

**CITY OF WOBURN  
SEPTEMBER 6, 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:**

A communication dated August 30, 2016 with attachment was received from His Honor the Mayor Scott D. Galvin as follows:

Re: Authorizations relative to a MassWorks grant application for Magazine Hill parking lot

Dear President Haggerty and Members of the City Council:

I respectfully request your authorization to submit a grant application for MassWorks funding for construction of the Magazine Hill parking lot on Manns Court, and for authorization to expend MassWorks funds for this purpose should the City receive a grant award.

The City's MassWorks application requests \$595,000 in State funds to build a parking lot for approximately 60 cars on Manns Court, where an informal parking area now exists. An ADA compliant sidewalk leading from the lot to Main Street would also be constructed as part of the project. The lot would be equipped with bike racks and appropriate safety lighting and signage, with construction details to be confirmed at another neighborhood meeting prior to site work. The total project cost is expected to be about \$795,000 and would therefore require up to \$200,000 in City funds to build. If MassWorks funds are awarded, I would immediately file an appropriation request for your consideration. Construction of the project would start next Spring and be completed by the Fall.

The Woburn City Council has long been supportive of the downtown and the businesses located there. It has encouraged additional development in this area for many years with success. Recently, the Council has started to express concerns about the continued

reliance on municipal parking lots to provide most of the parking needed for activities and uses in the Center. While we work diligently to enact all facets of our downtown parking strategy, expanding the number of off-street parking spaces will provide immediate benefit to all users.

If at all possible, please place this matter on your upcoming September 6, 2016 meeting agenda for discussion and action. Thank you.

Sincerely, s/Scott D. Galvin, Mayor

Attached thereto was the following Order:

**ORDERED** Be it ordained by the City Council of the City of Woburn that the Mayor be authorized to apply for, and accept funding from, the State’s Executive Office of Housing and Economic Development’s MassWorks grant program should it be awarded to the City, to be used for the construction of a parking lot on municipally-owned land on Manns Court known as “Magazine Hill”.

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

**PUBLIC HEARINGS:**

On the 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. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “That the matter be given leave to withdraw without prejudice.” A communication dated August 29, 2016 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Special Permit Petition, UPS, 1 Sixth Road a/k/a 180 New Boston Street, Woburn, Massachusetts

Dear Mr. Campbell:

I respectfully request that the above-referenced Special Permit Petition be given leave to withdraw without prejudice. If you need any further information, please contact me. Thank you.

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

\*\*\*\*\*

On the petition by Seaver Properties LLC, 215 Lexington Street, Second Floor, Woburn, Massachusetts 01801 to amend the Zoning Map by changing the zoning district from R-2/O-P to R-3 at North Maple and Monks; Monks Street; Hinkley Monks; Warren-Mishawum Avenue; Mishawum and Dexter Avenue and Hinkley Street, to the centerlines of North Maple; Monks Street and Mishawum Avenue and Dexter Avenue, containing approximately 249,442 square feet of land as shown on a plan by Keenan Survey entitled "Proposed Rezoning Plan in Woburn, Massachusetts" dated May, 23, 2016. PUBLIC HEARING OPENED. A communication dated August 29, 2016 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Seaver Properties LLC – Proposed Amendment to Zoning Map of the City of Woburn

Dear Mr. Campbell:

On behalf of my client I respectfully request that the public hearing on this matter scheduled for September 6, 2016 be continued to the City Council meeting scheduled for October 18, 2016. If you need any further information please do not hesitate to contact me. Thank you.

