

**CITY OF WOBURN
SEPTEMBER 5, 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:

A communication dated August 31, 2017 was received from His Honor the Mayor Scott D. Galvin with attachment as follows:

Re: Complete Streets Program and Policy

Dear Aldermen:

It is my pleasure to submit to you for adoption a proposed "Complete Streets" policy for the City of Woburn. The policy will ensure that local roadway construction projects are consistent with State transportation guidelines and will make the City eligible for over \$400,000 in grant funding.

By way of background, "Complete Streets" is a comprehensive philosophy adopted by Massachusetts' Department of Transportation (MADOT) that requires safe and appropriate accommodations be provided for all eventual users of a roadway, not just motorists. The State integrated the philosophy into its construction and design standards 18-24 months ago and now offers grants to communities that adopt similar principles in policy and practice.

A Complete Street is one that provides safe and accessible options for all travel modes - walking, biking, transit and vehicles - for people of all ages and abilities. Designing streets with these principles contributes to the safety, health, economic viability and quality of life in a community by improving the pedestrian and vehicular environments. Providing safer, more accessible and comfortable means of travel between home, school, work, recreation and retail destinations helps promote more livable communities. The Complete Streets Funding Program was launched by the State on February 1, 2016 and provides technical assistance and project funding to foster the inclusion of Complete

Streets principles on local roads. The attached policy for Woburn was drafted consistent with the requirements of this Program.

Once adopted by the City Council, Woburn's Complete Street Policy will be submitted to and reviewed by MADOT. If it is deemed acceptable, the City will then receive State funding to hire a consultant to develop a Complete Streets Prioritization Plan. The Prioritization Plan will be based on existing City documents like the Capital Improvement and Open Space and Recreation Plans and include meetings with various City officials and public workshops.

Once finalized, Woburn's Complete Streets Prioritization Plan will be submitted to MADOT for approval; upon approval of the Plan the City will be eligible for up to \$400,000 in State construction funding assistance to implement one or more of the projects identified in the Plan.

A draft Complete Streets Policy for the City of Woburn is attached for your consideration and approval. I respectfully request that you set aside time during the next available Council meeting so that we can make a public presentation to you and other City entities on this subject.

Please forward any questions in the interim to me or to City Engineer Jay Corey. Thank you.

Respectfully, s/Scott D. Galvin, Mayor

PUBLIC HEARINGS:

On the petition by NSTAR Electric Company d/b/a Eversource Energy for a grant of right in a way install conduit in Micro Drive southerly from pole 577/2, approximately 182 feet southwest of Holton Street, a distance of about eight (8) feet. **PUBLIC HEARING OPENED.** A communication dated August 18, 2017 was received from Superintendent of Public Works John Duran as follows:

Subject: NStar Electric Company d/b/a Eversource Energy- Micro Drive

Pursuant to NSTAR d/b/a Eversource request to install an underground conduit from the pole on Micro Drive to the building at 67 Holton Street located at the corner of Micro Drive, I offer the following recommendation for approval.

The work proposed is to cross a small section of asphalt sidewalk on Micro Drive. I recommend approval as long as a 10 foot minimum section is replaced with 4 inches of bituminous concrete to match existing and it is ADA compliant. Micro Drive is a newly paved roadway and there should not be any intrusion into the new pavement area.

Please feel free to call me with any questions or concerns on this matter.

On the petition to amend the 1985 Woburn Zoning Ordinances, as amended, by adding a new Section 30 entitled Anderson/Woburn Smart Growth Overlay District as set forth in the Journal of the City Council Regular Meeting of June 6, 2017. PUBLIC HEARING OPENED. A communication dated August 21, 2017 was received from His Honor the Mayor Scott D. Galvin as follows:

Re: Request to withdraw zoning petition without prejudice

Dear Members of the Council:

I respectfully request permission to withdraw from consideration, without prejudice, the proposed Smart Growth Overlay Zoning District-related zoning amendments which were submitted to you on June 1, 2017.

Thank you.

