

**CITY OF WOBURN  
NOVEMBER 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	

---

Prior to the start of the meeting, the City Council presented Woburn Police Chief Robert J. Ferullo, Jr. with a Resolution recognizing his retirement and expressed their thanks for his dedicated service to community and their wishes for him in retirement.

---

Motion made and 2<sup>nd</sup> to suspend the rules for the purposes of taking the following two matters out of order, all in favor, 9-0.

---

Petition by Festival on the Common, P.O. Box 211, Woburn, Massachusetts 01801 for a Special Event Permit to allow a festival on Woburn Common and surrounding streets on November 24, 2018. Motion made and 2<sup>nd</sup> that the SPECIAL EVENT PERMIT be GRANTED, all in favor, 9-0.

**Presented to the Mayor: November 21, 2018      s/Scott D. Galvin November 21, 2018**

\*\*\*\*\*

Petition by Tanner TaTa Foundation, 100 Tower Office Park F, Woburn, Massachusetts 01801 for a Special Event Permit to allow a road race and walk beginning at 15 Middlesex Canal Park Drive and on surrounding streets on November 25, 2018. Motion made and 2<sup>nd</sup> that the SPECIAL EVENT PERMIT be GRANTED, all in favor, 9-0.

**Presented to the Mayor: November 21, 2018      s/Scott D. Galvin November 21, 2018**

---

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

---

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, all in favor, 9-0.

---

**MAYOR'S COMMUNICATIONS:**

A communication dated November 15, 2018 with attachment was received from His Honor the Mayor as follows:

Re: Proposed Order – Revision of Title 3, Revenue and Finance, Article V, Tax Assistance Programs

I am submitting for the Council's consideration a proposed Order to revise Title 3, Article V, Section 3-25. The initial purpose for this revision was to increase the maximum tax deduction from \$1,000 to \$1,500 for both the senior citizens and veterans programs. This increased deduction for seniors became effective in 2016, but the veterans' deduction became effective November 7, 2018.

Further revisions were made to formalize the veterans' tax reduction program which has been ongoing, but never added to the Municipal Code. Revisions were also made to eliminate redundancies and to clarify the requirements for each program. Identifying the programs as "Tax Reduction Volunteer Programs" better describes the programs' purpose as authorized by M.G.L. c.59, §§5K and 5N.

Sincerely, s/Scott D. Galvin

Attached thereto was the following Order:

ORDERED Be it Ordained by the City Council of the City of Woburn that Title 3, Revenue and Finance, of the 1989 Municipal Code, as amended, be further amended by deleting therefrom Article V. Assistance Programs, Section 3-25 Senior Citizen Property Work-Off Program, in its entirety, and inserting in its place the following new Article V to read as follows:

#### V. TAX ASSISTANCE PROGRAMS

##### 3-25 Senior Citizen Property Tax Reduction Volunteer Program

###### A. Program Goals

1. To assist senior citizens with the payment of residential property tax bills by allowing them to volunteer their services to the City.
2. To increase the involvement of senior citizens in Woburn's municipal government and school system.
3. To acknowledge and affirm the skills and abilities of Woburn's senior citizens and the community's continuing need for their services.

###### B. Eligibility Requirements

1. Age and Residency Requirements: An applicant must meet or exceed the following requirements in order to be eligible to participate in the program:

- a. Must be 60 years or older.
  - b. Must be a resident of Woburn and own and occupy the home for which property taxes are paid and the reduction is requested or, be the current spouse of such a homeowner and reside in the same household.
2. Income Limitations: Participation in the programs is subject to the following annual income limitations:
- a. Up to \$45,000.00 annual gross income for individuals;
  - b. Up to \$50,000.00 annual gross income for Head of Household; and
  - c. Up to \$55,000.00 annual gross income for individuals Married Filing Jointly.

#### C. Employment Opportunities

1. The program is subject to the needs of participating departments.
2. As directed by the department head, employment opportunities may include, but are not limited to, data entry, filing/shredding; answering phones; shelving books/materials; document management; organization of files/office areas; classroom aides; and library aides.

#### D. Application and Selection Process

1. This program is coordinated, monitored and supervised by the Council on Aging Director.
2. Applicants must complete and submit an application form accompanied by the applicant's most recent federal income tax form; a Form W-4 and a CORI (Criminal Offender Record Information) form. Background checks are mandatory for all applicants who are assigned to work in the school department.
3. Applicants must meet the age, residency and income limitation requirements of Section 3-25(B).
4. Applicants must have the appropriate skills necessary for the position.
5. The department head and the applicant must agree and assent to the assignment of the applicant to a particular department. Positions will be offered on the basis of qualification, availability, location and physical limitation. No position will require heavy physical exertion.
6. Participants from previous years are encouraged to apply, however their applications shall be considered after all new program applicants have participated in the program in order to allow more senior citizens the opportunity to participate in the program.

7. Requests for certain position by applicants will be considered, however applicants must be willing to accept a position when offered based on the offer made by the Council on Aging Director.
8. Applicants have the right to refuse placements, but each applicant will be taken on a maximum of two interviews. Applicants may have the option to defer placement in a position pending the possibility of other opportunities. There is no guarantee other positions will become available.
9. The maximum number of participants for this program is twenty (20).
10. Participants in this program shall not simultaneously participate in the Veterans Property Tax Work-Off Program

#### E. Tax Reduction Guidelines

1. This program is adopted pursuant to M.G.L. c.59, §5K and the maximum tax reduction amount is limited to \$1,500.00 per fiscal year, per household.
2. The hourly rate for volunteer services shall be set to the state's current minimum wage in effect at the time the services are provided.
3. Upon completion of the required hours of work service, or a fraction there of, the number of hours worked will be verified by the appropriate department head and submitted to the Council on Aging Director for submission to the Board of Assessors and the Treasurer/Collector.
4. This program is exempt from state income taxes, but is subject to federal and Medicare income taxes. The Treasurer/Collector will issue a W-2 form to each participant for federal tax purposes only.
5. Tax reductions are applied to the following fiscal year tax bill.
6. Participants are not eligible for City benefits.
7. Current City employees are not eligible to participate in this program.

#### 3-25-A. Veterans Property Tax Reduction Volunteer Program

##### A. Program Goals

1. To assist the City's veterans with the payment of residential property tax bills by allowing them to volunteer their services to the City.
2. To increase the involvement of veterans in Woburn's municipal government and school system.
3. To acknowledge and affirm the skills and abilities of Woburn's veteran's and the community's continuing need for their services.

