

**CITY OF WOBURN  
OCTOBER 4, 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	

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

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Motion to suspend the rules to take the next matter from Unfinished Business of Preceding Meeting out of order, all in favor, 9-0.

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**UNFINISHED BUSINESS OF PRECEDING MEETING:**

Communication from Mayor requesting time to discuss update on PFAS drinking water standard at the October 4, 2022 meeting. Motion made and 2<sup>nd</sup> to suspend the rules to allow His Honor Mayor Galvin or designee to speak, all in favor, 9-0. Mayor Galvin stated the city is identifying PFAS dealing with new regulations from the MassDEP under 20 parts per trillion (“ppt”). Mayor Galvin stated he wanted to update the city council where the city is with testing. Mayor Galvin stated that with him he had Carol Rego, Jay Duran, Lenny Burnham, and Tony Blazejowski to answer any questions. Carol Rego, from CDM Smith, stated she was going to give the update in the usual format and the last time she gave an update was in April. Ms. Rego stated the information is posted on a regular basis on the city website. Ms. Rego stated that the data from the last two quarters (April – September) were below 20 ppt. Ms. Rego stated that the July results were invalidated because of the laboratory. Ms. Rego stated August 1<sup>st</sup> was 20.6 ppt, and September 1<sup>st</sup> was 23 ppt. Ms. Rego stated that at the end of the summer beginning of September the number creeps up and then comes down again. Ms. Rego stated the long-term voluntary testing the city is at 17.9 ppt, but the state requirement is based on 20 ppt based on quarters. Ms. Rego stated in 2022 Q2 it was 16 ppt. Ms. Rego stated the MassDEP has a detailed website showing the other communities dealing with the same issue with city water over 20 ppt. Ms. Rego stated there are now a lot of communities that are over except for those communities in Western Massachusetts and with no real differentiations. Ms. Rego stated the issue is in Massachusetts and the United States. Ms. Rego stated the Massachusetts standard in April of 2021 was issued, there was not a federal regulation at this point. Ms. Rego stated the federal government is working towards regulations. Ms. Rego stated in June 2022 the EPA issued updated health advisory

levels, which are not regulations and not enforceable. Ms. Rego stated part of the process is to see where the standard is set. Ms. Rego stated there have been a lot of studies. Ms. Rego stated that two of the advisories have levels of PFAS compounds are not regulated by Massachusetts. Ms. Rego stated GenX PFBAS have 10 and 2,000 ppt, and have never been in the city. Ms. Rego stated there are newer compounds the industry is developing to replace the older ones. Ms. Rego stated that legacy PFAS compounds are PFOA and PFOS and most numbers below can be detected. Ms. Rego stated that 80% of PFAS is plastic, gortex, and sources other than drinking water. Ms. Rego stated this has to be reconciled this in other stuff versus Woburn and granulated carbon is one of them. Ms. Rego stated in part two what is the city doing. Ms. Rego stated the newer items are in green. Ms. Rego stated in July 2022 the city did a field investigation. Ms. Rego stated in August 2022 the submitted for funding from the state revolving account, and received the letter of approval today. Ms. Rego stated regarding treatment, there is existing treatment at Horn Pond with the historic pump station closest to the water. Ms. Rego stated in 2011 the manganese treatment was added. Ms. Rego stated on the slide the blue circle indicates the new treatment being added. Ms. Rego stated that the Geotech work for soil. Ms. Rego stated there are four boring. Ms. Rego stated discussed the site plan for the PFAS building noted in gray. Ms. Rego stated the next steps is the SRF application and usually here about it by the end of the year. Ms. Rego stated the MassDEP draft/proposed intended use plan. Ms. Rego stated they prioritize based on need, which includes public health and financial. Ms. Rego stated the portion of the assistance is a loan, and then a portion is principle forgiveness. Ms. Rego stated the formula is not known but essentially the MassDEP is using federal money to leverage state money to fund more projects. Ms. Rego stated the 60% completion will be the next cost estimate, and the permitting has already started. Ms. Rego stated then the next step is for the MassDEP work to go out to bid. Upon inquiry from Councilor Gately, Ms. Rego stated the city is not using chemicals to treat by using granulated activated carbon, which is carbon that absorbs the PFAS, and when it reaches capacity is removed and regenerated to dispose or reuse it. Ms. Rego stated they are hoping to get the confirmation of funding finalized in April and start by June 30<sup>th</sup>, with bidding taking place in late spring. Councilor Gately stated that the problem has to do with washing machine tanks. Ms. Rego stated it is hard to say but that ppt is equal to one drop in 20 Olympic sized swimming pools so it can come from anywhere. Councilor Gately stated it is good news it can be treated. Mayor Galvin stated there was no requirement to test until 2021. Mayor Galvin stated the EPA raised the issue first in 2016. Mayor Galvin stated even when the city did test, the city was well below the EPA requirements and in the past 2 ½ years the city has been under 20 ppt. Councilor Gately stated that in the 1960s and 1970s by getting septic systems offline to the sewer system the city did its job. Councilor Mercer-Bruen stated that when the first presentation happened, she thought it was just a Woburn issues, but now there is a variety of more city and towns, doing different methods for treatment. Ms. Rego stated most of the treatment decisions are based on what each community has in existence already for water treatment. Ms. Rego stated Cambridge has over a 21-year-old system and they have granulated activated carbon and the carbon is used up. Ms. Rego stated Cambridge is changing and putting in new media and they switched to the MWRA because of supply chain issues. Ms. Rego stated Lynnfield shutdown two out of the four small wells and combined treatment into the other two wells. Ms. Rego stated some communities have done ion exchange. Ms. Rego stated some of the decisions are based on cost factors, some had to do with the room Woburn had onsite at Horn Pond. Councilor

Mercer-Bruen stated that there is no one size fits all but that the granulated activated carbon is the Louis Vuitton of water treatment. Upon inquiry from Councilor Mercer-Bruen, Ms. Rego stated the only way to know a product does not have PFAS in it, is if the company states this product does not have PFAS. Ms. Rego stated so if they do not say it, the opposite is true. Ms. Rego stated it is like what products started saying they were BPA free. Upon inquiry from Councilor Demers, Ms. Rego stated there are some locations that are specific to industries, or airfields with chemicals, but for the most part, Woburn has low levels just in the environment. Ms. Rego stated that there is an uptick in August and September, at some point they thought it had to do with a drought, but that was debunked. Ms. Rego stated other communities have tried but could not find the source. Councilor Viola thanked everyone for the hard work. Upon inquiry from Councilor Viola, Ms. Rego stated EPA is reviewing the standards and they are the one to make the changes, and any state can be as stringent, or more stringent. Ms. Rego stated when the new standard came out from the MassDEP everyone was surprised. Upon inquiry from Councilor Viola, Mayor Galvin stated that in January 2023 it is the next time someone could apply for the water rebate program if the city is noncompliant. Upon inquiry from Councilor DiMambro, Ms. Rego stated that there are going to be six filters, and based on Westfield, Massachusetts, they predicted 1 year and they lasted two years. Ms. Rego stated that the new filtration does a good job with long chain compounds, but not as good as short chain compounds, which are not as harmful. Mayor Galvin stated that the SRF funding is a loan and a grant portion, that will help with interest rates going up and we will get a significant discount. Councilor Dillon thanked everyone for the information and stated that all his questions were already answered. Ms. Rego stated the city water is safe if over the 20 ppt but that the sensitive groups should use bottled water. Ms. Rego stated that education and awareness is happening quarterly with the mailer which explains what can do, and that it is not just water. Motion made and 2<sup>nd</sup> to suspend the rules to allow the public to speak, all in favor, 9-0. Anthony Arichetti, 24 Ryan Road, stated it was a great presentation, but did not say anything about testing and no prevention. Mr. Arichetti stated the Charles River and Clean Harbor were the problems. Mr. Arichetti stated when changing water from sewer system the were cesspools. Mr. Arichetti stated he does not understand how frying pans are the problem and that it is a closed system so it has got in from the water. Mr. Arichetti stated swimming pools and chlorine should have filters and a drainage system. Mr. Arichetti stated when get the cause have to get a handle on it. Mr. Arichetti stated he has granulated activated carbon in the lab he works in. Motion made and 2<sup>nd</sup> to place the matter on file and to return to the regular order of business, 9-0.

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

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#### **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 of Woburn, two easements from 120 Commerce Apartments LLC. The first easement is entitled "Proposed 3' Sidewalk Easement" and the second, is a "Proposed 5' Fire Alarm Easement", as shown on a plan entitled "Easement Plan" dated



Aging shall serve as elder advocates; offer services to elders; socialization; and wellness, fitness, and recreational activities; and lifelong learning. The Council on Aging shall determine its priorities based upon local needs and resources.

