

Woburn City Council
Committee on Special Permits meeting as a Committee of the Whole
Woburn City Hall
Committee Room
April 24, 2017 – 6:00 p.m.

Present: Chairperson Richard Gately, Alderman Mark Gaffney, Alderman Darlene Mercer-Bruen, Alderman Joanne Campbell, Alderman Edward Tedesco

Present – Not on Committee on Special Permits: President Richard Haggerty, Alderman Lindsay Higgins, Alderman Michael P. Concannon, Alderman Michael Anderson

Absent: None

Petition by Cabot, Cabot & Forbes, LLC, 185 Dartmouth Street, Suite 402, Boston, Massachusetts 02116 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 23.4.2 for a special permit to allow restaurant and retail uses at the premises located at 120 Commerce Way, Woburn, Massachusetts 01801.

Appearing was Atty. Mark Salvati, 10 Cedar Street, Woburn, Massachusetts. He distributed a list of conditions that were made part of the permanent record; stated that he met with John Corey, City Engineer, regarding the issue of mitigation; stated that he will meet with Mr. Corey in the future relative to mitigation figures. Alderman Gately stated that he is not comfortable with all of the language included in the conditions; that the committee will not take a vote on this matter tonight; that a flow test is required; that special fittings might be needed; that everything underground is “not set in stone;” that a consultant is needed to work in conjunction with the Department of Environmental Protection; that other projects have installed sidewalks in a variety of colors; suggested that such sidewalks are appropriate for this project; that possibly the utilities can be located underground; that the sidewalks should be wider than the standard sidewalks. Alderman Gately stated that the applicant will be responsible for cutting of the utilities and capping them during demolition; that he will be adding additional conditions in the future. The Clerk of Committees was directed to send a communication to the Environmental Protection Agency relative to the possible underground location of the utilities.

Alderman Anderson stated that he would like to see an increase in the number of affordable units in this project. Alderman Concannon stated that he would like to extend an invitation to John Corey, City Engineer, to attend the next meeting regarding this project. President Haggerty directed the Clerk of Committees to notify Mr. Corey relative to the next meeting; that he would like to see more affordable housing included in this project.

The Clerk of Committees was directed to send a communication to the Environmental Protection Agency relative to the possible underground location of the utilities. Atty. Salvati stated that he met with members of the Handicapped and Disabled Citizens Commission and there are no outstanding issues. Alderman Mercer-Bruen stated that she has seen nothing in the proposed relative to signage that all signs must comply with relevant current zoning ordinances.

Petition by Burbank LLC, 16 Highland Street, Woburn, Massachusetts 01801 for a special permit to allow alteration of a nonconforming structure and use (three family dwelling) by razing existing structure and replacing with a new three family dwelling at 25 Hawthorne Street, Woburn, Massachusetts 01801

Motion made and seconded to accept the communication from City Solicitor Ellen Callahan Doucette dated April 12, 2017 as part of the permanent record; 5 – in favor, 0 – opposed.

Atty. Salvati submitted a letter to the committee from Building Commissioner, Thomas Quinn, Jr., dated April 10, 2017. Motion made and seconded to accept said letter as part of the permanent record; 5 – in favor, 0 – opposed.

Alderman Concannon stated that “grand-fathering” which allows three-family dwellings should be eliminated at some point; that the facts presented in this case would result in a less detrimental situation than the current situation; that this matter differs from the issues discussed relative to 43 Church Street case. Alderman Higgins also stated that these facts presented in this case differ from those issues relevant in the 43 Church Street matter. Alderman Concannon raised the issue relative to driveways. Atty. Salvati stated that there will be three driveways; that currently the units are rented; that upon renovation, the units will be sold separately. Alderman Mercer-Bruen stated that she will not support this application at this time but will reconsider after she consults with neighbors.

Motion made and seconded that matter be referred to City Council with recommendation ought-to-pass with conditions: 1. All utilities from current property must remain unused 2. All landscape must be lower than three feet (3’) 3. Any damage to Central Street must be repaired curb to curb if damaged; 8 – in favor, 1 – opposed (Mercer-Bruen).

Planning Board relative to clarification of a condition concerning signage in a special permit issued to New Creek II LLC at 425 Washington Street, Woburn, Massachusetts 01801.

Alderman Mercer-Bruen stated that she sent journals to Tina Cassidy, Planning Board Director; that sometimes even though the City Council imposes conditions relevant to signs in a particular matter, the applicant appeals to the Sign Review Board and occasionally, to the Planning Board; that the City Council should be clearer when imposing conditions. City Clerk directed to send a communication to the Planning Board indicating that any sign must comply with the current ordinances and any relief sought would be a modification of the special permit.

A TRUE RECORD

ATTEST: _____
Sheila McElhiney
Clerk of Committees