

Ordinances & Rules Committee
Meeting Minutes
June 5, 2023

Chairwoman Harris called the meeting to order at 10:25 p.m.

Present: Councillors Dunn, Harris, LeBlanc and McLaughlin.

Absent: O'Brien

Councillor LeBlanc moved approval of the minutes from 5/15/2023. The motion was approved by a voice vote.

First agenda item: Compensation Ordinance FY2024 Budget - Parking Control Officer
Chairwoman Harris recognized Mayor McCarthy and she explained briefly the need for the ordinance amendment. It is a change from a wage to a salary. Councillor LeBlanc moved approval of the amendment. The motion was approved by a voice vote.

Second agenda item: Compensation Ordinance FY2024 Budget - Biosafety Committee
The Mayor explained the need for the more frequent need of the committee to meet because of the influx in lab space within the City. Councillor LeBlanc moved approval of the amendment. The motion was approved by a voice vote.

Third agenda item: King First West LLC at 55 First Ave Special Permit application
Attorney Philip McCourt, representing the petitioner spoke on the comprehensive proposed decision submitted with the application. Rob Magee from VHP spoke on the traffic and the funds of \$1,010,826; the FAR average by right. The petitioner is committed to coordinating the lights around the First Ave, Second Ave & Winter Street (Goose Pond intersections) adaptive traffic signals and also coordinated with West Street. It will be demand responsive and cost approximately \$500,000 in addition to the mitigation monies. Councillor McLaughlin moved to send this application to the Law Department for their opinion. The motion was approved by a voice vote.

Councillor McLaughlin moved to take 1362 Main Street off of the table. The motion was approved by a voice vote. Attorney Michael Connors, representing the petitioner Lincoln Properties, reviewed the latest draft order submitted and the responses to questions and comments provided from the Law Department opinion. Matters touched on are: there are no variances associated within this development. Loading area has been revised and on revised plan. The Board of Survey and Planning has a curb cut which is listed in a condition within the order (#10). Councillor McLaughlin moved to hear from all off committee members. The motion was approved by a voice vote. Eric Joseph from Paul Finger and Associates spoke on the significant traffic mitigation – over two million dollars. Snow storage was added, exhibits have been added and changes to the memoranda have been made and housekeeping matter buttoned up. Councillor McLaughlin asked Attorney Connors to go over all of the items that he disagrees with within the law opinion. These are all in red within the latest version of the proposed decision. Councillor McLaughlin moved approval of the special permit. The motion was approved by a voice vote.

Councillor McLaughlin moved to take the Veggie Crust special permit application off of the table. The motion was approved by a voice vote. Councillor McLaughlin moved to hear from off committee members. The motion was approved by a voice vote. Attorney Joe Connors spoke on the petition and went over his remarks of the law opinion for Veggie Crust. Councillor McLaughlin asked about his disagreements of the opinion. Councillor McLaughlin made a request that was approved by a voice vote to have the Law Department opine on the merging of the two lots noted in the memoranda. Councillor Dunn asked what the circumstances are for snow

storage and if the awning sign will be different. Councillor McLaughlin moved to table the matter. The motion was approved by a voice vote.

Councillor McLaughlin moved to take the MBTA Communities Action Plan off of the table. Attorney Azadi was present to discuss what the expectations of the action plan is. Waltham's plan has been approved and are in compliance with the state. We now need to analyze zoning within the City and allow zoning by right within a half of a mile of the train station to be in compliance with the numbers the state is requiring. The number required is 3,982 units. We have 1,300. Other municipalities have pushed back; Westwood is one example and now Livable Communities is going after cities not in compliance. There is about 34 in compliance and affordable housing is not even part of the 3A. Councillor McLaughlin moved to go beyond midnight. The motion was approved by a voice vote. Councillor McLaughlin moved to table the matter. The motion was approved by a voice vote.

Councillor LeBlanc moved to take Zoning Resolutions off of the table. The motion was approved by a voice vote. Councillor LeBlanc moved to split the Resolutions into separate categories; one being the Residential Zoning Resolution and two. Keeping of Bees & Hens and Urban Agriculture. Councillor LeBlanc moved to send the Zoning Review Resolution memo from the Law Department to the full council to recommend a joint public hearing with the Board of Survey & Planning in September. The motion was approved by a voice vote. Councillor LeBlanc moved to table the Resolution. The motion was approved by a voice vote.

Councillor LeBlanc moved to take Keeping of Bees & Hens and Urban Agriculture Matters off of the table. The motion was approved by a voice vote. Councillor LeBlanc stated the committee has received a few different items and what is the committee actually looking to do with these Resolutions? Attorney Azadi stated they need a general ordinance for licensing of the keeping of hens and bees and also a zoning ordinance amendment. Is it a pet? Councillor LeBlanc stated yes it is a private keeping of hens and bees which Attorney Azadi stated you need to have the provisions in the zoning and licensing in the general ordinance. You would also need to change the Director of Health not the Board of Health to deal with the ordinance. She suggested looking at the opinion from 2019 and dig in on those considerations. Councillor LeBlanc moved to table the matter. The motion was approved by a voice vote.

Councillor LeBlanc moved to take the Bike Safety Resolution off of the table. The motion was approved by a voice vote. Councillor LeBlanc moved to accept a late filed communication from Attorney Sewall relating to the bikes. The motion was approved by a voice vote. The Clerk read the email from Attorney Sewall. Councillor LeBlanc made a motion to republish the do's and don'ts of biking riding to the Social Media Manager to post on the City's website. The motion was approved by a voice vote. Councillor LeBlanc moved to table the matter. The motion was approved by a voice vote.

Councillor McLaughlin moved to take the Solar Energy for Large Developments off of the table. The motion was approved by a voice vote. Councillor McLaughlin made a motion to request to have the Law Department draft an ordinance regulating solar energy facilities within the city of Waltham. The motion was approved by a voice vote. Councillor McLaughlin moved to table the matter. The motion was approved by a voice vote.

Councillor McLaughlin moved to adjourn. The motion was approved on a voice vote and Chairwoman Harris declared the meeting adjourned at 12:20 a.m.

Respectfully submitted,
Kara Wilson, Assistant City Clerk
June 15, 2023