##### B. Eligibility Requirements

An applicant must meet the following requirements in order to be eligible to participate in the program:

- a. Must be an honorably or medically discharged veteran and provide a certification of veteran's status (DD214).
- b. Must be a resident of Woburn and own and occupy the home for which property taxes are paid and the reduction is requested or, be the current spouse of such a homeowner and reside in the same household.
- c. May be the spouse of a deceased veteran or a veteran with a service-connected disability.
- d. Veterans who are physically unable to provide such services may have an approved representative perform services on their behalf.

#### C. Employment Opportunities

1. The program is subject to the needs of participating departments.
2. As directed by the department head, employment opportunities may include, but are not limited to, data entry, filing/shredding; answering phones; shelving books/materials; document management; organization of files/office areas; classroom aides; and library aides.

#### D. Application and Selection Process

1. This program is coordinated, monitored and supervised by the Director of Veteran's Services.
2. Applicants must complete and submit an application form accompanied by the applicant's most recent federal income tax form; a Form W-4 and a CORI form. Background checks are mandatory for all applicants who are assigned to work in the school department.
3. Applicants must meet the definition of veteran and the residency requirements of Section 3-25-A (B).
4. Applicants must have the appropriate skills necessary for the position.
5. The department head and the applicant must agree and assent to the assignment of the applicant to a particular department. Positions will be offered on the basis of qualification, availability, location and physical limitation. No position will require heavy physical exertion.
6. Participants from previous years are encouraged to apply, however their applications shall be considered after all new program applicants have participated in the program in order to allow more senior citizens the opportunity to participate in the program.
7. Requests for certain position by applicants will be considered, however applicants must be willing to accept a position when offered based on the offer made by the Director of Veteran's Services.
8. Applicants have the right to refuse placements, but each applicant will be taken on a maximum of two interviews. Applicants may have the

option to defer placement in a position pending the possibility of other opportunities. There is no guarantee other positions will become available.

9. The maximum number of participants for this program is ten (10).
10. Participants in this program shall not simultaneously participate in the Senior Citizen Property Tax Work-Off Program

E. Tax Reduction Guidelines

1. This program is adopted pursuant to M.G.L. c.59, §5K and the maximum tax reduction amount is limited to \$1,500.00 per fiscal year, per household.
2. The hourly rate for services shall be set to the state's current minimum wage in effect at the time the services are provided.
3. Upon completion of the required hours of work service, or a fraction there of, the number of hours worked will be verified by the appropriate department head and submitted to the Director of Veteran's Services for submission to the Board of Assessors and the Treasurer/Collector.
4. This program is exempt from state income taxes, but is subject to federal and Medicare income taxes. The Treasurer/Collector will issue a W-2 form to each participant for federal tax purposes only.
5. Tax reductions are applied to the following fiscal year tax bill.
6. Participants are not eligible for City benefits.
7. Current City employees are not eligible to participate in this program.

s/President Haggerty

Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON ORDINANCES, all in favor, 9-0.

---

**PUBLIC HEARINGS:**

Alderman Tedesco recused himself from participating in the following matter and left the Council Chamber.

\*\*\*\*\*

On the petition by Cellco Partnership d/b/a Verizon Wireless for a grant of right in a way to locate a small cell wireless antenna, radio unit, meter, AC/DC converter, 60A disc., RGS conduit, ground rod, power and fiber, together with sustaining and protecting fixtures as may be necessary in accordance with a plan entitled "Woburn MA SC60" dated August 10, 2017, at 550 Main Street, one pole, #178/1. PUBLIC HEARING OPENED. A communication dated November 15, 2018 was received from Attorney Manougian, McLane Middleton, 900 Elm Street, Manchester, New Hampshire 03101 as follows:

Subject: Verizon Wireless – Woburn MA SC60 – request to continue 11/20/2018 City Council hearing on GOL petition

Dear City Clerk Campbell:

Attorney Mason has left our Firm and I am taking over this site. We appeared before the Infrastructure & Public Lands committee on 11/13. We had not been able to meet with the City Engineer prior to that meeting and he is on vacation until 11/21. We will meet with him ASAP after he returns to work on 11/21. Since that is after our continued meeting with the City Council, we are requesting a continuance of the 11/20 meeting to the 12/18 City Council meeting.

Please advise if should still attend the 11/20 City Council meeting.

Attorney Victor Manougian

Motion made and 2<sup>nd</sup> that the communication be received and made part of the record, 8 in favor, 0 opposed, 1 absent (Tedesco absent). 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 DECEMBER 18, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON INFRASTRUCTURE AND PUBLIC LANDS, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

\*\*\*\*\*

Alderman Tedesco returned to the Council Chamber.

\*\*\*\*\*

Motion made and 2<sup>nd</sup> that the public hearing on the following two matters be held collectively, all in favor, 9-0.

\*\*\*\*\*

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. PUBLIC HEARING OPENED. Appearing for the petitioner was Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that a public hearing is required to be held by the Mayor or his designee prior to moving forward with a Ch. 40R petition, that the first proposal was for 35 units with one level of parking, that concern was expressed about the number of offsite parking spaces that would be needed, that the second proposal provided for 48 units with two floors of parking, that 56 onsite parking spaces would be provided with four offsite parking spaces needs, that 25% of the units would be affordable and all the units would count towards the city's Ch. 40B quota of 10% of housing stock being affordable, that the Planning Board sent a favorable recommendation, that the petition has been continued a number of times since being filed in August 2017, that the last meeting the petitioner had with the Mayor was on November 2, 2018, that the Mayor stated he would support a project with 31 one bedroom