2-161 Membership; Organization.

The Council on Aging shall consist of not less than seven (7) nor more than ten (10) members who shall be appointed by the Mayor subject to confirmation by the City Council. Members shall serve without compensation for terms of three years. The first terms under this Section shall be for one, two or three years, and so arranged that the terms of one third of the members will expire each year. Thereafter, their successors shall each be appointed for terms of three years. The members of the Council on Aging shall elect annually at their first meeting in any calendar year, four of its members to serve as chairperson, vice-chairperson, treasurer and secretary.

2-162 Director of Council on Aging.

The City Council shall appoint a Director of the Council on Aging who shall have education and experience in health and human services or a related field, or in a social service or public health position with experience in working with the elderly; or any equivalent combination of education and experience.

2-162A Essential Duties of the Director

The essential duties of the Director are listed below and are illustrations of the type of work that is performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

- A. Develop, promote and implement a variety of social, recreational and educational programs at the Senior Center; participate in the Council on Aging meetings and administer and coordinate all activities of the Council on Aging to insure the development of plans, policies and procedures necessary for the establishment and maintenance of services for the elderly.
- B. Hire, train, manage, and supervise all personnel, including volunteers; and manage the Senior Citizen Property Tax

Reduction Volunteer Program in accordance with Section 3-25 of this Woburn Municipal Code.

- C. Manage all aspects of the services and programs offered at the Senior Center including, but not limited to, transportation, meals (congregate or in home such as Meals on Wheels), the S.H.I.N.E. program to assist seniors with health insurance and prescription options, and tax form preparation assistance.
- D. Prepare and manage the department's operating and capital budget, manage all expenditures and revenues; search and apply for grant opportunities to supplement the department budget; fulfill compliance reporting and maintain records. Perform administrative duties, including grant administration and correspondence with State and Federal agencies.
- E. Provide community outreach services; and assistance, information and referrals to seniors and their families.
- F. Oversee the care of the Woburn Senior Center buildings/grounds and notify the DPW of any needed maintenance, repairs or improvements.
- G. Act as liaison to the Friends Helping Seniors group which raises money to supplement the budget for enhanced program opportunities. Assist the Friends group with any grant opportunities that become available.
- H. Provide similar or related work as required, directed, or as situations dictate.

s/President Michael P. Concannon  
Per Request of the Mayor

Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCE, CHARTER AND RULES, all in favor, 9-0

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**NEW PETITIONS:**

Petitions for renewal of Second Class Motor Vehicles Sales Licenses by the following: ACT Leasing, Inc., 215 Salem Street; David Dellarocco dba Woburn Auto Sales, 5 Crescent Avenue, #4; and Capelo's Auto Service, Inc. dba Capelo's Auto Sales, 22 Winn Street.

Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND LICENSE, all in favor, 9-0.

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NStar Electric Company d/b/a Eversource Energy and Verizon New England Inc., for grant of right in a way: (1) on the north side, approximately 486 feet west of Merrimac Street, to install new pole 60/25 approximately 94 feet east of current location; and (2) on the north side, approximately 394 feet west of Merrimac Street, to install new pole 60/26 approximately 31 feet north of current location, in East Dexter Avenue. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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Rumsford Linscott, LLC, 200 West Cummings Park, Woburn, Massachusetts 01801, for special permit pursuant to Section 7.3 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for a single-story building addition totaling 4,994 gross square feet to a preexisting nonconforming structure, at 35 Cabot Road. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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**PUBLIC HEARINGS:**

On the petition by Verizon New England, Inc. for a grant of right in a way to install: (1) four (4) four-inch conduits approximately 244 feet from existing manhole 204A to the DOT/City jurisdiction line at the intersection of Montvale Avenue and Hill Street; and (2) four (4) four-inch (4") conduits approximately seven hundred six (706) feet in length with two (2) manholes on Hill Street. Starting from the DOT/City jurisdiction line at the intersection of Montvale Avenue and Hill Street place  $\pm 60'$  southeasterly to proposed manhole, MH1, then an additional  $\pm 350'$  of conduit to proposed manhole, MH2. From MH2 place  $\pm 96'$  of conduit easterly to the private property line of 1 Hill Street and then an additional  $\pm 200'$  of conduit to be placed southeasterly to the private property line at the end of Hill Street. PUBLIC HEARING OPENED: A communication dated September 30, 2022, was received from Jay Duran, Superintendent, Department of Public Works as follows:

Subject: Verizon GOL Petition – Hill Street

This memo is pursuant to the request from Verizon for the Grant of Way for the installation of underground conduits and appurtenant structures on Hill Street for service to the Vale Project. I reviewed the plan provided by Verizon. It is unclear if it the same 4 conduits previously approved for Comcast. If they are the same, I recommend approval as long as the plan prepared by Stantec is incorporated into the record and it is clearly denoted that these are the same group of conduits. The same conditions of approval for the Comcast petition should be included for the record.

However, if it is not the same four conduits, I do not recommend approval. These conduits should be included and depicted in the design plan by Stantec for further review and evaluation.

Please feel free to call me with any questions or concerns.

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 9-0. City Clerk Higgins stated she had not heard from the petitioner on this matter. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON October 18, 2022, all in favor, 9-0.

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On the petition by National Grid for a grant of right in a way to install approximately 1900 feet of 2-inch, plastic gas main in New Boston Street for both new and replacement mains as shown in and accordance with plans. PUBLIC HEARING OPENED: City Clerk Higgins stated Jay Duran, the DPW Superintendent, needs more information for the petitioner and recommends continuing the public hearing. City Clerk Higgins stated that Diana Cuddy, from National Grid, indicated she would like to continue the matter. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON October 18, 2022, all in favor, 9-0.

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On the petition by National Grid for a grant of right in a way to install approximately 60 feet of 4-inch, plastic gas main in Grape Street to connect to an existing main in Albany Street as shown in and accordance with plans. PUBLIC HEARING OPENED: City Clerk Higgins stated Jay Duran, the DPW Superintendent, needs more information for the petitioner and recommends continuing the public hearing. City Clerk Higgins stated that Diana Cuddy, from National Grid, indicated she would like to continue the matter. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON October 18, 2022, all in favor, 9-0.

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On the petition by Carden Muffin, Inc. d/b/a Graze Craze, 4 Mostika Road, Woburn, Massachusetts 01801, for a special permit pursuant to Section 5.1(29), Section 7.3, Section 12, and Section 15, of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for the alteration of the existing nonconforming use and structure for a fast-food restaurant (sale of charcuterie boards), with existing nonconforming parking spaces within the Groundwater

Protection District, at 221 Main Street. PUBLIC HEARING OPENED: A communication dated September 29, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: PLANNING DEPARTMENT COMMENTS ON SPECIAL PERMIT APPLICATION FOR 221 MAIN STREET CARDEN MUFFIN INC. d/b/a GRAZE CRAZE

Dear Council:

The Planning Department has reviewed the above-referenced Special Permit application which requests permission to allow for a fast food restaurant at the above-referenced location, in accordance with Section 5.1[29], Section 7.3 (Extension or Alteration of Non-Conforming Use), Section 12 (Site Plan Review), and Section 15 (Groundwater Protection District) of the Woburn Zoning Ordinance (WZO). The property is zoned Neighborhood Business (B-N) and therefore such use is permitted by City Council Special Permit, subject to Site Plan Review. No exterior construction is proposed in connection with this application.

The applicant seeks permission to alter "...the existing nonconforming use and structure for use as a fast-food restaurant (sale of charcuterie boards), with existing non-conforming parking spaces within the Groundwater Protection District" at 221 Main Street. The use is nonconforming because a shopping center is not an allowed use in a B-N District and because there is insufficient parking spaces on site to service the establishments that are there.

Planning staff offers several comments for the Council's consideration:

- The plan submitted with the Petition is inadequate to serve as a site plan. It should be revised to show which of the storefronts the fast-food establishment will occupy; the size of the new establishment in square feet; a calculation of how many parking spaces are required for the new use; and identification of the location of the parking spaces that will service the new restaurant. A floor plan of the new establishment illustrating storage areas, customer service areas, and the like should also be submitted for review and for the record.
- Unless authorized by a subsequent Special Permit, the hours of operation of this establishment must be between the hours of 6:00 a.m. and 11:00 p.m., in accordance with Note 16 to Section 5.1, Table of Use Regulations.
- The issue of trash storage and its regular pickup seems particularly important given that food waste will compose a portion of the business's trash. The application does not indicate whether there is an exterior Dumpster on the property that will be used by the proposed establishment to safely store the business's refuse outside between refuse collections. A site plan should be submitted which identifies the location of the Dumpster (if any) that will be used by this business, and the Council should consider referring the plan to the Municipal Inspections and Police Departments for review and comment, since those two offices are the entities that regulate Dumpsters in accordance with Title 8, Article VII, Section 8-17 of the Woburn Municipal Code (general

regulations for Dumpsters). If the refuse will be stored inside the building between collection days rather than using a Dumpster, the location of the interior refuse area should be shown on the plan(s) referred to in the first bulleted paragraph above.

