

CITY OF WALTHAM
MASSACHUSETTS

Michael L. J. Chiasson,
Director of Public Works

Clerk, Board of Survey and Planning

May 17, 2023

Joseph W. Vizard, City Clerk
610 Main Street
Waltham, MA 02452

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RE: Special Permit under Section 5.41 for a Driveway Opening of 20 feet width and within 100 feet of an intersection at 61 Hall Street aka 51 Hall Street, Waltham, MA.
Petitioner: Hall Street Partners, LLC, 275 Lexington Street, Waltham, MA>

Dear Mr. Vizard:

Please be advised at their meeting of May 3, 2023 the Board of Survey and Planning voted in favor for approval of the above petition.

Attached are the Boards' Vote and Decision detailing this approval.

There is a 20-day appeal period for this approval which will end on June 6, 2022.

Respectfully submitted,

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

Cc: File- Special Permit-driveway-61 Hall Street
Attorney Joseph M. Connors, Jr.

City of Waltham
Board of Survey and Planning
Wednesday, May 3, 2023
Public Meeting Room, Government Center 6:00p.m.

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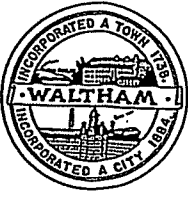
Present: Barrett Callahan Creonte DeVito Keefner Moroney Tarallo
Present remote

Absent:

Public Hearing: 5/3/2023

Petition	Special Permit under Section 5.41 for for a driveway opening							Must Act:	8/14/2023
	of 20 feet width and within 100 feet of an intersection where the entire lot								
	is within 100 feet of the intersection and there is no alternative access available.								
	at 51 Hall Street aka 0 Hall Street and 61 Hall Street								
Motion	To approve the Special Permit Under Section 5.41 for a driveway opening								
	of 20 feet width and within 100 feet of an intersection where the entire lot								
	is within 100 feet of the intersection and there is no alternative access available.								
Motion By:	Justin Barrett								
Seconded By:	Brian Moroney								
Vote:									
Yes or No	Barrett	Callahan	Creonte	DeVito	Keefner	Moroney	Tarallo		
	YES	YES	YES	YES	YES	YES	YES		
Outcome:	MOTION PASSED								

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City of Waltham
Board of Survey and Planning Decision

NAME AND ADDRESS OF THE OWNER OF THE LOCUS:

Roman Catholic Archbishop of Boston,
A corporation sole
66 Brooks Drive
Braintree, Massachusetts 02184

NAME AND ADDRESS OF THE PETITIONER:

Hall Street Partners LLC
275 Lexington Street
Waltham, Massachusetts 02452

IDENTITY OF LOCUS:

The locus situated in Waltham, Massachusetts with an address of 61 Hall Street, aka 0 Hall Street and 51 Hall Street, Waltham, Massachusetts, being Tax Parcel R69-018-0004.

ADDRESS: 61 Hall Street, aka 51 Hall Street and 0 Hall Street, Waltham, Massachusetts 02453

ATLAS REFERENCE: R069-018-0004

TITLE REFERENCE: Middlesex South Registry of Deeds at Book 3679, Page 22, Book 3972, Page 201 and Book 3974, Page 494, excepting therefrom the land conveyed at Book 16776, Page 492.

APPLICABLE ORDINANCE(S): §5.41 of the Zoning Ordinance

DATE OF HEARING: May 3, 2023

DATE OF DECISION: May 3, 2023

DATE OF FILING OF DECISION WITH CITY CLERK: May 17, 2023

DATE OF NOTIFICATION TO BUILDING INSPECTOR: May 17, 2023

FINAL DATE FOR FILING APPEAL FROM THIS DECISION: June 6, 2023

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Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws Chapter 40A. All plans referred to in this decision have been filed with the Board of Survey and Planning with the City Clerk.

