

**CITY OF WOBURN  
MARCH 20, 2018 - 7:00 P.M.  
REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBER, WOBURN CITY HALL**

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, all in favor, 9-0.

---

The City Council observed a moment of silence for John "Jack" Dillon who was a long-time school department employee who passed away recently.

---

Motion to suspend the rules for the purposes of taking the following matter out of order, all in favor, 9-0.

---

Petition by James L. McKeown Boys and Girls Club of Woburn, Charles Gardner Lane, Woburn, Massachusetts 01801 for a Special Event Permit to allow a road race and health walk along area streets between Library Field and Horn Pond on May 6, 2018. Motion made and 2<sup>nd</sup> that the SPECIAL EVENT PERMIT be GRANTED, all in favor, 9-0.  
**Presented to the Mayor: March 22, 2018**                      **s/Scott D. Galvin March 22, 2018**

---

Motion made and 2<sup>nd</sup> to return to the regular order of business, all in favor, 9-0.

---

**MAYOR'S COMMUNICATIONS:** None.

**PUBLIC HEARINGS:**

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 petition. PUBLIC HEARING OPENED. A communication dated March 15, 2018 was received from Attorney Joseph R. Tarby,

III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Proposed Amendment to Zoning Map of the City of Woburn/Jamieson Properties LLC, 14 and 14R Federal Street, Woburn, Massachusetts

Dear Mr. Campbell:

On behalf of my client Jamieson Properties LLC, I respectfully request that the public hearing scheduled for March 20, 2018 be continued to April 17, 2018. As you know, the City Solicitor issued an opinion to the City Council Committee on Ordinances on February 26, 2018 that certain steps, including a public hearing held by the Mayor, must be held before the City Council can take further action on this matter.

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

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

Motion made and 2<sup>nd</sup> that the communication be received and made part of the record, all in favor, 9-0. 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 APRIL 17, 2018, all in favor, 9-0.

\*\*\*\*\*

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. A communication dated March 15, 2018 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Proposed Amendment to Zoning Map of the City of Woburn/Jamieson Properties LLC, 14 and 14R Federal Street, Woburn, Massachusetts

Dear Mr. Campbell:

On behalf of my client Jamieson Properties LLC, I respectfully request that the public hearing scheduled for March 20, 2018 be continued to April 17, 2018. As you know, the City Solicitor issued an opinion to the City Council Committee on Ordinances on February 26, 2018 that certain steps, including a public hearing held by the Mayor, must be held before the City Council can take further action on this matter.

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

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

Motion made and 2<sup>nd</sup> that the communication be received and made part of the record, all in favor, 9-0. 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 APRIL 17, 2018, all in favor, 9-0.

\*\*\*\*\*

On the petition by NSTAR Electric Company d/b/a Eversource Energy for a grant of right in a public way to allow installation of a new subsurface 345 kilovolt transmission conduit duct bank with appurtenant communication/signal wires beneath Lake Avenue (approximately 1485 linear feet), Pickering Street (approximately 475 linear feet), Border Street (approximately 540 linear feet), Cross Street (approximately 365 linear feet), Washington Street (approximately 2,375 linear feet), and Montvale Avenue (approximately 2090 linear feet). The duct bank is comprised of four (4) eight-inch (8") HDPE conduit and two (2) four-inch (4") and two (2) two-inch (2") PVC conduit. The conduit is encased in thermal duct bank concrete. PUBLIC HEARING OPENED. A communication dated March 15, 2018 was received from City Solicitor Ellen Callahan Doucette as follows:

Re: NStar Electric Company d/b/a/ Eversource - Petition for Grant of Location under M.G.L. c.166, §22

The preparation of this memorandum was prompted by concern that the City Council's consideration of the above-referenced Petition for Grant of Location filed by NStar Electric Company d/b/a/ Eversource ("Eversource") may be wading into matters which lie outside of its authority and jurisdiction. According to the February 20, 2018 City Council Journal, during the public hearing on Eversource's request for a grant of location, a number of individuals including members of the City Council, raised the prospect of adverse health issues that might be caused by the increased capacity of Eversource's line. That discussion raises issues as to the limitations of the City Council's authority to grant or deny a request for a grant of location and perhaps more importantly, issues of preemption that is, where the legislature has crafted a comprehensive and uniform regulatory scheme for the siting of public utilities, inconsistent local action whether by a decision or by the adoption of an ordinance or bylaw is impermissible.

As to the issue of the City Council's authority, M.G.L. c.166, §21 provides that a utility company may *inter alia*, construct transmission lines in, under or across public ways "but such company shall not incommode the public use of public ways." M.G.L. c.166, §22 authorizes the City Council to grant, deny or condition a request for a grant of location of the transmission lines over or under the public way, but that authority is limited to consideration of the affects upon other public uses of the public ways and, if applicable, aesthetic considerations, height of a proposed pole and the attachments, clearance above ground, noise, lighting, signage, and sensitive locations (scenic roads, historical). See, *Boston Edison Co. v. Bd. of Selectmen of Concord*, 355 Mass. 79 (1968).

To the issue of preemption, potential health concerns is one element for consideration in for the siting of public utilities. As applied to the Eversource petition, the Energy Facilities Siting Board (“EFSB”), established by M.G.L. c.164, §69H, is charged with implementing; “the provisions contained in [c.164, §§69H to 69Q], inclusive, so as to provide a reliable energy supply for the commonwealth with a minimum impact on the environment at the lowest possible cost. To accomplish this, the board shall review the need for, cost of, and environmental impacts of transmission lines, (emphasis supplied).

The Supreme Judicial Court has consistently stated that “the purpose of G.L. c. 164 is to ensure uniform and efficient utility services to the public.” *Boston Gas Co. v. Newton*, 425 Mass.697, 699 (1997). Previously, the Supreme Judicial Court had observed that “[t]he provision of electricity in Massachusetts is thoroughly regulated.” *Boston Edison Co. v. City of Boston*, 390 Mass. 772, 774 (1984). This thorough regulation has been acknowledged in a number of cases acknowledging the legislature’s intent to reserve the regulation of utilities solely to the Commonwealth and the Department of Public Utilities. See, *Boston Gas Co. v. City of Newton, supra*; *Boston Gas Co. v. Somerville*, 420 Mass. 702, 703; and *Cambridge Electric. Light Co. v. Dep’t. of Public Utilities*, 363 Mass. 474 (1973).

