

City Council Docket
June 11, 2018

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, June 11, 2018 at 7:30 pm. The following matters and others may be considered.

Notice is hereby given in 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, June 11, 2018, at 7:30 P.M. on the following proposed amendment to the Zoning Ordinance:

Public Hearing
Zoning Amendment

CHAPTER 21 of the General Ordinances of the City of Waltham entitled “Zoning,” as most recently amended, is hereby further amended as follows:

ARTICLE III entitled “Establishment of Districts,” Section 3.2 entitled “Definition of uses,” is hereby further amended by adding a new Subsection 3.226G as follows:

3.226G Electronic game center: An establishment whose primary business is the sale of new and/or used electronic video games and/or equipment, but which also includes an area open to the public where more than five mechanical or electronic amusement devices, as defined in Subsection 1 of Sec. 8-17 of Chapter 8, Art. II, of the General Ordinances, are located, and provided that said area shall comprise no more than forty percent (40%) of the gross floor area of the premises. Notwithstanding the provisions of Sections 3.226, an electronic game center shall be considered a separate and distinct use under the Zoning Ordinance and shall be an allowed use as provided for in Section 3.4 Table of Uses, but shall remain subject to the licensing requirements of Chapter 8, Art. II, of the General Ordinances.

ARTICLE III is hereby further amended by adding in Section 3.4 entitled “Table of Uses,” under the category “Commercial,” the following: Electronic game center

Public Hearing
17-80

The resurfacing of the private way known as Priscilla Lane, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing
17-80

The resurfacing of the private way known as Mountain Road, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

City Council Docket
June 11, 2018

Public Hearing
17-80

The resurfacing of the private way known as Goldencrest Avenue, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing
17-80

The resurfacing of the private way known as Crestview Road, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing
17-80

The resurfacing of the private way known as Carol Lane, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

Public Hearing
17-80

The resurfacing of the private way known as Brennan Avenue, to be resurfaced in accordance with the provisions of Section 17-80 of the General Ordinance of the City of Waltham. Betterments to be assessed.

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, Brandeis University, with an address of 415 South Street, Waltham, Massachusetts 02453, as Petitioner and Owner, hereby petitions the City Council to amend the existing fuel storage license to allow on the premises one emergency generator and associated 756-gallon diesel fuel storage tank located to the west of the newly constructed residence hall. The subject premises are shown in the “Atlas City of Waltham, Massachusetts” as:

- 415 South Street:Page 67, Block 8, Lot 2.

Public Hearing
Extended Hours

DF Convenience Inc. and Despensa Familiar, Inc., both d/b/a Despensa Familiar, of 34-36 Elm Street, Waltham, Massachusetts 02453, as Petitioner; and 109 Harvard Street Realty Trust, Walter R. Rojas and Lilian J. Rojas as Co-Trustees, as the Owner hereby petition the City Council of the City of Waltham for Extended Retail Hours under the provisions of Chapter 8, Article XIII of the General Ordinances of the City of Waltham for Despensa Familiar, 34-36 Elm Street to remain open between the hours of 5:00 AM and 9:00 PM on weekdays and Saturdays, and to remain open between the hours of 5:00 AM – 6:00 PM on Sundays.

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

- Page 60, Block 21, Lot 28 34-36 Elm Street

The above property is located entirely in a Business C Zoning District.

City Council Docket
June 11, 2018

Public Hearing
17-25

Davis Marcus Partners, Inc., c/o Marcus Partners, Inc., 260 Franklin Street, Suite 620, Boston, Massachusetts 02110, as the Petitioner, is respectfully seeking permission to excavate a section of Winter Street under the provisions of Section 17-25 of the General Ordinances of the City of Waltham for the purpose of widening and/or repaving (with related grading, striping, etc.) from approximately the Winter Street / Second Avenue intersection to the southerly driveway to 850-900-910-920-930-940 Winter Street. The subject premises is owned by the City of Waltham and is shown in the "Atlas City of Waltham, Massachusetts" as "Winter Street" on Maps 19, 29, and 30. All proposed work and street resurfacing to be done in accordance with the provisions of said Section 17-25.

Public Hearing
17-25

Petitioner, Charles P. Mantenuto, Trustee of BVG Trust, of 45 Leslie Road, Waltham, Massachusetts and owner of Lots "B-1" and "B-2" Lincoln Street (a portion of 53 Glen Circle), Waltham, Massachusetts (the "Locus") hereby petition the Waltham City Council for the necessary authorization under Art. I, § 17-25 to open the street at the Locus to allow access to underground utilities. All work and resurfacing shall be done in accordance with the requirements set forth in Art. 1, § 17-25 of the General Ordinances for the City of Waltham and to the satisfaction of the Director of Public Works.

Public Hearing (Recessed)
17-25

The City of Waltham Engineering Department, 119 School Street, Waltham, 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 586-588 Lexington Street. All work and resurfacing to be done in accordance with the provisions of said Section 17-25.

Communications from the Mayor

1. The Mayor respectfully requests an appropriation in the amount of \$195,000.00 to pay overtime expenses for the Fire Department for the remainder of the fiscal year.
2. The Mayor respectfully requests an appropriation in the amount of \$8,000.00 to fund the banking fees of the Parking Meters program for the remainder of FY2018. The fees are an expense of the pay-by-phone app and are dependent on the amount of activity by users.
3. The Mayor respectfully requests a transfer in the amount of \$10,000.00 for unemployment expenses for the remainder of FY2018.
4. The Mayor respectfully requests the following financing transactions totaling \$175,000.00 plus accrued interest to fund the reconstruction of the Church Street Parking Lot project. This amount will fund the award for the construction contract and police details for the project.

