



***Waltham City Council  
Ordinances and Rules Committee  
Minutes  
Monday September 17, 2018***

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

Chairman McLaughlin called the meeting to order at 11:35 pm.

**Attendance**

Present: Fowler, Harris, Logan, McLaughlin, Stanley

Absent: None

Councillor Logan moved to approve the minutes from 9/17/2018. The motion was approved on a voice vote.

**New matters:**

*Special Permit 95 Moody St. for an increase in intensity of use (Floor Area Ratio (FAR) to 2.3)) for the construction of a fourteen (14) residential unit, mixed-use building on the property.*

Councillor Logan moved to lay the matter on the table. The motion was approved and the matter was tabled.

***General Ordinance Amendment Regarding Trash Containers***

Councillor Logan moved to amend the ordinance by inserting the word two in place of the word three in section 7-6(c) and by inserting at the end “provided, however, that plastic bags may be used as a container for items placed for collection in conjunction with the City of Waltham curbside textile recycling program” The amendment was approved on a voice vote. Councillor Logan moved that the matter be given a first reading. The motion was approved and the matter was forwarded to the full Council with a recommendation that it be given a first reading.

***General Ordinance Amendment Regarding Trash Containers Fines***

Councillor Logan moved that the matter be given a first reading. The motion was approved and the matter was forwarded to the full Council with a recommendation that it receive a first reading.

*Special Permit modification for Special Permit Order #33437 for Second Avenue Hotels LLC at 250 Second Avenue (f/k/a 244 and 256 Second Avenue)*

Councillor Logan asked questions about what part of this was unforeseen. Attorney Michael Connors said that it was that the Marriot Corporation classified this as suburban location rather than urban which required a change to the landscaping plans. Councillor Logan moved approval. The motion was approved and the modification was forwarded to the full council with a recommendation that it be approved.

*Special Permit Modification for Special Permit Order #28040 for Hyatt House Hotel at 54 Fourth Avenue*

Councillor Logan said that section 3.552 says that you cannot increase the number of units with a minor modification. Attorney Kevin Dwyer said the petitioner was modifying rooms not units. Councillor Logan moved to lay the matter on the table. The motion was approved on a voice vote.

Tabled matters:

*Special Permit 225 Waverley Oaks*

Councillor Logan moved to take the matter from the table. The motion was approved. Councillor Logan moved to request that the Law Department write a negative determination based on the following findings: the size of the convenience store to 1,000 square feet, the City Council finds that this departure from 1,000 square feet does not serve the public good. The City Council finds that the parking is insufficient, the City Council finds that there would be a negative effect to public safety and traffic flow. The request was approved on a voice vote. Councillor Logan moved to recommend a negative determination on the special permit. The motion was approved and the matter was forwarded to the full Council with a recommendation that it be denied. The motion was approved on a voice vote.

*Special Permit Prestige Auto Sport, Inc. d/b/a Eastside Motoring, Petitioner, Article 3, Sections 3.5, 3.512 and 3.632 of Zoning used car lot and on the property known as 265 Bear Hill Road, Waltham.*

Councillor Logan asked the petitioner for a certificate for good standing, a DBA certificate, and drainage plans. Councillor Logan moved to request that the clerk provide the petitioner with comments from the Building and Engineering Departments. The motion was approved on a voice vote. Councillor Logan asked questions about the plans. Councillor Logan spoke in favor of the special permit. Councillor Logan moved to lay the matter on the table. The motion was approved and the matter was tabled.

Councillor Logan moved to continue beyond midnight. The motion was approved on a voice vote.

*Zoning Amendment Affordable Housing.*

Councillor Logan moved to take the matter from the table. The motion was approved. Councillor Logan moved to request the Law Department complete their review as soon as possible. The motion was approved. Councillor Logan moved to lay the matter on the table. Then motion was approved.

Councillor Fowler moved to adjourn. The motion was approved and the Committee adjourned at 12:08 am.

Respectfully submitted,  
Joseph W. Vizard, Assistant City Clerk