

**CITY OF WOBURN  
NOVEMBER 10, 2015 - 7:00 P.M.  
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gaffney
Concannon	Gately
DiTucci	Mercer-Bruen
Drapeau	Raymond
Haggerty	

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The City Council observed a moment of silence in memory of former Mayor John F. Gilgun, Jr. who recently passed away.

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VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, all in favor, 9-0.

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**MAYOR'S COMMUNICATIONS:**

A communication dated November 5, 2015 was received from His Honor the Mayor as follows:

Dear President Haggerty and Honorable Council Members:

I respectfully request time at the next possible Council meeting to address you on the subject of affordable housing. I make this request with a sense of purpose and with some urgency.

The City was recently notified that the application process for a new Chapter 40B project at 57 Mill Street has been initiated. If a comprehensive permit is issued by the State, it would be the second development of its kind to be built in the City within the next several years. They would not be the first such projects we have seen and certainly not the last. The City will remain vulnerable to these filings for as long as less than 10% of our housing stock meets the State's definition of "affordable" (right now the percentage is 7.1%).

It is time for us to aggressively and proactively tackle this issue. There are ways the City can effectively take control of the Chapter 40B matter in the relative short term and address some of the goals and objectives in the new master plan at the same time. I would like to give you a brief overview of the current affordable housing situation, and outline some of the options and choices available to address it.

Thank you.

Sincerely, s/Scott D. Galvin, Mayor

Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON LIAISON, all in favor, 9-0.

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A communication dated October 15, 2015 with attachments was received from His Honor the Mayor Scott D. Galvin as follows:

I am submitting the following orders as they relate to the construction of the new Wyman/Hurld Elementary School at 41 Wyman Street:

1. The transfer of care and custody of a portion of the site to the School Committee.
2. A Special Act to designate the 11.27 –acre Hurld School lot on Bedford Road as Article 97 land.

The order to transfer the care and custody of the portion of the land shown on the plan attached to the order will allow for the construction of a state-of-the-art, three-story educational facility on the northern section of the 7.5 acre lot. The remaining 3.3 acres will remain under the care and custody of the Agricultural Commission, consisting of the pond, farm stand and tree orchard. This retained area will allow the Agricultural Commission to continue providing great events to the community. In addition, there are numerous opportunities to capitalize on the synergies created by the co-location of the school and agricultural/community uses on the site.

The Special Act will facilitate the transfer of the care and custody of the Hurld School site to the Recreation Commission, when the new school opens. Upon the transfer, the land will be designated as open space, and will be used solely for active and passive recreational uses.

I will be available to discuss these orders in committee.

Sincerely, s/Scott D. Galvin

Motion made and 2<sup>nd</sup> that the communication be accepted and made part of the record, all in favor, 9-0.

Attached thereto were the following two Orders:

**ORDERED** Be it ordained that the City Council of the City of Woburn vote to transfer, pursuant to M.G.L. c.40, §15A, upon the completion of construction of the new Wyman/Hurld Elementary School building, the care, custody and control of a portion of the 7.497 acre parcel of land known as Spence Farm as shown on the 41 Wyman Street Shared Site Use – October 2015

(the “Plan”), a copy of which is attached to this Order, to the Woburn School Committee for educational purposes, subject to and conditioned upon the following:

1. That the portion of Spence Farm, as shown on the Plan which portion of the plan depicts the farm stand, Farmer’s Market location, pond and tree orchard will be under the care, custody and control of the Woburn Agricultural Commission.
2. That the City of Woburn retains control and responsibility for the design, construction and maintenance of the shared stormwater system;
3. That the School Committee shall have an easement allowing for access to the school from Wyman Street as shown on the Plan; The Agricultural Commission will have an easement allowing access to the Spence Farm site from Lowell Street during non-school hours as shown on the Plan;
4. That there shall be shared parking to accommodate both the school and patrons of Spence Farm activities;
5. Students and faculty shall have the right of access to the area under the care, custody and control of the Agricultural Commission to allow for recreational use and educational opportunities associated with the Farm’s agricultural activities; The School Committee and the Agricultural Commission shall work cooperatively to ensure this important educational goal is provided;
6. That the whole of Spence Farm remain available to the public for passive recreational uses; and
7. That the School Committee, the Mayor and the Agricultural Commission enter into a Memorandum of Understanding regarding all of the above, and that a copy of the Plan be attached thereto and incorporated therein.

s/Alderman Gaffney

Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON ORDINANCES, all in favor, 9-0.

**ORDERED** Be it ordained by the City Council of the City of Woburn that a petition be filed with the General Court that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court. The Mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act Relative to the Use of a Parcel of Land in the City of Woburn for Recreational Purposes

SECTION 1. Notwithstanding section 15A of chapter 40 of the General Laws or any other general or special law to the contrary, the land commonly known as the Hurld elementary school and surrounding fields acquired by the city on or about August 12, 1954 and located at 75 Bedford Road in the city of Woburn, shown on assessors map 41 as block 9, lot 16, containing 11.27 acres more or less, and shown on a plan entitled "City of Woburn Land Taking School Building" which is recorded in the Middlesex South Registry of Deeds as Plan No. 1346 of 1954, currently used for educational purposes, shall be under the care, custody and control of the Woburn recreation commission to be used solely for active or passive recreational uses including, but not limited to, community gardens, trails, noncommercial youth and adult sports and park, playground or athletic field purposes; provided, however, that recreational use of such land shall not include horse or dog racing or the use of the land for a stadium, gymnasium or similar structure. Notwithstanding the preceding sentence, the portion of the land shown on the above-referenced plan that is designated for educational purposes shall continue to be under the care, custody and control of the city of Woburn school committee but shall be used for educational purposes only until such time as the newly constructed Wyman/Hurld elementary school is completed and all students receiving educational services at the Hurld school have been reassigned to alternative sites within the Woburn school district, at which time the school committee shall vote to determine whether such property is necessary for educational purposes and, if not, then it shall authorize the transfer of the care, custody and control of the property to the Woburn recreation commission to be used solely for active or passive recreational uses pursuant to this act.