DECISION

GRANTED: XX DENIED: _____

ROLL CALL

	<u>YES</u>	<u>NO</u>		<u>YES</u>	<u>NO</u>
Kathleen A. Callahan	<u>X</u>	_____			
William M. Creonte, Jr.	<u>X</u>	_____	Brian E. Moroney	<u>X</u>	_____
Mila Tarallo	<u>X</u>	_____	S. Anthony DeVito	<u>X</u>	_____
Wayne Keefner	<u>X</u>	_____	M. Justin Barrett	<u>X</u>	_____

— The locus is shown on the following plans, which are on file in the office of the Board of Survey and Planning and in the office of the City Clerk (all plan references are to these plans), and are entitled as follows:

- a. “Abutters Plan” d. 12/10/2022, by J2M Consulting Associates LLC;
- b. “Existing Conditions Plan”, dated 2/3/2023 by J2M Consulting Associates LLC;
- c. “Civil Site Plan, 61 Hall Street, Waltham, MA”, by Columbia Design Group, LLC , Drawing No. C-1, d. July 8, 2022, last revised 5-17-2023; and
- d. “Grading & Utility Plan”, by Columbia Design Group, LLC , Drawing No. C-2, d. July 8, 2022, last revised 5-17-2023.

This Petition may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or the purpose of the Ordinance.

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PETITION

Petitioner, Hall Street Partners LLC, 275 Lexington Street, Waltham, Massachusetts 02452 and the Owner of the locus property, the Roman Catholic Archbishop of Boston, a corporation sole, 66 Brooks Drive, Braintree, Massachusetts 02184 petition the Board for a special permit for a driveway opening of 20 feet within 100 feet of an intersection at Petitioner's property identified as 61 Hall Street, also known as 51 Hall Street, or tax parcel R69-018-0004, according to the City of Waltham Assessor's records. The driveway opening shall be 20 feet at the property line as it meets Hall Street within 100 feet of the intersection of Chestnut Street.

ON MOTION DULY MADE AND SECONDED THE BOARD ADOPTED THE
FOLLOWING
FINDINGS OF FACTS:

The Board of Survey and Planning of the City of Waltham makes the following findings of facts after a hearing on the above captioned Application for a Special Permit:

1. The locus presently consists of three lots for a combined lot area of 30,898 square feet. The Petitioner intends to construct, use and maintain a driveway opening on the locus of 20 feet on Hall Street. The locus is situated on the corner of Hall Street and Chestnut Street.
2. There are no existing driveway openings on the locus.
3. The existing building situated on the locus was constructed in 1915 as church.
4. The Petitioner shall be demolishing the existing chapel and renovating the remaining church building into 20 residential units. A parking area with 21 parking spaces shall also be constructed on the locus. There are no parking spaces currently on the locus.
5. Access to the locus and the new parking area shall be off Hall Street only. The driveway opening shall be left hand turn only when exiting onto Hall Street as Hall Street is a one way street running south to north.
6. The building is situated in the Residence C Zoning District which allows for multifamily uses.

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AFTER DUE DELIBERATION: ON MOTION DULY MADE AND SECONDED IT
WAS VOTED TO GRANT THIS PETITION, SUBJECT TO THE FOLLOWING
CONDITIONS:

To grant the Special Permit requested by the Petitioner and incorporate by reference the Finding of Facts and further cite as reasons the following:

This Board finds that the Special Permit requested § 5.41 of the Zoning Ordinance of the City of Waltham (Ordinance) is in general harmony with the intent and the purpose of the Ordinance for the following reasons:

1. The proposed driveway opening on Hall Street is twenty feet wide as identified on the plan and as measured from the street line.
2. The proposed driveway opening on Hall Street shall provide entry and exit to the locus. A left hand turn shall be permitted only when exiting the locus.
3. No driveway openings are proposed for Chestnut Street. A small opening on Chestnut Street shall be closed.
4. With the existing church buildings to remain there is limited area on the locus to create the driveway opening. The opening is on that portion of the locus shown on the deed at Book 3679, Page 22, as affected by the radius curve at Hall Street and Chestnut Street.

THE PETITION IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Condition 1.

In view of the foregoing, the Planning Board hereby decides that the aforesaid property is a proper parcel to be altered under § 5.41 of the Ordinance to (1) construct a curb-cut of twenty (20) within 100 feet of an intersection in that it meets all requisite criteria. It is therefore decided to grant the Special Permit requested in accordance with the terms and conditions stated below.

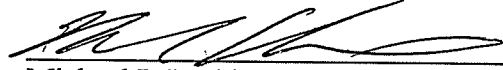
1. All necessary permits shall be issued and work commenced within one (1) year of the date of the filing of this decision with the City Clerk's Office and all work is to be completed within two (2) years of said filing date;

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2. All construction and use of the premises shall in be in substantial accordance with the plans introduced as evidence during the hearing, as revised at the request of the Board, and as cited above.

Date: 5-17-23


Michael L.J. Chiasson, Clerk

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