units with one level of parking and he did not have a concern with the offsite parking, that for the project to be economically viable for the petitioner there would have to be 41 units with two levels of parking and 20% of the units being affordable, that the Mayor indicated he would only support a 31 unit plan, that the petitioner has not been able to meet further with the Mayor, and that the petitioner requests additional time to have a meeting with the Mayor. Alderman Gately stated that it may be in the best interest of the proposal to withdraw the petition can come back when the petitioner has come to agreement with the Mayor. Attorney Tarby stated that the petitioner would prefer additional time to meet with the Mayor. Alderman Mercer-Bruen stated that there has not been a lot of conversation regarding this proposal, that she does not support a 40 unit project, that a 30 unit project would be difficult to support but she would be willing to listen, and that she believes a Ch. 40R project is a stretch for that area. Alderman Campbell stated that she does not support a project with 40 or more units, that she appreciates the Mayor's suggestion of 31 units but she questions whether even 30 units is too much for the parcel, and that she is concerned about a Ch. 40R project in that area. Alderman Higgins stated that she agrees the petition should be withdrawn without prejudice until an agreement is reached with the Mayor, that she is not comfortable with a 40 unit project, and that the petition keeps getting pushed out without any progress. Attorney Tarby stated that it is not unreasonable to continue the matter given the discussions with the Mayor. Alderman Concannon stated that continuing the matter is not unreasonable given the delay is not the fault of the petitioner, that the Ch. 40R process requiring action by the Mayor before moving forward is unfair to the petitioner, that the Planning Board and City Council have held public hearings on the matter but the Mayor has not held a required public hearing, that the petitioner should be given time to negotiate with the Mayor, that it does not seem fair that the process cannot move forward if the Mayor declines to hold a public hearing, and that he would be inclined to consult with the City Solicitor as to what happens if the Mayor does not hold a public hearing. Alderman Anderson stated that under the legislation this is a significant zoning change and if the chief executive of the city does not believe there is a financial benefit to the city the project does not move forward, that the petitioner probably should not have been filed until the Mayor held the public hearing, that he is willing to continue this further, that he is concerned about 40 units, that the parking should be onsite, and that he does not want the new parking being created taken up by this project. President Haggerty stated that it is difficult to create 80 new parking spaces behind the library and then giving a number of the spaces away to meet the needs of a new development, that he understands structured parking is expensive to construct, that it is a benefit to the city under Ch. 40R to have all of the units counted towards the Ch. 40B quota, that all onsite parking for this project is critical, that the number of units swinging five to ten more or less is worth discussion, that there will be limited impact on nearby residences and there will be access to many services and stores in the area, that this project is a good fit for the area, and that this is a good opportunity to develop the site. Alderman Concannon stated that land use proposals are generally under the jurisdiction of the City Council with public hearings and discussions in public, that this is an unusual situation, and that if a public hearing is supposed to be held by the Mayor then the public hearing should be held. Alderman Campbell stated that she agrees that the matter should be continued, that whether this project moves forward will be a decision of the City Council and not of the Mayor, that the proposal should come forward for a vote, that the number of units are a concern because of the amount of traffic that will be generated, that the traffic volume is escalating in the city, that 40 to 80 more cars in that area

could detrimentally impact the downtown traffic, that this is a small street and a small parcel, and that there is public transportation nearby and hopes it is used by the residents but there is no guarantee that it will be used by them. Attorney Tarby stated that the petitioner has information that shows their tenants generally use public transportation. Alderman Gately stated that his interest in the petitioner being withdrawn was not intended to kill the project but to give the petitioner time to resolve the issues and then re-file, and that this petition has been continued many times. Alderman Tedesco stated that a Ch. 40R project was for development near transit stations and existing downtown area, and that this parcel is exactly the type of location that the Legislature was considering for this zoning change. Alderman Mercer-Bruen stated that the City Council has not endorsed anything with regard to this project, and that there have been many hearings but no votes or endorsements of any plan. Alderman Gately stated that the City Council has been willing to listen to the proposal but did not endorse the project, and that the earlier plan was doable but there has not been an endorsement of the proposal. Alderman Gaffney stated that he supports the continuance and the 40 units, that with one bedroom units there will be few cars and even 40 to 50 cars is miniscule, and that the low income housing provided will be beneficial. Motion made and 2<sup>nd</sup> that a communication be sent to the City Solicitor requesting a listing of the procedure and guidelines of the M.G.L. Ch. 40R process, 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 JANUARY 8, 2019 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, 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. See record notes from preceding matter. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JANUARY 8, 2019 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, all in favor, 9-0.

\*\*\*\*\*

Alderman Mercer-Bruen recused herself from participating in the following matter and left the Council Chamber.

\*\*\*\*\*

On the petition by Presidential Ventures LLC, 275 Mishawum Road, 4<sup>th</sup> Floor, Woburn, Massachusetts 01801 for a special permit and site plan approval pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 12.2.4 and 8.6.2.2 to allow construction of 270+/- parking spaces, subsurface drainage structures, exterior lighting and waiver from tree requirement at 8 Presidential Way. PUBLIC HEARING OPENED. A communication dated November 20, 2018 was received from Attorney James J. Mawn, Mawn and Mawn, P.C., 275 Mishawum Road, Woburn, Massachusetts 01801 as follows:

Re: Petitioner: Presidential Venture, LLC, 8 Presidential Way

Dear Mr. Campbell:

The petitioner hereby requests a continuance of the public hearing at your next scheduled meeting.

Very truly yours, s/James J. Mawn

Motion made and 2<sup>nd</sup> that the communication be received and made part of the record, 8 in favor, 0 opposed, 1 absent (Mercer-Bruen absent). 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 DECEMBER 4, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, 8 in favor, 0 opposed, 1 absent (Mercer-Bruen absent).

\*\*\*\*\*

Alderman Mercer-Bruen returned to the Council Chamber.

\*\*\*\*\*

Alderman Concannon recused himself from participating in the following matter and left the Council Chamber.

\*\*\*\*\*

On the petition by President Haggerty to amend the 1985 Woburn Zoning Ordinances, as amended, by adding a new Section 30 entitled “Smart Growth Overlay Districts” in accordance with the purposes of G. L. Chapter 40R; 2. By amending the City of Woburn Zoning Map by overlaying the Smart Growth Overlay District zoning provisions over one parcel of land as shown on Assessors Map 20, Block 1, Lot 1 at 300 Mishawum Road; 3. By adopting the Woburn Mall Smart Growth Overlay District Design Standards; and 4. By adopting the Smart Growth Overlay District Plan Review and Special Permit Application Form and the Smart Growth Overlay District Regulations and Submission Requirements for use by applicants seeking approval under a Smart Growth Overlay Zoning District. PUBLIC HEARING OPENED. A communication dated November 20, 2018 was received from Tina P. Cassidy, Planning Board Director, Woburn Planning Board as follows:

Re: Proposed zoning text and map amendments to (i) add new Section 30 to zoning ordinance entitled Smart Growth Overlay Districts; (ii) revise the Zoning Map by applying the Smart Growth Overlay District to 300 Mishawum Road (Map 20, Block 1, Lot 1); and (iii) adopt design standards applicable to projects undertaken in a Smart Growth District – City Council President Richard Haggerty

Dear Members of the Council:

At a meeting held on Tuesday, November 13, 2018, the Woburn Planning Board concluded its public hearing on the above-referenced zoning text and map amendments. The hearing was conducted over a several month period, with segments having been held on September 11<sup>th</sup>, September 25<sup>th</sup>, October 23<sup>rd</sup> and November 13<sup>th</sup>, 2018.