After a years long public process, on February 28, 2018 the EFSB issued its final decision approving; 1.) Eversource’s petition under c.164, §69J; for the construction of a new 8.5 mile long 345 kilovolt transmission line from the Wakefield substation to the Woburn substation in accordance with c.164, 2.) Eversource’s request for a determination under c.164, §72 that the construction of the new transmission line was necessary, serves the public convenience and is consistent with the public interest; and 3.) Eversource’s requests for zoning exemptions under c.40A, §3 from the Woburn Zoning Ordinance the Wakefield Zoning Bylaw for modifications of the Woburn and Wakefield substations.

During the lengthy public hearing process, expert witness testimony and materials were presented to the EFSB regarding the increase in electromagnetic fields and potential health effects, and the EFSB evaluated such evidence in rendering its Final Decision. I understand that a copy of the EFSB’s Final Decision was filed with the City Clerk and I invite the Council to review the Final Decision in its entirety. To the issue of electromagnetic fields, the Council should specifically review pgs. 120-127 wherein the EFSB discusses this issue, directs Eversource to continue to evaluate the mitigation of magnetic fields, and concludes that “[t]he Siting Board finds that magnetic field impacts from construction and operation of the Project using the Primary Route would be minimized.”

Please don’t hesitate to contact me if you have any questions regarding the above.

s/Ellen Callahan Doucette, City Solicitor

Alderman Gately stated that he does not want to accept the communication into the record, that this opinion was not requested by the City Council, and that the City Council

should have leeway in making this decision. Alderman Anderson stated that the City Council cannot reject accepting the letter but does not have to agree with the opinion in the letter. Motion made and 2<sup>nd</sup> that the communication be received and made part of the record, 6 in favor, 3 opposed (Gaffney, Gately, Mercer-Bruen opposed. Appearing for the petitioner was William Zamparelli, Community Relations & Economic Development Specialist, Eversource Energy and he stated that the petitioner heard the issue and concerns raised at the last meeting, that the petitioner has subject matter experts available at this meeting, and that the presentation will address concerns raised at the last meeting. Motion made and 2<sup>nd</sup> for a five minute recess to allow the presentation to be set up, all in favor, 9-0. President Haggerty called the meeting back to order. Chad Roland, Project Manager, Eversource Energy stated that there is a purpose and need for the project, that the Boston area is forecast to grow significantly in the next few decades, that this service ensures electricity flow, that ISO New England (“ISO”) conducted a study and detailed inadequate electric services to meet needs in the future, that this is one of several projects, that the project provides for the installation of a 345 kV powerline connecting the Woburn and Wakefield substations, that the project is the most cost effective solution, that the project provides greater levels of power capability, that the project contains costs and minimizes environmental and community impacts, that the project boosts the regional economy and supports economic health with the demand for electricity, that the process is to install the vaults first, that once the vaults are installed this is followed by trench digging, cable installation and restoration, that there will be a traffic management plan, that the hours of work will be 9:00 a.m. to 4:00 p.m. on Border Street, Cross Street, Lake Avenue, Pickering Street and Washington Street and 7:00 p.m. to 5:00 a.m. on Montvale Avenue unless otherwise approved, that the project has been under review for some time, that public open houses have been held in all four communities, that the EFSB process was one year, and that the petitioner is seeking grant of right in a way from the City Council. Attorney David Rosenzweig, Keegan Werlin LLP, 99 High Street, Suite 2900, Boston, Massachusetts 02110 stated that he is counsel for Eversource in the EFSB process, that the EFSB was created by the Legislature to review the siting of energy facilities, that there EFSB has a mandate to provide a reliable energy supply with a minimum impact on the environment at the lowest possible cost, that the petitioner must show project alternatives were considered and that the project is superior to the other alternative proposals, that the petitioner must ensure the project is consistent with environmental protection and resource use and development policies, that notice of the EFSB hearings were sent to abutters within 300 feet of the work area, that the City of Woburn was a full intervenor in the EFSB process, that there were thirteen days of evidentiary hearings between September 21, 2016 and November 2, 2016, that nearly 1,000 exhibits were entered into the record, and that on February 28, 2018 the EFSB issued its final decision approving the project. David Klinch, Epsilon Associates Inc., 3 Mill & Main Place, Suite 250, Maynard, Massachusetts 01754 stated that he oversaw the two year process to identify the routes, that the criteria included residential land use, commercial and industrial land use, sensitive receptors, public transit facilities, historic resources, traffic congestion, high impact crossings, wetland buffer zone crossing length, public shade trees, ACECs or ORWs, potential to encounter subsurface contamination, route length, utility density, route bends, street width, and trenchless crossings such as streams and bridges, that all of these criteria were applied with an enormous amount of

data to several dozen routes which reduced the list to candidate routes, that at the end of the process there was a “preferred route” and a “noticed alternative route”, that the petitioner used a selected the cross-linked polyethylene (XLPE) cable system, that this is a jacketed cable with the conductor in the center, and that the 345 kV XLPE underground transmission line was necessary to best address the identified reliability need. Robert Carberry stated that he has 41 years of experience in electric transmission and project siting, that all uses of electricity produce an electromagnetic field (EMF), that an electric field is produced by voltage, that is what electricity is, that this will be an underground line, that there will be no electric field above ground as the ground provides shielding, magnetic fields are not shielded by the ground but they decrease in magnitude with increasing distance from the source, that magnetic fields from underground lines is less than overhead lines, that electric trains, home and building wiring, electric blankets and household appliances such as microwave ovens and electric toothbrushes expose people to magnetic field, that guidelines are based on EMF exposure, that the magnetic field exposure is an issue in any transmission line installation, that Eversource designs projects to help mitigate potential for EMF exposure, that the three cables close together in this project help mitigate the issue, and that there is information on magnetic field exposure available from online sources. Nicole Bowden, Project Outreach Specialist, Siting and Construction Services, Eversource Energy stated that stakeholders in the process include municipal officials, state and federal elected officials and regulators, property owners and tenants, and businesses, that the petitioner conducted briefings and presentations as well as provided email updates, that they went door to door to speak with residents, and that project will be updated on a project webpage which is being developed. Mr. Roland stated that the EFSB gave final approval to the project, that the petitioner is seeking local government approval of a grant of right in a way, that the construction will begin in third quarter of 2018 and be completed in 2019, that there is a critical need to get power to the users, that a delay of the project will delay getting energy to users, and that the petitioner will keep the abutters aware of the work as it progresses. Alderman Campbell stated that Woburn has not given approval of the project or looked favorably on the project, that the city was a full intervenor in the process but the City Council was not aware of the ongoing process, that whoever spoke on this matter for the city was not authorized to do so, that the EFSB was receiving false information about the position of the city, that the first public hearing was held on February 20, 2018, that there has been no approval by the City Council of the project as of this time and therefore there has been no local approval, that the EFSB approval of the project may have been based on false information regarding the position of Woburn on the matter, and that she will ask for a correction of information to be sent to the EFSB and to inform the EFSB that if that agency believed this project was approved by the City of Woburn that this was a misrepresentation. Attorney Rosenzweig stated that the City of Woburn was an intervenor in the case but nothing was submitted to the City Council for approval, and that the city was represented in the process through the Mayor and City Solicitor. Alderman Campbell stated that the City Solicitor sent a letter to the EFSB saying that the city was in support of the project which was false information which influenced the EFSB decision. Mr. Zamparelli stated that as early as 2015 the petitioner had discussions with the Mayor’s administration, that a public hearing was held in the rotunda of city hall, that the petitioner met with department heads including the Police Department, Fire Department, Department of

