

**CITY OF WOBURN  
JULY 14, 2015 – 6:30 P.M.  
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gaffney
Concannon	Gately
DiTucci	Mercer-Bruen
Drapeau	Raymond
Haggerty	

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

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**MAYOR'S COMMUNICATIONS:** None.

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**PUBLIC HEARINGS:**

On the petition by Oclen Realty LLC, an individual owning land to be affected by change or adoption, and Seaver Properties LLC to amend the Zoning Map of the City of Woburn by changing the zoning district for the property located at 98 and 100 Baldwin Avenue, Dexter Avenue and Warren Avenue; referenced on the Assessors Maps at Map 09, Block 13, Lot 01; Map 09, Block 12, Lot 02; Map 09, Block 12, Lot 01; Map 09, Block 11, Lot 02 and Map 09, Block 11, Lot 01; and further described as the entire parcel of land known as 98 and 100 Baldwin Avenue, to the centerlines of Chester Avenue, Dexter Avenue and Monks Street containing approximately 253,214 square feet of land as shown on a plan by Keenan Survey entitled "Proposed Rezoning Plan in Woburn, Massachusetts" dated October 17, 2014 from R-2/OP zoning district to R-3 zoning district. PUBLIC HEARING OPENED. A communication dated July 1, 2015 was received from Attorney Joseph R. Tarby III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Petition to Amend Zoning Map/Oclen Realty LLC/Seaver Properties LLC/Baldwin Avenue/Dexter Avenue/Warren Avenue, Woburn, MA

Dear Mr. Campbell:

Due to the fact that the Zoning Ordinance Review Committee has not yet made a recommendation on the proposed Zoning Amendment, I respectfully request that the City Council public hearing on this matter presently scheduled for July 14, 2015 be continued to the City Council meeting on August 11, 2015. If you need any further information, please contact me. Thank you.

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

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On the petition by Comcast of Massachusetts I, Inc. for a grant of right in a way to install two four-inch conduits starting at pole no. 161/65 on New Boston Street a distance of approximately 441 feet and continuing on Presidential Way a distance of approximately 4,431 feet ending at the entrance to number 300 Presidential Way. PUBLIC HEARING OPENED.

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On the petition by Superior Contracting Services LLC, 201 Prospect Avenue, Revere, Massachusetts 02150 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.57b to allow for overnight parking of petitioner's commercial vehicles at 31 Draper Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "ought to pass, as amended, with the conditions as follows:

1. The Petitioner shall post a sign on the interior of the door next to the loading dock stating "NOT AN EXIT";
2. The Petitioner shall park the two (2) box trucks at the loading docks shown on the Plan at Bay 3. The van shall park in the parking lot;
3. All Dumpsters shall be enclosed within the building and emptied between the hours of 7:00 a.m. and 5:00 p.m.;
4. Signage on the building shall not be internally illuminated;
5. All lighting on the premises shall be reflected downward to avoid any impact on surrounding properties;
6. There shall be no outside storage of materials allowed on the premises other than the single exterior storage container authorized by this Special Permit;
7. The hours of operation shall be limited to 6:00 a.m. to 8:00 p.m., Monday through Friday; Saturdays from 7:00 a.m. to 4:00 p.m.; and Sundays from noon to 4:00 p.m.;
8. Loading activities shall be limited to 7:00 a.m. to 7:00 p.m., Monday to Friday; 8:00 a.m. to 1:00 p.m. on Saturdays and not at all on Sunday;
9. No deliveries shall be allowed on the site prior to 7:30 a.m. or after 5:00 p.m., Monday to Friday and there shall be no deliveries on Saturday or Sunday;
10. The Petitioner shall post signs within its customer pickup area and loading area requesting both its customers and delivery companies to obey the rules of the road while traveling on City of Woburn streets and to use caution while traveling on Nashua Street to and from Draper Street;
11. The Petitioner's commercial vehicles shall not use the section of Nashua Street between Draper Street and Holton Street when traveling to and from the site;
12. The Petitioner shall instruct its employees not to use the section of Nashua Street between Draper Street and Holton Street when traveling to and from the site; and
13. All snow shall be stored as shown on the Plan entitled "Sketch Plan Showing Snow Storage Area" dated May 1, 2015 prepared by Hayes Engineering.

14. That all of the Petitioner's commercial vehicles shall be registered in the City of Woburn.
15. That this Special Permit shall be non-transferrable."

