

City Council Docket
November 28, 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 28, 2016 at 7:30pm and the following matters and others may be considered.

Approval of Minutes from Council Meetings: 11/14/2016

Public Hearing
Zoning Ordinance Amendment

The Davis Companies, of 125 High Street, 21st Floor, Boston, Massachusetts 02110, as Petitioner; and DIV Waltham Main Street, LLC, c/o The Davis Companies, 125 High Street, 21st Floor, Boston, Massachusetts 02110 as the Owner of the parcel of land known and numbered as 1025-1075 Main Street (“Locus”), shown in the “Atlas City of Waltham, Massachusetts” as follows:

- Page 58, Block 10, Lot 6 1013 Main Street
- Page 58, Block 10, Lot 11 1037 Main Street
- Page 58, Block 10, Lot 12 1025 Main Street
- Page 58, Block 11, Lot 1 17 Lunda Street
- Page 58, Block 11, Lot 2 1055 Main Street

which land is the subject of the following Zoning District Map Amendment, pursuant to G.L. c. 40A, § 5:

HEREBY PETITION 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", AND IN PARTICULAR TO AMEND THE “ZONING DISTRICT MAP” AS FOLLOWS:

ARTICLE III entitled “Establishment of Districts”, Section 3.13 entitled "Zoning District Map" is hereby amended by striking out the Zoning District boundary lines and the Zoning District designation for “Residence B”, and inserting in place thereof new Zoning District boundary lines and Zoning District designation as “Business B” insofar as the Zoning District Map relates to the following described parcel:

Legal Description for Change of Zone from Residence B to Business B

A certain parcel of land situated in the City of Waltham, Middlesex County, Massachusetts, located on the western side of Prospect Hill Road, said parcel being shown as “AREA TO BE ADDED TO THE BUSINESS B DISTRICT ≈ 23,227 SQ.FT.” on a plan entitled “Existing Zoning District Plan”, Sheet SV-2 of a set of Plans entitled “1025 – 1075 Main Street Zoning Amendment 1025-1075 Main Street Waltham, MA 02451”, dated September 27, 2016, and consisting of 4 sheets including the cover sheet, described as follows:

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Beginning at a point on the westerly sideline of Prospect Hill Road, said point being the northeasterly corner of said area at land now or formerly of the Massachusetts Bay Transportation Authority;

Thence running S 21°47'25" W, along said sideline, a distance of 239.15 feet to a point at the division line between the "Residence B" and "Business B" zoning districts;

Thence turning and running S 88°37'34" W, along said zoning district line, a distance of 86.87 feet to a point;

Thence turning and running N 01°52'00" E, again along said zoning district line, a distance of 165.60 feet to a point at land now or formerly of the Massachusetts Bay Transportation Authority;

Thence turning and running northeasterly along a curve to the left, by said land, having a radius of 1922.63 feet, a length of 180.11 feet, a delta of 5°22'03", a chord bearing of N 70°59'38" E and a chord length of 180.04 feet to a point of non-tangency on the westerly sideline of Prospect Hill Road and the point of beginning or otherwise act thereon

Communications from Mayor

1. The Mayor respectfully requests an appropriation in the amount of \$9,200 from Unreserved Fund Balance to account #001-121-5400-5303-02 Mayor-Appraisal Air Rights. These funds will be used for an appraisal of the air rights for above the parking lot for property located at 230-234 Moody Street.
2. The Mayor respectfully a transfer of funds in the amount of \$10,500.00 to fund the first year of the three year collective bargaining agreement between the City and the Mechanics' Union for the period July 1, 2016 to June 30, 2019.
3. The Mayor respectfully requests acceptance of grant of \$9,000.00 from the Executive Office of Public Safety and Security to be distributed in three \$3,000.00 activations. These funds will be used for Drive Sober or Get Pulled Over (December 9, 2016 – January 1, 2016), Click It or Ticket (May 8, 2017 – May 29, 2017), and Drive Sober or Get Pulled Over (August 14, 2017 – September 4, 2017). The grant does require matching funds in the amount of 25%, which will be absorbed through the Waltham Police Department's operating budget, with no additional funding will be required or requested from the City of Waltham.
4. The Mayor respectfully requests a transfer of capital improvement funds in the amount of \$40,000 to fund the installation of four (4) rapid rectangular flashing beacon (RRFB) crosswalk lights. They will be installed at the DCR Bike Path crossings on the northern side of the Charles River at the following locations:
 - Prospect Street at Charles River Bridge
 - Moody Street at Charles River Bridge

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- Newton Street at Charles River Bridge
- Farwell Street at Charles River Bridge

5. The Mayor respectfully requests an appropriation in the amount of \$3,500 from Unreserved Fund Balance to account #001-121-5800-6413 Mayor- Copy Machine. These funds will be used for a replacement copy machine as the existing machine is no longer operating effectively.