City Council Docket
June 11, 2018

5. The Mayor respectfully requests a transfer of funds in the amount of \$18,000.00 for the additional electrical supplies expenses that have been needed during the fiscal year for the Wires Dept.
6. The Mayor respectfully requests a transfer in the amount of \$12,000.00 for pre-employment physical expenses for the remainder of FY2018. This request is for new hires including eight (8) firefighters awaiting entrance to the Fire Academy.
7. The Mayor respectfully requests an appropriation of funds in the amount of \$127,500.00. These funds will be used to fund the sewer project in the Woerd Avenue bridge area.

Applications & Licenses

1. Secondhand Dealers License renewal -Compustar Inc. at 563 Moody Street – Danny Chang

Orders, Ordinances & Resolutions

- Pride Month Resolution Sponsored by Councillors Mackin, LaCava, Darcy, Harris

Committee Reports

License and Franchise

1. The License and Franchise Committee recommends the secondhand dealer license for Clean Out Your House, Inc. dba Buy & Consign in Waltham at 1250 Main Street be approved.

Finance Committee

1. The Finance Committee recommends the appropriation in the amount of \$250,000 for HVAC services and anticipated maintenance and utility bills for the remainder of the fiscal year be approved.
2. The Finance Committee recommends the acceptance of the FFY 2018 EOPSS Child Passenger Safety (CPS) Equipment Grant in the amount of \$2,625.00 be approved.
3. The Finance Committee recommends the transfer of traffic impact funds in the amount of \$14,000.00 to purchase a video detection system on Lexington Street be approved.
4. The Finance Committee recommends an appropriation in the amount of \$5,000.00 for the purchase of a copy machine in the Building Dept. be approved.
5. The Finance Committee recommends the acceptance of 50 Narcan Nasal Kits from the Newton Wellesley Hospital to the Health Dept. be approved.
6. The Finance Committee recommends the transfer of \$4,200.00 to fund the increase in the clothing allowance that was included in the collective bargaining agreement between the City and the Dispatcher's Union be approved.

City Council Docket

June 11, 2018

Long Term Debt & Capital Planning

1. The Long Term Debt & Capital Planning Committee recommends the transfer of capital improvement funds totaling \$17,855.00 to purchase one vehicle for the meter reading staff of the Engineering Dept., Water and Sewer Divisions be approved.
2. The Long Term Debt & Capital Planning Committee recommends the transfer of capital improvement funds totaling \$1,907.94 for the purchase of a laptop in the Clerk's Office to be used for automating the marriage license application process be approved.

Ordinances & Rules

1. The Ordinances and Rules Committee recommends the zoning ordinance amendment for cellular equipment at educational institutions be approved for a second reading.
2. The Ordinances and Rules Committee recommends time extension for One Moody Street, 45 Moody Street, 694, 696, 700, 710, 716 Main Street be approved.
3. The Ordinances and Rules Committee recommends the minor modification to Special Permit #33889 at 1074 & 1110 Lexington Street – Chipolte be approved.
4. The Ordinances and Rules Committee recommends the minor modification to Special Permit #25762 for the Bishops Forest Condo Association be approved.
5. The Ordinances and Rules Committee recommends the General Ordinance Amendment 17-25 Bond for Newly Paved Streets be approved for a first reading.

Unfinished Business & Other Business

- CPC recommendation for CPA funds Historic Preservation for windows at the Boiler House of the Lowell Mill for \$300,000.00
- CPC recommendation for CPA funds at Veteran's Field \$75,000.00
- CPC recommendation for CPA funds totaling \$800,000.00 for Affordable Housing vouchers at the Leland Home.
- CPC recommendation for CPA funds for the restoration of the Council Bowl and Cedar Hill fountain at the Girl Scouts Camp totaling \$379,500.00

Tabled Items

- Zoning Ordinance Amendment Section 3.264 Conservation, water & flood protection areas sponsored by Councillor Darcy
- Zoning Ordinance Amendment Article III, Section 3.13 Zoning District Map sponsored by Councillor Darcy
- Moderator to facilitate the joint meeting for the Waltham High School building project
- Chair of the Conservation Commission, the Chair of the Historical Commission the Chair of the Community Preservation Commission, the Traffic Engineer and the architect for the Waltham High School Project be invited to participate in the joint meeting of the Waltham City Council, the Waltham School Committee, the Waltham School Building Committee and the Mayor

City Council Docket
June 11, 2018

- Joint meeting of the Waltham City Council, the Waltham School Committee, the Waltham School Building Committee and the Mayor be scheduled to discuss the Waltham High School building project
- Communication from Mayor dated July 3, 2017 regarding Veterans Fields on Forest Street, Gann Academy and Bentley University, Community Preservation Act Fernald Land and the Massachusetts Historical Commission Letter

City Council Docket
June 11, 2018

City Council Rule 58
For Informational Purposes Only

1. Communication from the Mayor's Office regarding 380 Lexington Street being listed on the Waltham Historical Commission Docket for Monday, June 11, 2018 at 7 p.m.
2. Communication from Waltham Fields Farm Community
3. Communication from Waltham Land Trust regarding Waltham High School
4. Communication from Waltham Land Trust regarding Waltham Field Station
5. Communication from Superintendent Drew Echelson to City Council regarding WHS