Respectfully, s/Scott D. Galvin, Mayor

On the petition to amend 1985 Woburn Zoning Ordinances, as amended, Section 8.3 as follows: 8.3 Off Street Parking Facilities Required - Off street parking facilities shall be provided on the same lot with the principal use, except that: 1. Within any R3, R4, Business, Mixed Use, Industrial, or Office Park district, the City Council, by Special Permit, may allow the parking facility requirements to be met on a lot separate from the use to be served, if such facilities are located within five hundred (500) feet of the use to be served, and if the City Council finds that suitable arrangements, such as ownership, long term lease or easement, have been made to assure the permanent provision of the parking facilities; 2. Within the B-D District, municipal parking facilities may be substituted for the required off street parking for non-residential uses, if such facilities are located within five hundred (500) ft. of the use to be served; 3. Within the B-D District, the City Council, by Special Permit, may allow municipal parking facilities to substitute for the required off street parking for residential uses under this Section if it imposes, as a condition of approval, the non-waivable fee required by Section 8.3.4 below and makes the following findings: 1. That the municipal parking facilities are located within five hundred (500) feet of the use to be served; 2. That the proposed combination of on-site, off-street parking spaces and municipal parking spaces is available and adequate to serve the proposed development; and 3. That reliance on municipal parking facilities will not create an undue burden on the municipal parking facilities. 4. If a Special Permit is granted to allow municipal parking facilities to substitute for required off-street parking for residential uses in the B-D District, it shall be conditioned on the payment of a fee equal to Seventy Five Hundred Dollars (\$7,500) for each space in a municipal parking facility that substitutes for a required off-street parking space. The City Council shall not have the authority to vary or waive the fee, either in whole or in part, for any project. The payment of a fee shall not act as a guarantee that future tenants of the residential

development shall be entitled to the reservation or designation of a parking space or spaces. All such fees shall be deposited in a separate "Downtown Parking Enhancement Fund" to be established in the City Treasury and administered by the Treasurer/Collector. Funds deposited in this account shall only be used for costs incurred by the City in acquiring, designing, constructing and/or reconstructing land and facilities that increase the supply of parking within the B-D District. Expenditure of funds from this account shall only be authorized by a 2/3 vote of the City Council. PUBLIC HEARING OPENED. A report was received from the Committee on Ordinances as follows: "Back for action with the following suggested amendments: 8.3 Off Street Parking Facilities Required - Off street parking facilities shall be provided on the same lot with the principal use, except that: 1. Within any R3, R4, Business, Mixed Use, Industrial, or Office Park district, the City Council, by Special Permit, may allow the parking facility requirements to be met on a lot separate from the use to be served, if such facilities are located within five hundred (500) feet of the use to be served, and if the City Council finds that suitable arrangements, such as ownership, long term lease or easement, have been made to assure the permanent provision of the parking facilities; 2. Within the B-D District, municipal parking facilities may be substituted for the required off street parking for non-residential uses, if such facilities are located within five hundred (500) ft. of the use to be served; 3. Within the B-D District, the City Council, by Special Permit, may allow municipal parking facilities to substitute for the required off street parking for residential uses under this Section if it imposes, as a condition of approval, the non-waivable fee required by Section 8.3.4 below and makes the following findings: a. That the municipal parking facilities are located within five hundred (500) feet of the use to be served; b. That the proposed combination of on-site, off-street parking spaces and municipal parking spaces is available and adequate to serve the proposed development; and c. That reliance on municipal parking facilities will not create an undue burden on the municipal parking facilities. 4. If a Special Permit is granted to allow municipal parking facilities to substitute for required off-street parking for residential uses in the B-D District, it shall be conditioned on the payment of a fee equal to Seventy Five Hundred Dollars (\$7,500) for each space in a municipal parking facility that substitutes for a required off-street parking space. The City Council shall not have the authority to vary or waive the fee, either in whole or in part, for any project. The payment of a fee shall not act as a guarantee that future tenants of the residential development shall be entitled to the reservation or designation of a parking space or spaces. All such fees shall be deposited in a separate "Downtown Parking Enhancement Fund" to be established in the City Treasury and administered by the Treasurer/Collector. Funds deposited in this account shall only be used for costs incurred by the City in acquiring, designing, constructing and/or reconstructing land and facilities that increase the supply of parking within the B-D District and shall not be used in any way for consideration of, assessment of, financing or construction of parking meters. Expenditure of funds from this account shall only be authorized by a 2/3 vote of the City Council." PUBLIC HEARING OPENED.

On the petition by Jamieson Properties, 627 Main Street, Woburn, Massachusetts 01801 to amend the 1989 Woburn Zoning Ordinances, as amended by adding a Section 31

Federal Street Smart Growth Overlay District (FS/SGOD) in accordance with the purposes of G. L. Chapter 40R as set forth in the Journal of the City Council Regular Meeting of August 15, 2017. PUBLIC HEARING OPENED.

On the petition by Jamieson Properties, 627 Main Street, Woburn, Massachusetts 01801 to amend the Zoning Map of the City of Woburn by changing the zoning district for the property located at 14 Federal Street and 14R Federal Street containing approximately 11,325.6 square feet of land from the B-D zoning district to the FS/SGOD zoning district. PUBLIC HEARING OPENED.

On the petition by Ronchetti Masonry, 6 Draper Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.5 and 5.1.43 to allow: 1. Outside storage of building materials and equipment, 2. Accessory storage trailers, and 3. Accessory parking of commercial vehicle, at 6 Draper Street. PUBLIC HEARING OPENED. A communication dated August 31, 2017 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Planning Department comments on special permit application for 6 Draper Street/Ronchetti Masonry

Dear Council:

The Planning Department has reviewed the above-referenced petition, which seeks a special permit pursuant to Sections 5.5 and 5.1 (43, 57a, and 57b) of Woburn Zoning Ordinance (WZO) to authorize outside storage of building materials and equipment, the placement of accessory storage trailers on site, and the accessory parking of commercial vehicles, respectively. The property is located in the Industrial General (I-G) zoning district, which allows the aforementioned uses by City Council special permit.