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On the petition by Woburn Foreign Motors, 394R Washington Street, Woburn, Massachusetts 01801 for a special permit to modify a special permit dated December 5, 2002 which Decision allowed for the alteration of an existing non-conforming structure by the construction of a covered service drive at 394 Washington Street and Special Permit pursuant to the 1985 City of Woburn Zoning Ordinance, as amended, as follows: 1. Section 5.1 (45) (69) and 7.3 to allow for the sale or rental of automobiles, trucks, truck trailers, and motorcycles including accessory repair and storage facilities; 2. That the new site plan of record be the plan entitled "Site Plans for Woburn Foreign Motors Proposed Redevelopment, 394 Washington Street, Woburn, MA 01801" dated August 7, 2014, prepared by Allen & Major Associates, Inc., 100 Commerce Way, Woburn, MA 01801 (the Plan); and 3. In addition, the Petitioner seeks approval of the following modifications to the existing Site Plan of record: to allow for a stand-alone car wash within the interior of the building, additional parking spaces, transformer; dumpsters and fuel pump, all as shown on the Plan, at 394 Washington Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "ought to pass, as amended, with the conditions as follows:

1. The Petitioner shall construct and improve the Site as substantially described in the plans submitted with the Petition for Special Permit entitled: "Site Plan for Woburn Landing, 369 Washington Street, Woburn, MA 01801" dated August 7, 2014; revised September 25, 2014; October 14, 2014; November 21, 2014; December 16, 2014; December 13, 2014 and May 1, 2015, Sheets EX-1A, EX-1B, ABB-1-ABB-3, C-1, C-2A, C-2B, C-3A, C-3B, C-3C, C-4, C-5, C-6A, C-6B, C-6C, C-7, C-8, C-9A, C-9B, C-10A, C-10B, C-11, P-1, UP-1, D-1 and D-10, prepared by Allen & Major Associates, Inc., 100 Commerce Way, Woburn, MA 01801 (hereinafter the "Site Plan") although design adjustments and modifications generally associated with: (i) preparing so-called "working drawings" or (ii) site conditions shall be permitted so long as such changes do not constitute substantial changes from said plans as determined by the Building Commissioner. In the event that the Building Commissioner determines that the building plans filed with the building permit application are not in substantial conformance with the Site Plan, the Petitioner may request a review of said plans by the City Council Special Permits Committee who shall make a final determination. If the Special Permits Committee makes a determination that the proposed plans are not in conformance with the Site Plan, the Petitioner shall be required to file a Special Permit Petition seeking approval to modify the Site Plan.
2. All exterior building illumination shall be shielded in such a manner that will prevent direct light from impacting any abutting properties.
3. Exterior construction activities on the Site shall not commence prior to 6:00 a.m. and shall cease no later than 7:00 p.m. Monday through Friday, 8:00 a.m. to 6:00 p.m. Saturday and not all on Sundays. This does not include off site utility work.

4. During the Site redevelopment and construction phases, the Petitioner shall maintain all adjoining roadways free and clear of all debris.
5. Upon final approval of design plans by MassDOT and issuance of a Permit to Access State Highway, the Applicant shall implement prior to site occupancy traffic signal timing and phasing improvements at the intersection of Washington Street with the I-95 Northbound Ramps and Tower Park Drive, including installation of traffic signal heads at the 394-408 Washington Street driveway substantially as shown on the plan entitled "Proposed Geometric and Traffic Signal Improvements to Proposed Design" dated May 28, 2015.
6. The Petitioner shall provide regular updates, in letter format, to the City Engineer, Department of Public Works, Building Commissioner and the City Council, and the Petitioner will notify the City Council immediately upon approval from the MassDOT."
7. That mitigation for rodent control shall be provided by the Petitioner both during and after construction.
8. All dumpsters and waste containers shall be enclosed, by means of a fence, wall or landscaping in compliance with the Woburn Zoning Ordinances.
9. Prior to site occupancy the City Council shall approve a landscape plan.
10. The Petitioner shall install on the premises a generator to provide backup power for the sewer injector system.
11. All curbing within the site shall be precast concrete curbing. All curbing at the site entrance shall be six (6) inch vertical granite curbing or slope granite curbing as required by MassDOT.
12. Wheel stops shall be installed at each handicap parking space and spaces not being used for display of vehicles.
13. The Petitioner shall install three (3) hydrants on the premises as shown on the Plan.
14. Prior to commencement of construction the Petitioner shall meet with the Chief of Police to determine the level of police detail that will be required during the construction process, and that all police details are the financial responsibility of the petitioner.
15. No sale of gasoline to the public shall be allowed on the premises.
16. The gas pump installation shall be approved by the Woburn Fire Department prior to installation.
17. All signage shall comply with the signage plans dated July 11, 2014 prepared by Enseignes Pattison Sign Group.
18. That there shall be no car carriers onto site during peak hours.
19. That there shall be a six-month review of the Special Permit.
20. That the car wash shall not be open to the public.
21. That the widening of Washington Street from the bridge south to Route 128 (highway) ramp shall provide as much vehicle storage as possible and be considered a preferred alternative as proposed to MassDOT for its review of reasonable design plan.
22. That Aldis Cameras shall be installed at the intersection of Washington Street and Route 128 and Washington Street and Mishawum Road to allow the applicant to collect traffic volume data and turning movements following occupancy.

