

**CITY OF WOBURN
AUGUST 10, 2021 – 6:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Campbell	Ferullo
Concannon	Gately
Demers	Lannan
Dillon	Mercer-Bruen
Tedesco	

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

MAYOR’S COMMUNICATIONS:

ORDERED

Be it ordained by the City Council of the City of Woburn that the Mayor be and is hereby authorized to accept on behalf of the City drainage and access easements from Cattle Crossing, LLC as shown on a plan entitled “Drainage and Access easements Plan of Land 88-92 Pearl Street & 1-7 Alan R. Gerrish Drive, Woburn Mass. Scale 1” = 20” dated June 18, 2021 Benchmark Survey 41 Elm Street Suite 4A Stoneham MA, to be recorded in the Middlesex South Registry of Deeds.

Per Request of the Mayor

A communication was received from His Honor Mayor Galvin dated August 5, 2021 as follows:

I am submitting to the City Council an Order of Taking pursuant to M.G.L. c.40, §14, c.79, §6 and c.82, to take on the City’s behalf, various permanent and temporary easements, and one permanent fee interest, that are necessary for the relocation and replacement of the New Boston Street bridge and adjacent portions of New Boston Street (the “Project”). This Order of Taking and the plans which accompany it represent the culmination of work begun more than a decade ago, to design a project which meets the needs of the City, while minimizing to the extent possible, the impact to abutting property owners.

The importance of this Project cannot be understated. Reconstruction of the New Boston Street bridge will reconnect North and East Woburn, provide alternate travel routes, and enable a connection to the Anderson/Woburn RTC enhancing alternative transportation for

commuters. The Project will also support future commercial and economic growth in the area, and provide much needed access to and from existing commercial and industrial properties.

In considering the Order and the appropriation of funds to compensate property owners, it is important for the Council to note the time constraints under which the Order is to be considered and voted on. I have included \$1.2 million in the capital improvements plan to cover the cost of the land takings. As you know, this project is funded by the Federal Highway Administration (FHA) through the Metropolitan Planning Organization's (MPO) Transportation Improvement Program (TIP), which will cost approximately \$25 million when completed. For the City to obtain the funding appropriated for this Project, and for the Project to be advertised for bid prior to the end of the Federal fiscal year, which is September 30, the Order must be recorded no later than September 3, 2021.

Given the above time constraints, the Order must be given a first reading at the Council's August 10, 2021 meeting. As the process for the adoption of the Order also requires compliance with FHA procedure, the Order cannot be adopted until 30 days after Notice of the Taking is given to impacted property owners. That Notice was sent by certified mail on August 2. Therefore, the Order must be adopted on September 1 to meet the September 3 recording deadline. I intend to call a special meeting of the City Council for September 1, 2021 at 6:00 p.m. in order to meet this deadline.

In the interim, the Order may be sent to a committee so that the engineers from VHB, the City Engineer, the City Solicitor and myself may attend to explain the project and answer any questions the Council may have. Of course Council members are free to reach out with any questions prior to any such meeting.

I wish to commend the efforts of City Engineer Jay Corey, and Tracie Lenhardt, Robert Penfield and Joshua Cone-Roddy of VHB for their hard work in designing the Project and their work with MassDOT as well as with all of the property owners; City Solicitor Ellen Callahan Doucette for obtaining appraisals, working with the DEP and EPA to ensure that such agencies were satisfied with the Order to the extent that land subject to environmental restrictions were impacted, obtaining necessary MBTA approval and for ensuring compliance with all FHA notice requirements, and to Planning Director Tina Cassidy who serves as the City's MPO representative, keeping other board members updated as to the Project's status and any necessary changes, so that this important project remained a priority, thus ensuring the MPO's continued commitment to funding.

I am available to discuss this matter at the Council's request.

Sincerely, s/Scott D. Galvin

Order of Taking

WHEREAS, the City Council of the City of Woburn in the Commonwealth of Massachusetts, on behalf of the City of Woburn and in accordance with M.G.L. c.82, and

acts in amendment thereof and in addition thereto, has determined that it is necessary and essential as a matter of public necessity and public welfare to acquire temporary and permanent easements in certain properties abutting New Boston Street in said City of Woburn, for the purpose of the relocation and reconstruction of New Boston Street and the New Boston Street Bridge, and to relocate utilities, install sidewalks, driveways and traffic signals, with associated rights of access therein, and one fee interest to provide access to New Boston Street (the "Project"); and

WHEREAS all other conditions precedent have been complied with;

NOW, THEREFORE, it is Ordered that the City Council of the City of Woburn, duly elected and qualified, acting in compliance with M.G.L. c.79, does hereby take on behalf of the City of Woburn, and for public way purposes, for the benefit of the public to cross and re-cross, pass and repass, as necessary, specifically for the relocation and replacement of the New Boston Street Bridge, the following interests in land, all as shown on a plan entitled "PLAN & PROFILE OF BRIDGE REPLACEMENT PROJECT NEW BOSTON STREET (Bridge No. W-43-017) IN THE/TOWN OF WOBURN MIDDLESEX COUNTY, FEDERAL AID PROJECT NO. TBD drawn by Vanesse, Hangen, Brustlin, (the "Plan") to be recorded herewith and made a part of this taking, with a copy to be filed in the City of Woburn Engineering Department.

Temporary Easements are hereby taken in the parcels of land identified as Parcels TE-1 through TE-26 inclusive as identified on the Plan, consisting of the non-exclusive right to enter upon said land at any time during the effective period of said easements to accomplish the necessary work within said parcels including constructing or reconstructing roadways, sidewalks, walls, driveways and walkways, removal of utility poles, sloping and grading, erosion control and tree protection; and to perform any incidental work necessary or convenient to the Project. Said easements are temporary in nature and shall terminate automatically five (5) years from the date of the recording of this instrument.