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

\*\*\*\*\*

On the petition by 304 Cambridge LLC to amend the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Amend section 5 Notes to 5.1 Table of Use Regulations by adding the following note: 26. 1. Restaurant Full Service/Fast Food located in an S-1 Zoning District shall be subject to the following conditions: a. The full service/fast food restaurant must be located in an office building containing a minimum of 50,000 square feet of gross floor area; b. Any fast food restaurant shall not be visible from the exterior of the office building; c. The office building shall have frontage on a State numbered road under the jurisdiction of Mass Highway for design, construction and maintenance as of January 1, 2012.; 2. Physical Fitness Training Facilities located in an S-1 Zoning District shall be subject to the following conditions: a. The Physical Fitness Training Facility must be located in an office building containing a minimum of 50,000 square feet of gross floor area; b. The office building shall have frontage on a State numbered road under the jurisdiction of Mass Highway for design, construction and maintenance as of January 1, 2012.; 2. Amend Section 5.1 Table of Use Regulation as follows: a. Line 17a by replacing the "--" with an "x" in the S-1 Zoning District and inserting: Note 26 under the heading: "Notes, Other Sections."; b. Line 28 by replacing the "--" with an "x" in the S-1 Zoning District and inserting: Note 26 under the heading: "Notes, Other Sections."; c. Line 29 by replacing the "--" with an "x" in the S-1 Zoning District and inserting: Note 26 under the heading: "Notes, Other Sections." PUBLIC HEARING OPENED. A report was received from the Committee on Ordinances as follows: "ought to pass with the following amendments: 1. That Section 26.1.b in Section 1 of the proposed ordinance be amended to read "Any fast food restaurant shall not be visible (including signage) from

the exterior of the building. No fast food drive-up customer service facility shall be allowed.”; and 2. That Section 3.c in the proposed ordinance be amended to read “Line 29 by replacing the “-“ with a “P” in the S-1 Zoning District and inserting: Note 26 under the heading: “Notes, Other Sections.”

\*\*\*\*\*

On the petition by A.L. Prime Energy, 319B Salem Street, Wakefield, Massachusetts 01880 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, to amend a special permit to allow for a reduction in the gross floor area of the proposed building, a revised site plan and 1. Pursuant to Section 5.1.22a to allow for a convenience store less than 5,000 square feet, 2. Pursuant to Section 46b to allow for a self-service gasoline stations, 3. Pursuant to Section 5.1, Note 16 to allow for hours in excess of 7:00 a.m. to 10:00 p.m., at 1 Hill Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: “ought to pass, as amended as follows: 1. Accept Phase 1; 2. That the Plan of Record shall be plan as revised May 27, 2016; and 3. adopt the following conditions 1 through 5: 1. Condition 12 shall be amended as follows: Condition 12. The Petitioner shall construct and improve the site as substantially describe on the Plan of Record which for this project shall be “Site Improvement Plans for A. L. Prime Energy at 1 Hill Street, Woburn, MA 01801” dated September 19, 2007; revised November 19, 2007; revised September 28, 2015; revised May 27, 2016 (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 seeking approval to modify the Site Plan.; 2. The Petitioner shall construct its Project in two (2) phases as shown on the Phasing Plan entitled “Site Improvement Plan” dated September 20, 2007; revised October 22, 2007; revised November 16, 2007; July 5, 2015 and September 25, 2015.; 3. Prior to the issuance of an occupancy permit for Phase I, the Petitioner shall: a. Provide an easement along the property line of the Project Site starting west of the western driveway and going up to the east-northeast corner of the Project to allow for the future resetting and movement of the curbing as shown on the Site Plan., b. Install an impressed asphalt crosswalk from the Project Site to a new handicap ramp in the sidewalk on the opposite side of Hill Street to provide pedestrian access from the commuter lot to the Project Street., c. Install an impressed asphalt as a median divider to separate the traffic heading north on Hill Street from traffic heading south on Hill Street into the Project Site and other businesses on Hill Street., d. Construct a new sidewalk along Hill Street from Montvale Avenue to the Project Site., e. Construct a sight triangle to improve the safety of people exiting the Project Site from the driveways of the gas station area., f. Secure approval for and complete roadway improvements for the Hill Street approach to the Project Site, including an exclusive right-turn lane and center islands to define the two

lanes approaching Montvale Avenue at the Hill Street intersection.; 4. Prior to the issuance of an occupancy permit for Phase II, the Petitioner shall: a. Install an impressed asphalt as a median divider to separate the traffic heading north on Hill Street from traffic heading south on Hill Street into the Project Site and other businesses on Hill Street.; 5. All conditions set forth in the original Special Permit Decision, except as modified by this Decision shall remain in full force and affect.”

