

CITY OF WALTHAM

BOARD OF SURVEY AND PLANNING

The following are minutes of the 6:00 pm February 2, 2022 meeting held in the Auditorium of the Arthur Clark Government Center located at 119 School Street, Waltham, MA. In attendance were Chairman Creonte (via remote) and members Barrett (via remote), Callahan, DeVito, Keefner and Moroney and Tarallo.

The Chairman opened the Public Hearing at 6:00 pm and informed the public that this is a ZOOM meeting and that it would be posted on the Waltham Cable Access Channels website.

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 March 18, 2022.

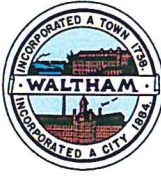
Attorney Philip B. McCourt, Jr. of 15 Church Street, Waltham, MA came forward representing the petitioner, Curtis Beaton of 705 Beaver Street, Waltham, MA.

Mr. McCourt had submitted a letter on January 26, 2021 requesting that this petition be Continued to the Boards March 2, 2022 meeting and to continue the Time to Act until April 20, 2022.

The Chairman asked if there was a motion.

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

**VOTED: to continue the petition for an
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 March 2, 2022 and to allow the Time
to Act be extended to April 20, 2022.**



The Clerk read the following item which was for the Extension of Prospect Hill Road for the land located at the easterly end of Prospect Hill Road. The Board must act on this by March 18, 2022.

Attorney Philip B. McCourt, Jr. of 15 Church Street, Waltham, MA came forward representing the petitioner. He is asking to continue this as they are currently under negotiations with the Mayor to purchase the pace of property that was discussed at previous meetings.

Mr. McCourt had submitted a letter on January 26, 2022 requesting that this petition be continued at the Boards May 4, 2022 meeting and to extend the Time to Act until June 15, 2022.

The Chairman asked if there was a motion.

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

VOTED: to accept the request to continue the petition for the Extension of Prospect Hill Road to the May 4, 2022 meeting and to extend the Time to Act until June 15, 2022.

Ms. Tarallo asked for the Attorney to submit a revised letter with the approved new dates to the Board. Mr. McCourt said he would.

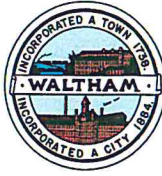
The Clerk read the next item on the agenda which was for a request to continue the Special Permit Two (2) new driveway openings within 100-feet of an intersection at 162 & 166 Felton Street & 8 Fern Street.

Mr. Keefner recused himself from this petition.

Attorney Philip B. McCourt, Jr. of 15 Church Street, Waltham, MA presented himself as the representative for Mr. Marini. Mr. Paul Finger also presented himself as the Architect that prepared the plans and would be available to answer any questions.

Mr. McCourt reviewed the plan, that the third driveway was withdrawn from the proposal and that they eliminate the Harvard Street Driveway per the Boards request, but have left it to be a beveled curb cut that the Fire Department will be able to drive over in case of an emergency and would not be used as an actual entrance.

All the curb cuts are within 100- feet of an intersection so there is no opportunity to put these curb cuts in any place other than within 100-feet of some intersection.



Mr. McCourt said the Fire Department had hoped there would be something there on Harvard Street, so they will install a beveled curb so it doesn't cut the tire, so in an extreme emergency the fire truck could jump the curb. And they would put into as a condition that no cars could park there or snow could not be stored at the beveled curb, to guarantee Deputy Chief Grant that at all times a fire truck could pass over the curb, no blockage what so ever.

The Chairman then said since they are rehearing this petition, and Ms. Callahan would like to speak on the reason why they are re-hearing this petition.

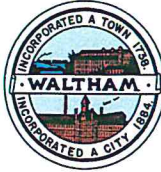
Ms. Callahan commented that she felt it was her fault for confusion, as at the November 3, 2021 hearing when she had initially made the motion to approve the curb cuts at Felton and Fern Streets, the petition had initially came in as three curb cuts at Fern, Felton and Harvard Street, and she knew that after much deliberation and the site view we decided as a Board that the Harvard Street curb cut was a huge concern of theirs for traffic so they had said at the site visit that they would like to close that curb cut per the request of the Board, they understood the Fire Department still wanted it, so it was decided that they would put the jump curb in and if their tires get blown, but the tires could get repaired. When she made the motion, she had made it for the three (3) curb cuts for the driveway openings and at that time Mr. Creonte had corrected her after she had given the motion so she had stand corrected and changed the motion for the approval to two curb cut openings on Felton Street and Fern Street so she truly believes there was some confusion with the Board members and with that she apologized.

