

**CITY OF WOBURN  
APRIL 1, 2008 - 7:30 P.M.  
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Denaro	Gately
Drapeau	Gonsalves
Dwyer	Mercer-Bruen
Galvin	Raymond

Doherty

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

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**MAYOR'S COMMUNICATIONS:**

ORDERED That the sum of \$8,400.00 be and is hereby transferred as so stated from Custodian Acct #0162051-512025 \$4,000.00, Bus Rentals Acct #0162052-527301 \$1,900.00, Schelzi Pool Acct #0162058-585000 \$2,500.00, Total \$8,400.00 to Fence Account #0162052-524115 \$8,400.00

I hereby approve the above: s/Thomas L. McLaughlin, Mayor  
I have reviewed the above: s/Gerald W. Surette, City Auditor  
I recommend that above: s/Rory Lindstrom, Recreation Director

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

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**PUBLIC HEARINGS:**

On the petition by American Venture Corporation, 88 Broad Street, Boston, Massachusetts 02110 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to extend and alter a pre-existing non-conforming use, by developing an additional 11,200 square feet (approx.) of retail space on the currently vacant portion of the site, and combining the property at 159 Main Street into the overall site development at 159-175 Main Street. PUBLIC HEARING OPENED. A communication dated April 1, 2008 was received from Attorney John D. McElhiney, McElhiney and Matson, 607 Main Street, Woburn, Massachusetts 01801 as follows:

Re: Public Hearing – American Venture Corporation, 159-175 Main Street, Woburn, MA

Dear Members of the Council:

The Planning Board reviewed the above matter on March 25, 2008, but did not finish its review, and has continued its deliberations until April 8, 2008. Accordingly, it does not seem to make sense to move forward with the Public Hearing on April 1, 2008. Request is hereby made to continue the Hearing to April 15, 2008, by which time we should have a final recommendation from the Planning Board.

Thank you for your courtesy and cooperation.

Sincerely, s/John D. McElhiney

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On the petition by City of Woburn, 50 North Warren Avenue. Woburn, Massachusetts 01801 for a special permit pursuant Section 5.1.79 of the 1985 Woburn Zoning Ordinances, as amended, to erect a steel frame, fabric sheathed storage facility at 50 North Warren Avenue. PUBLIC HEARING OPENED.

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On the petition by William Highgas, III, Arpie E. Highgas, individually and as trustees of B.A.R. Realty Trust, landowners, to amend the 1985 Woburn Zoning Ordinances by adding the following: 1. Section 5.1 Table of Use Regulations line 42a self-storage warehouse facility – no storage of high hazard materials, trailers, motor vehicles or any outside storage shall be amended by deleting the “-“ under the B-I column and replacing with “P”; 2. Section 6.1 Table of Dimensional Regulations shall be amended by adding to the Floor Area Ratio column for the B-I Zoning District of the following: “(Note 5)”; 3. Section 6.1, Table of Dimension Regulations shall be amended by adding “Note 5” which shall state as follows: “The Floor Area Ratio for a self-storage warehouse facility as defined in this Ordinance shall be 2.0.” PUBLIC HEARING OPENED.

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On the petition by to further amend the 1985 Woburn Zoning Ordinances as follows: Be it ordained by the City Council of the City of Woburn that the 1985 Woburn Zoning Ordinances, as amended, be further amended by striking from Section 5.1.53 the words “High hazard use listed in the Building Officials Conference of America (BOCA) Code” and inserting in its place the words “High hazard use listed in the International Building Code as published by the International Code Council (ICC)”, meaning and intending to reflect the change in the accepted building code regulation. PUBLIC HEARING OPENED.