\*\*\*\*\*

On the petition by Minast, LLC, 11 Presidential Way, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, to modify a special permit dated July 9, 2015 as modified by a Notice of Modification of Special Permit dated October 29, 2015 to allow for a new Condition 13 relative to the Plan of Record at Lot 1, Presidential Way. PUBLIC HEARING OPENED. A communication dated September 1, 2016 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Planning Department comments on minor modification to special permit decision for Lot 1, #4 Presidential Way/Minast, LLC

Dear Honorable Council:

The Planning Department has reviewed the above-referenced petition which seeks to amend a previous special permit decision to incorporate the addition of a 13<sup>th</sup> Condition, as referenced in the Exhibit A attachment to the Petitioner’s application.

After speaking with Building Commissioner Tom Quinn it became clear the addition of this condition would ensure proper Plan of Record citation and efficient review of building permit plans. The Planning Department therefore takes no exception to the request.

Respectfully, s/Dan Orr, City Planner/Grant Writer

\*\*\*\*\*

On the petition by Destination Partners, Incorporated, 12 Henshaw Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.57b to park two (2) box trucks in connection with its event planning business at 12 Walnut Hill Park. PUBLIC HEARING OPENED.

\*\*\*\*\*

On the petition by Alton Acquisition II, LLC, 327 W. Maple Avenue, Monrovia, California 91016 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.42a, 7.3, 9 and 12.2.4 to allow for a self-storage warehouse facility within the Flood Plain District at 39 Olympia Avenue. PUBLIC HEARING OPENED. A communication dated September 1, 2016 was received from Tina P. Cassidy, Director, Planning Board/WRA as follows:

Re: Special Permit application for 39 Olympia Avenue/Alton Acquisitions II, LLC

Dear Honorable Council:

The Planning Department has reviewed the above-referenced petition which seeks permission, in accordance with Sections 5.1(42a), 7.3, 9 and 12.2.4 of the Woburn Zoning Ordinance (WZO), to "...allow for a self-storage warehouse facility with the Flood Plain District". The property is located in an Industrial Park (IP) zoning district and Section 5.1(42a) of the WZO allows a self-storage warehouse facility so long as there is "no storage of high hazard materials, trailers, motor vehicles or any outside storage". The application does not specify the nature of the non-conformity requiring relief under Section 7.3, and Section 9 is a reference to the City's Floodway and Flood Plain Districts. The applicant has also requested Site Plan Review in accordance with Section 12.2.4 but it is not clear why Site Plan Review is being sought for this application. The applicant should be asked to explain exactly what action is triggering the need for Site Plan Review. Is the applicant constructing new floor area or creating 100 or more parking spaces?

Unfortunately, there are issues of concern with this application:

1. The applicant provides information to calculate a proposed parking requirement for the self-storage warehouse use. Presumably this is because the use is different from any specifically listed in Section 8.2.5, and therefore reliant on the following provision in that section: "*Other Uses - Spaces sufficient to accommodate on the site all users of the facility, as established through documentation submitted to satisfy special permit or site plan review requirements, whichever may apply, or if no such requirements apply, documentation to the satisfaction of the Building Commissioner.*" The ITE trip generation-based information included in the application may not be sufficient to support the request. Is this proposed use in fact different from other, perhaps similar establishments like the U-Haul facility at 39 Olympia Avenue that have already been permitted? If the proposed use is similar, the same parking calculation used for 39 Olympia Avenue should perhaps be used here. Or, has the Building Department made a parking determination previously for a similar self-storage facility elsewhere in the City and if so, is the proposed calculation consistent with any previous determination?

Two minor but important notes relative to the subject of parking: One, the parking calculation provided on the plan submitted with this application may need to be revised. It indicates there are 129 parking spaces available for use by tenant businesses and their visitors but there may be only be as few as 105 available. 24 parking spaces are in fact set aside for "overnight parking and equipment storage" use by a co-tenant in the building. As such, some or all of those 24 spaces would not in fact be available to certain employees on certain shifts. Two, any vacant space in the building not included in the calculation of either tenants' uses should still be accounted for in the parking calculation.