Planning staff considers this application to be inadequate in its current form:

- The 8.5" x 11" black and white copy of a GIS-based map submitted with the application is not suitable for the purpose of this review. It shows a general quarter-mile or so area around the site but doesn't identify the subject property. It provides no information as to existing conditions on the site in question, nor does it provide any of the basic information the Council will need to consider the special permit request (i.e. identification of areas on the property where the proposed building materials, storage trailers and commercial vehicles would be stored).
- It lacks critical site and zoning-related information necessary to determining whether the proposed uses will conform to zoning. For instance, it is important to know exactly where the commercial vehicles will be stored on site, since there is a prohibition on the daytime parking of commercial vehicles within 70' of the nearby R-2 zoning district (Section 5.7.6.).

Planning staff recommends the applicant be required to provide an engineer-certified plot plan (preferably an updated version submitted with the yet-to-be decided petition at this property by C&C Realty Trust to authorize storage of 2,800 cubic yards in order to identify the scope and location of proposed building materials and equipment, storage trailers, and commercial vehicle storage.

As noted in the Planning Office's comment letter dated June 1, 2017 submitted for the C&C Realty petition at this property, if the current applicant intends to utilize the existing pavement for storage purposes, it may: 1) impact on the number available off-street parking spaces required for the current 2-story building use, 2) complicate access through the pre-existing, relatively narrow (as little as 15' wide) drive aisles, and 3) conflict with any onsite snow storage. This becomes even more of a concern with two concurrent special permits for outside storage at the same property. In addition, as previously noted, an 8-ft. wall or solid fence does not appear to surround the area of material storage, as required by Note 6 to Section 5.1, although the existing natural tree buffer lays between this parcel and easterly residential properties may help to allay screening concerns, depending where onsite materials and equipment will be stored.

Also as noted in our June comment letter, a review of environmental mapping on the City's GIS system reveals that the parcel does not fall within a local floodplain, Groundwater Protection District, or an area of contaminated soils. The site is however within 150' of a wetland boundary line and within 200' of a riverfront area. As such, both would trigger jurisdictional review by the City's Conservation Commission. In addition, because Commission approval has not yet been sought, a final plan and attached permit conditions would have to be reconciled between the Council and the Commission.

Finally, the Planning Department recommends that the submitted plan show the areas proposed for snow storage. Although submission of snow storage plans are sometimes deferred until after the Special Permit decision, we recommend in this case that the plan include that information now for review, given the extent to which outside areas, including parking areas, are proposed for storage-related uses.

Although the Planning Department's thorough review is obstructed by the lack of essential information, Planning staff recommends the Council consider imposing at least the following as conditions of approval should it ultimately vote to approve the application:

1. That the plot plan submitted on behalf C&C Realty for this parcel be modified to indicate the proposed locations of materials, vehicles, equipment and storage trailers intended for the tenant of Ronchetti Masonry, as well as onsite snow storage (if applicable); and
2. That the Plan of Record for this Petition shall be "Existing Parking Plan 6 Draper Street, Woburn, MA," Scale 1"=20'; Prepared by Alan Engineering, LLC, 288

Littleton Road, Suite 31, Westford, MA 01886; Dated May 9, 2017;
Revised _____;” and

Please feel free to contact me if you have any questions relative to this recommendation

Respectfully, s/Dan Orr, City Planner/Grant Writer

On the petition by Luis Cortorreal, 27 Salem Street, Apt. 1B, Woburn, Massachusetts for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.29 to allow a fast food restaurant at 446 Main Street. PUBLIC HEARING OPENED. A communication dated August 30, 2017 was received from Tina P. Cassidy, Planning Director, Woburn Planning Board as follows:

Re: Planning Department comments on special permit application for 446 Main Street/Luis Cortorreal

Dear Council:

The Planning Department has reviewed the above-referenced Special Permit application which requests permission to operate a fast food restaurant (5.1 [29]) at the above-referenced location. The property is zoned Downtown Business (B-D) and therefore such use is permitted by City Council Special Permit, subject to Site Plan review requirements (Section 12). No exterior construction is proposed in connection with this application. Instead, re-configuration/renovation of interior space is proposed.