At the conclusion of the hearing and subsequent discussion, members of the Board voted 5-0-1 (Bolgen, Doherty, Edmonds, Callahan and Ventresca in favor, no one in opposition, Donovan abstained) to issue a positive but qualified recommendation to the City Council relative to adoption of a new 40R District for the Woburn Mall site.

Specifically, the Board voted to recommend adoption of revised versions of the draft Woburn Mall 40R text and Design Standards and to recommend the new 40R District be overlaid onto the current site of the Woburn Mall (the property at 300 Mishawum Road, identified by the Woburn Assessors as Assessors Map 20, Block 1, Lot 1). Revised versions of both documents are appended to this communication. Please note that revisions previously recommended by the Department of Housing and Community Development (DHCD) and the Metropolitan Area Planning Council (MAPC) have been incorporated into the text of the attachment since they are changes needed to ensure conformance with the requirements of G.L. 40R and its regulations. Revisions being recommended by the Planning Board are shown in redline “track change” mode on the attached, for ease of reference.

The Planning Board’s positive recommendation is offered with significant concern and caution. In fact, the Board’s support for the rezoning and planned redevelopment is predicated on the assumption that the City – through the actions of its City Council and administration, the developers and perhaps others – will ensure that appropriate transportation-related improvements have been put in place to adequately handle the anticipated impacts of the new development. Because existing traffic and pedestrian-related conditions on and around the Woburn Mall site are extraordinarily difficult today, it will be imperative for the City to devote appropriate resources to implementing sufficient transportation-related improvements to adequately handle the traffic generated by the redevelopment project *before* it is built out. Though the anticipated project has many positive attributes and benefits to the City, the Planning Board fears a lack of concrete action in advance of its completion will result in untenable traffic difficulties along Mishawum Road, Commerce Way and other nearby roads.

During its deliberations, the Planning Board was pleased to hear of the City’s decision to engage a consultant to work with City Engineer Jay Corey to proactively assess potential development-related impacts and recommend measures to mitigate them. Although neither the consultant’s scope of work nor a project-specific traffic study was available for the Board’s review during the rezoning public hearing process, Board members encourage the City Council and Engineering Department to capitalize on the consultant’s involvement while the zoning is being considered and through any permitting process that might follow.

The Planning Board also urges the Council to actively pursue a number of recommendations that are emerging from the broader Commerce Way study being undertaken by the Planning Department and the Metropolitan Area Planning Council (MAPC). A number of the recommendations that will be in that study would directly mitigate additional vehicular traffic on roads near the Mall site and encourage alternative modes of travel (pedestrian, bicycle and public transit in particular). The draft recommendations include the following measures and initiatives:

- Plan, design, fund and construct a shared use path along the Aberjona River parallel to the train tracks so that Mishawum Road, the Woburn Mall site and properties to the north of it are directly connected to the Anderson Woburn Regional Transit Center (Anderson/Woburn). Such a path would provide a safe and inviting way for pedestrians to access the rail station and provide a recreational opportunity for area residents and visitors.
- Work with existing property owners and make public investments to formalize an internal road network that can relieve pressure on Commerce Way. The MAPC Commerce Way study provides examples of how Cabot Road and other connections between parcels could provide an alternative route for trucks servicing the area, thereby improving traffic flows on Commerce Way. This route could also provide bicycle/pedestrian connectivity, especially important since creation of a shared-use path is likely a multi-year effort.
- Integrate design elements into the Woburn Mall site as well as properties between it and Anderson/Woburn that will facilitate eventual construction of the shared use path and increase connectivity between the Woburn Mall site and the abutting properties to its north. The draft 40R standards and developer's agreement to date result in multi-functional sidewalks throughout the redeveloped site and a pedestrian/bike connection between the Mall property and the one to its immediate north. Installation of additional sidewalks, bike accommodations and signage on other properties would need to be negotiated as part of the effort to create a shared use path.
- Develop design guidelines for other Commerce Way area properties that require integration
- Pursue improvements to three (3) known high-crash locations in the immediate vicinity of the Woburn Mall project. In the 101 community region serviced by MAPC, the Commerce Way/Mishawum Road intersection, the intersection of Commerce Way and the Route 93 off-ramp as well as the location of the Woburn Mall's site driveway at Mishawum Road are all in the top five percent (5%) in terms of the number of crash incidents and their severity.
- Work with the MBTA on resuming additional service (more frequent stops) at Mishawum Station. Opening this station to peak hours (i.e., rush hour) would make the Woburn Mall site truly transit-oriented, as it would provide a station within easy walking distance.
- Implement shuttle service options. The City has been investigating the feasibility of implementing local shuttle service connecting Woburn employment centers and Anderson/Woburn. The City should partner with a Transportation Demand Association, such as Middlesex 3, to accomplish this. City funding is likely needed to support these operations but developer and employer contributions can defray the cost. A stop between the Woburn Mall site and Anderson/Woburn (particularly if Mishawum Station's schedule is not expanded) would further reduce the traffic impacts associated with residential development at the Mall site. Shuttle service would also make it feasible for

commuters to take the rail to Anderson/Woburn and make the “last mile” connection to their places of work. By way of example, a large percentage of employees who work in the businesses in the New Boston Street area live in Lowell but are forced to drive by car into Woburn, even though both communities are served by the same rail line.