- Will deliveries be made to the establishment through its front door and if so, where will suppliers' trucks be parked? Does the establishment intend to deliver food off-site as part of its business activities and if so, how will product be loaded into vehicles for delivery? The Council should consider imposing a condition that (a) prevents the delivery activities from blocking the pedestrian walkway that runs along the storefronts and (b) limits the hours of delivery to times of day that are outside of peak parking demand times on site.

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

Respectfully, s/Tina P. Cassidy, Planning Director

Motion made and 2<sup>nd</sup> that the communication be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated he would like to submit the following three documents: a floorplan, site plan showing parking, and a proposed menu. Motion made and 2<sup>nd</sup> that the documents be received and made part of the permanent record, all in favor, 9-0. Attorney Tarby stated the petitioner is requesting special permits under Section 5.1(29), Section 7.3, Section 12, and Section 15, to allow for the alteration of the existing nonconforming use and structure for a fast-food restaurant for the sale of charcuterie boards. Attorney Tarby stated the existing lot is nonconforming because there are 39 parking spots, a shopping center is not allowed, and the front and side setbacks. Attorney Tarby stated that the property is located in the business neighborhood zoning district, and it has been a longtime retail including EZ Way Cleaners. Attorney Tarby stated the lot is 32, 305 sq. ft. with the building being 11,500 sq. ft. Attorney Tarby stated there is a laundromat, drycleaner, a deli and bakery, and a photo/video store. Attorney Tarby stated the parking is detailed on the site plan. Attorney Tarby stated in 2008 when the deli and bakery was approved the 39 parking spots that were provided were sufficient for approval. Attorney Tarby stated in 2012 it was again approved when the fast food beaker became a full service restaurant, Adega. Attorney Tarby stated that the petitioner will be occupying 1,600 sq. ft. that was formerly occupied by the video store. Attorney Tarby stated the business is selling charcuterie boards that will have meat and cheese boards with dipping sauces. Attorney Tarby stated that as shown on the floorplan, this is not your usual fast food restaurant, and the site will be mostly for prep work. Attorney Tarby stated there will be no seat, no tables, and no eating on site. Attorney Tarby stated the hours of operations will be 10:00 a.m. to 7:00 p.m. seven days a week. Attorney Tarby stated they will probably sell three to five boards a day and most of the transactions are done in advance through the online ordering. Attorney Tarby stated they will be delivering five boards a day. Attorney Tarby stated the deliveries to the site will be about five times a week for about five minutes. Attorney Tarby stated that it really is the sale of food, but that the building department stated it was fast food. Attorney Tarby stated that this will cause little traffic. Attorney Tarby stated if the council

decides to move forward, he stated he had two proposed conditions that the hours of operation would be from 10:00 a.m. to 7:00 p.m. and that the special permit would be nontransferable. Councilor Demers stated that due to traffic, he would prefer designated parking spaces for the business. Councilor Demers stated this is a high volume site now and it would be a tough squeeze if there are not dedicated spaces. Attorney Tarby stated the use is less than the use of the photo store. Dennis Sullivan, President of Carden Muffin, stated he is a resident of Ward 6. Mr. Sullivan stated that there is refrigeration on site but there is no walk in. Mr. Sullivan stated they are mostly cutting, peeling, and creating boxes. Mr. Sullivan stated there is no deep frying, but they will have wire racks and one over for heating up bread. Upon inquiry from Councilor DiMambro, Mr. Sullivan stated there was no special request for a dumpster. Councilor Gately stated he was the alderman for the ward, and he knows the site very well. Councilor Gately stated there are four ways in and out of the site. Upon inquiry from Councilor Gately about having people waiting around for the product, Mr. Sullivan stated that is not the model he wants. Upon inquiry from Councilor Gately, Mr. Sullivan stated Graze Craze is a franchise, and there will be two to four employees, with two bathrooms, and the dumpster is located out back and is allocated for this business. Councilor Gately stated that there will be 54 condos behind you and that the dumpster may have to be sectioned off and fenced in. Councilor Gately stated he had no issue with the proposal and that he had to look up what the business actually did. Councilor Gately stated that this storefront has been vacant for a while. Mr. Sullivan stated it has been vacant, but that he has been paying the rent for sometime now. Mr. Sullivan stated that there is mostly façade work that has to be done and that the power supply has been checked. Mr. Sullivan stated the hours of operation are 10:00 a.m. to 7:00 p.m. seven days a week but may be only six days a week. Councilor Mercer-Bruen stated she googled Graze Craze and found one only in Amherst, Massachusetts. Upon inquiry from Councilor Mercer-Bruen about prepared boards, Mr. Sullivan stated that yes, a customer could walk in and purchase. Councilor Mercer-Bruen stated that the dumpsters she strongly suggests there are some kind of special refuse ones as the rats love cheese board meats and cheeses. Upon inquiry from Councilor Mercer-Bruen, Mr. Sullivan stated a refrigerated box truck will be arriving for deliveries. Mr. Sullivan stated he can change, if need be, but that the trucks will really be there four or five times a week. Councilor Dillon stated he uses the dry cleaner and there is plenty of parking there. Upon inquiry from President Concannon, Attorney Tarby stated that in reference to the Planning Department concerns, that he showed the store front, the store is going to be 1,600 sq. ft., there are 39 spaces on site, the floorplan shows a customer service area and storage, the hours of operation are from 10:00 a.m. to 7:00 p.m., trash will have one dumpster on site, the delivery will be with box trucks from U.S. Foods three times a week, and daily with fruit and vegetables which will take about 20 minutes to unload. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the SPECIAL PERMIT BE GRANTED, subject to the following conditions: 1. The hours of operation shall be from 10:00 a.m. to 7:00 p.m.; 2. The dumpster facilities shall have sealed dumpsters; 3. The parking lot shall be kept cleaned and maintained; and 4. The special permit is nontransferable, all in favor, 9-0.

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On the petition by Dan N. Zhu d/b/a Jo Salon, 3 Dunstable Street, Charlestown, Massachusetts 02129, for a special permit pursuant to Section 5.1(33b) of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for muscular therapy, at 440 Main Street a/k/a 442 Main Street. PUBLIC HEARING OPENED: A communication dated September 29, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: PLANNING DEPARTMENT COMMENTS ON SPECIAL PERMIT APPLICATION FOR 440/442 MAIN STREET DAN ZHU D/B/A JO SALON

Dear Council:

The Planning Department has reviewed the above-referenced Special Permit application which requests permission to operate a muscular therapy business in accordance with Section 5.1[33b] of the Woburn Zoning Ordinance (WZO) at the above-referenced location. The property is zoned Downtown Business (B-D) and therefore such use is permitted by City Council Special Permit.

Planning staff offers the following comments and recommendations:

- The Petition indicates the proposed business will be located at “440 Main Street, aka 442 Main Street”. There are two different businesses at these addresses: Niki’s Nails is located at #440 and Zaika Indian Restaurant is located at #442. Will the new business be replacing either Niki’s Nails or the restaurant? If not, and the use will be sharing space with another business instead, will it be located at 440 or 442?
- No plans were submitted with the Petition. A proposed floor plan showing all demising walls, restroom facilities, client waiting areas, and the like should be required. The plan should note and identify the square footage of not only the new use but of any existing uses that will remain on the site, and the number of parking spaces required by the new use should be calculated.

Section 8.3 allows, by right, commercial enterprises to rely on municipal off-street parking lots to meet the parking requirements of the zoning ordinance (e.g. no special permit is needed). Although the application is silent on the issue of parking, it is presumed that the business will rely on the Walnut Hill parking lot (which is within 500’ of the establishment) to provide parking for employees and customers.

- If the Council authorizes the use, all massage therapists employed on the site shall be licensed massage therapists; and
- Any new business signage shall be subject to separate application(s) to the Inspectional Services Department and compliant with Section 13 of the WZO entitled Sign Regulations.

Please feel free to contact me if you have any questions or concerns regarding the foregoing.

