

**CITY OF WOBURN  
AUGUST 12, 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 \$2,903,977.81 be and is hereby appropriated as so stated from Debt Reserve Acct #648059-596100 \$2,903,977.81 to Long Term Debt Principal Acct #0171059-591000 \$1,642,000.00, Interest Acct #0171059-591500 \$1,261,977.81, Total \$2,903,977.81

I hereby approve the above. s/Thomas L. McLaughlin, Mayor  
I have reviewed the above. s/Gerald W. Surette, City Auditor

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

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ORDERED That the amount of \$81,881.00 be and is hereby appropriated : Purpose: City Hall Union Negotiations.

I hereby approve the above: s/Thomas L. McLaughlin, Mayor  
I have reviewed the above: s/Gerald W. Surette, City Auditor

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

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ORDERED Be it ordained by the City Council of the City of Woburn, that Title 13 of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. That Article II, Section 13.3.9.A.1 be amended by striking the amount "\$161.00" and inserting in its place the amount "\$189.00".

2. That Article II, Section 13.2.35.A.1 be amended by striking the amount "\$96.00" and inserting in its place the amount "\$113.00".
3. That Article II, Section 13.2.35.B.1 be amended by striking the amount "\$3.83" and inserting in its place the amount "\$4.84".
4. That Article II, Section 13.2.35.B.8 be amended by striking the amount "\$96.00" and inserting in its place the amount "\$113.00".

I hereby recommend the above: s/Mayor Thomas L. McLaughlin

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

**PUBLIC HEARINGS:**

On the petition by Alderman Michael Raymond to amend the 1985 Woburn Zoning Ordinances, as amended, by establishing a new Section 22 entitled Senior Housing Overlay (SHO) District as set forth in the petition. PUBLIC HEARING OPENED. A communication dated August 11, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Alderman Michael Raymond – Zone Change – New Section Senior Housing Overlay District

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting of August 5, 2008, the Planning Board voted to forward the following favorable recommendation to the City Council on the above cited zoning ordinance change as modified by the following revisions:

1. That Section 22 C 3 shall be amended to read "All SHO proposals except those uses in Section 22 E 1c and Section 22 E 1 d shall be subject to Section 11.11 Affordable Housing Requirements, as applicable."
2. That Section 22 F 2 shall be amended from "Minimum Lot Coverage: 60%" to "Maximum Lot Coverage: 60%"

If you or members of the City Council have any questions or concerns regarding the foregoing matter, please contact me.

Respectfully Submitted, s/Edmund P. Tarallo, Planning Director

IN FAVOR: A communication dated August 12, 2008 was received from Paul J. Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn in favor of the proposal.

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On the petition by Alderman Michael Raymond to further amend the Zoning Map of the City of Woburn as follows: By adding the parcel of land containing approximately 6.00 acres of land identified as Lot 2 Main St. at as shown on a plan by Allen & Major Associates, Inc. entitled St. Anthony of Padua 859 Main Street Woburn, MA Revised 1/04/08 to the "Senior Housing Overlay (SHO)" zoning district. PUBLIC HEARING OPENED. A communication dated August 11, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

RE: Alderman Michael Raymond – Zoning Map Change – Senior Housing Overlay District

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting of August 5, 2008, the Planning Board voted to forward a favorable recommendation to the City Council on the above cited zoning ordinance map change.

If you or members of the City Council have any questions or concerns regarding the foregoing matter, please contact me.

Respectfully Submitted, s/Edmund P. Tarallo, Planning Director

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On the petition by Chair 5 Restaurants – Woburn LLC d/b/a Qdoba Mexican Grill, 572 Washington Street, Suite 17A, Wellesley, Massachusetts 02482 for a special permit pursuant to Sections 5.1.29 and 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for a fast food restaurant and building signage at 300 Mishawum Road PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "back for action".

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On the petition by Koffler/GID Woburn LLC, 260 Boston Post Road, Suite 9, Wayland, MA 01778 for a modification of a special permit dated October 9, 2003, as amended by special permit dated August 21, 2006, as amended by a modification dated February 14, 2008, such modification pursuant to Sections 5.1.23, 5.1.29, 7.3, 8.2 and 8.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for: 1. a further amended site plan, 2. an additional 6,665 square feet of gross floor area more or less, 3. a reduction in the required parking, and 4. parking on a lot separate from 300 Mishawum Road. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "back for action".