6. The Mayor respectfully requests a transfer of traffic impact funds in the amount of \$32,355.00. This transfer will fund the design bid for traffic signal improvements at the River Street, Farwell Street and Seyon Street intersection.

Applications for Licenses and Permits

1. Class 2 Dealers License renewal – 215 Lexington St. - Fuller Motor Inc.
2. Class 2 Dealers License renewal – 43 Sun St. – Elm Street Garage Inc.

Committee Reports
License & Franchise

1. The License and Franchise Committee recommends the Class 3 Dealers renewal for Route 128 Used Auto Parts at 40 Green Street be approved.
2. The License and Franchise Committee recommends the Class 2 Dealers license renewal for Route 128 Used Auto Parts at 40 Green Street be approved.
3. The License and Franchise Committee recommends the Class 2 Dealers license renewal for Euro Auto Brokers at 22 Common Street be approved.
4. The License and Franchise Committee recommends the Class 2 Dealers license renewal for Boston Muffler & Brake Inc. at 251 Lexington Street be approved.
5. The License and Franchise Committee recommends the Class 2 Dealers license renewal for Diamond Auto at 614 Moody Street be approved.
6. The License and Franchise Committee recommends the Class 2 Dealers license renewal for Hull Corp. dba Little Foreign Car at 50 Thayer Road be approved.
7. The License and Franchise Committee recommends the Fuel storage License for Jocelyn McMahon at 81 Sheffield Road be approved.
8. The License and Franchise Committee recommends the Extended Hours for WOW at 47 Foundry Ave. be approved.
9. The License and Franchise Committee recommends the Secondhand Dealers License for Black Lotus Cards & Games located at 1275 Main Street be approved.

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Long Term Debt

1. The Long Term Debt Committee recommends the loan order authorization for \$555,000 for CPW equipment be approved for a first reading.
2. The Long Term Debt Committee recommends the transfer of \$115,000 for CPW equipment be approved.

Public Works & Public Safety

1. The Public Works and Public Safety Committee recommends the petition for a 17-25 for LeBlanc Property Holdings LLC at 42 Felton Street be approved with conditions.
2. The Public Works and Public Safety Committee recommends the 17-25 petition at 54 Albemarle Road be denied.

Finance Committee

1. The Finance Committee recommends \$54,000 for renovations at the Prospect Street Fire Station be approved.
2. The Finance Committee recommends the grant of \$152,176 for State 911 PSAP for the FY2017 be approved.
3. The Finance Committee recommends the Managers Union request of an \$18,000 appropriation for the executive assistants out of grade pay be approved.
4. The Finance Committee recommends \$35,000 to be put towards the purchase of an SUV for the Fire Department be approved.
5. The Finance Committee recommends \$248,500 to fund the first of a three year agreement between the City and the PPO Union be approved.
6. The Finance Committee recommends the grant of \$32,046 for training costs for the 911 system be approved.
7. The Finance Committee recommends the bid for the Nathaniel at Banks Condo Unit #103 for \$400,300 be approved.
8. The Finance Committee recommends the bid for the Nathaniel at Banks Condo Unit #209 for \$375,027 be approved.
9. The Finance Committee recommends \$36,400 for Connors Park and Prospect Hill Park improvements be approved.
10. The Finance Committee recommends a \$3500 donation to the Waltham Fire Department for smoke and CO Detectors be approved.
11. The Finance Committee recommends \$115,000 for the Warming Shelter be approved.

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12. The Finance Committee recommends \$9,175 for the Treasurers signing machine and postage replacement 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.

3. The Ordinances and Rules Committee recommends the 1265 Main Street Special Permit Modification be approved.

Committee of the Whole

1. The Committee of the Whole recommends \$4200 for the Elm street appraisal be approved.

2. The Committee of the Whole recommends the loan authorization of \$18,000,000 for the 3 parcels on the Stigmatine's property be approved for a first reading.

Unfinished Business and Other Business

1. FY22 Capital Budget letter

2. CPC Recommendation for an appropriation \$95,000 of CPA Funds for French American Victory Club

3. CPC FY2016 State Matching Funds Allocation

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