Respectfully, s/Tina Cassidy, Planning Director

Motion made and 2<sup>nd</sup> that the communication be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated he would like to submit a floor plan for the meeting at the request of the Planning Board. Motion made and 2<sup>nd</sup> that the floor plan be received and made part of the permanent record, all in favor, 9-0. Attorney Tarby stated the petitioner is seeking relief under Section 5.1(33b) of the Woburn Zoning Ordinance, for a duly licensed muscular therapy business at 440 aka 442 Main Street. Attorney Tarby stated that the assessors have it at 442 Main Street, but it is 440 Main Street. Attorney Tarby stated it is in the Business Downtown zoning district, and in 1979 it was a retail building. Attorney Tarby stated it is a one story building that has 5,260 sq. ft. on the first floor, and there has been a hair and nail salon for the last three months. Attorney Tarby stated they do manicures, pedicures, waxing, and would like to do muscular therapy. Attorney Tarby stated the petitioner filed the license as they have to be licensed. Attorney Tarby stated hours of operation seven days a week from 9:00 a.m. to 7:00 p.m., and there are two other employees that do the manicure and pedicures. Upon inquiry from Councilor Demers, Attorney Tarby confirmed that the only change is the usage of the waxing room for muscular therapy and there will be no renovations. Upon inquiry from Councilor Dillon, the interpreter for the petitioner, Dan Zhu, stated that she is opening the business for the first time but has worked for six years doing this. Upon inquiry from Councilor Gately, Attorney Tarby confirmed there are two parking spaces behind the building that are for the employees. Upon inquiry from Councilor Gately, Attorney Tarby confirmed that the customers will use the Walnut Street lot. Attorney Tarby stated that the customers will enter through the front door to a reception area. The interpreter for Dan Zhu stated that the area is on the right side. The interpreter for Dan Zhu states she understood that she had to be licensed. Upon inquiry from Councilor DiMambro, the interpreter for Dan Zhu stated that the dumpster is in the back of the building. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the SPECIAL PERMIT BE GRANTED, subject to the following condition: 1. The hours of operation shall be seven days a week from 9:00 a.m. to 7:00 p.m., all in favor, 9-0.

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On the petition by Veir Inc, 3 Gill Street Suite D, Woburn, Massachusetts 01801, for a special permit pursuant to Section 5.1(57b) and Section 5.1(66) of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for overnight parking of five (5) commercial vehicles, and to allow for the accessory use for scientific research to install a temporary test bed for the next generation superconducting power cables, at 6 Draper Street. PUBLIC HEARING OPENED: A communication dated October 3, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: SPECIAL PERMIT PETITION FOR TEMPORARY OUTSIDE RESEARCH AND DEVELOPMENT TESTING FACILITY AT 6 DRAPER STREET / VIER INC

Dear Council:

The Planning Department has reviewed the above-referenced Petition which seeks special permits in accordance with Section 5.1(57b) and 66 of the Woburn Zoning Ordinance (WZO). The proposal calls for the construction and use of an outside facility to test superconducting power cables. The requested special permits would permit the accessory outdoor storage/parking of five (5) commercial motor vehicles and authorize accessory outside storage necessary to the operation and conduct of a permitted business or industrial use.

Planning staff consulted with Inspectional Services Director Tom Quinn on this filing and offers the following comments:

1. The proposed use also needs a special permit under Section 5.1(57a), to authorize the parking of one or more storage containers, storage trailers, commercial trailers, or semi-trailers. Specifically, the proposed 35' long flatbed gooseneck trailer (structure labeled "02" on the plan), the generator and associated trailer (labeled "03" on the plan), the 25' mobile trailer (labeled "04" on the plan) and the mobile nitrogen tank (labeled "06" on the plan) require authorization under this line. No such request was included with the submission.
2. The proposed use also needs a special permit under Section 5.1(60), for "accessory outside storage necessary to the operation and conduct of a permitted business or industrial use".
3. Any special permit granted under Section 5.1(57a) may authorize the parking of storage containers, trailers, etc. for a maximum of one (1) year only. Because the proposed use is expected to have a one-year duration, and because any authority granted by a Special Permit typically commences on the date the associated appeal period expires, in this case Planning staff recommends the Council include the following as a condition of any approval: *"The one-year authorization period associated with Section 5.1(57a) of the WZO shall commence sixty (60) days after the appeal period attendant to this Special Permit expires."*
4. The application package indicates a prior tenant of the site (Advance Welding), which had a special permit authorizing outside storage, is no longer a tenant but still has some equipment stored on the property. Any outside storage associated with the now-former tenant should be removed from the site immediately, regardless of whether or not this special permit request is granted.
5. The proposed security fence and gates are 8' high, and this height is allowed by right per Note 6 to Section 5.1(60).
6. The plan scale noted on the plan (1/4" = 1') is incorrect and should be fixed.
7. The Council should consider imposing, as conditions of any approval, the same restrictions on truck activity to/from this site as it has on other special permits previously granted for other properties and uses along Draper Street.

8. The August 11, 2022 cover letter from Attorney Mark Salvati to Council President Concannon states that the demonstration site will be operational during “normal business hours”. Staff recommends those hours be ascertained from the Petitioner and, if found to be acceptable, the hours of authorized operation be explicitly cited in the Special Permit decision for purposes of future clarity and enforcement.
9. It appears at least some of the site work (installation of portions of the security fencing in particular) will take place within 100’ of a stream that runs parallel to the rear property line. The Council should require the Petitioner to amend the plan to show all wetlands and associated buffer zones within two hundred (200) feet of the proposed limits of work. Any site disturbance or work within one hundred (100) feet of a water resource, or any work beyond 100’ that might conceivably affect the water resource, may require review and perhaps approval by the Woburn Conservation Commission.

Please feel free to contact me if you have any questions regarding these comments.

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

A communication dated October 4, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: **CORRECTION TO OCTOBER 3, 2022 PLANNING DEPARTMENT COMMENT LETTER ON SPECIAL PERMIT PETITION FOR TEMPORARY OUTSIDE RESEARCH AND DEVELOPMENT TESTING FACILITY AT 6 DRAPER STREET / VIER INC**

Dear Council:

Please be advised that I conferred this morning with Inspectional Services Director Tom Quinn regarding the above-referenced recommendation. Upon further consideration, Mr. Quinn thinks it would be inadvisable to set an alternative “start” date for the special permit authorization associated with permitting storage containers/trailers in this location.

I respectfully defer to his judgment. Therefore, please disregard all but the first sentence of numbered paragraph 3 in the communication I sent yesterday. As revised, numbered paragraph 3 should read:

- “3. Any special permit granted under Section 5.1(57a) may authorize the parking of storage containers, trailers, etc. for a maximum of one (1) year only.”

Thank you for your attention to this correction.

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

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Attorney Mark J. Salvati, Attorney At Law, 57 Arlington Road, Woburn, Massachusetts 01801, stated he is going to let the petitioner explain it in more detail. Attorney Salvati stated the building is across from Lord Hobo, where a landscaper was located and did not work out. Attorney Salvati stated the petitioner will be there two to three days a week and will cause little traffic. Attorney Salvati stated he had Tim Heidel, Chief Technology Officer from Veir, with him. Mr. Heidel stated he is the head of technology and have a location at 3 Gill Street. Mr. Heidel stated the company has high power transmission lines smaller for smaller easements for the global decarbonization goals. Mr. Heidel stated they are R&D and there is no outdoor testing at the Gill Street site, and they need to test outside as they are outside transmission lines, as the investors want to see outdoors how they work. Mr. Heidel stated onsite there will be three wooden distributions poles, and the lines will be attached to the poles. Mr. Heidel stated there will also be a number of trailers onsite to make it easy for short term demonstrations. Mr. Heidel stated there will also be a generator onsite which will be used only on these occasions for their own interim testing to show investors for a short visit. Mr. Heidel stated investors would always be onsite with staff and employees and staff would be operating. Attorney Salvati stated there will be an eight foot fence, so the project will be totally enclosed and safe. Attorney Salvati stated that the plan was filed with the petition. City Clerk Higgins stated the councilors would have received them at a past meeting. Upon inquiry from Councilor Gately, Mr. Heidel stated there is no trailer parked there now, but had a shipping trailer there now onsite, but it is coming to the headquarters by the end of the week. Mr. Heidel stated the trailer is only for one year. Upon inquiry from Councilor Mercer-Bruen, Mr. Heidel stated the power supply circulates a current through the lines, and the generator runs on diesel which is the primary noise caused from site. Upon inquiry from Councilor Mercer-Bruen asking if it was like Frankenstein's movie, Mr. Heidel stated no. Mr. Heidel stated they do generally have a fire department inspection when they installed the liquid nitrogen infrastructure on 3 Gill Street, and they do not object to having that as a condition here. Attorney Salvati stated he received the planning board recommendation, and the equipment was from the prior tenant of the owner Advanced Welding. Attorney Salvati stated Advance Welding still has outside storage which is by right, the stuff from the tenant is gone and that the planning department misinterpreted his coverletter. Attorney Salvati stated Advanced Welding still has some racks outside, but parking lot in the back was empty. Councilor Mercer-Bruen stated she was concerned with the noise there. Attorney Salvati stated no residents can see it. Attorney Salvati stated he has conditions with the hours of operation from 9:00 a.m. to 6:00 p.m., to give them flexibility. Councilor Mercer-Bruen stated she would like a condition that the fire department would have to review the nitrogen tanks. Upon inquiry from Councilor DiMambro, Mr. Heidel stated that tank is 3,000 gallons. Councilor DiMambro stated that he would like the tanks to be filled between 9:00 a.m. and 5:00 p.m. Upon inquiry from Councilor Viola, Mr. Heidel stated there is no emf given off at this demonstration. Councilor Campbell stated she does not know about nitrogen tanks but that these seem quite large. Upon inquiry form Councilor Campbell, Mr. Heidel stated it is relatively a small size, and at their 3 Gill Street location they have one is 9,000 gallon tank and two are 1,500 tanks and there is no requirement for fencing, but they are putting up a temporary eight foot fence around the whole site. Mr. Heidel stated the generator will be