Public Works, other department heads and the Mayor, that the petitioner meets with the Mayor on other issues as well, that he works with the Mayor on issues concerning electricity in the city, that he met with the Mayor on this issue perhaps three or four times, that the petitioner was educating the Mayor on what work needed to be done and worked with the Building Commissioner, that on a grant of location the City Council is the granting authority, and that he understands that the Mayor is the chief executive officer of the city. Alderman Campbell stated that the City Council approves the grant of right in a way first and then the matter goes to the Mayor for approval, that at the last meeting the petitioner stated that Woburn and Stoneham were cooperating with regard to the project but that was the first meeting before the City Council on the issue on February 20, 2018, that she understands the petitioner may have been speaking with other city officials, that the false information that the city was in favor of the project gave the impression to other cities that Woburn was in favor and may have affected the decisions of those communities, that there was discussion about the EMF from the project on the public health including a possible link with childhood leukemia, that the petitioner did not have an expert available at the last meeting, that the World Health Organization indicated there may be a link to health concerns where the EMF is above .3 megateslas and that such levels are rare in homes, that if this project is approved this will put these areas along the route as one of those rare spots in the world near the high levels of EMF, that the high levels of EMF that the city was told would be generated by the project will be along substandard, narrow streets with houses constructed right up to the street, that these levels of EMF will be higher than .3 megateslas, that if this risk of public health affects is increased the project is not worth the cost savings, and that if there is a vault in the street near a house that is built at the edge of the street the residents of that house would be exposed to this risk. Mr. Carberry stated that the World Health Organization is one of about 100 such organizations around the world, that many of the organizations have made conclusory statements, that this is a body of science known as epidemiology, that the epidemiology evidence is weakened by methodological problems of the studies, that if there was any affect from exposure it would have to be through a source unknown, that the evidence is not certain enough to link EMF exposure to childhood leukemia, that in all studies in epidemiology someone had to estimate the levels in the past, that better studies began to take measurements in the house, that better studies looked at records of currents in the lines, that the association of EMF exposure with health risks has gotten weaker, and that laboratory science finds no biomechanism where there could be health risks. Alderman Campbell stated that there is no scientific evidence that there is not a connection between health risks and EMF exposure, that the city had poor water issues in the 1970s, that the city should not be a guinea pig in this process, and that these lines with this level of power have not been used in the United States for a very long period of time. Mr. Carberry stated that EMF studies began in the 1970s, and that you can never prove a negative. Alderman Campbell asked what how much the EMF microtesla levels increase at the eight foot by thirty foot vaults. Mr. Carberry stated that in calculations the peak load above the base is 40.9 milgauss and this drops to 4.4 milgauss twenty feet away, and that the reason why increases at the vault is there is due to the spacing of the wires. Alderman Campbell stated that the houses on the streets along Lake Avenue, Pickering Street and Border Street have little setback from the street. Mr. Carberry stated that there are many house in the country near overhead electric transmission lines with higher

levels of EMF. Alderman Campbell stated that she understands there is an alternative cable system available that could reduce the EMF levels by 90%. Mr. Carberry stated that there needs to be three cable in any transmission line, that one is a cross-linked polyethylene (XLPE) cable system which is encased in concrete, that the high-pressure fluid-filled (HPFF) cable system is surround by oil to coil the lines, that the petitioner intends to use XLPE cable because it achieves the power rating that the ISO wanted, that to use the HPFF cable would not achieve the energy rating sought by ISO unless two lines were uses, and that the HPFF produces lower level magnetic fields. Alderman Campbell stated that it appears as if consideration of cost was the factor used to choose the cable that does not reduce the EMF levels by 90%. Mr. Carberry stated that costs and other factors matter, that the petitioner proposed a lower cost cable system, and that the EFSB approved what the petitioner submitted in its application. Alderman Campbell stated that she was told Wakefield approved a pipe type cable rather than the XLPE cable, and that she wants to know why the petitioner is not using the existing high tension wire easements to connect the two plants. Mr. Klinch stated that the EMF emission are always a concern near residences, that the overhead wires were considered as a route, that the wires would go through Burlington and Reading and then back to Wakefield which more than doubled the length of the route, and that some of the locations along that route may require additional acquisition of structures. Alderman Campbell stated that because of the issues the city has experienced in the past the city cannot take a chance that ten years from now it will be learned that these lines cause cancer, and that a little more cost should not prohibit moving the lines away from house because of the potential risk. Alderman Gately stated that he has worked in these type of trenches, that you can feel the magnetic pulse hear these underground lines, that if he worked too close to the lines he would get a headache, that there is a lot of power in the lines, that to install an eight foot by thirty foot vault the hole would have to be dug eighteen feet by forty feet, that this is wider than Pickering Street, that a fifteen inch drain line will be taken out of service, that the project will hit water, sewer and drain lines, that the line is running with water mains that are four feet deep, and that if the water and sewer lines are under the vaults he asks how they are to be accessed for repair. Mr. Roland stated that once the route is approved the engineer will design the relocation plans after consulting with city departments. Alderman Gately stated that the plans provided show the project going under the Horn Pond Brook, that the roadway in that area was just repaved, that the project will go under a forty inch water main on Montvale Avenue, that he asks how this work can be done without damaging the infrastructure, and that he asks how the work can be done in a manner to make certain that residents have access to their homes. Mr. Roland stated that the EFSB and inspector to be on site who represents the city. Alderman Gately stated that he would not vote to approve the project based on the plans filed, that it does not make sense that this is the only route that the project can go, that the City Council Committee on Infrastructure was never brought this plan, and that he will protect the safety and welfare of the residents. Alderman Mercer-Bruen stated that there are three other towns and three public hearings were held, that she read most of the EFSB report, that she learned there were issues with the abutters list, that the residents who received notices did not understand what the notices of the meetings referred to, that at the last meeting the City Council asked for additional notices to the residents by Eversource but she never heard back from Eversource, that she mailed her own notices to residents, that the

