

CITY OF WALTHAM

BOARD OF SURVEY AND PLANNING

The following are minutes of the April 2, 2014 public hearing 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, Callahan, DeVito, Duffy, Moroney and Tarallo.

The Chairman informed the public that this meeting was being video taped by the City's local cable access channel and also asked everyone to sign in if they would be addressing the Board. He also mentioned that there were only four members present at the meeting. He appointed Ms. Janice Deveney as Acting Clerk for the meeting. He then opened the public hearing at 7:00 p.m.

The Acting Clerk read the first item on the agenda which was for a Special Permit for a Curb Cut and More Than One Principal Building on a Lot at 66-68 Central Street. The Board must act on this petition by May 15, 2014.

Attorney Philip B. McCourt Jr. came forward representing the petitioner. He reviewed the revised plan the developer prepared after the site view by the members. The plan now shows the units as two bedroom not three bedrooms and the front of the building is more compatible with the neighborhood. Mr. Douglas has accommodated the Board with all their requests.

The Chairman opened the meeting to the Board.

Mr. Duffy commented that the site is too dense for the proposed two units and he would not be in favor of approving this petition. He also mentioned that there is only one egris and feels that that alone should be reason for denial.

Mr. Bibbo commented that they would be putting stairs on the decks and this would be considered a 2nd egris.

Ms. Callahan also agreed that after the site view she thought the site was very tight.

Ms. Tarallo asked with the reduction of the third bedroom was the exterior of the house reduced.

Mr. McCourt replied, "No."

Mr. Moroney asked where they would have put a third bedroom.

Mr. McCourt replied, "The attic area could have been considered for a third bedroom."

They discussed this and the garage opening.

Mr. DeVito asked if they were proposing a gable roof.

Mr. Bibbo came forward and said they were proposing a hip roof.

Mr. DeVito commented that then there would be no dormers.

Mr. Bibbo replied, "No dormers would be used."

The square footage and topography of the lot was discussed.

Mr. Bibbo also commented that ½ the lot would be green space afterwards.

Mr. Moroney asked if the lot met all the zoning requirements.

Mr. Bibbo replied, "Yes."

Mr. Barrett asked if they met all the curb cut requirements and the requirements for two buildings on a lot.

Next they discussed granite curbing and filets.

There being no further comments the following waivers were reviewed.

- 4.23- reduce 50 foot way to a minimum of 20 feet on the driveway and to allow the width of the driveway to be constructed as shown on the plan.
- 4.2.2.7- to allow no fillets and to allow entrance to the driveway to be constructed as shown on the plan.
- 4.2.2.9.2 –to allow no street lighting in the driveway layout (lighting to be placed on each unit and guest parking area)
- 4.3.3 – to allow the access easement to be 20 feet wide for the driveway.
- 4.3.5- to allow construction of the driveway as shown on the plan without sight obstruction limiting easements.
- 5.4.1 – reduce the 50-foot cross section to a minimum of 20-feet on the driveway as shown on the plan.
- 5.4.5 – reduce the 50-foot width of roadway pavement to 20-feet as shown on the plan.
- 5.4.7 – to allow the bituminous pavement required of 4 ½" and 3 courses not to be used, and, to allow the driveway to be constructed with 2 courses, 1 ½" each and (3" total.)
- 5.6.1 – to allow no sidewalks or grass strips on either side of the driveway.
- 5.7- no monuments to be placed on interior layout.
- 5.8- to allow no curbs or berms on the driveways.

There being no further comments on the petition for special permits, the Chairman asked if there was a motion.

Mr. Barrett made a motion to approve both the special permits, one for the Curb Cut and the other for More Than One Principal Building on a Lot.

Mr. DeVito seconded the motion.

The Chairman asked for a roll call.

ROLL CALL:

Mr. Duffy	NO
Mr. Barrett	YES
Ms. Callahan	NO
Ms. Tarallo	NO
Mr. DeVito	YES
Mr. Moroney	YES
Chairman Creonte	YES

There being four (4) voted yes and three (3) voted no, and five votes needed to pass, the petition for Special Permits at 66- 68 Central for More Than One Principal Building on Lot and Curb Cut were denied.

The Clerk read the next item on the agenda which was for a Special Permit Modification to an existing curb cut at 41 Seyon Street.

Attorney Philip B. McCourt Jr. came forward representing the petitioner. The curb cut location and modifications were reviewed and discussed.

There being no further comments the Chairman asked if there was a motion.

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

VOTED: to approve the Special Permit Curb Cut Modifications at 41 Seyon Street as submitted.

The Acting Clerk read the next item on the agenda which was for a Special Permit Curb Cut Openings at 130 Third Ave., submitted by BP 99 Third Ave., LLC, c/o Boston Properties.

Richard T. Monopoli of Boston Properties, 88 Boylston Street, Boston, MA came forward to address the Board on this petition. He commented that the next petition before the Board is for curb cuts at 180 Third Ave. which will be addressed during this petition as well.

