

City Council Docket
October 22, 2018

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, October 22, 2018 at 7:30 pm. The following matters and others may be considered.

Approval of Minutes
10/9/2018

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, October 22, 2018 at 7:30 p.m. on the following proposed amendment to the Zoning Ordinance:

Joint Public Hearing
Zoning Amendment

Chapter 21 of the General Ordinance of the City of Waltham entitled “ZONING,” is hereby amended as follows:

Article II entitled “Word Usage; Intent; Definitions”, Section 2.314A entitled “Convenience Food Store”, is hereby amended by deleting the definition in its entirety and inserting in place thereof the following:

2.314A CONVENIENCE FOOD STORES IN GASOLINE STATIONS — A retail store operated as part of a gasoline station that is designed and stocked to sell primarily so-called "snacks" (that is, food which is ready for consumption directly from its container without prior cooking or preparation), beverages, prepackaged dry goods such as cigarettes, cigars, razors, razor blades and newspapers. A retail store operated as part of a gasoline station may also sell fresh baked goods (e.g. donuts, bagels) made off the premises and hot pre-prepared foods (e.g. hot dogs, breakfast sandwiches) provided that there shall be no kitchen facilities on the premises, except warming devices and microwave ovens, and that no more than 125 S.F. of the public floor area of the retail food store may be dedicated to the display and/or sale of such items.

Article III entitled “Establishment of Districts,” Section 3.6 entitled “Special Permit Criteria for Specific Uses”, §3.634 entitled “Retail Gasoline Station”, is hereby amended by deleting the definition in its entirety and inserting in place thereof the following:

Retail gasoline stations. A convenience food store may be operated as part of a gasoline station that is legally in existence, whether by right, by use variance, by special permit, or as a nonconforming use, provided that a special permit is obtained from City Council. However, no such convenience food store shall have a public floor area in excess of 1,000 square feet. A convenience food store operated as part of a gasoline station may also sell fresh baked goods (e.g. donuts, bagels) made off the premises and hot pre-pared foods (e.g. hot dogs, breakfast sandwiches) provided that there shall be no

City Council Docket
October 22, 2018

kitchen facilities on the premises, except warming devices and microwave ovens, and that no more than 125 S.F. of the public floor area of the retail convenience food store may be dedicated to the display and sale of such items. As a part of the special permit application, a parking plan drawn to scale shall be submitted indicating the location of the additional off-street parking areas required for retail businesses in accordance with Section 5.2 of this chapter.

Article VI entitled “Special Provisions Relating To Signs”, Section 6.392 entitled “Advertising Copy”, is hereby amended by inserting the following sentence at the end of the paragraph:

A retail store operated as part of a gasoline station may have signage advertising the store or a specific product it sells, provided that the total area of all signs on the premises shall not exceed the permissible maximum.

Public Hearing
Grant of Location

NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY, a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the City Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by A. Debenedictis, Dated September 18, 2018 and filed herewith, under the following public way or ways of said City:

Linden Street: Northerly from pole 1/11, approximately 561 feet
east of Middlesex Road, a distance of 7 ± feet of conduit

Communications from the Mayor

1. The Mayor respectfully requests approval of the re-allocation of left-over Chapter 90 funds in the amount of \$189,189.06 to be added to the exiting funds to award the low bid contract for the paving of a portion Harrington Road that totals \$277,972.50

Applications & Licenses

- Class I License renewal – 85 Linden St. – Lotus Motorsports Inc. dba Aston Martin of NE
- Class II License renewal – 50 Thayer Road – Hull Corp. dba Little Foreign Car Garage
- Class II License renewal – 614 Moody St.- Diamond Automotive Distributers, Inc.
- Class II License renewal – 44 Charles St. – PPA Inc. dba Waltham Motor Co.
- Class II License renewal – 255 Newton St. – Newton Street Service Inc.
- Class II License renewal – 712 Moody St. – DW Enterprise Inc.
- Class II License renewal – 103 Felton St. – Sideris Auto. Service Inc. dba Three Sons Autobody
- Extended hours renewal – 677 Moody St. – Dragon Chef Inc.

City Council Docket
October 22, 2018

- Extended hours renewal – 34-36 Elm St. Despensa Familiar, Inc.
- Extended hours renewal – 821 Main St. – Monell Enterprises, Inc.

Orders, Ordinances & Resolutions

- Protecting Youth From the Dangers of Using Tobacco & Vaping Resolution

Committee Reports

Licenses and Franchises

1. The License and Franchise Committee recommends the grant of location at Second Ave. be filed.
2. The License and Franchise Committee recommends the grant of location at 26 Seyon Street be discharged without a recommendation.
3. The License and Franchise Committee recommends the George Yiga Ssempogo, 18 Middle Street, Unit 2, Waltham be approved for a Massport License.

Finance

1. The Finance Committee recommends the acceptance of a gift in the amount of \$25,000 from Bentley University to the Waltham Fire Department be approved.
2. The Finance Committee recommends the acceptance of a gift in the amount of \$25,000 from Bentley University to the Waltham Police Department be approved.
3. The Finance Committee recommends the transfer in the amount of \$37,064 to fund the purchase of tactical gear for threats and incidents be approved.
4. The Finance Committee recommends the transfer in the amount of \$33,480 to fund the replacement purchase of the “jaws of life” equipment used on Squad 5 be approved.

Committee of the Whole

1. The Committee of the Whole recommends the Resolution regarding City Council Related Legal Work be filed.
2. The Committee of the Whole recommends the transfer of \$43,578 for the appraisal services and environmental consulting services at 225-227 Beaver Street and 240 Beaver Street be approved.
3. The Committee of the Whole recommends that the Waltham City Council concur with the response of the School Committee and the Mayor on the MSBA item #1 listed on the communication submitted on October 9, 2018.

City Council Docket
October 22, 2018

Ordinances and Rules

1. The Ordinances and Rules Committee recommends the zoning amendment for allowing bridges in HR-2 District be approved for a first reading.
2. The Ordinances and Rules Committee recommends the zoning amendment for allowing detached garages in HR-2 District be approved for a first reading.

Unfinished Business & Other Business

- Veto of the City Council Order #34227
- CPC request of \$344,800 for the Dana Court Spray Park

Tabled Items

- Installation of a guard rail on the backside of Beal Road sidewalk
- Residential Exemption Resolution
- Loan authorization for \$280,000 for front-end loader for CPW Dept.
- RFQ for the Fernald Property

City Council Docket
October 22, 2018

City Council Rule 58
For Informational Purposes Only