Permanent Easements are hereby taken in the parcels of land identified on the Plan as Parcels E-1 through E-10 inclusive, for the construction of the bridge, the construction of roadways, sidewalks and walls, access from the public way, the installation of a headwall and drainpipes, the construction of guardrails, sloping and grading, tree removal, the reconstruction of driveways, and the perpetual right to pass and repass over the Easement premises, by foot and by motor vehicle, including heavy equipment, from time to time and at all times, in order to repair and maintain such bridge, roadways and sidewalks and for all uses incidental thereto; in D-PUE--1 for drainage pipe and guy wire installation; in D-1 through D-7 inclusive, for drainage, clearing and grubbing and lining of gravel wetland B; in W-1, and W-4 through W-8 for the construction of walls and sloping and grading; in AT-3 and A-4 for access to conduct activities associated with the work; in GR-1 for guardrail installation; and in AT-PUE-1 for relocation of overhead wires and utilities. The Permanent Easements are perpetual unless and until abandoned by the City. One Permanent Easement (E-1) will result in the loss of parking spaces but will also result in the creation of access to and from New Boston Street for the property at 317 New Boston Street. One property interest (T-1) is taken in fee for roadway construction and at the conclusion of the Project, the unused area will be conveyed either in fee or by permanent easement, to the owner of 315 New Boston Street to provide frontage to the newly constructed roadway. Whether the

aforementioned fee interest is conveyed in fee or by permanent easement to the Owner of 315 New Boston Street, the City will notify the Owner in writing that it will have obligations under a Grant of Environmental Restriction and Easement which shall also be referenced in the deed in accordance with the Massachusetts Contingency Plan. TE-4 is being taken for various purposes including the provision of temporary access to the property at 315 New Boston Street during construction. The Owners of the aforementioned parcels of land affected by the Permanent Easements shall retain the right to use the land for any and all purposes, provided that such use does not interfere with or impair the City's rights in said Permanent Easements.

Included in this taking are all trees located upon the Permanent and Temporary Easement premises. Excepted from this Order of Taking are all easements for wires, pipes, conduits, poles and appurtenances for the conveyance of water, sewage, gas and electricity and for telecommunications including cable and internet, now lawfully in or upon the Permanent and Temporary Easement premises and the lawful rights of the public to use those parts of the public streets and ways which may be included in the foregoing description. Also excluded from this taking are signs, light poles and flagpoles located on the property at 317 New Boston Street, which shall remain the personal property of the owner of 317 New Boston Street.

In addition to the Permanent and Temporary Easements taken herein, this Order of Taking shall also operate to take on behalf of the City, its employees, designees and assignees, any and all rights, duties, authorities and obligations (the "Rights") of those Owners whose properties are located, in whole or in part, in environmentally restricted areas and which are subject to recorded Notices of Authority and Use Limitations ("NAUL") and/or a Grant of Environmental Restriction and Easement ("GERE"), which are necessary to maintaining the remedy by prohibiting or governing activities to be performed thereon. The Rights required by the NAULs or the GERE and taken hereunder by the City are limited to the areas of the Permanent and Temporary Easements taken and for the duration of said Permanent or Temporary Easement, respectively, and to the area taken in fee for roadway construction (T-1). The individual Owners shall retain responsibility for ensuring compliance with the NAULs and GERE for the remaining portion of their property not subject to or affected by this Order. The City shall have the authority to take any actions and to do all things required by such GERE and NAULs within the Permanent and Temporary Easement areas including, but not limited to, ensuring compliance with the applicable Work Protocols established therein together with the filing of Work Plans, financial assurance, health and safety plans and completion plans, maintenance, inspection and inspection reports that are necessary both during the performance of the Project, and after the Project is completed, all as set forth in the relevant appendices of the applicable NAUL or GERE, all of which are on record with the Middlesex South Registry of Deeds ("MSRD") as follows:

0 New Boston Street – the property identified as Lot IC-28 and the GERE recorded (both ways) with the MSRD in Book 67312, Page 430, and on Certificate No. 188268 in Land Registration Book 1071, Page 118. The Project will affect Class B and Class C land as defined by the GERE;

0 New Boston Street – the property identified as Lot IC-32 and the NAUL recorded with the MSRD on Certificate No. 270800 in Land Registration Book 1545, Page 150. The Project will affect Class B land as defined by the NAUL;

225-231 New Boston Street – the properties identified as Lots IC-01 and IC-02 and the NAUL recorded with the MSRD in Book 76211, Page 1. The Project will affect Class C land as defined by the NAUL.

216 New Boston Street – the property identified IC-13 and the NAUL recorded with the MSRD on Certificate No. 142129 in Land Registration Book 840, Page 179. The Project will affect Class B and Class C land as defined by the NAUL.

The City shall ensure that the aforementioned rights, duties, authorities and obligations are made part of any contracts or agreements with MassDOT and any general contractors and sub-contractors who are retained to perform the work required by the Project and shall provide notice thereof, including without limitation notice of when the City’s assumption of such aforementioned rights, duties, authorities and obligations commences and terminates, to the affected Owners, the Massachusetts Department of Environmental Protection and the U.S. Environmental Protection Agency.

Said parcels of land are owned or supposed to be owned and/or formerly owned by the persons, corporations and limited liability corporations identified in Exhibit A attached hereto, and are collectively referred to as the Owners.

For damages sustained by the Owners in their property by reason of the aforesaid takings, and in accordance with the provisions of M.G.L. c.79, §6, as amended, awards are made.

NEW PETITIONS:

North Suburban YMCA, 137 Lexington Street, Woburn, MA 01801 for special event permit for Annual 5K Road Race road race at Horn Pond and area streets on October 24, 2021.

New England Orienteering Club, Inc. for special event permit for Map and Compass Sport Orienteering event at Horn Pond on August 29, 2021.

Murphy’s Waste Oil Services, Inc. for a new flammable license, for 5,000 gallons of Class II Windshield Washer Fluid, 125,000 gallons of Class IIIB Waste Oil, 300 cubic feet of propane, and 260 cubic feet of 5% Methane/Balance Argon Gas, at 252 Salem Street.

King of Cool Inc. for a special permit to operate a full service restaurant with hours of operation until 12:30 a.m., Monday through Saturday, and 12:00 a.m. on Sundays, under Section 5.1, Note 16 of the 1985 Woburn Zoning Ordinances, as amended, at 1 Rainin Road.

Toll Brothers to amend a prior special permit dated June 6, 2017, under Section 23.4.2 the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Remove the requirement under Section 8 of the decision requiring installation of two islands on Mishawum Road as shown

on *Offsite Landscape Plan, Sheet C-6B*; 2. Require the petitioner to expend funds equal to the cost the cost of above, to make other improvements related to the project as determined by the City Engineer or to deposit that amount with the City to install the islands; 3. Change the designation of “Retail” use for 3,180 square feet on the first floor to “Restaurant or Retail” at 120 Commerce Way.

Petition by 304 Cambridge Road LLC, 304 Cambridge Road, Woburn, Massachusetts, to amend Section 5 Notes to Table of Use Regulations and Section 5.1 Table of Use Regulations, Note 26 of the 1985 City of Woburn Zoning Ordinance, as amended. A communication dated August 4, 2021 was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 with the following Exhibit A:

EXHIBIT A

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOBURN that the 1985 City of Woburn Zoning Ordinance, as amended, be further amended as follows:

1. Amend Section 5 Notes to Section 5.1 Table of Use Regulations Note 26.1.a. as follows:

26.1.a. Add the following new sentence after “area”:
“Notwithstanding the foregoing a Restaurant, Full Service located in such an office building shall be allowed to operate outdoors and adjacent to such Restaurant, Full Service.

