

COMMITTEE ON ORDINANCES, CHARTER AND RULES
OCTOBER 29, 2018 AT 6:10 p.m.
ENGINEER'S CONFERENCE ROOM
WOBURN CITY HALL

Voting Members:

Present: Chairman Michael Anderson, Alderman Michael Concannon, Alderman Mark Gaffney,
Alderman Darlene Mercer-Bruen, and Alderman Lindsay Higgins

Non-Voting Members:

Present: Alderman Richard Gately, Alderman Edward Tedesco, and Alderman Joanne Campbell.

Absent: President Richard Haggerty

Also present: Planning Director Tina Cassidy and Building Commissioner Thomas Quinn

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Order to amend the 1985 Woburn Zoning Ordinances relative to gross floor area and net floor area: Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to accept and make part of the permanent record a memorandum from Director Cassidy dated October 24, 2018, and entitled "Woburn Planning Board recommendation on proposed zoning text amendment to replace the existing definitions of floor area, gross, and floor area, net in Section 2 of the zoning ordinance with definitions for these terms found in the International Building Code Alderman Tedesco;" approved, 5-0. Alderman Tedesco said he met with Director Cassidy and Commissioner Quinn last week and the result was an ordinance that blends the International Building Code (IBC) and the Woburn Zoning Ordinance (WZO). Director Cassidy said Commissioner Quinn liked some aspects of the IBC regarding floor area and some of his comments were incorporated into the proposed definitions. Commissioner Quinn said incorporating the IBC definitions is a great approach. Alderman Mercer-Bruen asked what happens when the IBC definitions change. Commissioner Quinn said the IBC definitions have not changed in the last three code cycles. Director Cassidy said if the IBC changes, Commissioner Quinn will be aware. Alderman Gately asked if conformity will be that much of an issue and if there will be an increase in taxes. Commissioner Quinn said the permit fee will remain the same. He said the impact on taxes is beyond his scope. Alderman Anderson said the assessor's office already includes everything when calculating property taxes. Alderman Anderson asked if there were any questions about the two changes suggested by the Planning Board. There were no respondents. Motion made by Alderman Mercer-Bruen and seconded by Alderman Concannon that the amendment to the 1985 Woburn Zoning Ordinances relative to gross floor area and net floor area, as amended by the Planning Board, "ought to pass," approved, 5-0.

Order to amend 1985 Woburn Zoning Ordinances relative to overnight parking in a buffer zone adjacent to residential zoning district: Motion made by Alderman Mercer-Bruen and seconded by Alderman Higgins to accept and make part of the permanent record a memorandum from Alderman Tedesco entitled "Amend Section 5.7.6.3 of the Woburn Zoning Ordinances:" that reads "Day time ~~or overnight~~ parking of passenger vehicles, except that no portion of the buffer area within fifty (50) feet of the boundary line of a Residential district may be used for

such purposes ~~such the purpose of overnight parking~~. Alderman Tedesco said there were discussions about working in screening into Section 5.3, but after conferring with City Solicitor Ellen Callahan Doucette, she thought this would be a better change. Alderman Mercer-Bruen said she is still trying to understand the rationale behind the proposed change to the ordinance and worried the council may be creating parking areas where parking wasn't allowed before. Commissioner Quinn said Section 6 of the WZO was changed in 2000 to Section 5 to address parking within 50 feet of a buffer zone, where daytime parking of passenger vehicles was prohibited. Alderman Mercer-Bruen said she has never gotten a complaint about vehicles parking somewhere overnight. She reiterated she is concerned about creating parking where it hasn't been allowed before. Commissioner Quinn asked the council to remember that structured parking is involved. He said this is not about one particular piece of property and asked if there is a preference to allow parking during the day or overnight. Alderman Mercer-Bruen said she has never gotten complaints about passenger vehicles, only about trucks. She asked Commissioner Quinn if he is getting inundated with complaints about parking. Commissioner Quinn said he has fielded a few complaints. He said the effort to change the ordinance is a pro-active one. He cited an instance of re-zoning on Bucci Way that will be affected if it is developed. He said there are other examples like the Winn Street corridor across from Lannan Chevrolet, the S-1 zoning area behind Lynch-Cantillon Funeral Home which abuts a residential zone, and others. He said he has received inquiries about buffer zones in those areas. Alderman Mercer-Bruen said she is trying to figure out if the council is giving anyone additional rights for more parking. Commissioner Quinn said Section 6, Note 1 of the WZO regarding structured parking will have to be examined. Alderman Mercer-Bruen said she still doesn't think this is a burning issue, and if the council flips this switch, maybe the city will end up with a use that's not allowed. Commissioner Quinn said three weeks ago there was a concern about passenger vehicles parked within 50 feet of a residential zone near the Showcase Cinemas complex. Alderman Mercer-Bruen said she has never gotten complaints about cars, and the proposed ordinance change gives her a lot of angst. Alderman Higgins said right now you can park in a buffer zone at night, but not during the day, and that seems a little off. Alderman Mercer-Bruen said she would be interested to hear from Director Cassidy. Alderman Concannon said if you ask the average resident what is allowed in the buffer zone, they would say nothing is allowed. He said he doesn't think it should be called a buffer zone if a whole lot of things can happen there. Director Cassidy said for the Planning Board, the issue was simple. She said if someone takes down trees and there are other activities, it's not a buffer zone, it's a parking lot. If that happens, the Planning Board does not consider that a buffer zone anymore. She said there are instances where a fence may be a more effective buffer than a buffer zone. Alderman Concannon suggested revisiting the idea of a buffer zone. Commissioner Quinn said he does not think distance is always the best option. He said in some instances a fence might be a better option. Alderman Mercer-Bruen said examining the existing ordinance regarding buffer zones might be a good place to start. She said if there are problems city-wide, the council will need to know all the areas that are affected. Commissioner Quinn said there have been some problems at Bill's Auto on Winn Street. He said when he explains the parking regulations, he gets a confused look. He said he has to go by what was written. Alderman Mercer-Bruen said a council member can file for an ordinance change at the next meeting. Alderman Mercer-Bruen said she understands there have been a lot of complaints to the Building Dept. Commissioner Quinn said there have been more inquiries than complaints. Chairman Anderson said he expects Bill's Auto would be grandfathered. Commissioner Quinn said the property would not be grandfathered if there's a change of use. Alderman Anderson

asked if there is a change of use pending. Commissioner Quinn replied not that he's aware of. Alderman Mercer-Bruen said she is more concerned with getting this right and understanding the future impacts of changing the ordinance. Commissioner Quinn said his department can handle commercial vehicles, but the issue at hand is passenger vehicles. Alderman Mercer-Bruen said she is going to file an ordinance change regarding buffer zones, because it's not a buffer zone if you can park there. Alderman Concannon said he is curious about what would happen if the council eliminated anything happening in a buffer zone. He said he would like to ask Director Cassidy to prepare a memo to that effect. Alderman Mercer-Bruen said Director Cassidy has a lot on her plate right now. Motion made by Alderman Concannon and seconded by Alderman Mercer-Bruen asking Commissioner Quinn to prepare a memo regarding the consequences of the City Council eliminating the ability to park in a buffer zone; approved, 5-0.

Motion made by Alderman Mercer-Bruen and seconded by Alderman Higgins to adjourn.
Chairman Anderson adjourned the meeting at 6:43 p.m.

A TRUE RECORD ATTEST

Gordon Vincent
Clerk of Committees