She said the Petitioner has done everything that the Board had asked them to do, to help out the neighbors and the neighborhood, and the agreement of having the Fern Street curb cut a right hand turn only, with an arrow and a sign, there were many things the developer had done, which when she read the minutes for the November meeting there were quite a few. As a Board member, and to have a developer cooperate and do everything that was asked of them, she is very impressed with that.

The Chairman then asked if the Developer has anything new to add or subtract from the plan.

Mr. McCourt said he will have Mr. Finger address that question, they had submitted before the revised plan showing just the two driveway openings on Felton and Fern Streets, and the jump curb on Harvard Street which is what is now before the Board.

Mr. Paul Finger put the plan under review on the screen for all to see, with two curb cuts, one off Felton Street and the off of Fern Street. The additions that we had from the last meeting were identified as the right hand turn out of Fern Street and left turn only onto Felton Street to help with the traffic. As an improvement, they're going to label the area on Harvard Street jump curb as a fire lane, and that will help so that cars don't park there. Also it was requested that they build a new sidewalk all along Harvard Street and they will update the entire sidewalk along



Felton Street to make sure that it is accessible and will meet all ADA requirements. He said that is basically the site plan they are seeking approval for.

Mr. Moroney asked the date of the latest plan being reviewed, as the one he has is a 10/06/2021 dated plan stamped on 9/3/2021.

Mr. Finger said is dated 12/20/2021.

Mr. Moroney said regarding the beveled curb on Harvard Street that is no longer considered a curb cut correct?

Mr. Finger said that was correct. It is a vertical granite curb that has a little bevel just at the top edge.

The Chairman was having Wi-Fi issues so Ms. Calhan took over the meeting while he reconnected. After a five minute recess the Chairman returned.

Ms. Tarallo spoke and said she still has concerns with the Fern Street curb cut and she would like to see the same thing done on Fern Street that is being done on Harvard Street. A lot of the neighbors are not happy with the current situation and doing one curb cut coming up Felton Street would really help both neighborhoods, instead of having a curb cut at Fern Street and at Felton Street.

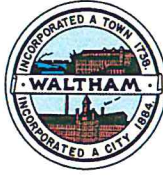
Mr. Finger said that they addressed that with the Fire Departments, and first of all as stated before, the Fire Department had wanted all three driveway openings and we have now reduced that done to two driveways. Even in your subdivision regulations you don't want to have long dead end roadways, as you need to provide two means of ingress and access, and that is basically for life safety., so he felt that they need to have the two, they have chosen the Fern street over the Harvard Street opening, and feel that Fern Street would be an appropriate exit and entrance, as would be Felton Street for exit and entrance. He didn't feel they could close down the Fern Street entrance.

The Chairman asked if any other member had any suggestions or input.

Mr. Barrett was all set.

Ms. Callahan said that all of her concerns have been addressed by the developer, and he can do this project by right, but he has done everything that we as a Board have asked of him, and she had no other suggestions or comments.

Mr. DeVito wanted to address some concerns he had about safety. When he was leaving the area earlier, he had concerns about the opening on Harvard Street, and he saw vehicles both on the east side and the west side of Harvard Street and safety is always one the Boards major concerns.



Previously when he heard from the Vice Chair previous motion, that there were going to three openings that was his original reason for opposition to the whole proposal.

As it has been addressed that evening there are only two curb cut openings, one on Felton and one on Fern, and that alleviates the safety issue that he had in mind, and was so concerned about. He felt that that has been provided as far as the petition goes, he felt that it was an improvement to the neighborhood and that the traffic concern on Harvard Street has been eliminated and that would have been a major issue, and he does not see it as an issue at this point, and he now felt comfortable that the developer has done everything that this Board has asked, and is okay with the petition as it stands at this point.