Planning staff offers the following questions and comments for the Council’s consideration:

- The proposed use (RESTAURANT, FAST FOOD) requires both a special permit in accordance with Section 5.1(29) of the Zoning Ordinance as well as site plan review in accordance with Section 12 (see Notes to Section 5.1, Table of Use Regulations). The application references the required special permit but does not specifically request site plan review/approval.
- Unless authorized by a subsequent Special Permit, the hours of operation of this establishment must be 6:00 a.m. to 11:00 p.m. in accordance with Note 16 to Section 5.1, Table of Use Regulations.
- Section 8.3 allows, by right, commercial enterprises to rely on municipal off-street parking lots to meet the parking requirements of the zoning ordinance (e.g. no special permit is needed). Although the application is silent on the issue of parking, it is presumed that the business will rely on the Walnut Hill parking lot to provide parking for employees and customers. (Note the site will also be within 500’ of the planned parking lot at Campbell and Union Streets when it is constructed.)

Planning staff recommends the applicant submit a site plan as part of the application that includes a locus plan as an inset that notes the off-street lot locations. The site plan can serve as documentation that the property is in fact within 500' of one (or two) municipal off-street lot(s) and the purpose of the following paragraph.

- The issue of trash storage and its regular pickup seems particularly important given that food will compose a significant portion of the business's trash. The application indicates there is a small Dumpster in the rear of the store that will be used by the restaurant to safely store the refuse and prevent health issues. It is not clear whether the Dumpster is adequately sized for the task, especially if it will be shared by other businesses on the property. A site plan should be submitted which identifies the location of the Dumpster that will be used by this business and the plan could be referred to the Fire Department for review and comment, since the Fire Department is the entity charged with regulating Dumpsters in accordance with Title 8, Article VII, Section 8-17 of the Woburn Municipal Code (general regulations for Dumpsters).
- This establishment appears to have access to an area at the rear of the building (via a driveway from Main Street) that is currently a combination of open space and parking. Will the proposed fast-food restaurant have any use of this parking area at the back of the building, either for employees of this business or (though unlikely) its customers?
- The application indicates that there is a rear access door that will be used by employees and deliverymen to load and unload stock and foodstuffs. Will delivery trucks drive to the rear of the building via the driveway, or will delivery trucks park on Main Street and goods walked to the rear access door by employees? If goods will be offloaded on Main Street because the narrow driveway precludes truck access, the Council should include a condition in any approval prohibiting delivery-related activities from interfering with use of the sidewalk by pedestrians (i.e. blocking the sidewalk with boxes or dolly ramps). There should also be a condition prohibiting stock and foodstuffs from being delivered through the front door, in order to further lessen the possibility/extent of sidewalk conflict. The Council should also consider restricting/limiting the hours of deliveries to those that are outside of peak pedestrian times, if in fact deliveries will be made via a truck parked on the street.

If members of the Council have any questions or concerns regarding the foregoing, please feel free to contact me.

Respectfully, s/Tina P. Cassidy, Planning Director

On the petition by E.G. Barker Lumber Company Inc., 10 Jefferson Avenue, Woburn, Massachusetts 01801 for a special permit to amend a special permit issued February 10, 2005 by amending Condition 8 to read "8. That the use shall be limited to Barker Lumber Company or their successors provided the use remains a lumber company" at 10 Jefferson Avenue. PUBLIC HEARING OPENED. A communication dated August 24,

2017 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Planning Department comments on special permit modification for 10 Jefferson Avenue/E.G. Barker Lumber Company, Inc.

Dear Council:

The Planning Department has reviewed the above-referenced Special Permit petition, filed pursuant to Section 11.3.12, to modify a previous special permit condition of approval. Specifically, the applicant seeks to amend Condition #8 of the City Council's Decision, dated February 10, 2005, by adding language to allow for a transfer of ownership contingent upon the property's use remaining as a lumber company.

Planning staff takes no exception to this request and offers the following for consideration as conditions of approval:

- That the modified condition indicates that any entity to which the special permit is transferred must be classified by the Building Commissioner as a lumber company (in accordance with Section 5.1 [line 43 and Note 6] and Section 5.5; and
- That all other conditions specified in the February 10, 2015 Decision letter remain in full force and effect to the extent still applicable, or unless otherwise modified by the Council.

If members of the City Council have any questions or concerns regarding the foregoing, please feel free to contact me.

Respectfully, s/Dan Orr, City Planner/Grant Writer

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Order to transfer the sum of \$1,100,000.00 from Stabilization Fund Acct to Montvale Ave Infrastructure Acct, committee report was received "To give the matter leave to withdraw."

On the Order to transfer the sum of \$255,243.40 from Various Mitigation Accounts to Montvale Ave Infrastructure Acct, committee report was received "To give the matter leave to withdraw."

On the communication relative to the City of Woburn Financial Policies and Objectives, committee report was received “ought to pass, as amended with the amendment as follows: That Section A-1 Annual Audit, Policy be amended by adding ‘4. The Finance Committee shall review the audit plan with the independent auditor(s) prior to interim testing and year-end fieldwork. Upon completion of the audit, the City Council shall meet with the independent auditor(s) to discuss the results of the audit and the annual financial reports.’”

