

City Council Docket
April 11, 2022

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham, MA on Monday, April 11, 2022 at 7:30 p.m. The following matters and others may be considered.

Approval of Minutes
Regular Meeting of 3/28/2022

Public Hearing
17-25 Street Opening

Alex Gibson of 80 Piers Park Lane #3116, Boston, MA 02128 (“Petitioner”) and Evergreen Property Solutions, LLC (“Owner”), owner of property located at 139 Bright Street, Waltham, Massachusetts (“Locus”) hereby petition the Waltham City Council for the necessary Authorization to open the street at 139 Bright Street, Waltham, Massachusetts pursuant to the provisions of Article 1, Section 17-25 of the Ordinances of the City of Waltham to grant access to the street for water, sewer and gas connections.

The property is shown in Atlas Page R061, Block 030, Lot 0010. The property is situated in the Residence B Zoning District.

Public Hearing
Class II Motor Vehicle License

Montell Enterprises, Inc., 825 Main Street, Waltham, license applicant and property owner, hereby petitions the City Council for a Class II Motor Vehicle License for the sale of 6 cars, with the appropriate parking for customers and employees, in accordance with City of Waltham General Ordinances Article XII – Class 2 Motor Vehicles. Property located at 825 Main Street, Waltham. Atlas Page Atlas Page 059, Block 009, Lot 0019.

Public Hearing
Special Permit

Middlesex Integrative Medicine, Inc., 155 Federal Street, Suite 402, Boston, Massachusetts 02110 and Executive Park Realty Corporation, 29 Juniper Hill Road, Waltham, Massachusetts 02452, collectively as Petitioners, hereby petitions the City Council for a Special Permit pursuant to §3.5 and Article XII §12.1 to 12.13 of the Zoning Ordinance to operate a marijuana establishment or marijuana retailer as defined by §12.21 of the Zoning Ordinance.

The Petitioners also are moving to amend the Special Permit granted to them on October 15, 2019 by the City Council as Order No. 34570 which granted a Special Permit to operate a medical marijuana treatment center (Requested Marijuana Dispensary) as defined by §11.210 of the Zoning Ordinances to allow the colocation of a recreational marijuana establishment or marijuana retailer pursuant to §12.21 at the same location 305 Second Avenue.

The locus is known and numbered as 305 Second Avenue and is shown in the “Atlas, City of Waltham, Massachusetts 1988”, as Map 39 Block 1 Lot 15.

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The property is situated in a Commercial Zoning District.

The Legal Owner of the locus is Executive Park Realty Corporation of 29 Juniper Hill Road, Waltham, Massachusetts 02452.

Public Hearing
Special Permit
Recessed from (3/28/2022)

Thrive Cultivation & Dispensary, LLC of 53 Midland Drive, Waltham MA 02451 and Dakota Part LLC (60.41%) and Ladybug LLC (39.59%), 1264 Main Street, Waltham MA 02451, collectively as petitioners, hereby petition the City Council for the necessary Special Permit pursuant to the provisions of Article 3, Sections 3.5, 3.512, et.al, Art. XI, Section 11.3, et al., and Art. XII, Section 12.3, et al. of the Zoning Ordinance of the City of Waltham to grant a special permit for the use of an adult-use cannabis dispensary at the property known and numbered as 235 Bear Hill Road, Waltham.

The property is shown in Atlas Page 048, Block 002, Lot 0003. The property is situated in the Commercial Zoning District.

The Legal Owner of the locus is Dakota Part LLC (60.41%) and Ladybug LLC (39.59%), 1264 Main Street, Waltham, MA 02451.

Communications from the Mayor

1. The Mayor respectfully requests acceptance of a 1986 Lions Club Waltham Trivia Game donated by Marie McKenzie, Waltham, Massachusetts.
2. The Mayor respectfully requests acceptance of a gift from Jeannette A. McCarthy of a signed program from Bob Eagle tribute on March 26, 2022.
3. The Mayor respectfully requests the care, custody and control of the 625 Moody Street Parking Lot property be transferred to the Traffic Commission to provide additional off-street metered parking in the Moody Street area.
4. The Mayor respectfully requests acceptance of a children's desk and chair from Nahum Hardy School donated by MaryEllen Ryan of Waltham.
5. The Mayor respectfully requests to address the City Council in Executive Session regarding a Confidential Executive Session Matter - Moody Street.
6. The Mayor respectfully requests a transfer of funds without Committee reference in the amount of \$1,500.00 for the purpose of the Assistant City Clerk to attend the 2022 NEMCIA Summer Institute to receive the CMC Certification.
7. The Mayor respectfully requests an appropriation in the amount of \$25,510.00 to renew the cyber insurance policy.