23. Upon final approval of design plans by Mass DOT, City of Woburn Engineer and other municipal boards or agencies as appropriate, the Applicant shall install traffic improvements as required by the MassDOT and provide the coordination and synchronization of signals of Mishawum Road/Washington Street and Washington Street/Salem Street and all signals in between.”

After review, City Engineer John Corey suggested the following additional conditions:

24. That the applicant shall provide traffic assessments at six months and one year after occupancy and shall take remedial measures as necessary to mitigate unforeseen traffic impacts.

25. That substantial changes in the traffic improvements and traffic mitigation plan as may be required by MassDOT shall be reviewed by the City Council.

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On the petition by Woburn Foreign Motors, 394R Washington Street, Woburn, Massachusetts 01801 for special permits pursuant to the 1985 City of Woburn Zoning Ordinance, as amended, as follows: 1. Section 5.1 (45) to allow for the sale or rental of automobiles, trucks, truck trailers, and motorcycles including accessory repair and storage facilities; 2. Section 5.1 (69) and 7.3 to allow for the replacement of the existing non-conforming six (6) foot fence as shown on the plan with a six (6) foot wall; 3. Section 8.7 to allow for a reduction in the off street loading requirements; 4. Sections 5.1 (69), 7.3 and 13.5 to allow for the alteration of the existing non-conforming signage; 5. Footnote 8 to Section. 6.1 to allow for an increase in the building height from thirty-five (35) feet to forty-five (45) feet, more or less; 6. Section 8.6.3 to allow for an exception to the area and landscaping requirements to allow for alternate landscaping equal or superior in visual appearance; and 7. Sections 12.2.4 and 12.3.2 to allow for the replacement of the existing buildings on the property with a new building containing approximately 152,600 square feet in gross floor area, more or less, at 394R Washington Street. PUBLIC HEARING OPENED.

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On the petition by Clear View Eye Associates, 546 Main Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 7.3 to allow alteration of a pre-existing nonconforming lot and structure to change the use to a by-right optometrist office at 546 Main Street. PUBLIC HEARING OPENED. A communication dated July 8, 2015 was received from Neil Cronin, City Planner/Grant Writer as follows:

Re: Planning Department Comments on Special Permit Application for Clear View Eye Associates at 546 Main Street

Dear President Haggerty and Aldermen:

The Planning Department has reviewed the request to allow for an optometrist office at 546 Main Street pursuant to Section 7.3 (Extension or alteration of non-conforming structures or uses) of the Woburn Zoning Ordinance. The property is located in the S-1 zoning district and the requested use is allowed by right.

A discussion with the petitioner's attorney and review of the provided plan indicates the petitioner would alter the floor plan of the existing building to create a medical office, limited to general outpatient care and diagnosis, of not more than 5,000 square feet. The office will support one optometrist and two staff members. The plan submitted as part of the application was revised to show the area where snow will be stored seasonally.