2. The application provides virtually no detail regarding the proposed use of the building. No calculations or floor plans have been provided to show which part of the building each of the tenants will occupy nor has any information been provided relative to the specific floor areas and different uses intended by each tenant. These floor plans should be required of the applicant and reviewed for conformity with State Building Code and WZO requirements. These plans are also essential to clearly document the parking calculations that are provided on the plan that was submitted.
3. The applicant should confirm that it will not be making any changes to the exterior of the building. The submitted plan was used previously for a filing associated with the building's other tenant (NASDI) and notes every doorway and garage bay on the building's facade. If the applicant's proposed use of the building will not require any changes to any of the building's exterior façade there is no issue here. But if the applicant does intend to make changes to the façade in order to accommodate the warehouse use they should be incorporated into the plans now during Council review.
4. The plan that was provided in the application was recently revised on August 8, 2016. It is impossible to determine from reviewing the plan which changes have been made. The Planning Department therefore recommends the Council require the applicant to provide written documentation explaining any plan amendments. Certain changes - such as revised parking calculations - would be innocuous. Other elements, such as snow storage areas that fall within a Riverfront Area, or changes to the amount of impervious surface on site, may not be innocuous and would warrant review by others (i.e. Conservation Commission).
5. Approval of the plan included with this application may create an immediate problem for the building's other tenant. A different Plan of Record was approved for the other tenant last year, and the current plan differs from it in some way(s). As recommended above, the City Council should determine the differences, consider whether approving a different site plan would somehow void the co-tenant's Special Permit and if so, perhaps require a coincidental application from the other tenant so that the revised Plan of Record can be incorporated and cited in its Special Permit Decision as well.

When and if the Council decides to approve this application, the Planning Department recommends it consider imposing the following conditions, in addition to any from the Special Permit Decision issued for the building's other tenant (NASDI) that may be suitable and appropriate to impose on this tenant as well:

- That Alton Acquisition II, LLC shall not be authorized to use any of the area designated on the plan as an "Area of Overnight Parking and Equipment Storage"; and
- There shall be no residential occupancy of any portion of the building (some self-storage facilities employ live-in managers).

I would be happy to answer any questions you may have about this recommendation.

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

\*\*\*\*\*

On the petition by John Tremblay and Theresa Tremblay, P.O. Box 372, Burlington, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1 Note 15 and 7.3 as follows: 1. To allow for a garage in excess of 900 square feet pursuant to Section 5.1 Note 15 to allow for a two car attached garage on a lot with an existing detached garage; 2. To allow for an alteration of a preexisting nonconforming structure, at 10 Lexington Street. PUBLIC HEARING OPENED. A communication dated September 1, 2016 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Modification of special permit for various design changes to plan for construction of residential garage to exceed 900 sq. ft. in size at 10 Lexington Street/John and Theresa Tremblay (Owners and Applicants)

Dear Honorable Council:

This office has reviewed the above-referenced petition which seeks to modify an existing special permit for the purpose of incorporating the following five design changes to the Plan of Record: 1) Addition of three windows for the garage (one on the left side and two in the rear); 2) Addition of three windows for the basement on the right side of the garage (shifting one window on second floor to line up with the basement and another second floor window); 3) Removal of a door from the back left corner of the basement to allow for replacement with a window; 4) Changing the existing single door to a double French door; and 5) Addition of two-foot shed roofs over the garage doors and front doors. The applicant is filing pursuant to Section 7.3 of the Woburn Zoning Ordinances to allow for alteration of a preexisting, non-conforming structure.

The applicant also submitted a special permit application to the Zoning Board of Appeals (ZBA) to authorize this construction. In its decision (5-0-0) dated July 28<sup>th</sup>, the ZBA granted the proposed amendments to the special permit.