Mr. Moroney commented that there had been one other small note on the plan, for a fence along the wall on the back side but thought you addressed that somewhere else.

Mr. Finger said yes it is noted on the plan.

The Chairman commented that at the site view, we spoke about the fence in the back, and that the neighbor in the back was going to work with Mr. Marini and give that neighbor whatever fence that they would like to have.

Mr. Finger said that neighbor will be able to choose the style and color of the fence as well as the height of the fence.

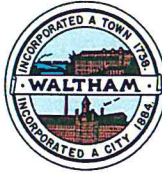
The Chairman wanted to share some of his comments about the Fern Street exit, and he had wanted a right turn only coming out, and asked if that had been addressed.

Mr. Finger said he has, and it is noted right on the plan, and there is a pavement arrow that shows it and there is also a sign.

The Chairman said that is great, one the trucks exit from the site, they will see that this is a right hand turn only.

The Chairman commented that as we are all aware, they do have opposition on this and a couple of the comments had to do with losing parking spaces, and that going down to two curb cuts will that neighborhood be losing any parking spaces.

Mr. Finger said that they would not be losing any parking spaces as there is already a curb cut on Fern Street and there are two curb cuts on Felton Street, and one of those curb cuts would be closed, and they would probably be gaining one parking space on Felton Street.



Ms. Tarallo wanted to make one more statement, the curb cuts are under a special permit, so they need to have the Boards approval to put the curb cuts in.

The Chairman was not understanding her statement.

She said it was stated earlier that they could do this By Right, but the curb cuts are a special permit that they need to get approval by the Board, so that is a little different than doing it By Right.

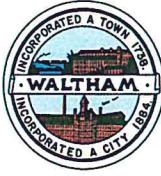
The Chairman said okay, and then closed that part of the hearing and to open it up to the public, and they will have to do this a little different so asked if someone would like to speak to go through him and he would respond to them and they should state their name and address for the record.

The Clerk of the Board informed the Chairman that people are raising their hands and that he could let him know who is raising their hand and the Chairman could call on them to speak.

The Clerk said first up to speak would be City Councillor Jonathan Paz.

Mr. Paz thanked the Chairman and the Board for the opportunity to speak and is speaking as a private citizen and not his role as a Councillor. He said he grew up on the south side of Waltham, his family owned property on Browns Avenue, and when he returned back from college, he moved back to that neighborhood on Browns Avenue, and he is intimately aware of all the issues of the components of that particular intersection, and wanted to comment that he felt this is a terrible project and a terrible idea and the Board is under no obligation and are completely empowered to say no to this special permit of this magnitude, which would bring down the quality of life for the working families and there are a lot kids in that neighborhood, there are a few small business within those very corners and would wear down on the infrastructure, Fern Street cannot handle this project. You have all seen it.

The potholes on Fern Street are dangerous to any vehicle traveling on it. It is a horrendous idea that is going to ruin the quality of life and worsen the traffic in that particular area. It's an unfortunate situation that the zoning permits this type of terrible proposal, the Mayor is working on a Master Plan to and the City Council is looking to revise and update a lot of the zoning especially a lot of the riverfront zoning, and he is looking at all the Board members there tonight, Bill, Kathleen, Michael, Janice, Anthony, Brian, Mila and Mr. Barrett to please not be the Board that sells out this neighborhood to this terrible project when other beautiful things could have been propped, amended and updated, with the City leadership is particularly united to update the zoning.



Please understand that 99% of that neighborhood is completely opposed to this project, particularly for public safety. He hopes the board can take in the public's perspective and that you are already deeply aware of why this is a bad idea, and he is asking that your summons up the courage to reverse this very bad decision, and some of your votes are very concerning. He asked again to not sell out this neighborhood, do not endanger people and do not worsen the infrastructure that already needs improvements.

Let's move forward and do something that's better than approving this terrible concept before you.