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On the petition by REMAND pursuant to an Order of the Land Court in the Matters of Lowe's Companies, Inc. and Lowe's Home Centers, Inc. v. Anthony Imperioso, et al. found at Misc. Case No. 291847 and Misc. Case No. 291848, on August 12, 2008 at 7:30 p.m. in the City Council Chambers, City Hall, Woburn, Massachusetts, concerning the

petitions by Lowe's Companies, Inc., P.O. Box 1111, North Wilkesboro, North Carolina 28656-0001 for 1. a special permit pursuant to Section 5.1(22) of the 1985 Woburn Zoning Ordinances, as amended, to allow for the addition of a 6,059 square foot storage area to the rear of the building at 15 Commerce Way, and 2. a special permit pursuant to Section 8.2.5 and Section 11 of the 1985 Woburn Zoning Ordinances, as amended, to allow for reduction in the number of parking spaces from 622 to 589 at 15 Commerce Way, and for the purposes of discussing settlement of pending litigation relative to the appeal of the matters and taking action. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "back for action".

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On the petition by Lowe's Companies, Inc., 15 Commerce Way, Woburn, Massachusetts 01801 for special permits pursuant to Section 5.1.45, 5.1.57a and 5.1.57b to allow for the rental of moving trucks; accessory storage or parking of storage containers, storage trailers or commercial trailers; and the accessory storage or parking of commercial motor vehicles at 15 Commerce Way. PUBLIC HEARING OPENED. A copy of a communication dated August 5, 2008 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer as follows:

Subject: 15 Mishawum Road Accessory Storage, Commercial Motor Vehicle Parking and Storage Trailers Special Permit; Special Permit Application Dated December 3, 2007; Proposed Layout Plan Dated October 24, 2000; Previous Memos Dated January 29, 2008, March 10, 2008; Letter to Planning Board on Special Permit Petition Request Dated June 6, 2008; Addition Plans Dated July 31, 2008

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

The application is seeking a special permit to allow for the rental of moving trucks, accessory storage, and or parking of storage containers, storage trailers, parking of commercial motor vehicle and accessory storage as well as the proposed building addition.

The building modification consists of a 6,059 sf addition and relocating the existing utilities that are in conflict with the addition. This office takes no exception to the addition or utility modifications as shown.

This office takes no exception to the special permit application or materials as submitted.

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

A communication dated August 11, 2008 was received from Edmund Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Lowe's Companies, Inc. – 15 Mishawum Rd.(Commerce Way) – Remand Hearing & Hearing to allow for rental of moving trucks; accessory storage or parking of storage containers, storage trailers, or commercial trailers; and the accessory storage or parking of commercial motor vehicles under Sections 5.1.45, 5.1.57a, and 5.1.57b

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on August 5, 2008, the Board voted to send a favorable recommendation to the City Council on the remand and new Special Permit cases subject to the following conditions:

1. The Plans of Record shall be the plan entitled "Site Development Plans for Proposed Addition, 15 Commerce Way, Woburn, MA" dated August 1, 2008, prepared by Allen & Major Associates Inc., 100 Commerce Way, Woburn, MA 01888-0118, Sheets EX-1, C-1, C-2A, C-2B, C-3, D-1 and D-2 (the "Plan").
2. That there will be no unloading of delivery vehicles within the fire lanes.
3. That there shall be no storing, unloading or stocking of materials or products in the fire lane, parking lot or on the parking decks.
4. Except for the trailers shown on the Plan designated for the collection of used appliances and pallets for recycling, all storage trailers will be removed on the earlier of one (1) year from the date of issuance of the special permit or prior to issuance of an occupancy permit for the addition.
5. That the Addition and any current space in the existing building/structure off limits to customers, used for warehousing or stocking of materials shall not become a retail space.
6. Lowe's shall provide to the City of Woburn the sum of \$4,500.00 to be used by the City to install video camera detection equipment to replace the existing loop detectors at the entrance of the Lowe's site on Commerce Way.
7. That the Planning Board shall continue to retain jurisdiction over the landscaping.
8. That the "Lowe's to Go" rental trucks shall not be parked as shown on the plans while the store is open for business and that they shall be parked to the rear of the building during business hours.

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 report was received from the Committee on Special Permits as follows: "back for action".

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On the petition by Jordan Holt and Sean Kennedy, 143 Pleasant Street, Unit 4B, Cambridge, Massachusetts 02139 for a special permit to amend a special permit issued July 8, 2004 pursuant Section 5.1.35 of the 1985 Woburn Zoning Ordinances, as

amended, as follows: 1. By amending Condition 3 to allow crates to protect and rest dogs, 2. By amending Condition 4 to allow 100% of the dogs at the daycare to be outside at the same time, 3. By amending Condition 11 to allow a maximum of fifty (50) dogs on site, and 4. By amending Condition 13 to allow the hours of operation not to exceed 6:30 a.m. to 7:00 p.m. at 2 Gill Street, Unit K. PUBLIC HEARING OPENED. A copy of a communication dated August 1, 2008 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer as follows:

Subject: 2 Gill Street Unit K – Amend Special Permit; Special Permit Application Dated June 24, 2008

This office has reviewed the plans for the above referenced project and offers the following comments.

