

**City Council Docket**  
**June 12, 2017**

The Waltham City Council will meet in the Council Chamber at City Hall, 610 Main Street, Waltham MA on Monday, June 12, 2017 at 7:30 pm. The following matters and others may be considered.

**Approval of Minutes from Council Meetings:**

5/22/2017 5/8/2017 (Special Meeting) 5/12/2017 (Special Meeting)

**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 May 12, 2017 and filed herewith, under the following public way or ways of said City:

Lincoln Street - Southwesterly from pole 172/76 approximately 45 feet southeast of Wyman Street a distance of 5 ± feet of conduit

**Public Hearing**  
**17-25**

Maria and John Bombara of 25 Wetherbee Road, Waltham, Massachusetts and owner of 25 Wetherbee Road, Waltham, Massachusetts hereby petitions the City Council for the necessary authorization to open the street at 25 Wetherbee Road, Waltham to Grant access to the underground utilities at the property.

The Property is shown in Atlas Page 517 68072, block R066 010 0011.

The property is situated in the Residence A-3 Zoning District.

**Public Hearing**  
**17-25**

The Nationalgrid, 40 Sylvan Rd., Waltham, MA, petitions the Waltham City Council for permission under the provisions of Section 17-25 for the mill and overlay of the newly paved section of the road for a distance of 165 feet at the intersection of Fairfax Rd. and Highland Ave. and 100 feet on Longfellow Rd. Nationalgrid inadvertently crossed over the town line in Watertown into Waltham as part of a gas main replacement project. Nationalgrid had a valid permit to construct in the Town of Watertown, but not in the City of Waltham for this portion of roadway. All work and resurfacing will be done in accordance with the provisions of said Section 17-25 and the Waltham DPW including damaged road crossing markers.

**Public Hearing**  
**17-25**

The Nationalgrid, 40 Sylvan Rd., Waltham, MA, petitions the Waltham City Council for permission under the provisions of Section 17-25 for the replacement of the existing 3 inch cast iron gas main with a 6 inch plastic main for a distance of 1240 feet on Fiske Ave., a newly paved

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street, from Villa St. northerly to Weston St.; and for the replacement of 210 feet of 6 inch cast iron main with a 6 inch plastic main on Winthrop St. from Fiske Ave., easterly to Cabot St. All work and resurfacing will be done in accordance with the provisions of said Section 17-25 and the Waltham DPW.

**Public Hearing**  
**Fuel Storage**

BP Bay Colony LLC, c/o Boston Properties Limited Partnership, 1000 Winter Street, Waltham, MA 02451, hereby petitions the City Council to amend the Fuel Storage License for the property located at 1000 Winter Street, Waltham, MA, to add a new 120 gallon propane aboveground storage tank to serve the multi-use office building at the property. The aforementioned tank would be in addition to the 550 gallon No. 2 fuel oil aboveground storage tank, 120 gallon propane aboveground storage tank, fire pump 300 gallon aboveground tank, and 416 car garage parking spaces already licensed at the 1000 Winter Street property.

Said property is shown on the City of Waltham Atlas Page 10, Block 001, Lot 0004 and is in a Limited Commercial Zoning District.

**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, Rumbleseat, LLC, 315 Franklin Street, Newton, MA hereby petitions the City Council to locate covered parking for 44 vehicles on the premises at 746 South Street.

The property is shown in Atlas, Map R79, Block 005, Lot 07. Property is in a Commercial District.

**Public Hearing**  
**Fuel Storage**

BP Bay Colony LLC, c/o Boston Properties Limited Partnership, 1000 Winter Street, Waltham, MA 02451, hereby petitions the City Council to amend the Fuel Storage License for the property located at 1050 Winter Street, Waltham, MA, to add a new 100 gallon propane aboveground storage tank to serve the multi-use office building at the property. The aforementioned tank would be in addition to the 225 gallon diesel fuel generator tank and 150 car garage parking spaces already licensed at the 1050 Winter Street property.

Said property is shown on the City of Waltham Atlas Page 09, Block 002, Lot 0003 and is in a Limited Commercial Zoning District.

