

CITY OF WALTHAM
BOARD OF SURVEY AND PLANNING

The following are minutes of the November 6, 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 a Special Permit Curb Cuts located at 99 Third Avenue, Waltham, MA. The Board must act on this petition by January 15, 2014.

Richard Monopoli of Boston Properties, 800 Boylston Street, Boston, MA came forward to address this petition.

He reviewed the two curb cuts that are greater than 25-feet and their location one of which is on Third Ave and is currently 48-feet which they are requesting to reduce to 32.6 –feet. The second curb cut is on the east side of the property on Fourth Ave which they are requesting to make 35.4 feet.

They are proposing these curb cuts as part of a redevelopment project at this site which will be for retail/restaurant use.

They have met with the Fire Dept. and received a positive response with no objections. Also, they have met with the Traffic Engineer and reviewed those comments with the Board. They received the comments that the Engineering Department had submitted and he handed out their responses and revised plans to reflect those comments.

He and Griffin Gannon from V.H.B reviewed the plans with the Board.

The Chairman then opened the meeting to the members for questions and comments.

Mr. Duffy asked why they chose to have underground parking.

Mr. Griffin said they need extra parking due to the way the site is laid out.

Mr. Barrett asked if the revised plans were prepared to reflect the Engineering Department's comments dated October 17, 2013.

Mr. Griffin responded, "Yes."

Ms. Callahan and Ms. Tarallo had no questions.

Mr. DeVito asked if the Cambridge Water had been notified and if they had, what was their response.

Mr. Griffin said that they had and that they have also submitted an R.D.A. with the Waltham Conservation Commission.

Mr. Moroney asked if on sheet C-2, the street lay-out plan, the driveway at the Third Ave... and Fourth Ave. openings, the sidewalk which goes along the property line isn't a standard width like the rest of the sidewalks shown around the site. He wanted to know why they did not propose a sidewalk there.

Mr. Monopoli said because of the topography.

Mr. Moroney said that the comments from the City Engineer dated October 30, 2013 stated that he would like to see a grading plan for his review and it appears he has concerns about the lack of sidewalks for anyone walking down that street. Instead of addressing this issue you ignored it.

Mr. Monopoli said that after receiving those comments they clarified that they would be coming in with a new grade and thought that the City Engineer would be submitting a summary of that discussion to the Board.

Mr. Moroney asked if the contours that are shown on Sheet C-5 are the existing contours for the steep slope that was being discussed.

Mr. Monopoli said, "Yes".

Mr. Moroney then asked where was the plan which showed what the final contours were going to be for the entire site.

Mr. Ryder explained that it was shown on the plan. The dotted lines are existing and the continuous lines are the proposed contours.

Mr. Moroney then commented that the driveway in question appeared to be the new contour lines. He couldn't tell if the contour lines were going up or down from the intersections.

Mr. Ryder said that they were going down from the intersection.

Mr. Moroney questioned that is why you commented that it keeps the water on site?

Mr. Ryder responded, "Yes, that is correct."

Then they discussed site distance and grades at this intersection.

Mr. Moroney then commented that getting back to the sidewalk issue that he would like to see a consistent sidewalk continue out of that brand new curb cut down and around the hill. If the Traffic Engineer agrees that the sidewalk is not necessary, he would then like to see at least the curb cut pulled back to provide what appears to be a standard sidewalk all the way across the front of your property.

Looking at the curb cut now it appears to cause a choke at the curb. I would like to see that curb cut provide a standard sidewalk in front of the property.

Mr. Ryder said that may be outside of their property line and doesn't understand what Mr. Moroney meant about "pull back" the curb cut.

Mr. Moroney said sidewalk or no sidewalk; he would like to see that curb cut balanced so that it is a straight parallel line across on Fourth Avenue. It would improve the site distance for people coming out of that driveway.

There were brief discussions on the issue.

Mr. Monopoli said that they could revise that curb cut in that way.

The Chairman commented that he too thinks that a sidewalk around the entire area is a good idea and it would be a good addition to the plan.

Other than that he had no further comments other than that they did a great job.

Then there was a brief review of the drainage on the site.

The Chairman then asked for a motion.

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

VOTED: to continue the petition for a Special Permit for Curb Cuts at 99 Third Ave. to their December 4, 2013 meeting with the petitioner readdressing placing a sidewalk at the area discussed and having that reviewed and approved by the City Engineer and to also straighten out the curb cut line as discussed at the Fourth Ave. intersection driveway opening.

ROLL CALL:

Mr. Duffy: YES
Mr. Barrett: YES
Ms. Callahan: YES
Ms. Tarallo: YES
Mr. DeVito: YES
Mr. Moroney: YES
Chairman: YES

Then the Chairman then closed the Public Hearing and opened the regular meeting.

The Clerk read the first item on the agenda which was for deliberations and recommendations to the City Council on a proposed zone amendment Section 3.4-Fast Food Establishments.

The Board discussed the proposed amendment.

The Chairman asked if there was a motion.

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

VOTED: in opposition of the approval of this amendment as submitted. The Board felt that the fast food permitting should be no different than any food/beverage permitting. It is their opinion that the City Council should cede power to the Board of Health and the Licensing Board.

The Clerk read the next item on the agenda which was for Deliberations and recommendations to the City Council on a proposed zoning amendment Section 3.228C-Retail Bakeries.

The Board discussed the proposed amendment.

The Chairman asked if there was a motion.

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

VOTED: to recommend approval of Subsection 3.228C Retail Bakeries as submitted.

The Clerk read the next item on the agenda which was for the approval of the minutes of the October 2, 2013, 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
October 2, 2013 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. DeVito, seconded by Ms. Tarallo, the Board

VOTED: to adjourn at 7:58 p.m.

Respectfully submitted:



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

MLJC/jed