residents were not aware of this matter, that the petitioner can meet with the Mayor but the City Council is the permit granting authority for this petition, that the City Solicitor sent an unsolicited opinion to the City Council after reading the Journal of the last City Council meeting on this matter, that petitions for a grant of a right in a way are often approved quickly but this project is huge, that the City Council has not heard from the Superintendent of Public Works, the City Engineer, the Police Chief or the Fire Chief concerning the petition and there comments are needed in the review of the project, that putting the EMF issues aside at the last meeting on this matter the representatives of the petitioner seemed stunned that the City Council had questions, that it appeared that the petitioner was told there was no issue with the project, that the other communities have hired experts to review the information, that she would feel better obtaining an expert opinion from the city's expert, that the city has spent no money during this process, that the town of Winchester has spent \$300,000.00 reviewing the matter, that the petition has a long way to go, that the city should have its own expert review the petition, and that Eversource will profit most from the project. Alderman Anderson stated that the EMF levels are based on the average of the anticipated use of the line, that this will be an additional transmission lines, that the lines are close to being maxed out and this line would add redundancy, and that at some point in the future this proposed line will also be maxed out and the line would be at the maximum level for EMF emissions. Mr. Carberry stated that the EMF figure is in the EFSB decision by the does not have the information available at this time, that on an ordinary day the line would not be at capacity as there has to be flexibility for an emergency when more energy must be transmitted through the line, and that people are not only exposed to the EMF at home by incidentally in the everyday world. Alderman Anderson stated that the line will not be moved out of the trench in the future and that is a concern as decisions made today will impact future decisions. Mr. Carberry stated that this plan will provide a loop which will be lightening the load, except when there is an issue on the existing Woburn to Wakefield loop, although the lines will at times be more heavily used. Alderman Anderson stated that it is difficult to see how using the current overhead routes would be a worse solution than all of the issues raised with the underground installation and impact on the infrastructure. Mr. Klinch stated that the petitioner cannot avoid going through a residential area in eastern Massachusetts. Alderman Anderson stated that the underground line could be installed along the existing easement. Alderman Higgins stated that the process before the EFSB was held in Boston, that there were residents in her ward but outside the work area who wanted to follow the proceedings, and that a better effort at notice has to be made. Alderman Concannon stated that the issues raised in this process raise many concerns, that the City Solicitor said the City Council has limited authority and he wants to learn more about what the City Council authority is in this matter, and that the matter should be referred to committee until additional information is obtained. President Haggerty asked where else a similar situation can be found in the Commonwealth. Ms. Bowden stated that there is a line being installed in Everett, Chelsea and East Boston, that there is an overhead line in Walpole, Sharon, Stoughton and Holbrook, and that a Stoughton to Boston line is a 345 kV underground transmission line that is complete. President Haggerty asked what the direct benefits to the city of Woburn would be from this project. Ms. Bowden stated that the area is growing, that there is a demand for electricity, that the ISO has identified the need, and that the demand is continuing to increase exponentially.

President Haggerty stated that he wants to hear information that is specific to Woburn. Mr. Roland stated that this is a regional solution. President Haggerty stated asked how long the construction would impact the community. Mr. Roland stated that the work will be done in phases, that the duct bank will be installed, the cables pulled and then the surfaces restored, that the Montvale Avenue work from the intersection with Washington Street to the MassDOT jurisdiction would take four months to complete, and that the repaving would be done quickly and typically at night. President Haggerty stated that understanding the length of time of the impact on the neighborhoods is important for the community to understand the project, that the people need to know how long they will be impacted by the project, and that he asked whether underground infrastructure lines would be replaced as they need to be. Mr. Rowland stated that there are many circumstances, that if a line comes out of service it will be replaced, that other lines must stay in place, that some lines will have to be moved, that this is a Department of Public Works issue, and that the lines will be replaced as impacted. President Haggerty stated that he shares the concerns stated by the other Alderman on this petition. Alderman Campbell stated that the letter received from the City Solicitor indicates that the City Council has very little authority to approve or deny this petition, that she strongly disagrees with this assessment based on the case the City Solicitor cited in her opinion namely *Boston Edison Co. v. Bd. of Selectmen of Concord*. Alderman Campbell offered the following documents to the City Council for review: a copy of a letter from City Solicitor Ellen Callahan Doucette dated March 15, 2018, a copy of *Boston Edison Co. v. Board of Selectmen of Concord*, 355 Mass. 79, 242 N.E.2<sup>nd</sup> 868 (1968), M.G.L. Chapter 164, Sections 69J and 72, and M.G.L. Chapter 166, Sections 21, 22 and 28. Motion made and 2<sup>nd</sup> that the documents be received and made part of the record, all in favor, 9-0. Alderman Campbell read from the case *Boston Edison Co. v. Bd. of Selectmen of Concord*, that the issue in the case from 1968 was similar but involved a much smaller line in Concord and two other communities, that Chapter 166, Section 21 states that the project shall not incommode the public, that the court defined incommode as disturbing, molesting, giving trouble to and putting out, that the statute provides the project “shall not incommode the public use of public ways or endanger or interrupt navigation”, that the electric company in the case stated that review by the community was only as to physical danger or inconvenience, that the case stated clearly that one town or several town acting in concert could defeat the installation of the lines, that according to the court the statutory history and case law impacts a view of a greater authority of the town than the electric company conceded, that the decision to deny a petition may be withheld as long as the decision is not arbitrary or capricious, that the court stated the word incommode should be read broadly, that the court said the court should override the local board only if there is a lack of evidence of incommoding in the broadest sense, that the decision read the town should not be overruled unless the board behaved arbitrarily or unreasonably, that the court stated the list of objections raised by the town were pertinent to the decision, that the EFSB does not have sole and final authority under the statutes, that the petitioner had to obtain the permits under Chapter 164, Section 69J and Chapter 164, Section 72 in order to proceed with the project, that the petitioner still needs city approval of the grant of right in a way, that the situation is similar to that of a landowner obtaining a special permit for a use but also having to obtain a building permit to begin construction, that the petitioner does not have the remedy provided under Chapter 166,

