

Michael L. J. Chiasson,
Director of Public Works

CITY OF WALTHAM MASSACHUSETTS

CITY OF WALTHAM
CITY CLERK'S OFFICE

2024 APR -5 AM 11:50

Clerk, Board of Survey and Planning

RECEIVED

April 4, 2024

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

RE: Special Permit under § 5.41 of the Zoning Ordinance of the City of Waltham to allow two (2) driveway openings greater than 25 feet in width to be constructed, used and maintained on the locus currently known as 1362 Main Street.

Petitioner: LPC West Main, LLC c/o John Noone
221 Crescent Street, Waltham, MA 02453

Dear Mr. Vizard:

Please be advised at their public hearing of April 3, 2024 the Board voted to approve the above referenced petition as presented.

Attached is the Board's Decision and vote for this approval.

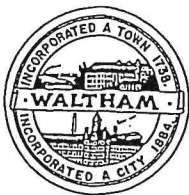
There is a 20-day appeal period for this approval.

Thank you for your attention to this matter.

Respectfully submitted,

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

Cc: File- Special Permit- 1362 Main Street/2024
Attorney Michael R. Connors



City of Waltham
Board of Survey and Planning Decision

CITY OF WALTHAM
CITY CLERK'S OFFICE

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NAME AND ADDRESS OF THE PETITIONER:

RECEIVED

LPC West Main, LLC
c/o John Noone
221 Crescent Street, Suite 102A
Waltham, Massachusetts 02453

NAME AND ADDRESS OF OWNER:

Philip Pagliazzo Sr. Realty Trust
c/o Elaine Pagliazzo and John Pagliazzo, Trustees
P.O. Box 134
Weston, Massachusetts 02493

IDENTITY OF LOCUS ADDRESS: 1362 Main Street

ATLAS REFERENCE:

Page 56, Block 2, Lot 28 1362 Main Street

TITLE REFERENCE:

Middlesex South District Registry of Deeds in Book 59501,
Page 306.

**APPLICABLE
ORDINANCE:**

The Petitioner requests the Board of Survey and Planning
(Board) to grant a special permit:

- Under § 5.41 of the Zoning Ordinance of the City of Waltham to allow two (2) driveway openings greater than 25 feet in width to be constructed, used, and maintained on the locus currently known as 1362 Main Street.

DATE OF HEARING: April 3, 2024

DATE OF DECISION: April 3, 2024

DATE OF FILING OF DECISION WITH CITY CLERK: April 5, 2024

DATE OF NOTIFICATION TO BUILDING INSPECTOR: April 5, 2024

FINAL DATE FOR FILING APPEAL FROM THIS DECISION: April 25, 2024

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.

CITY OF WALTHAM
CITY CLERK'S OFFICE
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DECISION

GRANTED: XXX

DENIED: _____

ROLL CALL

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

The locus is shown on the following Plans, entitled "Waltham Board of Survey & Planning Plans to Accompany Petition for Special Permit Curb Cuts" dated March 6, 2024, revised March 27, 2024, consisting of six (6) sheets including the Cover Sheet, which are on file in the office of the Board of Survey and Planning (all plan references are to these plans) and entitled as follows:

- Cover Sheet, by Paul Finger Associates, Inc., dated March 6, 2024, revised March 27, 2024;
- Abutters Plan, Sheet EX-1.0, by Paul Finger Associates, Inc., dated March 6, 2024, revised March 27, 2024;
- Existing Conditions Plan, Sheet EX-2.0, by Feldman Geospatial, dated March 6, 2024;
- Site Plan, Sheet CC-1.0, by Paul Finger Associates, Inc., dated March 6, 2024, revised March 27, 2024;
- Grading & Drainage Plan, Sheet CC-2.0, by Paul Finger Associates, Inc., dated March 6, 2024; and
- Site Details, Sheet CC-3.0, by Paul Finger Associates, Inc., dated March 6, 2024.

PETITION

CITY OF WALTHAM
CITY CLERK'S OFFICE

2024 APR -5 AM 11:51

The Petitioner, LPC West Main LLC, hereby petitions this Board of Survey and Planning for the following Special Permit under § 5.41 of the Zoning Ordinance for a special permit to allow two driveway openings greater than 25 feet in width to be constructed, used, and maintained on the locus.

As part of the proposed development, the Petitioner proposes to construct, use, and maintain a 54.3 foot driveway along Jones Road, which will serve as the primary entrance and exit to the site.

The Petitioner also proposes a second driveway with a width of 38.2 feet on Main Street. This driveway will be a right turn, exit only driveway to head east on Main Street.

The proposed driveways as shown on the Plans submitted in this matter are identical to those shown on the approved City Council Special Permit Plans as to the proposed development.

**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 Petition for a Special Permits:

1. The Petitioner proposes to construct, use, and maintain a 54.3 foot driveway along Jones Road, which will serve as the primary entrance and exit to the site.
2. The Petitioner proposes to construct, use, and maintain a 38.2 foot driveway along Main Street, which shall be a right turn, exit only driveway to head east on Main Street.
3. The driveways in this matter are identical to those shown on the approved City Council Special Permit Plans for the proposed development.

**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 under § 5.41 of the Zoning Ordinance is in general harmony with the intent and the purpose of the Zoning Ordinance.



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

Date: 4-5-24

CITY OF WALTHAM
CITY CLERK'S OFFICE

2024 APR -5 AM 11:51

RECEIVED

City of Waltham
Board of Survey and Planning
Wednesday, April 4, 2024
Auditorium, Government Center 6:00p.m.

Present: Barrett Callahan Creonte DeVito Keefner Moroney Tarallo
via facetime via facetime

Absent:

Public Hearing: 4/3/2024

Petition	Special Permit Under Section 5.41 of the Zoning Ordinance							Must Act:	6/5/2024
Motion	of the City of Waltham to allow two (2) driveway openings greater than twenty-five feet in width at 1362 Main Street.								
Motion By:	To grant approval of said petition as presented.								
Seconded By:	Brian Moroney								
Vote:	S. Anthony DeVito								
Yes or No	Barrett	Callahan	Creonte	DeVito	Keefner	Moroney	Tarallo		
Outcome:	YES	YES	YES	YES	YES	YES	YES		
Approved- Motion passed.									