The applicant is proposing to amend a previously approved special permit granted in August 2004. The amendment is to conditions 3 (use of crates), 4 increased use of outdoor space, 11 (increase number of dogs on site) & 13 (extend hours of operation). Upon review of the application, this office takes no exception to the application as submitted.

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

A communication dated August 11, 2008 was received from Edmund Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Jordan Holt and Sean Kennedy – 2 Gill Street, Unit K – To amend Special Permit granted June 15, 2004 by eliminating condition 3 and modifying conditions 4, 11, and 13

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on August 5, 2008, the Board voted to send a favorable recommendation to the City Council regarding 2 Gill St. Unit K to amend the Special Permit granted June 15, 2004 by eliminating condition 3 and modifying conditions 4, 11, and 13, if the City Council wishes to limit any of the numbers the Planning Board has no objection.

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

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On the petition by OCS America, Inc., 27 Draper Street, Woburn, Massachusetts 01801 for two special permits pursuant to the 1985 Woburn Zoning Ordinances, as amended, as

follows: 1. Pursuant to Section 5.1.42 to allow for warehouse and distribution use and 2. Pursuant to Section 5.1.57b to allow for the parking of commercial vehicles, both at Suite B, 29 Draper Street. PUBLIC HEARING OPENED. A copy of a communication dated August 1, 2008 to Edmund Tarallo, Planning Director was received from Brett F. Gonsalves, Senior Engineer as follows:

Subject: 29 Draper Street Suite B – Warehouse/Distribution Use Special Permit; Special Permit Application Dated June 24, 2008; Memorandum to Planning Board Dated August 1, 2008

This office has reviewed the plans for the above referenced project and offers the following comments.

The applicant is seeking a special permit to allow for warehouse and distribution use as well as parking commercial vehicles onsite.

The applicant's legal counsel has submitted a memorandum summarizing the proposal and proposed operation of the above referenced project. This memorandum outlined the type of facility, number of employees and vehicles that will be used for the proposed use.

The mitigation as per Section 18 of the zoning ordinance has been address as well as other conditions set forth in the previous special permit for the subject property.

Upon review of the information, 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.

A communication dated August 11, 2008 was received from Edmund Tarallo, Planning Director, Woburn Planning Board as follows:

Re: OCS America, Inc. – 29 Draper Street, Suite B – To allow for warehouse and distribution use and to allow for parking of commercial vehicles under Sections 5.1.42 and 5.1.57b

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on August 5, 2008, the Board voted to send a favorable recommendation to the City Council subject to the following conditions:

1. All dumpsters shall be emptied between the hours of 7:00 a.m. to 5:00 p.m.
2. That an access easement or declaration of covenant shall be recorded between Lots 5E and 6C and said easement or covenant shall be provided to the Building Inspector prior to building permit.
3. Signage on the building shall not be illuminated.

4. All lighting on the premises shall be reflected downward to avoid any impact on surrounding properties.
5. There shall be no outside storage of materials allowed on the premises.
6. The hours of operation shall be limited to 5:30 a.m. to 8:00 p.m., Monday through Friday, however, the building shall not be open for business to the public until 6:00 a.m., Monday through Friday. The hours of operation shall be further limited to 7:00 a.m. to 4:00 p.m. on Saturdays and from Noon to 4:00 pm. on Sunday.
7. Loading shall be limited to 7:00 a.m. to 7:00 p.m., Monday to Friday; 8:00 a.m. to 1:00 p.m. on Saturday and not at all on Sunday.
8. No deliveries shall be allowed on the site prior to 7:30 a.m. or after 8:00 p.m., Monday to Friday and there shall be no deliveries on Saturday or Sunday. However, one delivery per day shall be allowed between the hours of 8:00 p.m. and 10:00 p.m., Monday through Friday.”
9. All vehicles associated with the use of this building that are owned by the tenants of this building shall be registered in the City of Woburn.
10. That the Planning Board shall approve and retain jurisdiction over the landscaping.
11. The total mitigation fee of \$28,785.00 shall be provided in accordance with Section 18 of the Woburn Zoning Ordinance prior to the issuance of any occupancy permit for the building. The \$28,785.00 shall be used for Ward 5 infrastructure improvements.

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

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On the petition by Fabio A. DeSouza, 12 Sheridan Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.44 of the 1985 Woburn Zoning Ordinances, as amended to allow an automobile and truck repair garage at 317 Montvale Avenue  
PUBLIC HEARING OPENED.