SECTION 2. This act shall take effect upon its passage.

s/Alderman Gaffney

Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON LIAISON, all in favor, 9-0.

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**PUBLIC HEARINGS:**

On the petition by NSTAR Electric Company and Verizon New England Inc. for a grant of right in a way to relocate joint occupancy pole 260/2 on the northwest side of Munroe Avenue approximately 165 feet northeast of Pine Street approximately 12 feet northeast. PUBLIC HEARING OPENED. A communication dated October 23, 2015 was received from Superintendent of Public Works John Duran as follows:

Subject: NStar Petition – Munroe Ave

Pursuant to the request from NStar Electric for the Grant of Right in a Way for the relocation of joint owned pole 260/2 on Munroe Avenue, I have reviewed the situation in the field. It appears that the pole is being relocated to offset the pole from the driveway.

I take no exception to this relocation subject to the following conditions. Prior to the installation of the new pole, the area must be adequately marked out for underground utilities. This must include notification to the Woburn Water Department. Eversource must investigate the location of the sewer lateral to the existing house. This may include investigations at the Engineering Department or tracing from the inside of the home. The DPW has no record information for this service.

This pole should be clearly marked and on the ground for review with the DPW, the homeowner and with NStar personnel to ensure proper placement. The pole must also be positioned to allow handicap access adjacent to the pole in the new configuration. All disturbances must be completely restored to existing grades and conditions or modified as necessary to mitigate any drainage pockets.

Please feel free to contact me with any questions, concerns or recommendations on this matter.

Appearing for the petitioner was Jacqueline Duffy, Right of Way Agent and she stated that the petition is to move a utility pole which is blocking a driveway at 6 Munroe Avenue, and that the petitioner has no objections to the conditions recommended by the Superintendent of Public Works. Alderman Mercer-Bruen stated that this is a long-standing problem for the residents, and that she asks that the petition be approved. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2<sup>nd</sup> that the GRANT OF RIGHT IN A WAY be APPROVED, AS AMENDED with the conditions as follows: 1. That the recommendations of the Superintendent of Public Works be adopted as conditions of the grant, all in favor 9-0.

**Presented to the Mayor: November 12, 2015 s/Scott D. Galvin November 12, 2015**

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On the petition by Alderman Raymond to amend the 1985 Woburn Zoning Ordinances, as amended, by deleting Section 26 Solar Overlay District, amending Section 2 Definitions, and inserting a new Section 26 entitled Solar Photovoltaic Installations as set forth in the petition. PUBLIC HEARING OPENED. A communication dated October 28, 2015 was received from Tina P. Cassidy, Planning Director, Woburn Planning Board as follows:

Re: Proposed amendments to the Solar Overlay District (Section 26 of the Woburn Zoning Ordinance)/Planning Board public hearing continued

Dear Mr. Campbell:

At its October 27, 2015 meeting, members of the Planning Board voted unanimously to continue the public hearing on the above-referenced matter to the Board's November 17, 2015 meeting.

If you have any questions please do not hesitate to contact me.

Respectfully, s/Tina P. Cassidy, Planning Director

Motion made and 2<sup>nd</sup> that the communication be received and made part of the record, all in favor, 9-0. Alderman Raymond stated that he spoke to the Planning Director concerning the matter, and that it would be beneficial to wait for the Planning Board recommendations before proceeding. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON DECEMBER 1, 2015, all in favor 9-0.

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On the petition by Alderman Raymond and Alderman Anderson to amend the 1985 Woburn Zoning Ordinances, as amended, 1. By deleting Section 5.7 and replacing same with a new Section 5.7 Buffer Requirements, and 2. By deleting Note 8 in Section 6.1 Footnotes to 6.1 Table of Dimensional Regulations and replacing with a new Note 8, as set forth in the petition. PUBLIC HEARING OPENED. A communication dated October 28, 2015 was received from Woburn Planning Board Chairman James Callahan as follows:

Re: Planning Board recommendation relative to amending Section 5.7 (Buffer Requirements) and Footnote 8 to Section 6.1 (Table of Dimensional Regulations) of the Zoning Ordinance

Dear Members of the Council:

The Planning Board has completed its review of the above-referenced and attached zoning proposals and respectfully submits the letter of recommendation for your consideration.

Planning Board members necessarily participated in the Zoning Ordinance Review Committee (ZORC) meetings on these matters which meetings were held on June 23<sup>rd</sup>, August 5<sup>th</sup>, September 2<sup>nd</sup>, and September 17<sup>th</sup> of this year. The text of the pending zoning amendments is identical to the text recommended unanimously by ZORC in its final report.

The formal zoning petition was received by the Planning Board at the end of September and the Board conducted a public hearing on the proposed amendments at its meeting on October 27, 2015.

Following conclusion of the public hearing, the Planning Board voted unanimously (7-0) at its meeting last night to recommend adoption of the amendments as drafted/proposed.

Please feel free to contact me or Planning Director Tina Cassidy if you have any questions regarding the Board's recommendation.

Sincerely, s/James Callahan, Chairman

A report was received from the Committee on Ordinances as follows: "ought to pass, as amended, with the amendment as follows: 1. That the effective date shall be September 25, 2015." PUBLIC COMMENTS: Chris Owen, 3 Florence Terrace stated that this issue was discussed some time ago, that this is only the second opportunity for the public to discuss the amendment, that the Zoning Ordinance Review Committee and the Planning Board spent some time reviewing this matter, that this is a "done deal" and "a farce", that a development was approved based on this amendment before it was adopted, that this ordinance is being adopted solely for the benefit of one developer, that the buffer zone is for equal protection of both parties in the business and residential areas, that this ordinance creates a group of second class property owners, that this ordinance gives the City Council the ability to reduce the buffer zone to zero feet, and that this ordinance will affect all zoning districts. Tim Swain, 29 Dragon Court stated that there should not be any changes in the buffer zone. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2<sup>nd</sup> to take the committee report out of order, 8 in favor, 1 opposed (Mercer-Bruen opposed). Alderman Concannon stated that the ordinance is in the best interest of the developer, that the City Council must determine whether the amendment is in the best interest of the city and the neighborhood, that under the ordinance the City Council has authority to waive the buffer zone to meet certain conditions and therefore could not be arbitrary or whimsical in deciding the request for a waiver, that the conditions require protection to the neighbors, and that the ordinance has been drafted to protect the neighbors. Alderman Mercer-Bruen stated that she disagrees with the analysis of Alderman Concannon. Alderman Raymond stated that the City Council must answer the question as to whether the ordinance is beneficial to the neighborhood, that the project will provide a new entrance to the neighborhood, and that the project is good for the neighborhood with the construction of the new entrance roadway. Alderman Anderson stated that he initially did not support the amendment but after much work a good form of ordinance was drafted, that the ordinance will not affect the current development, and that this ordinance will not affect any residential property. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, 8 in favor, 1 opposed (Mercer-Bruen opposed). Motion made and 2<sup>nd</sup> to return to the regular order of business, all in favor, 9-0.

