

CITY OF WOBURN
JUNE 21, 2016 – 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL

Roll Call

Anderson	Gately
Campbell	Higgins
Concannon	Mercer-Bruen
Gaffney	Tedesco
Haggerty	

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

MAYOR'S COMMUNICATIONS: None.

PUBLIC HEARINGS:

On the petition by NSTAR Electric Company dba Eversource Energy for a grant of right in a way to install approximately 1563 feet of conduit in Presidential Way easterly from MH30183 (new MH) approximately 498 feet east of Woburn Street and to install three new manholes MH30183, MH30184 and MH30185. PUBLIC HEARING OPENED. A report was received from the Committee on Infrastructure and Public Lands as follows: "ought to pass, as amended, with the conditions as follows: 1. That the conditions outlined in the communication dated May 26, 2016 from the Superintendent of Public Works be adopted as conditions of the grant." A communication dated May 26, 2016 was received from Superintendent of Public Works John Duran as follows:

Subject: Eversource Grant of Way Petition for Presidential Way

The DPW staff has thoroughly reviewed the plans for this petition in the office, as well as in the field. The review is based upon plans provided by the applicant consisting of Sheets 1 and 2, entitled "Plan of Proposed Conduit and Manholes in Presidential Way in Woburn, Ma" dated August 17, 2015, last revised May 25, 2016. My recommendation on this matter is to allow Eversource their Grant of Way for the installation of their conduits and associated manholes. I would like to reserve the right to modify the plans in the field, specifically at the areas that are shown clouded with stations from the commencement point which states that field determination is required after test pit evaluation. Conduits and manholes may be required to be repositioned by unforeseen in-situ field conditions. These locations shown are based upon utility mark outs and field investigations with Eversource and by a previous survey performed by

others as well as by recent Comcast conduit and manhole installation in the immediate roadway area.

I recommend that the following conditions be part of this approval:

- Preconstruction meeting required prior to any excavation with all utilities properly marked out on the ground and all conduits and manholes subsequently marked after the test pits have been performed.
- As-Built Plans be submitted to Engineering and DPW in appropriate CAD and electronic format.
- Grind and inlay of 2 inches of bituminous concrete for half of the existing roadway to DPW specifications. This should commence approximately 50 feet from Manhole 30183 and end fifty feet beyond the disturbed area after all construction has been completed. Cross trenches must be uniformly cut, ground and inlaid with a minimum of 2 inches of approved bituminous concrete at a minimum width of 12 feet. Comcast is responsible to perform a similar requirement for their disturbed portion of the road. This work must also be properly coordinated through this office and completed at the same time.
- Replacement of any disturbed curbing to match existing and concrete panels in full sections as well as any disturbed Handicap ramps restored to full ADA compliance.
- Request for inspections and payment for any overtime related work that will require DPW or Engineering related expenses.

This work may also require night work and will be subject to review of the construction and the traffic conditions during the construction. Furthermore, no modifications shall be made by the applicant and/or his contractors without written permission from me directly. The proximity to major infrastructure on this roadway make it imperative that this condition be followed to minimize potential impacts to the abutting properties and the use of Presidential Way.

Please feel free to call with any questions or concerns.

On the petition by NSTAR Electric Company dba Eversource Energy for a grant of right in a way to install conduit a distance of approximately 30 feet on Dragon Court at Sutton Place northerly from pole 74/5. PUBLIC HEARING OPENED. A communication dated June 14, 2016 was received from Superintendent of Public Works John Duran as follows:

Subject: NStar Electric Company d/b/a Eversource Energy – Dragon Court – 2 Petitions

Pursuant to the request from Eversource for the installation of a new conduits from the existing poles on Dragon Court to the new subdivision, I have no objections on either petition for service to the subdivision.

Please feel free to call with any questions or concerns.

On the petition by NSTAR Electric Company dba Eversource Energy for a grant of right in a way to install conduit a distance of approximately 25 feet on Dragon Court at Sutton Place southeasterly from pole 74/9. PUBLIC HEARING OPENED. A communication dated June 14, 2016 was received from Superintendent of Public Works John Duran as follows:

Subject: NStar Electric Company d/b/a Eversource Energy – Dragon Court – 2 Petitions

Pursuant to the request from Eversource for the installation of a new conduits from the existing poles on Dragon Court to the new subdivision, I have no objections on either petition for service to the subdivision.

Please feel free to call with any questions or concerns.

On the petition by NSTAR Electric Company dba Eversource Energy for a grant of right in a way to install joint occupancy pole 87/3 and anchor guy on the southerly side of Fremont Street approximately 40 feet west of Mack Road. PUBLIC HEARING OPENED. A communication dated June 17, 2016 was received from Superintendent of Public Works John Duran as follows:

Subject: Fremont Street

I have no objections on this matter.

On the petition by Mahavir Realty Trust, 42 Stillman Road, Lynnfield, Massachusetts 01940 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.7.6, 7.3 and 13.5 to allow for the alteration of the existing nonconforming structure to provide for 1. Office building containing approximately 1,200 square feet more or less; 2. Alterations to the petitioner’s nonconforming signage, and 3. Exception to landscaping and area requirements to provide for alternative screening devices, at 546 Main 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. That there shall be only one curb cut twenty-eight feet along Main Street and Plympton; 2. That the driveway on Plympton shall be eliminated; 3. That the driveway heading North on Main Street shall also be eliminated; 4. That if possible, two public shade trees shall be installed, namely: one on Main Street; and one on Plympton Street; 5. That there shall be snow storage on site, and if full capacity, snow shall be taken off site;

6. That this Special Permit shall be non-transferrable; and 7. That the Plan of Record is dated May 17, 2016 and include the elimination of two curb cuts as outlined above.”