Mr. Monopoli reviewed the curb cuts with the Board. He said that they had met with all the appropriate city Departments, Conservation, Traffic Commission and the Fire Dept. and they had all those approvals. They will have in place by June a special permit with the State for a storage facility.

They are now seeking approval of the curb cuts from the Board. Then he introduced Griffin Ryder of 101 Walnut Street, Watertown, MA who prepared the plans to assist with any questions the Board had.

He reviewed the three current curb cuts and how they would like to re-locate all three of them. He reviewed the proposed curb cuts with the Board. He also informed the Board that Cambridge Water is in favor of the proposed petition. He went over all the comments from the City Engineer and responded to them, and concerns about drainage tying into city pipes. Catch basins were discussed as well.

The Chairman opened the meeting to the Board for questions.

Mr. Duffy and Mr. Moroney asked for a review of Lot A and Lot B as it was a bit confusing as shown.

Mr. Griffin reviewed the Lots in detail.

Mr. Moroney asked if the new drainage would add or reduce the water flow.

Mr. Griffin said that the water be reduced and explained it to the Board.

The Board being satisfied and there be no further discussions, the Chairman asked if there was a motion

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

VOTED: in favor to approve the Special Permit for three curb cuts at 130 Third Ave. as submitted on March 3, 2014.

The Acting Clerk read the next item on the agenda which was for a Special Permit for a Curb Cut at 180 Third Ave.

Mr. Monopoli came forward to address the Board. The new location of the curb cut was discussed.

There were brief discussions and the Chairman asked if there was a motion.

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

VOTED: in favor to approve the Special Permit for three curb cuts at 180 Third Ave. as submitted on March 3, 2014.

There being no further business in the public hearing the Chairman closed that part of the meeting and opened the regular meeting.

The Clerk read the first item on the agenda which was for a request to submit a bond and have the Board establish the bond amount for the Rock Lane Subdivision formally known as 305 Bacon Street.

Attorney McCourt reviewed Mr. Rocks request to submit a \$9,500.00 bond and reviewed the construction status update. He also commented that Mr. Pizzi's cost estimate was much higher at \$22,200.00. He said that Mr. Rock was away and that he did not have the opportunity to discuss an amount. He asked that this matter be continued at the next meeting.

The Chairman commented that he would like Mr. Rock and Mr. Pizzi to discuss this further and come back to the next meeting with a figure they both agreed upon.

The Chairman then asked for a motion.

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

VOTED: to continue the matter of Rock Lane at their next meeting of May 7, 2014.

The next item on the agenda was for an ANR Plan at 130, 186-194, 214 Third Ave and portions of Fourth Ave.

Mr. Monopoli came forward and reviewed the ANR Plan. Mr. Putnam of the Engineering Department submitted comments that the plan meets the Board's requirements.

There being no comments from the Board the Chairman asked for a motion.

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

VOTED: to approve the ANR Plan for 130, 186-194, 214 Third Ave and portions of Fourth Ave as submitted and to allow the Clerk of the Board to endorse said plan.

The Acting Clerk read the next item on the agenda which was for an ANR Plan of open space at Michaelchris Drive and Matthew Lane.

Attorney Philip B. McCourt and Robert Bibbo came forward to address the Board.

They reviewed the plan and the comments from Wade Putnam that stated that the plan meets the Board's requirements as they are marked non-buildable lots.

The Chairman opened the meeting to the Board for questions.

Mr. Duffy asked who currently owns the lots.

Mr. Bibbo said that Mr. Ralph Amelia of Nine Acres Development owns the lots.

Mr. Duffy then commented that the only reason Mr. Amelia is conveying these lots is so he no longer has to pay the taxes and that he is dumping that onto the prospective buyers of those lots. He said he would be voting no on this petition. He also said that the new owners will now have to deal with the wetlands.

Ms. Tarallo asked "If there is no frontage on the lots how could the lots meet the Board's requirements."

Mr. Bibbo said because it would be shown on the plan that they are Non-Buildable lots. The Board had previously approved many ANR plans like this one.

Mr. Devito and Mr. Moroney both commented that they feel this is just placing the burden of maintenance of the wetlands to the new owners.

Attorney McCourt commented that the Pigeon Hill homeowner Association would still maintain the wetlands, but he had no proof of that at the meeting.

The Chairman asked if there was a motion.

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

VOTED: to deny the ANR Plan for Michaelchris Drive and Matthew Lane as submitted since it was their opinion that the three Lots did not have the required frontage.

The Acting Clerk read the next item on the agenda which was for the approval of the minutes to the meeting of March 5, 2014.

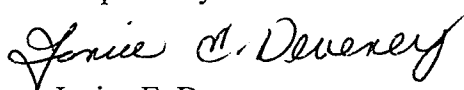
On the motion of Mr. DeVito, seconded by Ms. Callahan, the Board

VOTED: to approve the minute to the March 5, 2014 meeting as submitted.

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

VOTED: to adjourn the meeting at 9:15p.m.

Respectfully submitted:



Janice E. Deveney,
Acting Clerk of the Board