

**COMMITTEE ON ORDINANCES, CHARTER & RULES**  
**As a Committee of the Whole**  
**MONDAY, MARCH 7, 2022, AT 6:00 P.M.**  
**CITY COUNCIL CHAMBERS**  
**WOBURN CITY HALL**

Voting members present: Chairman Joseph Demers, Councilor Richard Gately, Councilor Darlene Mercer-Bruen, Councilor Robert Ferullo, Councilor Lou DiMambro, President Michael Concannon, Councilor Joanne Campbell, Councilor Jeffrey Dillon, and Councilor Charles Viola

Also present: Mayor Scott Galvin, City Solicitor Ellen Callahan Doucette, and Planning Director Tina Cassidy

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**Reading and approval of previous meeting minutes:** Motion made by Councilor Mercer-Bruen and seconded by Councilor Dillon to approve the minutes of the meeting of February 7, 2022; in favor, 9-0.

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**Communication regarding recently adopted changes to state law regarding housing and zoning:** Motion by Councilor Mercer-Bruen and seconded by Councilor Gately to suspend the rules to allow Mayor Galvin, City Solicitor Callahan Doucette, and Director Cassidy to address the committee; approved, 9-0. Motion made by Councilor Mercer-Bruen and seconded by Councilor Dillon to receive and place on file a document from Director Cassidy entitled “Summary of Compliance Requirements for Woburn March 22” with supporting documentation; approved, 9-0. Mayor Galvin said most members of the council are aware of the substance of the new state law regarding transit-oriented communities. He said the law was initiated by the governor and has been enacted by the legislature. He said the law requires a community to provide housing by right in a 50-acre spot. He said that could potentially involve as many as 3,500 units by right. He said if certain parameters are not met, the city may not be eligible for certain grants, including Mass. Works grants. He said he cannot remember the city ever getting a Mass. Works grant. He said Mass. Works grants are difficult to get. He said Woburn has done its share of creating affordable housing. He said the city has been very pro-active. He said 2,500 affordable housing units have been created since 2012, largely as a result of the Planning Board’s and the City Council’s support of a housing production plan. He said the city worked very hard to accomplish that. He said the housing production plan has put the city in a very good place. He said he feels strongly the city has done its share. He said this is not a NIMBY issue, but he feels the city has been very pro-active in creating affordable housing. Councilor Mercer-Bruen thanked Mayor Galvin and Director Cassidy for attending. She said not only has Woburn done its fair share, but it has also led the way when it comes to creating affordable housing. She said she finds the suggestion that the city has not created enough affordable housing to be offensive. She said it is disheartening that Woburn was included as one of the communities impacted by the legislation. She said the city needs to do everything it can to stop it. Councilor Campbell said she agrees with Councilor Mercer-Bruen. She said she thinks Councilor Mercer-Bruen’s comments