**Presented to the Mayor: November 12, 2015 s/Scott D. Galvin November 12, 2015**

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On the petition by Dish, 195 Wildwood Avenue, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.57b to allow parking of twelve (10) commercial vans overnight at 195 Wildwood Avenue. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "ought to pass, with the following conditions: 1. That the plan dated July 1, 1996, as amended by property owner, Kathleen Krueger, signed and dated

October 26, 2015 shall be the Plan of Record which identifies snow storage areas, provides an appropriate level of detail on the security lighting, and shows the striped eight (8) spaces to be used for overnight parking; 2. That there shall be allowed twelve (12) commercial van vehicles to be parked on site overnight and which must be registered in the City of Woburn; 3. That all compact and handicap spaces shall be marked with appropriate signage; 4. That the dumpster shall not be located in a parking space and shall be screened with a 6' sight impervious fence; 5. That vans to be parked overnight shall be parked at least 4' from the stairs for proper egress; 6. That deliveries there shall be no deliveries after 5:00 pm and not be allowed during the hours the vans are parked onsite; and 7. The Special Permit be issued to Dish only and shall not be transferrable.”

Appearing for the petitioner was Attorney William Appleyard, Appleyard, Grant & Lane, 90 Salem Street, Malden, Massachusetts 02148 and he stated that he represents the petitioner and the landowner, that the petition is to allow up to twelve van-type trucks to park overnight at the property, that there are adequate parking spaces, that there is screening from both streets, that the petitioner wants to move the vehicles to behind their portion of the building for security and to smooth operations of the business, and that the petitioner understands and accepts the proposed conditions. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2<sup>nd</sup> that the SPECIAL PERMIT be GRANTED, AS AMENDED with the conditions as follows: 1. That the conditions recommended by the Committee on Special Permits be adopted as conditions of the special permit, all in favor, 9-0.

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On the petition by Melanson Development Group, Inc., 5 Robertson Way, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.3c, 11.3.12, 11.11, 12.3.2, 18 and other applicable sections to allow construction of eighteen (18) residential townhouse units at 165 Cambridge Road. PUBLIC HEARING OPENED. A communication dated November 3, 2015 was received from Tina P. Cassidy, Director, Woburn Planning Board as follows:

Re: Special Permit Application for Development of eighteen (18) townhouse units at 165 Cambridge Road/Eileen Marsan (owner) and Melanson Development Group Inc. (developer)

Dear Honorable Council:

The Planning Department has reviewed the above-referenced petition which seeks special permits in accordance with Sections 5.1.3.c., 11.3.12, 11.11, 12.3.2, 18 and “all other applicable sections” of the Woburn Zoning Ordinance to allow for the construction of eighteen (18) townhouse dwelling units on the above-referenced 2.4 acre property which is in an R-3 zoning district.

The Planning Department notes the following issues with respect to this filing:

- The property must be accessed over its frontage in accordance with Section 5.2.1.4. of the Zoning Ordinance. The plan appears to show frontage on Cambridge/Old Cambridge Road with access from Old Lexington Road. This point must be clarified to ensure zoning conformance.
- It is not clear where the sixty-two (62) parking spaces noted in the table on the cover page are located. Staff review of the submitted plan shows a total of forty-six (46) parking spaces on site. The discrepancy should be resolved.
- The applicant has yet to submit to the City Council the Development Impact Statement required by Section 18 of the Zoning Ordinance (Development Impact Mitigation) and has not yet submitted to the City's Engineering Department the mitigation fee that will be specified in the yet-to-be-submitted Development Impact Statement.
- The proposed public parking area on the abutting Battle Road site is too close to the lot line (Section 8.4.2.1.). It should either be relocated, the lot lines redrawn so that the required 5' setback is observed, or a variance obtained.
- There is no buffer (either in terms of distance or landscaping) proposed to shield this development from properties to the immediate south and from the historic property to the immediate north. Planning staff recommends the City Council consider reducing the number of units from 18 to 16. Taking one (1) unit off each cluster of units near the western boundary line will create roughly thirty (30) feet of space that can be used to increase the one-way roads to 18' in width and to provide a sidewalk and sufficient area for additional plantings/buffer against abutting properties.

Following resolution of the above matters, the Planning Department recommends the City Council consider imposing the following conditions if the special permit is granted:

1. The width of the proposed interior site driveway shall be increased to eighteen (18) feet for one-way travel and twenty four (24) feet for two-way travel.
2. A five (5) foot wide sidewalk shall be installed on one (1) side of the interior site driveway. The sidewalk can easily be accommodated by eliminating two (2) units as noted above.
3. If there are more than ten (10) visitor parking spaces on site they shall be eliminated from the site plan and the area landscaped instead in order to improve drainage.
4. All curbing shall be 4" vertical granite curbing.
5. The plan must be revised to show snow storage areas of adequate capacity and the applicant must file a copy of the approved snow storage plan with the Director of Inspectional Services.