The Planning Department finds one issue with the application; an optometrist office falls under Section 33(a) of the Woburn Zoning Ordinance (medical office, limited to general outpatient care and diagnosis, of not more than 5,000 square feet), and thus would apparently be subject to Section 12 (Site Plan Review). The Planning Department recommends that the Council inquire of the Building Inspector as to whether Site Plan Review is also necessary. Otherwise the Planning Department recommends the Council consider imposing the following as conditions of the Special Permit:

1. Unless otherwise authorized, all construction shall conform to the Plan of Record which for this project shall be "Plot Plan 546 Main Street Woburn, Massachusetts; Scale: 1"=20'; Dated June 22, 2015, revised July 7, 2015; Prepared by Edward J. Farrell Professional Land Surveyor 110 Winn Street, Suite 203 Woburn, MA."
2. All signage must comply in all respects with the provisions of Section 13 (Sign Regulations) of the Woburn Zoning Ordinance. All signage is subject to a separate application and approval process by the Department of Municipal Inspections.
3. The hours of operation shall be Monday through Saturday 9 a.m. to 7 p.m.
4. The Special Permit shall be issued to Clear View Eye Associates only and shall not be transferrable.

If you have any questions or comments please do not hesitate to contact me.

Sincerely, s/Neil Cronin, City Planner/Grant Writer

A communication with attachment was received from Attorney Mark Salvati, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 as follows:

Re: Clear View Special Permit, 546 Main Street

Dear President Haggerty and Aldermen:

Enclosed please find the following supplemental information for the above special permit petition:

1. Revised plot plan with a revision date 7/7/15 showing snow storage as requested by the Planning Board.
2. Proposed Floor Plan

Thank you for your attention to this matter.

Very truly yours, s/Mark J. Salvati

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On the petition by Madison Properties, 20 Park Place Plaza, Suite 433, Boston, Massachusetts 02116 for special permits pursuant to the 1985 Woburn Zoning Ordinances, as amended, to allow for the construction at 369 Washington Street of a Mixed Use Hotel/Restaurant Use as follows: 1. Special Permit pursuant to Section 5.1.20a to allow for a Mixed Use Hotel/Restaurant Use; 2. Special Permit pursuant to Section 5.1.29 and Section 11.6.10 to allow for a fast food restaurant with a drive up customer service facility; 3. Special Permit pursuant to Section 5.1.28, Note 16 to allow for restaurant hours in excess of 11:00 p.m.; 4. Special Permit pursuant to Section 5.7.6 to allow alternative screening devices; 5. Special Permit pursuant to Section 6.1, Note 8 to allow for the height of the proposed hotel to be in excess of thirty-five (35) feet; 6. Special Permit pursuant to Section 8.7.6 to allow for a reduction in off street loading requirements; 7. Site Plan Approval pursuant to Section 12.2.1 and 12.3.2 to allow for a fast food restaurant; and 8. Site Plan Approval pursuant to Section 12.2.4 and 12.3.2 to allow for construction in excess of 15,000 square feet and more than 100 parking spaces, all at 369 Washington Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “back for action.”

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**CITIZEN’S PARTICIPATION:** None.

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**COMMITTEE REPORTS:**

**INFRASTRUCTURE AND PUBLIC LANDS:**

On the Order to abandon and discontinue a portion of the land on Locust Street, committee report was received “ought not to pass.”

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**ORDINANCES:**

On the Order to amend the 1985 Woburn Zoning Ordinances, as amended, relative to Medical Marijuana Treatment Center, committee report was received “back for action pending review of the following draft of the Order by the City Solicitor:

**ORDERED** Be it Ordained by the City Council of the City of Woburn that Section 2, Definitions, of the 1985 Woburn Zoning Ordinances as amended, be further amended by adding the definition “MEDICAL MARIJUANA TREATMENT CENTER” between the definition of “Massage Therapist” and “Menu Board/Order Board” as follows:

**MEDICAL MARIJUANA TREATMENT CENTER:** A building or structure used by a not for profit entity licensed by the Massachusetts Department of Public Health pursuant to 105 C.M.R. 725.000 that acquires, cultivates, possesses, processes (including development of related products such as marijuana infused food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana or products containing marijuana and/or related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical purposes. Medical Marijuana Treatment Center refers to the site(s) of dispensing, cultivation and preparation of marijuana;

and further, to amend Section 5.1 – Table of Use Regulations of the 1985 Woburn Zoning Ordinances, as amended, by inserting a new line “33c MEDICAL MARIJUANA TREATMENT CENTER” after “33b Muscular Therapy” as follows:

		R-1	R-2	R-3	R-4	B-N	B-H	B-D	B-1	I-P	IP-2	I-G	S-1	S-2	O-P	OP-93	O-S	Notes
33c	MEDICAL MARIJUANA TREATMENT CENTER	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	19b

and to further amend Section 5.1, Table of Use Regulations by adding Note 19b as follows:

- 19b. No MEDICAL MARIJUANA TREATMENT CENTER shall be allowed:
- A. Within one thousand feet of a residential zoning district, public or private school, or church or other structure used in whole or in part all the time or part of the time for religious or spiritual services;
  - B. Within one thousand feet of any facility where large numbers of minors regularly congregate;
  - C. Within two thousand feet of a public park, public library, public playground, nursery school, licensed day care center or another Medical Marijuana Treatment Center.

