

***City Council Docket
September 13, 2021***

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham, MA on Monday, September 13, 2021 at 7:30 pm. The following matters and others may be considered.

Approval of Minutes

Special Meeting Minutes of 8/2/2021

Executive Session Minutes of 8/2/2021-Potential Real Estate Acquisitions

Executive Session Minutes of 8/2/2021-Real Estate Lease Matter

Notice is hereby given that the City Council and the Board of Survey and Planning will hold a joint Public Hearing in the Council Chamber, City Hall, 610 Main Street, Waltham, Massachusetts, on Monday, September 13, 2021 at 7:30 p.m. on the following proposed amendment to the Zoning Ordinance:

Recessed from 8/2/2021

Public Hearing

Zoning Amendment

AN ORDINANCE AMENDING CHAPTER 21 OF THE GENERAL ORDINANCES OF THE CITY OF WALTHAM ENTITLED “ZONING”.

CHAPTER 21 of the General Ordinances of the City of Waltham entitled “Zoning District Map” is amended by striking out the designations “Commercial” as shown on said map and substituting in place thereof new lines and designation “Commercial Multifamily Overlay District (CMOD)” insofar as the said map relates to the following described premises.

The locus lies in the Commercial Zoning District and the proposed amendment would add a new overlay district over the locus titled “Commercial Multifamily Overlay District (CMOD)”. The locus is located within those certain parcels of land with the improvements located thereon situated at 1265 Main Street, in the City of Waltham, County of Middlesex (South), Commonwealth of Massachusetts Atlas Map 48, Block 003 Lot 0001, Atlas Map 48, Block 003, Lot 001B, Atlas Map 48, Block 003, Lot 001C and the portion to be rezoned is more particularly described as follows:

A certain “Overlay District “over a parcel land, owned now or formerly by 1265 Main, LLC, located north of Main Street on the easterly sideline of Route 128 in the City of Waltham, in the County of Middlesex, and the Commonwealth of Massachusetts.

Said Overlay District contains 554,134 square feet more or less.

Public Hearing

Special Permit

Security Vault Works, Inc., 550 Clark Drive, Budd Lake, New Jersey 07828, as Petitioner, and Waltham Crossing Nominee Trust, Fredric H. Margolis, Trustee, c/o Growth Companies, 1244 Boylston Street, Chestnut Hill, MA 02467, as Owner, hereby petitions the City Council of the City of Waltham to grant a special permit for use pursuant to

§ 3.512 (Special permits for use) and § 3.635 (Drive-in customer services) of the Zoning Ordinance of the City of Waltham to operate a standalone drive-thru automated teller machine (ATM) within the existing parking lot, along with an associated restriping of certain areas of existing parking lot to maintain the existing number of parking spaces.

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

- Page 51, Block 7, Lot 1 130 Lexington Street

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

Public Hearing
Special Permit

ARE-Winter Street Property, LLC, c/o Alexandria Real Estate Equities, Inc., 26 North Euclid Avenue, Pasadena, California 91101 as the Petitioner and Owner of 840 Winter Street, hereby petitions the City Council of the City of Waltham to grant a special permit for an increase in Floor Area Ratio (FAR) to 0.34 (0.25 existing) pursuant to §3.511 and §3.521 of the Zoning Ordinance of the City of Waltham. The existing building located at 840 Winter Street is the former Boston Sports Club and Celtics Training facility that was authorized by a 1998 Special Permit for use (commercial recreational uses). The increase in FAR is solely due to filling in the second and third-floor space currently open above the health club and basketball courts within the building. The subject premises are the parcels of land known and numbered as 840 Winter Street, shown in the “Atlas City of Waltham, Massachusetts” as follows:

- Page 19, Block 1, Lot 1A 840 Winter Street

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

Public Hearing
17-25

The Estate of Aron J. Aronian, petitions the City Council for permission under the provisions of Section 17-25 for the installation and/or maintenance of utilities. The property is located at 737-745 Moody Street. All work and resurfacing to be done in accordance with the provision of said Section 17-25.

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, Boston Properties LLC, 800 Boylston Street, Prudential Center, Boston, MA hereby petitions the City Council for permission to locate storage and use of a maximum of 4,600 gallons of flammable liquids on the premises at 200 West Street. The property is shown in Atlas, Map R038, Block 002, Lot 0002.

Public Hearing
17-25

Kevin Bythewood of 68 Livingstone Lane, Waltham Massachusetts and Bryan Bythewood of 68 Livingstone Lane, Waltham, Massachusetts (“Petitioners”), Owners of property located at 21 Drury Lane, Waltham, Massachusetts (“Locus”) hereby petition the Waltham City Council for the necessary Authorization to open the street at 21 Drury Lane, 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 R015, Block 003, Lot 0027. The property is situated in the Residence A-3 Zoning District.

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Communications from the Mayor

1. The Mayor respectfully requests a transfer of care, custody and control of the Government Center Gymnasium to the Recreation Department.
2. The Mayor respectfully requests approval of a proposed City Ordinance amendment of Section 2-184, 2-185, 2-186, 2-187 Department of Maintenance and Director of Maintenance/Clerk of the Works.
3. The Mayor respectfully requests approval of the Compensation Ordinance changes regarding Chief Building Inspector, Director of Inspectional Services, and Director of Maintenance/Clerk of the Works.
4. The Mayor respectfully requests approval of a new City Ordinance, Chapter 20, establishing an Inspectional Services Department.
5. The Mayor respectfully requests the opportunity to discuss with the City Council the creation of a Financial Services Department.
6. The Mayor respectfully requests a transfer of funds totaling \$51,000 to fund the three-year collective bargaining agreement between the City and the School Traffic Supervisors' Union for the period of July 1, 2019 – June 30, 2022.
7. The Mayor respectfully requests acceptance of the First Responder Naloxone Grant in the amount of \$5,000 which will be used to purchase equipment that will help in overdose situations.
8. The Mayor respectfully requests a transfer in the amount of \$19,000 for the purchase and installation of a new fuel management system.
9. The Mayor respectfully asked that the care, custody and control of the Fitch School Gymnasium be transferred permanently to the Recreation Department. The Recreation Department will work with Healthy Waltham until a permanent home is found.
10. The Mayor respectfully requests the confirmation of the appointment of Crystal Philpott, Waltham, MA as the City Purchasing Agent.

Applications and Licenses

Orders, Ordinances & Resolutions

- Recording of all Committee Meetings in the Waltham City Council Resolution

Committee Reports

Unfinished Business & Other Business

- City Clerk's recommendation for in person early voting in 2021 Municipal Election

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- Law Department's request for executive session regarding pending litigation
- Law Department's opinion regarding Executive Session Minutes of 8/3/2020

Tabled Items

- Open Meeting Law Complaint – Law Department's opinion regarding Executive Session Minutes of 1/27/2020- Anticipated Litigation.

Rule 58

For Informational Purposes Only

National Grid response to City Council's Gas Leak Resolution