

**CITY OF WOBURN
FEBRUARY 15, 2022 – 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Campbell	Ferullo
Demers	Gately
Dillon	Mercer-Bruen
DiMambro	Viola
Concannon	

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

MAYOR’S COMMUNICATIONS:

A communication dated February 10, 2022 was received from His Honor the Mayor Scott D. Galvin as follows:

RE: RECENTLY-ADOPTED CHANGES TO STATE LAW REGARDING HOUSING
AND ZONING

Dear Council:

I respectfully request time at upcoming city Council meeting to address you briefly about changes to a zoning law last year that impact Woburn and many other communities.

Chapter 358 of the Acts of 2020 was adopted in 2021 and included a new section 3A to Mass. General Laws chapter 40A, the Zoning act. The new law requires communities serviced by the MBTA to have at least one zoning district of “reasonable size” in which multi-family housing is allowed by right, and which meets other criteria set forth in statute.

Though attendant regulations are still being drafted and may change before final adoption, at the moment the law and regulations would require Woburn to have a zoning district that:

- Allows multi-family development as a “by right” land use (e.g. not by special permit), and which is not age-restricted but rather suitable for families with children;
- Is at least fifty (50) acres in size and located either within a half-mile of the Anderson/Woburn Transportation Center or some other area “of concentrated development, including town and city centers and other existing commercial districts;”

- Allows a density of at least fifteen (15) dwelling units per acre (subject to further limitations that may be imposed by the Wetlands Protection Act and/or title 5 of the state environmental code); and
- Has the capacity to support at least 2,631-3,508 housing units*

By statute, the penalty for failure to comply with this new law would be a prohibition on applying for certain State grants in the future. Those include the MassWorks Infrastructure Development Program, Local Capital Project funds, and all grants associated with the Housing Choice Initiative.

The intent of the law is to spur multi-family housing in all communities that have or benefit from MBTA service. Respectfully, it is my opinion that Woburn has already more than done its part in that regards. Roughly, 2,400 housing units have been approved for construction in various locations across the City in just the last seven or so years, with more than 1,500 of those units located within a half mile of the Anderson/Woburn station. None of the production “counts” under the new law.

I would like to have City Solicitor Ellen Callahan Doucette and Planning Director Tina Cassidy join me in making a brief presentation to you on this subject at an upcoming meeting in the very near future. I look forward to the discussion.

NEW PETITIONS:

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

Petition by Reliable Property Management Services, LLC for a special permit pursuant to the 1985 City of Woburn Zoning Ordinance, as amended, Section 5.1, Subsection 57b for accessory storage and overnight parking of up to 40 commercial vehicles, and Subsection 43 for open or outside storage of new or used building materials or equipment, relating to the operation of a fence assembly and manufacturing business, at 211 New Boston Street.

PUBLIC HEARINGS:

On the petition by Skyworks Solutions, Inc., to amend an inflammable license, for N-Methyl2pyrrolidone Class B 4x350 gallons in IBC container to N-Methyl2pyrrolidone Class B 4x350 gallons in IBC container and/or Kwik Strip Class B 4x350 gallons in IBC containers, and/or a mixture of both types totaling no more than four IBC Containers, at 20 Sylvan Road.

On the petition by Loco Donuts, LLC, 10 State Street, Woburn, Massachusetts 01801, for a special permit pursuant to Section 5.1(29), Section 5.1(63A), and Section 12 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for a fast food restaurant (Dunkin Donuts) with a drive thru, at 36 Commerce Way. PUBLIC HEARING OPENED: A

communication dated February 8, 2022 was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, as follows:

Re: Special Permit Petition, Loco Donuts, LLC, 36 Commerce Way, Woburn, Massachusetts

Dear Ms. Higgins:

I respectfully request that the public hearing on the above matter scheduled for February 15, 2022 be continued to the City Council meeting scheduled for March 1, 2022. The petition is still in the Special Permits Committee for further review. If you need any further information, please do not hesitate to contact me. Thank you.