The Planning Department takes no exception to the proposed design changes and recommends that the City Council revise Condition #1 of its May 12, 2016 Special Permit Decision to read as follows:

1. That the Plans of Record shall be "New Home for Mr. & Mrs. John & Terry Tremblay, 10 Lexington St., Woburn, Mass.;" Sheets A1-A6 (all at a scale of 1/4" = 1'0"); dated March 11, 2016 and revised May 5, 2016; drawn by Robert M. Connell, Residential Designs, 22 North Street, Wilmington, Mass.; all dated March 2016; and 'Plot Plan 10 Lexington Street, Woburn, Mass.; Scale: 1" = 30'; Prepared by Edward J. Farrell, Professional Land Surveyor, 110 Winn Street, Suite 203, Woburn, MA (781)-933-9012."

The Department further recommends Conditions #2 and #4 of the Council's previous Special Permit decision for this property remain in full force and effect, unless otherwise amended by its forthcoming decision.

Respectfully, s/Dan Orr, City Planner/Grant Writer

---

**CITIZEN'S PARTICIPATION:** None.

---

**COMMITTEE REPORTS:**

**FINANCE:**

On the Order to transfer the sum of \$190,873.00 from Stabilization Fund Acct to Landfill LDC Inter Connection Acct, Kennedy Middle School Acct and Green Comm. Revolving Fund Grant Projects Acct, committee report was received "ought to pass."

\*\*\*\*\*

On the Order to transfer the sum of \$161,850.00 from Montvale Ave Infrastructure Acct, Dunkin Donuts Montvale Ave Acct, Traffic Improv/East Woburn Acct to Montvale Ave Traffic Infrastr Acct, committee report was received "ought to pass."

\*\*\*\*\*

**PUBLIC SAFETY AND LICENSES:**

On the petition by GameStop #3315 for renewal of Secondhand Dealers and Secondhand Collectors License, committee report was received "ought to pass".

\*\*\*\*\*

On the petition by Musto Jewelers Inc. for renewal of Secondhand Dealers and Secondhand Collectors License, committee report was received "ought to pass".

\*\*\*\*\*

On the petition by Harmony Transportation Inc. for a new Livery License, committee report was received "back for action pending receipt of Police Department inspection report".

---

**NEW PETITIONS:**

Petition by Capelo's Auto Service, Inc. dba Capelo's Auto Sales, 22 Winn Street, Woburn, Massachusetts 01801 for a new Second Class Motor Vehicle Sales License.

\*\*\*\*\*

Petition by Mobilite, LLC, 3475 Piedmont Road, Suite 1000, Atlanta, Georgia 30305 for a grant of right in a way to install proposed backhaul transport on proposed 75 foot utility pole at Kimball Court and Pearl Street.

\*\*\*\*\*

Petition by Woburn Hotel Owner LLC, 125 High Street, 21<sup>st</sup> Floor, Boston, Massachusetts 02110 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.20 and 8.2.5 Mixed Use to amend a prior special permit for changes to site plan and a reduction in parking at 2 Forbes Road.

\*\*\*\*\*

Petition by Washington Donuts, Inc., 344 Washington Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the alteration and expansion of a non-conforming use (fast food restaurant) and structure (street frontage, landscape, useable open space) to replace the existing 7 foot by 22 foot refrigeration unit with a new refrigeration unit measuring 7 feet by 24 feet on a 7 foot by 25 foot concrete pad at 344 Washington Street.

\*\*\*\*\*

Petition by 318 LLC, 274 Woodlands Road, Alton Bay, New Hampshire for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.22b, 5.1.69 and 7.3 to amend special permits dated September 25, 1997 as follows: 1. Special permit dated September 25, 1997 allowing for fast food establishment and ATM by deleting Condition 9 which currently allows the ATM and no more than one (1) other permitted use, and 2. Special permit dated September 25, 1997 allowing for the alteration of the existing externally illuminated nonconforming sign to allow for a modified sign that is an internally illuminated sign as well as wall signs that are internally illuminated; In addition, petitioner seeks: 1. To construct an approximately 4,000 square foot addition to the existing building at 318 Montvale Avenue and combine 314 Montvale Avenue and 318 Montvale Avenue into one lot; and 2. Continue the use of the nonconforming parking spaces on a portion of the lot as shown on the plan, at 314-318 Montvale Avenue.

