

**CITY OF WOBURN  
DECEMBER 3, 2019 – 7:00 P.M.  
REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Campbell	Gately
Concannon	Higgins
Ferullo	Mercer-Bruen
Gaffney	Tedesco - absent
Anderson	

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VOTED to dispense with the reading of the previous meeting’s Journal and to APPROVE.

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**MAYOR’S COMMUNICATIONS:** None.

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**NEW PETITIONS:**

Petition for renewal of First Class Motor Vehicle Sales Licenses by Lannan Chevrolet, Inc., 40 Winn Street; and Lawless Inc., 196 Lexington Street.

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Petitions for renewal of Second Class Motor Vehicle Sales Licenses by Anchor Auto Sales, Inc., 3 Breed Avenue; Ollie’s Service Center, 310 Main Street; and Donald J. Socorelis dba Woburn Glass Co., 243 Main Street.

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A communication dated November 26, 2019 with attachment was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Request for minor modification to Special Permit Decision, Woburn Armory LLC, 286 Main Street a/k/a 320 Main Street, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent Woburn Armory LLC. On October 30, 2014 your office issued a Landowner’s Decision and Notice of Special Permit which Special Permit allowed for eighteen (18) residential dwelling units above the first floor of a commercial structure (the “Decision”) which Decision was modified by Notice of Modification of Special Permit dated July 14, 2016, which Special Permit allowed for a revised site plan as a minor modification (the “Modified Decision”).

The Petitioner requests that a revised Sheet L1 dated November 13, 2015 revised June 9, 2016 and revised October 30, 2019 replace the existing Sheet L1 in the Site Plan of Record in Condition One of the Modified Decision.

Enclosed please find the following:

1. Ten (10) copies of Sheet L1 entitled “Woburn Armory, 286 Main Street, Woburn, MA” dated November 13, 2015, revised June 9, 2016 and revised October 30, 2019 (the “Revised Sheet L1 Plan”).
2. Certification of Treasurer/Collector.

The Revised Sheet L1 shows certain site modifications including additional shrubs, fences, reduced exterior stair, revised front parking, entry styles, walkways and ramp removal.

The proposed minor revision to the Decision by substituting Revised Sheet L1 to the plan of record set forth in Condition One of the Modified Decision does not result in any change or modification to the location of the building nor does it substantially change any of the conditions contained in the Modified Decision.

Further, the proposed minor modification does not result in a substantive amendment which changes the result of the Modified Decision or which grants relief different from that originally granted.

On behalf of my client, I respectfully request approval by the City Council to allow for the approval of Revised Sheet L1 as the new Sheet L1 of the Plan of Record set forth in Condition One of the Decision.

If you need any further information, please do not hesitate to contact me. Thank you.

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

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Petition by Horn Pond Plaza LLC, c/o Gravestar, Inc., One Broadway, Cambridge, Massachusetts 02142 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.69, 7.3, 13.5 and 15 to modify a special permit issued December 9, 2004, modified June 30, 2005, modified August 10, 2006, modified December 29, 2011 and modified April 25, 2019 to allow for: 1. Amendment to Condition 5 of the Decision dated April 25, 2019 to read “That dumpsters shall be placed on cement pads on the northeast and southeast corners of the back building, shall be fenced and screened and shall be subject to a pest control program;” and 2. To allow for 671 parking spaces (784 required, 671 existing) all as shown on the plans filed herewith, at 350 Cambridge Road.

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**PUBLIC HEARINGS:**

On the petition by ARE-MA Region No. 20, LLC, c/o Timothy M. White, Alexandria Real Estate Equities, Inc., 400 Technology Square, Suite 101, Cambridge, MA 02139 for special permits and site plan review pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.41a, 5.1.66, 8.3.1 and 12 to allow 116,000+/- g.s.f. biomedical research and development building with associated uses and surface parking at 195 and 215 Presidential Way f/k/a 19 Presidential Way. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “back for action pending response from City Engineer to the petitioner’s development impact statement.”

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On the petition by 304 Cambridge LLC, c/o Avenue Management LLC, 304 Cambridge Road, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended Sections 8.2.5 and 15 to allow reduction in parking from 303 parking spaces to 202 parking spaces at 304 Cambridge Road. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “back for action with the conditions as follows: 1. That the revised site plan be cited in any Decision as the Plan of Record and filed with the Office of Inspectional Services; 2. That should the parking requirements change as a result of future office space tenancy, the Petitioner shall submit modified calculations to the Council and the Office of Inspectional Services to maintain a current record; 3. That no overnight parking of the commercial vehicles on the premises shall be permitted unless otherwise authorized by a previous or forthcoming special permit request; and 4. That the petitioner shall install a stop sign and painted stop line from the parking lot at the intersection with Country Club Road.”