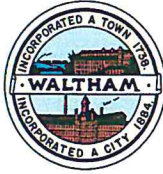
The Chairman thanked Councilor Paz for his comments but wanted to state that this Board would not sell out any neighborhood for whatever reasons. He has been on this Board for over 30 years, and doesn't know how tonight's vote is going to go, but he doesn't think that's a fair statement that the Board would sell out a neighborhood, especially when the zoning permits this type of business going in, and he just wanted to make that clear that the Board will not sell out anything however the vote turns out.

The Clerk called on the next person who would like to speak which was Karen Aiello. She said she is one of the residents of 172 Felton Street, and many of her comments are going to echo what Councilor Paz just said, which she thought was said beautifully and is so happy she voted for him. She is begging the Board to not approve these curb cuts, she has been living there at least eight years and wanted to share some of her personal experiences that she hoped would highlight a lot of what has already been pointed out to the Board.

She has been working from home and her desk is at a window that faces the intersection of Fern Street and Felton Street and she sees on a daily basis all of the trucks that come from Fern Street onto Felton Street and claims some of them cannot fit. Since she has lived there her and her partner and her downstairs neighbor's cars have all been hit by commercial trucks that have been using that street. She once saw a commercial truck actually cut a power line, or some wire line, and thankfully they didn't lose their power, but it was completely cut off and just hanging there on the street that any kids could touch and get hurt.

There have been other instances where commercial trucks, developers and landscapers, just park on Felton Street, and the residents that live continually lose their parking to them and all of the condo development in the area. Her partner is a bartender and gets home very late, 1am sometimes 2am in the morning, and he has to park all the way at the end of Felton Street, which often floods and this past summer his car was totaled in one of those flash floods, and this was because he was not able to park where they live due to these other trucks parking in their typical spots in front of their own property.

Her downstairs neighbor works nights in an E.R. and having these trucks come in and out of in the early mornings is a quality of life issue, these guys need to sleep, with this added traffic this would be impossible. They understand that the area is zoned both commercial and residential,



but that's sort of a technicality. Another point is there are many families of color on Felton Street and it's no coincidence that these type of developments always fall on neighborhood of color who don't have the money or power to fight back.

The visibility from Fern Street turning onto Felton Street virtually nonexistent. A couple of months ago she witnessed a pickup truck hit a guy on a motorcycle driving down Felton Street and knocked him off the bike, thankfully he was okay, but those type of accidents happen very often or near accidents, and nothing the developer has proposed is going to address any of those safety issues.

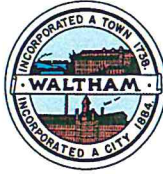
They are also concerned about the amounts of exhaust they are going to be exposed to on a daily basis, and she doesn't want to have to shut her windows all day every day because of 27 new trucks that are going to be driving in and out with the light pollution and the exhaust pollution and also the noise. She does understand that technically you could approve this special permit but in doing so you would make the lives of everyone this street and on Fern Street and also on Sun Street, absolutely miserable, and it seems pretty clear to her that you have the ability and the right to deny this request and to save them from unnecessary stress and health complications.

Before they continue, the Chairman asked that everyone that wants to speak to try not to be redundant, if someone also talked about what your concerns are maybe we don't have to hear it again, but they do want to hear all concerns. He then asked the Clerk who would be next to speak.

The Clerk said that David Blocher was next.

Mr. Blocher thanked the Board for allowing them to speak, he believes this is the 6th meeting they have had on this between the summer original application, the site visit meeting, then the vote and then the vote to revote so he appreciates you all taking the time. He agrees that this development would be horrible for the neighborhood, would cause a reduced quality of life in a working class neighborhood. He felt the designs just don't meet the requirements set forth in City code, and in such, you should again as your previous vote and deny this petition. He was told but isn't sure if it true, that the petitioner threatened the Board members the night after it was denied, and he hopes that is not true. He wanted to reaffirm that you do have the power to actually say no.

The special permit process was specifically designed to protect neighborhoods from disruptive usage, and this proposed developments the true word of disruptive use and again fails to meet zoning requirements. So we have an out of town developer who seeks to demolish three Civil War era houses, so they were built a decade after the Civil War, in a residential neighborhood and replace them with a commercial garage. As others have said, it's always about traffic and safety for the residents. Two of the houses in the neighborhood would be encircled in this development. There are a number of children that live on Fern Street, he and his neighbors have gone door to door to meet our neighbors and have come across many children that live in these



houses on Fern Street, and they have to use the roads to get to the bus stops, or walk to the grocery store.

