

City Council Docket
Monday, April 27th, 2015

The City Council Meeting will be held on Monday, April 27, 2015 at 7:30 PM in the Council Chamber at City Hall, 610 Main Street, Waltham and the following matters and others will be considered.

Accepting minutes from April 13, 2015

Public Hearings

Notice is hereby given that the City Council will hold a joint Public Hearing with the Board of Survey and Planning in the City Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, April 27th, 2015 at 7:30 pm on the following application:

ZONING ORDINANCE AMENDMENT

1. AN ORDINANCE AMENDING CHAPTER 21 OF THE GENERAL ORDINANCES OF THE CITY OF WALTHAM ENTITLED "ZONING"

CHAPTER 21 of the General Ordinances of the City of Waltham entitled "Zoning," as most recently amended, is hereby further amended as follows:

ARTICLE III entitled "Establishment of Districts," Section 3.2 entitled "Definition of uses," Subsection 3.228A entitled "Micro-Brewery Restaurants" is hereby amended by striking in the first sentence the following:

"farmer's brewers statutes"

and inserting in place thereof the following:

"pub brewery license statute (M.G.L. Chapter 138, Section 19D)"

ARTICLE III entitled "Establishment of Districts," Section 3.4 entitled "Table of Uses," is hereby amended by deleting under the category "Commercial," for the use entitled "Micro-brewery restaurant," in the columns for the Business C (BC) and Limited Commercial (LC) Zoning Districts the following designation:

"S1"

and inserting in place thereof the following:

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THE CITY OF WALTHAM ENTITLED "ZONING"

CHAPTER 21 of the General Ordinances of the City of Waltham entitled "Zoning," as most recently amended, is hereby further amended as follows:

ARTICLE V entitled "Parking Requirements," Section 5.23 entitled "Parking requirements for the Business C District" is hereby amended by adding the following new subsection:

- 5.234 Seasonal outdoor seating shall not be included in the calculation of the parking requirement in the Business C Zoning district provided that there are less than fifty (50) outdoor seats, seating and tables are not permanently fixed in place, and that seating and tables are removed between the last day of October and the first day of April.

GRANT OF LOCATION

Comcast Cable Inc. hereby requests a grant of location for the distribution of cable hereinafter described for the transmission and distribution of communication signals in and under the following public streets, lanes, highways and places of the City of Waltham and of the Conduit, equipment, governed manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said distribution cables and accomplish the objectives of said company: and the digging up and opening the ground to lay or place the same:

Excavation and placement of approximately 50 feet of 1 to 3 inch conduit from existing vault located at the front left side of 18 Elm Street Waltham, north to private property at 600 Main Street Waltham

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Excavation and placement of approximately 55 feet of 1 to 3 inch conduit from P231/1 Main Street to private property at 880 Main Street Waltham

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STREET OPENING

In accordance with Chapter 17 – 25 of the General Ordinances of the City of Waltham, Charles River Place LLC, 1 Park Lane #305, Boston, MA hereby petitions the City Council to grant special permission to excavate River Street and Elm Street to install new sewer and water connections for the building under construction at 431 River Street in spite of the fact that this portion of River Street was paved within the past three years.

The property is shown in Atlas, Map R60, Block 001, Lot 30 and Map R60, Block 001, Lot 31. Property is in a Business C District and Riverfront Overlay District.

FUEL STORAGE

In accordance with Chapter 148 of the Massachusetts General Laws and Chapter 8 of the General Ordinances of the City of Waltham, ARE-MA Region No. 51, LLC As operator and owner of the facility, hereby petitions the City Council for a Fuel Storage License for 1,100 gallons of combined flammable liquids. The property location is 225 Second Avenue.

EXTENDED HOURS

Monell Enterprises Inc. D/B/A Waltham Gulf Express, 821 Main Street seeks permission to be open extended hours. The petitioner seeks to be open for business from 5:30am to 11:00pm seven days a week. Extended hours to be exercised at 821 Main Street.

Communications from the Mayor

I respectfully request a transfer of funds in the amount of \$1,990 from account #001-138-5500-5741 Vehicle Insurance to account #001-138-5500-5742 Building Insurance. This transfer is requested to provide funding for the building insurance policy for the property located at 509-527 Moody Street.