On the petition by Madison Woburn Holdings LLC, 20 Park Place Plaza, Suite 433, Boston, Massachusetts 02116 for special permits and site plan approval to amend the Landowner’s Decision and Notice of Special Permit dated August 11, 2015 pursuant to 1985 Woburn Zoning Ordinances, as amended, to allow for construction of a fast food restaurant 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 8.7.6 to allow for a reduction in off street loading requirements; 4. Site Plan Approval pursuant to Section 12.2.1 and Section 12.3.2 to allow for a fast food restaurant; and 5. Site Plan Approval pursuant to Section 12.2.4 and Section 12.3.2 to allow for construction in excess of 15,000 square feet and more than 100 parking spaces, at 369 Washington Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “ought to pass, as amended, with the amendments as follows:

1. The Petitioner shall construct and improve the Site as substantially described in the revised plans submitted with the Petition for Special Permit entitled: “Site Plans for Woburn Landing, 369 Washington Street, Woburn, MA 01801” dated August 7, 2014; revised September 24, 2014; October 14, 2014; November 21, 2014; December 16, 2014; December 31, 2014, May 1, 2015, May 28, 2015; July 2, 2015, March 28, 2016, March 29, 2016 and June 8, 2016, 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 - D-11, 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. Except as modified by this Decision, all conditions set forth in the Landowner’s Decision and Notice of Special Permit dated August 11, 2015 shall remain in full force and effect.
3. Condition 8 shall be modified to read as follows: “Subject to approval of MassDOT, the Petitioner shall substantially complete prior to site occupancy all traffic mitigation measures as shown on a plan entitled “Conceptual Improvement Plan: Woburn Landing, Woburn, Massachusetts 01801 dated June 17, 2015 prepared and submitted

on behalf of the Petitioner by VAI (the “Traffic Improvements Plan”) to the Committee on Special Permits on July 8, 2015.”

4. Subject to Condition 1 above, the buildings to be constructed as Proposed Restaurant A, Proposed Restaurant B and Proposed Restaurant C shall be constructed within the Permissible Building Area designated by the red outline as shown on the plan entitled “Woburn Landing, 369 Washington Street, Woburn, MA.” Prepared by Allen & Major Associates, Inc., 100 Commerce Way, Woburn, MA. 01801 dated October 14, 2014, revised May 3, 2016, revised May 31, 2016. The proposed Dual Brand Hotel shall be constructed within the building footprint as shown on the Plan.
5. Subject to approval of MassDOT, the Petitioner shall substantially complete prior to occupancy of Proposed Restaurant C (fast food restaurant) all traffic mitigation measures including those set forth in Condition 8 and the following additional traffic mitigation measures:
 - Provide second northbound left-turn lane from Washington Street onto I-95 northbound ramp
 - Provide exclusive northbound left-turn lane from Washington Street onto Olympia Avenue
 - Provide second exclusive through lane on Washington Street Northbound at Olympia Avenue
 - Install new adaptive traffic signal
6. Prior to the occupancy of Proposed Restaurant C, all off-site sidewalks and handicapped ramps shall be concrete and curb cuts shall be granite and Certificates of Occupancy shall be contingent upon completion of the same.
7. The City Council approves the Landscape Plan included with the Site Plan as Sheets C-6A, C-6B and C-6C. Further, all landscaping shall be maintained by the landowner. The removal and replacement of plantings are permissible as part of ongoing maintenance provided replacements are the same or similar plantings as provided in the Plan of Record and are approved by the Building Inspector.
8. The Special Permit is granted to Chick Fil A only and is non transferrable.
9. No deliveries shall be made between the hours of 4:00 p.m. and 6:00 p.m.
10. All dumpster shall be screened.
11. The hours of operation for Chick Fil A will be Monday – Saturday 6:30 a.m. to 10:00 p.m. and no Sundays.
12. Bollards shall be placed along the outside patio area to protect patrons.
13. That three (3) parking spaces in the Northwest corner to be removed to extend the sidewalk from Washington Street to Office Tower Park.
14. Eleven parking spaces on the south side of the Chick Fil a parking area be designated “Employee Parking only”.
15. The Special Permit will be reviewed six (6) months after the permanent occupancy permit is issued.
16. Adaptive Signal Technology to be install per the F.E.I.R.”

On the petition by James L. McKeown Boys & Girls Club of Woburn, Inc. for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 7.3 and all other applicable sections to allow alteration and expansion of pre-existing nonconforming

structure (clubhouse facility) and pre-existing nonconforming access drive at Charles Gardner Lane, 650 Main Street Rear and 650 Main Street. PUBLIC HEARING OPENED.

On the petition by F.W. Webb Company, 50 Everberg Road, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.42, 5.1.57b, 7.3, 8.25 and 12.2.4 to allow for modification of special permits issued February 10, 2005 as follows: 1. To allow for an approximately 20,523 square foot addition to existing warehouse building; 2. To allow for accessory parking of commercial vehicles; 3. To allow for reduction in required parking spaces from 135 to 92, and 4. Site plan approval to allow for increase in gross floor area for proposed addition, at 50 Everberg Road. PUBLIC HEARING OPENED. A communication dated June 8, 2016 was received from Tina P. Cassidy, Planning Board Director as follows:

Re: Planning Department recommendation on special permit application for warehouse addition at 50 Everberg Road

Dear Honorable Council:

The Planning Department has reviewed the above-referenced petition which seeks the following special permits to allow for the construction of an addition to an existing warehouse on this 6.2 acre site:

- Section 5.1(42) – Wholesale establishment, warehouse and distribution center
- Section 5.1(57b) – Accessory storage or parking of commercial vehicles..., trucks, buses or contractors' equipment
- Section 7.3 - Extension or alteration of non-conforming use
- Section 8.2.5 – Schedule of minimum required off-street parking
- Section 12.2.4 – Construction of 15,000 sq. ft. or more of gross floor area

The Planning Department notes the following:

- The square footage of the building noted on Sheets C-4, C-5 and C-6 is not legible but appears not to equal the noted dimensions of the building (60' x 332' = 19,920 sq. ft.). The sheets should be revised so that the total square footage of the addition is easily read and consistently expressed.
- The method of screening the Dumpster from view is atypical in that the fencing that provides the screening is some distance from the Dumpster. The screening does effectively block the Dumpster from public street view however.
- The zoning table on Sheet C-4 indicates there will be eighteen (18) compact parking spaces on the site representing about twenty (20%) percent of all spaces. However, the locations of these spaces are not noted on the plan and should be; and all compact parking spaces should be equipped with signage identifying them as such.

- The application seeks permission to store or park commercial vehicles, trucks, buses and/or contractors' equipment on site, but no information has been provided regarding the number or type of vehicles. The number and type of vehicles/equipment should be ascertained and the location where the vehicles/equipment would be parked/stored should be noted on the plan. The parking calculations provided on Sheet C-4 should incorporate any use of any on-site parking spaces for such storage, and the Inspectional Services Director should review the resulting calculations to ensure the proposed development meets the requirements of the Woburn Zoning Ordinance.
- The application references a past Special Permit Decision of the City Council for this property. Any conditions that may have been imposed on that Special Permit should be considered for re-imposition on this Special Permit, to the extent they are applicable.