**Public Hearing**  
**Fuel Storage**

BP Bay Colony LLC, c/o Boston Properties Limited Partnership, 1000 Winter Street, Waltham, MA 02451, hereby petitions the City Council to amend the Fuel Storage License for the property located at 950 Winter Street, Waltham, MA, to replace the currently licensed 450 gallon fuel oil aboveground storage tank with a 546 gallon fuel oil aboveground storage tank and add a new 120 gallon propane aboveground storage tank to serve the multi-use office building at the property. The aforementioned tanks would be in addition to the 600

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gallon aboveground storage tank and 206 garage parking spaces already licensed at the 950 Winter Street property.

Said property is shown on the City of Waltham Atlas Page 10, Block 001, Lot 0005 and is in a Limited Commercial Zoning District.

**Public Hearing**  
**Special Permit**

Charles P. Mantenuto, Petitioner and BVG Trust, Charles P. Mantenuto, Trustee, Owner hereby petition the City Council for the necessary Special Permit pursuant to the provisions of Article 3, Sections 3.511 and 3.521 of the Zoning Ordinance for the City of Waltham for an increase in intensity of use (Floor Area Ratio (FAR) to .79712)) for the construction of a nine (9) unit residential building on the property known as 185 Willow Street.

The property is shown in Atlas Page 071, Block 001, Lot 0012. The property is situated in the Business A Zoning District.

**Public Hearing**  
**Special Permit**

The Dog Retreat and Spa LLC, 21 Jones Road, Weston, Massachusetts 02493 and the 221 Bear Hill Road LLC, 195 Marsh Street, Belmont, Massachusetts 02478, collectively as Petitioners, hereby petition the City Council for a Special Permit pursuant to §3.5 and §3.644 of the Ordinance to operate a kennel for the keeping of one pack or collection of dogs on the locus as defined by §3.226E, including boarding and/or dog and cat day care.

The locus is known and numbered as 219 Bear Hill Road and is shown in the “Atlas, City of Waltham, Massachusetts 1988”, as Map 48, Block 2, Lot 4.

The property is situated in a Commercial Zoning District.

The legal owner of the locus is the 221 Bear Hill Road LLC, 195 Marsh Street, Belmont, Massachusetts 02475.

**Communications from the Mayor**

1. The Mayor respectfully requests an appropriation in the amount of \$7,000 from Unreserved Fund Balance to account #001-175-5800-6630 Planning-Survey (Hazardous Materials Abatement-Greene Bldg). These funds will be used to conduct a survey for the hazardous materials abatement at the Greene Building located on the Fernald property.
2. The Mayor respectfully requests an appropriation of funds in the amount \$27,202.00 to purchase a new large format Plotter/Scanner/Copier System for the Water/Sewer Department. The current machine is ten years old and is no longer supported by the manufacturer with parts replacement or software updates.
3. The Mayor respectfully requests approval of the Nathaniel at banks Condo Bid for Unit #105 sales price of \$309,000.00. The list price was \$280,000.00.
4. The Mayor respectfully requests a transfer of capital improvement funds in the amount of \$11,000 from account #310-192-2010-6000 Building-General to account #310-192-2010-6260

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Building-Central Fire Station. The funds will be used to install a new control system at the Central Fire Station for their HVAC system.

5. The Mayor I respectfully requests a transfer in the amount of \$35,000.00 from account #001-193-5200-5210 Building - Utilities to account #001-192-5200-5245 Building – Repairs & Maintenance. The funds will be used to pay repair bills incurred and anticipated expenses to June 30, 2017.

6. The Mayor respectfully requests a transfer of capital improvement funds totaling \$20,200.00 to fund the purchase of two (2) stainless steel dump beds for two (2) existing one-ton dump trucks. The trucks are in good working condition, but the dump bodies are rotting and in need of replacement.

FROM:

#310-420-2008-6000	CPW-General	\$ 700.00
#310-420-2010-6448	CPW-Dump Truck	\$ 1,473.55
#310-420-2013-6000	CPW-General	\$ 3,293.41
#310-420-2014-6000	CPW-General	\$ 1,585.45
#310-420-2017-6445	CPW-Backhoe	\$11,129.09
#001-420-5800-6000	CPW-General	\$ 2,018.50

TO:

#310-420-2008-6451	CPW-Dump Bodies	\$ 700.00
#310-420-2010-6451	CPW-Dump Bodies	\$ 1,473.55
#310-420-2013-6451	CPW-Dump Bodies	\$ 3,293.41
#310-420-2014-6451	CPW-Dump Bodies	\$ 1,585.45
#310-420-2017-6451	CPW-Dump Bodies	\$11,129.09
#001-420-5800-6451	CPW-Dump Bodies	\$ 2,018.50

7. The Mayor respectfully a transfer and an appropriation in the total amount of \$325,000.00 to pay the trash/recycling collection costs for the remainder of FY2017. These additional funds are needed as the result of a new trash/recycling collection contract that was effective January 1, 2017.

