

***Revised City Council Docket
March 14, 2016***

The City Council will hold a Public Hearing in the City Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, March 14, 2016 at 7:30 pm and the following matters and others will be considered.

Approval of Minutes from Council Meetings: 2/22/2016

Public Hearings

**Public Hearing
Special Permit**

The Petitioner, Alexandria Real Estate Equities, Inc. with a Massachusetts address of 400 Technology Square, Suite 101, Cambridge, Massachusetts 02139 hereby petitions the City Council to grant a special permit for an increase in Floor Area Ratio (FAR) to 0.62 pursuant to § 3.511 and § 3.521 of the Zoning Ordinance of the City of Waltham as to the following locus.

The locus is known and numbered as 205, 225 & 231 Second Avenue and is shown in the “Atlas City of Waltham, Massachusetts” as follows:

- Page 039, Block 001, Lot 0005 – 205 Second Avenue
- Page 039, Block 001, Lot 0011 – 225 Second Avenue; and
- Page 039, Block 001, Lot 0010 – 231 Second Avenue.

The above properties are all located entirely in a Commercial Zoning District.

The legal owner of the land is ARE-MA Region No. 51, LLC with an address c/o Alexandria Real Estate Equities, Inc., 385 East Colorado Boulevard, Suite 299, Pasadena, California 91101.

**Public Hearing
Special Permit**

Second Avenue Hotel LLC, as Petitioner and Owner of 256 Second Avenue, and Watch City Ironworks, LLC, as Owner of 244 Second Avenue, hereby petition the City Council of the City of Waltham to grant a special permit for an increase in Floor Area Ratio (FAR) to 1.05 pursuant to § 3.511 (Intensity of Use Special Permit) and § 3.521 (Table of FAR) of the Zoning Ordinance.

As part of this intensity of use special permit, the Petitioner and Owners also request pursuant to § 3.513 (Additional Special Permits) that the City Council grant special permits in accord with the following sections of the Zoning Ordinance:

- § 3.4 (Table of Uses), § 3.512 (Special Permits for Use), and § 3.617 (Hotel Special Permit) – To allow a hotel to be constructed, used and maintained on the locus.

The subject premises are shown in the “Atlas City of Waltham, Massachusetts” as follows:

- 244 Second Avenue: Page 39, Block 2, Lot 6; and
- 256 Second Avenue: Page 39, Block 2, Lot 7.

The above property is located entirely in a Commercial Zoning District.

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The Petitioner in this matter and its address is:

- Second Avenue Hotel LLC, c/o Christine Thomas,
285 Commandants Way, Chelsea, Massachusetts 02150.

The Owner of the property at 256 Second Avenue and its address is:

- Second Avenue Hotel LLC, c/o Christine Thomas,
285 Commandants Way, Chelsea, Massachusetts 02150.

The Owner of the property at 244 Second Avenue and its address is:

- Watch City Ironworks, LCC
244 Second Avenue, Waltham, Massachusetts 02451

Public Hearing

New Second Hand Dealers License

Nobis MGT Limited, d.b.a. Metro PCS, Obiora Okoye, Owner, hereby petitions the City Council to grant a second hand dealers license for to be exercised on the premises at 337 Moody Street.

Public Hearing

New Second Hand Dealers License

Nobis MGT Limited, d.b.a. Metro PCS, Obiora Okoye, Owner, hereby petitions the City Council to grant a second hand dealers license to be exercised on the premises at 903A Main Street.

Public Hearing

New Second Hand Dealers License

Neighbors Who Care Inc. d.b.a. Neighbors Who Care Thrift Shop hereby petitions the City Council to grant a second hand dealers license for the operation of a thrift shop at 709 Main Street.

Communications from Mayor

1. The Mayor respectfully requests an appropriation in the amount of \$165,500 to fund the design and engineering services for sewer improvements to ACO Area 5A.
2. The Mayor respectfully requests acceptance of the "Pontz Family Scholarship Fund". The School Committee has accepted it on February 24, 2016.
3. The Mayor respectfully requests a transfer of capital improvement funds totaling \$42,400 to award the engineering services bid for the Hazel Street reconstruction project.
4. The Mayor respectfully requests a transfer of capital improvement funds totaling \$40,020 to fund the purchase of eight (8) mobile computers for police cruisers and two (2) copy machines for the chief's office and the detective division. Below is an itemization of the funding request.

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5. 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 – FY2016. 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.
6. The Mayor respectfully requests adoption of the attached compensation ordinance to amend the existing pay charts for non-union employees. The new charts shall be effective as follows: Chart A, Effective from July 1, 2013 through and including June 30, 2014; Chart B, Effective from July 1, 2014 through and including June 30, 2015; and Chart C, Effective as of July 1, 2015 and continuing unless and until said Non-union Rate chart shall be further amended. The pay charts reflect cost of living increases consistent with the percentages and effective dates that were negotiated with all city and school union employees and funded by the City Council.
7. The Mayor respectfully requests authorization to grant Charles River Canoe & Kayak a Section 10A permit to put a temporary float on the Cronin's Landing Dock.
8. The Mayor respectfully requests a transfer of funds totaling \$356,900 as itemized below to fund the purchase of the replacement of nine (9) police cruisers.

