

*City Council Docket
Tuesday May 26, 2015*

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The City Council Meeting will be held on Tuesday, May 26, 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 May 4, 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:

Pursuant to Section 5 of Chapter 40A of the Commonwealth of Massachusetts General Laws, Waltham City Councillor George A. Darcy III submits the following matter to the Waltham City Council for consideration:

AN ORDINANCE AMENDING CHAPTER 21 OF THE GENERAL ORDINANCES OF THE CITY OF WALTHAM ENTITLED “ZONChapter 21 of the General Ordinances entitled “Zoning District Map”, as most recently amended, is hereby further amended by striking out the designation “Residence A2 (RA2)” as shown on said map and substituting in place thereof new lines and designation “Conservation/Recreation (CR)” insofar as the said map relates to the following described premises:

The locus is that certain parcel of land known as “939 Trapelo Road” containing 1.426 acres of land more or less, identified in the “Atlas, City of Waltham, Massachusetts 1988” as Map 15, Block 1, Lot 1, with improvements located thereon, situated at the northeasterly corner of Trapelo Road and Bow Street in the City of Waltham, County of Middlesex, Commonwealth of Massachusetts, and more particularly described as follows:

A parcel of land bounded southerly by Trapelo Road, formerly called North Street, westerly by Bow Street, and northwesterly, northerly and easterly by land of the City of Waltham, and identified as “Lot 2” on a plan entitled “Plan of Land in Waltham & Lexington (Middlesex Co.) Mass.”, surveyed for Geraghty & Miller, dated December 2, 1996, Plan No. 379 of 1997, Book 27228, Page 430, and being the same premises conveyed to the County of Middlesex by deed of the Roman Catholic Archbishop of Boston, a corporation sole, dated December 8, 1959, and recorded with the Middlesex South District Deeds, Book 9512, Page 539, and further being the same premises conveyed to the Roman Catholic

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Archbishop of Boston by deed of James J. Baxter, dated August 12, 1930, and recorded with the Middlesex South District Deeds, Book 5488, Page 281. And it is further ordered that the Waltham Massachusetts Zoning District Map be amended to reflect said change in Zoning District. At that time, interested persons may be heard. Complete information regarding this matter is on file at the City Clerk's office at City Hall during regular hours.

Public Hearing

The National grid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **City of Waltham** and the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 122 feet more or less of 4 inch gas main in Mokema Ave., Waltham from the existing 4 inch gas main at house #34, northerly to house #41 to serve houses #38, #41 and #42.

Communications from Mayor

TO: The City council
RE: Arrigo Farms

Dear Councillors:

Enclosed please find a communication request from Attorney Bud Shadrawy from City Solicitor John Cervone as well as my previous January 8, 2015 communications.

Please advise as to how you wish me to proceed.

Dear Councillors:

I respectfully request the reappointment of Barbara Rando, 93 Bedford Street, Waltham, MA, as a Member of the Zoning Board of Appeals.

Enclosed please find her letter, resume and Rule 35 Disclosure.

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Dear Councillors:

I respectfully request an appropriation in the amount of \$241,370 from the Winter Rapid Recovery Road Program (WRRRP) that was funded under the Massachusetts Department of Transportation.

These funds will be used for the repaving of Summer Street and Ellison Park.

Attached is a copy of a communication dated May 20, 2015 that was received from the CPW Director. Mr. Chiasson will be available to answer questions concerning this request.

Dear Councillors:

I respectfully request the acceptance of a grant in the amount of \$12,642 through the 2015 Edward Byrne Memorial JAG Program. The purpose of this grant is to enforce “speeding violations” by motorists on the roadways in Waltham. These funds will be used for an educational campaign utilizing electronic media and police personnel costs associated with targeted traffic enforcement throughout the City. This grant does not require matching funds from the City.

Attached is a copy of a letter dated May 14, 2015 that was received from the Chief of Police. Chief MacPherson will be available to answer questions concerning this request.

Dear Councillors:

I respectfully request the appointment of Gary R. Parrella of 245 Worcester Lane, Waltham, MA, as a member of the Board of Commissioners of Trust Funds.

Enclosed please find his application and Rule 35 Disclosure.

I am available to answer any questions you may have regarding this request.

Dear Councillors:

I respectfully request a transfer of funds in the amount of \$89,225 account #001-210-5100-5111 Police - Salaries to account #001-210-5200-5306 Police – Medical Services.

This request is to fund the medical invoices anticipated for the remainder of the fiscal year.

