



***Waltham City Council
Ordinances and Rules Committee
Minutes
Monday June 7, 2021
Hoover Committee Room
610 Main Street
Waltham, MA 02452***

Chairman McLaughlin called the meeting to order at 9:45pm.

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 May 17, 2021 meeting. The motion was approved on a voice vote.

Special Permit Modification of Order #30881 for 21 Hickory Drive

Attorney Michael Connors spoke about the modification. Attorney Connors said the building is being converted to lab use and needs to add HVAC equipment to the roof. Councillor LeBlanc asked about the location of the current and the new HVAC equipment. Jess Hamilton showed the locations on plans. Councillor LeBlanc asked further questions about noise attenuation, the height of the equipment and about the canopy/parapet. Councillor Darcy moved approval. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval.

Councillor Harris moved to take the *Large Family Day Care Resolution* matter out of order. The motion was approved on a voice vote.

Large Family Day Care Resolution

Councillor Harris moved to take the matter from the table. The motion was approved on a voice vote. Director of Health Michelle Feeley attended the meeting. She informed the committee that the Health Department does not inspect in-home daycares and gave the committee a copy of the regulations from Department of Early Education. Councillor LeBlanc asked the Clerk to provide the Committee with copies. Councillor LeBlanc moved to lay the matter on the table. The motion was approved on a voice vote.

Flag Committee

Councillor Darcy explained his resolution how the Flag Committee could engage the community on flag design ideas. Councillor Harris said she still wanted time to think of the best way to approach this. Councillor Darcy moved to lay the matter on the table. The motion was approved on a voice vote.

Solar Energy for Large Developments

Councillor Darcy introduced his resolution which is based off of a solar ordinance in Watertown. It would require solar power for large developments. Councillor Darcy believes this is allowable under the stretch code. Councillor LeBlanc asked how it related to Zoning Ordinance Amendment Solar Regulating Energy Systems and Rooftop Apertances which is on the Docket from 2019. Chairman McLaughlin asked the Clerk to investigate the status of that amendment and to report back to the Committee. Councillor Darcy moved to lay the matter on the table. The motion was approved on a voice vote.

Draft ordinance requested from the Traffic Commission regarding enforcement on private ways for emergency vehicles.

Traffic Engineer Garvin testified that the Traffic Commission at the request of the Fire Chief has been looking at roads that are less than 25 feet in width and would pose a problem for a fire truck responding to an emergency. Mr. Garvin review the draft language with the Committee. Mr. Garvin said they had identified 104 streets of which 31 are private ways. The Commission is looking to restrict parking on these streets to ensure that emergency vehicles can get down the street. Councillor LeBlanc asked for more information on the streets involved. Councillor Dunn spoke about the placement of signs. Councillor Darcy asked about other alterations to private ways that impact traffic flow. Councillor Harris asked about unwanted cars on private ways. Councillor LeBlanc expressed concern about the rights of owners of private ways. Councillor McLaughlin spoke about residents ward 4 neighborhoods being supportive of this because they were concerned about emergency vehicle getting by. 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 Dunn moved to take the matter from the table. The motion was approved on a voice vote. Attorney Connors reviewed the responses Law Department which was filed with the clerk on June 3, 2021. Mr. Connors was joined by Attorneys Peter Tamm and Shawn Keefe as well as JP Andrews from Costco. Attorney Tamm mentioned the public support for this project. Councillor Harris asked about what changes were made. Attorney Connors said plans were adjusted do to a miscalculation of the bathroom size and that language was added to the order. Councillor Harris asked about the decommissioning of the building. Councillor Harris said she would like to see something form the Building Inspector on this. Councillor Dunn asked about the need to amend the Hotel Special permit for the right away. Councillor Dunn expressed concern about granting this permit without first addressing needed changes to the hotel permit. Councillor Dunn expressed concern about keeping the area of the building decommissioned and questioned how use would be limited. Attorney Tamm said that there would be a recording at the registry of deeds that would limit the use. Councillor Dunn expressed concern about the traffic impact. Councillor Harris reiterated the need for the Building Inspector to review the responses and questioned the assignment of parking on site. Councillor Darcy made a motion for the Building Inspector to review the matter and to provide written comment and to invite a representative of the Law Department and the Building Inspector to the next 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.

Matters relating to Plastic Bags

Councillor Harris moved to take the matters form the table. The motion was approved on a voice vote. Councillor Harris moved to send a request to the Law Department to redraft the ordinance

using the Beverly definition. The motion was approved on a voice vote. Councillor Harris moved to lay the matter on the table. The motion was approved on a voice vote.

Matters Dealing with Chickens

Councillor Darcy moved to take the matter from the table. Councillor Darcy moved to send the Urban Agriculture Zoning, and the Keeping of Hens General Ordinance amendment to the Law Department for the to be redrafted in a manner in which they are consistent with each other and that lines up with the keeping of livestock ordinances. The motion was approved on a voice vote. Councillor Darcy moved to lay the matter on the table. The motion was approved on a voice vote.

Resolution Creation of a Planning Board

Councillor LeBlanc moved to take the matter from the table. Councillor LeBlanc moved to place the matter on file. The motion was approved on a voice vote.

New England Cannabis Corp. request for letter of support/non-opposition

Councillor Dunn moved to take the matter from the table. Councillor LeBlanc moved to place the matter on file. The motion was approved on a voice vote.

VitaSphere communication- Letter of Support/Non-Opposition

Councillor Dunn moved to take the matter from the table. Councillor LeBlanc moved to place the matter on file. The motion was approved on a voice vote.

Respectfully submitted,

Joseph W. Vizard, Assistant City Clerk

June 17, 2021