

FOR THE  
CITY OF WALTHAM  
ZONING BOARD OF APPEALS

GENERAL HEARING

April 5, 2016

7:00 P.M.

at

Public Meeting Room, First Floor  
Arthur Clark Government Center  
119 School Street  
Waltham, Massachusetts 02451

Barbara Rando, Chair  
Mark Hickernell, Clerk  
Glenna Gelineau  
Sarah Hankins  
John Sergi

Arlington Reporting Corporation  
(339) 674-9100

Waltham Zoning Board of Appeals/4-5-16/2

**I N D E X**

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2015-27	4

**A T T A C H M E N T S**

Legal Notices: Case No. 2015-27

Case No. 2015-27:  
Extension Request Letter

1 P R O C E E D I N G S

2 BARBARA RANDO, CHAIR: Good evening.  
3 The Zoning Board of Appeals for Tuesday, April 5,  
4 2016 is called to order at 7:00 p.m.

5 Tonight we have one continued case  
6 before us, Case 2015-27, Sadie M. Cardillo, Trustee  
7 of 105-107 River Street. It's an irrevocable trust.  
8 Anthony G. Cardillo, Jr. and Anthony G. Cardillo,  
9 III, Trustees of AAM Realty Trust and Anthony G.  
10 Cardillo, Jr., 194 aft. Willow Street. And it's for  
11 an appeal of the decision of the Building Inspector.

12 The members sitting this evening are  
13 Mr. Sergi, Mr. Hickernell, Ms. Gelineau, and Ms.  
14 Hankins, and I am Barbara Rando.

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1 Case Number 2015-27: Sadie M. Cardillo, Trustee of  
2 105-107 River Street Irrevocable Realty Trust;  
3 Anthony G. Cardillo, Jr. and Anthony G. Cardillo,  
4 III, Trustees of AAM Realty Trust and Anthony G.  
5 Cardillo, Jr., 194 aft Willow Street, 105R River  
6 Street, and 105-107 River Street.

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8 BARBARA RANDO, CHAIR: Would the Clerk  
9 please read the petition in Case 2015-27.

10 MARK HICKERNELL: (The Clerk reads the  
11 above-mentioned petition into the record. See  
12 Attached.)

13 BARBARA RANDO, CHAIR: Thank you.

14 May we hear from the Petitioner or the  
15 Petitioner's representative please?

16 ATTORNEY JOSEPH CONNORS: Good  
17 evening, Madam Chair, members of the Board. My name  
18 is Joseph M. Connors, Jr. I'm an attorney  
19 representing the Petitioners, Anthony Cardillo, Jr.  
20 and the trust, and Sadie Cardillo as the trustee of  
21 that trust.

22 And just as was cited in the legal  
23 notice that there were alleged six violations. So,  
24 there was quite a bit of, you know, allegations in

1 the letter that was submitted to us by the Building  
2 Inspector.

3 So, we have had a hearing here. But,  
4 in the meantime, actually, I sat down with the  
5 Building Inspector and the Law Department and tried  
6 to come up with a plan to settle some of these --  
7 hopefully, more than just some, but a significant  
8 amount of the alleged violations.

9 So, the Building Inspector has asked  
10 me to do certain things. And the surveyor needs to  
11 kind of clean up what he needs for a certified plot  
12 plan. And we need to talk about some drainage  
13 issues. So, we're working on that.

14 I've spoken with the Building  
15 Inspector. He has consented to my request for an  
16 extension. So, that's what I'm asking the Board for  
17 is a continuance so I can have some paperwork  
18 completed to submit to the Building Inspector to see  
19 if we can resolve some of the violations so they're  
20 no longer on the table for the Board because it is  
21 quite a volume of allegations, so we're trying to  
22 clean up as much as we can so that we can narrow the  
23 scope of the dispute, if any.

24 So, I'm respectfully requesting a

1 continuance, at least a month's time, so we can  
2 continue on with that dialogue with the Building  
3 Inspector, submit some paperwork to him, which  
4 hopefully will be acceptable so we can then resolve  
5 more of the issues than less.

6 So, I did have -- I prepared a letter  
7 for you, Madam Chair. And I have copies for all the  
8 Board members and the secretary.

9 BARBARA RANDO, CHAIR: Thank you.

10 ATTORNEY JOSEPH CONNORS: So, we met  
11 in the middle of the month of March. So, we're  
12 working on some issues.

13 BARBARA RANDO, CHAIR: All right. We  
14 have heard what Attorney Connors has to say. Do I  
15 have a motion to continue Case 2015-27 to a later  
16 date?

