



***Waltham City Council
Ordinances and Rules Committee
Minutes
Monday, December 21, 2020***

This meeting took place remotely.

Chairman McLaughlin called the meeting to order at 9:44 pm.

Attendance

Present:

John J. McLaughlin

George A. Darcy III

Caren Dunn

Cathyann Harris

Randy J. LeBlanc

Absent: none

Councillor Dunn moved approval of minutes from 12/7/2020. The motion was approved on a voice vote.

225 Waverly Oaks Road Law Department Communication-Special Permit Denial and Remand

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

Special Permit Modification at 305 Second Avenue – Middlesex Integrative Medicine, Inc. and Executive Park Realty Corporation

Ryan Noone and Attorney Joseph Connors spoke in favor of the project. Mr. Noone said the bathrooms had to be moved to comply with the plumbing code. Councillor LeBlanc asked questions about the modification. Councillor Dunn moved approval. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval.

Resolution Regarding Exempting the City from Zoning

Councillor LeBlanc moved to take the matter from the table. Councillor LeBlanc reviewed the history of the matter. Attorney Azadi spoke about the various opinions she had written. After Attorney Azadi presented examples and options. Councillor LeBlanc requested that the Law Department Draft and Ordinance that does the following things:

- Add municipal uses to the table of uses in all districts with restrictions on uses in the Conservation Recreation District and exempt city parks and playgrounds from zoning
- Clarify up the definition of municipal uses and add the phrase not limited to
- Have any municipal use only subject to the dimensional requirement in the district, exempt the city from any special foot notes

- Exempt city from parking requirements
- Allow temporary staging areas for city projects

Councilor Dunn said she would support the request but wanted the ability to review it and make modifications when the draft came back. Councillor Darcy said he wanted to release the various law opinions to the public prior to supporting this motion. Councillor Harris spoke about the open nature of the proceedings but also said it important to maintain the confidentiality of the legal opinions while the policy is still in development. A Roll call was taken on the request.

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| George A. Darcy III | No |
| Caren Dunn | Yes |
| Cathyann Harris | Yes |
| Randy J. LeBlanc | Yes |
| John J. McLaughlin | Yes |

Councillor Darcy moved to release the Law Department Opinions. Councillor Darcy said that not releasing the opinions lacks transparency and that we release law opinions to special permit petitioners. Councillor Harris reiterated her points that this is a policy that is being developed and that releasing the legal advice did not make sense at this time. Councillor Harris pointed out that all of the discussion around this matter has taken place in public and has been transparent. The vote was taken by roll call.

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| George A. Darcy III | Yes |
| Caren Dunn | No |
| Cathyann Harris | No |
| Randy J. LeBlanc | No |
| John J. McLaughlin | No |

Councillor LeBlanc move to lay the matter on the table. The motion was approved on a voice vote.

Councillor LeBlanc moved to adjourn at 10:37 pm. The motion was approved on a voice vote.

Respectfully submitted,
Joseph W. Vizard, Assistant City Clerk