

City Council Docket

June 25, 2018

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, June 25, 2018 at 7:30 pm. The following matters and others may be considered.

Approval of Minutes

5/14/2018, 6/11/2018

Public Hearing

Zoning Amendment

Notice is hereby given that the City Council and the Board of Survey and Planning will hold a joint public hearing in the Council Chamber, City Hall, 610 Main Street, Waltham MA., on Monday, June 25, 2018 at 7:30 P.M. on the following zoning ordinance amendment:

Ordered that: Section 3.264 of the Zoning Ordinance of the City of Waltham, as most recently amended, is hereby further amended by deleting the current section and replacing it with the following new section 3.264:

“3.264. Conservation, water and flood protection areas: Land and accessory structures maintained for the protection of water, wildlife, wetlands, water retention and storage; or land kept and maintained in a natural and unimproved condition except for the placement of walking trails.” And amendments to Section 3.4, Table of Uses, of the Zoning Ordinance of the City of Waltham. Copy of detailed changes to table are available in the City Clerk’s Office. And it is further ordered that: Section 3.608A of the Zoning Ordinance, as most recently amended, is hereby deleted in its entirety.

Public Hearing

Zoning Amendment

Notice is hereby given that the City Council and the Board of Survey and Planning will hold a joint public hearing in the Council Chamber, City Hall, 610 Main Street, Waltham MA., on Monday, June 25, 2018 at 7:30 P.M. on the following zoning ordinance amendment:

ORDERED That: The Zoning Ordinance of the City of Waltham, as most recently amended, is hereby further amended as follows:

Article III, entitled “Establishment of Districts,” Section 3.13, entitled “Zoning District Map,” is hereby amended, insofar as the Zoning District Map relates to the following described area of land, by striking out the designations thereof as “Residence A-2” and “Residence A-3” as currently applicable to said area of land and changing the designation of all of the below described land to “Conservation/Recreation”.

Legal Description of Area to be Re-zoned from Residence A-2 and Residence A-3 to Conservation/Recreation

A certain area situated in the City of Waltham, Middlesex County, Commonwealth of Massachusetts, bounded and described as follows:

Three formerly separate parcels of land, formerly known and numbered as 554 Lexington Street, 75R Lincoln Street and 111R Lincoln Street, Waltham and now known collectively as 554 Lexington Street. The entire property now known as 554 Lexington Street contains 46.063 acres, more or less, and is more fully described as follows:

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Southeasterly by Lexington Street forty and 11/100 (40.11) feet;
Southerly by land now or formerly of Ralph R. Dow et al one hundred sixty-six and 55/100 (166.55) feet;
Southeasterly by lands of sundry adjoining owners as shown on the plan hereinafter mentioned three hundred nine and 23/100 (309.23) feet;
Northerly by land now or formerly of Albina S. Butterfield one hundred seventy-three and 62/100 (173.62) feet;
Southeasterly by said Lexington Street two hundred thirty-nine and 89/100 (239.89) feet;
Southwesterly by land now or formerly of John J. DellaCamera et al five hundred twenty-three and 94/100 (523.94) feet;
Easterly by said John J. DellaCamera et al land and by land now or formerly of William B. Childs et al two hundred fourteen and 14/100 (214.14) feet;
Southerly by lands of sundry adjoining owners as shown on said plan four hundred thirty-six and 86/100 (436.86) feet;
Northwesterly one hundred ten and 98/100 (110.98) feet, and
Southerly one hundred forty-one and 77/100 (141.77) feet by land now or formerly of Harold C. Wilson et al, Trustees;
Southeasterly by said Harold C. Wilson et al, Trustees land and by land now or formerly of William J. Garland et al two hundred eighteen and 19/100 (218.19) feet;
Southwesterly forty-four and 88/100 (44.88) feet, and
Easterly ninety-seven and 27/100 (97.27) feet by said William J. Garland et al land;
Southwesterly by lands now or formerly of James E. Sacco et al and of Harry E. O'Donnell et al two hundred seventy and 90/100 (270.90) feet;
Southerly by lands now or formerly of Arthur O. Duquette et al and of Byron Trefonides et al three hundred thirty-nine and 23/100 (339.23) feet;
Northwesterly by land now or formerly of Salvatore A. Vinciullo et al one hundred seventy (170) feet;
Northwesterly two hundred thirty-four and 96/100 (234.96) feet, and
Northwesterly eleven hundred twenty-four and 56/100 (1124.56) feet by land now or formerly of Frederick R. Viles et al;
Northeasterly by part of the end of Trimount Avenue, by land now or formerly of the City of Waltham, by the end of Sachem Street, and by land now or formerly of Stratvern Homes Inc. three hundred fifty-five and 04/100 (355.04) feet;
Northwesterly by said Stratvern Homes Inc. land two hundred forty-seven and 37/100 (247.37) feet;
Northerly by lands of sundry adjoining owners as shown of said plan eight hundred sixty-four and 43/100 (864.43) feet;
Northeasterly by land now or formerly of Meli Realty Trust Co., ninety and 19/100 (90.19) feet;
Easterly by lands of sundry adjoining owners as shown on said plan twelve hundred forty-one and 03/100 (1241.03) feet; and
Northerly by lands now or formerly of James J. Cannon et al and of Angela F. Cincotta two hundred fifty-seven and 33/100 (257.33) feet;
All of the boundaries of said property are located as shown on a plan drawn by "Hayden, Harding & Buchanan, Inc. – Surveyors," dated August 25, 1965, as modified and approved by the Land Court and filed in the Land Registration Office.

