

City Council Docket

January 22, 2018

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, January 22, 2018 at 7:30 pm. The following matters and others may be considered.

Approval of Minutes

12/11/2017, 1/8/2018

Public Hearing

17-25

Bay Colony Construction Development, LLC, 14 Larson Circle, Burlington, MA 018703 and L & H Capital, LLC 92 Stow Street, Waltham, Massachusetts 02453 hereby petition the Waltham City Council for permission under the provisions of §17-25 to open the street at 1101 Main Street to allow access to underground utilities. The property at 1101 Main Street is shown at City of Waltham Atlas, Map 58, Block 14, Lot 11 (R0580140011). All work and resurfacing shall be done in accordance with the requirements of §17-25 of the General Ordinances and to the satisfaction of the Director of Public Works. The locus is known and numbered as 1101 Main Street and is shown in the “Atlas, City of Waltham, Massachusetts 1988”, as Map 58, Block 14, Lot 11. The property is situated in a Residence B Zoning District. The legal owners of the locus are Bay Colony Construction and Development, LLC and L & H Capital, LLC.

Public Hearing

17-25

Leonard J. Gauvin and Denise A. Gauvin, 43 Candlewood Drive, Waltham, Massachusetts 02451 hereby petition the Waltham City Council for permission under the provisions of §17-25 to open the street at after 49 Hardy Pond Road adjacent to 5 Plant Road to allow access to underground utilities in Hardy Pond Road. The property at 5 Plant Road is shown at City of Waltham Atlas, Page 13, Block 7, Lot #6 (R013007006) and is situated on the corner of Hardy Pond Road just after 49 Hardy Pond Road. All work and resurfacing shall be done in accordance with the requirements of §17-25 of the General Ordinances and to the satisfaction of the Director of Public Works. The locus is known and numbered as 5 Plant Road and is shown in the “Atlas, City of Waltham, Massachusetts 1988”, as Map 13, Block 7, Lot 6. The property is situated in a Residence A-4 Zoning District. The legal owners of the locus are Leonard J. Gauvin and Denise A. Gauvin, 43 Candlewood Drive, Waltham, Massachusetts 02451.

Public Hearing

Fuel Storage

In accordance with Chapter 148 of the Massachusetts General Laws and Chapter 8 of the General Ordinances of the City of Waltham, Manfred Lauchart with an address of 26 Lory Drive, Waltham MA 02452, as Petitioner and Owner of 26 Lory Drive, Waltham MA 02452, hereby petitions the City Council to locate on the premises at 26 Lory Drive, Waltham MA 02452 a 1000 gallon underground propane tank containing propane liquid gas for primary heat for same owner occupied residence containing 800 gallons in total.

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Public Hearing Special Permit

275 Wyman Street LLC of 225 Wyman Street, Waltham Massachusetts 02451, as Petitioner; and also, being the Land Owner of the parcel of land with the buildings thereon known and numbered respectively as 225 Wyman Street and 235 Wyman Street, hereby petitions the City Council of the City of Waltham to grant a Limited Commercial Residential Area Protection Overlay District Special Permit pursuant to §8.731 of the Zoning Ordinance of the City of Waltham, and As part of this Limited Commercial Residential Area Protection Overlay District Special Permit, and pursuant to § 3.513 of said Zoning Ordinance, that the City Council grant additional Special Permits in accord with the following sections of the Zoning Ordinance and the Limited Commercial Residential Area Protection Overlay District:

1. §3.511 – To allow an increase in Floor Area Ratio (FAR) to 0.83;
2. §8.751 (a) - To allow an increase in Floor Area Ratio (FAR) to 0.83;
3. §8.752 (a) (2) – To allow a northerly side yard of 38 ± feet, a southerly side yard of 54 ± feet, and a rear yard of 198 ± feet;
4. §8.752 (a) (3) To allow a front yard of 59 ± feet;
5. §8.752 (a) (4) To allow a maximum [Zoning Code] building height of 74.5 ± feet; and
6. §8.752 (a) (5) To allow a maximum number of four stories for the main section of the building and five stories for the attached garage section of the building.

The premises are shown in the “Atlas City of Waltham, Massachusetts” as follows:

- Page R021, Block 001, Lot 0005; and
- Page R021, Block 001, Lot 0005A

The premises are situated in both a Limited Commercial Zoning District and a Limited Commercial Residential Area Protection Overlay District according to the “Zoning District Map of Waltham Mass.”

Communications from the Mayor

1. The Mayor respectfully requests the appointment of Courtney Semlow, 2007 Stearns Hill Road, Waltham, MA 02451 as a permanent member of the Conservation Commission for a term of three (3) years pursuant to section 2-272 of the City Ordinance to fill the vacancy left by Tali Gill-Austern.
2. The Mayor respectfully requests acceptance of two (2) grants from the Massachusetts Emergency Management Agency, FFY 2017-2018 HMEP Grant in the amount of \$4,150.00 and FFY 2017 EMPG Grant in the amount of \$22,460.00. The funds will be used to provide training and updating and publishing the Emergency Plan, as well as the purchase of SCBA air paks for the Air Supply Unit. These grants do not require any new personnel, nor the expenditure of any additional City funds.
3. The Mayor respectfully requests acceptance of a grant from the Executive Office of Public Safety to receive funding in the total amount of \$9,716.00 for the Student Awareness of Fire Education (SAFE) Program (\$6,707.00) and the Senior SAFE programs (\$3,009.00). The funds

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will be used to provide materials and training sessions for children and seniors. This grant does not require a City match or in-kind contribution.