Applications for Licenses and Permits
(Public hearings)

Orders, Ordinances and Resolutions

1. Resolution regarding amending Section 17-25 of the General Ordinances
2. Resolution regarding naming Sargent Dakin Square
3. Resolution regarding Arbor Day – Submitted by Councillor Logan and all Councillors
4. Resolution regarding Vietnam Veteran's Moving Memorial Wall - Submitted by Chairman Giordano, President Marchese, and all the members of the Veterans Services Committee
5. Resolution regarding Waltham Youth and Community Coalition, Youth Risk Behavior Survey Presentation. Submitted by Councillor LeBlanc, President Marchese, and Councillor Fowler.
6. Resolution regarding Waltham Hero Award-Yolanda Cellucci - President Marchese, Councillor LeBlanc
7. Resolution regarding Waltham Hero Awards – Michael Colomba - President Marchese, Councillor LeBlanc
8. Resolution regarding Waltham Hero Awards – Randy LeBlanc - Councillor LeBlanc, President Marchese Councillor Waddick
9. Resolution regarding Waltham Hero Award - Discover Waltham - Councillor LeBlanc, President Marchese Councillor Rourke
10. Resolution regarding Waltham Hero Award – William "Bill" Wiggin - Councillor LeBlanc, President Marchese Councillor Romard

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Committee Reports

Committee of the Whole

The Committee of the Whole recommends the Resolution concerning the Building Departments presentation of violations pursuant to the zoning code be placed on file.

Finance Committee

1. The Finance Committee recommends that the Council Rule 43A – midyear budget review be placed on file.
2. The Finance Committee recommends that the appropriation of \$150,000 from UFB to Building repairs & UFB from Building OT be approved.
3. The Finance Committee recommends that the appropriation of \$12,000 from UFB to Building PT & \$10,000 from UFB to Building OT be approved.
4. The Finance Committee recommends the acceptance of a grant of \$22,460 for FFY2015 EMPG Program.
5. The Finance Committee recommends the acceptance of a grant of \$2,000 for FFY2016 HMEP program.
6. The Finance Committee recommends the acceptance of the gift of \$5,000 from Hurley House to Police GREAT program.
7. The Finance Committee recommends that the appropriation of \$50,000 from UFB to Fire OT be approved.

Licenses and Franchises

1. The Licenses and Franchises Committee recommends that the application of JMH Automotive for the renewal of a Class Two Motor Vehicle License at 45 Felton Street be approved.
2. The Licenses and Franchises Committee recommends that the application of Aztec Restaurant Group Corp. d.b.a. Garcia Brogan's Restaurant, pursuant to Section 17-7.2 of the General Ordinances, for a seasonal table and chairs permit at 240 Moody Street be approved with thirteen (13) conditions attached.

Long Term Debt

1. The Long Term Debt Committee recommends that the loan authorization in the amount of \$196,840 to fund the remaining 76 sets* of the second set of turnout gear (capital asset with a 10-year life cycle) be approved for a first reading.

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2. The Long Term Debt Committee recommends that the transfer of funds in the amount of \$235,000 to fund 90 sets of the second set of turnout gear (capital asset with a 10-year life cycle) be approved.
3. The Long Term Debt Committee recommends that the transfer of funds in the amount of \$41,415 to fund the purchase of 3 washer/dryer units for the Willow Street, the Prospect Street, and the Lake Street Fire Stations be approved.
4. The Long Term Debt Committee recommends that the following financing plan in the amount of \$1,475,000 to fund a replacement Ladder 1 fire truck: The committee recommends that a loan order in the amount of \$579,500 be approved for a first reading, and that a transfer of funds for the remaining \$895,500 be approved.
5. The Long Term Debt Committee recommends that the CPC Recommendation for Appropriation of the Final Closeout Payment for the CPA funded Bright School Vault Project be approved with conditions.

Ordinances and Rules

1. The Ordinances and Rules Committee recommends the proposed ordinance amendment for the off street commission position be approved for a first reading.
2. The Ordinances and Rules Committee recommends the Compensation Ordinance Amendment relative to the poll workers stipend be approved for a First Reading.
3. The Ordinances and Rules Committee recommends the petition of Boston Properties for a Fast Food Special Permit at 99 Third Ave., as amended with conditions, be approved.
4. The Ordinances and Rules Committee recommends that the request of Children's Hospital for Leave to Withdraw Without Prejudice as to the zoning text amendment to Article IV, entitled "Dimensional Requirements," Section 4.11 in the column captioned "Maximum Building Height" be approved.
5. The Ordinances and Rules Committee recommends that the request of Children's Hospital for Leave to Withdraw Without Prejudice as to the zoning text amendment to Article IV, entitled "Dimensional Requirements," Section 4.11 in the column captioned "Maximum Stories" be approved.
6. The Ordinances and Rules Committee recommends that the proposed Zoning Ordinance text amendment to Article IV, entitled "Dimensional Requirements," Section 4.11 in the column captioned "Minimum Building Setbacks" be approved
7. The Ordinances and Rules Committee recommends that the proposed Zoning Ordinance text amendment to Article IV Section 4.12, entitled "Footnotes, Table of Dimensional Requirements," inserting new footnotes numbered (25) and (26) be approved.

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8. The Ordinances and Rules Committee recommends that the petition of Children's Hospital for a Zone Change (zoning map amendment), from RA3 to HR2, be approved.

Unfinished Business and Other Business

- 36 River Street communication
- 244 and 255 Second Ave Time Extension
- 9 Hope Ave Leave to Withdraw without Prejudice communication

Tabled Items

- Micro-Brewery Restaurant Ordinance (first reading 2/22/16, pub. 3/3/16)
- Parking Requirements for Bus C District (first reading 2/22/16, pub.3/3/16)

Adjourn