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Public Hearing
17-80

The resurfacing of the private way known as Silver Hill Lane, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing
17-25

The Dante Land Trust (Also known as The Waltham Sons of Italy) located at 99 Cedar Street, Waltham, Massachusetts 02453 hereby petition the Waltham City Council for permission under the provisions of §17-25 to open the street at 99 Cedar Street. The property at 99 Cedar Street is shown at The City of Waltham Atlas, Page 241, Block 026, Lot # 0008 (R0700260008). 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.

Public Hearing
17-25

Petitioner, 166 Ash Street, LLC, Robert F. Calnan and Lauren Cusano, Mannagers, of 7 Molly Street, Watertown, Massachusetts and owner of 166 Ash Street, Waltham, Massachusetts (the "Locus") hereby petition the Waltham City Council for the necessary authorization under Art. I, § 17-25 to open the street at the Locus to allow access to underground utilities. All work and resurfacing shall be done in accordance\with the requirements set forth in Art. 1, § 17-25 of the General Ordinances for the City of Waltham and to the satisfaction of the Director of Public Works.

Public Hearing
Fuel Storage

In accordance to Chapter 148 of the Massachusetts General Laws and Chapter 8 of the General Ordinances of the City of Waltham, ARE-MA Regional No. 63, LLC, with an address of 400 Technology Square, Suite 101, Cambridge, MA 02139, as Petitioner and Owner of 275 Second Avenue, hereby petitions the City Council for a fuel storage license for an existing 539 car parking garage, to locate a new diesel generator with 693 gallons of storage within the garage, and to store up to 1,000 gallons of flammable and combustible liquids within the existing building for laboratory research use.

Public Hearing
Special Permit

Colbea Enterprises, LLC (Applicant), for the issuance of a Special Permit, as it relates to 225 Waverley Oaks, Waltham, MA (Assessors sheet/block/parcels R054 004 0005 (project locus), as follows: A Special Permit under the provisions of Article III, §3.229; §3.620; §3.634; and §5.92 of the Zoning Ordinance of the City of Waltham ("Zoning Ordinance") to permit the addition of a retail gasoline station with associated site improvements, a by-right use at the locus and an associated fast-food operation and convenience store within the proposed building, and a relief as to the number of required parking spaces ("Project"). Said Project locus is located in the Commercial C (C) Zoning District.

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Public Hearing (Recessed)
17-80

The resurfacing of the private way known as Priscilla Lane, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing (Recessed)
17-80

The resurfacing of the private way known as Mountain Road, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing (Recessed)
17-80

The resurfacing of the private way known as Goldencrest Avenue, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing (Recessed)
17-80

The resurfacing of the private way known as Crestview Road, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing (Recessed)
17-80

The resurfacing of the private way known as Carol Lane, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing (Recessed)
17-80

The resurfacing of the private way known as Brennan Avenue, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing (Recessed)
17-25

The City of Waltham Engineering Department, 119 School Street, Waltham, petitions the City Council for permission under the provisions of Section 17-25 for the installation and/or maintenance of utilities. The property is located at 586-588 Lexington Street. All work and resurfacing to be done in accordance with the provisions of said Section 17-25.

Communications from the Mayor

1. The Mayor respectfully requests that the flower gardens on Lexington Street in front of Kennedy Middle School be dedicated to Cathy Cannon for all the work she has done for the City

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of Waltham, including the Waltham Garden Club, the Waltham Library, Waltham Arts Council, as well as decorating City Hall, the Paine Estate and Senior Center for numerous years.

2. The Mayor respectfully requests an appropriation of funds in the amount of \$12,500.00 to be used for telephone expenses for the remainder of FY2018

3. The Mayor respectfully requests the appointment of Thomas MacInnis, 39 Barnes Street, Waltham, Massachusetts as Chief of Fire. In addition to his wide experience and training, he is also the senior deputy in the department.

4. The Mayor respectfully requests an appropriation in the amount of \$12,000.00 to pay the Meals on Wheels expenses for the Council on Aging for the remainder of the fiscal year.

5. The Mayor respectfully requests approval of the attached invoice for a maintenance agreement for cable television equipment owned by the City. The City purchased the equipment with cable funds for the Waltham Community Access Corporation. The original contract was bid, in the future these items will be bid as well.

6. The Mayor respectfully requests the following financing transactions totaling \$985,000.00 to fund several minor capital items for various departments.