6. Unless otherwise authorized, all construction shall conform to the Plan of Record which for this project shall be “Site Plan Battlemarch Village, Woburn, Massachusetts, September 30, 2015; drawn by: Alan Engineering, L.L.C., 288 Littleton Road, Suite 31, Westford, MA 01886 (978) 577-6444; Untitled first sheet with ‘vicinity’ map at scale 1”=1,000’; Existing Conditions Plan (Sheet 2 of 7), Site Layout Plan (Sheet 3 of 7), Grading and Drainage Plan (Sheet 4 of 7), Plan and Profile (Sheet 5 of 7), Construction Details (Sheets 6 of 7 and 7 of 7), all dated September 30, 2015, revised \_\_\_\_\_, 2015 and all at a scale of 1”=30””.
7. All signage must comply in all respects with the provisions of Section 13 of the Woburn Zoning Ordinance. All signage shall be subject to a separate application and approval process by the City of Woburn’s Department of Inspectional Services.
8. During construction, all vehicles must be parked on site and all staging and deliveries must occur on site.
9. Exterior construction activities on site shall not commence prior to 7:00 a.m. and shall cease no later than 7:00 p.m. Monday through Saturday, and no exterior construction activities shall occur at all on Sundays.
10. During the site redevelopment and construction phases, the petitioner shall maintain all adjoining roadways free and clear of all debris.
11. The proposed parking area near the western property line has a parking space within five (5) feet of the property line which violates Section 8.4.2.1. The parking space should either be relocated to comply with the ordinance or eliminated from the plan.
12. Screening is needed along the lot line of Viktoriya to screen the proposed parking area from the abutting residential property, in accordance with Section 8.6.1.
13. If irrigation is being provided the proposed Plan of Record must be revised to show the location of the meter box.

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

Respectfully, s/Tina P. Cassidy, Director

Motion made and 2<sup>nd</sup> that the communication be received and made part of the record, all in favor, 9-0. A communication dated November 9, 2015 with plan attached was received from Mark A. Sleger, P.E., Manager, ALAN Engineering, L.L.C., 288 Littleton Road, Suite 31, Westford, Massachusetts 01886. Appearing for the petitioner was Attorney Shaun W. Briere, Hackett Feinberg P.C., 155 Federal Street, 9<sup>th</sup> Floor, Boston, Massachusetts 02110 and he stated that there are two lots consisting of approximately 2.8 acres of land, that one parcel currently has a single family house, that the parcels are in the R-3 zoning district under a recent zoning map amendment, that the frontage is on Cambridge Road, that the property is bounded by the B-H zoning district to the south and

the O-S zoning district to the north as well as Battle Road, that there will be eighteen two-bedroom townhouse units, that access to the property will be through the existing driveway, that documents filed today address most of the issues raised by the department head review meeting, that the petitioner has no objections to the thirteen conditions recommended by the Planning Department, that a traffic report was filed with the petition, that the petitioner must go to the Planning Board relative to alteration of a scenic road, that Battle Road was designated a scenic road in 1973, that the Planning Board must also approve a plan with multiple buildings on one lot, that the project includes a public parking area and additional signage commemorating the Battle Road, that the petitioner has filed for a demolition permit for the single family house and has complied with the demolition delay ordinance, that a development impact statement will be filed by the end of next week, that there are certain permits required which are outside the jurisdiction of the City Council and which will be obtained latter, that the petitioner was able to address concerns of the Planning Department by reducing the size of the structure thereby eliminating the need to reduce the project from eighteen units to sixteen units, that the petitioner will comply with the affordable housing ordinance, and that two units would be affordable. Mark A. Sleger, P.E., ALAN Engineering, L.L.C. stated that there are wetlands with an intermittent stream through part of the property, that the Conservation Commission has reviewed the matter and approved the plan to avoid impact on the wetland area, that there will be eighteen units of both townhouse and garden apartment style, that the townhouses will be the end units with the garden apartments in between, granite curbing will be added, that an inner loop sidewalk will be added to Battle Road, that existing trees will buffer a neighboring property, that there will be a landscaping/screening strip along Battle Road, that the existing street will be widened to 22 feet up to the rotary, that other access roads will be 16 feet wide and 20 feet wide, that a sewer line and water main loop will be installed, that the turnaround will be adequate for emergency vehicles, that the pipe sizes are based on the size of the existing channel, that the petitioner will work closely with the City Engineer, that there are two proposed hydrants and an eight-inch main, and that the manmade pond still exists on site but there is no water in it. Alderman Gately stated that he does not want Cape Cod berm, and that the pipe size may need to be expanded as there can be excessive runoff in that area. Alderman Mercer-Bruen stated that the development impact statement should include a breakdown of costs as mitigation is based on the costs. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON DECEMBER 1, 2015 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

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On the petition by Hugo Moraes, 1 Middlesex Canal Park, Woburn, Massachusetts 01801 for special permits pursuant to 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Section 5.1.5 to allow for seven (7) residential dwelling units above the first story of a full service restaurant; 2. Section 5.1.28 (Note 16) to allow for hours beyond 11:00 p.m. at a full service restaurant; 3. Section 7.3 finding to allow for reconstruction, extension, or structural change to a non-conforming structure; 4. Section 8.3 substitution for required parking in a B-D District to be a municipal lot within 500 feet of uses to be

served; and 5. Section 11.6.11 to allow for dwelling unit parking at a municipal parking lot within 500 feet of the locus, all at 434 Main Street. PUBLIC HEARING OPENED. A communication dated November 3, 2015 was received from Tina P. Cassidy, Director, Woburn Planning Board as follows:

Re: Planning Department comments on Special Permit Application for Mixed Use Building at 434 Main Street

Dear Honorable Council:

The Planning Department has reviewed the above-referenced petition which seeks special permits in accordance with the following sections of the Woburn Zoning Ordinance (The property is in the Business Downtown (B-D) zoning district and the requested uses are allowed by City Council Special Permit):

- Section 5.1.5 to allow for dwelling units above the first story of a commercial structure. The building will have a full service bar and restaurant on the ground level, three two-bedroom apartments on the second floor, one two-bedroom unit and three one-bedroom units on the third floor;
- Section 5.1.28 to allow for hours of operation exceeding 11:00 p.m. per Note 16 of 5.1.28;
- Section 7.3 to allow for the extension or alteration of nonconforming use(s);
- Section 8.3 to allow for the substitution of required off-site parking to a municipal lot within 500 feet of the uses to be served; and
- Section 11.6.11 to allow for off-site parking at a municipal lot within 500 feet of the locus.