Section 28 and only a remedy at court because she understands that Winchester and Stoneham have denied the petition, that the EFSB may have approved the Chapter 164, Section 72 permit but no electricity can be transmitted over any land until the petitioner received approval of a right of way in the public ways from the City Council, and that the petitioner cannot use the lines for the transmission of electricity until the City Council approves the grant of right in a way. Attorney Rosenzweig stated that the case is from 1968 and the EFSB was established in 1972, and that there have been cases that can be relied on to negate action by the city. Alderman Campbell stated that when the EFSB learns they received false information from the city this will likely change their position.

PUBLIC COMMENTS: Rosa DiTucci, 82 Arlington Road stated that the petitioner had an open house in the rotunda of city hall during the daytime which was poorly attended, that little information was provided despite questions about the EMF issues, that this was not an open process, that a neighbor read a notice to say test pits were being dug but not indication of the project, that for years no one has addressed what is actually going on at the substation on Cove Street or the growth at the facility, that it is important for the city to hire its own expert, that it is impossible to do the sort of tests in this situation to make findings, that there appears to be room to add additional capacity to the lines, that there is a school bus stop on Pickering Street where the vault will be located, that the energy is about 6,000 times more than the regular line going down the street, and that the petitioner should use the longer route and spare the residents from the impact of the proposed project. Brian Carpenter, 70 Washington Street stated that this is the wrong infrastructure for a residential neighborhood, that 345 kV is a lot of energy, that the impact of the project on property values is a legitimate concern, that the infrastructure damage will be tremendous, that a lot of the infrastructure along the route is old, that there is no indication that if the fieldstone basement walls are damaged that the residents will be compensated, that this issue could be resolved by using the existing lines easement, that it cannot be more difficult to use the existing easement than it would be to dig up the streets and inconveniencing the residents, and that in the past the city looked the other way and let industry do what it wanted resulting in the leukemia issue. Cassy Wilson, 30 Lake Avenue stated that her house is set back ten feet from the road, that she has living quarters in the basement, that she knew this project would happen she never would have moved here, that this reflects the likely decline in property value along the route, that the city is being asked to adjust to what the Eversource needs rather than Eversource adjusting to what Woburn needs, that this is wrong, and that the presentation was not customized to answer the questions raised by the residents or the Aldermen. Dennis Scott, 21 Washington Street stated that the City Council does care about this issue, that he wants to know the distance between the vaults, how many vaults there will be and if the work will be done the same time as the Montvale Avenue widening project, that he cannot imagine these two projects will work together, that he wants to know how the traffic will be accommodated on Washington Street, that the magnetic field of household appliances is for brief periods but the lines will have impact 24 hours per day and seven days per week, that these levels of exposure do not compare, that the Washington Street and Montvale Avenue intersection is congested, that Woburn has sufficient electric power, that this line will serve other communities, that the petitioner could build a new plant, that Woburn has a long history where childhood leukemia was an issue for the city, that Aldermen on their own informed residents of this hearing, that the project cost can be

increased to decrease the issue of EMF, and that the digging of the trench and installation of the vault may affect his house. Jeff Pardo, 498 Washington Street, Winchester stated that he has been fighting this issue for 2½ years, that even when he was fighting in Afghanistan he did not feel as helpless as he does with this project, that he knew he had to take steps to learn about the project, that he has been to five or six Eversource meetings on the matter, that Mr. Carberry has never spoke on behalf of Eversource on concerning project before, that Peter Valberg is mentioned in testimony in the EFSB decision, that Mr. Valberg is at this meeting but has not spoken at this meeting on this issue, that Mr. Valberg has been an expert witness for a number of companies in asbestos, tobacco and others, that Mr. Valberg is not the person that the City Council heard from at this meeting but he is quoted in the report, that EMF is bad for people and is a cause of cancer, that Mr. Valberg is at this meeting but did not address the City Council, and that the city must act fast as the project is happening. Lauren Harrington, 12 Lee Road stated that this project should not be approved because of the risk to public health. Billy Ladas, 216 Montvale Avenue stated that he is at the meeting for his family and children, that the City Council must do what is right for the people, that he is concerned decisions in other towns have been overturned, that the petitioner is a billion dollar company, and that he is here to protect his family. Candice Del Rio, 1 Houston Street, Wakefield stated that she is an abutter on the route in Wakefield, that this matter has been handled poorly throughout the towns, that this is an important issue, that the city should work with the other towns, that while the EFSB approved permits the residents are beginning to feel helpless about the situation, that it cannot be said that EMF is causative of childhood leukemia but the World Health Organization indicates some precautionary measures are warranted, that it can be proved the EMF causes cancer but it is not acceptable to say because it cannot be proved that it is not a concern, that the Mystic to Woburn powerline project is using the more expensive cable system, and that the more expensive cable system is suitable as mitigation for EMF. Colene Gibbons, 6 Washington Avenue stated that she is a teacher at the Goodyear School, that many children rely on electric systems for health issues, that there are connections between EMF and childhood health issues, that there are over 300 children attending the Goodyear School, that 500 children are in the football program at Leland Park as well as hundreds in the baseball program, and that the city must kepe working to be certain that the children are safe. Sue Klawans, 7 Pickering Street stated that she does not recall receiving a November 2015 notice of a meeting nor do other residents, that she could not afford to attend daytime meetings in any event due to work commitments, that the health of the residents are not one of the sixteen criteria considered for the project, that the project schedule for the entire route should be provided to understand the impact of the project, that she is not certain whether inadequate lines means the petitioner is seeking redundancy or additional energy, that low cost power does not mean the rates will go down, that she has a bedroom and living room in her house within fifteen feet of the street, that she wants to know how much of Pickering Street will be dug up and how much is to be repaired, that studies are inconclusive as to whether EMF causes or does not cause cancer, that the guidance of the studies is to move away from the source of EMF and not to be exposed to EMF over a long period of time, that wants to know how thick the transmission line will be, that she is concerned about alteration to the pipes in the area that may result in brown water in the neighborhood again, that there is a hum noise emanating from the substation, that she wants to know if