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On the petition by American Equipment Rentals/FST Equipment, LLC, One Fields Point Drive, Providence, Rhode Island 02905 for a special permit pursuant to Sections 5.1.43 and 57b of the 1985 Woburn Zoning Ordinances, as amended, for the rental, sale, and service of equipment, including cranes, and outside storage of same at 62 Holton Street. PUBLIC HEARING OPENED. A communication dated March 13, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: American Equipment Rentals/FST Equipment, LLC – 62 Holton St. – To allow outside storage of equipment and cranes under Sections 5.1.43 & 5.1.57b

Dear Mr. Campbell and members of the City Council:

At the meeting held on March 11, 2008, the Planning Board voted to forward a favorable recommendation to the City Council on the Special Permit application of American Equipment Rentals/FST Equipment, LLC, regarding the property at 62 Holton Street, subject to the following conditions:

1. That no expansion of the existing outside storage of equipment and cranes shall be allowed;
2. That all vehicles stored at this location shall be registered in Woburn;
3. That the hours of operation shall be limited to Monday thru Friday 7 A.M. to 5 P.M.; and
4. That the traffic movements to and from the site shall be limited to protect the neighbors on Holton Street.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A copy of a communication dated March 10, 2008 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject; 62 Holton Street, Outside Storage, Sales, Rental, Service Special Permit – Special Permit Application Dated February 4, 2008

This office has reviewed the special permit application for the above referenced location and offers the following comments.

The petitioner is seeking permission to allow for rental, sale and service of equipment and outside storage. According to the application, the business office and business service and sales would be allowed by right but the outside storage would require a special permit.

The site plan shows existing conditions of the site with the areas of outdoor storage as well as the amount of existing parking spaces.

It would appear that there are no proposed site changes or utility work. Upon reviewing the submitted application, this office takes no exception to the special permit application as submitted.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

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On the petition by concerning the building or buildings located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 55 Montvale Avenue, Woburn, Massachusetts for the purposes of determining whether said building or buildings are a public nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation \_\_\_\_.  
PUBLIC HEARING OPENED.

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On the petition by Anthony Flowers and Doreen Flowers, 29 James Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended to allow the extension of a non-conforming use to allow a personal service establishment at 224 Main Street. PUBLIC HEARING OPENED. A communication dated March 28, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Anthony & Doreen Flowers – 224 Main St. – To convert use of property from electrolysis to hairdresser under Section 7.3

Dear Mr. Campbell and members of the City Council:

At the meeting held on March 25, 2008, the Planning Board voted to forward a favorable recommendation to the City Council on the Special Permit application of Anthony & Doreen Flowers, regarding the property at 224 Main Street to convert the use of property from electrolysis to hairdresser under Section 7.3, because the proposal does not change the sue of the property under the Woburn Zoning Ordinance.

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

Sincerely, s/Edmund P. Tarallo

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**CITIZEN’S PARTICIPATION:** None.

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**COMMITTEE REPORTS:** None.

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**NEW PETITIONS:**

Petition by Dave's Automotive, Inc., 471 Russell Street, Woburn, Massachusetts 01801 for a new Taxi Cab License.

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Petition by Mohamad S. Moharam dba First Cab, 54 Cummings Park, Suite 318, Woburn, Massachusetts 01801 for a new Taxi Cab License.

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Petition by Atlantic Plywood Corp, 8 Roessler Road, Woburn, Massachusetts 01801 to amend an Inflammable License to allow the storage of aboveground of up to 5,000 gallons of Class I liquid paint related material and underground 5,000 gallons of Class II Diesel at 8 Roessler Road.

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Petition by North Suburban YMCA (YMCA of Greater Boston), 137 Lexington Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow the building of an outdoor water playground at 137 Lexington Street.

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Petition by College Street Partners LLC, 900 Cummings Center, Suite 301U, Beverly, Massachusetts 01915 for a special permit pursuant to Section 5.1.71, 7.3 and 9 of the 1985 Woburn Zoning Ordinances, as amended, to allow for a 586 vehicle parking garage and for the continuation of the existing warehouse and distribution use within the flood plain district at 23 Mack Road a/k/a 23 Rainin Road, Mack Road and Mack Road Rear.