used only when onsite, they will be onsite four to six hours maximum and some days they will be they will be there from 9:00 a.m. to 6:00 p.m. Upon inquiry from Councilor Campbell, Mr. Heidel stated the generator is a standard construction generator. Councilor Mercer-Bruen stated she would like Attorney take them from the first two conditions from the planning board. Attorney Salvati stated the updated memorandum that the building commissioner weighed in on stated that the suggestion number three was not needed. Attorney Salvati stated he filed under Section 5.1(57a) and went over that with building department. Attorney Salvati stated the fence is on the plan and is required by right. Attorney Salvati stated that the building commissioner was alright with the plan. Motion made and 2<sup>nd</sup> to accept the draft conditions as a working draft, all in favor, 9-0. Attorney Salvati read the proposed conditions into the record as follows: 1. The special permit shall be good for 1 year only; 2. The petitioner shall be allowed to park 5 commercial vehicles overnight; 3. The special permit authorized the parking of the storage containers and trailers as shown on the plan of record for a maximum of 1 year; 4. The hours of operation shall be Monday through Friday, 8 to 6; 5. The building permit shall require review of the plan by the Conservation Commission; and 6. Any trucking to or from the site shall have the same restrictions regarding travel on Draper Street as other special permits issued to this or similar sites on Draper Street. Councilor Mercer-Bruen stated she would like to add a condition Number 7 that the nitrogen tanks must be approved by the Woburn Fire Department. Attorney Salvati stated that condition would be fine. City Clerk Higgins stated that the planning director letter indicates the petition must be amended to allow for relieve under Section 5.1(60). Attorney Salvati stated that he would rectify this by having the condition in the proposed conditions, in condition three. City Clerk stated the petition should be amended so that the decision that goes to the registry of deeds has a special permit request includes Section 5.1(60). Motion made and 2<sup>nd</sup> to approve amending the special permit request to include a special permit under Section 5.1(60), for “accessory outside storage necessary to the operation and conduct of a permitted business or industrial use”, all in favor, 9-0. Councilor DiMambro stated he would also like to add a condition Number 8 that the refilling of the nitrogen tanks shall be done between normal business hours of 9:00 a.m. and 5:00 p.m. Attorney Salvati agreed. President Concannon stated those were the working conditions as of now.

Councilor Campbell stated she would like to see something about hours of operation. Mr. Heidel stated that their expectations are they will use the site two to three times per week, and there may be peak periods where they are there five days a week. Attorney Mark Salvati stated the generators are not that loud anymore, and as loud as a lawnmower. Councilor Campbell stated maybe it is not needed. Councilor Bruen made a motion that was 2<sup>nd</sup> to amend proposed condition Number 2 to add “that all vehicles must be registered in the City of Woburn.”, all in favor, 9-0. Councilor Mercer-Bruen stated there is no sizes of the vehicles. Mr. Heidel stated that the trailer is a thirty foot flatbed trailer. Attorney Salvati stated that is unnecessary now as they are permanent and can remove condition number 2. Councilor Mercer-Bruen stated we can remove the condition, but the permit application says it can park 5 vehicles. City Clerk Higgins asked if Attorney Salvati wanted to withdraw subsection 66. Attorney Salvati stated he would like to withdraw petition related to Section 5.1(66) because it should be Section 5.1(60) and not Section 5.1(66), as it was decided these equipment were not vehicles, rather accessory outside storage. Motion made and 2<sup>nd</sup> to amend the petition to withdraw the requests for a special permit under Section 5.1(66), all in

favor, 9-0. Upon inquiry from Councilor Campbell, Mr. Heidel stated that there is a 3,000 gallon tank, office trailer, flatbed trailer, generator, and portable toilet. Attorney Salvati stated all these would fall under subsection 60. Motion made and 2<sup>nd</sup> to strike proposed condition Number 2, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Councilor Mercer-Bruen stated she would like to add a condition stating, “in the even the generator causes noise disturbances in the neighborhood and get complaints, the special permit committee will conduct a special permit review for reconsideration.” Upon inquiry from Councilor Gately, Councilor Mercer-Bruen stated she understands that this may be redundant, but still would like it as a condition. Motion made and 2<sup>nd</sup> to add another condition “in the event the generator causes noise disturbances in the neighborhood and get complaints, the special permit committee will conduct a special permit review for reconsideration.”, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the SPECIAL PERMIT BE GRANTED, subject to the following conditions: 1. The special permit shall be good for 1 year only; 2. The special permit authorizes the parking of the storage containers and trailers as shown on the plan of record for a maximum of 1 year; 3. The hours of operation shall be Monday through Friday, 8 to 6; 4. The building permit shall require review of the plan by the Conservation Commission; 5. Any trucking to or from the site shall have the same restrictions regarding travel on Draper Street as other special permits issued to this or similar sites on Draper Street; 6. The nitrogen tanks shall be approved by the Woburn Fire Department; 7. The refilling of the nitrogen tanks shall be done between the hours of 9:00 a.m. and 5:00 p.m.; and 8. In the event the generator causes noise disturbances in the neighborhood and get complaints, the special permit committee will conduct a special permit review for reconsideration.”, all in favor, 9-0.

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Motion made and 2<sup>nd</sup> to take the next two matters collectively, all in favor, 9-0.

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On the petition by CCF New Boston Property Company LLC, 185 Dartmouth Street, Suite 402, Boston, Massachusetts 02116, for Special Permits pursuant to Section 5.1(30b); Section 5.1(41a); Section 5.1(53), Section 8.3.1, and Site Plan Review pursuant to Section 12.2.4 to allow for a two (2) story building containing approximately 133,738 sf of net floor area with the following uses: Office (approximately 39,229 sf); Manufacturing (approximately 33,514 sf); and Lab Use (approximately 58,845 sf) with accessory high hazard use and the parking of ninety-two (92) vehicles on an adjacent lot located at 225 Merrimac Street, at 216 New Boston Street. PUBLIC HEARING OPENED: A communication dated September 29, 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 Petitions, CCF New Boston Property Company LLC, 216 New Boston Street/225 Merrimac Street, Woburn Massachusetts

Dear Ms. Higgins:

I respectfully request that the public hearings on both the above matters scheduled for October 4, 2022 be continued to the City Council meeting scheduled for October 18, 2022. As we informed the Special Permits Committee on September 26, 2022, Allen & Major Associates and Vanasse & Associates have responded to peer reviews. However, no response has been received from the peer reviews. If you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated he would like to modify his request to continue the public hearing until November 1, 2022. Attorney Tarby stated the Planning Board meeting is next Tuesday and for the petitioner to go to the Special Permits Committee between now and next does not make sense, especially since the peer review is ongoing and they would not be ready for next week committee meeting. Attorney Tarby stated it makes more sense to continue to November 1, 2022. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON November 1, 2022, all in favor, 9-0.