A communication dated August 4, 2021 was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Request for Minor Modification to Landowner’s Decision and Notice of Special Permit/Woburn Foreign Motors, 394R Washington Street, Woburn, Massachusetts and Landowner’s Decision and Notice of Special Permit/394 Washington Street Realty Trust, 394R Washington Street, Woburn, MA (jointly, the “Decision”)

Dear Lindsay:

Please be advised that I represent Woburn Foreign Motors in connection with the above-referenced matter. On behalf of my client I respectfully request that the Site Plan of record referenced in the Decision be replaced with the plan filed with this request entitled “Layout & Materials Plan” consisting of Sheet C-2A and Sheet C-2B, both Sheets are dated August 7, 2014, revised May 1, 2015; revised May 22, 2015; revised July 21, 2015; revised December 22, 2015; revised January 13, 2016; revised February 1, 2016; revised May 12, 2016; revised April 26, 2018; revised June 11, 2018; revised June 15, 2018; revised August 4, 2021 (the “Revised Plan”).

I have included herewith ten (10) half size copies and one (1) full size copy of the Revised Plan, along with correspondence from Allen & Major Associates Inc. dated August 4, 2021 outlining the list of minor revisions to the plan.

Section 11.12 of the 1985 City of Woburn Zoning Ordinance entitled Modification of Special Permits defines a “Minor Modification” as follows:

A Minor Modification is one which will result in insignificant changes to the project. The following changes are examples of revisions that may be deemed to be

Minor Modifications by the SPGA for purposes of this section (this list is not intended to be inclusive):

1. Minor adjustments in the location of buildings.
2. Minor adjustments to parking, landscaping or other site details that do not affect the overall buildout of the site;
3. Reductions of less than five percent (5%) in the amount of landscaped usable open space.
4. Minor adjustments that do not affect the number of housing units;
5. Minor adjustments that do not materially affect any housing units set aside as affordable housing units.
6. Minor adjustments to interior building floor plans that do not increase the number of required parking spaces.
7. Minor adjustments to approved façade plans and building elevations.
8. Minor adjustments to underground utility infrastructure.

The revisions shown on the Revised Plan are minor adjustments to site details that do not affect the overall buildout of the site.

On behalf of my client I respectfully request that the City Council approve the revisions to the Revised Plan as a minor modification. If you need any additional information please contact me. Thank you.

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

PUBLIC HEARINGS:

On the petition by ND Properties LLC, 264 Salem Street, Medford, Massachusetts 02155, to amend the 1985 City of Woburn Zoning Ordinance, as amended, be further amended as follows: amend Section 25 UPPER MAIN STREET OVERLAY (UMS) DISTRICT as follows: 1. Section 25F.3 shall be amended by deleting “fifty-seven (57)” on the last line of the paragraph and replacing with “twenty (20) units per acre.” PUBLIC HEARING OPENED: A communication dated August 5, 2021 was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

RE: PETITION TO AMEND THE UPPER MAIN STREET OVERLAY
 DISTRICT, 1071 MAIN STREET, WOBURN, MA

The purpose of this memorandum is to provide you with a detailed history of the above property, as well as all permitting to date prior to the public hearing scheduled for August 10, 2021. In addition, we have set forth a summary of the environmental status of the property.

A. ZONING AMENDMENT

The Petition that was filed with the City Council is a request to modify the Upper Main Street Overlay District.

The Petition:

- Is not a Special Permit Petition seeking approval of a specific residential development;
- The proposed Amendment would only apply to the Overlay District and NOT to other zoning districts in the City of Woburn.

When preparing this Amendment we were aware of the fact that when the City Council established the maximum density in 2018 that it excluded overlay districts including the UMS District. However, there is no language in the Zoning Ordinance that would restrict the proposed amendment to insert 20 units per acre or 89 units in place of 57 units.

B. HISTORY

In 1992 former Ward 6 Alderman Richard Corsetti termed the Property at 1071 Main Street “the worst looking piece of property along Main Street from the Winchester line to the Wilmington line.” At that time Alderman Corsetti received a petition from abutters in the area requesting that the Property be cleaned up.

In 1999, former Ward 6 Alderman Hank Galante filed a rezoning amendment requesting that the Property at 1071 Main Street consisting of approximately 4.92 acres be rezoned from R-2 to R-3. The rezoning amendment was unanimously approved by both the Planning Board and City Council in two consecutive weeks.

The adoption of the zoning amendment would have allowed Scott Seaver (who had the property under agreement) to proceed forward to file an application for a Special Permit with the City Council seeking approval of 68 townhouse units which was allowed under the R-3 Zoning District. However, Anthony Santullo, who owned the property across the street, appealed the approval of the zoning amendment to the Massachusetts Land Court and subsequently to the Massachusetts Appeals Court. The City of Woburn was successful in defending its rezoning of the Property. However, during the appeal process, the Zoning Ordinance was changed. Prior to the appeal Mr. Seaver would have been able to construct 68 townhouse units. The amended Zoning Ordinance only allowed for 41 units.

Mr. Seaver filed a Variance Petition in 2004 with the Board of Appeals and with the strong support of former Ward 6 Alderman John Cieriello and the neighbors in the area, the Board of Appeals unanimously granted variance to Mr. Seaver to allow for 57 residential units. Mr. Santullo subsequently appealed the Board of Appeals' Decision and prior to the trial date, the matter was settled with Mr. Santullo and the appeal was dismissed. On April 21, 2009, the Board of Appeals issued an Amended and Restated Decision.

Unlike Special Permit Decisions that are valid for two years and can be extended every two years, a Variance Decision is valid for one year and subject to one six month extension. A Board of Appeals is allowed, by statute, to grant only one six month extension. On February 17, 2010, the Board of Appeals granted a six month extension effective April 21, 2010 to October 21, 2010.

Given the then current economic conditions as well as environmental issues on the Property, Mr. Seaver was not in a position to file for a Special Permit prior to the expiration of the Board of Appeals' Decision on October 21, 2010.

After several meetings with Ward 6 Alderman Raymond as well as a meeting with the neighbors held on March 25, 2010 at the Thompson Library, the proposed Upper Main Street Overlay District was filed by Alderman Raymond which allowed for the proposed development to proceed as planned with 57 units. Mr. Seaver subsequently filed a Special Permit Petition proposing to construct 57 units in a one (1) four (4) story building with surface parking and garages. On January 9, 2014 the City Council unanimously approved a Special Permit allowing for 57 units. That permit expired on January 9, 2016.

