

City Council Docket
May 22, 2017

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, May 22, 2017 at 7:30 pm. The following matters and others may be considered.

Approval of Minutes from Council Meetings:

Public Hearings
17-25 Street Opening

In accordance with Chapter 17-25 of general ordinances of the City of Waltham, Albert Zagame, 198 Lowell St, Waltham, MA, hereby petitions the City Council to grant special permission to curb-cut for drive-way opening for property being constructed at 198 Lowell St. on the Robbins St. side of property in spite of the fact that this portion of Robbins St was paved within the past 5 years.

Special Permit

The Waltham City Council will hold a public hearing on Monday, May 22, 2017 at 7:30 p.m., in the City Council Chambers at City Hall, 610 Main Street, Waltham, MA on the following Petition of Kimco Realty Corp. (Applicant), for the issuance of a Special Permit, as it relates to 375 Main Street and 49-53 Linden Street, Waltham, MA (Assessors sheet/block/parcels R061 009 0002; R061 009 0001 (project locus), as follows:

A Special Permit under the provisions of §3.552 (City Council Order No.: 28146, May 28, 1996) of the Zoning Ordinance of the City of Waltham (“Zoning Ordinance”) to permit the addition of a retail gasoline station, a by-right use at the locus, with associated site improvements (“project”) to the existing use of the locus, which is a retail and fast-food center.

Said project locus is located in the Business B (BB) Zoning District.

Special Permit

The Davis Companies, of 125 High Street, 21st Floor, Boston, Massachusetts 02110, as Petitioner; and DIV Waltham Main Street, LLC, c/o The Davis Companies, 125 High Street, 21st Floor, Boston, Massachusetts 02110 as the Owner hereby petition the City Council of the City of Waltham to grant a special permit for an increase in Floor Area Ratio (FAR) to 1.12 pursuant to §3.511 and §3.521 of the Zoning Ordinance of the City of Waltham.

The subject premises is the parcel of land known and numbered as 1025-1075 Main Street (“Locus”), shown in the “Atlas City of Waltham, Massachusetts” as follows:

- Page 58, Block 10, Lot 6 1013 Main Street
- Page 58, Block 10, Lot 11 1037 Main Street
- Page 58, Block 10, Lot 12 1025 Main Street
- Page 58, Block 11, Lot 1 17 Lunda Street
- Page 58, Block 11, Lot 2 1055 Main Street

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

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Communications from the Mayor

1. The Mayor respectfully requests the appointment of Susan Piantedosi of 1114 Main Street, as a member of the Waltham Board of Health.
2. The Mayor respectfully requests acceptance of the FFY 2017 Underage Alcohol Enforcement Grant in the amount of \$4,991.90 awarded to the City of Waltham Police Department from the Executive Office of Public Safety and Security (EOPSS).
3. The Mayor respectfully requests an appropriation of \$1,000 from account #232-480-3590-3590 Parking Meters Unreserved Fund Balance to account #232-480-5800-6422 for the purchase of 400 residential stickers and 400 visitor hang tags. These funds will be used to initiate a “Pilot Residential Sticker Program” during September or October 2017 for the following streets and times.
 - Flood Street – all hours
 - Friend Street – all hours
 - John Street – all hours
 - Moore Street – all hours
 - Oak Street (from Moore to Cedar) – all hours
 - Cedar Street (from Oak to Calvary) – all hours
 - Calvary Street (from Cedar to Flood) 5:00 pm to 6:00am only
4. The Mayor respectfully requests the transfer of School Department Capital Improvement Program funds totaling \$778,868.00 from the accounts listed below to various School Department Capital Improvement Program accounts:
 - #215-135-7414-5205 Stabilization – School Projects
 - #330-300-2000-6000 School CIP – General
 - #330-300-2006-6000 School CIP – General
 - #330-300-2012-6000 School CIP – General
 - #330-300-2013-6000 School CIP – General

Resolutions

1. Stigmatine Property – Sponsored by Councillors Logan, Fowler, D. LeBlanc and others
2. Planning Board– Sponsored by President LeBlanc and Councillor Vidal

Committee Reports

Public Works and Public Safety Committee

1. The Public Works and Public Safety Committee recommends that the petition for a street opening under Section 17-25 of the General Ordinances for Rumble Seat LLC at 746 South Street be approved.

Licenses and Franchises

1. The Licenses and Franchises Committee recommends that a Second Hand Dealers License for Descar Inc. DBA Descar Jewelry Design, Ltd be approved.

Economic and Community Development

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1. Economic and Community Development Committee recommends that the transfer of care and control of 114 Church Street to the Recreation Department be approved.

Committee of the Whole

1. The Committee of the Whole recommends that the taking order for the Stigmatine property be denied.

Finance Committee

1. The Finance Committee recommends that an appropriation of funds in the amount of \$34,000 from the Library State Grant #224-610-1065-5205 to Library Educational Expenses #001-610-5200-5510 be approved.
2. The Finance Committee recommends that the acceptance of the gifts of one large framed picture of the City of Waltham c.1898 and three small framed photos of the house at 380 Lexington Street, Waltham, from Khoren Dertsakian and Voski Simonian be approved.
3. The Finance Committee recommends that the acceptance of a gift of goods and services to the Waltham Historical Commission and the Paine Estate for painting the dining room ceiling and restoring woodwork and fireplace tiles in the northeast bedroom of the house be approved.
4. The Finance Committee recommends that an appropriation in the amount of \$100,000 from Unreserved Fund Balance to account #001-420-5800-6310 CPW-Tree Preservation Program be approved.
5. The Finance Committee recommends an appropriation in the amount of \$100,000 from Unreserved Fund Balance to account #001-215-5100-5131 Dispatch-Overtime be approved.
6. The Finance Committee a transfer of funds in the amount of \$163,858.00 to award the low and responsible bid for the surface reconstruction of Willard Street be approved.
7. The Finance Committee recommends an appropriation in the amount of \$80,000.00 from Unreserved Fund Balance to account #001-220-5100-5131 Fire-Overtime be approved.

Ordinances & Rules Committee

- 1.The Ordinances and Rules Committee recommends that an ordinance amending Chapter 10 of the General Ordinances of the City of Waltham, entitled "OFFENSES—MISCELLANEOUS," by adding Article V. Nuisance Property be given for a second reading.
- 2.The Ordinances and Rules Committee recommends that an ordinance amending Chapter 1 of the General Ordinances of the City of Waltham, Enforcement of Municipal Ordinances, by adding enforcement provision for Nuisance Properties be given a second reading.
- 3.The Ordinances and Rules Committee recommends the Special Permit for Cellco Partnership d/b/a Verizon Wireless at 1077 Lexington Street be approved.

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Unfinished Business & Other Business

- Time Extension for Special Permit for Rumble Seat LLC at 746 South Street
- Request for an extension of time to complete work BP Third Avenue LLC, 186-194 Third Ave and 95 Forth Ave
- Community Preservation Committee appropriation of \$50,000 for preservation of historic stone walls

Tabled Items

- Minutes from 1/23/2017
- 554 Lexington Street
- 950 Winter Street Fuel Storage License

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City Council Rule 58