If the plan is found to meet zoning requirements (or is amended to meet them), the Planning Department recommends the Council impose the following additional conditions on approval:

1. The plan shall be amended to incorporate adequate snow storage areas that are located such that they do not interfere with the detention pond on the southern end of the property;
2. Wheel stops shall be placed in the eleven (11) compact parking spaces located adjacent to the detention pond;
3. The Plan of Record for this petition shall be "Special Permit Site Plan F.W. Webb Company, 50 Everberg Road, Woburn, Massachusetts; Prepared for: Green Leaf Construction, 98 Adams Street Suite #105, Leominster, MA 01453; Prepared by: GEOD Consulting, 24 Ray Avenue, Burlington, MA 01803, Phone (781) 273-3434, Fax (781) 273-3430; Issue Date: May 12, 2016; Sheets C-1 (untitled), C-2 (Existing Conditions Plan), C-3 (Site Preparation & Demolition Plan), C-4 (Site Layout Plan), C-5 (Grading & Drainage Plan), C-6 (Turck [sic]-Turn Plan), C-7 (Site Details I), C-8 (Site Details II), C-9 (Site Details III), and LA-1 (Landscape Plan); and plan sheet '1 of 1' by Visual entitled 'Webb Woburn Wall Mount LED Layout' dated 5-6-16"; and
4. This special permit shall be granted to F.W. Webb only and shall not be transferable.

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

On the petition to amend the 1985 Woburn Zoning Ordinances, as amended, by adding a new Section 27 entitled Technology and Business Mixed Use Overlay District (TBOD), by amending Section 6.1 Table of Dimensional Regulations, by adding the definition for Adult Day Care to Section 2 Definitions, and by amending the definitions for Research

and Testing Laboratory and Biomedical Facility in Section 2 Definitions as set forth in the Journal of the March 15, 2016 Regular Meeting of the City Council. PUBLIC HEARING OPENED. A report was received from the Committee on Ordinances as follows: “ought to pass, amended as follows:

Be it ordained by the City Council of the City of Woburn that the Woburn Zoning Ordinance as amended, be further amending by inserting the following new Section 27 to be entitled “Technology and Business Mixed Use Overlay District (TBOD) as follows:

SECTION 27
TECHNOLOGY AND BUSINESS MIXED USE OVERLAY DISTRICT (TBOD)

27.1 Purpose and Objectives of District

The purpose of the Technology and Business Mixed Use Overlay District (TBOD) is to encourage the redevelopment of vacant or underutilized properties and former manufacturing sites into mixed use projects that:

1. Promote the health, safety, and general welfare of the community by encouraging the redevelopment of vacant, underutilized or decommissioned facilities and sites into productive use;
2. Promote the health, safety and general welfare of the community by encouraging uses and site development that minimizes the amount of impervious paved parking areas through the use of shared parking lots and driveway curb cuts, and improves air quality by reducing traffic congestion and automobile trips;
3. Consist primarily of research and development and/or office space with associated accessory light manufacturing and retail uses;
4. Provide significant employment opportunities for residents of Woburn and nearby communities at salaries above minimum wage;
5. Have limited residential development that, if included, is designed and intended to complement the commercial uses by comprising no more than an accessory, supporting role to the primary commercial uses;
6. Are appropriate in scale and located in an area that provides proximate access to major highways and to public transportation; and

27.2 Establishment and Applicability

This District may only be applied to a property eligible for inclusion in the Commerce Way Corridor Overlay District, or to parcels shown on Woburn Assessors’ Maps as Map #54, Block #5, Lot #4; Map #54, Block #5, Lot 1; and Map #62, Block #1, Lot #29. A development parcel in the TBOD must contain a minimum of ten (10) acres.

1. For the purposes of this section, the TBOD shall be superimposed on the other districts existing at the time that any land in any said underlying district is also included in the TBOD.
2. For the purposes of the Zoning Ordinance, a TBOD may include any use set forth in Sections 27.6.A and 27.6.B, below, which uses may be commingled into a single structure with other eligible uses or may be located in separate structures on the site subject to any restrictions and/or limitations set forth in the Development Agreement described in Section 27.12.1.9. below.

27.3 Authority of Permit Granting Authority

The City Council shall be the Permit Granting Authority for both Special Permits and Site Plan Review approval where applicable. The City Council may elect to vary the dimensional and parking requirements of this Section by Special Permit if, in its opinion, such change shall result in an improved project and will not nullify or substantially derogate from the intent or purpose and objectives of this section. This authority continues subsequent to occupancy.

27.4 Master Concept Plan

The property owner/developer of any TBOD Mixed Use Development shall, simultaneously with a request to rezone property to a proposed TBOD, file the following with the City Council for approval:

1. A Master Concept Plan (“Master Plan”) which shall in a general manner show:
 1. The location and areas of proposed development;
 2. Proposed open space (usable or natural);
 3. Proposed site access curb cuts public/private ways; and
 4. Proposed building “envelope(s)” where construction is anticipated to occur (excluding internal site driveways).
2. A table showing approximate acres and calculations of the following:
 1. Total land area of each development area (building envelope area);
 2. Total development limitations, if any, of uses in any developable area;
 3. Total maximum development (gross square footage/use limitations); and
 4. Approximate number of parking spaces for the entire TBOD.
3. The Master Plan shall be approved by a two-thirds (2/3) vote of the City Council at the time of rezoning and shall thereafter become the general development plan governing development at the TBOD. The Master Plan may be amended from time to time by a two-thirds (2/3) vote of the City Council by application from the property owner/developer to reflect changing development conditions.
4. Upon approval of the Master Concept Plan by the City Council, the development of all parcels within the TBOD shall be in accordance with the approved Master Concept Plan. In the event that individual parcels comprising the TBOD are under the ownership of different entities, each such

- entity shall be permitted to seek the approval of a modification to the Master Concept Plan and Development Agreement as it applies to each such parcel.
5. Projects in a TBOD shall not be subject to the provisions of Section 18 of the Woburn Zoning Ordinance entitled “Development Impact Mitigation”, in recognition of the requirement for a Development Agreement.

27.5 Exclusivity/Control

Except as specifically provided herein, uses and provisions of the Zoning Ordinance relating to the underlying zoning district not otherwise impacted by this Section 27 shall continue to remain in full force and effect, provided however that the City Council shall be the Special Permit Granting and Site Plan Approval Authority, if applicable. This Section (§27) of the Zoning Ordinance exclusively controls the establishment, development, and design of any development undertaken at any TBOD and supersedes any other provision of the Zoning Ordinance. In the event of any conflict between the provisions of this Section and any other provision of the Zoning Ordinance, the provisions of this Section shall govern and control.