INFRASTRUCTURE AND PUBLIC LANDS:

On the Order of Taking relative to the Montvale Avenue reconstruction project, committee report was received: “That the following Order be referred back for action” and attached thereto was the following Order revised 8-24-17:

THE CITY OF WOBURN
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Order of Taking

WHEREAS, the City Council of the City of Woburn in the Commonwealth of Massachusetts, on behalf of the City of Woburn and in accordance with M.G.L. c.82, and acts in amendment thereof and in addition thereto, has determined that it is necessary and essential as a matter of public necessity and public welfare to acquire temporary and permanent easements in certain properties abutting Montvale Avenue and portions of Washington and Central Streets in said City of Woburn, for the purpose of widening and reconstructing Montvale Avenue and portions of Washington and Central Streets, and to relocate utilities, install sidewalks, driveways and traffic signals, with associated rights of access therein (the “Project”); and

WHEREAS all other conditions precedent have been complied with;

NOW, THEREFORE, it is Ordered that the City Council of the City of Woburn, duly elected and qualified, acting in compliance with M.G.L. c.79, does hereby take on behalf of the City of Woburn, and for public way purposes, for the benefit of the public to cross and recross, pass and repass, as appropriate, specifically for the widening and reconstruction of Montvale Avenue and portions of Washington Street and Central Street, the following interests in land, all as shown on a plan entitled “Plan of Road in the City of Woburn, Mass. showing location of Easements for the purpose of Reconstructing Montvale Avenue for the City of Woburn Scale 20 feet to the Inch” consisting of 5 sheets, to be recorded herewith and made a part of this taking, with a copy to be filed in the City of Woburn Engineering Department.

Temporary Easements are hereby taken in the parcels of land identified as Parcels TE-1 through TE-43 inclusive as identified on the Plan, consisting of the non-exclusive right to enter upon said land at any time during the effective period of said easements to accomplish the necessary work within said parcels including constructing or reconstructing roadways, sidewalks, driveways and walkways, sloping and grading, erosion control and tree protection, and to perform any incidental work necessary or convenient to the Project. Said easements are temporary in nature and shall terminate automatically five (5) years from the date of the recording of this instrument.

Permanent Easements are hereby taken in the parcels of land identified on the Plan as Parcels E-1 through E-23 inclusive, for the construction of roadways and sidewalks and the installation of traffic signals and the perpetual right to pass and repass over the Easement premises, by foot and by motor vehicle, including heavy equipment, from time to time and at all times, in order to repair and maintain such roadways, sidewalks and traffic signals, and for all uses incidental thereto; and PUE-1 through PUE-11 inclusive, for the relocation of utility poles and overhead wires; and in PUE-D-1 for drainage and overhead wire clearance. The interest taken in Parcel E-11 requires the removal of the existing canopy. The Permanent Easements are perpetual unless and until abandoned by the City. The Owners of the aforementioned parcels of land affected by the Permanent Easements shall retain the right to use the land for any and all purposes, provided that such use does not interfere with or impair the City's rights in said Permanent Easements.

Included in this taking are all trees and structures located upon the Permanent and Temporary Easement premises. Excepted from this Order of Taking are all easements for wires, pipes, conduits, poles and appurtenances for the conveyance of water, sewage, gas and electricity and for telephone communications and television transmission now lawfully in or upon the Permanent and Temporary Easement premises and the lawful rights of the public to use those parts of the public streets and ways which may be included in the foregoing description.

Said parcels of land are owned or supposed to be owned and/or formerly owned by the persons, corporations and limited liability corporations identified in Exhibit A attached hereto, and are collectively referred to as the Owners.

For damages sustained by the Owners in their property by reason of the aforesaid takings, and in accordance with the provisions of M.G.L. c.79, §6, as amended, awards are made.

In witness whereof, we have set our hands and seals this 5th day of September, 2017.

CITY OF WOBURN CITY COUNCIL

EXHIBIT A

Record Owner: Schena Montvale Avenue Trust
Property Address: 269 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 51885, Page 68
Interests Taken: PUE-1 74 s.f.
TE-3 648 s.f.

Damages: \$3,420.00

Record Owner: Edith M. Cox
Property Address: 10 Grape Street, Woburn, MA
Title Reference: MSRD – Registered Land
LC Book 741, 165 – Certificate No. 122315
Interests Taken: TE-4 194 s.f.
Damages: \$640.00

Record Owner: William F. Lentini & Marian Pizzi Lentini
Property Address: 52 Central Street, Lots 3B, 2A & 1A
Title Reference: MSRD Book 33420, Page 279
Interests Taken: TE-6 1,644 s.f.
Property Address: 277-279 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 27191, Page 383
Interests Taken: TE-9 748 s.f.
Damages: \$12,530.00

Record Owner: 52 Central Street Trust
Property Address: 52 Central Street, Woburn, MA
Title Reference: MSRD Book 24152, Page 450
Interests Taken: E-1 217 s.f.
TE-7 1,580 s.f.
Damages: \$20,000.00