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

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

COMMITTEE REPORTS:

FINANCE:

A committee report was received “ought to pass” for the following:

ORDERED That the sum of \$895,000.00 be and is appropriated as so stated from Overlay Reserve Acct# 01-322000 \$895,000.00 to Stabilization Fund Acct# 750048-483011 \$750,000.00, Assessors Appraisals Acct# 0113757-571001 Real Property \$40,000.00 Valuation Services \$60,000.00, and Assessors Personal Property Acct# 0113757-584042 \$45,000.00.

I hereby recommend the above: s/Scott D. Galvin, Mayor
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/President Michael Concannon

A committee report was received “ought to pass” for the following:

ORDERED That the sum of \$1,000,000.00 be and is appropriated as so stated from Unreserved Fund Balance Acct# 01-359000 \$1,000,000.00 to SPED Stabilization Fund Acct# 704049-4971000 \$1,000,000.00.

I hereby recommend the above: s/Scott D. Galvin, Mayor

I have reviewed the above: s/Charles E. Doherty, City Auditor

s/President Michael Concannon

A committee report was received “ought to pass” for the following:

ORDERED That the sum of \$10,000,000.00 be and is appropriated as so stated from Unreserved Fund Balance Acct# 01-359000 \$10,000,000.00 to General Stabilization Fund Acct# 704049-4971000 \$10,000,000.00.

I hereby recommend the above: s/Scott D. Galvin, Mayor
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/President Michael Concannon

A committee report was received “ought to pass” for the following:

ORDERED That the sum of \$28,000.00 be and is appropriated from the Cemetery Interest Fund and distributed as follows for Fiscal Year 2022: \$8,000.00 to New Equipment Acct. 0149058-586600, \$8,500.00 to Equip/Bldg Maint Acct. 0149054-543000, \$2,500.00 to Tools/Supplies Acct. 0149054-546100, \$9,000 to Burial Sections Acct. 0149058-586601.

I hereby approve the above: s/John Sawyer, Chairman, Cemetery Commission
I hereby recommend the above: s/Scott D. Galvin, Mayor
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/President Michael Concannon

ORDINANCE, CHARTER AND RULES:

A committee report was received “ought to pass” for the following:

ORDERED

Be it Ordained by the City Council of the City of Woburn, that the Woburn Municipal Code, as amended, be further amended by inserting into Title 12, Streets, Sidewalks & Public Places, a new Article XV, Regulation of RoadWork in Operable Unit No. 1 of the Industri-Plex Superfund Site as follows:

XV. REGULATION OF ROADWORK IN OPERABLE UNIT NO. 1 OF THE INDUSTRI- PLEX SUPERFUND SITE

15-1 Purpose

To regulate work activities in roadway areas with Institutional Controls established for Operable Unit No. 1 of the Industriplex Superfund Site, as set forth in the “Record of Decision, Industri-Plex Superfund Site, Woburn, Massachusetts,” dated September 30, 1986 (the “ROD”), said ROD being on file at the EPA Region I Record Center located at Five Post Office Square, Boston, Massachusetts. The Institutional Controls maintain the protectiveness of the Industri-Plex Operable Unit No. 1 remedy and establishes restrictions on excavation, construction and maintenance or other intrusive activities in Class A Land, Class B Land, Class C Land and/or Class D Land, as defined in the January 2018 Model Notice of Activity and Use Limitation (NAUL), Operable Unit No. 1, Industri-Plex Superfund Site. A copy of the January 2018 Model NAUL is attached to the Regulations for Roadwork as Appendix I.