The Planning Department recommends the Council consider imposing the following as conditions of the Special Permit:

1. The height of the building not exceed 40' or three stories per Table 6.1 of the Woburn Zoning Ordinance;
2. The petitioner submit a snow storage plan to the Building Commissioner for the outdoor patio;
3. The petitioner submit a parking plan for Council approval per Section 11.6.11 of the Woburn Zoning Ordinance. The Zoning Ordinance requires two (2) parking spaces per dwelling unit in a multi family dwelling. Even though the applicant is not proposing to provide any parking on site, the applicant is required to explain how many parking spaces the project requires to meet zoning and to explain where tenants will be expected to park;

4. Deliveries to the restaurant occur only between the hours of 7 a.m. and 5 p.m. Monday through Saturday;
5. Construction only be allowed between the hours of 7 a.m. and 5 p.m. Monday through Saturday;
6. During the site development and construction phases, the petitioner shall maintain all adjoining roadways free and clear of all debris.
7. The prospective tenants of the apartments be made aware the municipal lot where parking will be provided is slated to be metered in the future, and parking may be limited or unavailable throughout any given day;
8. The petitioner install security lighting at the rear of the property leading to the public passageway providing access to Main Street;
9. The lighting be arranged and shielded so as to prevent glare from the light source onto adjacent streets and properties;
10. The Special Permit be granted to 434 HM LLC only and shall not be transferrable;
11. All signage must comply in all respects with the provisions of Section 13 (Sign Regulations) of the Woburn Zoning Ordinance. All signage is subject to a separate application and approval process by the Department of Municipal Inspections; and
12. Unless otherwise authorized, all construction shall conform to the Plan of Record which for this project shall be "Special Permit Site Plan Map 51, Block 5, Lot 9 434 Main Street Woburn, MA; Prepared for HM, LLC; Prepared By: Griffin Engineering Group, LLC 495 Cabot Street, 2<sup>nd</sup> Floor Beverly, MA 01915 (978) 927-5111; Dated September 24, 2015; Scale: 1"=20"

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

Respectfully, s/Neil Cronin, City Planner/Grant Writer

Motion made and 2<sup>nd</sup> that the communication be received and made part of the record, all in favor, 9-0. Appearing was the petitioner Hugo Moraes and he stated that he has been in business since 2006, that the building has been vacant for ten years, that there will be a restaurant on the first floor with apartments on the second floor, that he has not made a decision as to whether he will move the liquor license from his current location to this new location, and that he recently purchased the property. Steven Paris, 3 Fisher Terrace stated that a structural engineer inspected the building, that there are some problems with the building, that the petition will maintain the zero foot setback, that there is access to the rear of the property by a right of way, that the petitioner can bring some equipment in from the rear of the building, that the petitioner will work on staging materials during the

building phase to minimize disruption, that runoff will stay on the lot, that the foundations are porous in that area, that the structural engineer believes that the foundation is fine, that the petitioner will stabilize the building to allow construction over the first floor, that the building will be sprinkled, that a branch from the hydrant was installed to allow adequate water for the sprinkler system, that there are no parking spaces in the easement area, that the easement will only allow for deliveries and a second means of egress, that there will be a seasonal patio area to the rear of the building for seating approximately thirty patrons, that there will be an enclosed dumpster onsite, that the area to the rear is approximately ten feet deep, that more area would be required to allow vehicle parking and maneuvering in that area, that there is ledge behind the proposed patio area, that delivery trucks could maneuver into the area but it is not suitable for parking, that the petitioner is not aware of any plans by the city relative to metering the municipal parking area, that the petitioner has not received a copy of the Planning Department communication, that the petitioner believes that the tenants will be gone from the units during the day and that during the evening and weekends there is adequate parking in the municipal parking lot, and that the use is not nonconforming but the structure is nonconforming because of the width of the building and that there is less than forty feet of frontage. President Haggerty stated asked why there would be room for an exterior patio but not sufficient room for parking. Alderman Anderson stated that there is an issue with parking in the downtown area, that fourteen additional parking spaces will be needed for the project, and that parking demands in the downtown area has been an issue for some time. Alderman Concannon stated that the project looks good and will bring residents to the center as well as patrons to the restaurant but there is a concern about the impact on parking. Alderman Raymond stated that for this project to come forward is a good sign for the downtown area although parking will be an issue that had to be addressed. Alderman DiTucci stated that there may be less need for parking as tenants may use the nearby transportation, that there are many demands on the parking lot, and that parking for the project will have to be addressed. Alderman Gately stated that this will be a good project, and that he is not concerned about the parking. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON DECEMBER 1, 2015 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

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On the petition by Seaver Properties LLC, 215 Lexington Street, Woburn, Massachusetts 01801 for a special permit and site plan approval pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.3a, 5.7.3 and 12.2.2 to allow for forty one (41) residential townhouse units, and a waiver of the required buffer zone of seventy (70) between the R-3 zoned property and O-P zoned property at 98 Baldwin Avenue; 100 Baldwin Avenue, Chester Avenue (09-11-01); Chester Avenue (09-11-02), Dexter & Warren Avenue (09-13-01). PUBLIC HEARING OPENED. A communication dated November 3, 2015 was received from Tina P. Cassidy, Director, Woburn Planning Board as follows:

Re: Special Permit application for development of forty-one (41) townhouse units at 98 & 100 Baldwin Avenue and Chester, Dexter and Warren Avenues (former Nelco site)/Seaver Properties LLC

Dear Honorable Council:

The Planning Department has reviewed the above-referenced petition which seeks special permits in accordance with Sections 5.1.3.a., 5.7.3 and 12.2.2. of the Woburn Zoning Ordinance to allow for the construction of forty-one (41) townhouse dwelling units at the above-referenced address. The Department also attended a meeting held with the developer and relevant departments held on November 2, 2015. The property subject to this application consists of multiple lots which total approximately five (5) acres and are zoned R-3.