- Work with the MBTA to improve bus routing. The MBTA is currently working on altering bus routes through its Better Bus Project. Of particular importance to the Woburn Mall site is extending the Route 136 bus from Reading Station to Anderson/Woburn, as recommended through MAPC’s North Suburban Mobility report. This extended route would pass directly by the Woburn Mall site and Anderson/Woburn, thus providing an additional option for residents to access the transportation options there.
- Encourage or require current and future area developers to engage in Transportation Demand Management strategies. For example, the Woburn Mall site could reserve spaces for rideshare vehicles (i.e. Zipcars), making it feasible for some commuters to live on site without owning a car. Similarly, (though not necessarily a demand management strategy), encourage or require developers to provide space for pick-up/drop off of passengers by transportation network companies (i.e. Uber and Lyft), taxis and shuttle busses (especially if the latter is implemented as part of a first/last mile connection strategy).
- Work with MBTA, Massport, and future developers to design, fund and construct a pedestrian bridge from Anderson/Woburn over the rail tracks toward Merrimac Street, to provide direct and quick pedestrian connection between Anderson/Woburn, the New Boston Street area and the residential neighborhood beyond. While the New Boston Street Bridge will provide additional connectivity, it is likely too far to be a feasible walk/bike ride for most Woburn residents. A more direct pedestrian connection could reduce traffic on Commerce Way and Mishawum Road by providing an alternative means of accessing the station rather than by car.
- Implement bicycle infrastructure throughout the City which connects to Anderson/Woburn. Currently, the only viable option to access Anderson/Woburn is by car. If it were safe and convenient to do so, some of these drivers would bike, thus reducing traffic along Mishawum Road and Commerce Way.

Please feel free to contact me if you have any questions about the Planning Board’s recommendation on this matter.

Respectfully, s/Tina P. Cassidy, Planning Board Director

Motion made and 2<sup>nd</sup> that the communication be accepted and made part of the record, 8 in favor, 0 opposed, 1 absent (Concannon absent). PUBLIC COMMENTS: Attorney Mark Vaughan, Riemer & Braunstein LLP, 700 District Avenue #800, Burlington, Massachusetts 01803 and he stated that he represents Edens which is the owner of the property at 300 Mishawum Road, that Edens is not the petitioner, that he understands the Planning Board

gave a favorable recommendation for the proposal, and that Edens will provide any information that the City Council may need in regards to the proposal. Alderman Anderson stated that the Committee on Ordinances will meet on this matter next week with the goal of taking action at the December 18, 2018 Regular Meeting. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON DECEMBER 18, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, 8 in favor, 0 opposed, 1 absent (Concannon absent).

\*\*\*\*\*

Alderman Concannon returned to the Council Chamber.

\*\*\*\*\*

On the petition by Alderman Tedesco to amend the 1985 Woburn Zoning Ordinances, as amended, by striking the definition for “Floor Area, Gross” and inserting in its place the following: “Floor Area, Gross: The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns and other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.” and 2. By striking the definition for “Floor Area, Net” and inserting in its place the following: “Floor Area, Net: The actual occupied area not including unoccupied accessory areas such as corridors, stairways, ramps, toilet rooms, mechanical rooms and closets.” PUBLIC HEARING OPENED. A report was received from the Committee on Ordinances as follows: “ought to pass with the following amendments recommended by the Planning Board adopted: ‘Suggested deletions shown in ~~strike through~~ and additions underlined): FLOOR AREA, GROSS: The sum of all areas of a building, as measured from within the inside perimeter of the exterior faces of the walls. It includes all floors of a building, basements, cellars, attics, penthouses, unenclosed and closed-in porches, closets, ramps, floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this Ordinance, and any floor space intended and designated for the operation and maintenance of the building, i.e., heating, air conditioning, ventilation, mechanical and electrical equipment, elevator machinery, elevator shafts, corridors, hallways, columns and stairwells. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. FLOOR AREA, NET: The sum of all the floors of a building used for human occupancy, including basements, cellars, ~~and~~ attics, and floor area of interior courts designed for human occupancy and used for such purpose, and as measured from the interior faces of the walls. It does not include cellars, basements, attics and unenclosed and closed-in porches not designed and/or used for human occupancy, closets, ramps, or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this ordinance, or any floor space intended and designated for operation and maintenance of the building such as heating, ventilation, air conditioning, mechanical and electrical equipment, elevator machinery, elevator shafts, corridors,

hallways, columns and stairwells.” Alderman Tedesco stated that there was a disconnect between the International Building Code and the Woburn Zoning Ordinances on these definitions, that working with the Building Commissioner and the Planning Board Director they brought the definitions together, and that the new definition includes some areas that were not included in the 1985 version. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: November 21, 2018 s/Scott D. Galvin November 21, 2018**

\*\*\*\*\*

On the petition by Alderman Tedesco to amend the 1985 Woburn Zoning Ordinances, as amended, by adding a new Section 29 Conversion of Significant Historic Building or Structure as set forth in the City Council Journal dated August 14, 2018. PUBLIC HEARING OPENED. A communication dated November 14, 2018 was received from Tina P. Cassidy, Planning Board Director as follows:

Re: Proposed zoning text amendment to add to the Woburn Zoning Ordinance a new section 29 entitled Conversion of Significant Historic Building or Structure/Alderman Tedesco

Dear Mr. Campbell:

At a meeting held on Tuesday, November 13, 2018, members of the Woburn Planning Board voted unanimously to continue the public hearing on the above-referenced zoning petition to the Board’s meeting on Tuesday, November 27, 2018 at 7:00 p.m.

Respectfully, s/Tina P. Cassidy, Planning Board Director

Motion made and 2<sup>nd</sup> that the communication be accepted 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 DECEMBER 4, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, all in favor, 9-0.

\*\*\*\*\*

On the petition by Alderman Tedesco to amend the 1985 Woburn Zoning Ordinances, as amended, by striking Section 5.7.5.3 and inserting in its place the following: “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 the purpose of overnight parking.” PUBLIC HEARING OPENED. Alderman Anderson stated that the matter is still be reviewed in committee. Alderman Tedesco stated that the Planning Director is working on the matter and will have additional information later in January 2019. 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 FEBRUARY 5, 2019 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, all in favor, 9-0.