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On the petition by Alderman Darlene Mercer-Bruen concerning the lot of land located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 24 Pine Street, Woburn, Massachusetts for the purposes of determining whether said building or buildings are a nuisance, a nuisance to the neighborhood, dilapidated or dangerous building or buildings or other structure or structures, as said terms are used in Mass. 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 President Charles Doherty to amend the 1985 Woburn Zoning Ordinances, as amended, by establishing a new Section 23 entitled Commerce Way Corridor Overlay District as set forth in the petition. PUBLIC HEARING OPENED. IN FAVOR: A communication dated August 12, 2008 was received from Paul J. Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn in favor of the proposal.

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**CITIZEN’S PARTICIPATION:** None.

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**COMMITTEE REPORTS:**

**ORDINANCE:**

On the Order to amend Title 2, Article XXVIII, Section 2-180 of the 1989 Woburn Municipal Code, as amended, relative to the salary line for Board of Registrars of Voters for Warden, Clerk and Inspector, committee report was received “ought to pass”.

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On the Order to amend Title 2, Article XXVIII, Section 2-180 of the 1989 Woburn Municipal Code, as amended, relative to salary line for Police Matrons, Reserve Police Officers and School Crossing Guards, committee report was received “ought to pass”.

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On the Order to amend the Zoning Map of the City of Woburn by changing the zoning district for the property known and numbered as 131 Main Street and shown on Assessors Map 59, Block 25, Parcel 25 from the R-2 zoning district to the B-N zoning district, committee report was received “ought to pass”.

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**PERSONNEL:**

On the re-appointment of Kathleen Lucero as a member of the Historic District Commission, committee report was received “ought to pass”.

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**POLICE AND LICENSES:**

On the petition by Ahmad Abbas dba A.A. Transportation for a new Taxi Cab License, committee report was received “ought to pass”.

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**NEW PETITIONS:**

Petition by Mohamad S. Moharam dba First Cab of Woburn, 29 Cummings Park, Suite 440, Woburn, Massachusetts 01801 for a new Taxi Cab License.

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Petition by NStar Electric Company, 101 Linwood Street, Somerville, Massachusetts 02143 for a grant of right in a way to install conduit on Washington Street at and southeasterly from Dragon Court from MH22619 thence turning and running easterly to pole 228/114-1X a distance of about forty (40) feet and to install conduit on Washington Street at and southeasterly from Dragon Court from MH22619 thence turning and running southerly to pole 8/138 a distance of about 117 feet.

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Petition by Keyspan Energy Delivery/National Grid, 100 Commercial Street, Malden, Massachusetts 02148 for a grant of right in a way to install approximately 125 feet of two inch plastic main on Naples Avenue.

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Petition by Woburn Cemetery Commission, 100 Salem Street, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 5.1.79 and 5.5 of the 1985 Woburn Zoning Ordinances, as amended, to allow the installation of an architectural retaining wall and appurtenant earthwork to create additional space for internment at Woodbrook Cemetery.

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Petition by Robert Khouzami, 40 Overlook Road, Stoughton, Massachusetts 02072 for a special permit pursuant to Section 5.1.45 of the 1985 Woburn Zoning Ordinances, as amended, to allow for a license to buy, sell, exchange or assemble second hand motor vehicles or part thereof and for a Second Class Motor Vehicle Sales License at 317 Montvale Avenue.

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Metro PCS Massachusetts LLC, 285 Billerica Road, Chelmsford, Massachusetts 01824 for a special permit pursuant to Section 5.1.80b of the 1985 Woburn Zoning Ordinances, as amended, to install a wireless communications facility on the roof of 304 Cambridge Road.

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Petition by David Taylor, 37 Tufts Road, Winchester, Massachusetts 01890 for a special permit pursuant to Section 5.1.35 of the 1985 Woburn Zoning Ordinances, as amended, to allow a doggie daycare at 280 Salem Street.

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Petition by Dole & Bailey Inc., 16 Conn Street, Woburn, Massachusetts 01810 for a special permit pursuant to Section 5.1.61, 5.1.69 and 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow the alteration of a nonconforming use to install an

accessory retail area containing approximately 2,500 square feet of net floor area as allowed by right at 16 Conn Street.

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Petition by Sprint Spectrum, L.P. and its affiliate, Sprint Wireless Broadband Company, LLC, 9 Company Drive, Bedford, Massachusetts 01730 for a special permit pursuant to Sections 5.6 and 11.5 of the 1985 Woburn Zoning Ordinances, as amended, to modify its existing wireless communications facility within the steeple and to allow it to mount one (1) WiMAX GPS antenna on the rooftop of the church next to existing GPS antenna at 523 Main Street.

