

City Council Docket
April 24, 2023

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham, MA on Monday, April 27, 2023 at 7:30 p.m. The following matters and others may be considered.

Approval of Minutes
Regular Meeting of 4/10/2023

Public Hearing
Fuel Storage

In accordance with Chapter 148 of the Massachusetts General Laws and Chapter 8 of the General Ordinances of the City of Waltham, the Applicant / Owner David Carnahan / Gyrix, LLC 22 Bedford Street, Waltham MA 02453, hereby petitions the City Council for a new fuel storage license to locate on the premises at 22 Bedford Street

- Up to 75 gallons of flammable liquid storage which shall be stored within appropriate containers in flammables / combustibles cabinets within tenant spaces.
- Up to 3 cylinders of compressed flammable gases, (300 cf) each. Which shall be stored within a ventilated, fire rated, gas closet per Mass. 527 CMR 39

All of the above to be consistent with City Council Special Permit Order No. 33110, as modified by the City Council.

Parcel ID: R068 005 0001, 22 Bedford Street, Waltham

Public Hearing
Fuel Storage

In accordance with Chapter 148 of the Massachusetts General Laws and Chapter 8 of the General Ordinances of the City of Waltham, the Applicant / Owner ARE-Winter Street Property, LLC, c/o Alexandria Real Estate Equities, Inc., 22 North Euclid Avenue, Pasadena, CA 91101, hereby petitions the City Council for a fuel storage license to locate on the premises at 840 Winter Street:

- Up to 24,200 gallons of flammable liquids for research laboratory use within the building; and
- 17,700 gallons of #2 diesel fuel, which includes:
 - Two 5,800 gallon diesel fuel tanks associated with emergency generators located on concrete pads to the south of 840 Winter Street as approved by City Council Order No. 35374, as modified by Order No. 35806;
 - A 2,600 gallon diesel fuel tank associated with an emergency generator located on a concrete pad to the south of 840 Winter Street as approved by City Council Order No. 35374, as modified by Order No. 35806; and
 - A 500 gallon diesel fuel tank associated with an existing emergency generator within a fenced enclosure to the southeast of 840 Winter Street.

All of the above to be consistent with City Council Special Permit Order No. 35374, as modified by Order No. 35806.

Map, Block, Lot Number: R 019 001 0001A (840 Winter Street)

Public Hearing
Special Permit

The Juicery, LLC, Alex D. Vandermark, Manager and Petitioner; and 1019 Trapelo, LLC, Dan Yu, Manager and Owner of 1019 Trapelo Road, Unit C, Waltham, Massachusetts, hereby petition

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the City Council for the necessary Special Permit pursuant to the provisions of Article 3, Sections 3.512 and 3.620 of the Zoning Ordinance of the City of Waltham to grant a special permit for the use of a Fast Food Establishment (a Juicery) on the property known and numbered as 1019 Trapelo Road.

The property is shown in Atlas Page 014, Block 005, Lot 0007. The property is situated in the Business A Zoning District.

Public Hearing
Special Permit

Hall Street Partners LLC, 275 Lexington Street, Waltham, Massachusetts 02452 and the Roman Catholic Archbishop of Boston, a corporation sole, 66 Brooks Drive, Braintree, Massachusetts 02184, collectively as Petitioners, hereby petition the City Council to grant a special permit for an increase in floor area ratio (FAR) to 1.22 with additional units per acre pursuant to §3.5 and § 3.521 of the Zoning Ordinance of the City of Waltham.

The locus is known and numbered as 51 Hall Street, aka 61 Hall Street and is shown in the “Atlas, City of Waltham, Massachusetts 1988”, as Map 69 Block 18 Lot 4.

The property is situated in a Residence C Zoning District.

The Legal Owner of the locus is the Roman Catholic Archbishop of Boston, a corporation sole, 66 Brooks Drive, Braintree, Massachusetts 02184.

Communication from Housing Department

1. The Housing Department respectfully requests acceptance of a proposed fee of \$1,301,996.00 from Hall Street Partners, LLC.