27.6 Uses

1. Uses Allowed By Right with Site Plan Review

1. Business, professional and general offices;
2. Full service restaurants;
3. Fast food restaurants not visible from the exterior of a building;
4. Advanced Manufacturing
5. Research and testing laboratory including vivarium use;
6. Manufacturing in the fields of biotechnology, medical, pharmaceutical, physical, biological and behavioral sciences and technology, environmental science, toxicology, genetic engineering, comparative medicine, bioengineering, cell biology, human and animal nutrition, including but not limited to, including production of equipment, apparatus, machines and devices for research, development, manufacturing and advance and practical application in any such field or area, and including, office, administrative support facilities related to any of the foregoing activities. All development proposals shall comply with applicable Federal, State and local laws, regulations and ordinances including, without limitation, regulations and ordinances governing air pollution, water pollution control, noise and illumination;
7. Hotels or inns;
8. Mixed Use Hotel/Restaurant;
9. Retail and service uses in connection with the operation of a hotel or inn that are located within the hotel structure;
10. Biomedical facilities defined by the National Institute of Health as a Biolevel-1 (BL-1) or Biolevel-2 (BL-2);

11. Child care and adult day care centers;
12. Medical and dental offices dedicated to general outpatient care and diagnosis, subject to additional off-street parking requirements in Section 27.8;
13. Townhouses, garden apartments, and/or elevator apartments provided the total number of residential units does not exceed 200 units with a ratio of at most seventy-five percent (75%) apartments and at least twenty-five percent (25%) townhouses and provided that at least fifteen percent (15%) of the units are affordable as defined by M.G.L. Chapter 40B Section 20;
14. Retail and personal service establishments, provided (a) the total gross floor area of all such establishments does not exceed fifteen percent (15%) of the total gross floor area of all non-residential buildings approved for the site, exclusive of parking facilities and (b) that only one establishment may exceed ten thousand (10,000) sq. ft. in gross floor area and be no more than twenty thousand (20,000) sq. ft. in gross floor area;
15. Personal Service Establishments;
16. Financial institutions;
17. Free standing automated teller machines (ATMs), except no other type of drive-up customer service facility shall be permitted;
18. Business sales and business service establishments;
19. Physical fitness training and recreational facilities;
20. Municipal uses;
21. Essential public services;
22. Accessory uses normally incidental to a permitted use including high hazard and other uses accessory to a permitted principal use;
23. Parking facilities below grade; and
24. Overnight parking of vehicles associated with business operations, provided that one (1) additional on-site parking space is provided for each such vehicle.

2. Uses Allowed By Special Permit with Site Plan Review

1. Fast food restaurants if visible from the exterior of a building;
2. Retail and personal service establishment(s), provided (a) the total gross floor area of all retail uses is more than fifteen percent (15%) but less than forty percent (40%) of the total gross floor area of all non-residential buildings approved for the site, exclusive of parking facilities and (b) that no more than three establishments shall exceed twenty thousand (20,000) sq. ft. in gross floor area but no more than sixty thousand (60,000) sq. ft. in gross floor area;
3. Townhouses, garden apartments, and/or elevator apartments provided the total number of residential units is between two hundred (200) and three hundred-fifty (350) with a ratio of no more than seventy-five percent (75%) apartments and at least twenty-five percent (25%) townhouses and provided that at least fifteen percent (15%) of the units are affordable as defined by M.G.L. Chapter 40B Section 20;

4. Wireless communication links, commercial radio or television transmission antenna(e);
5. Parking facilities above grade;
6. Pet Care Facilities;
7. Printing and publishing;
8. Accessory storage or parking of storage container or storage trailer;
9. Accessory Diagnostic Imaging Trailer.

3. Uses Not Permitted

1. Wholesale or retail sales of vehicles of any kind;
2. Heavy Manufacturing; and
3. Any use not expressly authorized by this Section.

27.7 Density and Dimensional Regulations

1. General Provisions

1. The maximum building height of thirty-five (35) feet within one hundred and fifty (150) feet of a Residential 1 (R-1), Residential 2 (R-2) or Residential-3 (R-3) zoning district in the City of Woburn may be varied by Special Permit, in accordance with Footnote 8 to Section 6.1, Table of Dimensional Regulations.
2. Parking facilities contained within a building shall be included in the calculation of a building's height, notwithstanding the definition of HEIGHT OF A BUILDING in Section 2 and the provisions of Section 6.1, Table of Dimensional Requirements.
3. Structures erected on a building and not used for human occupancy, such as but not limited to, air and exhaust equipment, chimneys, heating-ventilating or air-conditioning equipment, solar or photovoltaic panels, elevator housings, antennae, skylights, cupolas, spires, mechanical and acoustical screening and the like ("rooftop structures") may exceed the maximum height of a building in feet provided no part of the rooftop structure(s) is more than twenty-five (25) feet higher than the maximum permitted height of the building and the total horizontal coverage of such rooftop structures on the building does not exceed sixty (60) percent, with the exception of an aggregate area not to exceed three (3) percent of the total roof area which shall be allowed to have rooftop structures which extend no more than thirty-five (35) feet above the roof line.
4. Parcels created for the purposes of financing or separated by a private or public right of way of less than sixty-five (65) feet in width shall not be required to comply with the following criteria; said criteria shall only

apply to the entire lot. However, no two (2) parcels may be more than five hundred (500) feet apart.

2. Specific Requirements

- | | |
|---|---------------------------|
| 1. Minimum Lot Size: | Ten (10) acres |
| 2. Minimum Street Frontage: | One hundred (100) feet |
| 3. Minimum Landscaped Useable Open Space: | Twenty-five percent (25%) |
| 4. Minimum Front Yard Setback: | Twenty-five (25) feet |
| 5. Minimum Side Yard Setback: | Thirty (30) feet |
| 6. Minimum Rear Yard Setback: | Twenty-five (25) feet |
| 7. Maximum Building Height: | Eighty (80) feet |
| 8. Maximum Building Height within
150' of a residential zoning district: | Thirty-five (35) feet |

27.8 Off-Street Parking Requirements

1. Off-street parking requirements shall be as set forth in Section 8 of this Zoning Ordinance entitled Off Street Parking and Loading Facilities Regulations, except as noted in Section 27.8.2. below.
2. Medical and dental offices shall provide parking at the ratio of one (1) space for every 200 sq. ft. of net floor area.
3. The minimum pavement width for any road, driveway or access aisle shall be twenty (20) feet for one-way traffic and twenty-four (24) feet for two-way traffic.