The distance under this Note shall be measured in a straight line from the nearest point of the facility in question to the nearest point of the proposed Medical Marijuana Treatment Center.”

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**NEW PETITIONS:**

A communication dated July 8, 2015 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: ExecuSpace Construction Corporation, 140 Garfield Avenue, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent ExecuSpace Construction Corporation in connection with a Landowner's Decision and Notice of Special Permit issued by the City Clerk on August 11, 2005 as extended by Notice of Extension issued by the City Clerk on May 21, 2007, May 6, 2009, June 9, 2011 and July 18, 2013 (the "Special Permit") which Special Permit was extended to August 11, 2015. As a result of the current status of the economy, construction has not commenced pursuant to said Special Permit.

On behalf of the Petitioner, I respectfully request that the City Council further extend the time period for the Petitioner to exercise its rights under the Special Permit for an additional two (2) year period to August 11, 2017.

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

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

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A communication dated July 8, 2015 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: 4-K Realty Trust, 27 Montvale Avenue, Woburn, MA

Dear Mr. Campbell:

Please be advised that I represent the 4-K Realty Trust in connection with a Landowner's Decision and Notice of Special Permit issued by the City Clerk on August 14, 2003, as amended by a Landowner's Confirmatory Decision and Notice of Special Permit issued by the City Clerk on January 12, 2004, as extended by Notice of Extension of Special Permit issued by the City Clerk on June 14, 2005, May 21, 2007, May 6, 2009, June 9, 2011 and July 18, 2013 (the "Special Permit") which Special Permit was extended to August 14, 2015.

On behalf of the Petitioner, I respectfully request that the City Council further extend the time period for the Petitioner to exercise its rights under the Special Permit for an additional two (2) year period to August 14, 2017.

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

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

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Petition by New England Orienteering Club, Inc., 9 Cannon Road, Woburn, Massachusetts 01801 for a Special Event Permit to allow a map and compass orienteering event at Horn Pond on August 30, 2015.

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Petition by Mouad Djiar dba ABCE Taxi of Woburn, 165M New Boston Street, Suite 241, Woburn, Massachusetts 01801 for renewal of a Taxi Cab License for one (1) vehicle.

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Petition by Woburn Cab Company, 100 Ashburton Avenue, Woburn, Massachusetts 01801 for renewal of a Taxi Cab License for eight (8) vehicles.

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A communication dated July 1, 2015 with attachments was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Request for Minor Modification/The Wendy's Company, 303 Montvale Avenue, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent The Wendy's Company. On September 25, 2014 your office issued a Landowner's Decision and Notice of Special Permit setting forth approvals by the Woburn City Council of the Special Permit granted to my client (the "Decision").

Enclosed please find ten (10) copies of a plan entitled "Development Site Plan for Wendy's, 303 Montvale Avenue, City of Woburn, Middlesex County, Massachusetts" dated December 2, 2014, February 23, 2015 and June 29, 2015 prepared by Bohler Engineering, 352 Turnpike Road, Southborough, MA 01772 (the "Revised Plan").

The Plan referenced in Condition 1 of the Decision shows a propose drive thru canopy (ten copies enclosed). As a result of site conditions it is necessary to eliminate the proposed canopy. The specific site condition is that existing overhead electric service wires preclude Wendy's from installing the proposed canopy.

The proposed revision to the Decision by substituting the plan approved in the Decision does not result in any change or modification to the location of the building nor does it change any of the conditions contained in the Decision.

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

On behalf of my clients, I respectfully request approval by the City Council at its meeting on July 14, 2015 of a minor modification to the Decision by replacing the plan referenced in Condition 1 with the Revised Plan. If the City Council finds that this request is not a minor modification I respectfully request that the City Council allow for a late filing of a Special Permit Petition and schedule a public hearing for August 11, 2015.

If you have any questions, please do not hesitate to contact me. Thank you.