The code 5.41 requires that driveways to be as far away as possible from intersections, so with this development there is a significant amount of frontage on Felton Street, but the two proposed driveway openings are as close to the intersections as possible. As close to Sun Street, to Fern Street and as close to Felton Street as possible, they just don't meet the code.

And the lack of visibility when people are turning will end up with people getting hit.

He feels you wouldn't approve these curb cuts if they were in your neighborhood, and to have your neighbor's houses torn down, and then encircle these other neighbors and he asks that you do not do so.

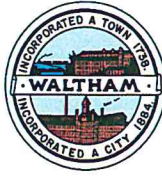
Next to speak in opposition was Lisa Cavallaro. She has spoken before and is speaking again, she is very concerned still about the safety of the kids in the neighborhood. The parking space situation, although Mr. Finger said that they would not lose any parking spaces, there is one area at 8 Fern Street that has a driveway. They are going to extend that driveway 25-feet, which means they lose two parking spaces on Fern Street because of that. Even though they are moving the curb cut on Felton Street, they are shifting everything over to the left and you may not lose any parking there, but you will lose parking on Fern Street, and there are already are houses on Fern Street that do not have a driveway and they do park on Felton, and on Fern.

This week they have been dealing with the snow from the large snow storm, and she had talked about the snow situation before as well. The neighbors have snow wars on Fern Street, they have snow wars with the people on Harvard Street because they have no place to put their snow and they are constantly sending their snow over the fence onto her property. They have snow wars with the other people on the end of Fern Street and she is already concerned as it is already narrow, the three are snow piles everywhere. There are kids on the street.

She took a walk on Sunday down from her house to Felton Street, and she couldn't walk on the sidewalk she has to walk in the street, so if you are going to add more traffic onto her street than that is a concern for the people who are walking in the street. She is not happy about, they have no place to put the snow, and opening up a whole new commercial development, that needs to be plowed and snow needs to be removed, she doesn't know where the snow is going to go, she doesn't want it on her property and she doesn't want it in the street.

As far as traffic, they had an accident at the top of Fern Street and Sun Street. There were two trucks coming up Sun Street and one of them didn't make the corner and went head on into her tenant's car which was parked in the driveway, and then just took off, they have no idea who it was and he unfortunately is paying the price to have his car fixed without knowing who hit him.

So, she does have major traffic concerns with cars and trucks going up and down the street all the time with the business that are already there. There is a constant flow of Amazons trucks, UPS trucks and all type of delivery trucks.



This is just not the place to open up a curb cut on Fern Street. She hopes they have heard all these concerns and she thanked the Board for letting her speak yet again on these issues.

The Chairman asked Mr. Chiasson if he wanted to respond to any of the snow removal or the lack of snow removal.

Mr. Chiasson said no.

The Chairman said okay great.

The Clerk said that was it and no one else has their hand raised.

The Clerk said than an Audrey Holst raised her hand to speak.

Audrey Holst who lives at 18 Browns Ave. spoke. She just wanted to back up what all the other speakers had addressed. She doesn't think this project is a good fit for the neighborhood, it's not a good fit for what's possible for the neighborhood, and she asking that you do not approve these curb cuts.

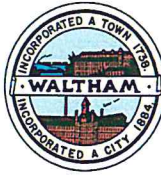
A Carolina Lara spoke next. She thanked the Board for allowing public input. She agrees with all of her neighbors. She lives on Harvard Street and drives her kids to school every day due to the terrible snow banks, and is unwalkable and unsafe for any student to be walking around Felton Street. She said just because you can build something, doesn't mean you should. Give the city time to have a master city planning, to give this area a much needed boost, and to honor the residents.

Next to speak in opposition was Sven Loekvitch and lives on Fern Street and knows the area very well. He felt the plan is not great for the neighbors there, and all of the problems have been addressed here and he wanted to voice that he agrees with everything that was said and thinks this development is not good for the residents and the curb cuts should be denied.