27.9 Design Standards

1. All utility and site construction details shall conform to the standards of the City of Woburn's Zoning Code, where applicable, and the Woburn Planning Board's Land Subdivision Rules and Regulations.

27.10 Sign Regulations

1. Signage in a TBOD shall be as authorized by the City Council via an approved Site Plan or Special Permit Plan of Record.

27.11 Permitting Requirements

1. All uses listed as being allowed by right with Site Plan Review shall obtain Site Plan Review from the City Council in accordance with the requirements of this Section. Site Plan Review approval shall require a majority affirmative vote of the City Council.

2. All uses listed as being allowed by Special Permit with Site Plan Review shall obtain both from the City Council in accordance with the requirements of this Section. In cases where both a Special Permit and Site Plan Review are required, the applications shall be processed concurrently. Approval of a Special Permit with Site Plan Review shall require a two-thirds (2/3) vote of the City Council.
3. An application filed under this Section may be filed coincidental with an application for variance(s), and/or during an appeal period associated with a variance that has been granted, notwithstanding the provisions of Section 11.3.
4. An application package for either Site Plan Review or a Special Permit with Site Plan Review in accordance with this Section shall contain all of the material listed in 27.12 and 27.13 and shall be delivered to the Woburn City Clerk at City Hall during regular business hours or to the City Council at a regular or special meeting thereof.
5. An application that fails to meet the requirements of Sections 27.12 and 27.13 shall be deemed incomplete and shall not be assigned for public hearing. In the event the City Council (or City Clerk on behalf of the City Council) deems an application incomplete or inadequate to provide a proper understanding of the matter, the applicant shall be advised of same and given an opportunity to submit additional information, revise the plan, or substitute new one(s). An application may be dismissed for failure to comply with these requirements within thirty (30) days after notice of such failure. The statutory time frames of M.G.L. Chapter 40A Section 11 and for Site Plan Review shall not start until an application is deemed complete.
6. The City Council may authorize/waive the following when granting Site Plan Review or approving a Special Permit with Site Plan Review under this Section:
 1. Section 5.2.1.4. (access to the buildable portion of a lot)
 2. Section 5.2.4 (use of land in different districts for access)
7. The City Council shall not be authorized to grant a Special Permit to reduce the number of required off-street parking spaces for mixed uses (Section 8.2.5) or to permit the substitution of compact car parking stalls for more than ten (10) percent of the required number of parking spaces (Section 8.2.3).
8. The City Council may impose conditions on any Special Permit or Site Plan Review decision for manufacturing uses that require (a) all resulting odors, gases and particulate matter from proposed operations be effectively contained on the property or so disposed of so as not to have an adverse impact on surrounding outside air quality; (b) all noise, vibration, flashing or

lighting (which is continuous and not the result of short term operation of emergency generators or other equipment) from manufacturing operations shall be perceptible normally without instruments either at the boundary line of the property adjacent to a residential zoning district or at any point within the nearest occupied residential lot more than one hundred fifty (150) feet from the location of such activity on the property, whichever is closer to the intended use.

27.12 Application Requirements

A complete application package for either Site Plan Review or a Special Permit with Site Plan Review shall contain all of the following:

1. Twenty-four (24) copies of a Technology and Business District Site Plan Review/Special Permit with Site Plan Review Application and two (2) copies of an Application Checklist for Technology and Business Mixed Use District Development, both of which are provided in Section 16 of the Zoning Ordinance (Illustration Addendum);
2. Two (2) copies of a deed certifying ownership and, where applicable, a statement certifying prospective ownership of the premises involved as well as evidence that the applicant has permission of the owner to make such application if the applicant is not the owner;
3. Legal description, street address(es) and/or other description of the location of the premises involved;
4. Two (2) sets of mailing labels showing the names and addresses of all “parties in interest” as defined by M.G.L. Chapter 40A Section 11 (this list must be certified by the Woburn Assessors’ Office);
5. Twenty-four (24) copies of plans meeting all of the requirements of Section 22-10, at a minimum size of 24”x36”, drawn to scale and dimensionally correct. Required plans are all those applicable to the establishment of the findings and conditions specified in Section 27.11.5 below. Such plans shall include building floor and façade plans, plot plans showing existing conditions and lot lines, traffic circulation, landscaping and topographical plans.
6. Evidence as required to show the effects of the proposed project upon traffic, drainage, road capacity and city utilities, including studies such as traffic generation and parking utilization analyses;
7. Evidence as to the status of all permit applications to/decisions from other City, State or Federal agencies concerning the project including the Woburn Board of Appeals, Woburn Conservation Commission and MassDEP;

8. Any information not listed herein but which is required in order to properly consider all of the requested special permit(s) and waiver(s);
9. A Development Agreement in recordable form binding upon the developer/property owner. The Development Agreement shall serve in lieu of a Development Impact Statement and shall be approved by a two-thirds (2/3) vote of the City Council prior to the issuance of the first Special Permit or Site Plan Review approval for development within the TBOD, which shall contain, without limitation:
 1. Required mitigation (including traffic demand management initiatives), to address the impacts arising out of the use and occupancy of the proposed project, or if at the time of execution such impacts are not known, the methodology for assessing and addressing such impacts as the development of the TBOD premises.
 2. Restrictions on development areas and such other development limitations as may be agreed upon.
 3. Proposed phasing of the development of the TBOD.
 4. Obligations with respect to pedestrian and vehicular interconnectivity within the TBOD to facilitate pedestrian access and parking efficiencies.
 5. The authority of the City Council to retain the necessary professionals to assist in their review of development applications. The Development Agreement shall govern the implementation of the Master Plan and development at the TBOD. To facilitate the development of individual parcels comprising the TBOD the Development Agreement may include, wetland limitations, phase development provisions and obligations applicable to individual parcels.
10. A filing fee of \$1,500.00; and
11. An electronic copy of the entire application package (including all documents and plans) in Word and pdf format.