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On the petition by CCF New Boston Property Company LLC, 185 Dartmouth Street, Suite 402, Boston, Massachusetts 02116, for Special Permits pursuant to Section 5.1(30b); Section 5.1(41a), and Site Plan Review pursuant to Section 12.2.4 to allow for a four (4) story building containing approximately 174,812 sf of net floor area with the following uses: office (approximately 67,056 sf) and Lab Use (approximately 100,584 sf), as well as the Petitioner is proposing to construct a parking garage to accommodate approximately 451 parking spaces, at 225 Merrimac Street. PUBLIC HEARING OPENED: A communication dated September 29, 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 Petitions, CCF New Boston Property Company LLC, 216 New Boston Street/225 Merrimac Street, Woburn Massachusetts

Dear Ms. Higgins:

I respectfully request that the public hearings on both the above matters scheduled for October 4, 2022 be continued to the City Council meeting scheduled for October 18, 2022. As we informed the Special Permits Committee on September 26, 2022, Allen & Major Associates and Vanasse & Associates have responded to peer reviews. However, no response has been received from the peer reviews. If you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated he would like to modify his request to continue the public hearing until November 1, 2022. Attorney Tarby stated the Planning Board meeting is next Tuesday and for the petitioner to go to the Special Permits Committee between now and next does not make sense, especially since the peer review is ongoing and they would not be ready for next week committee meeting. Attorney Tarby stated it makes more sense to continue to November 1, 2022. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON November 1, 2022, all in favor, 9-0.

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On the petition by U-Haul Co. of Massachusetts and Ohio, Inc., 31 Olympia Avenue, Woburn, Massachusetts 01801, for special permit pursuant to Section 7.3 and site plan review under Section 12 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for: 1. a modification of Special Permits dated September 1, 2011 and July 9, 2015; 2. the alteration of the existing nonconforming use and structure under Section 7.3 to allow for a one story addition containing approximately 19,831 gross square feet of gross floor area for the storage of U-Boxes, an increase of U-Boxes from 816 to 1200, and an increase in self-storage units from 802 to 1202; 3. Site Plan Review under Section 12 since there is an increase of gross floor area in excess of 5,000 square feet (19,831 square feet); and 4. the construction of the addition within the Flood Plain District under Section 9, at 31 Olympia Avenue. PUBLIC HEARING OPENED: A communication dated September 29, 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/Modification of Special Permit Decision of U-Haul Co. of Massachusetts and Ohio, Inc., 31 Olympia Avenue, Woburn, MA

Dear Ms. Higgins:

I respectfully request that the public hearing on the above matter scheduled for October 4, 2022 be continued to the City Council meeting scheduled for October 18, 2022. My client is continuing to work with the Woburn Fire Department to address all of its questions. If you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2<sup>nd</sup> that the communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin

and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated he would like to modify his request to continue to November 1, 2022 as well. Attorney Tarby stated the petitioner is modifying the plan from the comments of the fire department, and they will not be ready for committee meetings next week. Motion made and 2<sup>nd</sup> that the communications be received and made part of the permanent record, all in favor, 9-0. Upon inquiry from Councilor Mercer-Bruen, Attorney Tarby stated the plan was not changing drastically, and they are reducing the height of the stacks. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON November 1, 2022, all in favor, 9-0.

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On the petition by TDC Development Group, LLC, 125 High Street, Boston, Massachusetts 02110, to amend the 1985 City of Woburn Zoning Ordinance, as amended, to add new Section 32 Life Sciences and Business Overlay District (LBOD) located at Woburn Assessors' Map 29, Block 01, Lot 2; Map 29, Block 01, Lot 3; Map 29, Block 01, Lot 4; and Map 29, Block 01, Lot 5; and to amend the zoning map for the four parcels of land known as Middlesex Canal Park (29-01-02), Middlesex Canal Park (29-01-03), 25 Middlesex Canal Park (29-01-04), 15 Middlesex Canal Park (29-01-05), together containing approximately 32.96 acres of land as shown on a plan entitled "Zoning Amendment Plan" dated July 6, 2022 from the B-I zoning district to Life Sciences and Business Overlay District (LBOD) proposed zoning district. PUBLIC HEARING OPENED: A communication dated September 29, 2022, was received from Ellen Callahan Doucette, City Solicitor, as follows:

Re: Review of Proposed Order – Life Sciences and Business Overlay District ("LBOD")

The City Council requested that I review the proposed Order to create the Life Sciences and Business Overlay District (the "LBOD") currently pending before both the Council, and the Planning Board as required by c.40A, §5. Prior to preparing this memorandum, I also spoke with the Planning Director, Tina Cassidy, to get a sense of the Planning Board's concerns, if any.

As a preliminary matter, now that the Council has enacted Section 32 – Adult-Use Marijuana, this proposed ordinance, if enacted, must be renumbered as Section 33. For purposes of this memorandum however, I will continue to refer to Section 32.

1. Section 32.2 Definitions

- The definitions set forth in Section 32.2 are only applicable to Section 32. However, I share the Planning Director's concern that a number of these definitions are similar to those in Section 2. For instance, a couple of the terms; laboratory, research and development are similar to the existing definition in Section 2 of research and testing laboratory. These uses/definitions are not unique to the LBOD but may be located in other zoning districts.
- Though not fatal to the enactment of Section 32, the better practice would have been to amend Section 2 for the definition of uses that are common throughout the Woburn

Zoning Ordinance (“WZO”). I note however, that amending Section 2 Definitions, would delay progress on the review of the proposed LBOD.

- There is a typographical error in the first sentence of the definition of “Advanced/Light Manufacturing”, “inoffensive motive power” should be “motor power”.
  - Section 32.2 defines “Group H-2 and Group H-3 Uses” by reference to the current International Building Code. I have always held the opinion that the better practice is to state the definition rather than reference materials that are not themselves part of the [in this case] WZO. If the current Building Code definitions are to be used, then why not set them forth in the definition so that the Council knows what the actual uses are?
  - The last sentence of the “definition” of the Group H-2 and Group H-3 Uses is not a definition, but a regulation of the use, and should be relocated to 32.6.2.10.
  - Section 5.1, Table of Uses, should be amended to reflect any new uses that may be added to the WZO by the Order if it is passed.
2. Section 32.3 Establishment and Applicability
- When creating an overlay district, it is imperative that language be included also amending the Woburn Zoning Map. This ordinance does that at Section 32.3.1. I call out this language for the Council’s edification in order to highlight the importance of ensuring that the zoning map is also amended. Just this week I read a Land Court decision that annulled a special permit because the zoning map had not been amended to include the lot that was the subject of the special permit in the overlay district.<sup>1</sup>
  - Section 32.3.2 is a regulation which should be relocated and numbered as Section 32.7.5.
3. Section 32.4 Authority of Permit Granting Authority
- I’m not sure where to start with this provision. To the second sentence, if the Council is authorized to “vary” the dimensional or parking requirements of 32.7 and 32.8, or to allow an accessory use “not otherwise permitted by Section 32.6.2.10”, then standards for the exercise of that authority should be established and set out in Section 32. That “the Council may believe varying those provisions would result in “an improved project” is subjective and vague. Further, allowing an accessory use not otherwise permitted sounds like a “use variance” which is not allowed by the WZO, and any such variance from Sections 32.7, 32.8 or 32.6.2.10 could well result in a project that is quite different than the project initially advertised and noticed. So too could a Council decision to “vary” the maximum height limit or other dimensional requirements listed in Section 32.
4. Section 32.5 Exclusivity/Control
- The exclusivity provision included in the third sentence states that Section 32 controls over all other provisions of the WZO with the exception of Section 9 – Floodway and Flood Plain Districts. This is inconsistent with Section 32.11 which makes Section

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<sup>1</sup> The abutters called out the defect on appeal as apparently, neither the planning board nor anyone else in the town were aware of this oversight.

18, Mitigation applicable to the LBOD as well as Section 8, Off Street Parking and Loading (see Section 32.8.1), Section 26 which must apply to Solar projects under Section 32.6.1, and Section 2 to the extent it is needed to define uses not specifically included in Section 32.

