



***Waltham City Council  
Ordinances and Rules Committee  
Minutes  
Monday, February 5, 2018***

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

Chairman McLaughlin called the meeting to order at 9:40 pm.

Attendance:

Present: Fowler, Harris, Logan, McLaughlin, Stanley

Absent: None

New matters:

*Time extension for BP 99 Third Ave, LLC at 99 Third Ave.*

Councillor Logan moved that the extension of time be granted. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval.

*Time extension for Trustees of Zee Em Trust II at 470, 486 & 504 Totten Pond Road*

Councillor Logan moved that the extension of time be granted. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval.

*Small Cell Ordinance (Recommitted)*

Councillor Logan moved that the ordinance be sent to the Law Department for review. The motion was approved on a voice vote. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

*275 Wyman Street LLC of 225 Wyman Street, Special Permit §3.511 – To allow an increase in Floor Area Ratio (FAR) to 0.83; to allow a northerly side yard of 38 + feet, a southerly side yard of 54 + feet, and a rear yard of 198 + feet; to allow a front yard of 59 + feet; to allow a maximum [Zoning Code] building height of 74.5 + feet; and 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.*

Councillor Logan moved to hear from the attorney for the petitioner Attorney Michael Connors. Councillor Logan said he would like to see more mitigation on the hours of construction and that simply following the ordinance would not be enough. Councillor Logan asked question about the number of energy efficient parking spaces. Councillor Logan said he would like the petitioner to add a condition about the hours that blasting would be allowed. Councillor Logan asked the petitioner to add a condition that

landscaping and dumpster pickup can only be happen Monday-Saturday from 9 am-5 pm. Councillor Logan asked questions about improving shuttle service. Tom Dusel said a goal would be for the site to have dedicated shuttle service.

Councillor Logan asked the petitioner to add condition that as built plans would go to the Fire Department. Councillor Fowler asked questions about the shadow analysis. Councillor Fowler asked questions about the traffic analysis and if Lexington at Totten Pond was included in the study area. Sean Manning from VHP reviewed the traffic plans and said that Lexington at Totten Pond was not in the study area. Councillor Fowler asked questions about trucks idling and dumpster pick-up times and said that dumpsters had been removed from some of the sites. Councillor Fowler asked about plans for traffic mitigation on Wyman Street. Councillor Harris asked the petitioner to present a traffic mitigation plan. Councillor Darcy asked the petitioner to explore various traffic improvements for Wyman Street. Councillor Logan asked the petitioner to look at dust suppression. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Chairman McLaughlin declared a 1 minute recess. Chairman McLaughlin called the meeting back to order.

#### Tabled matters:

##### *225 Waverley Oaks, Waltham, MA fast-food operation and convenience store*

Councillor Logan moved to take the matter from the table. Councillor Logan moved that a redacted copy of the Law Department opinion be provided to the petitioner the motion was approved on a voice vote. Councillor Logan moved to lay the matter back on the table. The motion was approved on a voice vote.

##### *Retail Marijuana Resolution*

Councillor Logan moved to take the matter from the table. Councillor Logan moved that to recommend that the council schedule a public hearing for a Retail Marijuana Moratorium. The motion was approved on a voice vote and the matter was sent to the full Council for approval. Councillor Logan moved to lay the resolution on the table. The motion was approved on a voice vote.

##### *Zoning Study*

Councillor Logan moved to take the matter from the table. The motion was approved on a voice vote. Councillor Logan moved to correct the language regarding urban agriculture. The motion was approved. Councillor Logan moved to send the draft to the Law Department for review. The motion was approved. Councillor Logan moved to lay the matter on the table. The motion was approved.

##### *Gas Leak Ordinance*

Councillor Logan moved to take the matter from the table. The motion was approved. Councillor Logan moved to forward information provided by Mothers Out Front to the Law Department. The motion was approved. Councillor Logan moved to lay the matter back on the table. The motion was approved.

Councillor Logan moved to adjourn. The motion was approved and the committee adjourned at 11:34 pm.