project were not constructed.

Mr. Moroney said that now we have a problem. The people that tried to develop there and tried to do the same thing and said that that problem is somebody else's problem even though they were the owners of the property. Since you are planning on taking that whole north third of the parking lot, he would like to see Bank of America step up to plate and do something to control that water.

Mr. DeVito had no questions.

Ms. Callahan said so the only area that you are going to take care of the water is the 6,500 feet just where you would be building the ATM.

Mr. Fitzgerald said the project is going to include the ATM kiosk itself and then there would be as shown of Sheet C4, there is a large rectangular area where some of the lot that would be remilled and restriped as part of the project. So the drainage improvements are not just limited to just the footprint of the ATM or the island but to the entire area within that rectangular area as well the utility line and it goes in another diagonal direction towards Linden Street out to the utility pole are also included in the calculations of how much area is to be disturbed by the project.

Ms. Callahan commented that BJ's wanted to put in something there before this petition and at that time there were very lengthily discussions regarding the water issue at this property. It appears what you would be installing for drainage would be an improvement but it's more like a band aide for that area and is not sure if this would be a solution to the issues that are at the site but she does see it as a help.

Ms. Tarallo agrees with Ms. Callahan and has concerns about the run off and one of the notes says, the runoff crossing the sidewalk at Dunkin Donuts, are they going to control that so that won't keep happening.

Mr. Fitzgerald said that the improved that are proposed as part of the project are only focused entirely on the area to be disturbed by the project and not outside of that, so it's not going to control all the onsite runoff.

Mr. Barrett asked Mr. Fitzgerald if they had reviewed at the previous petition presented by Costco or BJ's as that may have helped them understand all these questions.

Mr. Fitzgerald said he did not review the previous petition.

Mr. Barrett suggested that they do review that previous petition before this Board makes a decision.

Mr. Keefner had no questions.

Mr. Fitzgerald pointed out that what was stated at the earlier petition is that the standard review of curb cuts greater than 25-feet is whether it's a benefit to public safety and traffic flow so to the need to address the comments on certain drainage is a basis for conditioning by the City Council but the focus for this request is simply to approve pre-existing curb cuts are greater than 25-feet.

The Chairman was not quite sure if that is correct, this doesn't fall under the Dover Amendment that was spoken of earlier this evening, so within a special permit we can ask questions as we feel pertinent to the site. There is very bad water issue at the Linden Street area. You are coming in and taking a piece of a big property but you are coming in representing the property.

The Chairman then said he is going to ask to continue this petition to the December 2, 2020 meeting, and would like to obtain further information from the Law Department on the matter of what the Board can and cannot review during a special permit curb cuts greater than 25-feet in width. So he would like to refer this to the Law Department.

Ms. Callahan then said that they need to act on this special permit by November 25, 2020 so they need for the Petitioner to extend the "Time to Act as well as continue to the December meeting.

The Chairman asked Mr. Fitzgerald if they were willing to extend the time to act as well.

Mr. Fitzgerald agreed.

On the motion of Mr. Moroney made a motion to continue the petition for Special Permit at 49-53 Linden Street to the next meeting of December 2, 202 and to extend the Time to Act on the special permit until December 15, 2020 and to also send a letter to Law Department.

The motion was seconded by Mr. Barrett.

The Chairman called for a roll call.

ROLL CALL:

M. Justin Barrett	YES
Kathleen A. Callahan	YES
S. Anthony DeVito	YES
Wayne Keefner	YES
Brian Moroney	YES
Mila R. Tarallo	YES
William M. Creonte, Jr.	YES

Motion passed.

The Clerk asked the Chairman the Chairman to elaborate on exactly what they would like to ask the Law Department.

The Chairman we would like to ask the Law Department if it is within the Boards purview to ask about drainage and other matters of concern during a review on special permits under Section 5.41 of the zoning code.

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

The Clerk read the next item on the agenda which was for a preliminary subdivision for 46 Lincoln Street.

Mr. Barrett recused himself from this petition as he is a direct abutter.

Attorney Philip B. McCourt came forward to address the Board on this ongoing preliminary subdivision plan. Robert Bibbo was also there to answer any technical questions.

They had submitted a new plan with a reduced number of waivers.

The original plan was submitted back on May 4, 2020 which contained three lots but at that time they wanted to come in with a T- shaped road off of Lincoln Street going each direction. The Fire Department made comments about that design and the turnarounds in relations to the end of the road in order to address any fire emergencies. Engineering Department based on that plan

and a group of waivers requested had comments that we responded to before but which are now not relevant to what has happened to the design since then. In August there was a site view which with discussion with the Board how they could amend that plan with possibly facing the lots directly onto Lincoln Street with a common driveway without the necessity of the original proposed road and had produced a plan for that.