C. USE OF THE PROPERTY

1071 Main Street is a 4.45-acre property that has a long history of commercial and industrial usage dating back to the 1920s. Historically, the Property was used for various commercial and industrial activities, including leather tanning, auto repair, and various warehouse/storage, construction and rubbish storage and disposal operations.

The Property is located in a primarily suburban residential area, and today it is largely undeveloped and currently contains several mixed soil and debris stockpiles. Environmental assessments starting in 2004 identified several contaminants of concern in soil, with the primary contaminants of concern being polychlorinated biphenyls (PCBs). Since 2004, there has been limited remedial work performed at the Property, but both MassDEP and EPA have been involved in assessing and securing the Property to prevent migration of contaminants off the Property.

The Applicant is planning to acquire the Property and is proposing to redevelop it by constructing an approximately 24,600 square foot apartment building along with a 1,200-sf clubhouse building, paved parking and landscaped areas.

Working with the environmental consulting firm, Weston & Sampson, the Applicant is planning to perform a remediation of the Property in connection with its redevelopment plan.

The proposed remediation, which is subject to review by MassDEP and EPA, will include the excavation and off-site transportation and disposal of certain contaminated soils, while some soils will be re-used on-site as part of the redevelopment. The cost estimate for the remediation work is currently assessed in the range of \$4.5 to \$5.3 million. The Applicant will incur this cost.

D. ENVIRONMENTAL SUMMARY

1. The Property has a history of commercial and industrial uses since the early 20th century, including tannery operations, autobody/engine repair center, construction, waste transport and rubbish transfer station. Currently, the Property is surrounded by a chain-link fence, with two locked gates. The surface is unpaved except for two entrances off Main Street. The Property is generally flat, with an excavated area in the center approximately three feet deep. Twenty-nine stockpiles of soil labelled #1 through #29 by the MassDEP were located on the Property as of July 2020. In August 2020, the EPA arranged for and executed the removal of the stockpile with the highest concentration of contamination, identified as #9, and disposed of it at an EPA-approved disposal facility. This work was performed consistent with EPA's Action Memorandum. Currently, 28 stockpiles remain on the Property which consist of various materials, including soil piles; imported fill and imported crushed stone; building demolition debris; and wood brush.
2. Starting in 2004, several site investigations and some limited cleanup activities were performed at the Site. In 2018, MassDEP performed some assessment and sampling and found elevated levels of polychlorinated biphenyls ("PCBs") in surface soils and some drums and containers of Waste Material. On April 8, 2019, MassDEP requested EPA's assistance to address contaminated soil, stockpiles and containerized Waste Materials at the Site.
3. In May 2019, EPA performed a preliminary assessment and site investigation and found elevated levels of PCBs and metals (arsenic, lead and chromium) in the soil stockpiles. On October 21, 2019, EPA issued an Action Memorandum for a removal action at the Site which included, inter alia, excavation and off-site disposal of Waste Materials, including PCB-contaminated soils located at stockpile #9, and the stabilization of stockpiles #3 through #8 by applying a spray-on encapsulant material to prevent soil erosion on the Property and dust migration off the Property. The encapsulant EPA used for this removal action is a non-toxic, biodegradable liquid concentrate that is added to water and is applied using a fire hose. The encapsulant dries clear to form a crust on the surface of the piles that will prevent dust migration and soil erosion for up to 6 months from the initial application.
4. In January 2020, before EPA started its removal action, ND Properties represented to EPA and MassDEP that it was interested in purchasing the Property from the Ben-Val Realty Trust, that it planned to build an apartment building on the Property, and that it intended to perform environmental cleanup activities at the Property in compliance with State and Federal regulations. In order to allow for more time for ND Properties

to negotiate the terms of a purchase and sales agreement, on April 28, 2020, MassDEP and its contractor again returned to the Site and applied a second application of a spray-on encapsulant material to the large soil and debris piles on the Property.

5. In August and September 2020, EPA performed certain of the removal activities described in the Action Memorandum for the Property, including removing and disposing of stockpile #9 and temporarily stabilizing the stockpiles on the Property by applying another application of encapsulant. Upon taking title to the Property, additional removal activities of Waste Materials are expected to be performed by ND Properties under MassDEP oversight and approval.

E. SUMMARY

While the Applicant’s proposal may call for some additional density it is conceived to be sufficiently profitable to offset the risk and cost of the complex remediation to achieve a Permanent Solution on the Property and permits the performance of the remediation work in a viable market driven manner.

If you need any further information or have any questions, please contact me at 781-897-4980 or at jtarby@rubinrudman.com. Thank you.

On the petition by 120 Commerce Apartments, LLC, 1140 Virginia Drive, Fort Washington, Pennsylvania 19034, for a new Inflammable License to allow 13,000 gallons of gasoline in vehicle tanks parked in parking garage at 120 Commerce Way.

On the intention of the City Council to lay out the reconstructed and widened Hill Street as a public way in the City of Woburn as shown on a plan of land entitled “Hill Street Plan and Profile”, dated June 3, 2021 and prepared by Stantec Planning and Landscape Architecture P.C., 226 Causeway Street, Boston, MA 02114.

On the petition by Lightning Express, 215 Salem Street, Woburn, Massachusetts 01801 for a special permit to park eight (8) vehicles overnight under Section 5.1(57B) of the 1985 Woburn Zoning Ordinances, as amended, at 215 Salem Street. PUBLIC HEARING OPENED: A communication dated July 12, 2021 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

RE: SPECIAL PERMIT APPLICATION FOR PROPERTY LOCATED AT 215 SALEM STREET / LIGHTING EXPRESS CORPORATION

Dear Council:

The Planning Department has reviewed the application and plot plan requesting a special permit affecting property at 215 Salem Street, pursuant to Section 5.1 (57b) of the Woburn Zoning Ordinances (WZO), to authorize overnight parking of eight (8) commercial vehicles (trucks) at an existing industrial facility. The property is zoned Industrial General (I-G), which allows the proposed use by City Council special permit. Staff notes that no new construction and/or exterior modifications are indicated in the Petition.