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**COMMUNICATIONS AND REPORTS:**

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

In accordance with Massachusetts General Laws Chapter 90, Section 20½, I am submitting a report to you on the parking violations in the City of Woburn for the period ending June 2008: number of parking violations issued 651, number of violations paid 406, number of violations outstanding 354, amount collected and submitted to the Office of the Collector \$34,678.40. There exists a backlog of 4,977 tickets for 1982 through 2007. Demand will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission to date \$5,700.00.

Respectfully submitted, s/Charles L. O'Connor, Parking Clerk City of Woburn

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A communication dated July 23, 2008 with attachments was received from Joanne Collins, Director, Woburn Council on Aging along with the minutes of the July meeting of the Council on Aging and the Director's report for the month of July.

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A communication dated June 30, 2008 was received from Carol L. Nagle, Clerk to the Woburn License Commission was received as follows:

Dear Mr. Campbell:

At its Regular Meeting on June 19, 2008, the Woburn License Commission voted to allow Keno-to-Go tickets to be sold by existing lottery agents. However, the Commission requested that the Massachusetts State Lottery Commission not allow lottery agents in the City of Woburn to have seating added if Keno-to-Go tickets are sold.

Very truly yours, s/Carol L. Nagle, Clerk to the License Commission

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A communication dated July 23, 2008 was received from Attorney John J. Goldrosen, Kopelman and Paige, P.C. relative to new excavation and trench safety regulations.

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A copy of a communication dated July 31, 2008 to Donald Jensen, City Treasurer/Collector was received from Paul L. Sweeney, Treasurer, Northeast Metropolitan Regional Vocational School District advising that the assessment for the City of Woburn for the FY2009 budget is \$1,208,355.00.

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A communication dated August 2, 2008 entitled Fuel Transactions from 7/1/2008 to 7/31/2008 Woburn Police was received.

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A copy of a communication dated July 21, 2008 to Mayor Thomas L. McLaughlin was received from Susan Thifault, The Tennis Court Committee, Stephen Sullivan, Girl's Varsity Coach and Jack Cornell, Boy's Varsity Coach in support of funding for the tennis courts at Woburn Memorial High School.

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A confidential communication dated July 10, 2008 was received from Jonathan M. Silverstein, Kopelman and Paige, P.C. relative to pending litigation in the matter of Extra Space Storage v. City Council of the City of Woburn, et. al., Land Court No, 08-MISC-373888.

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A communication dated July 25, 2008 was received from Paul J. Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn, Massachusetts 01801 as follows:

Re: Walnut Street Parking Lot Ad Hoc Committee

Dear Mr. Campbell:

Please find enclosed my recommendation as designated representatives to the Ad Hoc Committee from the Crestview, 36 Montvale Avenue, Woburn, MA 01801 the following two names – Alan Warnick or Peter Ginivisian. I am submitting these two names as representatives in case one can't make the meeting the other will represent The Crestview on this committee.

I hope that this will meet with your approval.

Sincerely, s/Paul J. Meaney, Executive Director

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A Conservation Easement and Restriction was received from David Tracy and Jayne Tracy pursuant to Sections 31, 32 and 33 of Chapter 184 of the Massachusetts General Laws granting to the City of Woburn in perpetuity and exclusively for conservation purposes a Conservation Restriction on a parcel of land containing approximately 15,294 square feet of land shown as "Conservation Restriction Area A" on a plan entitled "Plan of Land in Woburn, Massachusetts, Conservation Restriction, Drew Place prepared by Edward Farrell PLS dated July 14, 2008".

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A communication with attachments was received from Barry Callahan, Callahan's Deli and Helen Banks, LLC as follows:

Re: Callahan's Deli, 229 Main Street, Woburn, MA modification to parking plan

Petitioner: Mr. Barry Callahan, Callahan's Deli  
Helen Banks, LLC

To Whom It May Concern:

We are requesting a modification to the parking space plan prepared by Edward J. Farrell, professional land surveyor, dated 2/6/08. The parking plan was listed as condition #5 of the special permit for the above referenced property. The modification to the plan will show the location of the existing parking lot light fixture, bollard and fire hydrant on the parking plan.

Sincerely, s/Barry Callahan, Callahan's Deli  
s/Robert Banks, Com-Manager, authorized signer for Helen Banks LLC

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A communication dated August 11, 2008 with attachment was received from Attorney John D. McElhiney, McElhiney and Matson, 607 Main Street, Woburn, Massachusetts 01801 as follows:

Re: Modifications to Special Permit – Pecks, Inc., 891 Main St., Woburn, MA

Dear Councillors:

I am submitting herewith a revised site plan (20 copies) for the above matter, which incorporate some of the conditions which you had imposed, and which further modifies the parking plan and some associated layout and lighting changes.

