



***Waltham City Council  
Ordinances and Rules Committee  
Minutes  
Monday, December 4, 2017***

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

Chairman Rourke called the meeting to order at 10:10 pm.

Attendance

Present: Rourke, Logan, Marchese, O'Brien

Absent: McLaughlin

New matters:

*VitaSphere communication- Letter of Support/Non-Opposition*

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

Tabled matters:

*New England Cannabis Corp. request for letter of support/non-opposition*

Councillor Logan moved to take the matter from the table. The motion was approved on a voice vote. Chairman Rourke reviewed the history of the matter. Councillor Logan moved to hear from the First Assistant City Solicitor Patricia Azadi. The motion was approved on a voice vote. Attorney Azadi reviewed a possible process for approving a letter of non-opposition or support. Councillor Logan asked questions about issuing a letter of non-opposition. Councillor Logan moved to hear from the petitioner Mr. Ron Lipof. The motion was approved. Mr. Lipof reviewed his request and said any concerns could be addressed in host community agreement. Councillor O'Brien expressed concerns with the proposal. Councillor Logan moved to request that the law department ask the Department of Public Health if a letter could be written when a use is only allowed as of right, the motion was approved. Councillor Logan moved to request that the Law Department review if an appointed body could issue a letter of non-opposition rather than the Council or the Mayor. The motion was approved. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Councillor Logan moved to accept the minutes of 11/20/2017. The motion was approved on a voice vote.

*Zoning Amendment Education Cell Installation*

Councillor Logan moved to take the matter from the table. The motion was approved on a voice vote. Councillor Logan moved to release the Law Department Opinion to the petitioner. The motion was approved. Councillor Logan moved that due to the nature of the Law Department opinion that the matter be place on file. The motion was approved on a voice vote and the matter was sent to the full Council with a recommendation that it be filed.

*Special Permit Amendment for Bishops Forest Trash Pickup*

Councillor O'Brien moved to take the matter from the table. The motion was approved. Councillor O'Brien and President LeBlanc expressed frustration with the process and that after all this time a remedy has not be found for this matter. Councillor Logan moved to release the Law Department opinion to the petitioners. The motion was approved. Councillor Logan moved that the Committee hold a Special Meeting on December 11, 2017, at 6:30 and that his matter be the only matter on the agenda. The motion was approved. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

*315 College Farm Road Special Permit (FAR)*

Councillor Marchese moved to take the matter from the table. The motion was approved on a voice vote. Councillor Marchese moved to release part 1 of the Law Department opinion. The motion was approved on a voice vote. Councillor Logan moved to authorize the Chair to release part 2 of the opinion after a review of the opinion for redactions. The motion was approved on a voice vote. Councillor Marchese moved to lay the matter on the table. The motion was approved on a voice vote.

*151-171 Bear Hill Road Special Permit FAR*

Councillor Logan moved to take the matter form the table. The motion was approved on a voice vote. Councillor Rourke reviewed the responses to the Law Department opinion provided by Attorney Michael Connors. Councillor Rourke asked Attorney Connors to add a condition about the monitoring wells. Councillor Logan asked Attorney Connors to add a condition about the cedar fence. Councillor Rourke asked that language be added requiring City Engineer approval. Councillor Logan moved that language be added to clarify the square footage. Councillor Logan moved to suspend the rules to go past midnight. The motion was approved on a voice vote. Councillor Marchese moved that the Special Permit be approved. The motion was approved on a voice vote and the Special Permit was sent to the full Council for approval.

Councillor Logan moved to adjourn. The motion was approved ona voice vote and the Committee adjourned at 12:14am.

Respectfully submitted,  
Joseph W. Vizard  
Assistant City Clerk

Approved 12/18/2017