---

**CITIZEN'S PARTICIPATION:** None.

---

**COMMITTEE REPORTS:**

**PUBLIC SAFETY AND LICENSES:**

On the petition by Wig Big, Inc. for a new Livery 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: November 21, 2018      s/Scott D. Galvin November 21, 2018**

\*\*\*\*\*

**FINANCE:**

On the Order to appropriate the sum of \$4,649.50 from Traffic Safety & Infrastructure to Mitigation New Boston St Bridge 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: November 21, 2018      s/Scott D. Galvin November 21, 2018**

---

**NEW PETITIONS:**

Petitions for renewal of First Class Motor Vehicle Sales Licenses by C.N. Wood Company, Inc., 200 Merrimac Street; M&L Transit Systems, Inc., 60 Olympia Avenue; Northeast Tree, Inc., 62 Holton Street; WMK, LLC dba Mobility Works, 299 F&H Washington Street; and Woodco Machinery, Inc., 22 North Maple Street. Motion made and 2<sup>nd</sup> that the MATTERS be COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

\*\*\*\*\*

Petitions for renewal of Second Class Motor Vehicle Sales Licenses by Robert McSheffrey dba Bob McSheffrey Auto Sales, 880 Main Street; Capelo's Auto Service, Inc. dba Capelo's Auto Sales; Capelo's Auto Service, Inc. dba J.C. Auto Sales; Kenneth L. O'Connor and Thomas F. Norton dba City Line Motors; Enterprise Rent-a-Car Company of Boston, LLC, 248 Mishawum Road; Jeffery Pollock dba Exclusive Automobiles, 7 Independence Drive; George's Auto Body of Woburn, Inc., 19 Jefferson Avenue #C; Oliver M. McDermottroe and Bridget McDermottroe dba McDermottroe Auto Sales, 229 Lexington Street; Ollie's Service Center, 310 Main Street; Velozo Enterprises, Inc. dba Rogers Radiator, 936 Main Street; Adamo Rufo dba Route 16 Auto Broker, 280 Salem Street; Tracy M. Batten dba Tracy's Auto Sales, 62R Winn Street; David Dellarocco dba Woburn Auto Sales, 5 Crescent Avenue #4; Donald J. Socorelis dba Woburn Glass Co., 243 Main Street; Abdelaziz Ilaj dba Woburn Motor Sports, 104 Winn Street; and Wassim (Sam) Nicolas dba Woburn Square Mobil, 23 Pleasant Street. 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 for renewal of Third Class Motor Vehicle Sales License by Woburn Truck and Auto, Inc., 1095R Main Street. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

\*\*\*\*\*

Petitions for approval pursuant to M.G.L. Ch. 268A, Sec. 20(b) of contract for snowplowing services by Roy N. Cudmore, Stephen Miele and Dennis M. Stone, and snowplowing and power wash services by Thomas M. Skeffington. Alderman Gately stated that this authorization is granted each year to allow these individuals to provide their services to the city on their own time. Motion made and 2<sup>nd</sup> that the AUTHORIZATION TO PROVIDE PERSONAL SERVICES PURSUANT TO M.G.L. CH. 268A, SEC. 20(b) be APPROVED, all in favor, 9-0.

**Presented to the Mayor: November 21, 2018      s/Scott D. Galvin November 21, 2018**

\*\*\*\*\*

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

Re: Minor Modification to Landowner's Decision and Notice of Special Permit dated May 24, 2018 (the "Decision") granted to BlueLine Rental, 20 Atlantic Avenue, Woburn, MA (the "Property")

Dear Mr. Campbell:

Please be advised that I represent United Rentals, Inc. ("United") of Stamford, Connecticut. As you know, on May 24, 2018, the City Council issued a Special Permit to BlueLine Rental ("BlueLine") for the use of the Property to allow for the sale or rental of construction equipment and vehicles including the outside storage or new equipment and the accessory overnight parking of four (4) commercial motor vehicles.

Condition 2 of the Decision states: "That the Special Permit shall be granted to BlueLine Rental and is not transferable."

My client has entered into an Agreement to purchase BlueLine Rental's business. United operates a similar business as BlueLine. United has 1,434 locations in forty-nine (49) states including twenty (20) stores in Massachusetts, thirteen (13) European Countries and all thirteen (13) Canadian Provinces. United will operate consistent with BlueLine's operations.

On behalf of United, I respectfully request approval by the City Council to modify Condition 2 of the Decision allowing the transfer of the Special Permit to United Rentals, Inc. All of the Conditions attached to the Special Permit Decision will remain in full force and effect. Ten (10) copies of said Decision are included herewith. I also request that this matter be placed on the agenda of the City Council meeting scheduled for November 20, 2018 for discussion. If you have any questions, please feel free to contact me.

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

Motion made and 2<sup>nd</sup> that CONDITION 2 OF THE SPECIAL PERMIT ISSUED MAY 24, 2018 be AMENDED BY REPLACING THE WORDS “BLUELINE RENTAL” WITH THE WORDS “UNITED RENTALS, INC.” AND THAT ALL OTHER CONDITIONS REMAIN THE SAME, all in favor, 9-0.

\*\*\*\*\*

Petition by Park Avenue Solar Solutions, 102 Greenwich Avenue, Greenwich, Connecticut 06830 for a special permit to amend a special permit issued pursuant to 1985 Woburn Zoning Ordinances Section 26 on March 30, 2017 as follows: 1. Change location of equipment pad as shown on site plan, 2. Change location of handicap accessible parking as shown on site plan, and 3. To increase height of fence around transformer from six feet to seven feet, at 300 Wildwood Avenue. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

\*\*\*\*\*

Petition by American Towers LLC, 10 Presidential Way, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.6 to allow telecommunications antennae inside of light pole and on the building roof at 10 Presidential Way. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, 8 in favor, 0 opposed, 1 abstained (Tedesco abstained).

\*\*\*\*\*

Petition by CPET Realty, LLC, 350 Washington Street, 200 West Cummings Park, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 7.3 to allow construction of a small building addition (two-story, 4,930 gross square feet total) at 350 Washington Street. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

\*\*\*\*\*

Petition by Wayne Alarm Systems, Inc., 424 Essex Street, Lynn, Massachusetts 01902 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.57b to allow for commercial vehicles to park within fifty feet of property’s boundary line at 83-85 and 87-89 Elm Street. 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 October 23, 2018 was received from Joanne Collins, Director, Woburn Council on Aging along with a copy of the Director’s Report and the minutes of the Council on Aging meeting for the month of September 2018. Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

\*\*\*\*\*

A communication dated October 18, 2018 was received from Charles O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

Council Members,

In accordance with Massachusetts General Laws Chapter 90, Section 20½ I am submitting the following parking ticket report. Figures cited below are for the Month of January 2018 to September 2018: Number of violations issued 348, Numbers of violations paid 149, Number of violations outstanding 152, Amount collected and submitted to Collectors Office \$27,850.20, Parking fines referred to the Handicap Commission \$10,800.00.