8. The Mayor respectfully requests a transfer of funds totaling \$29,000.00 (as itemized below) to fund the first year (FY2017) of the three year collective bargaining agreement between the City and the Managers' Union for the period July 1, 2016 to June 30, 2019. In addition, the contract includes agreement on reforms the City was seeking pertaining to Other Post-Employment Benefits (OPEB) and the use of Global Positioning System (GPS) in City vehicles.

9. The Mayor respectfully requests an opportunity on Monday, June 12, 2017 sometime after 8 p.m. to update you in person on the Stigmatine property.

10. The Mayor requests for the City Council to negotiate the purchase, and that the property be made available for the site for a new Waltham High School. Enclosed please find a copy of the June 1, 2017 votes of the Waltham School Committee and Waltham School Building Committee

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regarding the Stigmatine Fathers and Brothers property. The Waltham School Committee, the Waltham School Building Committee and I are available to answer any questions you may have regarding these requests.

**Applications for Licenses and Permits**

1. Application for Tables and Charis on Sidewalk – 367 Moody Street – Lizzy’s Ice Cream
2. Class 2 Motor Vehicle Renewal – 1486 Main Street – European Auto Solutions, LLC

**Orders and Resolutions**

1. Zoning Opinion Resolution – Sponsored by Councillor Logan
2. Climate Action Agenda Resolution – Sponsored by Councillor Logan
3. CPC Housing Advice Resolution – Sponsored by Councillor Vidal and President LeBlanc
4. Mary Early Foot Bridge Order
5. Highland Street Spur Order

**Committee Reports**

**Long Term Debt Committee**

1. The Long Term Debt Committee recommends the School Department’s CIP transfer of \$778,868.00 be approved.
  
2. The Long Term Debt Committee recommends CPC application for \$50,000 for preservation of historic stonewalls be approved.

**Committee of the Whole**

1. The Committee of the Whole recommends the appointment of Susan Piantedosi of Main Street, Waltham as a member of the Board of Health be approved.

**Finance Committee**

1. The Finance Committee recommends the Underage Alcohol Enforcement Grant for \$4,991.90 be approved.

**Ordinances & Rules Committee**

1. The Ordinances and Rules Committee recommends the time extension for BP Third Venue LLC to act on a special permit at 214 Third Avenue, 186-194 Third Avenue and 95 Fourth Avenue be approved.
  
2. The Ordinances and Rules Committee recommends the Special Permit for Rumbleseat at 746 South Street approved.
  
3. The Ordinances and Rules Committee recommends the Resolution regarding street numbers on properties be filed.
  
4. The Ordinances and Rules Committee recommends the Resolution Regarding Section 18-9 be filed.

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5. The Ordinances and Rules Committee recommends the Resolution regarding Gas Company Grant of Location be filed.

6. The Ordinances and Rules Committee recommends the Marijuana Resolution be filed.

**Public Works & Public Safety**

1. The Public Works and Public Safety Committee recommends Street Opening for the Robins Street side of 198 Lowell Street be approved.

2. The Public Works and Public Safety Committee recommends an order establishing a hearing date for the reconstruction of sidewalks on Harrington Road be approved.

**Unfinished Business & Other Business**

- CPC Appropriation of \$10,950 for Kelley Hall & Shriver Center
- CPC Appropriation for \$409,310 for Design of Wayside Trail
- CPC Appropriation for \$891,004 for Asbestos Abatement at 20 buildings on Fernald Property.
- Letter from Costco requesting law opinion
- WCAC-TV invoice for \$240.00
- Gracie's Kitchen Invoice for \$194.00
- 209 – 251 Moody Street & 15-21 Crescent Street Special Permit Modification

**Tabled Items**

- Minutes from 1/23/2017, 5/8/2017
- 950 Winter Street Fuel Storage License
- 14 Church Street

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**City Council Rule 58**  
For Informational Purposes Only

1. Communication from the Mayor regarding claim against City of Waltham
2. Green Energy Initiatives Request for Ordinances
3. Enclosed please find a copy of bond counsel's opinion regarding the \$18M bond authorization for the Stigmatine property. The \$18M cannot be used for a conservation restriction.