4. The Mayor respectfully requests an appropriation of funds in the total amount of \$236,000.00 to purchase one (1) street sweeper for the CPW Department. Under the EPA Administrative Consent Order, the City is required to clean streets on a greater frequency to minimize the effect of sand, salt and other street materials from entering the storm drain system.

FROM:

#600-440-3590-3590	Retained Earnings (sewer)	\$171,971.00
#603-000-2017-3590	Bond Premium-2017 (sewer)	\$ 64,029.00

TO:

#600-440-5800-6447	Sewer – CPW Street Sweeper	\$171,971.00
#603-440-2017-6447	Sewer - CPW Street Sweeper	\$ 64,029.00

5. The Mayor respectfully requests acceptance of donations in the amount \$350.00 from Payson Park Church and The New Light Korean Church. These funds will be used towards their community programs.

6. In regards to the Rights of Way (ROW) Rt. 117/Main Street Bridge/Stow Street/ Third Avenue Signal the Mayor respectfully asks to accept the 1290 Main Street offer, and proceed with the necessary paperwork and prior to expending any City money, what, if anything, is her authority on these ROW acquisitions?

Applications & Licenses

- Lodging House renewal: 52-54 Bedford St. – George Kimball
- Lodging House renewal: 124 Ash St. – Romeo Delaney
- Lodging House renewal: 12 Lowell St. – Hurley House Inc. – David Moore
- Extended Hours renewal: 12 Harvard Street – CVS Pharmacy #114

Resolutions

- Tobacco Free Tuesday Resolution: Sponsored by Councillors Vidal, LeBlanc, D., Fowler, Logan
- Local 339 Carpenters Resolution: Sponsored by Councillor LaCava

Committee Reports

License and Franchise

1. The License and Franchise Committee recommends the Fuel Storage License for ARE_MA Regional No 63 located at 275 Second Avenue be approved.

2. The License and Franchise Committee recommends the Secondhand Dealers license for Brett Beveridge, owner of T.Mobile located at 1019 Trapelo Road be approved.

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3. The License and Franchise Committee recommends Class II renewal for Classic Cars Inc. at 251 High Street be approved.

Economic and Community Development

1. The Economic and Community Development Committee recommends the Order stating the Clerk's Office to electronically send to all City Councillors copies of all 2017 Resolutions be approved.

Finance Committee

1. The Finance Committee recommends the transfer in the amount of \$30,000 from Sewer and Water – MWRA Assessment to Sewer and Water – Trench Tailings for the transportation and removal of materials for water and sewer repairs be approved.

Ordinances and Rules

1. The Ordinances and Rules Committee recommends an amendment to Ordinance Part II, Chapter 13, Article IV of the General Ordinances of the City of Waltham entitled "Electric Wires Department and Inspector of Wires" be approved for a first reading.

2. The Ordinances and Rules Committee recommends the Resolution regarding Disclosure of Campaign Contributions be filed.

3. The Ordinances and Rules Committee recommends the Resolution regarding a Senior Committee be filed.

4. The Ordinances and Rules Committee recommends the Resolution regarding Merging Long Term Debt and the finance Committee be filed.

5. The Ordinances and Rules Committee recommends the Resolution regarding Committee Assignments by Mathematics be filed.

Unfinished Business & Other Business

- Time extension for BP 99 Third Ave, LLC at 99 Third Ave.
- Time extension for Trustees of Zee Em Trust II at 470, 486 & 504 Totten Pond Road
- Time extension for Colbea Enterprises, LLC 225 Waverly Oaks Road
- Communication from School Committee relative to joint meeting between the City Council and School Committee and School Building Committee

Tabled Items

- Moderator to facilitate the joint meeting for the Waltham High School building project
- Chair of the Conservation Commission, the Chair of the Historical Commission the Chair of the Community Preservation Commission, the Traffic Engineer and the architect for the Waltham High School Project be invited to participate in the joint meeting of the Waltham City Council, the Waltham School Committee, the Waltham School Building Committee and the Mayor
- Joint meeting of the Waltham City Council, the Waltham School Committee, the Waltham School Building Committee and the Mayor be scheduled to discuss the Waltham High School building project

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- Minutes from 5/8/2017
- Communication from Mayor dated July 3, 2017 regarding Veterans Fields on Forest Street, Gann Academy and Bentley University, Community Preservation Act Fernald Land and the Massachusetts Historical Commission Letter

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City Council Rule 58
For Informational Purposes Only

1. Communication from the Friends of the Stigmatines
2. Communication and petition from the Coalition to Save Chesterbrook Woods