



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

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

Chairman McLaughlin called the meeting to order at 9:35 pm.

Attendance

Present: Fowler, Harris, Logan, McLaughlin, Stanley

Absent: none

Councillor Logan moved approval of the minutes from 2/20/2018.

New matters:

Zoning ordinance amendment Fast Casual Restaurants

Councillor Logan asked questions of the attorneys for the petitioners Attorney McCourt and Attorney Ward. Councillor Logan moved to accept a modified definition of Fast Casual that is contained on page 3 of the March 2, 2018 letter from Boston Properties. Councillor Fowler apposed the changed saying that proposed amendment further complicates the already confusing definitions for restaurants. Councillor Fowler said he would like to speak to the Inspector of Buildings about the definition. Councillor Logan's amendment to the definition was approved. Councillor Logan moved to request that Building Inspector Forte attend the next meeting of the Committee. The motion was approved on a voice vote. Councillor Logan asked the petitioner's Traffic Engineer Mr. Nage about the traffic definitions and standards for fast casual resultant. Councillor Logan moved to lay the matter on the table. The motion was approved.

Zoning ordinance amendment Parking Requirements Fast Casual and Recreation

Councillor Logan asked the petitioner's traffic engineer, Mr. Nage about the ITE standards for parking for fast casual restaurants. Councillor Logan moved to lay the matted on the table the motion was approved.

Zoning ordinance amendment Fast Causal by right and special permit

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

Access agreement 96 Linden Street

Councillor Logan moved to authorize the Council President to sign the access agreement. The motion was approved and the matter was forwarded to the full Council for approval.

Modification of Special Permit for PD Winter Street, LLC at 900 and 910 Winter Street

Attorney Robert Connors reviewed the request for a modification as well as changes to the site plans. Councillor Logan asked questions about changes to the parking and expressed concerns about making changes. Councillor Logan requested that the petitioner provide a copy of the original special permit and the prior modification. Councillor Logan moved to lay the matter on the table. The motion was approved and the matter was approved.

Resolution regarding the Local 339 Carpenters Union

Councillor Logan said he would share his communications with the union that is requesting the changes. Councillor Logan and Councillor Harris spoke about the size of the jobs that draft ordinance would apply to. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Tabled matters:

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 take the matter from the table. The motion was approved on a voice vote. Attorney Connors spoke about a site view on March 17, 2018 at 10:00 am. Councillor Logan made a motion to approve the site view. The motion was approved. Councillor Logan moved to lay the matter back on the table. The motion was approved on a voice vote.

Small Cell Ordinance

Councillor Logan moved to take the matter from the table. The motion was approved. Councillor Logan asked questions about requiring a bond. Attorney Weaver said this was discussed in the Small Cell Committee and rejected. Chairman McLaughlin directed the clerk of the committee to review this with the clerk of the Small Cell Committee. Councillor Logan moved to table. The motion was approved on a voice vote.

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

Attorney Proia reviewed his responses to the Law Department opinion. Councillors Harris and Logan asked Attorney Proia about making changes to the plans. Attorney Proia said he wanted to see what the vote of the Committee would be before conducting further work. Councillor Logan moved that the petition for a special permit be denied. The motion was approved on a voice vote and the matter was sent to the full council with a recommendation that it be denied.

Councillor Logan moved to adjourn. The motion was approved and the Committee adjourned at 11:45 pm.

Respectfully submitted,

Joseph W. Vizard
Assistant City Clerk