15-2 Permit Required

A permit issued by the Department of Public Works shall be required for any work performed in road rights of way within Industri-Plex Operable Unit No. 1, including along Merrimac Street, New Boston Street, Atlantic Avenue, Commerce Way and Presidential Way, that are designated as Class A Land, Class B Land, Class C Land or Class D Land, on the plan entitled “Plan of Restricted Areas (Record Boundaries, Ties to Survey Control and Restricted Areas Delineation) R.O.W./ Roads, Lot IC-47, Woburn, Massachusetts dated April 27, 2020 prepared by Fieldstone Land Consultants, PLLC”. A copy of such plan is available for review in both the Department of Public Works and the Engineering Department.

15-3 Authority to Promulgate Regulations

In furtherance of this ordinance, the Superintendent of Public Works in consult with the City Engineer, shall promulgate regulations pursuant to which permits are to be issued for work to be performed in Operable Unit No. 1 including, application fees.

15-4 Compliance with DPW Regulations

Any permit issued hereunder shall be in compliance with the regulations issued by the Department of Public Works in consultation with the Engineering Department. Such regulations shall incorporate the health and safety and related requirements that are documented in the January 2018 Model NAUL with respect to work within road rights of way situated in Operable Unit No. 1 of the Industri-Plex Superfund Site in order to comply with the provisions of the consent decree entered on April 24, 1989 by the United States District Court for the District of Massachusetts in the matter styled *United States v. Stauffer Chemical Company et al.*, Civil Action No. 89-0195-

MC, and the Commonwealth of Massachusetts v. Stauffer Chemical Company *et al.*,
Civil Action No. 89-0196-MC.

s/President Michael Concannon
Per Request of the Mayor

PUBLIC SAFETY AND LICENSE:

A committee report was received “ought to pass” for the following:

Petition for renewal of Second Class Motor Vehicle License by Anchor Auto Sales, 3 Breed Avenue.

CITIZEN’S PARTICIPATION: None.

COMMUNICATIONS AND REPORTS: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

RESOLVED

Whereas, Lawrence “Larry” Guiseppe is retiring as the City of Woburn Veterans Agent after 12 years of dedicated service; and

Whereas, Larry has always gone above and beyond to ensure that all veterans in which he encounters were provided assistance, support, and outreach, including veterans of Woburn and across the Commonwealth of Massachusetts; and

Whereas, Larry during a worldwide pandemic made sure he was always available to help out veterans and was able to provide support, assistance, and outreach to veterans in need during uncertain and daunting times; and

Whereas, Larry is a lifelong resident of Woburn who upon graduation from Woburn High School in 1968 enlisted in the United States Marine Corps, in which he served a two-and-a-half-year tour in Vietnam with “M” Company, 3rd Battalion, 26th Marines, and was wounded by an enemy grenade; and

Whereas, Larry was honorably discharged in 1971 as a decorated veteran and has been awarded the Purple Heart, Presidential Citation, Cross of Gallantry, Combat Action Ribbon, and the Good Conduct Medal; and

Whereas, Larry has been an integral member and organized the “Friends of Woburn Veterans” which organizes and plans the annual Veteran’s Day program and parade in the City of Woburn; and

Whereas, Larry is a member of the George A. Campbell American Legion Post 101, a lifetime member, Quarter Master, and past Commander of the VFW Post 543 in Woburn, a member of the Marine Corp. League of Woburn, and also an integral member of the United Veterans Council; and

Whereas, Larry is a loving husband to his wife Patricia, proud father of Lauren and Lindsay, and devoted grandfather to Nicholas, Catherine, and Victoria;

Now, therefore, Be It Resolved, that the City Council of the City of Woburn hereby recognizes the exemplary and distinguished career of Woburn Veterans Agent Larry Guiseppe and his contributions in improving the quality of life for veterans in the City of Woburn and the Commonwealth of Massachusetts, thanks him for his service to the city and country, and extends the best wishes of the community for a long, happy, and well-deserved retirement.

s/President Concannon, Councilor Ferullo, Councilor Campbell, Councilor Gately, Councilor Dillon, Councilor Demers, Councilor Mercer-Bruen, Councilor DiMambro, and Councilor Viola.

Motion made and 2nd to ADJOURN.