27.13 Plan Content Requirements

Plans submitted as part of an application for Site Plan Review or Special Permit with Site Plan Review in accordance with this Section shall contain the following information:

1. A locus map drawn at a scale of 1" = 800' that shows the subject property and all zoning and historic district boundary lines that lie within the locus;
2. The location and name of all streets in the immediate vicinity of the proposed project with a notation as to whether the street is a public or privately-owned right-of-way;
3. The location and dimensions of all existing and proposed buildings on the site and the general location of buildings on abutting properties;

4. Existing and proposed setbacks of all existing and proposed buildings;
5. Existing and proposed contour elevations in two (2) foot increments;
6. A table calculating the amount of parking required for all existing and proposed uses, and the location, size and type of parking spaces, parking areas, loading and unloading and service areas;
7. Information sufficient to demonstrate that satisfactory arrangements will be made to facilitate vehicular and pedestrian movement to, from and within the site including information on driveways, parking lot aisles, walkways, and sidewalks;
8. Information on the location, size, and capacity of existing and proposed utilities which will service the project (water and sewer service, hydrant locations, drainage, electrical, cable, etc.);
9. Information on the method of surface and subsurface drainage disposal;
10. Location, size, type and number of existing and proposed landscaping features, including trees to be retained or removed;
11. Information on the type, number, and intensity of lighting;
12. A table displaying all applicable use and dimensional regulations and corresponding specifications of the proposal;
13. Provisions for refuse removal and snow removal/storage;
14. Any additional information the City Council deems necessary to evaluate the proposed project as it relates to any of the special permit or waiver requests, surrounding areas, anticipated traffic and public safety issues and the intent of the Zoning Ordinance.

27.14 Procedures for Approval

1. A Site Plan Review or Special Permit with Site Plan Review application for land in a Technology and Business District shall include requests for any special permit(s) and/or waiver(s) that may be required by the Woburn Zoning Ordinance. Applications will be processed by the City Council in accordance with the notification procedures and time line outlined in M.G.L. Chapter 40A Section 11.
2. Within three (3) business days of receipt of an application for Site Plan Review or Special Permit with Site Plan Review under this Section, the City

Clerk shall distribute eight (8) copies of the application to the Planning Board and one (1) copy each to the City Engineer, Building Commissioner, Conservation Commission, Board of Health, and Police and Fire Departments for review and comment. The City Council may forward copies of the application to other City agents and agencies as well, for review.

3. City agents and agencies to whom an application has been referred shall transmit comments and recommendations to the City Council within sixty (60) days of receipt of the application. Failure to provide comments shall be deemed lack of an objection.
4. The City Council shall not issue a Special Permit unless it finds the proposal will meet the following conditions:
 1. The ways providing vehicular and pedestrian access have the capacity to provide safe ingress and egress to property and proposed structures thereon and uses thereof with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and emergency access in case of fire, emergency or catastrophe.
 2. Adequate water, sewerage and drainage facilities exist or will exist to service the proposed use.
 3. Adequate off-street parking and loading areas have been provided where required and will not result in undue noise, glare, or odor effects on adjoining properties or on properties generally in the district.
 4. Satisfactory provision has been made for snow storage/removal to ensure safety and for refuse collection, disposal and service areas to minimize negative impacts on adjacent uses.
 5. Exterior lighting has been designed to minimize glare and any negative impacts on abutting roadways and properties and to be compatible and in harmony with other properties in the immediate area.
 6. Appropriate yards and other open space and landscaping have been provided as required and reasonable steps have been taken to insure the privacy of adjacent existing uses.
 7. The proposed use is generally compatible in scale and character with adjacent properties and other properties in the district.
 8. The proposed use(s) or structure(s) will not detract from the general purposes of this ordinance and either comply in all respects with the provisions of the Woburn Zoning Ordinance or has obtained relief (i.e. waiver, special permit or variance) as may be required.

9. The proposal incorporates additional conditions and requirements as the City Council finds reasonably appropriate to safeguard the neighborhood or otherwise serve the purposes of this Ordinance, including but not limited to the following: Front, side or rear yards greater than the minimum required by this ordinance; requirements for screening, buffers, planting strips, fences or walls; modification of proposed exterior facades of the structure; limitation upon the size, number of occupants, method and time of operation, or extent of facilities; regulation of the number, size and location of drives, access ways, or other traffic features, and off-street parking or loading, or other special features beyond the minimum required in the ordinance.
5. When approving an application under this Section the City Council may attach all reasonable and necessary conditions to ensure that uses of surrounding property are adequately safeguarded and that the purpose of both the Zoning Ordinance and the Technology and Business Mixed Use Overlay District (TBOD) are maintained.

27.15 Validity of Decision

1. No Special Permit granted under this Section shall be valid until it is recorded at the Middlesex Registry of Deeds and a copy of the approved Plan of Record is filed with the Building Commissioner.
2. Approval of a Site Plan or a Special Permit with Site Plan Review shall remain valid and shall run with the land indefinitely, provided that a valid building permit has been issued within two (2) years after the decision is issued, which time shall be extended by the time required to adjudicate any appeal from such approval. This two (2) year period may also be extended for a specific period of time by majority vote of the City Council if it finds the project proponent is actively pursuing other required permits for the project or that there is other good cause for the failure to commence building construction within the two (2) year period. Requests for extensions must be filed with the City Council prior to the expiration of the two (2) year period.

If building construction has not commenced within two (2) years after the decision is issued (or any City Council-approved extension of the two-year period), then Site Plan Review approval or a Special Permit with Site Plan Review shall be null and void, and no construction shall thereafter commence unless a new Site Plan Review or Special Permit with Site Plan Review is approved in accordance with the provisions of this Section; and;

further, by amending Section 6, Table 6.1, Table of Dimensional Regulations, by inserting the following reference (**text to be added shown in bold**):

Structures located in Office Park (OP), Industrial Park (IP), Industrial Park Two (IP-2), and Business Interstate (BI) zoning districts, which are within seven hundred (700) linear feet of Residential-One (R-1), Residential-Two (R-2), and Residential-Three (R-3) zoning district boundary lines in the City of Woburn, shall have a maximum height of thirty-five (35) feet and/or three (3) stories.

Structures located in a Technology and Business Mixed Use Overlay District which are within one hundred and fifty feet (150') of Residential-One (R-1), Residential-Two (R-2), and Residential-Three (R-3) zoning district boundary lines in the City of Woburn shall have a maximum height limit of thirty-five feet (35') or three (3) stories*. Any variation from the foregoing height/story limitations shall require the issuance of a special permit by the City Council.