Record Owner: Boston Federal Savings Bank c/o TD Bank
Property Address: 280-282 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 30797, Page 226
Confirmatory Deed: 30836, Page 40
Interests Taken: E-2 756 s.f.
PUE-2 1,319 s.f.
TE-8 2,473 s.f.
Damages: \$89,720.00

Record Owner: Long H. Nguyen
Property Address: 281 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 67647, Page 37
Interests Taken: TE-10 250 s.f.
Damages: \$980.00

Record Owner: 283A Montvale Avenue Realty Trust
Property Address: 283A Montvale Avenue Realty Trust
Title Reference: MSRD Book 50589, Page 184
Interests Taken: TE-11 788 s.f.
Damages: \$3,100.00

Record Owner: Anthony A. & Dorothy M. Roscillo
Property Address: 283 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 69282, Page 304
Interests Taken: TE-12 515 s.f.
Damages: \$2,020.00

Record Owner: The 282 Montvale Avenue Realty Trust
Property Address: 282 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 49533, Page 12
Interests Taken: E-3 97 s.f.
PUE-3 420 s.f.
TE-13 208 s.f.
Damages: \$12,420.00

Record Owner: G. Malden Realty Trust
Property Address: 285 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 11241, Page 183
Interests Taken: TE-14 640 s.f.
Damages: \$2,510.00

Record Owner: CCWG Realty Trust
Property Address: 284 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 49812, Page 180
Interests Taken: E-4 109 s.f.
PUE-4 421 s.f.
TE-15 369 s.f.
Damages: \$13,230.00

Record Owner: Montvale Avenue Realty Trust &
William E. Scire (tenants in common)
Property Address: 286-288 Montvale Avenue
Title Reference: MSRD Book 28098, Page 12
Interests Taken: E-5 131 s.f.
PUE-5 449 s.f.
TE-17 523 s.f.
Damages: \$15,020.00

Record Owner: Connolly Realty Trust
Property Address: 287-289 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 17682, Page 585
Interests Taken: PUE-6 564 s.f.
TE-16 1,542 s.f.
Damages: \$25,520.00

Record Owner: Dale Eramo-McDonough Realty Trust
Property Address: 290 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 66197, Page 80
Interests Taken: E-7 48 s.f.
PUE-7 152 s.f.
TE-18 178 s.f.
Damages: \$5,190.00

Record Owner: Antonio DaSilva
Property Address: 292 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 46217, Page 307

Interests Taken: E-8 119 s.f.
PUE-8 360 s.f.
TE-19 428 s.f.
Damages: \$12,450.00

Record Owner: Crown Realty Trust
Property Address: 78 Washington Street, Woburn, MA
Title Reference: MSRD Book 12967, Page 350
Interests Taken: TE-23 107 s.f.
TE-24 124 s.f.
Damages: \$1,100.00

Record Owner: Freedom Realty Trust
Property Address: 291 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 63163, Page 257
LCC Book 1447, Page 100 – Certificate No. 255827
Interests Taken: PUE-9 261 s.f.
TE-20 614s.f.
Property Address: 293 Montvale Avenue
Title Reference: MSRD Book 40486, Page 89
Interests Taken: E-11 514 s.f.
TE-22 2,391 s.f.
Canopy Removal
Damages: \$123,490.00

Record Owner: Press-It, LLC
Property Address: 84 Washington Street
298-302 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 36059, Page 380
Interests Taken: E-10 1,021 s.f.
PUE-10 1,382 s.f.
TE-21 1,666 s.f.
Damages: \$118,200.00

Record Owner: Ashford Corp.
Property Address: 303-305 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 11278, Page 302
Interests Taken: E-12 2,220 s.f.
TE-29 3,787 s.f.
Damages: \$117,420.00

Record Owner: 306 Montvale Avenue Realty Trust
Property Address: 306 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 48758, Page 381
Interests Taken: E-14 695 s.f.
TE-30 291 s.f.
TE-32 412 s.f.
Damages: \$40,490.00

Record Owner: Stedman 309, LLC.
Property Address: 309 Montvale Avenue, Woburn, MA
Title Reference: MSRDR Book 52079, Page 186
Interests Taken: E-15 949 s.f.
TE-34 1,047 s.f.
Damages: \$40,930.00

Record Owner: 318 LLC
Property Address: 314 Montvale Avenue, Woburn, MA
Title Reference: MSRDR Book 68562, Page 523
Confirmatory Deed – Book 68562, Page 518
Interests Taken: E-16 841 s.f.
TE-33 335 s.f.
Property Address: 318 Montvale Avenue, Woburn, MA
Title Reference: MSRDR Book 27366, Page 396
Interests Taken: E-17 1,731 s.f.
TE-35 1,053 s.f.
Damages: \$126,700.00