5. Section 32.6 Uses
  - Following up my comments about Section 32.4 above, rather than attempting to identify all accessory uses that might exist in a potential LBOD development and then allowing the Council to grant one not included in the list, consider revising Section 32.6.2 to read in part, “other accessory uses are allowed provided they meet the definition of accessory use, which is a use incidental and subordinate to the principal uses identified in Sections 32.6.1 and 32.6.2, and located on the same lot.
  - Further to the above, what type of accessory uses does the proponent of this zoning amendment consider to be “incidental and subordinate” to advanced manufacturing, research and development or life sciences?
  - How do full-service or fast food restaurants, which are usually principal uses of property, meet the definition of an accessory use? Are they limited in floor area or hours of operation? Are members of the public “invitees”?
6. Section 32.12 Permitting Requirements
  - 32.12.3 is nonsensical. An application for a waiver? No other section allows for the filing of a waiver. What appeal is being referred to?
7. Section 32.13 Application Requirements
  - In addition to the filing fee of \$1,500.00, the applicant should also be required to pay the cost for advertising the requisite public notice.
8. Section 32.15 Procedures for Approval
  - The last sentence of 32.15.3 provides that the “[failure to provide comments shall be deemed lack of an objection]”. Under no circumstance should a City department/board/commission be foreclosed from commenting on a project especially, if after that project undergoes changes once filed with the Council.

Thank you for your attention to the above. Please contact me if you have any questions or wish to discuss this matter further.

Sincerely, s/Ellen Callahan Doucette

Further, a communication dated September 29, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: PETITIONS TO ADOPT ZONING TEXT AND MAP AMENDMENTS TO CREATE A LIFE SCIENCES AND BUSINESS OVERLAY DISTRICT (LBOD) / TD DEVELOPMENT GROUP

Dear Ms. Higgins:

At a meeting on September 27, 2022, members of the Planning Board concluded the Board's public hearing on the above-referenced Petitions. The Board's public hearing commenced on August 23, 2022 and continued on September 13<sup>th</sup> and September 27<sup>th</sup>.

Following the hearing and considering the Petition and testimony during the public hearing, members of the Board voted 5-1-1 (Donovan, Doherty, Edmonds, Callahan, and Turner in favor, Bolgen against and Ventresca absent) to recommend the Council NOT ADOPT the proposed zoning text and map amendments. Members voting in favor of this motion shared the opinion that, despite the potential positives that could arise from a life sciences-focused development, the development's proximity to an established neighborhood of residential homes remains an unresolved concern.

Should the Council decide to act favorably on the Petition, the Board does recommend the Council consider revising the proposed text as shown on the attachment. It should also note that if the proposal is adopted it should be adopted as Section 33, not Section 32 because the recently-enacted ordinance on adult-use marijuana was adopted as Section 32.

Please feel free to contact me if you have any questions relative to the Board's deliberations.

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

Further, a communication dated September 29, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

RE: Zoning Amendment Petition and Zoning Map Petition of TDC Development Group LLC

Dear Ms. Higgins:

I respectfully request that the public hearing on the above matters scheduled for October 4, 2022 be continued to the City Council meeting scheduled for October 18, 2022. If you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated he would like to do the same for this petition and continue the matter to November 1, 2022. Attorney Tarby stated that he did receive some comments from the planning director and discussed with her that he would take a look at the language and tweak it and clean it up. Attorney Tarby stated that the building commissioner would not be available until October 17<sup>th</sup>. Attorney Tarby stated the petitioner just received the memorandum from the city solicitor

and would like to respond to that as well. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON November 1, 2022, all in favor, 9-0.

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**COMMITTEE REPORTS:**

**FINANCE:**

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

ORDERED That the sum of \$19,550.00 be and is hereby transferred as so stated

From:	Traffic Safety and Infrastructure	\$19,550.00
To:	Washington Street Drainage Improvements Acct# 360058-588235	\$10,700.00
	UHall Olympia Ave Acct# 360058-588206	<u>\$8,850.00</u>
	Total	\$19,550.00

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

s/President Michael P. Concannon

Councilor Mercer-Bruen stated she wanted to make sure the communication from Jay Duran the City Engineer from the committee meeting was included in the record. City Clerk Higgins stated the document was with the file but was unsure if it was accepted at the committee meeting. Motion made and 2<sup>nd</sup> to accept the communication, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: October 6, 2022**                      **s/Scott D. Galvin October 6, 2022**

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**PUBLIC SAFETY AND LICENSE:**

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

Musto Jewelers for renewal of Secondhand Dealers and Secondhand Collectors License at 186 Cambridge Road, #9. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: October 6, 2022**

**s/Scott D. Galvin October 6, 2022**

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**CITIZEN'S PARTICIPATION: None.**

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**COMMUNICATIONS AND REPORTS**

A communication dated September 13, 2022, 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 2022 to August 2022: Number of Violations Issued 377, Numbers of Violations Paid 192, Number of Violations Outstanding 148, Amount collected and submitted to Collectors Office \$30,982.60, Parking fines referred to the Handicap Commission \$7,900.00.

There is a backlog of 1572 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

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

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A communication dated September 21, 2022, was received from the Woburn License Commission as follows:

Woburn City Council

Dear President Concannon and Members:

At its meeting on Thursday, September 15, 2022, the Woburn License Commission voted unanimously to support the extension of Chapter 86 of the Acts of 2020, specifically a Home Rule Petition allowing the License Commission to grant as many as seven all alcohol licenses and four beer and wine licenses under MGL Ch. 138 Section 12 at the so-called Woburn Village property on Mishawum Road.

The License Commission acknowledges the complications from Covid-19 and requests the City Council, Mayor and state Legislature endeavor to extend the Home Rule Petition for

three subsequent years until May 29, 2026, to allow any prospective licensees ample time to be considered for approval.

Members of the License Commission are available for any further discussion or input about the presumptive extension of the Home Rule Petition at any upcoming City Council or Committee meetings.

Should any member of the City Council request any further information, please contact Gordon Vincent, Clerk of the License Commission, at 781-897-5853 or [gvincent@cityofwoburn.com](mailto:gvincent@cityofwoburn.com).

Regards,

**WOBURN LICENSE COMMISSION**

Thomas M. Skeffington, Chairman  
David I. Gilgun, Commissioner  
William Pappalardo, Commissioner

Motion made and 2<sup>nd</sup> that the communication be received and made part of the permanent record, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON LIAISON, all in favor, 9-0.

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**APPOINTMENTS AND ELECTIONS: None.**

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**MOTIONS, ORDERS AND RESOLUTIONS:**

ORDERED That in accordance with Massachusetts General Laws Chapter 54, as amended, the City Clerk is hereby authorized and directed to notify and to warn such of the inhabitants of the City of Woburn as are qualified to vote in the State Election to assemble at the polling places in the City of Woburn as designated herein, on TUESDAY, the EIGHTH DAY OF NOVEMBER, 2022 from 7:00 a.m. to 8:00 p.m., then and there to cast their votes in the State Election for the candidates for the following offices at the following polling places:

- GOVERNOR AND LIEUTENANT GOVERNOR ..... FOR THIS COMMONWEALTH
  - ATTORNEY GENERAL ..... FOR THIS COMMONWEALTH
  - SECRETARY OF STATE..... FOR THIS COMMONWEALTH
  - TREASURER ..... FOR THIS COMMONWEALTH
  - AUDITOR ..... FOR THIS COMMONWEALTH
  - REPRESENTATIVE IN CONGRESS ..... FIFTH DISTRICT
  - COUNCILLOR ..... THIRD DISTRICT
  - SENATOR IN GENERAL COURT ..... 4<sup>TH</sup> MIDDLESEX DISTRICT
  - REPRESENTATIVE IN GENERAL COURT ..... 15<sup>TH</sup> MIDDLESEX DISTRICT
- (Ward 1, Precincts 1, 2; Ward 7)

REPRESENTATIVE IN GENERAL COURT..... 30<sup>TH</sup> MIDDLESEX DISTRICT  
(Ward 1, Precinct 2A, Wards 2, 3, 4, 5, 6)  
DISTRICT ATTORNEY ..... NORTHERN DISTRICT  
SHERIFF ..... MIDDLESEX COUNTY

**QUESTION 1: PROPOSED AMENDMENT TO THE CONSTITUTION**

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 – nays 48); and again on June 9, 2021 (yeas 159 – nays 41)?

**SUMMARY**

This proposed constitutional amendment would establish an additional 4% state income tax on that portion of annual taxable income in excess of \$1 million. This income level would be adjusted annually, by the same method used for federal income-tax brackets, to reflect increases in the cost of living. Revenues from this tax would be used, subject to appropriation by the state Legislature, for public education, public colleges and universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

**A YES VOTE** would amend the state Constitution to impose an additional 4% tax on that portion of incomes over one million dollars to be used, subject to appropriation by the state Legislature, on education and transportation.