I respectfully request an appropriation in the amount of \$65,000 for the purchase of a Ford F350 Utility Body as a replacement vehicle for the use of the Water and Sewer crews to be funded as follows.

FROM:

Water Retained Earnings	#610-450-3590-3590	\$32,500
Sewer Retained Earnings	#600-440-3590-3590	\$32,500

TO:

Water – Utility Truck	#610-452-5800-6449	\$32,500
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Sewer – Utility Truck #600-440-5800-6449 \$32,500

I respectfully request an appropriation of funds in the amount of \$14,000 from the Library State Aid grant account to account #001-610-5200-5510 Library – Educational Supplies. This funding request is necessary to meet the FY2015 materials budget requirement from the qualification for state aid.

These additional funds will be used to maintain and update the collection of books, magazines, e-books and online subscriptions made available to patrons of the Library free of charge.

I respectfully request approval to allow Constellation SENIOR PLAYERS to use the two paved lots in the lower part of the attached map for the period June 9-14, 2015. I do not recommend the one-acre rectangle grassed area. My recommendation is limited to the two paved areas only and subject to proper insurance, working with the Police, trash pick-up and removal and sweeping and cleaning of the two lots each day.

I respectfully request approval of the following financing plan to award the bid for the roof replacement at the Waltham Community and Cultural Center in the amount of \$240,000.

The funding need is calculated as follows:

Bid award	\$687,000
Less CDBG available funds	\$483,130
Balance	\$203,870
Plus Contingency	\$ 36,130
 Request amount	 \$240,000

Since a loan order cannot be approved within a needed timeframe, I respectfully request an appropriation in the amount of \$240,000 from Unreserved Fund Balance to account #001-192-5800-6279 Building – Waltham Community & Cultural Center Roof.

In addition, I respectfully request the City Council approve the attached loan authorization in the amount of \$240,000. The appropriation request from Unreserved Fund Balance will be rescinded at the time the loan authorization is finally approved.

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Licenses

Brandies University Lodging House Licenses

Tabled Matters

Tabled from 1-12-2015

Bemis Street Resurfacing Petition

Tabled from 3-9-2015

Draft Minutes from 11/22/14, 10/14/14, and 2/23/15

Tabled from 3-23-2015

Resolution regarding Charlotte Smith

Tabled from 4-13-2015

Draft Minutes from 3/23/15

New Business

Waltham Farms Outreach
Community Preservation Committee Budget FY 2016

Resolutions

May 8th Books in Bloom Library Day – McMenimen
Waltham Baseball - McMenimen

Committee Reports

License and Franchises

The Licenses and Franchises Committee recommends the renewal of all lodging House License for 175 Forrest Street Bentley University

The Licenses and Franchises Committee recommends a second hand Dealers License for 13909 Antiques, 290 Moody Street.

Finance Committee

The Finance Committee recommends an appropriation of \$17,201 to purchase Copy Machines for Engineering/Sewer/Water

The Finance Committee recommends an appropriation of \$50,398 for snow removal from the roofs of City Buildings.

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The Finance Committee recommends the Resolution regarding the FY2014 Audit be placed on file

The Finance Committee recommends an appropriation of funds totaling \$1,789,000 for snow expenses.

The Finance Committee recommends acceptance of a grant in the amount of \$83,432 to fund Senior Citizen programs.

Ordinances and Rules

The Ordinances and Rules Committee recommends Approval pending comment from the Board of Survey and Planning, of a Zoning Ordinance Amendment regarding parking at an animal shelter.

The Ordinances and Rules Committee recommends approval of a Special Permit for AT&T 550 Winter Street

The Ordinances and Rules Committee recommends approval of a Special Permit for The Merc One Moody Street for a bank drive through lane.

The Ordinances and Rules Committee recommends approval of a Special Permit for Jimmy John's Sandwiches, 475 Winter Street.

The Ordinances and Rules Committee recommends a Special Permit for Increased Intensity of Use at 948 Main Street.

Adjourn