

***City Council Docket
September 14, 2020***

The Waltham City Council will meet in the Auditorium at Government Center, 119 School Street, Waltham, MA on Monday, September 14, 2020 at 7:30 pm. The following matters and others may be considered.

Approval of Minutes

Special Meeting of 8/3/2020

Special Meeting of 8/6/2020-Called by Council President

Special Meeting of 8/6/2020-Called by Mayor

Notice is hereby given that the City Council and the Board of Survey and Planning will hold a Joint Public Hearing in the Government Center Auditorium, 119 School Street, Waltham, Massachusetts, on Monday, September 14, 2020 at 7:30 p.m. on the following proposed amendment to the Zoning Ordinance:

Public Hearing

Zoning Amendment

Article IX of the Zoning Ordinance of the City of Waltham, entitled "Affordable Housing," as most recently amended, is hereby further amended as follows:

Article IX, Section 9.142, entitled "Assignment," as most recently amended, is hereby further amended by adding a new sentence following the first sentence. The new sentence shall read as follows:

"Provided, however, that if a proposed development will contain more than 18 dwelling units, then the applicant shall sell, lease or otherwise assign, at reduced prices, a specific number of dwelling units which equal twenty percent (20%), rather than fifteen percent (15%), of the total number of dwelling units in the proposed development, to individuals and/or families meeting the income guidelines below."

Article IX, Section 9.143, entitled "Fee in lieu of dwelling units," as most recently amended, is hereby further amended by adding a new sentence following the third sentence. The new sentence shall read as follows:

"Provided that for proposed developments of more than eighteen (18) dwelling units, the percentage of total development costs to be calculated as identified in the preceding sentence and below shall be twenty percent (20%) rather than the fifteen percent (15%) required to be calculated for developments of eight (8) to eighteen (18) dwelling units."

Public Hearing

Grant of Location

Nationalgrid hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the City of Waltham and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install and maintain approximately 465' of 4" CS LP (1965) (DWAL0071) gas main with 465' of 6" PL LP in Jennings Rd from #57 Jennings Rd to Woodland Rd.

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--- 350' of 6" CI (1929) and 230' of 4" CS (1951) (NWAL0000) LP gas main with 580' of 6" PL LP in Woodland Rd from Prospect Hill Rd to Jennings Rd.

--- 270' of 4" CS (1950/1962) (NWAL0000/DWAL0120) LP gas main with 270' of 6" PL LP in Upland Rd from Woodland Rd to #62 Upland Rd.

Public Hearing
Special Permit

Waltham MSG LLC, c/o The Grossman Companies, Inc., One Adams Place, 859 Willard Street, Suite 501, Quincy, Massachusetts 02159, as Petitioner and 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 two drive-thru automated teller machines (ATMs) associated with a proposed bank.

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

- Page 14, Block 5, Lot 1 1111 Lexington Street

The subject premises are also partially located in the Town of Lexington as:

- Tax Map 5, Lot 13 1060 Waltham Street

The Waltham portion of the property is located entirely in a Business A Zoning District.

Public Hearing
Special Permit

New Creek, LLC, 3333 New Hyde Park Road, Suite 100, New Hyde Park, New York, 11042, and CBRE, 105 Federal Street, Floor 5M, Boston, MA, 02110, as Petitioners and Owner and Property Manager, respectively, hereby petition the City Council of the City of Waltham to (1) grant a special permit pursuant to §3.4 and §3.635 of the City of Waltham Zoning Ordinance (Zoning Ordinance) to authorize a Drive-In Customer Service Use (defined in §3.225 of the Zoning Ordinance to include an automated banking facility) for a drive-through automated teller machine (ATM), (2) grant an extension special permit pursuant to §6.746 of the Zoning Ordinance to allow an extension of the hours of sign illumination otherwise required under §6.743 of the Zoning Ordinance to allow continuous illumination of the ATM (i.e., for 24-hours per day), and (3) amend City Council Order #28146, dated May 28, 1996, to authorize a modification to the existing parking layout to accommodate the ATM.

These changes are being proposed to allow the construction of a drive-through ATM over portions of the existing surface parking lot.

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

- Map R061, Block 009, Lot 0002 49-53 Linden Street

The above property is located entirely in a Business B District.

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Public Hearing
Fuel Storage License

In accordance with Chapter 148 of the Massachusetts General Laws and Chapter 8 of the General Ordinances of the City of Waltham, McAdam Development LLC of 100 Worcester Lane, Waltham, MA petition the City Council to allow a 1,000-gallon underground propane tank to be installed for an all-heat propane home on the premises of 143 Worcester Lane to be installed by Eastern Propane of 28 Industrial Way, Rochester, NH 03867.

Public Hearing
Fuel Storage License

In accordance with Chapter 148 of the Massachusetts General Laws and Chapter 8 of the General Ordinances of the City of Waltham, McAdam Development LLC of 100 Worcester Lane, Waltham, MA petition the City Council to allow a 500-gallon underground propane tank to be installed for an all-heat propane home on the premises of 133 Worcester Lane to be installed by Eastern Propane of 28 Industrial Way, Rochester, NH 03867.

Communications from the Mayor

1. The Mayor respectfully requests approval of a transfer of funds in the total amount of \$728,291.66 to pay for the acquisition cost and related legal fees for the property located at 89-91 Maple Street, Waltham.
2. The Mayor respectfully requests, without Committee reference, the authorization to sign the Project Funding Agreement (PFA) between Massachusetts School Building Authority (MSBA) and the City of Waltham.
3. The Mayor respectfully requests acceptance of the proposed Conservation Restriction on City-owned land at No. 0 Chesterbrook Road (aka 605R Lexington Street) showing Lot 42 and a 150 ft. buffer from the westerly and southerly boundary lines containing 5.9 acres of land.
4. The Mayor respectfully requests a transfer of funds in the amount of \$17,950 to purchase and install an ornamental fence and gates around the Circle of Remembrance.
5. The Mayor respectfully requests the acceptance of a grant renewal through the Executive Office of Public Safety and Security State 911 Department in the amount of \$226,271 for the State 911 PSAP Grant – FY2021.
6. The Mayor respectfully requests acceptance of the State 911 Department Training Grant renewal in the amount of \$24,001.19. It is a reimbursement grant for training related costs associated with the 911 system.
7. The Mayor respectfully requests acceptance of a gift of pumpkins from Charles Mantenuto.
8. The Mayor respectfully reports the tentative agreement regarding the 210 Moody Street – air rights lease terms and is available to discuss further.

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Applications and Licenses

- Transfer of a lodging house license: 124-126 Ash Street, Ash Street Lodging LLC –Scott Hefter

Orders, Ordinances & Resolutions

- Resolution Concerning Latinx Heritage Month
- Resolution Honoring Cornelia Warren
- Providing Clean Water for Elinor Circle Residents Resolution
- Linden Street Sidewalks Resolution
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Unfinished Business & Other Business

- Minor Modification to Special Permit Order #34493 at 300 Third Avenue

Tabled Items

- Open Meeting Law Complaint, 3-23-2020 Docket

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Rule 58
For Informational Purposes Only