The Planning Department notes the following issues with respect to this filing:

- The project will also need a waiver in accordance with Section 5.7.6 (soon to be 5.7.7.) wherever the buffer zone is less than ten (10) feet in width.
- All decks must either be less than four (4) feet in height or must be located outside of the required setback areas per Section 6.2 of the Zoning Ordinance.
- Virtually all of the 6' tall stockade fencing proposed for installation along the perimeter of the site violates Section 5.3.2. of the Zoning Ordinance because it is located within the street setback requirement.
- The paper streets that intersect the development site which are slated for extinguishment should be extinguished prior to the issuance of a building permit.
- The existing house on the site should be demolished prior to the issuance of a building permit.
- The plan should be revised to provide additional landscaping at the entrance to the project in the vicinity of the proposed gazebo, to shield residences on Dexter and Chester Avenues from the new buildings and gazebo area. Planning staff would be happy to review and comment on a proposed landscaping plan for this area prior to final action by the City Council so the landscaping amendments can be incorporated into the final Plan of Record.
- The plan shows the limits of the buffer zone required by Section 5.7 but does not show the limits of the buffer zone the applicant is proposing to provide. The plan should be amended to clearly show what the proposed buffer area will be if the requested waivers from Section 5.7 of the Zoning Ordinance are granted. Doing so will clearly define the buffer yard for future reference. The buffer area should not include any decks, porches, or daytime parking spaces.

- The applicant has yet to submit to the City Council the Development Impact Statement required by Section 18 of the Zoning Ordinance (Development Impact Mitigation) and has not yet submitted to the City's Engineering Department the mitigation fee that will be specified in the yet-to-be-submitted Development Impact Statement.

Following resolution of the above matters, the Planning Department recommends the City Council consider imposing the following conditions if the special permit is granted:

1. Visitor parking is clustered in one location near the entrance. Six (6) or so visitor parking spaces should be relocated to 2-3 areas throughout the development so that some spaces are located closer to and therefore more useable by the more remote units.
2. A five foot (5') wide sidewalk shall be installed along one side of the interior site driveway. The proposed two foot (2') wide grass strips shall be eliminated to make room for (most of) the sidewalk.
3. To accommodate the sidewalks and facilitate drainage, 4" vertical granite curbing shall be installed along both sides of the interior site driveway.
4. All driveways to individual units must be at least eighteen (18) feet long per Section 8.4.1 of the Zoning Ordinance in order for the driveway space to count toward the parking requirements for zoning purposes. Up to 30% of the parking spaces in driveways may be compact spaces, but any such spaces shall be clearly identified as such by signage and/or pavement markings as required by Section 8.2.3 of the Zoning Ordinance.
5. Lighting fixtures shall be added at approximately 100' intervals along the interior site driveway to provide adequate light for safe pedestrian and vehicular travel.
6. A detail of the lighting fixtures to be used on the site shall be incorporated into the detail sheet to show the method of directing glare downward onto the site and away from abutting properties.
7. All signage must comply in all respects with the provisions of Section 13 of the Woburn Zoning Ordinance. All signage shall be subject to a separate application and approval process by the City of Woburn's Department of Inspectional Services.
8. The applicant must comply with the requirements of Section 11.11 of the Zoning Ordinance (Affordable Housing Requirement) relative to the creation of four (4) affordable housing units. The Planning Department urges the City Council to require the production of the four (4) required affordable housing units on site and not to permit a cash payment in lieu of thereof.

9. The configuration of the proposed driveway must be changed to meet the Zoning Ordinance (the maximum width of a residential driveway is twenty-four feet [24'] per Section 8.4.3 of the Zoning Ordinance, and the proposed driveway is 26' wide.
10. The plan should be revised to show adequate snow storage areas and the applicant must file a copy of the snow storage plan with the Director of Inspectional Services.
11. During construction, all vehicles must be parked on site and all staging and deliveries must occur on site.
12. Exterior construction activities on site shall not commence prior to 7:00 a.m. and shall cease no later than 7:00 p.m. Monday through Saturday, and no exterior construction activities shall occur at all on Sundays.
13. During the site development and construction phases, the petitioner shall maintain all adjoining roadways free and clear of all debris.
14. Water meters must be installed in each residential unit prior to sign-off by the plumbing inspector on any final inspection.
15. If irrigation is being provided, the proposed Plan of Record must be revised to show the location of the meter box.
16. Prior to commencement of work on site, the developer shall be responsible for providing all vendors and contractors with a map of the preferred truck route to the property.
17. Unless otherwise authorized, all construction shall conform to the Plan of Record which for this project shall be "Site Plan Baldwin Avenue, Woburn, Massachusetts October 9, 2015; Drawn by Alan Engineering, L.L.C., 288 Littleton Road, Suite 31, Westford, MA 01886 (978) 577-6444; untitled first sheet with 'vicinity' map at scale of 1"=200'; Existing Conditions Plan (Sheet 2 of 8); Site Layout Plan (Sheet 3 of 8); Plan and Profile (Sheet 4 of 8); Grading and Drainage Plan (Sheet 5 of 8); Landscaping Plan (Sheet 6 of 8); Construction Details (Sheets 7 of 8 and 8 of 8), all dated October 9, 2015, revised \_\_\_\_\_ and all at a scale of 1"=30'".