there will be a hum noise from the line, that she wants to know what causes headaches when working near a line and whether this line will cause the same issues above ground, and that if a health impact is found later to be caused from the line who would be responsible for justice and recourse. Laura Conti stated that she resides on the route, that she urges the City Council to keep fighting and ask these questions, that the city should work with other communities, and that she has three children. Anne Berger, 9 Arlington Road stated that she had never heard of the EFSB before, that she is troubled by the process, that she is concerned that there was a public hearing that seriously involved the city and she is concerned that the city did not receive notice that was appropriate, that it sounds as if the City Council never received notification that the EFSB was holding the hearings, that if the city never received notice there is a fundamental defect in the hearing process, that this matter needs to go back to the EFSB which heard the 34 witnesses and received the 1,000 exhibits, that the City Council should deny the petition and send the matter back to the EFSB so that there can be participation by the city in the hearing at the EFSB, and that if Stoneham and Winchester have already denied petitions then the project cannot go forward and should not be considered. Annmarie Kulis, 11 Washington Street stated that she is a respiratory therapist at Winchester Hospital, that there is significant ambulance traffic on Washington Street and Montvale Avenue, that this project will affect ambulance access to the hospital, that this is the main route to the hospital and minutes count, and that there are people who are not abutters to the project but who will be impacted by this work. Kathy Bailey, 4 Utica Street stated that she read the EFSB Final Decision, that she has major concerns about notifications to abutters and businesses, that she is concerned about wetlands and river crossings along the route and whether the Conservation Commission has been notified, that other communities have done significant work on the issue but there has been nothing from Woburn, that in the Final Decision its states that Woburn supports the project because it understands the need for other communities, that the notice of the public hearing was published in the Boston Globe, the Woburn Daily Times Chronicle and the Stoneham Independent but she never saw the notice, that notice was sent to abutters along the route and notice was posted in city and town clerk's offices and to the Planning Boards, that there are water crossing along the route, that there is nothing in the report from Woburn about traffic concerns, that she spoke to many people who were unaware of the project or the hearings, and that the Final Decision stated that Woburn and Wakefield officials did not object to the project. Claire Boice, 3 Kenney Court stated that her children play in her yard and attend the Goodyear School, and that she is not willing to risk her children's health. Mary Jane Doherty, 5 Lake Circle stated that this petition is a failure of imagination on the part of Eversource, that she connects this to a failure of civil responsibility, that there is a failure of process regarding the executive office of the city, that there is rule of law, that she understands political end runs and that the infrastructure is deteriorating across the country, that the failure of due process represents a lack of communication which results in a failure of trust, and that she would recommend the City Council immediately contact the State legislators and the Governor and talk about failure of imagination, lack of trust and the political end run. Bill Melkonian, 514 Washington Street, Winchester stated that he resides in Winchester near the Winchester Hospital, that there are people affected by the EMF other than the abutters, that commuters stuck in traffic might be exposed to the EMF forces within several feet not just twenty feet on a constant basis every day, that the

effect on children or bicyclists along the route is not known, that pregnant women use the route to go to the hospital, that the hospital shuttle bus constantly drives along the route, that crossing guards at the intersections will be within single digit feet of the line, that residents should not have to be concerned about the EMF when they are working in their yards or shoveling snow from their walkways, that the city will no longer have unfettered access to the city's utilities along the route, that the city will have to obtain permission from Eversource to access the city utilities, that he wants to know what heat from the transmission line will do to the roadway including during winter months, that the residents in Stoughton can tell about the work done by Eversource and the failure to replace bushes and the like, that the ISO is located in Holyoke, that the petitioner has a choice in putting the line under the sea or through residential neighborhoods, that the ISO said the focus must be on a cost effective solution to meet the identified needs of the area and that any other costs would not match putting the line under the sea, that this puts a price on our safety and health, that if there is a fire he asks who has the capability to fight that fire, that he wants to know if roadway salt will be limited to prevent corrosion of the vaults, that the impact on the fieldstone foundations in the houses along the route may not be known in time for a property owner to get recourse, that in December 2014 a letter was sent from community delegates asking the ISO to reconsider the decision to install an underground line rather than a sea line due to the impact on the communities, that Eversource said the route over the MBTA tracks was too far to be practicable because of the commuter rail bridge, that now there will be right corner turns at Pickering Street and Border Street where the EMF will be higher and should be avoided, that there will also be two borings under the Aberjona River, that this route is more suitable to the ISO than other insurmountable challenges, that he asks the City Council to team up with the other towns, that if there is a required line there might not be argument but that is not the case here, that the petitioner is not willing to go in the middle of the road or use oil protected cable or use alternate routes, that there is a way to do this without going through residential areas, and that the City Council should deny the permit and team up with neighboring communities to pursue legal remedies. Tom Gerety, 43 Washington Street stated that he is impressed with the knowledge brought to the table at this meeting, that the City Council must always vote for the best interest and health of the city, that the City Solicitor has challenged the City Council's authority in this matter, that the City Solicitor offered an opinion that was not requested by the City Council, that voting to deny the petition will protect the city and bring the authority back to the City Council, that the City Council must vote no as a team, that he is asking that this matter be pushed back for an appeal, and that the city should connect with Winchester, Stoneham and Wakefield to find the best solution. Mr. Roland stated that the petitioner could formulate responses to the questions raised, that there will be seventeen manhole vaults spaced 1,700 feet apart along the complete route, that four of the vaults will be located in Woburn, that the petitioner would like to do the work at the same time as the Montvale Avenue widening project if the permits can be obtained, that the power from the line will support the entire New England area, that the work is not specific to Woburn but will support the regional area, that the petitioner included a draft traffic management plan with the grant of location filing, that it is important not to impair emergency vehicle access in the area, that a police detail will assist with that issue, that he does not know the status of Wakefield approval, that the Stoneham application was submitted but a special town meeting has not

