

**CITY OF WOBURN
JUNE 20, 2017 - 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
Campbell	Higgins
Concannon	Mercer-Bruen
Gaffney	Tedesco
Haggerty	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE.

MAYOR'S COMMUNICATIONS:

ORDERED That the sum of \$23,000.00 be and is hereby appropriated from Cemetery Interest Fund and distributed as follows for Fiscal Year 2018: \$2,000.00 to Utility Acct 0149052-521103, \$7,000.00 to New Equipment 0149058-586600, \$2,000.00 to Office Supplies 0149054-542000, \$3,000.00 to Equip/Bldg Main 0149054-543000, \$5,000.00 to Tools/Supplies Acct 0149054-506100, \$4,000.00 to Over-Time Acct 0149051-513100.

s/Alderman _____

PUBLIC HEARINGS:

On the petition by NStar Electric Company d/b/a Eversource Energy for a grant of right in a way on Wyman Street southwesterly from pole 242/20 approximately 37 feet north of Brae Circle a distance of about 40 feet to install conduit, Wyman Street easterly from pole 242/21 approximately 25 feet west of Brae Circle a distance of about 22 feet to install conduit, and Brae Circle at and southerly at intersection of Wyman Street a distance of about 2274 feet to install conduit. PUBLIC HEARING OPENED.

On the petition by NStar Electric Company dba Eversource Energy and Verizon New England Inc. for a grant of right in a way in Lowell Street as follows: 1. Southwesterly side at Pilgrim Road and continuing southeast remove three (3) joint occupancy poles, pole 136/16, pole 136/15 and pole 136/14; 2. Northeasterly side at Pilgrim Road and continuing southeast install three (3) joint occupancy poles, pole 136/16, pole 136/15 and pole 136/14; 3. Southwesterly side at Pilgrim Road install one (1) anchor guy on pole

136/17, and 4. Southwesterly side at Hart Place install one (1) anchor guy on pole 136/11.
PUBLIC HEARING OPENED.

On the petition by NStar Electric Company dba Eversource Energy and Verizon New England Inc. for a grant of right in a way as follows: 1. In Salem Street on the northerly side beginning at Hancock Street to relocate one (1) joint occupancy pole 191/51, relocate six (6) joint occupancy poles pole 191/52, 191/53, 191/54 with anchor guy, 191/57 with anchor guy, 191/58, and 191/59, and install one (1) new pole pole 191/53½; 2. In Pine Street on the northerly side east of Salem Street, to relocate two (2) joint occupancy poles pole 175/3S and pole 175/4S; and 3. In Pine Street on southerly side east of Salem Street, to relocate two (2) joint occupancy poles pole 175/3 and pole 175/4.
PUBLIC HEARING OPENED.

On the petition by Minast, LLC, 11 Presidential Way, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, to modify a special permit dated January 9, 2014, as modified by decisions dated October 29, 2015 and August 11, 2016 to allow for the deletion or modification of Condition 3 of the Decision relative to mitigation at Lot 1, Presidential Way. PUBLIC HEARING OPENED.

On the petition by Madison Woburn Holdings, LLC, 333 Newbury Street, Suite 201, Boston, Massachusetts 02115, as individual owning land to be affected by change or adoption pursuant to M.G.L. Ch. 40A, Sec. 5, to amend the 1985 Woburn Zoning Ordinances, as amended, Section 2 Definitions by amending the definition of Mixed Use Hotel/Restaurant as follows: "Mixed Use Hotel/Restaurant: A mix of hotel, restaurant or other permitted uses in one building or in separate building on one development lot."
PUBLIC HEARING OPENED.

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Order to accept General Laws Chapter 44, Section 53F¾ relative to the PEG Access and Cable Fund.

On the Order to transfer the sum of \$2,014.95 from Planning Salary Acct to Planning/Advertising Acct.

On the Order to transfer the sum of \$31,884.00 from Essex North Shore Agr. School Acct to Short Term Interest Acct.

NEW PETITIONS:

Petition by New England Orienteering Club, Inc., 9 Cannon Road for a Special Event Permit to allow a navigation and orienteering competition at Horn Pond on August 20, 2017.

A communication dated June 8, 2017 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: ExecuSpace Construction Company, 140 Garfield Avenue, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent ExecuSpace Construction Corporation in connection with a Landowner’s Decision and Notice of Special Permit issued by the City Clerk on August 11, 2005 as extended by Notice of Extension issued by the City Clerk on May 21, 2007, May 6, 2009, June 9, 2011m July 18, 2013 and July 16, 2015 (the “Special Permit”) which Special Permit was extended to August 11, 2017. As a result of the current status of the economy, construction has not commenced pursuant to said Special Permit.