17 JOHN SERGI: So moved, Madam Chair.

18 BARBARA RANDO, CHAIR: Motion by Mr.  
19 Sergi.

20 GLENNA GELINEAU: I'll second that.

21 BARBARA RANDO, CHAIR: Second by Ms.  
22 Gelineau.

23 How do you vote Mr. Sergi?

24 JOHN SERGI: Yes.

1 BARBARA RANDO, CHAIR: Mr. Hickernell?

2 MARK HICKERNELL: Yes.

3 BARBARA RANDO, CHAIR: Ms. Gelineau?

4 GLENNA GELINEAU: Yes.

5 BARBARA RANDO, CHAIR: Ms. Hankins?

6 SARAH HANKINS: Yes.

7 BARBARA RANDO, CHAIR: And the Chair  
8 votes yes.

9 Do I have a motion to extend the time?

10 I think the time is till May something, May 15<sup>th</sup>.

11 MARK HICKERNELL: May 14<sup>th</sup>.

12 BARBARA RANDO, CHAIR: 14<sup>th</sup>.

13 JOHN SERGI: So moved, Madam Chair.

14 BARBARA RANDO, CHAIR: So we're going  
15 to hear it in May sometime. Do you think May 24<sup>th</sup> is  
16 enough time, May 31<sup>st</sup>, or do you want to go to June?

17 ATTORNEY JOSEPH CONNORS: The 24<sup>th</sup>.  
18 Well, no, actually, the 24<sup>th</sup> -- no, that's --  
19 Memorial Day is the following week, am I right?

20 BARBARA RANDO, CHAIR: Right.

21 ATTORNEY JOSEPH CONNORS: Yeah, the  
22 24<sup>th</sup> is okay.

23 BARBARA RANDO, CHAIR: The 24<sup>th</sup>?

24 ATTORNEY JOSEPH CONNORS: Yes.

1 BARBARA RANDO, CHAIR: So we will  
2 extend the 100 days to August 23<sup>rd</sup>.

3 All right. Did I have a motion on the  
4 extension of time for Case 2015-27 to August 27,  
5 2016?

6 JOHN SERGI: So moved, Madam Chair.

7 BARBARA RANDO, CHAIR: Motion by Mr.  
8 Sergi.

9 Second?

10 GLENNA GELINEAU: I'll second it.

11 BARBARA RANDO, CHAIR: By Ms.  
12 Gelineau.

13 How do you vote Mr. Sergi?

14 JOHN SERGI: Yes.

15 BARBARA RANDO, CHAIR: Mr. Hickernell?

16 MARK HICKERNELL: Yes.

17 BARBARA RANDO, CHAIR: Ms. Gelineau?

18 GLENNA GELINEAU: Yes.

19 BARBARA RANDO, CHAIR: Ms. Hankins?

20 SARAH HANKINS: Yes.

21 BARBARA RANDO, CHAIR: And the Chair  
22 votes yes. So, we will continue this case till May  
23 24, 2016.

24 ATTORNEY JOSEPH CONNORS: Okay.



1 BARBARA RANDO, CHAIR: Thank you.

2 ATTORNEY JOSEPH CONNORS: Thank you.

3 Do I need to sign anything?

4 BARBARA RANDO, CHAIR: Yes, you do.

5 ATTORNEY JOSEPH CONNORS: Okay. Thank  
6 you.

7 BARBARA RANDO, CHAIR: Would you both  
8 mind signing that?

9 BARBARA RANDO, CHAIR: Thank you.

10 ATTORNEY JOSEPH CONNORS: Thank you.

11 BARBARA RANDO, CHAIR: You're welcome.

12 Unfortunately, that's the only case we  
13 have in front of us, so one more motion is in order.

14 JOHN SERGI: Motion to adjourn, Madam  
15 Chair.

16 BARBARA RANDO, CHAIR: Motion to  
17 adjourn by Mr. Sergi.

18 Second?

19 GLENNA GELINEAU: Second.

20 BARBARA RANDO, CHAIR: By Ms.  
21 Gelineau.

22 All in favor?

23 ALL BOARD MEMBERS: Aye.

24 BARBARA RANDO, CHAIR: Opposed?

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1 (No Board Members opposed.)

2 BARBARA RANDO, CHAIR: The ayes have  
3 it. We're adjourned at 7:10. Thank you.

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*Barbara Rando, clerk*  
*4/26/16*

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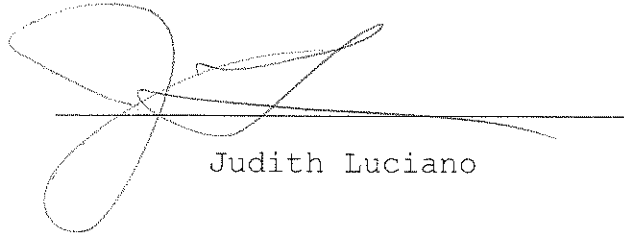
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C E R T I F I C A T E

I, Judith Luciano, do hereby certify that the foregoing record is a true and accurate transcription of the proceedings in the above-captioned matter to the best of my skill and ability.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.

Judith Luciano