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Petition by Maggie Ann LLC, 1 Red Leaf Lane, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 5.1.22b, 5.1.46b and 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for an increase in the square footage of the existing convenience mart from 650 square feet to 2,286 square feet at 878 Main Street and 7 Tidd Avenue.

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Petition by 600 Metronorth Corporate Center LLC, c/o National Development of New England, 2310 Washington Street, Newton, Massachusetts 02462 for a special permit pursuant to Section 5.1.41 of the 1985 Woburn Zoning Ordinances, as amended, to allow for a research and testing laboratory at 120 Presidential Way.

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**COMMUNICATIONS AND REPORTS:**

A communication dated March 19, 2008 with attachments was received from Paul L. Sweeney, Treasurer, Northeast Metropolitan Regional Vocational School District, 100 Hemlock Road, Wakefield, Massachusetts 01880 advising that the based on the tentative

operational and maintenance budget approved the a vote of the Northeast Regional Vocational School Committee the assessment for the City of Woburn for FY2009 will be \$1,243,978.00.

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A communication dated March 27, 2008 with attachments was received from Donald J. Borchelt, Executive Director, Woburn Redevelopment Authority, 371 Main Street, Woburn along with a copy of the Woburn Redevelopment Authority meeting packets for the meetings held on February 25, 2008 and March 25, 2008 and advising that the next meeting is tentatively scheduled for April 29, 2008 at 5:00 p.m.

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A communication dated March 24, 2008 was received from School Committee Member Christopher Kisiel seeking an exemption as required by M.G.L. Ch. 268A, §20(c) and §20(d) as a special municipal employee.

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A copy of a communication dated March 27, 2008 with attachment to Mayor Thomas McLaughlin was received from Marylyn Forsyth, 26 Independence Drive, Woburn, Massachusetts 01801 relative to her opposition to the salary paid to the incumbent superintendent of public works.

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A copy of a communication dated March 19, 2008 to Assistant Attorney General , Environment and Natural Resources Division, U.S. Department of Justice was received from Linda A. Raymond, Aberjona Study Coalition, Inc., 10 North Maple Street, Woburn, Massachusetts 01801 relative to the Aberjona Study Coalition, Inc. Comments concerning the Consent Decree.

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

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

**RESOLVED** Whereas, increasing volumes of heavy truck traffic is creating a nuisance to the residents in the area of Mishawum Road north of Olympia Avenue,

Now, Therefore, Be It Resolved that the Traffic Commission study the feasibility of establishing an alternate truck route thereby prohibiting the travel of heavy trucks along Mishawum Road from the intersection with Olympia Avenue to the intersection with School Street and to report its findings to the City Council.

s/Alderman Raymond

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ORDERED Be it Ordained by the City Council of the City of Woburn that Title 8, Article IV, Section 8-10 of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. By deleting from Paragraph B the numbers "72,780" and inserting in its place the numbers "72.78" and deleting the numbers "\$100.00" and inserting in its place the numbers "\$10.00".
2. By deleting from Paragraph C the number "\$100.00" and inserting in its place the numbers "\$10.00".

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

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RESOLVED Whereas, through their efforts and demonstrated proficiency in their sport, the members of the 2008 Woburn Memorial High School Indoor Track Team participated in advanced competition; and

Whereas, the 2008 Woburn Memorial High School Indoor Track Team was undefeated in Middlesex League competition and named All-State Champions in their sport; and

Whereas, at the National Scholastic Indoor Track and Field Championships held in New York City the 2008 Woburn Memorial High School Indoor Track Team Relay Team captured the national title by finishing first in the 4 x 400 relay event; and

Whereas, the members of the 2008 Woburn Memorial High School Indoor Track Team have exemplified true determination in competitive sport all season;

Now, therefore, the City Council of the City of Woburn recognizes the efforts and accomplishments of the members of the 2008 Woburn Memorial High School Indoor Track Team and extends the best wishes of the community on their continued academic and athletic success.

s/Alderman Gately and Alderman Dwyer

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