Planning staff reviewed the application and uncertified plot plan (“Exhibit A,” dated 9/16/2020) jointly with the Building Commissioner and offers the following observations and comments:

- The submitted plot plan is not surveyor-certified and the Building Commissioner is therefore unable to make determinations of zoning compliance relative to parking space dimensions, setbacks, ADA compliance and quantity. The Petitioner must submit a surveyor-certified version of the proposed plot plan, with parking calculations indicating that all uses are accompanied by adequate parking and that a sufficient number of properly-designed accessible parking spaces are provided onsite.
- The plot plan does not delineate parking spaces or provide a table depicting parking calculations pursuant to Section 8 (“Off-street Parking and Loading Facilities Regulations”). The following additional comments should be considered relative to zoning compliance and calculating overall required parking:
 - All eight (8) commercial vehicle spaces should be exclusively dedicated/identified on the plot plan and included separately in the parking calculations table for the purpose of overnight parking;
 - The plot plan and calculations must incorporate additional parking spaces to accommodate the personal vehicles of employees who will be assigned as drivers of the commercial vehicles. To this end, the Council should require the Petitioner to indicate the highest number of employees on a shift who will be storing their personal vehicles onsite while driving the commercial vehicles. Additional parking spaces equal in number to the maximum number of shift drivers must be provided;
 - The parking calculations table should include all relevant information for all the current tenants of the facility to comprehensively determine parking requirements and availability for the entire site/all tenants. This information is crucial to verify that no other tenant will be impacted by the proposal to dedicate existing spaces to commercial vehicle parking; and
 - The Petition and Plan contain no information relative to the dimensions of the trucks to be parked on site overnight. The Council should require the

Petitioner to provide this information to ensure that the intended vehicle sizes can be accommodated in the proposed truck parking spaces (once identified). The Council will also be able to use this information to determine if there are any maneuverability concerns within the parking area, especially in terms of access around the site by emergency vehicles.

- No information relative to the location(s) of Dumpsters for refuse/garbage appears on the plot plan, though Planning staff understands anecdotally that there are Dumpster containers located on site presently. The Council should require the Petitioner to modify the site plan to show such location(s).
- The site plan does not appear to provide any information relative to security lighting for parking facilities used at night, as required pursuant to Section 8.5.1 of the WZO. If the parking facilities will be used at night, the presence of security lighting should be confirmed by the Petitioner and identified on a modified plot plan for the record, both in terms of the location(s) of all exterior lighting fixtures and a detail of the actual fixture(s) to be used.

If you have any questions relative to these comments, please do not hesitate to contact me.

Respectfully, s/Dan Orr, City Planner/Grant Writer

On the petition by AVFX LLC, 9 Micro Drive, Woburn, Massachusetts 01801 for a special permit to park four (4) commercial vehicles overnight under Section 5.1(57B) of the 1985 Woburn Zoning Ordinances, as amended, at 9 Micro Drive. PUBLIC HEARING OPENED: A communication dated August 2, 2021 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

RE: SPECIAL PERMIT APPLICATION FOR PROPERTY LOCATED AT 9 MIRCRO DRIVE / AVFX LLC

Dear Council:

The Planning Department has reviewed the application and plot plan requesting a special permit affecting property at 9 Micro Drive. The applicant cites Sections 7.5 and 15.6 of the Woburn Zoning Ordinances (WZO), which refer, respectively, to non-conforming uses and properties classified as part of a Groundwater Protection District (GPD). Planning staff could not independently verify via GIS that the property falls within a GPD-designated area. Staff surmises that the nature of a pre-existing non-conforming use pertains to a pre-existing, non-conforming rear setback, but the Petitioner should confirm this information and/or identify other pre-existing non-conformities., Further, the applicant has not cited Section 5.1 (57b) of the WZO to authorize overnight parking for four (4) commercial vehicles (trucks) at an existing industrial facility. The property is zoned Industrial General (I-G), which allows the

use of overnight parking by City Council special permit. Staff notes that no new construction and/or exterior modifications are indicated in the Petition.

Planning staff reviewed the application and uncertified and modified plot plan (not dated) jointly with the Building Commissioner and offers the following observations and comments:

- The uncertified, modified site plan proposed with the application appears to be an update to the prior surveyor-certified site plan (dated 6/22/2011) contained in the application, including a reconfigured parking count (from 60 to 67 spaces). However, the lack of certification of the modified version of the site plan does not ensure zoning compliance. The Petitioner must provide a surveyor-certified version of the proposed plot plan to adequately verify compliance with parking space dimension, setbacks, accessibility (ADA), and quantity zoning/accessibility regulations, in addition to referencing the required buffer dimension between the abutting residential and industrial zoning districts (pursuant to Section 5.7.2, “Buffer Requirements”). On a related note, staff observes the location of compact and accessible parking stalls, but signage for both types of spaces, in accordance with Section 8.2.3 of the WZO and 521 CMR, respectively, should be noted on the site plan.
- In addition to certification information, both the proposed, modified site plan and separate parking calculation table should be modified to include drafted date information and resubmitted for citation purposes and for the record. Both must incorporate additional parking spaces to accommodate the personal vehicles of employees who will be assigned as drivers of the commercial vehicles. To this end, the Council should require the Petitioner to indicate the highest number of employees on a shift who will be storing their personal vehicles onsite while driving the commercial vehicles.
- The 16-foot box truck is not accounted for/represented by a recognized parking space in accordance with the certified plot plan dated 6/22/2011. The Petitioner should make such notation on a further modified version of the site plan by identifying any loading dock space(s) as being designated for overnight parking.
- The parking table references that two (2) of the vehicles to be parked overnight will be located at the loading dock. However, the proposed site plan indicates that only one (1) of the vehicles to be parked overnight will be placed in such location. The Petitioner should correct this inconsistency for the record and modify the proposed parking calculation table sheet or proposed site plan accordingly.
- The location of “standard” delivery van appears on the proposed site plan (space #7). However, the dimensions of the vehicle are not indicated in the application materials. This information should be provided by the Petitioner to verify that the vehicle will, in fact, be accommodated by dimensions of a standard parking space.
- The Petitioner should confirm that parking calculations table incorporates all current tenant parking demands for the facility to comprehensively determine that such demands and parking requirements align with availability. This information is crucial

to verify that no other tenant will be impacted by the proposal to dedicate existing spaces to commercial vehicle parking.

- The Council should ask the Petitioner to confirm whether there will be any anticipated increase in the average weekly volume of equipment delivery/returns in connection with the introduction of overnight commercial vehicle parking at the property.
- The proposed site plan does not appear to provide any information relative to security lighting for parking facilities used at night, as required pursuant to Section 8.5.1 of the WZO. If the parking facilities will be used at night, the presence of security lighting should be confirmed by the Petitioner and identified on a modified plot plan for the record, both in terms of the location(s) of all exterior lighting fixtures and a detail of the actual fixture(s) to be used.
- Staff notes the location of an easement on the proposed plot plan, as verified by GIS. However, the purpose/nature of this easement is not identified. Such notation should be added to a further modified version of the proposed site plan for the record.
- The Petitioner cites the anticipated hours of business (office) operations, but the estimated timing and frequency of after-hours deliveries should be clarified by the Petitioner. The warehouse is in relatively close proximity to a residential (R-1) district. The current building setback is pre-existing non-conforming, pursuant to Section 5.7.2 regarding abutting industrial/residential districts).

