

COMMITTEE ON ORDINANCES, CHARTER AND RULES
MARCH 11, 2019 AT 7:00 p.m.
COMMITTEE ROOM
WOBURN CITY HALL

Voting Members:

Present: Chairman Lindsay Higgins, Alderman Michael Concannon, Alderman Mark Gaffney,
Alderman Edward Tedesco, Alderman Mercer-Bruen

Non-Voting Members:

Present: President Michael Anderson, Alderman Richard Gately, and Alderman Joanne
Campbell. Absent: Alderman Robert Ferullo

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

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Order to amend 1985 Woburn Zoning Ordinances relative to overnight parking in a buffer zone adjacent to residential zoning district: Director Cassidy said the Planning Board reviewed the proposed ordinance in September and rendered an opinion that was reflected in a letter to the council on September 18. She said the board's conclusion is a buffer zone is just that, and to add parking to it creates a parking lot instead of a buffer zone. She said the board voted unanimously to forward an unfavorable recommendation because allowing parking in a buffer zone would denigrate the concept of a buffer zone. She said there are instances when a retaining wall with a fence might serve as a better buffer than a chain link fence with 20-feet of clearance. Commissioner Quinn said one of the concerns is allowing overnight parking in a buffer zone. He said the buffer zone issue was problematic during the discussions for a recent project in North Woburn and it was resolved. He said there is an instance on Cross Street of industrial abutting residential where distance may not be the best solution for a buffer zone. He said he is not advocating for parking in a buffer zone, but he is questioning why overnight parking is allowed but it is not allowed during the day. He asked rhetorically if daytime or overnight parking within 50 feet is better. He said that's how the conversation started. He said the ordinance should really be looked at in its entirety. Alderman Concannon said the council was wondering why it is ok to park in a buffer zone overnight but not during the day. He said in the instance of the North Woburn project, using distance as the sole determination of a buffer was ineffective. He said he is not comfortable of allowing more parking in a buffer zone. He said he would like to see if the council can come at the issue a different way. Alderman Mercer-Bruen said she has not had lot of complaints about overnight parking. She said allowing parking in the daytime will open up new uses. She cited an example on Dragon Court where the property owner can build something, but only with structured parking, but if this order passes, the owner could build a parking lot that is not as expensive as a parking garage. She said these are things people in the neighborhood ought to decide. She said the council ought to consider larger properties. She said she hopes the committee does not support what is in front of it tonight. Commissioner Quinn said he is charged with enforcing the zoning ordinance as it is written. He said if he council takes the entire city under consideration, it ought to keep in mind undeveloped properties. He said he does not know if distance is the best buffer zone. He said he is charged with applying a 1985 book to 2019 conditions. Alderman Campbell said she is not supporting the order the way it is written. She

said she is willing to get together to see if the council can come up with something better. Commissioner Quinn said he and Director Cassidy are committed to assisting the council if it wants to look at the buffer zone issue in its totality. Alderman Mercer-Bruen said there are four properties right now that would benefit from this, but she's not sure the neighborhood would benefit. She said she is open-minded toward looking at it, however. Alderman Tedesco said the council needs to take a holistic approach to the buffer zone issue. He said he might withdraw the proposed order and revisit the issue. Alderman Mercer-Bruen said she would be willing to participate in a subcommittee that addresses buffer zone regulations. Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to send the order "back for action," approved, 5-0.

Alderman Edward Tedesco to further amend the 1985 Woburn Zoning Ordinances by adding a new Section 29.4.2 relative of offices in a significant historic building: Alderman Tedesco said the Planning Board issued an unfavorable recommendation. He said the zoning amendment would allow for office use of 25 percent of the gross floor area. He said a property would have to be deemed a historic use by the Woburn Historical Commission. Chairman Higgins asked if there is a Planning Board recommendation. Director Cassidy said she has not yet written a letter of recommendation, but last week the Planning Board issued an unfavorable recommendation because the ink on the original ordinance is not dry yet. She said this is a new use for an ordinance that hasn't been employed yet. She said there are concerns the order would apply to properties to which it would not otherwise apply. She said review of a mixed use property is much more complex. She said there were discussions last fall about the Tidd Home and that tearing down the building would decimate the neighborhood. She said there is property owner on Pleasant Street who has inquired about the status of his mixed use property. Alderman Mercer-Bruen said she is concerned there are residents in affected neighborhoods who don't know about this. She said she has read the owner of the Tidd Home wants to move the headquarters of the Woburn Historical Society there. She said that issue came up when the council was talking about the conversion of St. Joseph's Church in East Woburn. Commissioner Quinn said the Tidd Home is in an R-2 zoning district and there is an office that is an accessory use. He said that if the Tidd Home is converted to residential units, the office use could be maintained. The determination on Pleasant Street will be what is the best use for the neighborhood. He said there were concerns last year about the S-1 district on Main Street and he met with WHC Chairman Carol Seitz about the issue. Alderman Mercer-Bruen said she would reach out to Ms. Seitz. Commissioner Quinn said people are aware of the ordinance change and he said the owner of the property on the West Side will probably be the first one to take advantage of this. Alderman Mercer-Bruen said she is concerned the council would be maximizing profitability for the property owner. Director Cassidy said the trade-off is the developer gives something back. Alderman Mercer-Bruen said enacting the order may be good for some property owners but not others. Director Cassidy said in the case of 132 Pleasant Street, half of the attic and basement is unfinished. Alderman Tedesco asked if the council would have to be furnished with a stamped engineering plan. Commissioner Quinn said each until will have to be labeled with the square footage. He asked if the standard will be net or gross floor area. Alderman Mercer-Bruen said there was a list of affected properties compiled and asked if it is complete. Director Cassidy said she did not create the list, nor was she asked to compile the list. Commissioner Quinn said the list was compiled by the historical commission, which he said did an inventory about 5-6 years ago. Alderman Mercer-Bruen said the council is considering a