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

Respectfully, s/Tina P. Cassidy, Director

Appearing for the petitioner was Attorney Joseph R. Tarby III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he offered a document entitled "Site Plan Baldwin Avenue, Woburn, Massachusetts" dated October 9, 2015, revised November 9, 2015 prepared by ALAN Engineering, L.L.C. to the City Council for review. Motion made and 2<sup>nd</sup> that the document be received and made part of the record, all in favor, 9-0. A communication dated November 10, 2015 with plan attached was

received from Attorney Joseph R. Tarby, III. Attorney Tarby stated that forty-one residential townhouse units with a waiver of the buffer zone is requested by the petitioner, that the property is located in the R-3 zoning district, that a special permit is required for the townhouse units, that the property is the former location of New England Lead Burning Co. (NELCO), that the company operated at the location since the 1920s, that the petitioner manufactured lead products for medical, industrial and commercial customers worldwide, that access to the property was through residential neighborhoods including the associated truck traffic, that the petitioner met with the Building Commissioner, Planning Director, Assistant Planning Director, City Engineer, Superintendent of Public Works, the Water Superintendent, the Police Chief, a Fire Department representative, the Board of Health Agent and the City Solicitor who reviewed the proposal, that a revised site plan was filed today which addressed the issues raised, that the petitioner will provide access to the lot down so-called Monkey Hill to Merrimac Street, that parking spaces can be located behind each other if assigned to a unit, that a subdivision plan will have to be approved by the Planning Board for the proposed roadway which will require a public hearing and abutter notification, that the petitioner can provide a breakdown of the mitigation and will have the development impact statement on file soon, that the petitioner will not provide full development plans with approval of the special permit due to the cost to do so, that the petitioner is willing to construct the new roadway to binder course for use during the construction phase, that the petitioner presented a document regarding the site cleanup during the zoning amendment process but will present an updated document, and that the residents of the development may want to take the most direct access to Merrimac Street but absent a no left turn restriction there would be no prohibition on the vehicles using the current neighborhood roadways. Mark A. Sleger, P.E., Manager, ALAN Engineering, L.L.C., 288 Littleton Road, Suite 31, Westford, Massachusetts 01886 stated that the petitioner will construct a portion of Dexter Avenue to access Merrimac Street, that there will be a loop roadway through the site 28 feet in width, that there will be a five foot wide sidewalk on the inner loop, that there will be concrete curbing on both sides of the roadway, that there will be 94 parking spaces including one parking space in each garage, once parking space in front of the garage and twelve additional visitor parking spaces, that white spruce trees will be used for screening as well as a six foot tall stockade fence, that there is an existing gated entrance, that the NELCO parking area and buildings have been removed, that all buildings will be townhouse style with a one-car garage, that there will be a continuous loop of water, that two hydrants will be provided, that there will be underground electric and natural gas service, that drainage will be by a subsurface storm water infiltration system with catch basins at two low points, that the zoning ordinance requires the driveway entrance be no wider than 24 feet, that the plan was modified to comply with the driveway requirement and the direction of travel was also reconfigured, that there will be a mailbox center at the rear entrance to the development, that there is adequate access for emergency vehicles, that the measured buffer from the lot line would require a zero foot buffer, that the petitioner is waiting for an interpretation from the Building Commissioner as to from where the petitioner has to measure, that the existing house on the property will be demolished, and that the roadway circulation is one-way. Scott Seaver of Seaver Construction stated that the gazebo is meant as a decorative element which can be landscaped, that the area needed some type of feature to improve

the appearance, that the gazebo is not meant for parties but for decoration, that he is committed to constructing the new roadway, that a condition for the construction of a new roadway can be added as a condition of the special permit, and that the units will be two-bedroom. Alderman Anderson stated that he does not like the stacked parking proposal. Alderman Gately stated that the new access road is critical for the approval of this project, that he wants to see a plan of the road development including how the new roadway will connect to Merrimac Street, that the new roadway will be the access during the development phase of the project, and that no construction vehicles should use the existing neighborhoods roadways. Alderman Mercer-Bruen stated that she wants to see definitive plans for the new roadway as it will be a deciding factor for this proposal. Alderman Raymond stated that the petitioner must bring forward evidence how the buffer requirement will be met, and that he wants a plan to be filed showing how the project meets the buffer requirements. PUBLIC COMMENTS: Tim Swain, 29 Dragon Court stated that he is concerned about the impact of paper streets. Carolyn Youngclaus, 2 Park Drive stated that she want to know if any of the units will be affordable. President Haggerty stated that 10% of the units will have to be affordable, and that the petitioner would have to comply with the affordable housing ordinances. John Coviello, 20 East Dexter Avenue stated that there is nothing that would prevent the near eighty vehicles from using the current residential streets even with the new access, that the scope of the project is too much, and that this project is located in a single-family neighborhood. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON DECEMBER 1, 2015 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

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On the petition by Alderman Gately concerning the structure or structures located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 20 Garfield Avenue, Woburn, Massachusetts, for the purposes of determining whether said structure or structures are a public nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED. A communication dated October 1, 2015 was received from Building Commissioner Thomas C. Quinn, Jr. as follows:

Re: 20 Garfield Avenue

With regard to the above, I have not had any further communications with the owner's agent in the last few months, additional visits from public ways of Garfield Avenue and Jefferson Avenue have occurred to view conditions, the exterior grounds appear to be maintained.

In closing if I am able to gain access to the interior of the structure I will be able to provide a more detailed report. As always if you have any additional concerns or questions do not hesitate to contact me.

Alderman Gately stated that the issue of this property is in the hands of the City Solicitor and city officials relative to back taxes that are owed, and that he asks that this matter be withdrawn while that process is pursued. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2<sup>nd</sup> that the MATTER be PLACED ON FILE, all in favor, 9-0.

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**CITIZEN’S PARTICIPATION:** None.

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**COMMITTEE REPORTS:**

**FINANCE:**

On the Order to appropriate the sum of \$35,000,000.00 for the replacement of the Wyman Elementary and Daniel P. Hurd Elementary School with a combined K-5 facility located at 41 Wyman Street, committee report was received “ought to pass.” Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, ROLL CALL: Anderson – Yes, Concannon – Yes, DiTucci – Yes, Drapeau – Yes, Gaffney – Yes, Gately – Yes, Mercer-Bruen – Yes, Raymond – Yes, Haggerty – Yes, Motion Passes.