If you have any questions relative to these comments, please do not hesitate to contact me.

Respectfully, s/Dan Orr, City Planner/Grant Writer

On the petition by CONTINUUS Pharmaceuticals, Inc. for a special permit to allow: 1. Revised site plan file with Special Permit Petition; 2. A Modification to the Landowner's Decision and Notice of Special Permit dated March 29, 2018 (the "Decision") to allow for a total of approximately 37,728 square feet of light manufacturing use; and approximately 13,038 square feet of office use; and 7,440 square feet of light manufacturing use; 3. A Special Permit pursuant to Section 9 to allow for the requested uses within the limits of the Floodway and Food Plain Districts; 4. Site Plan Approval pursuant to Section 12.2.4; and 5. A Special Permit pursuant to Section 5.1(53) to allow for a high hazard use, at 32 Cabot Road.

On the petition by Theofan Qirjazi, 764 Lowell Street, Peabody, Massachusetts 01960 for a special permit to allow a fast food restaurant for Nick's Pizza, Roast Beef & Subs under Section 5.1(29) of the 1985 Woburn Zoning Ordinances, as amended, at 901 Main Street A-

B. PUBLIC HEARING OPENED: A communication dated August 2, 2021 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

RE: PLANNING DEPARTMENT COMMENTS ON SPECIAL PERMIT APPLICATION FOR 901B MAIN STREET / THEOFAN QIRJAZI

Dear Council:

The Planning Department has completed its review of the above-referenced Petition, which proposes to re-tenant an existing commercial space to accommodate a new fast food tenant. For the Council's information, the specific commercial unit (B) is referenced on the Applicant's Form A but not the Petition form itself. The subject commercial space most recently hosted another fast food restaurant tenant (Pizzamoré) as a "grandfathered" non-conforming use, and it is the stance of the Building Commissioner that a special permit is in fact necessary due to a lapse in use of the property following the closure of the prior tenant. The Petitioner requests a special permit pursuant to Section 5.1 (29) of the Woburn Zoning Ordinances (WZO) for the operation of a fast food establishment. The subject use (Restaurant, Fast Food) is allowed by City Council Special Permit in the Highway Business (B-H) zoning district. Although not cited in the Petition, this request is also subject to the requirements of Site Plan Review (Section 12) of the WZO, as well as a determination of applicability of Section 18.4 (pertaining to "Development Impact Assessment and Mitigation").

Planning staff reviewed the application materials containing the uncertified floor plan (11/16/20) with the Building Commissioner and makes the following comments and observations:

- The proposed use requires both a special permit in accordance with Section 5.1(29) of the WZO as well as Site Plan Review in accordance with Section 12 (see Notes to Section 5.1, Table of Use Regulations). As noted above, the application references the required special permit but does not specifically request site plan review/approval, which is required.

The floor plan submitted with the application includes existing and proposed configurations of the restaurant space, but additional information may be required to determine the full scope of the project, including large scale plans to more accurately assess the proposed interior modifications. The Council should require the Petitioner to verify that all information contained in the application is sufficient for a determination of a "substantial alteration or improvement," pursuant to Section 18.4(3). If a substantial alteration is so determined, the Petition will be subject to the provisions of Section 18.5 of the WZO, requiring the submission of a Development Impact Statement (DIS). The Council should require the Petitioner to provide this information to the Building Commissioner as soon as possible. In addition, due to the expiration of a building permit recently sought by the Petitioner, any modification(s) made to the proposed floor plans must be reauthorized by the Building Commissioner.

- The Petitioner has not submitted a site plan with the application materials, which should be provided, if currently available, for review of key site design elements, including information pertaining to trash storage and parking sufficiency. The Council should request the submission of an accurate boundary survey plan, including updated information clearly identified to address the following points:
 - No information has been provided relative to parking. Fast food restaurants require twelve (12) parking spaces for every 1,000 sq. ft. of net floor area, per Section 8.2.5, nor is there any calculation as to how much parking this use will need and location identified. The Petitioner should confer with the Building Commissioner to clarify how the parking arrangement for the proposed new fast food restaurant will differ (if at all) from the prior tenant and specify the maximum number of restaurant employees anticipated onsite at any one time.
 - The issue of trash storage and its regular pickup seems particularly important given that food may compose a significant portion of trash from the Petitioner's business. A yet-to-be-submitted site plan should clearly indicate information relative to trash storage capacity, with additional notations clarifying: (a) whether the Dumpster will be shared with surrounding tenants; (b) whether its size will change from the prior tenant; (c) the frequency of servicing/refuse removal; and (d) compliance with Dumpster regulations referenced in the Woburn Municipal Code (Title 8, Article VII: "Dumpsters"). In addition, the Council should seek clarity on the pest management measures that will be implemented by the Petitioner.
- The application does not provide information as to the expected delivery arrangements (loading and unloading business supplies). It appears that a rear door may be directly accessible to the commercial space's storage areas, but the Petitioner should clarify the logistics and timing of these arrangements for the record, with the intent to ensure maximum access to the rear parking area to the extent possible.
- The application does not provide information relative to specific signage dimensions to verify compliance with Section 13 ("Sign Regulations") of the WZO. The Petitioner should note that new exterior building signage is subject to separate permitting through the Inspectional Services Department.
- Unless authorized by a subsequent Special Permit, the hours of operation of this establishment must fall within the parameters of 6:00 a.m. to 11:00 p.m. in accordance with Note 16 to Section 5.1, Table of Use Regulations. The Petitioner should clarify the intended hours of operation for the proposed fast food restaurant segment of its business to ensure observance of this requirement.

If members of the Council have any questions or concerns regarding this correspondence, please feel free to contact me.

Respectfully, s/Dan Orr, City Planner/Grant Writer

Popeyes, 305 Mishawum Road, Woburn, Massachusetts 01801 for special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.29 to allow for a fast food restaurant at 305 Mishawum Road. PUBLIC HEARING OPENED: A committee report was received “back for action”.

Further, a communication dated August 3, 2021, was received from John E. Corey, Jr., City Engineer, as follows:

Subject: 305 Mishawum Rd. – Pop Eye’s Traffic Review

Vanasse & Assoc. has submitted a memorandum, dated July 30, 2021 relative to the above referenced project traffic impacts.