Record Owner: 313 Montvale Avenue LLC
Property Address: 313 Montvale Avenue, Woburn, MA
Title Reference: MSRDR Book 66920, Page 431
Interests Taken: E-18 630 s.f.
PUE-D-1 151 s.f.
TE-36 1,274 s.f.
Damages: \$254,390.00

Record Owner: HT Properties LLC
Property Address: 320 Montvale Avenue, Woburn, MA
Title Reference: MSRDR Book 66407, Page 513
Interests Taken: E-19 1,441 s.f.
TE-37 216 s.f.
Damages: \$66,550.00

Record Owner: Leemilt's Petroleum, Inc.
Property Address: 317 Montvale Avenue, Woburn, MA
Title Reference: MSRDR Book 17633, Page 327
LCC Book 1023, Page 28 – Certificate No. 178578
Interests Taken: E-20 89 s.f.
TE-38 1,495 s.f.
Damages: \$18,950.00

Record Owner: Mack Investors, LLC
Property Address: 23 Rainin Road, Woburn, MA
Title Reference: MSRDR Book 51779, Page 476
Interests Taken: E-23 41 s.f.
TE-41 1,284 s.f.
Damages: \$1,140.00

Record Owner: Blue Hills Fuels LLC

Property Address: 328 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 66613, Page 187
LCC Book 1483 Page 96 - Certificate 261268
Interests Taken: E-21 2,579 s.f.
TE-39 879 s.f.
PUE-11 263 s.f.
Damages: \$158,640.00

Record Owner: Tanner Associates Nominee Trust
Property Address: 325 Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 13048, Page 736
Interests Taken: E-22 104 s.f.
TE-40 909 s.f.
Damages: \$13,280.00

Record Owner: New Aberjona Realty Nominee Trust
Property Address: 331 Montvale Avenue, Woburn, MA
Title Reference: MSRD
LCC Book 1449, Page 110 Certificate No. 256131
Interests Taken: TE-42 362 s.f.
Damages: \$2,280.00

Record Owner: City of Woburn
Property Address: Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 4890, Page 301
Interests Taken: TE-1 647 s.f.
TE-2 1,588 s.f.
TE-43 562 s.f.

Property Address: Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 45166, Page 470
Interests Taken: TE-5 600 s.f.
TE-25 245 s.f.
TE-28 82 s.f.

Property Address: Montvale Avenue, Woburn, MA
Title Reference: MSRD Book 58726, Page 66
Interests Taken: E-13 1,710 s.f.
Damages: \$0

ORDINANCES:

On the Order to amend the 1989 Woburn Municipal Code, as amended, by adding a new Article XVIII – Marijuana Establishments, Section 5-89 Forbidden, committee report was received “ought to pass”.

NEW PETITIONS:

Petition by Checker Cab of Woburn Inc., 289R Salem Street for a new Livery License.

Petition by Sams Liv Express, LLC, 22 N. Warren Street for a new Livery License.

Petition by KPS Bhatti Inc., 28 Campbell Street, #1 for a new Livery License.

Petition by NStar Electric Company dba Eversource Energy for grant of right in a way to install one guy pole in Lake Terrace southwesterly side approximately 496 feet southeast of Lake Avenue approximately 24 feet southeast of pole 475/4 and to install one pole 475/4-S.

Petition by National Grid for grant of right in a way to replace 400 feet of 2 inch low pressure bare steel with 6 inch plastic in Woburn Parkway from Pleasant Street to 9 Woburn Parkway.

Petition by Verizon New England Inc. for a grant of right in a way in Salem Street as follows: 1. Place approximately 73 feet of underground conduit from manhole no. 35/142 to jointly-owned pole no. 191/64, 2. Place one (1) new manhole no. 35/141 on southerly side to replace exiting manhole that must be removed due to bridge construction over MBTA tracks, 3. Place approximately 205 feet of underground conduit from manhole no. 35/141 in a southerly direction across MBTA bridge to existing underground conduit on southerly side of bridge, 4. Place one (1) hand-hole at jointly-owned pole no. 191/52 on northerly side, 5. Place approximately 216 feet of underground conduit from manhole no. 35/140 on southerly side at intersection with Wood St. to jointly-owned pole no. 191/47 on northerly side at intersection with Wildwood Drive, and in Pine Street place approximately 20 feet of underground conduit from old jointly-owned pole no. 175/3 to new relocated pole no. 175/3.

Petition by Rogers Radiator, 936 Main Street, Woburn, Massachusetts 01801 for a special permit to amend a special permit issued October 25, 2007 by deleting Condition 2 requiring a stockade fence, and to modify conditions of Second Class Motor Vehicle Sales License by deleting Condition 1 relative to a fence, Condition 2 relative to seal coating and striping parking lot and Condition 3 relative to removal of signs.

