

## CITY OF WALTHAM

### BOARD OF SURVEY AND PLANNING

The following are minutes of the 6:00 pm December 1, 2021 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 (via remote), 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. He also discussed the Covid safety requirements for this public hearing. He also mentioned that he will be out of order with the agenda as there are a couple of items that will only take a minute each.

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 December 15, 2021.

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

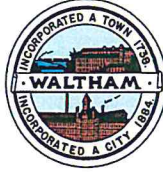
Mr. McCourt had submitted a letter on November 22, 2021 requesting that this petition be Continued to the Boards January 5, 2022 meeting and to also extend the Time to Act until March 18, 2022. This will allow additional time to provide information and plans requested at the site view.

The Chairman asked if there was a motion.

**Mr. DeVito made a motion to accept the letter of request to continue the petition 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 at their next meeting of January 5, 2022 and to allow the Time to Act be extended to March 18, 2022.**

**Mr. Moroney seconded the motion.**

**The Chairman called for a roll call.**



**ROLL CALL:**

<b>Wayne Keefner</b>	<b>YES</b>
<b>Justin Barrett</b>	<b>YES</b>
<b>Kathleen Callahan</b>	<b>YES</b>
<b>Mila Tarallo</b>	<b>YES</b>
<b>S. Anthony Devito</b>	<b>YES</b>
<b>Brian Moroney</b>	<b>YES</b>
<b>Chairman Creonte</b>	<b>YES</b>

**Motion passed.**

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 December 15, 2021.

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

Mr. McCourt had submitted a letter on November 22, 2021 requesting that this petition be Continued to the Boards January 5, 2022 meeting and to also extend the Time to Act until March 18, 2022. This will allow additional time to provide information and plans requested at the site view.

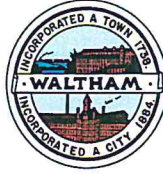
**Ms. Callahan made a motion to accept the request to continue the petition for the Extension of Prospect Hill Road to the January 5, 2022 meeting and to extend the Time to Act on this petition until March 18, 2022.**

**Mr. Keefner seconded the motion.**

**The Chairman called for a roll call.**

**ROLL CALL:**

<b>Wayne Keefner</b>	<b>YES</b>
<b>Justin Barrett</b>	<b>YES</b>
<b>Kathleen Callahan</b>	<b>YES</b>



<b>Mila Tarallo</b>	<b>YES</b>
<b>S. Anthony Devito</b>	<b>YES</b>
<b>Brian Moroney</b>	<b>YES</b>
<b>Chairman Creonte</b>	<b>YES</b>

**Motion passed.**

The Clerk read the next item on the agenda which was for a request for reconsideration of a Vote for a Special Permit Two (2) new driveway openings within 100-feet of an intersection at 162 & 166 Felton Street & 8 Fern Street.

Mr. Keefner recused himself from this petition.

Attorney Philip B. McCourt, Jr. of 15 Church Street, Waltham, Ma came forward to answer any questions.

The Chairman asked if there was a motion.

**Mr. DeVito made a motion to accept the request for reconsideration of a Vote for a Special Permit Two (2) new driveway openings within 100-feet of an intersection at 162 & 166 Felton Street & 8 Fern Street.**

**Ms. Callahan seconded the motion.**

**ROLL CALL:**

<b>S. Anthony DeVito</b>	<b>YES</b>
<b>Kathleen Callahan</b>	<b>YES</b>
<b>Mila Tarallo</b>	<b>NO</b>
<b>Brian Moroney</b>	<b>YES</b>
<b>Justin Barrett</b>	<b>YES</b>
<b>Chairman Creonte</b>	<b>YES</b>

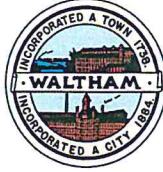
**Motion passes with a majority.**

The Chairman then asked for a motion to Re-Open the Public hearing for Special Permit Two (2) new driveway openings within 100-feet of an intersection at 162 & 166 Felton Street & 8 Fern Street.

**Ms. Callahan made a motion to Re-Open the Public hearing to accept additional testimony and to accept any further comments or receive any additional written materials on said petition.**

**Mr. Moroney seconded the motion.**





**ROLL CALL:**

<b>S. Anthony DeVito</b>	<b>YES</b>
<b>Kathleen Callahan</b>	<b>YES</b>
<b>Mila Tarallo</b>	<b>NO</b>
<b>Brian Moroney</b>	<b>YES</b>
<b>Just Barrett</b>	<b>YES</b>
<b>Chairman Creonte</b>	<b>YES</b>

**Motion passes with a majority.**

Ms. Tarallo asked what the last Time to Act on this petition was.

Ms. Deveney said it was December 15, 2022.

The Chairman then asked Mr. McCourt if they would be willing to continue the petition for the Special Permit Two (2) new driveway openings within 100-feet of an intersection at 162 & 166 Felton Street & 8 Fern Street at the Board's next meeting of January 5, 2022. He also informed the public that when they re-open this hearing they would also be able to make comments at that time.

Mr. McCourt agreed and said he would submit that in writing to the Board.

The Chairman then asked for a motion.