Bob Walazek asked about the right hand turn only and asked who would be enforcing that. He also commented that Mr. Marini rents out the old J.J. O'Brien's, site, and they see a lot of 10 wheel dump trucks in and out of the area all day long, and now with this proposal you would be adding more of these vehicles. And this is not good for the street, the street is torn up as it is, and felt this development is a bad idea.

The Chairman asked Mr. Finger to respond to that.

Mr. Finger mentioned that when they had one of the meetings with the neighbors there were a couple of City Councilors there who agreed to work with the neighborhood. They can post their signs which would control what they are suggesting to our trucks and that it would be built into



their lease, however if it is a city posted sign which goes before the Traffic Commission that basically reinforces it, and at that time the Police Department can be involved and step in.

Mr. McCourt said that what Mr. Finger said is correct, would have our sign at our discharge entrance, and also put that in our lease but they could also go to the Traffic Commission and ask them to post that sign on the street, if they agreed to that then the police could enforce it. He also commented that would not be having heavy trucks coming in and out.

Mona Vallons daughter of 12 Fern Street spoke and said that they own the property that is right next to one of the properties that would be torn down, and she has two small children and one of her concerns is that it is very difficult for them to play, as they do not have a back yard, so they can only play in the front yard, and there is so much traffic going on there now. She feels once that house is torn down it is going to make extremely dangerous for her kids to play.

There being no more to speak in opposition the Chairman closed that part of the hearing.

Audrey Holst asked how people could stand in opposition if they don't know how too.

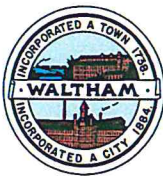
The Clerk said they could have them state their names and we will write it down as they are standing in opposition.

The following stood in opposition.

Tracy Goodwin
Osher G.
Cheryl Llewellyn
Diane Connelly
Patricia Allia
Tom Arena
Karen Walazek
Mike Cavallaro
Kareb Aiello
Stacey Walazek
Bob Walazek
Walter Dawson

The Chairman then closed that part of the hearing and asked if there was anyone that would like to speak or stand in opposition.

Mr. Ron Marini, the applicant of the proposal asked to speak. Over the last few months he has been working with everyone and had come up with this final plan. The plan address a lot of issues, mainly drainage, access and clearing and cleaning up this site. A major part of the plan is making the sidewalks accessible for pedestrians and handicapped people.



Another major part of the plan is that right now Harvard Street does not have a Fire Hydrant, and he is committed to, but does not have to, but per the request of the Fire Department, they would add a fire hydrant on Harvard Street.

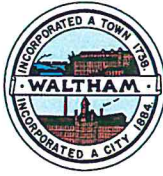
He is a former City Councillor in Newton, he is a contractor and does a lot of ADA improvements and is aware of drainage with these type of projects. He understand that people do not like change. He respects the neighbors and the community.

Many of the issues that have been brought forward over the last eight months or so, and he wants to work with the city to resolve many of these issues, whether it is the parking on Felton Street, or snow removal, these things that people are concerned about is not because of this development, and he wants to work with the city council and the Traffic Commission to improve this site.

As far as his tenants he will have there, they are going to be carpenters, small tradesmen, people like that. They do not anticipate and would not be having big trucks allowed on the property. His family will be managing the property with strict rules and will evict anyone that doesn't follow the rules. They want the neighborhood clean and safe. They will be putting in sidewalks, and ornamental fencing on the street, he want sot put trash cans on the sidewalks with the city's permission. The house that is currently on Fern Street has been condemned, it is rat infested and the house needs to come down. He spoke to the exterminator that day and before any work begins, this rat infestation is going to be alleviated.

This plan was well thought of, and well-engineered. He will stand by his word and make these improvements. He did go to the City Council and they gave their approval for one of the fuel permits. This community is disrespected, there is trash all over the streets. When they had the site visit there was a dead mouse right on the sidewalk. He is going to clean up the neighborhood, maintain it and make this project successful. They will make this change for the better and improve the neighborhood. He respectfully asked the Board to grant the curb cuts so they could move forward.