The traffic engineer has performed a review of traffic queuing along Mishawum Rd. at the signalized entrance to the former D’Angelo’s site and the Woburn Mall.

The traffic engineer has concluded that the que along Mishawum Rd. can be reduced by changing the center lane east bound usage to allow for both a left turn and straight maneuver. This would require changes to the light head configuration, lane signage and lane stripping. Since this is a MassDOT intersection, a state permit would be required to implement these changes.

The traffic assessment indicates that there will be a reduction the level of service from C to D west bound on Mishawum Rd. The writer recommends the installation of a new AI unit and performance plus package be installed at the traffic signal at the Pop Eye driveway and Mishawum Rd.

The writer recommends that the applicant commit to the Mishawum Rd. lane changes and the additional equipment for the entrance traffic signal as mitigation for traffic impacts.

I trust the foregoing information suffices for your current needs. Should you have any questions or comments, please do not hesitate to contact this office.

Further, a communication dated August 5, 2021 was received from Mark J. Salvati, Attorney at Law, 10 Cedar Street Suite 26, Woburn, Massachusetts 01801 as follows:

RE: Popeyes
305 Mishawum Road

Dear President Tedesco and Aldermen,

The following are proposed conditions for a Special Permit to a fast food restaurant at 305 Mishawum Road:

1. That the hours of operation shall be 7 days a week, 11 to 11.
2. The petitioner shall perform the following work: changed center lane east on Mishawum Rd to allow for both a left turn and straight maneuver, with associated light head configuration, lane signage and lane stripping AND installation of a new AI unit and performance plus package at the traffic signal at the Popeye's driveway and Mishawum Road, all as outlined by the City Engineer in memo dated August 3, 2021. The special permit and building permit may issue prior to the completes of this work but no occupancy permit shall issue until work is complete and has been approved the City Engineer.
3. The petitioner shall abide by the pest control plan and parking lot maintenance plan attached hereto.

On the petition by Woburn APNA Bazar Incorporated, 4 Held Circle, Medford, Massachusetts 02155 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.69 and 7.3 to amend a special permit dated January 12, 2011, modified June 9, 2016 to allow for alteration of pre-existing non-conforming use and structure containing approximately 53,326 square feet of gross floor area to allow for 1. Retail store in Unit 2 consisting of approximately 14,440 square feet of net floor area, and 2. Provide for 232 parking spaces as shown on plan on file, at 335 Washington Street. PUBLIC HEARING OPENED: A committee report was received "ought to pass" with the following conditions: 1. The Petitioner shall construct and improve the Site as substantially described in the plans submitted with the Petition for Special Permit entitled "Parking Plan, 335 Washington Street, Woburn, Massachusetts dated February 3, 2021, revised April 14, 2021, revised April 26, 2021, revised July 14, 2021 by Eaglebrook Engineering & Survey, LLC, 491 Maple Street, Suite 304, Danvers, Mass. 01923 (hereinafter the "Site Plan") although design adjustments and modifications generally associated with (i) preparing so-called "working drawings" or (ii) site conditions shall be permitted so long as such changes do not constitute substantial changes from said plans as determined by the Building Commissioner. In the event that the Building Commissioner determines that the building plans filed with the building permit application are not in substantial conformance with the Site Plan, the Petitioner may request a review of said plans by the City Council Special Permits Committee who shall make a final determination. If the Special Permits Committee makes a determination that the proposed plans are not in conformance with the Site Plan, the Petitioner shall be required to file a Special Permit Petition seeking approval to modify the Site Plan; 2. That the handicapped parking spaces as shown on the Plan shall meet all local,

state and federal handicap code requirements; 3. Petitioner must install two M60 Traffic controllers and one A1 Controller add on unit to improve operations at the intersections of Washington Street with Cedar Street and Washington Street and Salem Street. Work must be completed and fully tested and validated by the city engineer prior to operations; 4. Police details will be hired for the first week of the Grand Opening during peak traffic times in consultation with the Chief of Police; 5. Rodent control measures will be in place at all times. Copies of the rodent control service contract are to be sent to Woburn Board of Health with a cc to the special permits committee quarterly; 6. Trash cans with closed lids will be installed at the front entrance of the building; 7. Parking lot maintenance will be done 4 x per day to ensure the lot is kept clean of plastic bags and trash; 8. Deliveries will take place behind the building during the hours of 7am-3pm only; 9. Hours of operation are limited to Monday-Sunday 9 am- 9pm; 10. This special Permit is issued to APNA only and is not transferable; 11. No goods or services are permitted to be sold in the parking lot. All retail activity takes place within the building; 12. All signage on the building must be compliant with Woburn Zoning ordinances; 13. There shall be no cooking of food on the premises inside or outside; 14. The current facade of the building occupied by APNA as recently upgraded by the property owner is to remain the same as a condition of this special permit and shall be painted and maintained regularly; 15. There shall be no overflow parking onto private property; 16. A snow removal plan is to be filed with the building department. No snow is to be pushed out to Washington Street and or/Cedar Street; 17. All other existing conditions as outlined in special permits issued in 2011 and 2016 remain in full force and effect unless modified by this decision; and 18. On site traffic calming measures as outlined in the July 14, 2021, site plan including speed bumps at the curb cut to Cedar Street and "No thru traffic signs" will be installed.

On the petition by Jackson Lumber, 10 Jefferson Avenue, Woburn, Massachusetts 01801 for special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 7.5 and 15.6.C.i as follows: 1. To amend a special permit dated March 14, 2019 to supplement plan of record to allow additional drainage and pavement to expand parking lot; and 2. Alteration of existing use that does not conform to Groundwater Protection District to allow for drainage and pavement, at 36 Prospect Street. PUBLIC HEARING OPENED: A committee report was received "ought not to pass".

Further, a communication dated July 13, 2021 was received from Mark J. Salvati, Attorney at Law, 10 Cedar Street Suite 26, Woburn, Massachusetts 01801 as follows:

Dear President Tedesco and Council,

Request is made to continue this matter to your next regular meeting in order for the client to provide a peer review of the engineering.

Thank you for your attention to this matter and please call with any questions.