Ms. Callahan made a motion to continue the petition for a Special Permit Two (2) new driveway openings within 100-feet of an intersection at 162 & 166 Felton Street & 8 Fern Street At the Boards' next meeting of January 5, 2022 and to extend the Time to act until March 18, 2022.

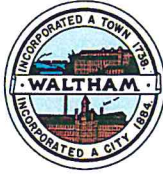
Mr. Moroney seconded the motion.

The Board voted all in favor to continue to January 5, 2022 and to extend the Time to Act until March 18, 2022.

The Clerk read the next item on the agenda was for a Special Permit existing Driveway Openings greater than 25-feet and within 100-feet of an intersection at 1254-1256 Main Street.

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

He commented that the Board had a site view on October 7, 2021 and since then had made a couple of changes on the plan which he handed out. These changes were addressed for the Board's and the neighbors' concerns. The revised plan is now dated October 28, 2021.



They are still in front of the City Council and hope to have the Boards approval for the curb cuts to add to their petition before the City Council.

Mr. Connors then went over these revisions.

1. The proposed building has now been moved closer to Main Street and Cutting Lane. The parking in front has been eliminated.
2. The parking spaces have gone from 18 spaces to 21 spaces and there will be one additional handicap space.
3. The prior plan had shown the curb cut on Cutting Lane to be closed. It now shows a reduced opening to 25-feet on Cutting Lane within 100-feet of the Main Street and Cutting Lane intersection. There is a Right Turn only onto Cutting Lane. The curb cut is situated at the zone line so that it is entirely in the Commercial zone.
4. There is no change to the curb cut on Main Street but bollards have been added to the lot at entry. The Fire Department had no issues with the changes.
5. The bike rack has been relocated from the corner of the lot to beside the building.

The Chairman commented that he was pleased to see that all these concerns have been addressed and that the Board appreciates their efforts. He then opened the hearing to the Board.

Mr. Keefner commented they did a good job but he would recommend that the area at parking space #9 and behind the back of sidewalk along Cutting Lane be landscaped.

Mr. Connors said they would do that and add that to the Decision.

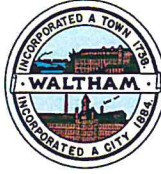
Mr. Devito suggested there be a right turn only sign at Main Street, not just the painted right turn only arrow on pavement.

Ms. Callahan agreed that there should be right turn only signs as well as the painted right turn only arrows on the road.

Mr. Connors said they would add that as a condition in the Decision.

Ms. Callahan also asked that her request for a 4 week police detail be added as a condition as well.

Mr. Connors said they would add that request as a condition as well.



Mr. Barrett asked where the radius for the curb cut actually is. Is it 24-feet or 25-feet and asked to make sure that it is properly shown on the plan and a copy submitted to the Fire Department.

Mr. Connors agreed.

Mr. Moroney agreed to please confirm the radius of the opening.

Following brief discussions the Chairman asked if there was a motion.

**Ms. Callahan made a motion to approve the Special Permit existing Driveway Openings greater than 25-feet and within 100-feet of an intersection at 1254-1256 Main Street with the revised date of October 28, 2022 with the requested landscaping and right turn only signs be added to the Decision.**

**Mr. DeVito seconded the motion.**

**ROLL CALL:**

<b>Wayne Keefner</b>	<b>YES</b>
<b>Kathleen Callahan</b>	<b>YES</b>
<b>Justin Barrett</b>	<b>YES</b>
<b>Mila Tarallo</b>	<b>YES</b>
<b>S. Anthony DeVito</b>	<b>YES</b>
<b>Brian Moroney</b>	<b>YES</b>
<b>Chairman Creonte</b>	<b>YES</b>

**Motion passes.**

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

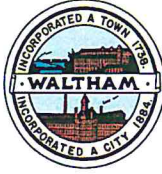
The Clerk read the first item of the regular meeting which was for an Approval Not Required plan for 34-36 Antico Way.

Attorney Philip B. McCourt, Jr. came forward representing the Petitioners, Charlesbank Estates, Inc., 70 Charles River Road, Waltham, MA.

Mr. McCourt reviewed the plan. He reviewed the easement in question and said there is no intention to build. The revised plan reflects the Engineers comments and meets all the Boards' requirements for approval.

Following brief discussions the Chairman asked if there was a motion.

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



**VOTED: to approve the Approval Not Required plan for 34-36 Antico Way as presented and to allow the Clerk of the Board to endorse the plan.**

The Clerk read the next item on the agenda which was for the Board to endorse the plans for the Susan Circle Subdivision.

The last matter was for the approval of the minutes of the November 3, 2021 meeting.

The Chairman asked if there was a motion.

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

**VOTED: to approve the minutes of the November 3, 2021 meeting as presented.**

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

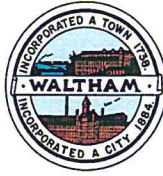
On the motion of Mr. Barrett, seconded by Ms. Callahan, the Board

**VOTED: to adjourn the meeting at 6:35 p.m.**

Respectfully submitted,

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





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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. He also discussed the Covid safety requirements for this public hearing. He also mentioned that he will be out of order with the agenda as there are a couple of items that will only take a minute each.