The Chairman then asked if there was anyone else that would like to speak or stand in favor, there being none he closed that part of the hearing and re-opened to the Board. The Chairman first commented that with listening to the residents he understands there concerns about safety, but he also knows the developer can have trucks there by right, and that they are living in a neighborhood that accepts housing and commercial and they have to live in harmony in some way. He asked Mr. Marini if he would be willing to, instead of having a right hand turn only sign, and have instead an 'emergency exit only sign. You already stated that Fire Department is the one driving the curb cuts, so you need the curb cut ,but, if it was an emergency exit only he doesn't see the need that any of those little carpentry trucks or vans, why can they not go onto Felton Street and take a left. Something is going to go at this site eventually, and as far a change, people don't like change and he understands that so whether there is going to be nine garages or a 24-unit apartments there is going to be a change.



Mr. McCourt asked Mr. Finger to put the plan on the screen. He reviewed what the Chairman had asked, and that the discharge onto Fern Street be a right turn only and be used only for an emergency.

The Chairman said that the fire department wanted the sue of all the curb cuts, so the vehicles using the site don't need to use both the curb cuts, and why do they have to exit onto Fern Street, they don't have to.

Mr. McCourt said, so you are asking now that the Fern Street right hand turn exit now be a right hand turn emergency only exit.

Mr. Finger said so we are now discussing the right hand turn only out onto Fern Street, and would like a sign stating Do not Enter, and emergency exit only.

The Chairman said that is correct.

Mr. Marini's said that they would like to get around the site easier and more efficient and they could live with that being an emergency right hand turn only exit onto Fern Street. But realize you are putting more traffic onto Felton Street, so those three houses on Felton Street will get more traffic.

The Chairman commented that the traffic would be going onto to Felton Street anyway as it was going to be a right hand turn only. He isn't concerned about the traffic on Felton Street as it's going to be there anyway, whether there is 24-units built or there is nine garages put in, and with one or two vehicles per unit, so you are looking at maybe 18.

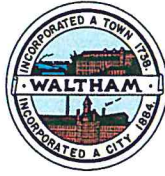
Mr. Marini would like to leave it a right hand turn only exit, form Fern Street you take a right turn out and they would manage it by the lease.

The chairman said he doesn't have an answer to his question to put a sign up emergency exit only.

Mr. Marini then said, yes, they would agree to put a right hand emergency only exit sign.

Mr. Finger then said they would modify this plan and indicate that they would remove the right hand turn only arrow, and it will now say, "do not enter" emergency exit only and the only entrance will be off Felton Street and the sign would actually be two side.

He asked the Chairman so for somebody coming down Sun Street are looking to prohibit them from taking a right hand turn into the site on Fern Street.



The Chairman lost Wi-Fi at this time.

Mr. Finger said he could put a two-sided sign that says “do not enter” on both sides.

Mr. Marini said he thought the Chairman wants an emergency only exit sign, and doesn’t want anybody going out that curb, but could in from Fern Street but not out.

Mr. Finger said all right, he wanted to confirm that. He would just replace the arrow with a sign as the Chairman requested.

The Chairman was back on the meeting and asked again if they would do that.

Mr. Finger and Mr. Marini said yes they would put a sign there, do not enter, but they can take a right hand turn in from Sun Street if they chose to so he can put a one way arrow there so it would be for coming into the site only, which would eliminate the right hand turn only turning in from Sun Street, and no exiting traffic and only for emergency use only if they have to leave.

The Chairman kept losing Wi-Fi.

Mr. Moroney suggested using a blue beam and draw this on the plan that is on the screen.

Mr. Finger said he could and did.

Mr. Moroney said that is great and if the Chairman gets back on he could see the mark up on the drawing.

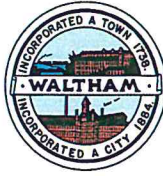
This will keep the cars away from the two residence at the end of Fern Street, but are cars coming from Sun Street going to be able to come down Sun and get into the lot.

The Chairman go back on, and Ms. Callahan informed the Chairman that Mr. Finger is drawing on the plan exactly what he had asked for so that they could all see it.

