



***Waltham City Council
Ordinances and Rules Committee
Minutes
Monday June 21, 2021
Hoover Committee Room
610 Main Street
Waltham, MA 02452***

Chairman McLaughlin called the meeting to order at 9:58 pm.

Attendance

Present:

John J. McLaughlin

George A. Darcy III

Caren Dunn

Cathyann Harris

Randall J. LeBlanc

Absent: none

Councillor Harris moved approval of minutes from the June 7, 2021 meeting. The motion was approved on a voice vote.

Zoning Medical Marijuana Treatment Centers and Cultivation Operations

Councillor Harris moved to give the matter a first reading and send it to the Law Department for review. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval.

Uma Flowers LLC Special Permit pursuant to the provisions of Article 3, Sections 3.5, 3.512, et.al, Art. XI, Section 11.3, et al., and Art. XII, Section 12.3, et al. of the Zoning Ordinance of the City of Waltham to grant a special permit for the use of a medical and adult-use cannabis dispensary at the property known and numbered as 196 Bear Hill Road, Waltham

Attorney Francis said that revised plans were filed with the City Clerk on Thursday and that the petitioner will need to go to the ZBA to get Special Permit. Councillor LeBlanc asked about the setbacks. Councillor Harris reviewed the filing and noted that there are discrepancies between various traffic reports that have been filed by various petitioners. Councillor Harris said if multiple special permits are approved for this area the traffic plans and mitigation should be consistent and should address the potential impact of this business. Councillor Darcy also pointed out inconsistencies with the traffic reports. Councillor Darcy said that Bear Hill Road does not function properly today and it is something that needs to be figured out. Councillors LeBlanc and Darcy spoke about needed roadway improvements in the area. Councillor Harris moved to lay the matter on the table. The motion was approved on a voice vote.

Middlesex Integrated Medicine Special Permit at 305 Second Avenue pursuant to §3.5 and Article XII §12.1 to 12.13 of the Zoning Ordinance to operate a marijuana establishment or marijuana retailer as defined by §12.21 of the Zoning Ordinance and to amend the Special Permit granted to them on October 15, 2019 by the City Council as Order No. 34570 which granted a Special Permit to operate a medical marijuana treatment center (Registered Marijuana Dispensary) as defined by §11.210 of the Zoning Ordinances to allow the colocation of a

recreational marijuana establishment or marijuana retailer pursuant to §12.21 at the same location 305 Second Avenue

Attorney Joseph Connors addressed how the traffic counts were determined. Councillor Harris asked about the traffic analysis taking into account facts on the ground and increased development in the area. Councillor LeBlanc asked about tax revenue and deliveries. Councillor LeBlanc moved to lay the matter on the table. The motion was approved on a voice vote.

Requests from the City's Building Inspector and Law Department for Building Department Ordinance changes

Building Inspector Forte and Attorney Learned reviewed the proposed changes. Councillor LeBlanc expressed concern over the additional costs to small multifamily projects. Councillor LeBlanc also asked about online permitting. Councillor Harris asked for a table of fees. Councillor Dunn asked about what the increase in revenue would be. Mr. Forte said it would be significant. Councillor LeBlanc moved to lay the matter on the table. The motion was approved on a voice vote.

Minor Modification of Order #34341 at 265 Bear Hill Road

Attorney McCourt said this was to re-stripe the lot to allow for the storage of additional cars. Councillor Harris moved that the modification be approved. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval.

Zoning Review Resolution

Councillor LeBlanc spoke about the resolution and asked the Assistant City Clerk to research other communities. The request was approved. Councillor LeBlanc moved to lay the matter on the table. 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 LeBlanc recused himself from this matter. Connors reviewed the projected and noted that this permit has been pending for over a year now. Attorney Connors also said that Costco is willing to amend their opening time to 9:30 am. JP Andrews from Costco spoke about the need to bring the process to a resolution. Councillor Harris said she still had concerns about the traffic impact of the gas station use and the need to route the traffic through the hotel next door. Councillor Dunn moved to go beyond midnight. The motion was approved on a voice vote. Councillor Dunn asked questions of building inspector Forte. Mr. Forte said he was still reviewing the filings from the petitioner Mr. Forte said he was reviewing if the changes would have sufficient parking under the zoning ordinances. Mr. Forte also said that he had not made determination that "decommissioning" of the office use was allowed and felt that this decision was beyond his authority. Attorney Tamm said that the use of the hotel lot would be governed by an easement, he said that concerns about smaller gas stations should not have a bearing on this decision and that this project has significant support of the community. Mr. Tamm also said that a traffic engineer designed a parking plan that is sufficient. Councillor Harris moved to lay the matter on the table. The motion was approved on a voice vote.

Special Permit 225 Waverly Oaks Road

Hamza Chaudary spoke and introduced the team. There was an offer made to reduce the size of the building. Attorney Learned said that the city departments had reviewed the plans. Attorney Learned said the only remaining item to revolve was if the City Council could deny the use of the space granted by the ZBA. Chairman McLaughlin thanked Attorneys Chaudary and Learned for

the work on this matter. Councillor LeBlanc moved approval of the Special Permit. Councillor Darcy asked about automatic doors for the disabled. Attorney Chaudary said the applicant had agreed to app that would notify employees that a customer needs assistance. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval.

Compensation Social Worker

Councillor Harris moved to take the matter from the table. Councillor Harris moved to to give the matter a first reading. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval for a first reading.

Councillor Darcy moved to adjourn at 12:40 am. The motion was approved on a voice vote.

Respectfully submitted,

Joseph W. Vizard, Assistant City Clerk