

**COMMITTEE ON ORDINANCES, CHARTER AND RULES
MONDAY, AUGUST 26, 2019 AT 6:05 P.M.
COMMITTEE ROOM
WOBURN CITY HALL**

Voting Members:

Present: Chair Lindsay Higgins, Alderman Michael Concannon, Alderman Mark Gaffney,
Alderman Darlene Mercer-Bruen and Alderman Edward Tedesco

Non-Voting Members:

Present: President Michael Anderson (late), Alderman Joanne Campbell,
Alderman Robert Ferullo and Alderman Richard Gately

Also present: Mayor Scott Galvin and Building Commissioner Thomas Quinn

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VOTED to dispense with the reading of the previous meeting's minutes and to approve; all in favor, 5-0.

Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to take the following item out of order from the posted agenda; approved, 5-0:

Order to amend Woburn Municipal Code relative to Deputy Fire Chief base salary and benefits: Mayor Galvin said a survey of salaries paid to public safety department heads determined Woburn's police chief, fire chief and deputy fire chief are underpaid. Alderman Ferullo left the Committee Room. He said the deputy fire chief's salary was approved in the budget and this is the corresponding adjustment to the ordinance. He said the deputy fire chief's salary must be addressed on an annual basis, as the council does for some other non-union department heads. Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen that the Order "ought to pass;" approved, 5-0.

Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to return to the regular order of business; approved, 5-0.

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Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to take the next two matters on the posted agenda collectively; approved, 5-0.

Alderman Gaffney and Alderman Tedesco to amend the 1985 Woburn Zoning Ordinances by adding a new Section 31 entitled "Railway Overlay (ROD) District:" Representing the petitioner was Attorney Joseph Tarby LLP, 600 Unicorn Park Drive, Woburn, MA; and George Gately, G.W. Gately Construction, 1 Summit Street, Woburn, MA. Alderman Ferullo returned to the Committee Room. Attorney Tarby said the Planning Board is meeting on Sept. 16 to discuss the matter. He said the board moved its meeting from Sept. 10 due to a conflict with the city's preliminary election. President Anderson arrived. Attorney Tarby said Planning Director Tina

Cassidy has submitted some suggestions that were incorporated into the proposed amendment. He said the overlay district will not have an adverse impact on the underlying zoning. He said the maximum number of units per acre is 25. He said passage of the legislation will allow for private redevelopment of properties along the railroad bed that will enhance the downtown area. He said the 1-story commercial buildings in the district will be eliminated. He said there will be 54 units, eight of which will be affordable. He said a subsequent special permit will be required.

Alderman Mercer-Bruen said concerns were expressed by the neighbors about the height of the proposed project. Mr. Gately said he spoke to some of the neighbors. He said the maximum height will be 46.5 feet, which he noted is approximately 4 feet higher than a similar development on Green Street. President Anderson said zoning would allow 20 units per acre, and the petitioner is asking for 25 units per acre. He asked what a reduction to 20 units per acre will do to the project. Mr. Gately replied the parcel is 2.17 acres, meaning at 20 units per acre the project would be limited to 41 units. Attorney Tarby said he culled the 25 units per acre language from the overlay district ordinance on Commerce Way. Alderman Gaffney said the area under consideration seems to be blighted. He said if the council adopts the legislation, it would not be setting a precedent. He said the area is ripe for redevelopment. He said a lot of issues will be solved. He said it will be a nice project that will lead to a wonderful revitalization of the area.

Alderman Concannon said he concurs with Alderman Gaffney. He said he was not aware of how bad the area looks until he walked down there. He said what's there now and what's proposed will be as different as night and day. He said he is excited about the project. He said he thinks this is a great chance to do something. Alderman Gately said the district is in Ward 2, which he represents, and he has been dealing with the property for the past 14-16 years. He said it is about time to do something with the area because it is blighted. He said people look out their windows now and all they see are port-a-potties. He said the railroad bed has been a curse to the neighborhood, and now people are starting to see value in developing it. He said this is the first step in the future of the bike path. He said all the abutting properties are going to be developed. He said improvement to the area is long overdue. He said this will be a great project. Attorney Tarby said there is an open space requirement of 20 percent and the project will provide 44 percent open space. He said there is a maximum of 40 percent building ground coverage and the building will provide 16.8 percent ground coverage. President Anderson asked how much of the parcel will be non-asphalt or non-building. Attorney Tarby said there will be 44 percent open space and there will be a lot of green. President Anderson said there is an overlay district in the area already and asked if the council should just extend it. He said there are overlay districts all over the city. Attorney Tarby said the overlay district in proximity has not generated any development. President Anderson asked why the council doesn't fix the existing district and extend it. Alderman Concannon asked what the practical impact of that would be. President Anderson said he is concerned about density. He said the area is a mess. He said it needs to be cleaned up. He said the most apparent business is Throne Depot. He said the units will be owner-occupied. Chairman Higgins said the public hearing will resume on Sept. 17, the day after the Planning Board meets. She said her recommendation is to keep it in committee until then.

Alderman Tedesco said the council does not need a committee report on Sept. 17. Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to send the petition "back for action," pending receipt of a recommendation from the Planning Board; approved, 5-0. Chairman Higgins told the audience the public hearing will be resumed on Sept. 17.

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Alderman Gaffney and Alderman Tedesco to amend the Zoning Map of the City of Woburn by establishing the ROD Zoning District over the properties in the S-1 District between Green Street and High Street that abut the abandoned Boston & Maine Railroad Line located on Main Street, Green Street and High Street: See preceding item.

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Order to amend Woburn Municipal Code relative to trench excavation permits:

Commissioner Quinn said his office has collaborated with the City Engineer's office to draft an ordinance in the wake of a project near the Whole Foods Market on Cambridge Road that stalled due to a delay in granting a trench excavation permit. He said the City Clerk was also consulted, and the city is trying to simplify the process. He said the city has not accepted regulations for trench opening permits. He said the DPW does not have any regulations regarding trench excavations on private property, and the Building Dept. does not have any regulations regarding trench excavations on public property. He said Woburn is a big city and needs to move things along in a timely manner. Alderman Concannon asked if the \$100 fee is in line with other communities. Commissioner Quinn said it is. He said the fee is not exorbitant. President Anderson said the DPW Supt. had some concerns with private entities tying into public utilities. Commissioner Quinn said there can be two separate permits. He said the city can't be holding up developers for long periods of time. He said there were some issues with delays at the project at the armory. He said the city needs to take a team approach. He said he is adamant the process needs to move quicker. Chairman Higgins said the city is trying to figure out the kinks in the process. Alderman Gately said he agrees with Commissioner Quinn. He said private property owners should not be held up. He said there is one person approving permits at the DPW and that takes time. He said the city is growing in leaps and bounds and there needs to be some flexibility. President Anderson asked how the city will know when there is a cross permit. Commissioner Quinn said the city knows what's going to take place and there is coordination between department heads. He said he does not think anyone realized this had not been accepted by the City Council. Chairman Higgins suggested adding a line in item #1 that would require the DPW and the Building Dept. to consult with each other on excavation permits. Alderman Concannon said that is already their job. Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen that the order "ought to pass;" approved, 5-0.

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Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to adjourn; all in favor, 5-0. Chairman Higgins adjourned the meeting at 6:37 p.m.

A TRUE RECORD ATTEST

Gordon Vincent
Clerk of Committees