Where there is a rezoning subsequent to September 25, 2015 that creates one or a combination of R-1, R-2, R-3 or R-4 zoning districts, then the seven hundred (700) foot linear distance shall be measured from the location of the residential zoning district boundary line as it existed on September 25, 2015; and

further, by amending Section 2, Definitions, by inserting the following new definitions:

ADULT DAY CARE CENTER: A nonresidential facility in which custodial care is provided for more than five (5) persons older than eighteen (1) years of age, related or unrelated, who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention, where the adults are receiving said care on a regular and recurring basis during a part of the twelve (12) hour period between 7:00 a.m. and 7:00 p.m., for not less than three (3) and not more than twelve (12) hours. Such a facility shall comply with all state and local codes and/or ordinances regarding zoning, building, fire, health and housing;

ADVANCED MANUFACTURING: Production activities that integrate technology-based systems and processes in the manufacture of products to the highest level of quality and compliance with industry-specific certification standards. Products are often innovative, made from advanced materials and components, and produced on technology-driven equipment and/or with technology-driven processes. Raw material development is typically carbon footprint friendly and brought to market in the most technologically-advanced way; the final product has very little if any waste due to the reuse or recyclable potential of the product. Examples of advanced manufacturing include nanotechnology; computer aided design (CAD), reverse engineering, enhanced prototyping and simulations; computer integrated manufacturing; and production that employs computer numerically controlled (CNC) equipment, robotics, laser, plasma, waterjet and other automated equipment.; and

further, by amending Section 2, Definitions, by revising the following definitions: **(text to be added shown in bold**, text to be deleted shown in ~~strike through~~):

RESEARCH AND TESTING LABORATORY: A laboratory which engages in research, experimental and testing activities, including but not limited to the fields of chemistry, electronics, engineering, geology, ~~and~~ physics, **and advanced manufacturing, robotics, laser technology, biotechnology, medical, pharmaceutical, biological and behavioral sciences and technology, environmental science, toxicology, genetic engineering, comparative medicine, bioengineering, cell biology, human and animal nutrition including production of equipment, apparatus, machines and devices for research, development, manufacturing and advance and practical application in any such field or area, and including, office, administrative support facilities related to any of the foregoing activities** but not including biomedical facilities. Some prototype development may be included, but the primary function is research.

BIOMEDICAL FACILITY: Any facility engaged in the use of **materials such as (but not limited to)** Recombinant DNA, live animals for testing, the use of potentially infectious cell lines, or infectious material, **including biomedical facilities defined by the National Institute of Health as a Biolevel-1 (BL-1) or Biolevel-2 (BL-2) facility.**

A communication dated May 27, 2016 with an attachment dated May 24, 2016 was received from Tina P. Cassidy, Planning Director, Woburn Planning Board as follows:

Re: Planning Board recommendation on proposed zoning amendments to create a new Technology and Business Overlay District and associated supporting amendments

Dear Mr. Campbell:

At a meeting of the Woburn Planning Board held on Tuesday, May 24, 2016, members of the Board concluded the public hearing on the above-referenced matter. Following the subsequent discussion the Board voted 5-1-0 (Doherty, Donovan, Turner, Ventresca, Callahan in favor, Bolgen against) to recommend that the City Council vote to approve the zoning proposal subject to multiple amendments reflected on the attachment.

The Board further recommended that the City Council confirm (a) that the subject of applicable buffer zones is clearly and properly addressed, and (b) that the proposed definition of Advanced Manufacturing will not permit manufacturing activities that do not meet the goals and intent of the proposed ordinance.

Please feel free to contact me if you have any questions or need additional information regarding the Board's vote or deliberations.

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

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Order to transfer the sum of \$56,000.00 from Cemetery Interest Fund to Cemetery Burial Acct, Cemetery Utility Acct, Cemetery New Equipment Acct, Cemetery Office Supplies Acct, Cemetery Equip/Bldg Maint Acct, Cemetery Tools/Supplies Acct and Cemetery Overtime Acct, committee report was received “ought to pass.”

On the Order to transfer the sum of \$123,090.00 from Unreserved Fund Balance Acct to Library Sick Leave Buy Back Acct, committee report was received “ought to pass.”

On the Order to transfer the sum of \$3,172.00 from Election and Registration Elections Workers Account to City Clerk Office Supplies Account, Election Printing Account and City Council Printing Account, committee report was received “ought to pass.”

On the Orders to reauthorize the Special Education Department Revolving Fund, Spence Farm Revolving Fund, Recreation Basketball Revolving Fund, Woburn Police Department School Resources Officer Revolving Fund, Historical Commission Revolving Fund, Green Energy Revolving Fund, Liberty Elm Tree Revolving Fund, Council on Aging Revolving Fund, Conservation Commission Revolving Fund, Board of Health Revolving Fund (vaccines), Board of Health Revolving Fun (landfill closure), committee report was received “ought to pass.”

On the Order to reauthorize the Cable Television and Telecommunications Revolving Fund, committee report was received “back for action.”

PUBLIC SAFETY AND LICENSES:

On the petition by Badreddine Elallam dba Badr Car Service for a new Livery License, committee report was received “ought to pass”.

PERSONNEL:

On the reappointment of Margaret Casey as a Member of the Woburn Council on Aging, committee report was received “ought to pass.”

NEW PETITIONS:

A communication dated June 7, 2016 was received from James Squires, Associate Health and Wellness Director, North Suburban YMCA, YMCA of Greater Boston, 137 Lexington Street, Woburn, Massachusetts as follows:

Mr. Campbell:

Please speaking with you today. I was looking to make a time adjustment to our Road Race due to a clerical error on my part in regards to the time. Currently: June 26, 2016 from 8:30 a.m. to 10:00 a.m. I would propose to change to June 26, 2016 10:00 a.m. to 12:00 p.m.

Thank you, James Squires, Associate Health and Wellness Director

Petition by Apria Healthcare LLC, 815A Woburn Street, Wilmington, Massachusetts 01887 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.57b to allow for the overnight parking of commercial vehicles at 4 Presidential Way.

Petition by Dominic Orgettas and Adrienne Orgettas, 129 Pearl Street, Burlington, Massachusetts 01803 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1, Note 15 to allow for an oversized garage at 129 Pearl Street, Burlington (garage located in Woburn).

Petition by NAI Entertainment Holdings LLC, 846 University Avenue, P.O. Box 9108, Norwood, Massachusetts 02062-9108 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.15b to amend a special permit dated May 6, 1994 to allow for: 1. A revised site plan for is existing cinema building entitled “Showcase Cinemas, 25 Middlesex Parkway Woburn, MA” dated June 10, 2016 and prepared by Allen & Major Associates Inc., 100 Commerce Way, Woburn, MA 01888-0118 (the “Site Plan”); 2. A modification to II Grant of Special Permit (b)(ii) by eliminating the reference to Condition No. 17; 3. A modification to III Cinema Conditions Condition 17 by deleting said Condition 17 in its entirety; and 4. A modification to IV General Condition by deleting “Site” on the third line and the sixth line and replacing with “Parcel II” as shown on the Site Plan, at 25 Middlesex Canal Park.

