

CITY OF WALTHAM
BOARD OF SURVEY AND PLANNING

The following are minutes of the June 5, 2013 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 then opened the public hearing at 7:00 p.m.

The Clerk read the first item on the agenda which was for Special Permits at One Moody Street, 702 and 716 Main Street, and 55 Moody Street for More Than One Principal Building on a Lot and for Four Driveway Openings.

Attorney Robert Connors of 6 Lexington Street, Waltham, MA came forward as the representative for the petitioner. He reviewed the plans with the Board. They are proposing to take down four buildings and erect three buildings. Mr. Connors reviewed the renderings with the Board.

Mr. Connors then reviewed the four driveway locations and their access. He also explained that if this petition is approved that the petitioner will be coming back before the Board with an ANR plan to unite all the land into one lot for zoning purposes.

The Chairman opened the meeting for anyone that would like to speak or stand in favor of this petition. There being none he closed that part of the meeting. He then opened the meeting for anyone that would like to speak or stand in opposition to this petition. There being none he closed that part of the meeting.

After review of the plans for the driveways the Chairman opened the floor to the members for questions.

Mr. Duffy asked what the ground floor would be used for.

Mr. Connors said that retail and banking will be on the ground floor.

Mr. Duffy then asked how many parking spaces the site would have.

Mr. Connors said there would be 300 underground parking spaces and 92 above ground. He said the underground parking exceeds the required amount by 40 extra spaces and that the residents would be using the underground spaces.

Mr. Duffy then commented that he likes the proposed project and the driveway locations.

Mr. Barrett asked why they need to combine the lots.

Mr. Connors said it was a zoning issue.

Ms. Callahan commented that there are three proposed buildings but when you look at the rendering it appears to be four buildings, the larger one on Moody Street across from the Common.

Mr. Connors explained that the building has an archway design which may appear to be two buildings but actually is only one building. He showed that building design to the members.

Ms. Tarallo asked how many apartments there would be.

Mr. Connors said there would be 269 apartments most of them would be one or two bedrooms.

Mr. DeVito commented that Mr. Putnam's comments from the Engineering Department stated that there were no permits on file for any existing drainage connections into the City of Waltham from this property.

Mr. Connors explained that the proposed decision before the City Council addresses this issue and reads as follows:

Drainage and Surface Water.

The petitioner shall include a storm water management system in compliance with the Massachusetts DEP Stormwater Management Regulations. The Petitioner shall install the storm water management and treatment systems as set forth on the Plans, and shall maintain these systems in accordance with the 2008 Mass. DEP Handbook.

Mr. Connors also noted that the City has retained an outside consultant, Jacobs Engineering, to address all drainage issues. The City Council is currently awaiting Jacob Engineering's report.

Mr. Moroney commented that he was pleased that a peer review for the drainage is being prepared and that he is employed by Jacobs Engineering, but felt since he is reviewing the special permits and has no involvement with the drainage review he was not going to recuse himself.

Then commented that the plan shows that three of the four curb cuts that supposedly exceed 25-feet or more show that they are 24-feet.

Mr. Connors explained that the inside of the curb cut is shown as 24-feet, but that curb to curb is actually 25-feet or more.

Mr. Moroney asked which driveway tractor trailers and truck deliveries would use.

Mr. Connors reviewed that the trailers would use the opening opposite Spring Street and or Main Street. He also commented that Building C is residential with small stores and mostly banking so there would not be many truck deliveries. He also commented that the Fire Department and the Transportation Director had reviewed the curb cuts and had no objections.

Mr. Moroney said that he respectfully disagreed with their opinion and felt that a 53 foot tractor trailer could not adequately maneuver this access. He had requested a site visit and to continue this matter to the next meeting in September.

The Board discussed holding a special meeting and a site visit for June 20, 2013.

There being no further questions from the Board the Chairman asked if there was a motion.

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

**VOTED: to continue this petition at a
Special Meeting of June 20, 2013
at 6:00 p.m. and to have a site visit
at 5:00 p.m. prior to the special
meeting.**

There being no further business for 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 the construction update for 305 Bacon Street known as the Rock Lane Subdivision.

Hoard Rock owner of the property came forward to address the Board. He said that they are just waiting for the light and the utility company to install it and that all other work was complete. He said that they did not get a response from John Pizzi.

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

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

**VOTED: to continue this matter until the
September 4, 2013 meeting and wait for
John Pizzi's report.**

The Clerk read the next item on the agenda which was a request for a bond reduction for the Linden Circle Subdivision known as 267 Linden Street.

James DeVincent of 11 Twinmeadow Lane, Sudbury, MA came forward to address the board on this petition. He requested that the bond being held for this subdivision be reduced to \$2000.00 since he had completed the work. He felt \$2000.00 was an adequate amount to hold until he submits the required As Built plan.

He said that Mr. Pizzi submitted his report regarding the work that has been completed. Mr. Pizzi recommended the Board hold \$4000.00 of the bond balance until the developer had submitted the As Built plans.

The Board briefly discussed the matter.

The Chairman asked if there was a motion.

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

**VOTED: to release all but \$2000.00 of the cash
bond until the As Built plan has been
submitted and approved by the Board.**

The Clerk read the next item on the agenda which was for deliberations and a recommendation to the City Council on a proposed Zoning Amendment, Article III, Section 3.13 for a zone change at 167 BEF Lincoln Street.

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

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

**VOTED: to forward to the City Council a
recommendation to approve the zone
change request for 167 BEF Lincoln
Street.**

The Clerk read the next item on the agenda which was for deliberations and a recommendation to the City Council for a proposed Zoning amendment, Article III, Section 3.4- Animal Shelters, Section 3.643.

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

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

VOTED: to forward to the City Council a recommendation to approve the zone amendment, Article III, Section 3.4, Animal Shelters, Section 3.643.

The Clerk read the next item on the agenda which was for an ANR Plan for 850,910,920,930 and 940 Winter Street.

William Jones of Linden Engineering Partners, LLC came forward to address the Board on this ANR Plan. He explained that the plan was prepared and will be recorded with the Land Court as a Condition of a City Council Decision for a Special Permit. He reviewed the plan.

There being no comments from the Board, the Chairman asked if there was a motion.

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

VOTED: to Approve the ANR Plan for 850, 910, 920, 930 and 940 Winter Street as submitted and to allow the Clerk of the Board to endorse said plan.

The Clerk read the next item on the agenda which was for the approval of the minutes of the May 1, 2013 meeting.

The Chairman asked if there was a motion.

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

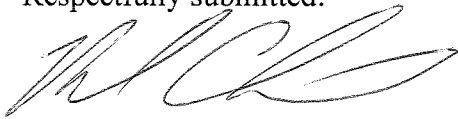
VOTED: to approve the minutes to the May 1, 2013 meeting as submitted.

There being no further business on the agenda, the Chairman asked if there was a motion to adjourn.

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

VOTED: to adjourn at 8:10 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