



***Waltham City Council
Ordinances and Rules Committee
Minutes
Monday, September 21, 2020
119 School Street, Waltham, MA
Government Center Building***

Chairman McLaughlin called the meeting to order at 10:16 pm.

Attendance

Present:

John J. McLaughlin

George A. Darcy III

Caren Dunn

Cathyann Harris

Randy J. LeBlanc

Absent: none

Councillor LeBlanc move to approve the minutes from August 3, 2020. The motion was approved on a voice vote.

Zoning Amendment Affordable Housing

Councillor Darcy spoke in favor of the zoning amendment. Councillor Darcy moved that the matter be given a first reading. The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for first reading.

Special Permit 1111 Lexington Street use pursuant to § 3.512 (Special permits for use) and § 3.635 (Drive-in customer services) of the Zoning Ordinance of the City of Waltham to operate two drive-thru automated teller machines (ATMs) associated with a proposed bank.

Attorney Connors spoke about the petition and said they were accepting the comments from the Engineering Department and they have been incorporated into the order. Councillor Harris asked about the lack of solar panels. Attorney Connors said the size of the building was the reason solar panels were not added. Councillor Darcy moved to send the matter to the Law Department for review. 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.

Special permit 49-53 Linden Street pursuant to §3.4 and §3.635 of the City of Waltham Zoning Ordinance (Zoning Ordinance) to authorize a Drive-In Customer Service Use (defined in §3.225 of the Zoning Ordinance to include an automated banking facility) for a drive-through automated teller machine (ATM), (2) grant an extension special permit pursuant to §6.746 of the Zoning Ordinance to allow an extension of the hours of sign illumination otherwise required under §6.743 of the Zoning Ordinance to allow continuous illumination of the ATM (i.e., for 24-hours per day), and (3) amend City

Council Order #28146, dated May 28, 1996, to authorize a modification to the existing parking layout to accommodate the ATM.

Attorney Robert Fitzgerald spoke on behalf of the petitioner. He said that is the owner of the subsidiary that owns the lot. Attorney Fitzgerald reviewed when the machine would be serviced. Attorney Fitzgerald said the only noise would be the one when people push the buttons. Councillor McLaughlin asked about the placement of the ATM and traffic flow. Jamie Modesto reviewed the flow. Councillor LeBlanc asked about adding drainage. Mr. Modesto said that since they were not adding new paving drainage was not required. Councillor Harris asked that the responses provided be submitted in writing. Councillor Harris moved lay the matter on the table. The motion was approved on a voice vote.

Minor Modification to Special Permit Order #34493 at 300 Third Avenue

Attorney Michael Connors asked that the matter be continue until the next meeting because he needed to hear back from his client on a couple matters. Councillor LeBlanc moved to lay the matter on the table. The motion was approved on a voice vote.

Extension of time to commence construction and complete construction Special Permit 305 Second Avenue

Attorney Joseph Connors said there was a need for a three-month extension due to delays related to COVID-19. Councillor Harris oved approval The motion was approved on a voice vote and the matter was forwarded to the full Council with a recommendation for approval.

Special Permit Costco Wholesale located at 72 Second Ave reduction in parking and other changes to the existing Special Permit in order to allow a fueling stations.

Attorney Connors spoke about the project. JP Andrews said that non-members with cash cards could use the fueling location in response to a question from Chairman McLaughlin. Councillor Darcy moved to send the matter to the Law Department for review. 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.

FY2019 Compensation Ordinance Amendments (Recommitted)

Councillor Harris moved to send the matter to the Law Department for review. 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.

Compensation Ordinance Amendment City Auditor

Councillor Harris moved to give the matter a second reading. The motion was approved on a voice vote.

Councillor Harris oved to adjourn at 11:06. The motion was approved on a voice vote.

Respectfully submitted,

Joseph W. Vizard, Assistant City Clerk