been set yet, and that Winchester is waiting to resolve the Mystic to Woburn grant of right in a way before addressing the Woburn to Wakefield grant of right in a way. Alderman Campbell stated that the City Solicitor sent a letter to the EFSB stating that the City of Woburn concurs with the draft decision and proposed route and that this communication gave a false impression. Alderman Higgins stated that if other city officials gave such an impression it should not affect the authority of the City Council. Alderman Campbell made a motion that a communication sent to the EFSB and the Department of Public Utilities indicating that the City Council has not given approval for the project and if it has been reported to the agencies that the City Council of the City of Woburn was in favor of the project that this information was falsely reported to them. Motion made and 2<sup>nd</sup> that any such motion be amended to state that the City Council is the granting authority for a grant of location for these type of projects, all in favor, 9-0. Motion made and 2<sup>nd</sup> that any such motion be amended by using the word “inaccurately” rather than “falsely”, all in favor 9-0. Motion made and 2<sup>nd</sup> that the City Clerk and the President of the City Council prepare the communication, all in favor, 9-0. Motion made and 2<sup>nd</sup> that a communication be sent to the Energy Facilities Siting Board and the Department of Public Utilities informing those agencies that the Woburn City Council is the granting authority for a grant of right in a way pursuant to M.G.L. Ch. 166, Section 22, that the Woburn City Council has not given approval of the grant of location for the project, and that if it was reported to those agencies that the City of Woburn was in favor of the project then this information was inaccurately reported to the agencies, all in favor, 9-0. Motion made and 2<sup>nd</sup> that a communication be sent to the Mayor requesting funding support for the city to hire an expert to review the potential for harm to the public from the electromagnetic field associated with the project and that such costs should be paid for by the city and not by funds received from the petitioner or mitigation funds, all in favor, 9-0. Motion made and 2<sup>nd</sup> that a communication be forwarded to the School Department for a report as to where school bus stops are located along the route of the project and along the alternate route of the project, all in favor, 9-0. Motion made and 2<sup>nd</sup> that a communication be sent to the Superintendent of Public Works for a report of the impact of the proposed project on the city resources in ground and above ground infrastructure including but not limited to water lines, sewer lines, roads, cable, sidewalks, all in favor, 9-0. Alderman Mercer-Bruen stated that she questions what authority the City Solicitor had to send the letter dated February 22, 2018 to the Energy Facilities Siting Board, that she wanted to know if the authority derived out of the City Solicitor being listed as an intervenor or through the Mayor as chief executive officer of the city, and that she wants to know the reason. Motion made and 2<sup>nd</sup> that a communication be sent to the City Solicitor asking her for a report as to under what authority she sent a letter to the Energy Facilities Siting Board on February 22, 2018 on the city’s behalf stating that the city concurred with the Tentative Decision, all in favor, 9-0. Alderman Campbell asked how the City Solicitor became an intervenor in the EFSB matter. Alderman Mercer-Bruen stated that the city has broad authority in review of the petition and should exercise that authority. President Haggerty stated that he wants to know the implications if the City Council denies the petition for a grant of right in a way, that he wants to know if the City Council gives up some rights if the petition is denied and where does this place the city, and that these are questions that the City Solicitor can address. Alderman Gately stated that because of the letter dated March 15, 2018 received

from the City Solicitor and her opinion contained in that letter the City Council should hire its own attorney to assist with this matter, that the City Solicitor should not be answering these questions for the City Council, and that outside counsel should be hired. Alderman Higgins stated that the City Council should ask the City Solicitor to answer these questions and if a second opinion is needed then the City Council could seek outside counsel. Motion made and 2<sup>nd</sup> that a communication be sent to the City Solicitor requesting her opinion as to the implications if the City Council does not approve the petition for a grant of right in a way, including whether the project could move forward without mitigation or other conditions that the City Council determined as necessary, all in favor, 9-0. Alderman Mercer-Bruen stated that mitigation is not necessarily assured, that the petitioner has fought mitigation in other communities such as not being willing to pave the curbs side to side, and that the City Solicitor may not be able to address those issues. Alderman Campbell stated that she understands an appropriation is needed for outside counsel, that a communication should be sent to the Mayor at this point as the City Solicitor appears to have bias for whatever reason, and that she wants a response to these questions without bias. President Haggerty stated that it would be a professional courtesy to ask the City Solicitor for her opinion first. Alderman Anderson stated that the City Council cannot act arbitrarily or capriciously with respect to the petition. Alderman Mercer-Bruen stated that she wants to make certain that the city is not under any deadline to act at this meeting, and that she wants assurances that there will be no objection from the petitioner if the matter is continued. Mr. Zamparelli stated that the petitioner agrees that the matter can be continued. Alderman Campbell stated that she did not want to hold off action on the petition. Alderman Tedesco stated that the departments should be given some time to provide information. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON APRIL 17, 2018, all in favor, 9-0.

\*\*\*\*\*

Motion made and 2<sup>nd</sup> for a five minute recess, all in favor, 9-0.

\*\*\*\*\*

President Haggerty called the meeting back to order.

\*\*\*\*\*

On the petition by President Richard Haggerty and Alderman Michael Anderson, Alderman Higgins, Alderman Tedesco, Alderman Mercer-Bruen, Alderman Gately and Alderman Campbell to amend the 1985 Woburn Zoning Ordinances, as amended, by adding a new Section 5.2.1.5 as follows: “The maximum residential density on any parcel in all districts, except for B-D, shall not exceed 20 units per acre.” PUBLIC HEARING OPENED. Motion made and 2<sup>nd</sup> that document entitled “Potential Number of Units in Commerce Way Overlay District Parcels’ be made part of the record, all in favor, 9-0. Alderman Anderson stated that the matter is pending before the Planning Board, that the ordinance deals with the density of developments, that during a recent meeting concerning development of the Commerce Way area there was no discussion about how many more dwelling units that city can accommodate with the current available resources, that the number of twenty units per acre is based on the minimum number