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On the petition by Braese Holdings LLC, 132 Pleasant Street, Woburn, Massachusetts 01801 for special permits pursuant to 1985 Woburn Zoning Ordinances, as amended Sections 29.4.1 and 29.4.2 to allow for 1. Six (6) dwelling units with required parking, and 2. Continuation of office space (reduction from 3,262 square feet to 1,230 square feet), at 132 Pleasant Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “back for action pending receipt of correspondence from Woburn Historical Commission.”

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On the petition by Alderman Mark Gaffney and Alderman Edward Tedesco to amend the 1985 Woburn Zoning Ordinances, as amended, by adding a new Section 31 entitled “Railway Overlay (ROD) District” as set forth in the Journal for the City Council Regular Meeting on July 16, 2019. PUBLIC HEARING OPENED. A report was received from the Committee on Ordinances as follows: “ought to pass as follows:

31.1 Purpose of District

1. To promote the health, safety and general welfare of the community by encouraging the redevelopment of abandoned, underutilized, and/or obsolete commercial and industrial sites to residential use.

2. To promote high quality design and minimize negative impacts on the surrounding area.

### 31.2 Establishment and Applicability

1. The Railway Overlay (ROD) District is hereby established as an overlay district. The ROD shall only be applied to properties zoned S-1 that abut the abandoned Boston & Maine Railroad Line between High Street and Green Street. The overlay district shall permit residential land uses which shall be in addition to the land uses allowed in the underlying S-1 District.
2. The provisions of the ROD shall only apply to projects using the criteria set forth herein. Any building, structure or use of land that is not part of a ROD development proposal shall maintain the rights and privileges of the underlying district without modification by the ROD.

### 31.3 Authority of Permit Granting Authority

The City Council shall be the Permit Granting Authority for both Special Permits and Site Plan Review approval where applicable. This authority continues subsequent to occupancy.

### 31.4 Associated Criteria

1. All ROD proposals shall be subject to Site Plan Review Section 12, as applicable.
2. All ROD proposals shall be subject to Section 18, Development Impact Mitigation, as applicable.
3. All ROD proposals shall be subject to Section 11.11 Affordable Housing Requirements, as applicable.
4. All ROD proposals shall be subject to Section 9, Floodway and Flood Plain Districts, as applicable.
5. All ROD proposals shall be subject to Section 15, Groundwater Protection Districts, as applicable.
6. All ROD proposals shall be subject to the following sections:
  - (1) Section 11.1, Purpose
  - (2) Section 11.2, Authority
  - (3) Section 11.3, Procedures for Special Permits
  - (4) Section 11.4, Contents of the Application for Special Permits
  - (5) Section 11.5, Conditions for Special Permits
  - (6) Section 11.6, Additional Conditions for Special Permits for Specific Uses and Conditions.

### 31.5 Uses

1. Uses Allowed by Right with Site Plan Review

1. None

## 2. Uses Allowed by Special Permit with Site Plan Review

A special permit issued by the Woburn City Council shall be required for:

- (1) Townhouse or Garden Apartment.
- (2) Congregate Elderly Housing.
- (3) Elevator Apartment.
- (4) Accessory offices, clubhouses, personal services and recreation amenities consistent with the uses noted above.

### 31.6 Density and Dimensional Regulations

#### 1. Specific Requirements

1. Lot area, frontage and yards.

Minimum Lot Area:	2 acres
Minimum Lot Frontage:	100 feet
Minimum Front Yard Setback:	25 feet
Minimum Side Yard Setback:	25 feet
Minimum Rear Yard Setback:	25 feet
2. Lot coverage and Landscaped Usable Open Space

Maximum Building Coverage:	40%
Minimum Landscaped Usable Open Space:	25%
3. Building Height and Intensity of Use

Maximum height for ROD developments shall be four (4) stories and 49 feet. The maximum number of residential units shall not be more than twenty-five (25) units per acre.
4. More than One Building on a Lot

All ROD development may contain more than one principal building on a lot.