Appropriate From	Unreserved Fund Balance (UFB)	\$414,000.00
Transfer From	Stabilization Fund-Police CIP(STAB)	\$433,000.00
Appropriate From	Parking Meter Fund Balance (PK MTR)	\$ 70,000.00
Appropriate From	Water Retained Earnings (WAT RE)	\$ 38,000.00
<u>Appropriate From</u>	<u>Rink Retained Earnings (RINK RE)</u>	<u>\$ 30,000.00</u>

<u>Total Funding</u>	<u>\$985,000.00</u>
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7. The Mayor respectfully requests an appropriation in the amount of \$29,984.00 to fund the steam trap and radiator valve replacement project for several City buildings. The steam trap replacement project (\$36,884.00) qualifies for a 50% incentive grant from National Grid. The valve replacement project (\$11,792.00) is entirely at the City's expense.

8. The Mayor respectfully requests a transfer of funds in the amount of \$46,302.00 to award the bid for the design services of the Lincoln Street sidewalks. This project will be a joint effort of the CPW Director, Michael Chiasson and the Traffic Engineer, Michael Garvin.

Applications & Licenses

- Secondhand Dealers renewal: Mint Condition Sports llc dba Play it Again Sports 108C River St
- Lodging house renewal: 10-12 Maple Street – MRO-NAT Realty Trust – Mark Leger
- Lodging house renewal: 415 South St. Brandeis University –East Quad
- Lodging house renewal: 415 South St. Brandeis University – Ridgewood
- Lodging house renewal: 415 South St. Brandeis University- Massell Quad
- Lodging house renewal: 415 South St. Brandeis University-Rosenthal Dorms

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- Lodging house renewal: 415 South St. Brandeis University-North Quad
- Lodging house renewal: 415 South St. Brandeis University – The Village Residence Hall

Orders, Ordinances & Resolutions

Committee Reports
License and Franchise

1. The License and Franchise Committee recommends the fuel storage license for Brandeis University at 415 South Street be approved.
2. The License and Franchise Committee recommends the secondhand dealer's license renewal for Compustar Inc. at 563 Moody Street be approved.

Committee Reports
Public Works & Public Safety

1. The Public Works and Public Safety Committee recommends the 17-25 resurfacing petition for Lincoln Street (a portion of 53 Glen Circle) be approved.
2. The Public Works and Public Safety Committee recommends the 17-25 resurfacing petition on Winter Street be approved.
3. The Public Works and Public Safety Committee recommends the design of Beaver Street rotary be approved.

Finance Committee

1. The Finance Committee recommends the Financial Transparency Resolution be approved
2. The Finance Committee recommends the appropriation in the amount of \$195,000.00 for the Fire Department be approved.
3. The Finance Committee recommends of \$8,000.00 to fund the banking fees of the parking Meters be approved.
4. The Finance Committee recommends a transfer of \$10,000.00 for unemployment expenses for the remainder of the FY2018 be approved.
5. The Finance Committee recommends the financing transactions totaling \$175,000.00 plus accrued interest to fund the reconstruction of the Church Street parking lot be approved.
6. The Finance Committee recommends a transfer in the amount of \$18,000.00 for the Wires Dept. be approved.
7. The Finance Committee recommends a transfer in the amount of \$12,000.00 for pre-employment physical expenses for the remainder of the FY2018.

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8. The Finance Committee recommends an appropriation of funds in the amount of \$127,500.00 for the sewer project in the Woerd Ave. bridge area be approved.

Ordinances & Rules

1. The Ordinances and Rules Committee recommends Special Permit for 275- Wyman Street LLC at 225 Wyman Street be approved.
2. The Ordinances and Rules Committee recommends the amended compensation ordinance for Clerk-Board of Registrars be approved for a second reading.
3. The Ordinances and Rules Committee recommends the amended compensation ordinance – Clerk of the City Council be approved for a second reading.
4. The Ordinances and Rules Committee recommends the zoning ordinance amendment for Electronic Gaming be approved for a first reading.

Economic & Community Development

1. The Economic and Community Development Committee recommends the Pride Month Resolution be approved.

AD-HOC CPC Appointing Committee

1. The Community Preservation Appointing Committee recommends the reappointment for Daniel Melnechuk to the Community Preservation Committee be approved for one year.
2. The Community Preservation Appointing Committee recommends the reappointment for Loretta McClary to the Community Preservation Committee be approved for one year.
3. The Community Preservation Appointing Committee recommends the reappointment for Erika Jerram to the Community Preservation Committee be approved for one year.

Unfinished Business & Other Business

- 2018 State Election Order
- Time extension for special permit application at 265 Bear Hill Road
- Carry forward funding for the zoning consultant

Tabled Items

- Zoning Ordinance Amendment Section 3.264 Conservation, water & flood protection areas sponsored by Councillor Darcy
- Zoning Ordinance Amendment Article III, Section 3.13 Zoning District Map sponsored by Councillor Darcy
- Moderator to facilitate the joint meeting for the Waltham High School building project

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- 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
- 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

Recess to Committees

City Council Rule 58

For Informational Purposes Only

1. Communication from the Mayor regarding City Council and Clerks Computers
2. Communication from the Mayor regarding the Leland Home