Very Truly Yours, s/ Mark J Salvati

On the petition by FRH Realty LLC, an Affiliate of Fairfield Residential for a special permit to allow: 1. Four hundred forty-five (445) residential dwelling units, 2. Accessory pool, 3. Accessory garages for use of residents on the premises, 4. Fence over 3 feet high within street setback, 5. Maximum height of fence to exceed 6 feet, 6. Free-standing sign in front yard setback, 7. Maximum pavement width of driveway increased, 8. Private garage larger than 900 s.f. with doors exceeding 8 feet high, 9. Private accessory garage in front yard setback, 10. Private swimming pool larger than 900 s.f., and 11. Site Plan Approval for four hundred forty-five (445) residential dwelling units, at 316 New Boston Street. PUBLIC HEARING OPENED: A committee report was received “back for action”.

Further, a communication dated August 5, 2021 was received from Ellen Callahan Doucette, City Solicitor as follows:

Re: Chapter 358 of the Acts of 2020 – Housing Reform

Attorney Tarby’s memorandum to the City Council regarding changes to the quantum of vote resulting from the passage of Chapter 358 of the Acts of 2020, an Act Enabling Partnerships for Growth, was forwarded to me for review.

Sections 6 through 25 inclusive, of Chapter 358 made a number of changes to M.G.L. c.40A most notably, reducing the vote necessary for granting special permits and, for adopting zoning amendments, from a supermajority (2/3) to a simple majority, when the permit or amendment relates to “housing supportive” zoning.

To the memorandum submitted by Attorney Tarby, he is correct in that when a special permit petition is filed for the development of “(a) multifamily housing that is located within 1/2 mile of a commuter rail station, subway station, ferry terminal or bus station; provided, that not less than 10 per cent of the housing shall be affordable to and occupied by households whose annual income is less than 80 per cent of the area wide median income as determined by the United States Department of Housing and Urban Development and affordability is assured for a period of not less than 30 years through the use of an affordable housing restriction as defined in [c.184, §37]”, the special permit requires only a simple majority for approval.

In addition, Section 16 of Chapter 358 amended c.40A, §1 to provide for additional definitions including "Multi-family housing" which is defined as “a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building”.

Sincerely, s/Ellen Callahan Doucette

On the petition by President Tedesco and Alderman Ferullo to amend the 1985 Woburn Zoning Ordinances, as amended, be further amended by amending the definition of “RESTAURANT, FULL- SERVICE” in Section 2 by inserting after “space” on the first line the following language: “(including outdoor seating and rooftop dining)” so that the revised definition will be as follow: “RESTAURANT, FULL-SERVICE: Any building, room space (including outdoor seating and rooftop dining) or portion thereof where food is sold for consumption on premises, customers are provided an individual menu, a restaurant employee serves the customer at the same table or counter at which items are consumed. A restaurant, full-service may provide “accessory” delivery service, takeout service (except drive-up customer service) and related retail sales items.

On the petition by President Tedesco, Alderman Ferullo, and Alderman Demers to amend Section 11.6.12 entitled “Rooftop Dining in the B-D District” and Section 5.1 entitled “Table of Use Regulations”, Note 27 of the 1985 Zoning Ordinance of the City of Woburn.

UNFINISHED BUSINESS OF PRECEDING MEETING:

On the petition by 285 Locust Street LLC request for minor modification of special permit with respect to modifications for proposed signage illumination at 285 Locust Street.

COMMITTEE REPORTS:

INFRASTRUCTURE & PUBLIC LANDS:

On the order to authorize Mayor to grant a Street Widening Easement over the former Stoneham Branch, now known as the Tri-Community Bikeway, to Montvale Land, LLC, a committee report was received “ought to pass”.

ORDERED

Be it Ordained by the City Council of the City of Woburn that the Mayor be and is hereby authorized on behalf of the City of Woburn to grant a Street Widening Easement over the former Stoneham Branch, now known as the Tri-Community Bikeway, to Montvale Land, LLC, as shown on a plan attached hereto and marked Exhibit B to said Street Widening Easement, such easement to be used for the sole purpose of widening and reconstructing Hill Street, and that the Mayor be authorized to execute any and all documents necessary to effectuate the grant of such easement.

s/President Tedesco
Per Request of the Mayor

ORDINANCES, CHARTER AND RULES

On the order to amend the Woburn Municipal Code Title 2, Article XVIII, Compensation of Officers and Employees, base salaries of reserve police officer per hour, a committee report was received “ought to pass”.

ORDERED Be it Ordained by the City Council of the City of Woburn, that the Woburn Municipal Code, as amended, be further amended by revising Title 2, Article XVIII, Compensation of Officers and Employees as follows (deletion in ~~strikethrough~~, revision in **bold**):

2-180 Base Salaries

Reserve police officers, per hour \$ ~~18.00~~
\$24.04

and that such increase be effective July 1, 2021.

s/President Tedesco
Per Request of the Mayor

PUBLIC SAFETY AND LICENSES:

On the petition by Musto Jewelers, 186 Cambridge Road, No. 9, for renewal of Secondhand Dealers and Secondhand Collectors License., committee report was received “ought to pass with existing conditions or restrictions”.

CITIZEN’S PARTICIPATION: None.

COMMUNICATIONS AND REPORTS:

A communication dated August 5, 2021 was received from President Edward Tedesco as follows:

RE: Capital Budget FY 2022

Clerk Higgins:

I am writing to inform you of my intention to suspend the rules and pull from the Committee on Finance the Capital Budget FY 2022 for discussion and action.

Thank you, s/ Edward Tedesco, President

A communication dated July 21, 2021 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 2021 to June 2021: Number of violations issued 202, Numbers of violations paid 48, Number of violations outstanding 150, Amount collected and submitted to Collectors Office \$17,604.60, Parking fines referred to the Handicap Commission \$3,00.00.

There is a backlog of 1595 unpaid tickets dating from January 2004 to December 2020. 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

APPOINTMENTS AND ELECTIONS:

Appointment of James A. Juliano to the Board of Trustees for the Woburn Public Library.

Reappointment of Thomas Skeffington (Chair), David Gilgun, and William Pappalardo to the Woburn License Commission.

Reappointment of Thomas W. Lawton (Chair), Chris Irving, Michael McDonough, Michael P. Higgins, Jonathan W. Surette, and Peter V. Murphy to the Woburn Golf and Ski Authority.

Reappointment of Michael Ventresca, Carolyn Turner, Claudia Leis-Bolgen, David Edmunds, Kevin Donovan, Robert Doherty, and James Callahan to the Woburn Planning Board.

Appointment of Richard Clancy to move from an alternate member to full-time member of the Woburn Board of Appeals.

Reappointment of Margaret M. Pinkham (Chair), John J. Ryan, III, and Daniel Parrish to the Woburn Board of Appeals.

MOTIONS, ORDERS AND RESOLUTIONS:

Order appointing poll workers.

Motion made and 2nd to ADJOURN.