There is a backlog of 1,516 unpaid tickets dating from January 2004 to December 2017. A 21 day late notice is sent to vehicle owners who have not paid the fine. After 28 days, if the fine still has not been paid, that information is forwarded to the Registry of Motor Vehicles for administrative action.

Respectfully submitted, s/Charles O'Connor, Parking Clerk

Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

\*\*\*\*\*

A communication dated November 1, 2018 was received from Department of Public Utilities relative to notice of filing and public hearing on a petition by Boston Gas Company and Colonial Gas Company, each d/b/a National Grid, for approval of its three-year energy efficiency plan for 2019 through 2021. Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

---

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

---

**APPOINTMENTS AND ELECTIONS:** None.

---

**MOTIONS, ORDERS AND RESOLUTIONS:**

RESOLVED That the Committee on Special Permits review a special permit issued to Unified Construction Group LLC on March 1, 2018 for land affected at 29 Draper Street regarding the use of the dumpster and hours of operation.

s/Alderman Mercer-Bruen

Alderman Mercer-Bruen stated that she hopes to have the special permit holders in this and the next matter into the committee meeting at the same time and have the neighbors invited to attend the meeting, that there have been issues for time, that the Building Commissioner

has made many visits and his recommendations have not been implemented, and that the Building Commissioner will attend the meeting on these matters. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON SPECIAL PERMITS, all in favor, 9-0.

\*\*\*\*\*

RESOLVED That the Committee on Special Permits review a special permit issued to Superior Contracting Services LLC on August 6, 2015 for land affected at 31 Draper Street regarding the use of the dumpster and hours of operation.

s/Alderman Mercer-Bruen

Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON SPECIAL PERMITS, all in favor, 9-0.

\*\*\*\*\*

ORDERED That a communication be forwarded to the City Solicitor requesting a status report on the appeal by NStar Electric Company dba Eversource Energy relative to the proposed 345K transmission line.

s/Alderman Mercer-Bruen

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

\*\*\*\*\*

ORDERED That a communication substantially in the form attached hereto be forwarded to Stephanie Pollack, Secretary and CEO of MassDOT requesting the re-establishment of Mishawum Station from a flag stop to full service stop.

s/Alderman Mercer-Bruen

Alderman Mercer-Bruen stated that the letter has already been delivered to Secretary Pollack, Governor Baker, the Mayor, City Council, Planning Board and the Woburn Business Association, that she invited Secretary Pollack to the Committee on Ordinance meeting and the MAPC meeting scheduled on this issue, that she requests the communication be endorsed by the City Council, and that she will follow up with Secretary Pollack's office next week. Alderman Tedesco stated that a copy of the letter should be sent to Secretary Jay Ashe as well as his office oversees the Ch. 40R projects. Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, 8 in favor, 0 opposed, 1 abstained (Concannon abstained).

\*\*\*\*\*

From the Traffic Commission:

ORDERED Be it ordered that Schedule 3 Stop Signs of the 2017 Woburn Traffic Code, as amended, be further amended by adding the following:

BLUEBERRY HILL ROAD – That a stop sign restriction be established on Blueberry Hill Road easterly at the intersection with Holton Street.

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: November 21, 2018 s/Scott D. Galvin November 21, 2018**

\*\*\*\*\*

From the Traffic Commission:

ORDERED Be it ordered that Schedule 1 Parking Restrictions of the 2017 Woburn Traffic Code, as amended, be further amended by adding the following:

CARMEN TERRACE – No parking at any point along the perimeter of the island or on the island at the cul-de-sac located at the westerly end of the roadway.

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: November 21, 2018 s/Scott D. Galvin November 21, 2018**

\*\*\*\*\*

From the Traffic Commission:

ORDERED Be it ordered that the 2017 Woburn Traffic Code, as amended, Schedule 1 Parking Restrictions be further amended by deleting from therein the following:

CHURCH STREET – One handicapped accessible parking space southerly side at 5 Church Street.

Alderman Tedesco stated that the Handicapped Commission is defunct as there are not sufficient members for a quorum, and that the Traffic Commission communicated with the remaining members of the Handicapped Commission and determined that there were no objections to this action. Alderman Anderson stated that the resident of the neighborhood who had requested this handicapped accessible parking space has passed away and the need is no longer present in the neighborhood. Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: November 21, 2018 s/Scott D. Galvin November 21, 2018**

\*\*\*\*\*

From the Traffic Commission:

ORDERED That the 2016 Woburn Traffic Code, as amended, be further amended by adding to Schedule 3 Stop Signs the following:

DIX ROAD EXT. – Stop sign southerly at the intersection with Samoset Road.

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

**Presented to the Mayor November 21, 2018 and ten days having elapsed without same being approved, said Order became effective without his signature on December 4, 2018**

\*\*\*\*\*

From the Traffic Commission:

ORDERED Be it ordered that the 2017 Woburn Traffic Code, as amended, be further amended by adding a new Section 10 Speed Limits therein the following:

SAMOSSET ROAD – 25 m.p.h. in both directions the entire length.

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

**Presented to the Mayor November 21, 2018 and ten days having elapsed without same being approved, said Order became effective without his signature on December 4, 2018**

\*\*\*\*\*

ORDERED WHEREAS, there presently exists a structure or structures located in the City of Woburn, Massachusetts known and numbered as 43-45 Church Street; and

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Woburn that the City Clerk and Clerk of the City Council schedule a public hearing pursuant to Mass. General Laws Ch. 139, Sec. 1, et. seq., and give notice thereof to the owner of said building or buildings, said hearing to be conducted for the purposes of determining whether said building or buildings are a nuisance, a nuisance to the neighborhood, dilapidated or dangerous building or buildings or other structure or structures, as said terms are used in Mass. General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation.

s/Alderman Anderson

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: November 21, 2018 s/Scott D. Galvin November 21, 2018**

\*\*\*\*\*

ORDERED WHEREAS, on November 6, 2012 the voters of the Commonwealth approved legislation regulating the cultivation, distribution, possession and use of marijuana for medical purposes, which legislation became effective on January 1, 2013; and

WHEREAS, the City Council adopted Interim Regulations for Medical Marijuana Treatment Centers on February 21, 2013; and

WHEREAS, the Interim Regulations provide that they are effective until December 31, 2014, or until such future time as when the Woburn City Council enacts superseding zoning ordinances that set forth the allowed zoning districts, dimensional, parking and other requirements applicable to medical marijuana treatment centers and their related uses; and

WHEREAS, the City Council has adopted zoning ordinances that address the allowed zoning districts, dimensional, parking and other requirements applicable to medical marijuana treatment centers and their related uses; and

WHEREAS, the Interim Regulations for Medical Marijuana Treatment Centers have been superseded, are null and void and the record should reflect their revocation and removal from the Zoning Ordinances.

