

City Council Docket
November 14, 2016

The City Council will hold a Joint Public Hearing with the Board of Survey & Planning in the City Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, November 14, 2016 at 7:30pm and the following matters and others may be considered.

Approval of Minutes from Council Meetings: 10/24/2016

Public Hearings
Second Hand Dealers License

Louis and Peter Vocatura, 63 Wellesley St., Weston, MA owner of Black Lotus Cards & Games, 1275 Main Street petitions the City Council to obtain a Secondhand Dealers License at 1275 Main Street.

17-25

200 Smith NWALP Property Owner LLC, c/o Northwood Investors LLC of 575 Fith Avenue, 23rd Floor, New York, NY 10017 and Anchor Line Partners, One Post Office Sq., Suite 4100, Boston, MA 02109 request for special permission in accordance with Section 17-25 of the General Ordinances of the City of Waltham to excavate a portion of Smith street for the installation of an entranceway to the Property, identified as Atlas R006 002 0002, address: 200 Smith Street. The proposed work is to be done in accordance with the provisions of said Section 17-25.

17-25

K&D Homes, LLC with an address of 731 Moody Street, Unit 22, Waltham, MA 02453, as the owner of the property located at 54 Albemarle Road, Waltham, MA petitions the Waltham City Council for permission under the provisions of Section 17-25 for the installation of utilities. The property is numbered 54 Albemarle Road. All work is to be done in accordance with the provisions of said Section 17-25.

Fuel Storage

In accordance with Chapter 148 of the Massachusetts General Laws and Chapter 8 of the General Ordinances of the City of Waltham, Jocelyn McMahon with the address of 81 Sheffield Road, Waltham, MA 02451, as Petitioner and Owner, hereby petitions the City Council to locate on the premises at 81 Sheffield Road, one five hundred gallon propane tank for heating and cooking.

Special Permit

The Condominiums at Bishops Forest and Bishops Forest II hereby petition the City Council for the necessary Special Permit pursuant to the provisions of Article 3, Section 3.3.7.2 of the Zoning Ordinance of the City of Waltham to grant a special permit amending Special Permit Order No. 25762, issued on June 24, 1985, to extend municipal trash collection to the residents of the Bishops Forest Condominiums.

Special Permit

CHB Properties, Inc., f.k.a. Children's Extended Care Center, Inc., of 300 Longwood Avenue, Boston, Massachusetts 02115, as Petitioner; and as the Owner of the parcel of land known and numbered as 9 Hope Avenue, which land is the subject of the following Zoning Ordinance Text Amendment, pursuant to G.L. c. 40A, § 5:

City Council Docket
November 14, 2016

HEREBY PETITIONS THE CITY COUNCIL OF THE CITY OF WALTHAM, MASSACHUSETTS TO AMEND PART III (FORMERLY CHAPTER 21) OF THE GENERAL ORDINANCES OF THE CITY OF WALTHAM ENTITLED "ZONING CODE", AS FOLLOWS:

1. ARTICLE IV entitled "Dimensional Requirements", Section 4.11 entitled "Table of Dimensional Regulations" is amended by adding a new footnote "(25)" to the "Minimum Building Setback(s)" column and a new footnote "(26)" to the "Maximum Stories" Column.
2. ARTICLE IV entitled "Dimensional Requirements", Section 4.12 entitled "Footnotes, Table of Dimensional Requirements" is hereby amended by inserting at the end of said Article the following new footnotes as footnotes "(25)" and "(26)":
"(25) Minimum Building Setback(s) requirements shall not apply to any existing bridges in the HR-2 District."
"(26) The limitation on Maximum Stories contained in the rows captioned "Detached garage" and "Accessory building" shall not apply to any "Detached garage" or Accessory building" in the HR-2 District (for uses other than multifamily and assisted living), and any such "Detached garage" or "Accessory building" shall be permitted to have the same number of stories and the same height as principal buildings may have within the HR-2 District, provided such "Detached garage" or "Accessory building" is located at least 350 feet from any residential building containing less than five dwelling units that is in existence at the time of this Amendment.

