



**Waltham City Council
Ordinances and Rules Committee
Minutes
Monday, March 15, 2021
City Council Chamber
610 Main Street
Waltham, MA 02452
Following Committee of the Whole**

Chairman

McLaughlin called the meeting to order at 11:25 pm.

Attendance

Present:

John J. McLaughlin

George A. Darcy III

Caren Dunn

Cathyann Harris

Randall J. LeBlanc

Absent: none

Councillor Darcy moved approval of minutes from the March 1, 2021 meeting. The motion was approved on a voice vote.

Special Permit Costco Wholesale located at 71 Second Ave reduction in parking and other changes to the existing Special Permit in order to allow a fueling stations.

Councillor Harris moved to take the matter from the table. Councillor Harris asked Attorney Azadi to summarize her review and to highlight the most concerning. Attorney Azadi said decommissioning for buildings is not found in the zoning code. Attorney Azadi said that two uses of a lot are permitted but they have to comply with the zoning for those uses. Attorney Azadi thought using the adjoining lot as an exit could require an amendment to the special permit for that site. Attorney Azadi said traffic moving from E-F is also a concern and it does not appear that there is a way to mitigate this. Councillor Harris moved to continue beyond midnight. The motion was approved on a voice vote. Attorney Azadi also pointed out inconsistencies with the plans. Attorney Connors and Attorney Tam said they thought they had addressed most of this in their response and that they would re-submit it for Attorney Azadi's review. Councillor Harris moved to lay the matter on the table. The motion was approved on a voice vote.

Special Permits 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"), then in effect on September 24, 2018 (the date of the prior denial decision issued by the Waltham City Council), to permit: (1) a combined convenience store in a gas station; (2) for a fast-food establishment; and (3) for reduced parking for said uses at 225 Waverley Oaks, Waltham, MA

Councillor Dunn moved to take the matter from the table. The motion was approved on a voice vote. Attorney Learned reviewed areas that the Council could review in deciding to grant the special permit including the ZBA variance on the site and the building being larger than 1,000 square feet, fuel truck deliveries and whether the site allows them to be made safely, the driveway openings, Councillor LeBlanc asked about conservation commission issues. Councillor McLaughlin asked about parking at the pumps, the building size and traffic mitigation. Councillor

Dunn moved to invite the traffic engineer to the next committee meeting. The motion was approved on a voice vote. Councillor Dunn moved to lay the matter on the table. The motion was approved on a voice vote.

Special Permit pursuant to the provisions of Article 3, Section 3.5, subsections 3.512, 3.641 and 3.642 of the Zoning Ordinance of the City of Waltham to grant a special permit for the use of a portion of the Locus (as shown on the Site Plan, Sheet 3) for a Yard Waste Transfer Station and Organic Product Storage, on the property known as 44, 44R & 56 Williams Street and 114 Felton Street, Waltham, MA

Councillor LeBlanc moved to take the matter from the table. Councillor LeBlanc moved to release the law department reviews as long as the clerk and committee chair reviewed them for redactions. The motion was approved on a voice vote. Councillor LeBlanc moved to lay the matter on the table. The motion was approved on a voice vote.

Resolution Exempt City from Zoning

Councillor LeBlanc moved to take the matter from the table. The motion was approved on a voice vote. Councillor LeBlanc discussed having a hearing on the matter. Councillor Darcy said he could not support the zoning amendment as written due to the impact on abutters. Councillor LeBlanc moved to continue beyond 1:00 am. The motion was approved on a voice vote. Councillor Harris moved the Attorney Azadi attend the next meeting and that Committee members receive the prior material. Councillor LeBlanc moved to lay the matter on the table. The motion was approved on a voice vote.

Realistic Affordable Housing Resolution

Councillor Harris moved to take the matter from the table. Councillor Harris moved to take the matter from the table. Councillor Harris said that the matter had been discussed and deliberated with the Housing Director. Councillor Harris said this would be taking away housing opportunities for some individuals and that she could not support it. Councillor Darcy said he wanted to leave the tiers in place, but he wanted to hear from Councillor Paz prior to filing. The motion was approved on voice vote and the matter was forwarded to the full City Council with a recommendation that it be filed.

Fuel Storage Ordinance

Councillor LeBlanc moved to take the matter from the table. Councillor LeBlanc moved to amend the ordinance by removing the brackets and changing the year to 2021. The motion was approved on a voice vote. Councillor LeBlanc moved that the matter be given a second reading. The motion was approved on a voice vote and the matter was forwarded to the full Council of a second reading.

Councillor Darcy moved to adjourn at 1:25 pm. The motion was approved on a voice vote.

Respectfully submitted,
Joseph W. Vizard
Assistant City Clerk
April 1, 2021