\*\*\*\*\*

Petition by MetroNorth Business Center LLC, 74 Commerce Way, Woburn, Massachusetts to amend the 1985 Woburn Zoning Ordinances, as amended, as follows:

**ORDERED** Be it ordained by the City Council of the City of Woburn that the 1985 Woburn Zoning Ordinances, as amended, be further amended as follows: Amend Section 8.4 Design and Layout of Required Parking Facilities as follows: 1. Amend Section 8.4.1.3 by adding to the end of the fifth paragraph after the word "Planning Board" the following: "or by a Special Permit granted by the City Council pursuant to this Section 8.4.3."

By MetroNorth Business Center LLC, an individual owning land to be affected by the change or adoption

---

**COMMUNICATIONS AND REPORTS:**

A communication dated August 12, 2016 was received from Charles O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

Council Members,

In accordance with Massachusetts General Laws Chapter 90, Section 20½ I am submitting the following parking ticket report. Figures cited below are for the Month of July 2016: Number of violations issued 511, Numbers of violations paid 333, Number of violations outstanding 199, Amount collected and submitted to Collectors Office \$33,094.20, Parking fines referred to the Handicap Commission \$16,100.00.

There is a backlog of 1,646 unpaid tickets dating from January 2004 to July 2016. A 21 day late notice is sent to vehicle owners who have not paid the fine. After 28 days, if the fine still has not been paid, that information is forwarded to the Registry of Motor Vehicles for administrative action.

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

\*\*\*\*\*

A communication dated August 22, 2016 was received from Patricia Bergeron George, Clerk of License Commission as follows:

Re: Liquor Licenses

Dear President Haggerty and Aldermen:

It is the understanding of the Woburn License Commission that the City Council may be petitioning "Home Rule Legislation" for additional liquor licenses within the City. The Commission is respectfully requesting to be notified and involved in any petitions which would result in additional licenses.

Thank you for your courtesy and consideration.

Sincerely, s/Patricia Bergeron George, Clerk of License Commission

\*\*\*\*\*

A communication dated August 26, 2016 with attachments was received from Tina Cassidy, Planning Board/WRA Director as follows:

Subject: Approved Updated Hazard Mitigation Plan

Attached please find a copy of the recently-approved update to the City of Woburn's Hazard Mitigation Plan. A copy has also been posted on the Planning Department's page of the City's website. Feel free to add it to yours as well.

Also attached are the formal approval letter from FEMA and a copy of the final Review Tool completed by FEMA and MEMA.

The approved Plan means the City is eligible to apply for and receive hazard mitigation grants administered by FEMA through July 11, 2021. An updated and revised Plan will need to be submitted to FEMA before that date in order for the City's grant funding eligibility to continue uninterrupted.

Thanks to everyone who helped me and MPAC complete this Plan update. It is the first time in MAPC's experience with FEMA that a submitted Plan update was approved without being returned at least once to the local community for additional edits and corrections.

We could not have done it without you.

s/Tina Cassidy, Planning Board/WRA Director

---

**UNFINISHED BUSINESS OF PRECEDING MEETING:**

On the notice filed by Alderman Anderson of his intention to file a motion to reconsider his voted in favor of adopting an Order 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. Motion made by Alderman Anderson and 2<sup>nd</sup> to allow reconsideration of his vote to approve the Order to amend the 1985 Woburn Zoning Ordinances, as amended, by adding a new Section 27 entitled Technology and Business Mixed Use Overlay District (TBOD), all in favor, 9-0.

\*\*\*\*\*

On the Order to hold a hearing for the purpose of revoking the Second Class Moto Vehicle Sales License held by Capelo's Garage, Inc., 22 Winn Street.