The Chairman said that is great and asked if the Board had any more comments.

Mr. Moroney said that he asked Mr. Finger to this on the drawing with what is called a blue beam and if you keep having trouble with the audio you could at least see the mark up of what you have requested.

Mr. Finger said it shows that you can take a left hand turn in from Sun Street and a right hand turn into the site, but there would be a “do not enter, emergency exit only, the only vehicles that can exit that way is the Fire Department. It will be an emergency exit only.



The Chairman said that is great, you would be eliminating 50% of the traffic coming onto Fern Street.

He then asked the Board how they felt at that point.

Mr. Barrett said he was good with this change if it is good for you, but would be very much in favor if coming down Sun to Fern Street because you would either have to come up Charles Street to Browns or to Harvard Street to come back down so that doesn't make sense at all but so this what you asked for he is good with.

Ms. Callahan said she likes the new suggestion and she likes what they have done, and again likes that they are cooperating and doing what the Board is asking of them.

Ms. Tarallo understands what you are doing, but still has concern about the traffic coming in from Sun Street because in that southern area of the plan, she thinks that is where the two homes are that have the real small children that have no back yard to play in, so would this be increasing the traffic that goes in that region, so that is a major concern she has.

The Chairman responded to that and said that all the Board is trying to the right thing and do what they can to help the neighbors.

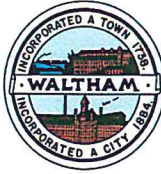
Mr. Devito asked for a clarification, coming off of Prospect Street and you continue onto Sun Street can you go down Sun Street onto Fern Street and asked if that was a two-way street.

Mr. Finger said yes it is a two way street.

Mr. DeVito said he heard what Ms. Tarallo said, and he is concerned now for the small children and asked if they are increasing the traffic on Sun Street at that 90 degree turn onto Fern Street before they can enter onto the property.

The Chairman responded to that and said he doesn't think they are increasing the traffic and have already decreased it by 50%, as if you can't come out from Fern Street because prior to his suggestion, they would have been able to come out onto Fern Street and go left or right, so now you are able to into Fern Street from Sun Street so this would decrease the traffic.

The Chairman reviewed this further.



Mr. DeVito said this was a definitive improvement and he would be happy with this.

Mr. Moroney said with this suggestion a lot of the safety concerns seemed to be focused on the Fern Street Felton Street intersection and the two houses there so he thought this was a very reasonable compromise and is good with it.

The Chairman then asked if there was a motion.

Mr. Barrett made a motion to approve with the amendments.

Mr. Moroney second the motion.

Mr. DeVito said he thinks the amendments should be made part of the motion and be verbalized.

Mr. Barrett added to his motion, the added amendment be that the Fern Street exit now be an emergency exit only from the site, with access from Sun Street onto Fern inward only.

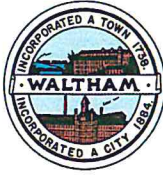
The Chairman asked for a roll call.

ROLL CALL:

M. Justin Barrett	YES
Kathleen Callahan	YES
Mila Tarallo	NO
S. Anthony DeVito	YES
Brian Moroney	YES
Chairman Creonte	YES

The Chairman asked Ms. Deveney the total.

Ms. Deveney said there were five (5) YES votes and one (1) NO vote.
The motion to approve passes.



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

Mr. Keefner reentered the meeting.

The Clerk read the first item which was for the approval of the minutes to the October 6, 2021 meeting.

Ms. Callahan wanted to commend Ms. Deveney on the suburb job on these minutes that were 56 pages in total.

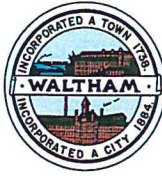
On the motion of Ms. Callahan, seconded by Mr. Moroney, the Board

VOTED: to approve the minutes of the October 6, 2021 meeting as presented.

The Clerk read the second item which was for the approval of the minutes to the January 5, 2022 meeting.

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

VOTED: to approve the minutes of the January 5, 2022



meeting as presented.

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

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

VOTED: to adjourn the meeting at 7.41 p.m.

Respectfully submitted,

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