Communications from the Mayor

1. The Mayor respectfully requests approval of a loan authorization in the amount of \$1,000,000.00 to provided design services for the Feasibility Study Phase through the Schematic Design Phase for the Waltham high School located at 617 Lexington Street.
2. The Mayor respectfully requests the use of American Rescue Plan Act (ARPA) funds in the amount of \$98,000.00 for a one-time, non-base payment to be committed to the first year of the Waltham School Building Trades (WSBT) union, Waltham School MIS Technicians (WSMT) Union and the Non-Union & Individual Contract School Employees.
3. The Mayor respectfully requests the approval of a transfer in the amount of \$1,500.00 for the Historical Commission members to attend two additional meetings during FY2023.
4. The Mayor respectfully requests the appointment of Jonathan Tomer of 34 Mokema Avenue a member of the Biosafety Committee to fill the vacancy due to the resignation of Barbra Ernise.

Applications and Licenses

1. Secondhand Dealers Renewal — 100 River Street – Four Jwaze, LLC.

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Resolutions, Orders and Ordinances

- Arbor Day Appreciation Resolution
- Stretch Code Resolution

Committee Reports
Ordinances and Rules

1. The Ordinances and Rules Committee recommends the Time Extension for Special Permit for BP Third Avenue LLC, 180 Third Avenue (8/4/24) be approved.
2. The Ordinances and Rules Committee recommends the Minor Modification for Special Permit for BP Third Avenue LLC, 180 Third Avenue (Order #33110) be approved.
3. The Ordinances and Rules Committee recommends Preserving Residentially Zoned Neighborhoods Resolution be sent without recommendation.
4. The Ordinances and Rules Committee recommends Tenants, Homeowners, Landlords Resolution be sent without recommendation.

Licenses and Franchises

1. The Licenses and Franchises Committee recommends the renewal of the Secondhand Dealers license at 1019 Trapelo Road – Mobile Store Operators LLC dba T Mobile be approved.
2. The Licenses and Franchises Committee recommends the renewal of the Lodging House license at 74 Adams Street – SMT Realty Associates LLC be approved.
3. The Licenses and Franchises Committee recommends the renewal of the Lodging House license at 26 Myrtle Street – Michael Cotton be approved.
4. The Licenses and Franchises Committee recommends the approval of the Fuel Storage license at 180 Third Avenue – BP Third Ave LLC be approved.
5. The Licenses and Franchises Committee recommends Charles River Canoe & Kayak a Section 10A permit to put a temporary dock on the Riverwalk next to Cronin’s Landing Dock be approved.

Finance

1. The Finance Committee recommends approval of a transfer in the amount of \$402,494.00 for the projected deficit in the Snow Overtime and Snow General Expenses accounts be approved.
2. The Finance Committee recommends a transfer in the amount of \$76,500.00 from Library State Aid Special Revenue account to the Library – Educational Supplies account be approved.

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3. The Finance Committee recommends the acceptance of various books written by women in Waltham for the City Hall Museum from Councillor Colleen Bradley-MacArthur be approved.
4. The Finance Committee recommends approval of a finance transaction in the total amount of \$6,020.00 for the purchase of a radar speed sign (1 pair) for the Traffic Engineering Department be approved.
5. The Finance Committee recommends an appropriation totaling \$131,775.00 to fund Building and Maintenance Repairs be approved.
6. The Finance Committee recommends an appropriation in the amount of \$7,000.00 to fund the development of a Spill Prevention, Control and Countermeasures (SPCC) Plan in conformance with the requirements of 40 CFR 112 Oil Pollution Prevention for the 21-25 Lexington Street property be approved.
7. The Finance Committee recommends an appropriation in the amount of \$14,400.00 for a hazardous materials survey at the former Fitch School be approved.

Committee of the Whole

1. The Committee of the Whole recommends the confirmation of the appointment for Gail David of 48 Dale Street to the Waltham Housing Authority Board of Commissioners to fill a vacancy of the Tenant Representative Maria Kidd be approved.
2. The Committee of the Whole recommends the confirmation of the appointment of Robert Charbonneau of 51-205 Lake Street as a member of the Waltham Council on Aging to fill a vacancy due to the resignation of Olga Trivisano be approved.
3. The Committee of the Whole recommends the appointment of Christopher J. DeMeo of 17 Dix Street as a member of the Waltham Council on Aging to fill the vacancy due to the resignation of Carol Watts be approved.

Public Works and Public Safety

1. The Public Works and Public Safety Committee recommends that the North Waltham Safety Resolution be approved.

Unfinished Business & Other Business

Tabled Items

- Mayor's Communication regarding a confidential update for 101 School Street
- Mayor's Communication regarding a confidential update for 0 Prospect Hill Road

Rule 58