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8. The Mayor respectfully requests the transfer of funds in the amount of \$19,100.00 to purchase a new time clock system for CPW to be used by the employees of the Laborers' and Mechanics' Unions.
9. The Mayor respectfully requests the City Council approve the funding allotment in the total amount of \$410,314.04 from the cable access funds for the Waltham City Council.
10. The Mayor respectfully requests the City Council approve the funding allotment in the total amount of \$38,463.52 from cable access for the Waltham Community Access Corporation (WCAC).
11. The Mayor respectfully requests the acceptance of five automatic hand sanitizer dispensers donated by Jackie Landry of Waltham.
12. The Mayor respectfully requests a transfer in the amount of \$44,000.00 from the Library State Aid Special Revenue account to the Library – Educational Supplies account.
13. The Mayor respectfully requests a transfer in the amount of \$44,000.00 from the Library State Aid Special Revenue account to award the bid to install carpeting in the Children's Room, the "New Book Room" and vinyl tiles in the new "Makerspace Room".

Applications and Licenses

- Secondhand Dealers License renewal – 709 Main Street – Neighbors Who Care Thrift

Orders, Ordinances & Resolutions

- 2022 Motorcycle Resolution
- Resolution Recognizing Waltham High School Show Choir & Show Band

Committee Reports

Licenses and Franchises

1. The Licenses and Franchises Committee recommends naming 240 Beaver Street 'The Cornelia Warren Farm & Field Station' be approved.
2. The Licenses and Franchises Committee recommends the Second Hand Dealer's License Renewal at 443 Moody Street for Mr. Sweeper Aviden Inc. be approved.
3. The Licenses and Franchises Committee recommends the Extended Hours Renewal at 50 Sun Street Suite 4A for GoPuff, LLC. be approved.

Economic and Community Development

1. The Economic and Community Development Committee recommends the Resolution Concerning All Public Meetings of the Waltham City Council be sent to Mayor McCarthy for her consideration.

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Finance

1. The Finance Committee recommends an appropriation of \$9,000.00 for Disability Services Commission for several projects be approved.
2. The Finance Committee recommends acceptance of a donation of a Waltham Business Guide from Crystal Philpott, Waltham, MA be approved.

Long Term Debt and Capital Planning Committee

1. The Long Term Debt and Capital Planning Committee recommends the approval of an allocation of CPA funds for the City Clerk's Historic Document Assessment.

Public Works and Public Safety Committee

1. The Public Works and Public Safety Committee recommends the letter submitted by Councillor Darcy regarding support of a bus route in North Waltham be approved.

Committee of the Whole

1. The Committee of the Whole recommends granting the Charles River Canoe & Kayak a permit to put a temporary dock on the Riverwalk next to Cronin's Landing Dock be approved.
2. The Committee of the Whole recommends the reappointment of Kristin Murphy, 39 Old Post Road Walpole, MA as Human Resources Director and Workers' Compensation Agent for a term expiring, February 29, 2024 be approved.
3. The Committee of the Whole recommends the appointment of Louis P. Andrews, 58 Wilbur Street, Waltham, MA as a member of the Conservation Commission to fill a vacancy be approved.
4. The Committee of the Whole recommends the appointment of Jeffrey Monfette, 45 Clements Road Waltham, MA as a member of the Board of Commissioners of Trust Funds to fill a vacancy be approved.
5. The Committee of the Whole recommends the approval of the financing plan for the land taking of the property located at 1 Balm Avenue in the amount of \$4,500,000.00 be approved.
6. The Committee of the Whole recommends the approval of a friendly taking order be approved.
7. The Committee of the Whole recommends that the City Council transfer the care, custody and control of 1 Balm Avenue, Waltham, MA to the Waltham School Department for the purposes contained in the friendly taking be approved.

Ordinances and Rules

- The Ordinances and Rules Committee recommends that the Minor Modification of Special Permit Order # 34110 and 35044 for 275 Wyman LLC. at 225 Wyman Street be approved.
- The Ordinances and Rules Committee recommends that the Minor Modification of Special Permit Order # 32095 for 275 Wyman LLC. at 275 Wyman Street be approved.

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- The Ordinances and Rules Committee recommends that the Extension of Time for 850, 910, 920 – 930 – 940 Winter Street be approved.

Unfinished Business & Other Business

- Middlesex Integrative Medicine, Inc. and Executive Park Realty Corporation are request for continuance of the proposed public hearing on April 11, 2022 to Monday May 23, 2022.
- Extension of Time for Special Permit Order #34493 at 300 Third Avenue
- Extension of Time for Special Permit Order #33110 BP Third Ave LLC. at 214 Third Avenue, 186 – 194 Third Avenue and 95 Fourth Avenue.

Tabled Items

- Confidential real estate matter tabled in Executive Session (1/24/2022)
- Confidential real estate matter in downtown tabled in Executive Session (2/14/2022)
- Loan authorization for \$750,000.00 to be used for a fire apparatus truck. (3/14/2022)
- Loan authorization for \$9,300,000.00 to be used for the Waltham portion of the Wayside Trail. (3/14/2022)

Rule 58

For Informational Purposes Only