



***Waltham City Council  
Ordinances and Rules Committee  
Minutes  
Monday October 1, 2018***

***Hoover Committee Room  
City Hall, 610 Main Street  
Waltham, Massachusetts***

Chairman McLaughlin called the meeting to order at 9:58 pm.

Attendance

Present: Fowler, Harris, Logan, McLaughlin, Stanley

Absent: None

Councillor Logan moved approval of the minutes from 9/17/2018. The motion was approved on a voice vote.

New matters:

*Zoning Amendment Bridge in HR-2 District*

Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

*Zoning Amendment Detached garage in HR-2 District*

Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

*Time extension for the Special Permit application at 265 Bear Hill Road, Waltham*

Councillor Logan moved approval. The motion was approved on a voice vote and the matter was sent to the full Council with a recommendation that it be approved.

*Minor Modification to Special Permit #31913 at 470, 494, & 500 Totten Pond Road*

Attorney Philip McCourt reviewed that matter and said it was to install solar panels. Councillor Logan moved approval. The motion was approved on a voice vote and the matter was sent to the full Council with a recommendation that it be approved.

*General Ordinance Amendment Regarding Trash Containers (recommitted)*

Councillor Logan moved that the matter be sent to the Law Department for review. The motion was approved. Councillor Logan moved to lay the matter on the table. The motion was approved and the matter was tabled.

*General Ordinance Amendment Regarding Trash Containers Fines (recommitted)*

Councillor Logan moved that the matter be sent to the Law Department for review. The motion was approved. Councillor Logan moved to lay the matter on the table. The motion was approved and the matter was tabled.

Tabled matters:

*Special Permit Prestige Auto Sport, Inc. d/b/a Eastside Motoring, Petitioner, Article 3, Sections 3.5, 3.512 and 3.632 of Zoning used car lot and on the property known as 265 Bear Hill Road, Waltham.*

Councillor Logan moved to take the matter from the table. Attorney McCourt reviewed responses provided to the Committee. Councillor Logan moved that the matter be sent to the Law Department for review. The motion was approved. Councillor Logan moved to lay the matter on the table. The motion was approved and the matter was tabled.

*Special Permit Modification for Special Permit Order #28040 for Hyatt House Hotel at 54 Fourth Avenue*

Attorney Dwyer reviewed the request that the exterior parts of the modification be approved. Councillor Logan moved to split the exterior portions of the matter from the interior. Councillor Logan moved to approve the modification concerning the exterior parts of the modification and to lay the interior portions on the table. The motion was approved and the matter was sent to the full Council with a recommendation that it be approved in part.

*General Ordinance Amendment regarding betterments on private ways*

Councillor Logan moved to take the matter from the table. The motion was approved on a voice vote. Councillor Logan said state law requires betterments to be assessed but that the percentage is set by the municipality. Councillor Logan said this is more equitable because private ways are used by the general public. Councillor Logan moved that the matter be given a second reading. The motion was approved and the matter was referred to the full Council with a recommendation that it be given a second reading. Councillor Stanley expressed concern that we continue to attempt to convert private ways to public ways to increase state funding. Councillor Logan said we can do both. Councillor Fowler and President LeBlanc spoke in favor of the matter. Councillor Logan moved approval for a second reading. The motion was approved and the matter was sent to the full Council with a recommendation that it receive a second reading.

*Ordinance Amendment amending Chapter VIII Article II entitled Amusements*

Councillor Logan moved to take the matter from the table. Councillor Logan moved approval for a second reading. The motion was approved and the matter was sent to the full Council with a recommendation that it receive a second reading.

*Zoning Ordinance Amendment Affordable Housing*

Councillor Logan moved to take the matter for the table. The motion was approved on a voice vote. Councillor Logan moved to send an urgent request to the Law Department that they complete their review of this matter. The motion was approved on voice vote. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

*Retail Marijuana Resolution*

Councillor Logan moved to take the matter for the table. The motion was approved on a voice vote. Councillor Logan moved to send a communication to the Law Department that the Committee is not planning on any changes that would require a vote by the citizens at large and to send the draft ordinance as soon as possible. The motion was approved on voice vote. Councillor Logan moved to lay the matter on the table the motion was approved on a voice vote.

*Resolution Earth Moving Ordinance*

Councillor Stanley moved to take the matter from the table. The motion was approved on voice vote. Councillor Stanley moved to place the matter on file. The motion was approved on voice vote and the matter was forwarded to the full Council with a recordation that it be filed.

*Real estate agreement relative to S.P # 31771*

Councillor Stanley moved to take the matter from the table. The motion was approved on voice vote. Councillor Stanley moved to place the matter on file. The motion was approved on voice vote and the matter was forwarded to the full Council with a recordation that it be filed.

*GOA Fuel Storage amendment*

Councillor Stanley moved to take the matter from the table. The motion was approved on voice vote. Councillor Stanley moved to place the matter on file. The motion was approved on voice vote and the matter was forwarded to the full Council with a recordation that it be filed.

*Resolution regarding Abutter's list procedures*

Councillor Stanley moved to take the matter from the table. The motion was approved on voice vote. Councillor Stanley moved to place the matter on file. The motion was approved on voice vote and the matter was forwarded to the full Council with a recordation that it be filed.

*Resolution regarding Bicycle Parking Requirements*

Councillor Stanley moved to take the matter from the table. The motion was approved on voice vote. Councillor Stanley moved to place the matter on file. The motion was approved on voice vote and the matter was forwarded to the full Council with a recordation that it be filed.

*Resolution regarding Measurement of building height*

Councillor Stanley moved to take the matter from the table. The motion was approved on voice vote. Councillor Stanley moved to place the matter on file. The motion was approved on voice vote and the matter was forwarded to the full Council with a recordation that it be filed.

*Sidewalk Easement 385 Winter Street*

Councillor Stanley moved to take the matter from the table. The motion was approved on voice vote. Councillor Stanley moved to place the matter on file. The motion was approved on voice vote and the matter was forwarded to the full Council with a recordation that it be filed.

*36 River Street Communication*

Councillor Stanley moved to take the matter from the table. The motion was approved on voice vote. Councillor Stanley moved to place the matter on file. The motion was approved on voice vote and the matter was forwarded to the full Council with a recordation that it be filed.

*Local Control of Marijuana Resolution*

Councillor Stanley moved to take the matter from the table. The motion was approved on voice vote. Councillor Stanley moved to place the matter on file. The motion was approved on voice vote and the matter was forwarded to the full Council with a recordation that it be filed.

Councillor Stanley moved to adjourn the motion was approved and them Committee adjourned at 10:50 pm.