required under a M.G.L. Ch. 40R district development, that if the number of twenty units per acre is applied in the Commerce Way Corridor Overlay District this would allow 9,400 units, that there is an exception for the downtown zoning district as if it was in force in that area there would be no development, that the Brickyard property would be limited to 1.4 units, the former Mug and Muffin building would be limited to 3.4 units in that large building and the new building constructed by Hugo Moraes would be limited to 2.6 units all of which would have no been economically feasible, that the Shannon Farm property being developed by Robert Murray will have 1.8 units per acre and the Seaver Shannon Farm property will have 4.8 units per acre, and that the Mill Street Ch. 40B project will have 22 units per acre. President Haggerty stated that a lot of time was spent on reviewing lots in the city to determine the implications of the ordinance, and that the ordinance strikes a balance between economic development and restricting overdevelopment. PUBLIC COMMENTS: Greg Winter, 821 Barrett's Mill Road, Concord, Massachusetts stated that his parents lost their home in a fire on November 30, 2018, that they living in a small two-family home, that they are trying to find elderly housing, that 10,000 people per day are retiring and looking for housing, that he understands the pressure of development on the school system, that the City Council should consider a 40 unit limit for an over 55 year of age development, that he will have to assist his parents in buying a condominium unit because of the waiting lists at elderly housing facilities, that elderly housing development should be exempted from this density restriction or the limit for elderly housing developments should be limited to forty units per acre, that everyone need housing, healthcare and education, that one of the biggest challenges in the Boston area is building new housing because of the pressure this places on school systems and budgets, and that he managed 18,000 residential units earlier in his career. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON APRIL 17, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, all in favor, 9-0.

---

**CITIZEN'S PARTICIPATION:** None.

---

**COMMITTEE REPORTS:**

**FINANCE:**

On the transfer of \$125,000.00 from Fire/BLS Ambulance Acct to Fire Ambulance Salary Acct, 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: March 22, 2018**                      **s/Scott D. Galvin March 22, 2018**

\*\*\*\*\*

On the transfer of \$26,000.00 to Fire/Ambulance Maintenance Acct, Fire/Medical Attention Acct and Fire/Computer Maintenance Acct, 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: March 22, 2018**                      **s/Scott D. Galvin March 22, 2018**

\*\*\*\*\*

On the transfer of \$1,265,637.68 from Mayor Salary Adjustments Acct to Fire Salary Acct, 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: March 22, 2018**                      **s/Scott D. Galvin March 22, 2018**

\*\*\*\*\*

**PUBLIC SAFETY AND LICENSES:**

On the petition by Mourad Djar dba ABCE Taxi of Woburn for renewal of a Taxi Cab License, 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: March 22, 2018**                      **s/Scott D. Galvin March 22, 2018**

\*\*\*\*\*

On the petition by Gevorg Melikyan dba Milano Jewelry for renewal of a License to Purchase and Sell Second-Hand and Personal Articles of Value and Collectibles, 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: March 22, 2018**                      **s/Scott D. Galvin March 22, 2018**

\*\*\*\*\*

On the petition by M&L Transit Systems, Inc. for renewal of a Common Carrier License, committee report was received “back for action”. Motion made and 2<sup>nd</sup> that the COMMON CARRIER LICENSE be GRANTED with the existing conditions, all in favor, 9-0.

**Presented to the Mayor: March 22, 2018**                      **s/Scott D. Galvin March 22, 2018**

---

**NEW PETITIONS:**

Petition by Robson L. Dias, 2 Westgate Drive #202, Woburn, Massachusetts 01801 for renewal of Livery License. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

\*\*\*\*\*

Petition by Hilton Hotel, 2 Forbes Road, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 7.3 to allow for the alteration of a preexisting nonconforming structure to change a roof sign at 2 Forbes Road. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

\*\*\*\*\*

Petition by Adam Quinn, Quinn Management, Inc., 360 Route 101, Unit 4B, Bedford, New Hampshire 03110 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.29 and 18.3.4 to allow reuse of a portion of building for a 2,000 square foot Dunkin Donuts store at 130 Commerce Way. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

\*\*\*\*\*

Petition by Sports Management Services, Inc., 41 East Street, Winchester, Massachusetts 01890, an individual owning land to be affected by change or adoption, to amend the Zoning Map of the City of Woburn by changing the zoning district for two parcels of land known as Lot 69-08-07 on Garfield Avenue and Lot 69-08-08 on Garfield Avenue together containing approximately 2.92 acres of land as shown on a plan by Allen & Major Associates, Inc. entitled "Parcel Rezoning Plan" dated November 10, 2016 from R-2/I-G to R-2. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

\*\*\*\*\*

Petition by Boys and Girls Club of Woburn, Charles Gardner Lane, Woburn, Massachusetts 01801 for a special permit to allow carnival from May 3, 2018 to May 6, 2018 at 25 Middlesex Canal Parkway. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

---

**COMMUNICATIONS AND REPORTS:**

A communication dated February 23, 2018 was received from Brian J. McLaughlin, Woburn Firefighter’s Association Local 971 requesting to meet with the City Council. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON LIAISON, all in favor, 9-0.

---

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

---

**APPOINTMENTS AND ELECTIONS:** None.

---

**MOTIONS, ORDERS AND RESOLUTIONS:**

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 5.1.56 the words “private garage” and inserting in their place the words “any accessory building” so that the

section reads as follows: “Any accessory building for use of residents of the premises”;

2. By adding to Section 5.1.55 under “Notes; other sections” the following: “Note 15”
3. By deleting from Section 5.1, Note 15 the words “any private garage” and inserting in their place the words “any accessory building” and by deleting the word “per” and inserting in its place the words “pursuant to” so that the section reads as follows: “Any accessory building, attached or detached, to be constructed as an accessory use of the residents of the premises in excess of 900 square feet or with a garage bay door in excess of eight feet in height, shall require a special permit pursuant to section 11 of the City of Woburn 1985 Zoning Ordinance as amended. This note shall not apply to detached private garages in the S-2 Zoning District.”

s/Alderman Tedesco

Alderman Tedesco stated that the Planning Board will meet on this matter on April 10, 2018 and therefore he asks that the public hearing on the matter be scheduled for the April 17, 2018 City Council meeting. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING AT THE REGULAR MEETING ON APRIL 17, 2018, all in favor, 9-0.

---

Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 9-0. Meeting adjourned at 10:57 p.m.

A TRUE RECORD ATTEST:

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