Be it Ordained by the City Council of the City of Woburn that Section 5.8 Interim Regulations for Medical Marijuana Treatment Centers, of the 1985 Woburn Zoning Ordinances as amended, shall be revoked and deleted from the 1985 Woburn Zoning Ordinances as amended, and the subsequent section, 5.9 Marijuana Establishments Forbidden, shall be renumbered as 5.8 Marijuana Establishments Forbidden.

s/Alderman Anderson and Alderman Higgins

Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

\*\*\*\*\*

ORDERED WHEREAS, the Table of Use Regulations currently has 2 sections numbered 80 and no section 81; and

WHEREAS, this is error can be rectified by renumbering the second section 80 as 81; and

WHEREAS, Note 19 prohibits commercial use of wireless communications links in residential districts; and

WHEREAS, Note 19 prohibits commercial use of wireless communications links in residentially zoned districts but should specify R-1, R-2, R-3, R-4 and S-1 inasmuch as there are residential uses in other zoning districts such that the Note could be interpreted to apply in other zoning districts that allow residential use. Note 19 does not prohibit those who have apparatus for the non-commercial use of citizens band radios.

Now, Therefore, Be it Ordained by the City Council of the City of Woburn that Section 5.1 – Table of Use Regulations of the 1985 Woburn Zoning Ordinances, as amended, be further amended by renumbering 80a, 80b and 80c to 81a, 81b and 81c as follows:

		R-1	R-2	R-3	R-4	B-N	B-H	B-D	B-I	I-P	IP-2	I-G	S-1	S-2	0-P	OP-93	0-S	Notes; other sections	Special Permit Requirements in addition to	Site Plan Requirements
<b>Wireless Communications Link</b>																				
81a	Wireless Communications Link: Free-Standing, Exterior Wireless Communications Link (added 7/15/1997 numbered as passed)	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	Note 19		
81b	Wireless Communications Link: Building- Mounted Wireless Communications Link (added 7/15/1997 numbered as passed)	P	P	P	P	P	P	P	X	X	X	X	P	X	X	X	X	Note 19		
81c	Wireless Communications Link: Indoor Wireless Communications Link (added 7/15/1997 numbered as passed)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Note 19		

and to further amend Section 5.1, Table of Use Regulations by amending Note 19 as follows:

19. All wireless communications links located on municipally owned property and structures, including monopoles shall require a special permit "P". Also, the commercial use of wireless communications links in residentially zoned districts (R-1, R-2, R-3, R-4 and S-1) is prohibited.

s/Alderman Anderson and Alderman Higgins

Alderman Tedesco stated that under advice from the State Ethics Commission he will recuse himself from participating in this matter. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

\*\*\*\*\*

RESOLVED Whereas, Woburn Police Chief Robert J. Ferullo, Jr. demonstrated extraordinary dedication and devotion to law enforcement and service to the citizens of the City of Woburn during a distinguished career with the Woburn Police Department; and

Whereas, Woburn Police Chief Robert J. Ferullo, Jr. rose through the ranks of the Woburn Police Department having been appointed a Police Reserve Officer on May 18, 1980, Permanent Police Officer on July 4, 1993, Police Sergeant on April 1, 2002, Police Lieutenant on August 21, 2005 and Police Chief on October 1, 2011; and

Whereas, Woburn Police Chief Robert J. Ferullo, Jr. took special interest in juvenile justice, police training, community policing, and working to assist victims of domestic violence in an effort to improve public safety and the quality of life in the community in an efficient and effective manner; and

Whereas, Woburn Police Chief Robert J. Ferullo, Jr. shared his experience and knowledge across the Commonwealth of Massachusetts by serving on boards and commissions at the request of the Governor and Lieutenant Governor; and

Whereas, Woburn Police Chief Robert J. Ferullo, Jr. earned a reputation in the community for his compassion and fairness;

Now, therefore, the City Council of the City of Woburn hereby recognizes the long and distinguished career of Woburn Police Chief Robert J. Ferullo, Jr. and his many accomplishments and contributions in improving the quality of life for the citizens of the City of Woburn, thanks him for his service to the city, and extends the best wishes of the community for a long, happy and well-deserved retirement.

s/President Haggerty, Alderman Concannon, Alderman Campbell, Alderman Gately, Alderman Gaffney, Alderman Anderson, Alderman Mercer-Bruen, Alderman Tedesco, Alderman Higgins

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: November 21, 2018      s/Scott D. Galvin November 21, 2018**

---

Motion made and 2<sup>nd</sup> to suspend the rules for the purposes of adding the following late filed matters to the Order of the Day, all in favor, 9-0.

---

**ORDERED** That the City Council Regular Meeting scheduled for December 18, 2018 will begin at 6:00 p.m.

s/President Haggerty

Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 9-0.

---

A communication dated November 19, 2018 with attachments was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Montvale Land LLC/Proposed Development Agreement

Dear President Haggerty:

As you know, I represent Montvale Land LLC in connection with the development of approximately 60.98 acres at 2 Hill Street, Woburn, Massachusetts. The Technology and Business Mixed Use Overlay District Zoning Ordinance requires that my client negotiate a Development Agreement with the City Council. Enclosed for your review is a copy of the proposed Development Agreement along with nine copies for distribution to the City Council members.

On behalf of my client I respectfully request that you accept the proposed Development Agreement as a "Late Filing" and refer your review of the Development Agreement to the City Council Liaison Committee. If you have any questions, please contact me. Thank you.

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

Motion made and 2<sup>nd</sup> that the matter be referred to Committee on Special Permits, all in favor, 9-0. Alderman Anderson moved to reconsider this vote which was duly 2<sup>nd</sup>. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON LIAISON, all in favor, 9-0.

---

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

---

Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 9-0. Meeting adjourned at 7:55 p.m.

A TRUE RECORD ATTEST:

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