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

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Petition by Anthony K. Paone, Jr., Trustee of the 78 Winn Street Realty Trust and Ann's Realty Trust, 16 Eastman Lane, Palm Coast, Florida 32164 for a special permit pursuant to Section 8 of the 1985 Woburn Zoning Ordinances, as amended, for the minimum setback requirements for parking spaces 1-18 and 26-29 as shown on the site plan filed herewith at 78 Winn Street and 80 Winn Street.

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Petition by Two Men and a Truck, 42 Sixth Road a/k/a 55 Sixth Road, Suite 6, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.57b of the 1985 Woburn Zoning Ordinances, as amended, to allow for the overnight parking of commercial vehicles at 42 Sixth Road a/k/a 55 Sixth Road.

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Petition by The Boston Solar Company LLC, 55 Sixth Road, Suite 1, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.57b of the 1985 Woburn Zoning Ordinances, as amended, to allow for the overnight parking of commercial vehicles at 42 Sixth Road a/k/a 55 Sixth Road.

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Petition by Woburn Lodging LLC, 315 Mishawum Road, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 5.1.69, 7.3 and 13.5 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the alteration of the existing nonconforming freestanding sign at 315 Mishawum Road.

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Petition by Paw Prints, 300 Salem Street, Woburn, Massachusetts 01801 for a special permit pursuant to the 1985 Woburn Zoning Ordinances, as amended, to allow for the alteration of a preexisting nonconforming use under Section 7.3 and to allow for a kennel pursuant to Section 5.1.35.

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**COMMUNICATIONS AND REPORTS:**

A communication dated June 8, 2015 was received from Joanne Collins, Director, Woburn Council on Aging along with a copy of the Director's Report and the minutes of the Council on Aging for the month of May 2015.

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A communication dated June 23, 2015 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. The following figures represent year to date totals for 2015: Number of violations issued 367, Numbers of violations paid 192, Number of violations outstanding 154, Amount collected and submitted to Collectors Office \$23,883.00, Parking fines referred to the Handicap Commission \$7,800.00.

There is a backlog of 1,729 unpaid tickets dating from January 2004 to May 2015. After 28 days, if the fine still has not been paid, that information is forwarded to the Registry of Motor Vehicles for administrative action.

Respectfully submitted, s/Charles O'Connor, Parking Clerk

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A communication dated July 6, 2015 was received from Building Commissioner Thomas C. Quinn Jr. as follows:

Re: Woburn Municipal Coe Title 15 Article VIII 15-42

Dear Members of the City Council:

With regard to the above referenced section of the Woburn Municipal Code, I submit the following quarterly nuisance report for the period of April 1, 2015 – June 30, 2015.

142 Main Street (Matter is with City Council).

20 Garfield Avenue site visits still ongoing, owner is maintaining exterior grounds.

118 Eastern Avenue site visits still ongoing, owner is maintain exterior grounds. Court issues have been resolved.

124 Dragon Court matter owner did not comply with request to maintain premises as he indicated and made an attempt to, fines have been issued with a Court Hearing July 29, 2015, and I will provide further details on next report.

6 East Dexter Avenue matter is with the Middlesex District Attorney's office.

31 High Street matter is with the Middlesex District Attorneys office, owner has started to clean exterior grounds.

The following properties listed below have received notification of non compliance with Title 15 Article VII section 15-37 nuisance prohibited and are being monitored to ensure that they are being maintained to acceptable standards, further updates will occur on the next quarterly report.

369 Washington Street (Grace Site)  
399 Washington Street (GM Site)  
425 Washington Street (Kohl's Plaza)

As always if there are any questions or concerns do not hesitate to contact me.

s/Thomas C. Quinn Jr.

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A communication dated June 25, 2015 was received from Joseph E. Connarton, Executive Director, Public Employee Retirement Administration Commission advising the City of Woburn required Fiscal Year 2016 appropriation for the retirement system is \$6,000,000.00.

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A copy of a communication dated June 10, 2015 to Mayor Scott D. Galvin was received from U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA) Region I relative to the FEMA's upcoming Risk Mapping, Assessment, and Planning (Risk MAP) Discovery Meeting for the Merrimack Watershed.