The plan shows the handicap parking space, as required in Condition 4 of your Decision. The plan further shows the location of a solid, gated fence to the rear of the property, behind which will be the location of the dumpster, consistent with Condition #3 of your Decision. The plan also shows a snow storage area along the southerly end of the lot, consistent with Condition #2 of your Decision.

Actual conditions in the field, including the location of the existing free-standing sign (roughly in the middle of the parking lot entrance area), have necessitated a revision to the parking area. While six spaces have been eliminated from the 29 originally shown, we still have 23 spaces, which is 22 more than required under the ordinance. In addition, the spaces eliminated were those which are generally within the snow storage area, and which would not have worked as a practical matter because of the location of the existing sign.

This plan also shows the elimination of a two jutting island area, to better accommodate turning movements and snow plowing efforts. Landscaping along the front is retained, however, and overall the Planning Board will still have jurisdiction over the landscaping aspects of the plan.

Finally, a new light will be installed on an existing pole in the front of the property. We are eliminating the need to utilize an older pole location at the far northerly end of the property (which pole is not, in any event, even on our property).

We are asking the Council to allow us to utilize this revised site plan, as a much more functional and practical design, in lieu of the site plan previously submitted.

I would ask that the Council consider this a relatively minor modification to the Special Permit, and adopt the same without the need for a new public hearing. As you know, this matter had generally garnered the prior support of your board and other city agencies, and was not the subject of any opposition at any of the prior hearings. The Petitioner is hoping to open up at this site as soon as possible, and your approval of this modified site plan will greatly assist in those efforts.

I will be available at your meeting on August 12, 2008, should you have any questions.

Thank you for any courtesy you can render in this regard.

Sincerely, s/John D. McElhiney

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**UNFINISHED BUSINESS OF PRECEDING MEETING:**

A notice of intention to move for reconsideration was filed by President Charles Doherty pursuant to Rule 13 of the Rules and Orders of the City Council on July 11, 2008 at 3:05 p.m. having voted as a member of the prevailing party relative to a vote approve an Order to appropriate the sum of \$400,000.00 from the School Stabilization Fund Account to WMHS Comfort Station Account.

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

ORDERED That the Committee on Special Permits Review meet with representatives of American Venture Corporation, Michael B. Moskow, Trustee of Packet Realty Trust, and William A. Busa and Daniel P. Busa, Jr., Trustees of B&D Realty Trust relative to a special permit that issued on May 8, 2008 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 to discuss construction operations and conformance with the terms of the special permit.

s/President Doherty

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ORDERED That the City Council Regular Meeting of September 16, 2008 be canceled due to the State Primary election.

s/President Doherty

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ORDERED Be It Ordained by the City Council of the City of Woburn that Title 3, Article I, Section 3-3 be further amended by adding a new Section 3-3G as follows:

G. Carry-Over of Department Accounts

Any department request to carry over unexpended funds in an account from one fiscal year to a subsequent fiscal year shall be approved by a majority vote of the City Council prior to the end of the current fiscal year from which the funds remain. Any request shall include a written report detailing the amount requested to be carried-over, the intended use of the funds and how the amount was calculated.

s/President Doherty

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RESOLVED That the Superintendent of the Department of Public Works and the City Engineer coordinate efforts to ensure that the City of Woburn is taking full advantage of the Sewer Rate Relief Fund which operates under the provisions of Massachusetts General Laws Chapter 29, §2Z and that a copy of the Massachusetts Department of Revenue Application for

FY2009 Distribution under the Commonwealth Sewer Rate Relief Fund  
be forwarded to the departments for action.

s/President Doherty

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ORDERED That in accordance with Massachusetts General Laws Chapter 54, as amended, the City Clerk is hereby authorized and directed to notify and to warn such of the inhabitants of the City of Woburn as are qualified to vote in Primaries to assemble at the polling places in their respective wards as designated herein, on TUESDAY, the SIXTEENTH DAY OF SEPTEMBER, 2008 from 7:00 a.m. to 8:00 p.m., then and their to cast their votes in the State Primary for the candidates of political parties DEMOCRATIC, REPUBLICAN, GREEN-RAINBOW AND WORKING FAMILIES for the following offices:

SENATOR IN CONGRESS ..... FOR THIS COMMONWEALTH  
REPRESENTATIVE IN CONGRESS ... SEVENTH DISTRICT  
COUNCILLOR ..... SIXTH DISTRICT  
SENATOR IN GENERAL COURT ..... 2<sup>ND</sup> MIDDLESEX DISTRICT  
(Ward 2)  
SENATOR IN GENERAL COURT ..... 4<sup>TH</sup> MIDDLESEX DISTRICT  
(Wards 1, 3, 4, 5, 6, 7))  
REPRESENTATIVE IN ..... 15<sup>TH</sup> MIDDLESEX DISTRICT  
GENERAL COURT (Wards 1, 7 )  
REPRESENTATIVE IN ..... 30<sup>TH</sup> MIDDLESEX  
GENERAL COURT DISTRICT (Wards 2, 3, 4, 5, 6)  
REGISTER OF PROBATE ..... MIDDLESEX COUNTY

Ward-Precinct Polling Place Location

- 1-1 Joyce Middle School Library  
55 Locust Street
- 1-2 Clapp Elementary School Cafeteria  
Hudson Street and Arlington Road
- 2-1 Shamrock Elementary School Gymnasium  
60 Green Street
- 2-2 Shamrock Elementary School Gymnasium  
60 Green Street
- 3-1 Hurd Elementary School Gymnasium  
75 Bedford Road

- 3-2 Hurld Elementary School Gymnasium  
75 Bedford Road
- 4-1 Wyman Elementary School Auditorium  
Main Street and Eaton Avenue
- 4-2 White Elementary School  
36 Bow Street
- 5-1 Goodyear Elementary School Gymnasium  
41 Orange Street
- 5-2 Goodyear Elementary School Gymnasium  
41 Orange Street
- 6-1 Altavesta Elementary School Gymnasium  
990 Main Street
- 6-2 Altavesta Elementary School Gymnasium  
990 Main Street
- 7-1 Reeves Elementary School Gymnasium  
240 Lexington Street
- 7-2 Reeves Elementary School Gymnasium  
240 Lexington Street

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

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ORDERED That the following list of Wardens, Clerks and Inspectors be approved for all Elections between September 1, 2008 and August 31, 2009:

1-1	Barbara Fagan	33 Dix Rd. Ext.	Warden
1-1	Sharon Flynn	6 Thornton Street	Clerk
1-1	Carol Lynch	264 Place Lane	Inspector
1-1	Catherine Walsh	273 Cambridge Rd #202	Inspector
1-1	John Cain	72 Bedford Road	Inspector
1-1	Peter Aspesi	31 Hudson Street	Inspector
1-1	Roberta Bengtson	6 Samoset Road	Inspector
1-1	Loretta Schuck	44 Leonard Street	Inspector
1-1	Paula Walsh	11 Hillside Avenue	Inspector
1-1	Darlene C. Wigton	51 Wyman Street	Inspector
1-2	Keith Sullivan	4 Marlboro Road	Warden
1-2	Margaret Wallace	4 Lakeview Terrace	Clerk

1-2	Betty Parechianian	7 Hope Lane	Inspector
1-2	Janet Paleologos	19 Rumford Park Ave	Inspector
1-2	Georgina Silva	50 Cambridge Rd - Apt 209	Inspector
1-2	Carol Beckwith	27 Buttaro Road	Inspector
1-2	Sophie Davidson	37 Arlington Road	Inspector
1-2	Colleen Ward	442 Russell Street	Inspector
1-2	Rodney Flynn	6 Thornton Street	Inspector
1-2	Agnes Salerno	6 Sendick Road	Inspector
2-1	Sandra Luther	19 Cummings Avenue	Warden
2-1	Catherine DiPanfilo	20 Innitou Road	Clerk
2-1	Dorothy O'Halloran	4 Colonial Road	Inspector
2-1	Helen King	4 Bedford Road	Inspector
2-1	Arline Petrino	2 Vine Brook Way	Inspector
2-1	Roy Luther	19 Cummings Avenue	Inspector
2-1	Arthur J. Cumming, Jr.	27 Anna Road	Inspector
2-1	Phyllis McInnis	66 Kilby Street	Inspector
2-1	Theresa Smith	25-0 Arlington Rd 4	Inspector
2-1	Connie Pandolph	9 Park Drive	Inspector
2-2	Patricia McCuish	14 Scott Street	Warden
2-2	Donald McCuish	14 Scott Street	Clerk
2-2	Elizabeth Ober	39 Forest Park Road	Inspector
2-2	Florence Cameron	23 Green Street	Inspector
2-2	Janice Pandolph	37 Elijah Street	Inspector
2-2	Jean Mernin	2 Walnut Street	Inspector
2-2	Judith Nagle	8 Thomas Street	Inspector
2-2	Natalie O'Connor	13 Cummings Avenue	Inspector
2-2	Barbara Sullivan	27 Arlington Road, Bldg 1, Unit 1	Inspector
2-2	Paul Cunniff	93 Waltham Street	Inspector
3-1	Sarkis Chinian	8 Asbury Avenue	Warden
3-1	Helen Simonds	45 Eaton Avenue	Clerk
3-1	Elizabeth A. Simonds	3 Court Street	Inspector
3-1	Gertrude Reil	11 Veteran Road	Inspector
3-1	Janet Barbas	45 Union Street	Inspector
3-1	Marie Price	9 Hinston Road	Inspector
3-1	Mary McElhiney	13 Ash Street	Inspector
3-1	Stella Di Girolamo	9 Lee Road	Inspector
3-1	Richard Tobin	44 Green Street	Inspector
3-1	Janet Irwin	37 Waltham Street	Inspector
3-2	Thelma Anthony	41 Brentwood Road	Warden
3-2	Sheila Tracey McElhiney	7 Sonrel Street	Clerk
3-2	Dianne DiRienzo	24 Carson Road	Inspector
3-2	Barbara Picazio	4 Manomet Road	Inspector
3-2	Hilda Abreu	81 Garfield Avenue	Inspector
3-2	Jean Rooney	59 Campbell St. #506	Inspector
3-2	Joyce Wentworth	17 Highet Avenue	Inspector
3-2	John Matheson	66 Central Street	Inspector
3-2	Doris Stanton	18 Nichols Street Ext.	Inspector
3-2	Paul Johnson	7 Dearborn Terrace	Inspector
4-1	Jean MacDonald	123 Washington Street	Warden