On behalf of the Petitioner, I respectfully request that the City Council further extend the time period for the Petitioner to exercise its rights under the Special Permit for an additional two (2) year period to August 11, 2019.

Should you need any further information, please do not hesitate to contact me. Thank you.

Very truly yours, s/Joseph R. Tarby, III

A communication dated June 8, 2017 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: 4-K Realty Trust, 27 Montvale Avenue, Woburn, MA

Dear Mr. Campbell:

Please be advised that I represent 4-K realty Trust in connection with a Landowner’s Decision and Notice of Special Permit issued by the City Clerk on August 14, 2003, as

amended by a Landowner's Confirmatory Decision and Notice of Special Permit issued by the City Clerk on January 12, 2004, as extended by Notice of Extension of Special Permit issued by the City Clerk on June 14, 2005, May 21, 2007, May 6, 2009, June 9, 2011, July 18, 2013 and July 26, 2015 (the "Special Permit") which Special Permit was extended to August 14, 2017.

On behalf of the Petitioner, I respectfully request that the City Council further extend the time period for the Petitioner to exercise its rights under the Special Permit for an additional two (2) year period to August 14, 2019.

Should you need any further information, please do not hesitate to contact me. Thank you.

Very truly yours, s/Joseph R. Tarby, III

Petition by Jennifer Hardin and Scott Hardin, 35 Avalon Road, Reading, Massachusetts 01867 for a special permit to amend a special permit issued June 11, 2015 to allow an existing structure to be demolished and a new structure built using the same footprint in accordance with the plan of record dated January 20, 2015 at 19R Traverse Street.

COMMUNICATIONS AND REPORTS: None.

UNFINISHED BUSINESS OF PRECEDING MEETING:

On the Order to transfer the sum of \$18,000.00 from Auditor Salary Acct to Short Term Interest Acct. Motion made and 2nd to take the matter from the table, all in favor, 9-0.

On the Order to transfer the sum of \$137,000.00 from Employees Insurance Acct to Workers Compensation Acct, Unemployment Comp Acct and Medicare Match Acct.

On the Order entered March 9, 2017 pursuant to M.G.L. Chapter 139, Section 1, et.seq. declaring the property located at 52-54 High Street a nuisance as such term is used therein.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That in accordance with a precept issued by President of the Massachusetts Senate Stanley Rosenberg by Order of a majority of the Senators and in accordance with Massachusetts General Laws Chapter 54, as amended, the City Clerk is hereby authorized and directed to notify and to warn such of the inhabitants of the City of Woburn as are qualified to vote in Special State Elections to assemble at the polling places in their respective wards as designated herein, on **TUESDAY, the TWENTY-FIFTH DAY OF JULY, 2017** from 7:00 a.m. to 8:00 p.m., then and there to cast their votes in the Special State Election for the candidates for the office of **STATE SENATOR FOR THE FOURTH MIDDLESEX DISTRICT** at the following polling places:

Ward-Precinct Polling Place Location

- 1-1 Joyce Middle School Gymnasium, 55 Locust Street
- 1-2 Joyce Middle School Gymnasium, 55 Locust Street
- 2-1 Shamrock Elementary School Gymnasium, 60 Green Street
- 2-2 Shamrock Elementary School Gymnasium, 60 Green Street
- 3-1 Hurd Elementary School Gymnasium, 75 Bedford Road
- 3-2 Hurd Elementary School Gymnasium, 75 Bedford Road
- 4-1 Wyman Elementary School Auditorium,
Main Street and Eaton Avenue
- 4-2 White Elementary School Gymnasium, 36 Bow Street
- 5-1 Goodyear Elementary School Gymnasium, 41 Central Street
- 5-2 Goodyear Elementary School Gymnasium, 41 Central Street
- 6-1 Altavesta Elementary School Gymnasium, 990 Main Street
- 6-2 Altavesta Elementary School Gymnasium, 990 Main Street
- 7-1 Reeves Elementary School Gymnasium, 240 Lexington Street
- 7-2 Reeves Elementary School Gymnasium, 240 Lexington Street

s/Alderman _____

ORDERED That the public hearing on the Order to amend the 1985 Woburn Zoning Ordinances, as amended Section 8.3 to establish a downtown parking enhancement fund scheduled for September 5, 2017 be changed to July 18, 2017.

s/Alderman Anderson

Motion made and 2nd to ADJOURN.