**Presented to the Mayor: November 12, 2015 s/Scott D. Galvin November 12, 2015**

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**ORDINANCES:**

On the Order to amend 1989 Woburn Municipal Code, as amended, Section 2-179 through Section 2-189 relative to salaries, committee report was received “ought to pass, as amended with the amendment as follows: ‘Section 2-181 shall be amended to read “The following rates shall be paid for part-time/seasonal employees. At the Library the Bookkeeper shall be paid \$20.75 per hour, the Archivist shall be paid \$20.55 per hour and the two Custodian positions shall be paid \$16.47 per hour. For seasonal help, the Department of Public Works Summer Crew shall be paid \$10.00 per hour, Park Laborers shall be paid \$9.00 per hour, Park Instructors shall be paid \$10.00 to \$11.00 per hour, and Lifeguards shall be paid \$11.00 to \$12.00 per hour.’” Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: November 12, 2015 s/Scott D. Galvin November 12, 2015**

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**PUBLIC SAFETY AND LICENSES:**

On the petitions to renew First Class Motor Vehicle Sales Licenses by C.N. Wood Company, Inc.; Lannan Chevrolet, Inc.; R.C. Olsen Cadillac, Inc.; Woburn Foreign Motors, Inc.; and Wood Machinery, Inc., committee report was received “ought to pass.” Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: November 12, 2015 s/Scott D. Galvin November 12, 2015**

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On the petitions to renew Second Class Motor Vehicle Sales Licenses by Capelo's Garage, Inc.; Kenneth L. O'Connor dba City Line Motors; George J. Hamilton dba George's Auto Body; Robert McSheffrey dba Bob McSheffrey Auto Sales; Capelo's Auto Service, Inc. dba J.C. Auto Sales; Oliver M. McDermottroe dba McDermottroe Auto Sales; McSheffrey Auto Sales, Inc.; Ollies Service Center; Route 16 Auto Broker; Southside Associates, Inc. dba Burke's Garage; David Dellarocco dba Woburn Auto Sales; Woburn Gas & Service, Inc.; Donald J. Socorelis dba Woburn Glass Co.; and Wassim (Sam) Nicolas dba Woburn Square Mobil. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: November 12, 2015 s/Scott D. Galvin November 12, 2015**

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On the petition by TransAction Corporate Shuttles, Inc. for renewal of Common Carrier License, committee report was received "ought to pass, as amended with the amendment as follows: 1. That the number of vehicles shall be limited to forty-three (43), and 2. Upon applicant filing a parking plan." Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: November 12, 2015 s/Scott D. Galvin November 12, 2015**

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#### **NEW PETITIONS:**

Petition by Tanner Ta Ta Foundation, 100 Tower Office Park, Suite F for a Special Event Permit to allow a road race/walk beginning and ending at 15 Middlesex Canal Park on November 29, 2015 from 11:00 a.m. to 1:00 p.m. Motion made and 2<sup>nd</sup> that the SPECIAL EVENT PERMIT be GRANTED, all in favor, 9-0.

**Presented to the Mayor: November 12, 2015 s/Scott D. Galvin November 12, 2015**

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Petition by Sumaya Transportation, Inc., 111 Locust Street, TH-29, for a new Livery License for one (1) vehicle. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

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Petitions for renewal of First Class Motor Vehicle Sales Licenses by Lawless, Inc., 196 Lexington Street; and M&L Transit Systems, Inc., 60 Olympia Avenue. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

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Petition for renewal of Second Class Motor Vehicle Sales Licenses by EC Inc. dba Xpress Fuel, 505 Main Street; Joseph P. Mahoney Company, Inc., 293 Salem Street; Velozo Enterprises, Inc. dba Rogers Radiator; Francis Garbino dba Tom's Auto Body; and Louis Jean Brunet dba Woburn Motors. Motion made and 2<sup>nd</sup> that the MATTER be

REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

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Petition for renewal of Third Class Motor Vehicle Sales License by Woburn Truck and Auto, Inc. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

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Petitions by Thomas M. Skeffington, Sr. and Dennis M. Stone for approval of an exemption under M.G.L. Ch. 268A, §20(b) to allow the provision of snowplow services to the city. Motion made and 2<sup>nd</sup> that the EXEMPTION PURSUANT TO M.G.L. Ch. 268A, SECTION 29(b) be GRANTED all in favor, 9-0.

**Presented to the Mayor: November 12, 2015 s/Scott D. Galvin November 12, 2015**

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Petition by Amerco/U-Haul of Woburn, 31 Olympia Avenue, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, section 5.1.53 to amend the site plan of record to add a propane station at 31 Olympia Avenue. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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Petition by Robert C. McSheffrey Revocable Trust, 950 Marble Way, Boca Raton, Florida 33434 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1, Note 15 and 7.3 to allow for a second garage containing approximately 600 square feet on the premises at 5 Manning Street. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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**COMMUNICATIONS AND REPORTS:**

A communication dated October 30, 2015 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 October 2015. Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

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A communication dated October 28, 2015 was received from Alderman Richard Gately inviting the Aldermen to a formal dedication of the Superintendent Robert W. Simonds Pumping Station at Horn Pond on Saturday, November 14, 2015 at 10:00 a.m. Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

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A copy of a communication dated October 20, 2015 to Ride Style Taxi and Limo from Police Chief Robert Ferullo relative to the need to comply with local ordinances for a taxi and livery service. Alderman Mercer-Bruen stated that the company has been ordered to cease and desist operations, and that the company will have to come to the City Council to obtain a license in order to operate. Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

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**UNFINISHED BUSINESS OF PRECEDING MEETING:** None.

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

From the Traffic Commission

ORDERED JAYCIN CIRCLE – That the Order establishing no parking even side the entire length effective July 21, 2015 be and is hereby rescinded.

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, 8 in favor, 1 opposed (Anderson opposed).

**Presented to the Mayor November 10, 2015 and ten days having elapsed without same being approved, said Order became effective without his signature on November 24, 2015.**

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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 from Section 11.11 Affordable Housing Requirement Paragraph 4 and Paragraph 6; and
2. By renumbering the remaining paragraphs 1 through 5 accordingly.

s/President Haggerty

Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 9-0. Meeting adjourned at 9:02 p.m.

A TRUE RECORD ATTEST:

William C. Campbell  
City Clerk and Clerk of the City Council