Special Permit

92-94 Trapelo Road Realty Trust, Ciro G. & Mario D. Zottola, Trustees, Owner and Petitioner, hereby petitions the City Council for the necessary Special Permit pursuant to the provisions of Article 3, Section 3.5, subsection 3.511 of the Zoning Ordinance of the City of Waltham to grant a special permit for an increase in intensity of use (Floor Area Ratio (FAR) to 0.488) to confirm the existing three (3) townhouse units and to all for the construction of three (3) additional townhouse Units (total of 6 units) on the property known as 300 College Farm Road. Also Application for Special Permit under Article V, Section 5.7 of the Zoning to allow parking for the Business A multi-family residential use in the Residence A-3 Zoning District. The required parking shall be provided. The property is shown in Atlas Page 022, Block 032, Lot 0007. The property is situated in a Business A and Residence A-3 Zoning District.

Communications from Mayor

1. The Mayor respectfully requests an appropriation in the amount of \$4,200 from Unreserved Fund Balance to account #001-121-5400 Mayor-Appraisal 101R Elm Street. These funds will be used for an appraisal of the property located at 101R Elm Street for the purpose of providing potential parking pursuant the site view by the City Council President and the Mayor.
2. The Mayor respectfully requests an appropriation in the amount of \$54,000 from Unreserved Fund Balance to account #001-192-5800-6257 Building- Prospect Street Fire Station. These funds

City Council Docket
November 14, 2016

will be used to perform additional necessary items for the renovation work of the slab floor replacement project at the Prospect Street Fire Station.

3. The Mayor respectfully requests the acceptance of a grant through the Executive Office of Public Safety and Security State 911 Department in the amount of \$152,176 for the State 911 Department Support and Incentive Public Safety Answering Point (PSAP) Grant – FY2017. These funds will be used to assist PSAP and regional emergency centers in providing enhanced 911 services and to encourage the development of regional PSAP, regional secondary PSAP and regional emergency communication centers. This grant does not require matching funds from the City.

4. At the request of the Managers' Union and the City Council President, the Mayor respectfully request an appropriation in the amount of \$18,000 from Unreserved Fund Balance to account #001-161-5100-5111 City Clerk Salaries. These funds will be used to pay out-of-grade compensation for the Executive Assistant position for the period July 1, 2016 to the earlier date of June 30, 2017, the return to work date by the incumbent Assistant City Clerk or the position is otherwise filled.

5. The Mayor respectfully requests funding in the amount of \$670,000 to purchase equipment for the CPW Department.

6. The Mayor respectfully requests a transfer of funds in the amount of \$35,000 towards the purchase of an SUV type vehicle to replace the current C2 vehicle. This amount will be combined with \$25,000 of existing Brandeis gift funds for the Fire Department for a total purchase price of \$60,000. The current C2 vehicle will continue in service to be used by the training division.

7. The Mayor respectfully requests a transfer of funds in the amount of \$248,500 to fund the first year of the three year collective bargaining agreement between the City and the Police Patrol Officers' Union for the period July 1, 2016 to June 30, 2019.

8. The Mayor respectfully request approval of the attached loan authorization to acquire the Stigmatine property, consisting of three parcels (+/- 46.063 acres) (R 033 002 0019, R 033 002 019A, and R 033 002 019B) known as 554 Lexington Street, 75R Lincoln Street, and 111R Lincoln Street for a sum not to exceed \$18,000,000.00. The purposes of the intended acquisition are educational use, open space, recreational use and/or temporary housing use.

9. The Mayor respectfully requests acceptance of the State 911 Department Training Grant in the amount of \$32,046. It is a reimbursable grant for training related costs associated with the 911 system. This grant does not require matching funds and is effective for the fiscal year ending June 30, 2017.