Both the original plan and that subsequent plan had a fourth lot shown which a non-buildable small lot was behind the home of then William Fowler who has since sold his home and left. That subsequent plan did not received a lot of acceptance even though it would have been directly off of Lincoln Street with a common driveway.

Robert Bibbo and re-thought the site over so that they could satisfy all of the concerns raised along the way. They have eliminated this fourth small lot since at that point it had no place here and was only put in originally as it was just a left over piece because of that T- road that was first submitted in the original plan filed. They have now come in with a road that would come in directly off of Lincoln Street but would immediately go into a cul-de-sac presentation of which three lots would be a faced. Per their request, Ms. Deveney sent that off to Wade Putnam form the Engineering Department and to the Fire Department. The comments letters that came back, Deputy Chief Grant found that it would work well with this particular presentation and was satisfied with it.

Mr. Putnam raised some issues in relation to which we agreed to most which you will see we responded to in the second page of the pass out we gave to you. He reviewed these comments.

The first comment was that this would now be a definitive subdivision and requires that they follow the definitive plan requirements with an advertised meeting and they are in agreement with that and will do so.

The second comments was a suggestion to not use Lincoln Lane as the name as there exists a Lincoln Street, a Lincoln Terrace and Lincoln Woods Road and it too confusing for emergency response and they are in agreement and will use a different street name.

The third comment was that the water main looped to the end the end of Livermore Road completing a loop for it and the proposed street. They feel there is huge topographical change there which waters under pressure so it isn't a particular problem, however the people down below that have lived there for years on the dead would prefer not to have any connection and plus the cul-de-sac in their opinion is a stand-alone road and with water would to whatever needed have done.

The fourth comment was that the drainage appears to go to tow catch basins and would want them to provide those details as no connections are shown. He said they would show the drainage on the definitive plans.

Comment five was that the radii of 5-feet at Lincoln Street does not meet any requirements.

They did request this in a waiver on the new list of waivers which is extremely reduced because we don't need many waivers now and that Deputy Chief Grant thought the personation was fine. Comment number six stated that the proposed sewer main from Lincoln Street must be from a precast sewer, it not then the existing sewer main must be replaced and they agree with that.

Number seven stated that all construction details must be shown which they understand and would provide in the definite subdivision plan and this right now is just a concept of that plan.

Comment eight the required plan and profile must be submitted for the proposed street. They agree and will.

Comments nine states that all waivers must be listed upon the plan for approval and discussed before an advertised public meeting. They agree.

Comment number ten was an arithmetic matter on lot 1. That would be revised on definitive plan.

Comment number eleven stated that the bearing at the rear of lot 2 is in the wrong quadrant. All central angles are to be shown. They agree and will revise.

So with the new plan with the three lots and the cul-de-sac meets the requirements.

The Chairman then opened the meeting to the Board.

Mr. Moroney first commented that they did an outstanding job and have outdone yourselves and is very happy with the new plan and thinks that this is what folks want to see. The cul-de-sac is much better design than the T-shape road. It has nice frontage, nice three lots, and has great access.

Mr. McCourt said that all the credit goes to Robert Bibbo and was very impressed himself and that he did a great job.

Mr. Moroney asked about the 5-foot radius in the comment from Mr. Putnam and asked what the radius is supposed to be.

Mr. Robert Bibbo of 10 Hammer Street, Waltham came forward to answer that question. He said the standard roads in Waltham are 50-feet wide and 120 feet diameter for cul-de-sacs at the bulb. Then you have to reduce 10 feet on each side for sidewalks, but for secondary roads you are a Board of Survey and Planning layout and can reduce to a 40-foot wide road and a 100-foot cul-de-sac bulb. Then you minus the sidewalk and you come up with 86-feet of pavement across, with sidewalks on both sides.

Mr. Moroney asked that you are requesting this in a waiver.

Mr. Bibbo said yes and reviewed it on the plan.

Mr. Moroney asked why the waivers are not shown on the plan.

Mr. Bibbo said they would be shown on the title sheet when they submit a definitive subdivision plan.

Mr. Moroney then commented regarding the water looping, he suggest they do whatever than can to do that.

Mr. Bibbo said they will try but would like to connect it to a new hydrant but will entertain the suggested looping.

Mr. DeVito commented that under section 4.2.2.8.1 to allow construction of the road as shown on the plan without a cul-de-sac, but he sees a cul-de-sac and asked for an explanation.

Mr. Bibbo said I think you are looking at the old list of waivers and not the revised list of waivers.

Mr. DeVito stands corrected, he was looking at the old list of waivers. He then said he is okay with this new plan and agrees with member Moroney and that it is a great improvement over the original plan that you had introduced.