Attached is a copy of a letter that was received from the Chief of Police. Chief MacPherson will be available to answer questions concerning this request.

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 4-27-2015

Zoning Ordinance Amendment parking for animal shelters approved 1st Reading
May 4, 2015

Tabled from 5-4-2015

1- Ordinance Amendment ‘Restaurant tables & Chairs on sidewalk approved 1st
Reading May 4, 2015

2- Ordinance Amendment “Infiltration and inflow mitigation fee” approved 1st
Reading May 4, 2015

New Business

Interstate Tower Communications, Inc. Pinnacle Towers, Inc, PMB-353 of 4017 Washington Road, McMurray, Pennsylvania, Crown Castle USA, Inc. of 500 W. Cummings Park, Suite 3600, Woburn, Massachusetts and Industrial Communications and Electronics Inc., 40 Lone Street, Marshfield, Massachusetts hereby petitions the City Council for a Special Permit to install, operate and maintain a wireless communication facility on the existing lattice tower located on the property at 39 SACHEM STREET. Under the shot clock rule we have thirty days for Law Dept. review of the application. The City Clerk is asking for approval to send the application to the Law Dept. for review. (The Public Hearing is scheduled for June 8, 2015)

Resolutions

Committee Reports

License and Franchises

- 1- That the renewal of a Lodging House License, 532 Main St. **BE APPROVED**
- 2- That the renewal of a Lodging House License 755 Main St. **BE APPROVED**
- 3- That the renewal of a Lodging House License 556 Main St. **BE APPROVED**
- 4- That the renewal of a Lodging House License 21-23 Pine St. **BE APPROVED**
- 5- That the renewal of a Lodging House License 124-126 Ash St.
BE APPROVED
- 6- That the renewal of a Lodging House License 74 Adams St. **BE APPROVED**
- 7- That the renewal of a Lodging House License 109 Adams St.
BE APPROVED
- 8- That the renewals of all Lodging House Licenses (Brandeis Dorms)
BE APPROVED

Finance Committee

The Finance Committee recommends transfer of funds \$20,571. For FY2015 Water Consultants (\$15,000) and Water Meters (\$5,571) **BE APPROVED**

The Finance Committee recommends, Accept HMEP Grant for Emergency Management \$2,000. **BE APPROVED**

The Finance Committee recommends, Accept Pre-Arrest Jail Diversion Grant for Police \$45,000. **BE APPROVED**

Ordinances and Rules

- 1- The Ordinance and Rules Committee Recommends That the Resolution Blight Ord. **BE DISCHARGED**
- 2- The Ordinance and Rules Committee Recommends That the Resolution DEP Consent Order **BE PLACED ON FILE**

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3 - The Ordinance and Rules Committee Recommends That the Resolution amending Sec. 17-18 **BE PLACED ON FILE**

4- The Ordinance and Rules Committee Recommends That the Resolution violations of S.P 487 Main St. **BE PLACED ON FILE**

5- The Ordinance and Rules Committee Recommends That the Banks Zone change and other documents **BE PLACED ON FILE**

6- The Ordinance and Rules Committee Recommends That the Zoning Amendment Fast Food **BE PLACED ON FILE**

7- The Ordinance and Rules Committee Recommends That the Special Permit Willow St. **BE DENIED**

8- The Ordinance and Rules Committee Recommends That the Special Permit reduce size of Fast Food 1019 Trapelo Rd. **BE APPROVED**

9- The Ordinance and Rules Committee Recommends That the Special Permit Lincoln Cooper Street LLC Cooper and Elm St **BE APPROVED**

10- The Ordinance and Rules Committee Recommends That the Special Permit Time Extension for One year for BP Third Ave. 214 Third Ave. **BE APPROVED**

11- The Ordinance and Rules Committee Recommends That the Draft Zoning Amendment Asst. Director Human Services **BE GIVEN A 1st READING**

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Public Works

1-The Public Works Committee Recommends that the Resolution regarding pavement management **BE PLACED ON FILE**

Long Term Debt

Long Term Debt. Recommends that the Loan Order in the amount of \$240,000. (Cultural Center Roof) **BE GIVEN A SECOND READING then tabled on the council floor**

Long Term Debt. Recommends that the appropriation in the amount of \$240,000. (Cultural Center Roof) **BE APPROVED**

Committee of the Whole

Committee of the whole recommends the appointment of Sarah Hankins as Associate Member to ZBA **BE APPROVED.**

Committee of the whole recommends the resolution F.O.G. ordinance – form ad-hoc committee **BE APPROVED**