---

**APPOINTMENTS AND ELECTIONS:** None.

---

**MOTIONS, ORDERS AND RESOLUTIONS:**

ORDERED That the Committee on Personnel take the necessary steps to fill the vacancy in the position of Clerk of Committees according to the applicable provisions of the City Charter and the Woburn Municipal Code.

s/President Haggerty and Alderman Campbell

\*\*\*\*\*

ORDERED That the Committee on Special Permits meet with representatives of the Lord Hobo Brewing Co. relative to a special permit issued on December 10, 2015 for the property located at 5 Draper Street.

s/Alderman Mercer-Bruen

\*\*\*\*\*

ORDERED Whereas, on May 22, 2014 the General Court adopted and His Excellency the Governor approved Chapter 111 of the Acts of 2014 An Act Relative to Election Laws; and

Whereas, Section 12 of Chapter 111 of the Acts of 2014 added to the Massachusetts General Laws a new Chapter 54, Section 25B which establishes a process for early voting to take effect on and to be implemented for the 2016 biennial state election; and

Whereas, Massachusetts General Laws Chapter 54, Section 25B and the regulations promulgated thereunder at 950 CMR 47.00 requires cities and towns to hold early voting during regular business hours, to designate sufficient staffing for the orderly administration of early voting, to print or otherwise provide applications for by-mail early voting, and to mail early voting ballots upon receipt of an application from a voter thereby mandating new costs and expenditures on the city of Woburn and all cities and towns in the Commonwealth; and

Whereas, the Massachusetts General Laws Chapter 54, Section 25B imposes direct service and cost obligations upon the city of Woburn and all cities and towns in the Commonwealth; and

Whereas, 950 CMR 47.00 shall result in the imposition of additional costs upon the city of Woburn and all cities and towns in the Commonwealth; and

Whereas, the Secretary of the Commonwealth has established a program to offer so-called incentive grants to cities and towns which hold early voting hours outside regular business hours on Saturday and Sunday;

Now, Therefore, Be It Hereby Ordered by the City Council of the city of Woburn as follows:

1. That pursuant to Massachusetts General Laws Chapter 29, Section 27C, Massachusetts General Laws Chapter 11, Section 6B and any other applicable law, rule or regulation, the city of Woburn hereby petitions the Honorable State Auditor and the Division of Local Mandates to determine to the best of their ability and in a timely manner the estimated and actual financial effects on the city of Woburn and on each city and town of the Commonwealth under Massachusetts General Laws Chapter 54, Section 25B and 950 CMR 47.00; and
  
2. That pursuant to Massachusetts General Laws Chapter 29, Section 27C, Massachusetts General Laws Chapter 11, Section 6B or any other applicable law, rule or regulation, the State Auditor and the Division of Local Mandates determine whether any funds received by the city of Woburn or any other city or town in the Commonwealth under a so-called incentive grant program conducted by the Secretary of the Commonwealth for holding early voting outside the regular hours of business will reduce any reimbursement that the city of Woburn or any other city or town in the Commonwealth would receive for any unfunded local mandate costs and expenditures imposed on the city of Woburn or any city or town in the Commonwealth under Massachusetts General Laws Chapter 54, Section 25B and 950 CMR 47.00.

s/President Haggerty and Alderman Concannon

\*\*\*\*\*

ORDERED      Be it Ordained by the City Council of the City of Woburn that the Mayor be and is hereby authorized to convey a portion of the property identified as Old Lexington Street, consisting of 8,874 s.f. of land and shown as Parcel A on a proposed plan entitled "Approval Not Required Old Lexington Street in Woburn Massachusetts" dated July 19, 2016, on such terms and conditions as the Mayor may determine, and further, to authorize the Mayor to take all related actions necessary and to sign all required documents to effect the disposition of such land.

s/Alderman Higgins

\*\*\*\*\*

ORDERED      Be it ordained by the City Council of the City of Woburn that Title 2, Section 2-180 Base Salaries of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. By deleting "Cell Monitors per hour \$14.17" and replacing same with "Cell Monitors per hour \$16.00";

2. By deleting "School Traffic Guards per hour \$14.00" and replacing same with "School Traffic Guards per hour \$16.00".

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

\*\*\*\*\*

ORDERED Be it Ordained by the City Council of the City of Woburn that Title 18, Section 18-1(A) Public Notice of Americans with Disabilities Act (ADA) Compliance of the 1989 Woburn Municipal Code, as amended, be further amended by deleting therefrom "Phone: (781) 932-4459 Fax: (781) 937-8212" and replacing same with "Phone: (781) 897-5955 Fax (781) 897-5959".

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

\_\_\_\_\_

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