Ms. Tarallo had a concern and with reading the letter from the Fire Department saying they do not have a problem with the turnaround but she is not sure if they could turn around in they would have to back out into Lincoln Street and she also commented as well on comment number six and the water looping and finally on page 3 the Note in bold red letters, this needs to be addressed. She then read the "Note" Before **any approvals are given it must be determined whether the original subdivision plan will be used or officially abandoned by the Board and the new plan(s) voted upon. The original subdivision avoids most of the waivers being asked."**

She said that this needs to be written upon somewhere in your plans and she feels this is important to do. She then said she likes and is excited about your plans and she agrees with her colleagues that you have done a great job with it, to her it's not a cul-de-sac but a road.

Mr. Bibbo said when he does the abandonment he has a sheet showing the lines and the road to be abandoned.

Ms. Callahan agrees that it is a great improvement but agrees with Ms. Tarallo and that you are coming out onto a very bust street onto Lincoln Street and she was thinking about the rubbish pick up and how are they going to get in there and turn around say right after a snow storm, so she does have concerns about that proposed size of the cul-de-sac.

Mr. Keefner felt the water main should be looped and thinks there's a connectivity and requirement of the subdivision regulations that calls it out, maybe if there is ledge then it can be reassessed but thinks the looping should be looked at with a little more detail.

He also commented that he likes that the pavement diameter has been reduced but he thinks that is still a lot of pavement, if possible it might be nice to break that up with an island or something.

What might help with that would be if you ran some turning templates for both trash and fire it may help a little to see if that's possible or not.

Mr. Bibbo said that they would look into it. What they are showing was done before at LeBlanc Lane and Nancy Lane, the Fire Department has no concerns with the turning radius, but they will explore the looping further.

Mr. Keefner asked in regards to the new waivers he assumes the three new homes will have infiltration or something.

Mr. Bibbo said absolutely.

Mr. Keefner said the why not do the test pits.

Mr. Bibbo said they did for the road, but isn't shown on this plan. That's why they are waiving them as we already did them. The infiltration for each home will done and approved by the Angering Department during the building application process. The road way is roadway drainage only.

The Chairman commented that he likes the concept of the cul-de-sac and not the T-shaped road, however he agrees with Mr. Keefner that there is a lot of pavement there and understands you need it for turning however they now have impervious concrete that you could put around maybe about 10-feet of the cul-de-sac bulb to make it look nicer.

Mr. Bibbo said that would be a required waiver though the Board.

The Chairman agreed and understands that, and is not asking you to reduce the bulb, but the some of the pavement could be a different material so it's easier on the eye.

Mr. McCourt said you mean could we change the material of the road around the bulb, yes something like at Market Basket with some of their turn arounds with either greenery or pavers that it would look nice.

This matter was discussed a bit further.

Mr. DeVito doesn't agree with Waiver 5.4.7 regarding the bituminous pavement be reduced to 3-inches from 4 ½ inches and his is concerned about that because of past history with Golden Crest Avenue and Brennan Avenue where we had had a problem with pavement, so now he is not agreeing with the 3-inches with 2 course being 1 ½, he thinks you should stick with the 4 ½ inches and is opposed to that waiver.

Mr. McCourt said they would look into that and that it is very reasonable.

The Chairman then asked for a motion.

Ms. Callahan made a motion to continue the preliminary subdivision at their next meeting of December 2, 2020.

Mr. McCourt asked to make a suggestion that they come back for the January, 2021 hearing.

Ms. Callahan revised her motion to continue the preliminary subdivision for 46 Lincoln Street at their January 15, 2021.

Mr. DeVito seconded the motion.

Before they voted there was a question form the public.

Mike Donovan came forward, he lived 35 years on Sanderson Road directly behind this property, next Livermore Road, but still lives in the neighborhood on Piety Corner. He asked Mr. McCourt when they looked at these plans earlier with the T-shaped road that the 4th lot was going to be he believes jointly owned by the three owners and that they would have to take care of that property. With this current plan it appears that the three lots would be individually owned and that the circle would be deeded over to the City as a public way and that the city would takeover responsibilities for repairs and paving.

The Chairman referred that to the Clerk of the board.

Mr. Chiasson said it would remain a private way because the person that develops it just leaves it and doesn't do anything further and puts the people at a disadvantage that live in that cul-de-sac. The city will do minor temporary repairs but will not do any tree work and there's a lot they won't do.

The Chairman said they are presenting a plan and waivers that the Board can approve or deny.

They was briefly discussed.

The Chairman then said the motion was seconded and he asked if all were in favor. All were and the motioned passed.

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

VOTED: to adjourn the meeting at 8:28p.m.

Respectfully submitted,



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