Petition by UPS, 1045 University Avenue, Norwood, Massachusetts 02062 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.42, 5.1.57b and 7.3 to allow for the extension and alteration of the non-conforming structure

and non-conforming use for a warehouse and distribution center and the overnight parking of commercial vehicles at 1 Sixth Road a/k/a 180 New Boston Street.

Petition by Cummings Foundation, Inc./New Horizons at Choate, 200 W. Cummings Park, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 7.3 to amend Condition 4 of a special permit dated February 28, 1990 to allow for the construction of a 4,965 sq. ft. addition for an existing on-site healthcare provider at 21 Warren Avenue.

COMMUNICATIONS AND REPORTS:

A communication dated June 3, 2016 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 meeting for the month of May 2016.

A communication dated June 3, 2016 with attachment was received from Superintendent of Public Works John Duran as follows:

Attached is the list of Double Poles based upon our recent inspections. There is a possibility that a few of these have been addressed. However, there is a more realistic possibility that there are more that were missed or have been created during the inspection process.

By my count there are approximately 150 poles included. The comments section of the spreadsheet defines who the responsible party appears to be. This typically includes Eversource, Verizon, RCN, City of Woburn for Fire Alarm and Street Lights and a denotation of "clear" represents that all utilities have been removed.

My suggestion to the City Council is for each member to provide a modified list to me with double poles and we will add these to the list and we can have a comprehensive list across the City. We can request that Eversource as the pole owner notify us as poles are removed and subsequently modify this list.

I am open to further ideas from the Council on making forward progress on this long standing matter.

John Duran, Superintendent of Public Works

UNFINISHED BUSINESS OF PRECEDING MEETING:

On the Order to transfer the sum of \$43,796.93 from Mayor Salary Adjustments Acct to Library Salary Acct.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

RESOLVED Whereas, a public dog park offers many advantages for dogs including dog socialization advantages, excellent source of dog-dog social interaction, excellent source of dog-people social interaction, people socialization advantages, dog-oriented people can meet and interact, doggy play dates can be arranged, physical and mental stimulation advantages for dogs, excellent source of off-leash exercise for active dogs, dog parks allow dogs to get adequate physical and mental exercise thereby lessening destructive and annoying behaviors in general which can benefit society as a whole, educational advantages;

Whereas, a public dog park could offer many advantages for the Woburn community including it may lessen the chance of owners letting their dogs off-leash in on-leash parks or at Horn Pond, dog owners would be more likely to encounter people who enjoy dogs, the park could provide a location for community dog activities, a good opportunity for owners to learn about dogs through observation and provides the opportunity to learn from more experienced owners, opportunity for well-mannered-dog owners to demonstrate how they turned their dog into a well-mannered dog,

Now therefore be it Resolved by the City of Woburn City Council to request the Mayor, Recreation Commission and/or Conservation Commission to explore existing city owned parcels of land for the creation of a dog park in the City of Woburn; including but not limited to the location, cost and care of said park.

s/President Haggerty

RESOLVED WHEREAS, free public schools available to all students regardless of income, ability, need or English language proficiency are foundational to our democracy; and

WHEREAS, all of our students deserve high-quality public schools that teach the whole child, providing enrichment and addressing social and emotional needs in addition to core academic subjects; and

WHEREAS, local accountability for our public schools is necessary to ensure that schools are responsive to the needs of their communities; and

WHEREAS Woburn is losing \$195,032 to Commonwealth charter schools and public school districts across the state are losing more than \$408 million this year alone — a loss of funds that is undermining the ability of districts to provide all students with the educational services to which they are entitled; and

WHEREAS, Commonwealth charter schools are often approved over the objections of a majority of community residents and their elected officials and are not accountable to local elected officials once they are approved; and

WHEREAS, Commonwealth charter schools often fail to serve the same proportion of special needs students, low-income students and English language learners as the districts from which they receive students and often use high suspension rates to drive out students they don't want to serve; and

WHEREAS, the Commonwealth charter school system is creating separate and unequal opportunities for success; and

WHEREAS, lifting the cap on charter schools would greatly worsen the problems listed above and lead to a costly and divisive two-track school system;

THEREFORE, be it resolved that the Woburn City Council opposes lifting the cap on Commonwealth charter schools.

s/President Haggerty, Alderman Gately,
Alderman Higgins

ORDERED That the City Council accepts the minor modifications to the site plan of record for The Woburn Armory, LLC at 320 Main Street and as reviewed by the Special Permits Committee; and

Be it further Ordered that the City Council accepts the plan of record as so dated.

s/Alderman Gately

ORDERED That the Committee on Special Permits review the special permit issued November 14, 2013 to Dave and Buster's of Massachusetts, Inc. at 275 Mishawum Road.

s/President Haggerty, Alderman Mercer- Bruen

ORDERED That the Committee on Special Permits review the special permit issued January 10, 2013 as modified by a decision issued November 14, 2013 to Main Street Woburn RX, LLC (CVS) at 891 Main Street.

s/President Haggerty, Alderman Tedesco

RESOVLED Whereas, on January 2, 1986, Kathleen M. O'Doherty was appointed Director of the Woburn Public Library; and

Whereas, over the course of thirty years under the direction of Kathleen M. O'Doherty the Woburn Public Library transformed from an institution with a paper index card catalogue to a fully automated computer search system, broadened the availability of resources available to the community by joining the Minuteman Library Network, installed computers to allow residents to take advantage of the internet and ensured the long-term preservation of important historical records of the city by establishing a climate-controlled archive; and

Whereas, Kathleen M. O'Doherty worked to obtain recognition of the building designed by Henry Hobson Richardson as a National Historic landmark; and

Whereas, Kathleen M. O'Doherty as Director of the Woburn Public Library worked to obtain approval and funding to enlarge and renovate the 137 year old structure to meet the future needs of the city by providing residents with resources and services to extend their personal and intellectual development;

Whereas, Kathleen M. O'Doherty upon her retirement is the longest serving Woburn Public Library Director in Woburn history;

Now, Therefore, Be It Resolved by the City Council of the City of Woburn that the Woburn City Council recognizes the many achievements, accomplishments and contributions of Kathleen M. O'Doherty for the benefit of the citizens of the City of Woburn during her 30 year career as Director of the Woburn Public Library, thanks her for her service to the community, and extends the best wishes of the community for continued health, happiness and success upon her retirement.

s/President Haggerty, Alderman Concannon, Alderman Campbell,
Alderman Gately, Alderman Gaffney, Alderman Anderson, Alderman
Mercer-Bruen, Alderman Tedesco, Alderman Higgins

Motion made and 2nd to ADJOURN.