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A communication dated June 22, 2015 with attachments was received from Francis A. Di Luna, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Statutory Notice of Intent to Sell 45.26 Acres (1,971,525.60 square feet) of Land shown on Woburn Assessor's 285 Lexington Street (Assessor's Map 78 Block 01, Lot 02); 285 Lexington Street #2 (Assessor's Map 78, Block 01-02); 287 Lexington

Street (Assessor's Map 78, Block 01; Lot 03) 287 Lexington Street #2 (Assessor's Map 72, Block 02, Lot 17), Woburn, Massachusetts

Dear Municipal Agents:

Enclosed please find with this Statutory Notice of Intent to Sell a Notice of Intent to Sell for Other Use and a copy of the Purchase and Sale Agreement for the property. Pursuant to the provisions of Mass. G.L. c. 61A §14 (Effective March 22, 2007) the above identified land, taxed pursuant to the provisions of Mass. G.L. c. 61A is intended to be sold to Scott L. Seaver, 215 Lexington Street, Woburn, Massachusetts 01801 or a nominee and converted to residential use while so taxed. According to said section, you are required to receive this Notice of Intent.

Appended hereto please find a Statement of Intent to Sell, including a statement of proposed use of the land, location and acreage as drawn as scaled by the Woburn Assessor Office. Also enclosed please find a certified copy of the executed Purchase and Sale Agreement specifying the purchase price and all terms and conditions of the proposed sale.

There are no additional agreements or additional consideration for any contiguous land under the same ownership not classified pursuant to the provision of Mass. G.L. c. 61A.

For a period of 120 days after the latest date of deposit in the United States mail, the City of Woburn shall have a first refusal option to meet the bona fide offer to purchase the above described land and after public hearing assign the right to a non-profit conservation organization or to the Commonwealth or any of its political subdivisions provided in said Chapter. During the 120 day period the City or its assignee enjoys the right, at reasonable times and upon reasonable notice to enter upon the land for purposes of surveying or inspecting the land.

If the City elects not to exercise the option, and not to assign its right to exercise the option, the City shall send written notice of non-exercise, signed by the Mayor, to the landowner as specified in the appended Notice of Intent to Sell.

I thank you for your prompt action on this matter.

Very truly yours, s/Francis A. Di Luna

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**UNFINISHED BUSINESS OF PRECEDING MEETING:** None.

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**APPOINTMENTS AND ELECTIONS:**

A communication dated July 7, 2015 was received from Charles E. Doherty as follows:

Dear Mr. Campbell:

I am writing to confirm my acceptance of your employment offer on June 30<sup>th</sup> and to tell you how delighted I am to taking on the role of City Auditor for the City of Woburn. As we discussed, I will begin my new role on July 27<sup>th</sup>, 2015. I appreciate your confidence in me and I feel confident that I can make a significant contribution to our city and our community.

I am grateful for the opportunity you have given me I look forward to working with you, the City Council, and the Mayor.

Sincerely, s/Charles E. Doherty

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**MOTIONS, ORDERS AND RESOLUTIONS:**

RESOLVED That His Honor the Mayor engage a traffic consultant for the purposes of preparing a study relative to the proposed traffic reconfiguration of Woburn Center.

s/Alderman \_\_\_\_\_

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From the Traffic Commission:

ORDERED BUTTARO ROAD – The handicapped parking space established at 13 Buttaro Road effective November 12, 2012 be and is hereby repealed.

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From the Traffic Commission:

ORDERED JAYCIN CIRCLE – No parking even side the entire length.

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From the Traffic Commission:

ORDERED MONTVALE AVENUE – Two hour parking southerly side starting at a point 40 feet easterly of the intersection with Main Street to the intersection with Prospect Street any time between the hours or 8:00 a.m. and 9:00 p.m. any day except Sundays and public holidays.

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ORDERED That pursuant to Massachusetts General Laws Chapter 148, Section 13, the City Clerk shall schedule a public hearing before the City Council for the purposes of revoking the following Inflammable Licenses for the reasons stated:

1. 300 MetroNorth Corporate Center LLC at 200 Presidential Way – at request of license holder;
2. ProCoating, Inc. at 229 New Boston Street – at request of license holder;

Further, that the City Clerk shall give notice by certified mail return receipt requested to the license holder to the last known address of license holder and by causing notification of the hearing to be published once in a newspaper of general circulation in the City at least ten (10) days prior to the hearing.

s/Alderman \_\_\_\_\_

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ORDERED Be it ordained by the City Council of the City of Woburn that the Mayor be authorized to enter into a License Agreement between the City of Woburn and Paul Paris for the use of 23,750 s.f. of land, more or less, located on Locust Street, for agricultural purposes.

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