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Mr. McCourt had submitted a letter on November 22, 2021 requesting that this petition be Continued to the Boards January 5, 2022 meeting and to also extend the Time to Act until March 18, 2022. This will allow additional time to provide information and plans requested at the site view.

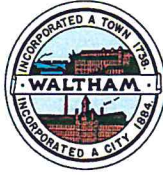
The Chairman asked if there was a motion.

**Mr. DeVito made a motion to accept the letter of request to continue the petition 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 at their next meeting of January 5, 2022 and to allow the Time to Act be extended to March 18, 2022.**

**Mr. Moroney seconded the motion.**

**The Chairman called for a roll call.**





**ROLL CALL:**

<b>Wayne Keefner</b>	<b>YES</b>
<b>Justin Barrett</b>	<b>YES</b>
<b>Kathleen Callahan</b>	<b>YES</b>
<b>Mila Tarallo</b>	<b>YES</b>
<b>S. Anthony Devito</b>	<b>YES</b>
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<b>Chairman Creonte</b>	<b>YES</b>

**Motion passed.**

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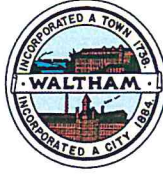
**Ms. Callahan made a motion to accept the request to continue the petition for the Extension of Prospect Hill Road to the January 5, 2022 meeting and to extend the Time to Act on this petition until March 18, 2022.**

**Mr. Keefner seconded the motion.**

**The Chairman called for a roll call.**

**ROLL CALL:**

<b>Wayne Keefner</b>	<b>YES</b>
<b>Justin Barrett</b>	<b>YES</b>
<b>Kathleen Callahan</b>	<b>YES</b>



<b>Mila Tarallo</b>	<b>YES</b>
<b>S. Anthony Devito</b>	<b>YES</b>
<b>Brian Moroney</b>	<b>YES</b>
<b>Chairman Creonte</b>	<b>YES</b>

**Motion passed.**

The Clerk read the next item on the agenda which was for a request for reconsideration of a Vote for a Special Permit Two (2) new driveway openings within 100-feet of an intersection at 162 & 166 Felton Street & 8 Fern Street.

Mr. Keefner recused himself from this petition.

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**Ms. Callahan seconded the motion.**

**ROLL CALL:**

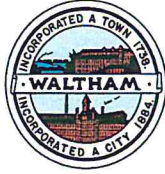
<b>S. Anthony DeVito</b>	<b>YES</b>
<b>Kathleen Callahan</b>	<b>YES</b>
<b>Mila Tarallo</b>	<b>NO</b>
<b>Brian Moroney</b>	<b>YES</b>
<b>Justin Barrett</b>	<b>YES</b>
<b>Chairman Creonte</b>	<b>YES</b>

**Motion passes with a majority.**

The Chairman then asked for a motion to Re-Open the Public hearing for Special Permit Two (2) new driveway openings within 100-feet of an intersection at 162 & 166 Felton Street & 8 Fern Street.

**Ms. Callahan made a motion to Re-Open the Public hearing to accept additional testimony and to accept any further comments or receive any additional written materials on said petition.**

**Mr. Moroney seconded the motion.**



## **ROLL CALL:**

<b>S. Anthony DeVito</b>	<b>YES</b>
<b>Kathleen Callahan</b>	<b>YES</b>
<b>Mila Tarallo</b>	<b>NO</b>
<b>Brian Moroney</b>	<b>YES</b>
<b>Just Barrett</b>	<b>YES</b>
<b>Chairman Creonte</b>	<b>YES</b>

**Motion passes with a majority.**

Ms. Tarallo asked what the last Time to Act on this petition was.

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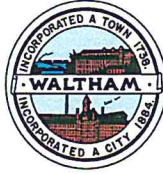
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The Clerk read the next item on the agenda was for a Special Permit existing Driveway Openings greater than 25-feet and within 100-feet of an intersection at 1254-1256 Main Street.

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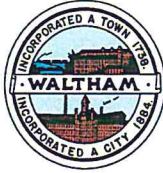
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**Mr. DeVito seconded the motion.**

**ROLL CALL:**

Wayne Keefner	YES
Kathleen Callahan	YES
Justin Barrett	YES
Mila Tarallo	YES
S. Anthony DeVito	YES
Brian Moroney	YES
Chairman Creonte	YES

**Motion passes.**

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

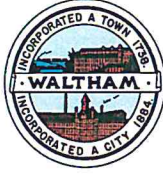
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Following brief discussions the Chairman asked if there was a motion.

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



**VOTED: to approve the Approval Not Required plan for 34-36 Antico Way as presented and to allow the Clerk of the Board to endorse the plan.**

The Clerk read the next item on the agenda which was for the Board to endorse the plans for the Susan Circle Subdivision.

The last matter was for the approval of the minutes of the November 3, 2021 meeting.

The Chairman asked if there was a motion.

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

**VOTED: to approve the minutes of the November 3, 2021 meeting as presented.**

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

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

**VOTED: to adjourn the meeting at 6:35 p.m.**

Respectfully submitted,

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