sweeping ordinance, but there seems to be one particular developer pushing for it and that concerns her. Commissioner Quinn said it's a great conversation to have, but anyone interested should have all the necessary information. Director Cassidy said there are an ordinance passed last year allowing the historical commission to make a determination and a petitioner comes in to ask for 100 percent residential. Alderman Concannon said the goal was to restore historic buildings, which he said is worthy and admirable. He said he did not get the sense anything was being driven by one developer. Alderman Mercer-Bruen said she thinks that came later after people saw it and reacted to it. Alderman Concannon said he wants to make clear this was done with the best of intentions. He said the other goal was to get rid of non-conformities, which he said is also admirable. Alderman Mercer-Bruen said she thinks people ought to get notified when there are changes like this. Chairman Higgins said people get notified via the Special Permit process. Alderman Concannon said in this instance you're never going to get the notification you want. He asked if it is better to leave the ordinance as it. He asked if there is anything to keep the Pleasant Street property owner from tearing down his building. Director Cassidy said the demolition delay ordinance would be in play. Commissioner Quinn said a 2-family lot and a single-family lot would be allowed by right at the Tidd Home. He asked if that would be a better option than a building with an office use. President Anderson said he thought there might be an incentive to reduce the commercial aspect. Alderman Concannon said maybe eliminating the non-conformity isn't always the right way to go. Alderman Tedesco said in the instance of the Tidd Home, the neighbors were more concerned with preserving it. Commissioner Quinn said there was not a lot of traffic associated with the Tidd Home, and that putting an office piece might change the dynamic. Alderman Concannon asked if the office use has to correspond to the primary use of the property. Commissioner Quinn said that was the case at the Tidd Home, and it worked very well. Alderman Concannon asked if the ordinance should be fashioned to require the office space to be linked to the use of the building. Commissioner Quinn said 132 Pleasant Street would be considered a mixed use. He asked if would be better to increase the residential component for a building that is 50 percent residential and 50 percent office space. Alderman Campbell said Pleasant Street is in her ward and she has spoken to a neighbor who said his concern is the real estate office won't remain and the building will become entirely residential. Chairman Higgins said the property owner can convert the building now. Alderman Concannon said normally you'd want to see the office component go away, but the neighbors do not want eight studio apartments. Commissioner Quinn said the Pleasant Street building is currently 75 percent office space. Alderman Concannon asked what could go into 132 Pleasant Street, based on what's on the books. Director Cassidy said two single-family homes would be allowed. She said there are two units there now and he could apply for a special permit to increase that number. Commissioner Quinn said there would eight total units if it went all residential. He said he is getting a sense the neighborhood would prefer some sort of commercial component. Alderman Mercer-Bruen said she fears people don't understand all the ramifications of adopting the ordinance change. Alderman Gaffney said two of the commercial spaces haven't been rented for more than a year. He said the property owner wants to reduce the commercial space by 25 percent and send out the rest of the building as residential. Alderman Mercer-Bruen said that is not the plan that has been floating around the building. Alderman Gaffney said he does not think there is a plan. He said there has been a lot of miscommunication. Alderman Tedesco said he would prefer to leave the matter in committee. Commissioner Quinn said he would provide any assistance he can. Alderman Tedesco said he would forward to the committee a list of properties older than 100 years and in excess of 4,000-square-feet.

Motion made by Alderman Concannon and seconded by Alderman Tedesco to adjourn; approved, 5-0. President Anderson adjourned the meeting at 8:01 p.m.

A TRUE RECORD ATTEST

Gordon Vincent
Clerk of Committees