were nicely said. Councilor Gately said the city has done quite a bit to create affordable housing. He asked what the justification of the new law is. Mayor Galvin said the governor is looking at e housing as a state-wide issue. He said the law is well-intentioned but he hopes the city gets credit for what is has done in the past. Director Cassidy said comments are due to the end of March on the draft regulations that were issued in December. She said the requirements include a 50-acre minimum in communities that have MBTA facilities. She said Woburn has both a bus and a train station. She said the requirements are very difficult to achieve and very onerous. She said she has talked to a number of planners in other communities. She said the council had the foresight to increase the affordable housing component to 15 percent. She said the city's affordable housing stock is currently at 11.5 percent, and even presuming an increase in the 2020 census figures, the city will remain over the 10 percent threshold. She said the comments that are due by the end of March require getting feedback about an overlay district. She said the overlay district cannot include a special permit component. She also asked if the council would be supportive of a letter to the state with comments about the new law. She said the handout she provided to the council has a lot of good material the councilors can read at their leisure. Councilor Dillon asked what the likelihood is the state will give the city credit for the affordable housing is has created. Director Cassidy said that is hard to say. She said she thinks the state is going to hear a lot of negative feedback. She said she does not believe Woburn should be held to the same standards as communities that have not created any affordable housing. Councilor Dillon asked if it is even possible to set aside 50 acres within a half-mile of the Anderson Regional Transportation Center. Director Cassidy said that would require an incredible amount of work. Councilor Dillon asked if the 50 acres has to be in one parcel or if it can be split. Director Cassidy said at least 25 acres has to be within a half-mile radius of the Anderson RTC. Councilor Mercer-Bruen said this is another kick in the head. She said she does not understand the end game. She said she will sign whatever is put in front of her indicating the council will not support this law. She said she will encourage communication from constituents. She said she will do whatever the council needs to do to stop it. President Concannon said he has a problem with the law. He said he is offended by it. He said there is no acknowledgment of the effort that has been made in Woburn to create affordable housing. He said withholding grant money is the guillotine. He said the city should try to fight this. Director Cassidy doesn't know if the city is ever going to apply for the Mass. Works grants. President Concannon asked if the legislation could ever prohibit the city from obtaining other grants. Director Cassidy said that is a concern. She said the legislation could be made broader. She said that would be one of the comments the city could make in its letter. President Concannon said the premise behind the law is that communities with MBTA facilities should be grateful. He said that may be true, but the MBTA communities also have to put up with a lot of headaches. He said when Beacon Hill dictates something like this to local communities, they should push back, or at least lobby to get credit for the affordable housing the city has already created. He said the city should keep an eye on the funding sources that could be impacted. He said if Ch. 90 funds are threatened, that's a concern. Councilor DiMambro asked if any old warehouses can be transformed into housing. Director Cassidy said that would require City Council authorization. She said the council would have to make a zoning change. She said the city is not susceptible to a Ch. 40B filing until the affordable housing stock threshold falls under 10 percent. She said it is unlikely that will happen for some time. Councilor Gately said there are three or four spots in the South End that he does not want to see become Ch. 40B projects. Director Cassidy said developers can apply to the Zoning Board of Appeals for a comprehensive permit under Ch. 40B. She said if the city's affordable housing stock is under 10 percent, the

Housing Appeals Committee will overturn a denial. If the ratio is over 10 percent, then the perception flips and the HAC will not automatically approve a 40B filing. Councilor Campbell said she will also sign anything that indicates the City Council is opposed to this legislation. She asked what the city can do to stop it. She said city officials have worked hard to bring affordable housing into the city. She said to have something like this shoved down the city's throat isn't right. Mayor Galvin said the city can't stop the law. He said if the city does not get credit for the affordable housing it has already created, the city will not be establishing a by-right zone. Councilor Mercer-Bruen said she does not support a by-right zone. Mayor Galvin said he agrees with Councilor Mercer-Bruen. Director Cassidy said the letter to the state will indicate the city has no intention of providing a by-right district. She said the city will support changes to the regulations to exempt communities like Woburn that have created affordable housing over the last decade. Councilor Mercer-Bruen asked if anyone reached out to the city while this legislation was being discussed. She said she knows the law has been passed but asked if it is that far of a stretch to go back to the drawing board. Mayor Galvin said that ship has sailed. He said the law is at the regulation stage now. Chairman Demers said in his experience as a legislative aide, a lot of legislation gets altered during the regulation phase. He said the fact that comments are being accepted could result in adjustments to the legislation. Councilor Mercer-Bruen said if enough people are upset, the law could change, and it sounds like people are upset. She said the city should fight this thing. Motion made by Alderman Chairman Mercer-Bruen and seconded by Councilor Dillon to return to the regular order of business; approved, 9-0.

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**MOTION** made by Councilor Mercer-Bruen and seconded by Councilor DiMambro to adjourn; in favor, 9-0. Chairman Demers adjourned the meeting at 6:30 p.m.

A TRUE RECORD ATTEST

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Gordon Vincent  
Clerk of Committees