



## CITY OF WALTHAM

### BOARD OF SURVEY AND PLANNING

The following are minutes of the January 6, 2016 public hearing held in the Auditorium of the Arthur Clark Government Center located at 119 School Street, Waltham, MA. at 7:00 p.m. In attendance were Chairman Creonte and members Callahan, DeVito, Moroney and Tarallo.

The Chairman opened the public hearing at 7:00 p.m. and informed the public that the meeting was being recorded by W.C.A.C. local channel and also directed the public to sign in if they were going to speak. He then closed the public hearing since there were no items on the agenda and opened the regular meeting.

The Clerk read the first item on the agenda which was for an ANR Plan at 225 & 231 Second Ave.

Attorney Michael Connors of Connor & Connors Law Offices, 6 Lexington Street, Waltham, MA came forward to address the Board on this petition.

He stated that on June 3, 2015 the Board approved the curb cut locations for this site. They are before the City Council for a Special Permit and the ZBA as well.

During this process it is necessary for them to combine Lots 21 and 22 for the special permit approval. He then reviewed the plan and their response to the Engineers comments dated December 29, 2015.

There were brief discussions.

The Chairman asked if there was a motion.

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

**VOTED:**      **to approve the Approval Not Required plan for 225 & 235 Second Ave. as submitted and to allow the Clerk of the Board to Endorse the plan.**

The Clerk read the next item on the agenda which was for an ANR Plan for 24 Lafayette Street, Waltham, MA.

Mark Rogers of Mark Rogers Development of 15 Francis Street, Waltham, MA came forward to address the Board.

He reviewed the plan with the members. He is combining 6 Lots to create two new lots, Lot A and Lot B. Each new lot meets the Board's requirements.

The Board had no comments and the Chairman said that the plan appears to meet the Board's requirements and that it is pretty straight forward.

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 24 Lafayette Street and to allow the Clerk of the Board to endorse the plan.**

The Clerk read the next item on the agenda which was for Deliberations and a recommendation on a Zoning District Map and Zoning Ordinance Text Amendment for 9 Hope Ave.

Robert Connors Jr. of 6 Lexington Street, Waltham, Ma came forward to address the Board on behalf of the petitioner. This item was heard at the City Council/Board of Survey and Planning joint public hearing held on December 28, 2016. He then asked the Board if they had any questions.

Ms. Callahan mentioned that you have reduced the number of floors from nine (9) floors to eight floors, however one of the floors measures at 25-feet which is twice the height of the other floors, so it is her opinion this proposed building remains nine (9) floors. She felt that this proposed building does not belong in this residential neighborhood that is too large and should be in a commercial zoned location.

Mr. Moroney asked Mr. Connors to explain the driveway at the South Street side.

Mr. Connors reviewed this on the plan.

Mr. Moroney asked Mr. Connors to explain the placement of the proposed building and why it was not more spread out instead of instead of using more height in the design.

Kevin Sullivan of 60 Cherry Brook Road, Weston, MA came forward and explained their reasoning with the height issues and the layout of the site; that this was the place suitable for their needs.

Mr. Connors reviewed the Covenant from 2002 that states any work for more development must go before the City Council and that is why they were seeking a zone change through the City Council. They discussed the height of existing and proposed buildings. They have reduced the number of floors requested from nine (9) to eight (8) floors. Children's Hospital has put in over 185 million dollars into this site and are outgrowing their needs.

Mr. Moroney commented that in your original request for the nine floors it was at 125-feet in height, but in the revised plans it is shown at 120-feet which is only five feet lower.

Mr. Connors commented that they left that in as a factor so they have a little bit of room there in case anything happens. We have taken it down from 9 nine stories and brought it down to eight, which we hope to have in at 113-feet.

Mr. Moroney asked where the 113 feet was measured from.

Mr. Connors said that currently in Zoning Ordinance the City of Waltham to determine the height of a building, is to measure the elevation six feet all around the lot, then take an average of all those shots, which in this case was approximately 30 to 50 shots, add those together and divide by the number and that gives you the grade for that lot.

Mr. Moroney then commented that on the plan, the 1<sup>st</sup> floor starts at 99.75-feet which is 26-feet above the sidewalk which with your 113 to maybe 120- feet in height now brings your proposed building height to 150-160 feet, which in his opinion is too high for this area.

Traffic was discussed at length which was a great concern to many of the members.

Mr. Connors assured the Board that a Traffic report was approved by the Traffic Commission and filed with the City Council in November.

Ms. Callahan asked Mr. Connors to explain his statement to the Board of the 300 jobs that were saved by Children's Hospital when Waltham Hospital closed.

Charles Weinstein, Chief Head of Real Estate for Children's Hospital came forward to respond to her question. He said that was a miss-statement and Children's has created over 500 new jobs at the current facility.

There were more discussions on the floors and the use of each floor.

They reviewed parking and signage that would help direct people to the correct parking area for Children's Hospital as people tend to park at the 20 Hope Ave. office location lot which is reserved for people going in there.

Mr. Connors reviewed the proposed location of the added parking garage.

Ms. Callahan commented that currently the site does not have enough disability parking or 15-minute parking as stated in the traffic report.

Mr. Connors' said that they are currently addressing those issues.

Ms. Callahan said that she feels the building is too large for the site, that it is blocking natural sunlight in the abutting neighborhood, traffic is going to be affected and that this should be in a Commercial Zone not in a residential neighborhood.

Ms. Tarallo agreed with all of Ms. Callahan's comments.

All these concerns were discussed at length.

The Chairman agreed with all these concerns, especially the traffic impact, as Waltham already had too many traffic issues.

The Chairman asked if there was a motion on a recommendation to the City Council.

**Ms. Callahan made a motion to recommend that the City Council deny the proposed zoning amendment for the following reasons:**

- **Increase of traffic to the area and the city infrastructure**
- **Loss of natural sunlight to residential neighbors**
- **A building of this size in a residential area is not conducive to its surroundings. The building is too large.**

**Ms. Tarallo seconded the motion.**

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

**ROLL CALL:**

<b>Ms. Callahan</b>	<b>YES</b>
<b>Ms. Tarallo</b>	<b>YES</b>
<b>Mr. DeVito</b>	<b>NO</b>
<b>Mr. Moroney</b>	<b>YES</b>
<b>Chairman Creonte</b>	<b>YES</b>

**The majority of Members voted yes, the motion passed.**

The Clerk read the last item on the agenda which was for the approval of the minutes to the meeting of November 4, 2015.

On the motion of Mr. DeVito, the Board

**VOTED: to approve the minutes to the meeting of  
November 4, 2015 as submitted.**

The Chairman asked if there was a motion to adjourn.

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

**VOTED: to adjourn the meeting at 8:35 p.m.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Chiasson", written in a cursive style.

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