Petition by Tocci Building Corporation, 660 Main Street, Woburn, Massachusetts 01801 pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.57a for a special permit to allow three storage containers at 660 Main Street.

COMMUNICATIONS AND REPORTS:

A communication dated August 25, 2017 was received from Charles O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

Council Members,

In accordance with Massachusetts General Laws Chapter 90, Section 20½ I am submitting the following parking ticket report. Figures cited below are for the Month of Jan. 2017 to July 2017: Number of violations issued 427, Numbers of violations paid 223, Number of violations outstanding 206, Amount collected and submitted to Collectors Office \$43,449.49, Parking fines referred to the Handicap Commission \$10,200.00.

There is a backlog of 1,594 unpaid tickets dating from January 2004 to June 2017. A 21 day late notice is sent to vehicle owners who have not paid the fine. After 28 days, if the fine still has not been paid, that information is forwarded to the Registry of Motor Vehicles for administrative action.

Respectfully submitted, s/Charles O'Connor, Parking Clerk

A communication dated August 10, 2017 was received from Joanne Collins, Director, Woburn Council on Aging along with a copy of the Director's Report and the minutes of the Council on Aging meeting for the month of July 2017.

A communication dated August 11, 2017 with attachments was received from Michael L. Raymond, Chairman, Aberjona Study Coalition, Inc., 10 North Maple Street, Woburn, Massachusetts 01801 relative to proposed cleanup plan for the South West Properties, Wells G&H Superfund Site.

UNFINISHED BUSINESS OF PRECEDING MEETING:

On the Order to transfer the sum of \$1,355,243.40 from Stabilization Fund Acct to Montvale Ave Infrastructure Acct.

On the Order to transfer the sum of \$126,256.34 from Montvale Ave Infrastructure Acct, Dunkin Wash St Ward 5 Traffic Acct, Traffic Improvements E. Woburn Acct and Fave & Busters Acct to Stabilization Fund Acct.

On the Order to amend 1989 Woburn Municipal Code, as amended, Section 2-161 by reducing the number of Council on Aging Members from fifteen to ten.

APPOINTMENTS AND ELECTIONS:

A communication dated August 17, 2017 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Paul Medeiros, 9 Marietta Street, as Sealer of Weights and Measures for a two-year term, set to expire on July 1, 2018.

Respectfully, s/Scott D. Galvin, Mayor

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That the City Council Regular Meeting scheduled for November 7, 2017 is hereby canceled due to the municipal general election

s/Alderman _____

ORDERED That pursuant to Chapter 172 of the Acts of 1897, as amended by Section 42G of Chapter 263 of the Acts of 1946, the City Clerk shall have printed on the official ballot for the general city election to be held on November 7, 2017 for a vote of the registered voters of the City the following question:

Shall the City of Woburn petition the General Court of the Commonwealth of Massachusetts to adopt the following special act?

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

An Act providing for term limits for elected officials in the city known as the city of Woburn.

SECTION 1. Notwithstanding any provision of Chapter 172 of the Acts of 1897 or any amendments thereto to the contrary, no person shall be eligible for election as mayor, alderman at large, ward alderman or school committee member if at the time of election such person was elected to and is currently serving terms equal to twelve consecutive years in the same office.

SECTION 2. This Act shall be effective for the election to be held on November 5, 2019.

SECTION 3. This act shall take effect upon its passage.

s/Alderman Concannon

ORDERED Be it Ordained by the City Council of the City of Woburn that the 1985 Woburn Zoning Ordinances, as amended, be further amended by amending Section 11.11.1 by deleting from the first sentence the word “and” after the words “Section 5.1.3(a) through 3(d)”, and inserting after the words “Section 5.1.4” the words “, and Section 5.1.5”.

s/Alderman Campbell

ORDERED Be it Ordained by the City Council of the City of Woburn that the 1985 Woburn Zoning Ordinances, as amended, be further amended by amending Section 11.11.1 by deleting from the first sentence the words “the City Council shall require as a condition of any such special permit, the provision on site and within the development of affordable housing units equal to ten (10%) percent of the development's total number of dwelling units” and inserting in its place the words “a condition of any such special permit shall be at least twenty-five percent (25%) of the units on site and within the development are to be occupied by Income Eligible Households earning 80% or less than the Area Median Income as such terms are defined in 760 CMR 56.02, as may be amended from time to time.”

s/Alderman Campbell

ORDERED Be it Ordained by the City Council of the City of Woburn that the 1985 Woburn Zoning Ordinances, as amended, be further amended as follows:

1. By deleting Section 11.11.3 in its entirety;
2. By renumbering Section 11.11.4 as Section 11.11.3;
3. By deleting Section 11.11.5 in its entirety and inserting it is place the following: “11.11.4 In determining the number of units to be provided pursuant to Section 11.11.1, fractional numbers shall be rounded up to the nearest whole number.”

s/Alderman Campbell

Motion made and 2nd to ADJOURN.