**A NO VOTE** would make no change in the state Constitution relative to income tax.

**QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

**SUMMARY**

This proposed law would direct the Commissioner of the Massachusetts Division of Insurance to approve or disapprove the rates of dental benefit plans and would require that a dental insurance carrier meet an annual aggregate medical loss ratio for its covered dental benefit plans of 83 percent. The medical loss ratio would measure the amount of premium dollars a dental insurance carrier spends on its members’ dental expenses and quality improvements, as opposed to administrative expenses. If a carrier’s annual aggregate medical loss ratio is less than 83 percent, the carrier would be required to refund the excess premiums to its covered individuals and groups. The proposed law would allow the Commissioner to waive or adjust the refunds only if it is determined that issuing refunds would result in financial impairment for the carrier.

The proposed law would apply to dental benefit plans regardless of whether they are issued directly by a carrier, through the connector, or through an intermediary. The proposed law would not apply to dental benefit plans issued, delivered, or renewed to a self-insured group or where the carrier is acting as a third-party administrator.

The proposed law would require the carriers offering dental benefit plans to submit information about their current and projected medical loss ratio, administrative expenses, and other financial information to the Commissioner. Each carrier would be required to submit an annual comprehensive financial statement to the Division of Insurance, itemized by market group size and line of business. A carrier that also provides administrative services to one or more self-insured groups would also be required to file an appendix to their annual financial statement with information about its self-insured business. The proposed law would impose a late penalty on a carrier that does not file its annual report on or before April 1.

The Division would be required to make the submitted data public, to issue an annual summary to certain legislative committees, and to exchange the data with the Health Policy Commission. The Commissioner would be required to adopt standards requiring the registration of persons or entities not otherwise licensed or

registered by the Commissioner and criteria for the standardized reporting and uniform allocation methodologies among carriers.

The proposed law would allow the Commissioner to approve dental benefit policies for the purpose of being offered to individuals or groups. The Commissioner would be required to adopt regulations to determine eligibility criteria.

The proposed law would require carriers to file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year on or before July 1 of the preceding year. The Commissioner would be required to disapprove any proposed changes to base rates that are excessive, inadequate, or unreasonable in relation to the benefits charged. The Commissioner would also be required to disapprove any change to group rating factors that is discriminatory or not actuarially sound.

The proposed law sets forth criteria that, if met, would require the Commissioner to presumptively disapprove a carrier's rate, including if the aggregate medical loss ratio for all dental benefit plans offered by a carrier is less than 83 percent.

The proposed law would establish procedures to be followed if a proposed rate is presumptively disapproved or if the Commissioner disapproves a rate.

The proposed law would require the Division to hold a hearing if a carrier reports a risk-based capital ratio on a combined entity basis that exceeds 700 percent in its annual report.

The proposed law would require the Commissioner to promulgate regulations consistent with its provisions by October 1, 2023. The proposed law would apply to all dental benefit plans issued, made effective, delivered, or renewed on or after January 1, 2024.

**A YES VOTE** would regulate dental insurance rates, including by requiring companies to spend at least 83% of premiums on member dental expenses and quality improvements instead of administrative expenses, and by making other changes to dental insurance regulations.

**A NO VOTE** would make no change in the law relative to the regulations that apply to dental insurance companies.

### **QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

#### **SUMMARY**

This proposed law would increase the statewide limits on the combined number of licenses for the sale of alcoholic beverages for off-premises consumption (including licenses for "all alcoholic beverages" and for "wines and malt beverages") that any one retailer could own or control: from 9 to 12 licenses in 2023; to 15 licenses in 2027; and to 18 licenses in 2031.

Beginning in 2023, the proposed law would set a maximum number of "all alcoholic beverages" licenses that any one retailer could own or control at 7 licenses unless a retailer currently holds more than 7 such licenses.

The proposed law would require retailers to conduct the sale of alcoholic beverages for off-premises consumption through face-to-face transactions and would prohibit automated or self-checkout sales of alcoholic beverages by such retailers.

The proposed law would alter the calculation of the fine that the Alcoholic Beverages Control Commission may accept in lieu of suspending any license issued under the State Liquor Control Act. The proposed law would modify the formula for calculating such fee from being based on the gross profits on the sale of alcoholic beverages to being based on the gross profits on all retail sales.

The proposed law would also add out-of-state motor vehicle licenses to the list of the forms of identification that any holder of a license issued under the State Liquor Control Act, or their agent or employee, may choose to reasonably rely on for proof of a person's identity and age.

**A YES VOTE** would increase the number of licenses a retailer could have for the sale of alcoholic beverages to be consumed off premises, limit the number of "all-alcoholic beverages" licenses that a retailer could acquire, restrict use of self-checkout, and require retailers to accept customers' out-of-state identification.

**A NO VOTE** would make no change in the laws governing the retail sale of alcoholic beverages.

#### **QUESTION 4: REFERENDUM ON AN EXISTING LAW**

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on May 26, 2022?

##### **SUMMARY**

This law allows Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a standard driver's license or learner's permit if they meet all the other qualifications for a standard license or learner's permit, including a road test and insurance, and provide proof of their identity, date of birth, and residency. The law provides that, when processing an application for such a license or learner's permit or motor vehicle registration, the registrar of motor vehicles may not ask about or create a record of the citizenship or immigration status of the applicant, except as otherwise required by law. This law does not allow people who cannot provide proof of lawful presence in the United States to obtain a REAL ID.

To prove identity and date of birth, the law requires an applicant to present at least two documents, one from each of the following categories: (1) a valid unexpired foreign passport or a valid unexpired Consular Identification document; and (2) a valid unexpired driver's license from any United States state or territory, an original or certified copy of a birth certificate, a valid unexpired foreign national identification card, a valid unexpired foreign driver's license, or a marriage certificate or divorce decree issued by any state or territory of the United States. One of the documents presented by an applicant must include a photograph and one must include a date of birth. Any documents not in English must be accompanied by a certified translation. The registrar may review any documents issued by another country to determine whether they may be used as proof of identity or date of birth.

The law requires that applicants for a driver's license or learner's permit shall attest, under the pains and penalties of perjury, that their license has not been suspended or revoked in any other state, country, or jurisdiction.

The law specifies that information provided by or relating to any applicant or license-holder will not be a public record and shall not be disclosed, except as required by federal law or as authorized by Attorney General regulations, and except for purposes of motor vehicle insurance.

The law directs the registrar of motor vehicles to make regulations regarding the documents required of United States citizens and others who provide proof of lawful presence with their license application.

The law also requires the registrar and the Secretary of the Commonwealth to establish procedures and regulations to ensure that an applicant for a standard driver's license or learner's permit who does not provide proof of lawful presence will not be automatically registered to vote.

The law takes effect on July 1, 2023.

**A YES VOTE** would keep in place the law, which would allow Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a driver's license or permit if they meet the other requirements for doing so.

A **NO VOTE** would repeal this law.

<u>Ward-Precinct</u>	<u>Polling Place Location</u>
1-1	Joyce Middle School, 55 Locust Street
1-2	Joyce Middle School, 55 Locust Street
1-2A	Joyce Middle School, 55 Locust Street
2-1	Shamrock Elementary, 60 Green Street
2-2	Shamrock Elementary, 60 Green Street
3-1	Hurld-Wyman Elementary School, 39 Wyman Street
3-2	Hurld-Wyman Elementary School, 39 Wyman Street
4-1	old Wyman Elementary School, Main Street and Eaton Avenue
4-2	White Elementary School, 36 Bow Street
5-1	Goodyear Elementary School, 41 Central Street
5-2	Goodyear Elementary School, 41 Central Street
6-1	Altavesta Elementary School, 980 1/2 Main Street
6-2	Altavesta Elementary School, 980 1/2 Main Street
7-1	Reeves Elementary School, 240 Lexington Street
7-2	Reeves Elementary School, 240 Lexington Street

s/President Michael P. Concannon

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

**Presented to the Mayor: October 6, 2022**

**s/Scott D. Galvin October 6, 2022**

Motion made and 2<sup>nd</sup> to suspend the rules and allow for the following late filing to be added to the Order of the Day, all in favor, 9-0.

**ORDERED** Be it ordained by the City Council of the City of Woburn that a petition be filed with the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court. The Mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

**AN ACT TO EXTEND THE TIME FOR THE ISSUANCE OF ALCOHOLIC BEVERAGE LICENSES IN THE CITY OF WOBURN**

**SECTION 1.** Subsection (f) of section 1 of chapter 86 of the acts of 2020 is hereby amended by striking out the words “within 3 years after the effective date of this act” and inserting in place thereof the following words: “on or before May 29, 2026”.

SECTION 2. This act shall be effective upon its passage.

s/President Michael P. Concannon

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

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

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Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 9-0. Meeting adjourned at 9:09 p.m.

A TRUE RECORD ATTEST:

Lindsay E. Higgins  
City Clerk and Clerk of the City Council