### 31.7 Off-Street Parking Requirements

1. Off-street parking requirements shall be as set forth in Section 8 of this Zoning Ordinance entitled Off Street Parking and Loading Facilities Regulations, except as noted in Section 31.6.2 below.
2. At a minimum, off-street parking spaces shall be provided as follows:
  - a. Congregate Elderly Apartments: 1.5 spaces per unit.
  - b. Townhouse, Garden Apartments or Elevator Apartments: 1.70 spaces per studio and one bedroom dwelling units and 2 spaces per two bedroom dwelling units.
3. The minimum pavement width for any road, driveway, or access aisle shall be 20 feet for one-way traffic and 24 feet for two-way traffic.

### 31.8 Design Standards

1. All utility and site construction details shall conform to the standards of the City of Woburn's Zoning Code, where applicable, and in the case of a subdivision the Woburn Planning Board's Land Subdivision Rules and Regulations, unless otherwise waived thereunder.

### 31.9 Sign Regulations

1. Signage in a ROD shall be authorized by the City Council via an approved Site Plan or Special Permit Plan of Record.”

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On the petition by Alderman Mark Gaffney and Alderman Edward 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 as set forth in the Journal for the City Council Regular Meeting on July 16, 2019. PUBLIC HEARING OPENED.

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On the petition by Tidd Home LLC, 28 West Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.69, 7.3, 29.5.4, 29.6.3 and 29.6.4 to allow conversion of a Significant Historic Building to allow for: 1. Fourteen (14) dwelling units; 2. Reduction in parking spaces from 28 to 15; 3. Relief from design and screening requirements for parking spaces and parking lot; and 4. Alteration of nonconforming use and nonconforming structure, at 74 Elm Street. PUBLIC HEARING OPENED.

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### **UNFINISHED BUSINESS OF PRECEDING MEETING:**

Petition for approval pursuant to M.G.L. Ch. 268A, Sec. 20(b) of contract for snowplowing services by Michael Delong.

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### **COMMITTEE REPORTS:**

#### **PERSONNEL:**

On the appointment of Rosalie Travelo as a Member of the Woburn Council on Aging, committee report was received “ought to pass”.

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### **PUBLIC SAFETY AND LICENSES:**

On the petition by Musto Jewelers Inc. for renewal of a Secondhand Dealers and Secondhand Collectors License, committee report was received “ought to pass with any existing conditions”.

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On the petitions for renewal of First Class Motor Vehicle Sales License by C.N. Wood Company, Inc.; M&L Transit Systems, Inc.; Northeast Tree, Inc.; and Woodco Machinery, Inc., committee report was received “ought to pass with the existing conditions”.

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On the petitions for renewal of Second Class Motor Vehicles Sales License by Robert McSheffrey dba Bob McSheffrey Auto Sales; Southside Associates, Inc. dba Burke’s Garage; Capelo’s Auto Service, Inc. dba Capelo’s Auto Sales; Michael R. Celata, III dba Central Automotive; Kenneth L. O’Connor and Thomas F. Norton dba City Line Motors; Enterprise Rent-a-Car Company of Boston, LLC; George’s Auto Body of Woburn, Inc.; Capelo’s Auto Service, Inc. dba J.C. Auto Sales; Joseph P. Mahoney Company, Inc.; Oliver M. & Bridget McDermottroe dba McDermottroe Auto Sales; McSheffrey Auto Sales, Inc.; Velozo Enterprises, Inc. dba Rogers Radiator; Adamo Rufo dba Route 16 Auto Broker; Tracy M. Batten dba Tracy’s Auto Sales; Woburn Gas & Service, Inc.; and Wassim (Sam) Nicolas dba Woburn Square Mobil, committee report was received “ought to pass with existing conditions”.

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Petition for renewal of Third Class Motor Vehicle Sales License by Woburn Truck and Auto, Inc., 1095R Main Street, committee report was received “ought to pass”.

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**CITIZEN’S PARTICIPATION:** None.

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**COMMUNICATIONS AND REPORTS:**

A communication dated November 20, 2019 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 2019 to October 2019: Number of violations issued 571, Numbers of violations paid 285, Number of violations outstanding 204, Amount collected and submitted to Collectors Office \$31,362.60, Parking fines referred to the Handicap Commission \$9,300.00.

There is a backlog of 1,444unpaid tickets dating from January 2004 to December 2018. 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

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A communication dated November 20, 2019 was received from Joanne Collins, Director, Woburn Council on Aging along with a copy of the Director's Reports and the minutes of the Council on Aging meeting for the months of October 2019.

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

From the Traffic Commission:

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

MAIN STREET – One handicapped accessible parking space on the westerly side at 906B Main Street.

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From the Traffic Commission:

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

MIDDLE STREET – One handicapped accessible parking space on the southerly side at 11 Middle Street.

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Motion made and 2<sup>nd</sup> to ADJOURN.