10. The Mayor respectfully requests approval of the Nathaniel at Banks Square Condo Unit #103 for \$400,300.

City Council Docket
November 14, 2016

11. The Mayor respectfully requests approval of the Nathaniel at Banks Square Condo Unit #209 for \$375,027.
12. The Mayor respectfully request an appropriation in the amount of \$36,400 from Unreserved Fund Balance to account #001-630-5800-6610 Recreation-Design (Connors Playground & Prospect Hill Park). These funds will be used to award the bid for design services for improvements to the Bob Connors Playground and the Prospect Hill Park.
13. The Mayor respectfully request acceptance of a donation in the amount of \$3,500.00 to the City of Waltham Fire Departments for use by Fire Prevention to purchase smoke and CO detectors for the elderly and other safety programs.
14. The Mayor respectfully accept acceptance of a gift of 50 Naloxone (Narcan) Nasal Kits from the Newton-Wellesley Hospital to the Waltham Health Department. These kits will be provided to the Fire Department.
15. The Mayor respectfully request an appropriation in the amount of \$54,000 from Unreserved Fund Balance to account #001-192-5800-6257 Building- Prospect Street Fire Station. These funds will be used to perform additional necessary items for the renovation work of the slab floor replacement project at the Prospect Street Fire Station.
16. The Mayor respectfully request an appropriation in the amount of \$115,000.00 from Unreserved Fund Balance to account #001-175-5400 Planning-Warming Shelter. These funds will be used to award the bid to provide this service at the rate of \$950.00 per day from December 2016 thru March 2017 when the temperature is 32 F or below or in the event of inclement weather – snow or freezing rain.
17. The Mayor respectfully requests authorization to sign a confirmatory quitclaim deed on a property on Prospect St.
18. The Mayor respectfully request an appropriation in the amount of \$9,175.00 from Unreserved Fund Balance to account #001-145-5200-6414 Treasurer- Office Equipment. These funds will be used to purchase a check signing machine and postage machine as replacement for the existing machines that are no longer operating effectively.

Applications for Licenses and Permits

1. Class 2 Dealers License – 50 Thayer Rd. - Hull Corp. Inc., dba Little Foreign Car Garage
2. Class 2 Dealers License – 614 Moody Street – Diamond Automotive
3. Class 2 Dealers License – 251 Lexington St. - Boston Muffler & Brake Inc.
4. Class 2 Dealers License – 22 Common St. - Euro Auto Brokers
5. Class 2 Dealers License – 40 Green St. – Route 128 Used Auto Parts & Sales Inc.
6. Class 3 Dealers License – 40 Green St. – Route 128 Used Auto Parts & Sales Inc.

***City Council Docket
November 14, 2016***

**Committee Reports
License & Franchise**

1. The License and Franchise Committee recommends the Class 2 Dealers renewal for Absolute Auto Body at 50 River Street be approved.
2. The License and Franchise Committee recommends the Class 2 Dealers license renewal for ABKO Auto Body at 96 Linden Street be approved.
3. The License and Franchise Committee recommends the Extended Hours for Dragon Chef at 677 Moody Street be approved.

Long Term Debt

1. The Long Term Debt Committee recommends the CPC allocation of FY2017 Surcharge and True Up of \$3,315,995.48 be approved.
2. The Long Term Debt Committee recommends the CPC transfer of budget funds of \$9, 048 be approved
3. The Long Term Debt Committee recommends the CPC allocation of True Up adjustment and the FY2017 salary increase of \$9,048 be approved.

Public Works & Public Safety

1. The Public Works and Public Safety Committee recommends the petition for a 17-25 at The Arc at 217 South Street be approved with conditions.

Finance Committee

1. The Finance Committee recommends \$45,500 for handicap projects recommended by the Disability Services Commission be approved.

Ordinances & Rules

1. The Ordinances and Rules Committee recommends the time extension for 850 Winter Street be approved.
2. The Ordinances and Rules Committee recommends the Secondhand Dealers Ordinance Amendment be approved for a first reading.

Committee of the Whole

The Committee of the Whole recommends the confirmation of the appointment of Maureen Hoch, 16 Albemarle Road, Waltham as a member of the Waltham Municipal Housing Trust fund for the remainder of the two year term ending February 2017 be approved.

City Council Docket
November 14, 2016

Unfinished Business and Other Business

1. Time extension for 1265 Main Street Drive Thru

Tabled Items

- Personnel Resolution
- 554 Lexington Street
- Mayors request for Fernald Property acreage for school (50 acres: 25 CPA/25 non CPA) submitted August 22, 2016
- 950 Winter Street Fuel Storage License
- Minutes 2/22/2016

City Council Docket
November 14, 2016

Addendum to the Council Docket
November 14, 2016

Pursuant to City Compensation Ordinance (copy attached), last April I directed the then Personnel Director, now known as the Human Resources (HR) Director, to obtain an Independent Medical Examination (IME) on one of your employees. That has been completed as of June 2016. As Appointing Authority for this employee, the City Council has authority to access or read the IME. Please follow up on this matter with the HR Director.