4-1	Madeline Heslin	36 Clinton Street	Clerk
4-1	Adeline Matheson	66 Central Street	Inspector
4-1	Albert Galante	4 Oneil Road	Inspector
4-1	James Rastellini	153 Montvale Avenue	Inspector
4-1	Florence McManus	5 Buck Street	Inspector
4-1	Elaine Haggerty	30 Thistle Road	Inspector
4-1	James Doherty	45 Brentwood Road	Inspector
4-1	Mary McElhiney	10 Pilgrim Road	Inspector
4-1	Mary McLaughlin	6 Carroll Road	Inspector
4-2	Margaret Donahue	176 Bedford Road	Warden
4-2	Anne McGarry	3 Innitou Road	Clerk
4-2	Alfred Autenzio	9 Arbor Lane	Inspector
4-2	Geraldine Moscaritolo	200 Bedford Rd #20E	Inspector
4-2	Jeanne Lingblom	18 Day Circle	Inspector
4-2	Hazel S. Lambert	3 Elmwood Terrace	Inspector
4-2	Stella Kiklis	1 Cliffside Terrace	Inspector
4-2	Kasey Ward	120 Russell Street	Inspector
4-2	Margaret Stack	7 Willow Street	Inspector
4-2	Janice R. Sylvia	2 Bay Street	Inspector
5-1	Joyce Marshall	5 Elijah Street	Warden
5-1	Linda Olsson	60 Water Street	Clerk
5-1	Beverly McCue	51R Central Street	Inspector
5-1	Claire Regan	8 Howard Court	Inspector
5-1	Harold Parechanian	7 Hope Lane	inspector
5-1	Gloria Platon	6 Fieldstone Drive	inspector
5-1	Marie Giangrande	6 Flint Circle	Inspector
5-1	Mary Sandvick	2 Park Drive Ext.	Inspector
5-1	Maureen Vallis	4 Clifford Terrace	Inspector
5-1	Beatrice Armato	6 Forest Glen Road	Inspector
5-2	Helen Hatch	14 Marlboro Road	Warden
5-2	Theresa Nardone	3R James Terr. - PO Box 180	Clerk
5-2	William Coady	35 Glenwood Avenue	Inspector
5-2	Mary Dickie	1 Linden Circle	Inspector
5-2	Marguerite Rebal	111 Spring Ct. Ext.	Inspector
5-2	May Famiglietti	22 Buttaro Road	Inspector
5-2	Shirley Butler	28 Felton Street	Inspector
5-2	Anna Cumming	27 Anna Road	Inspector
5-2	Myles Collins	19 Squanto Road	Inspector
5-2	Janet Galante	3A Kearsarge Avenue	Inspector
6-1	Nancy Darby	20 Ward Street	Warden
6-1	John DeCata	57 Wood Street	Clerk
6-1	Albina Cain	72 Bedford Road	Inspector
6-1	Barbara Ridley	129 Place Lane	Inspector
6-1	James O'Donnell	442 Russell Street	Inspector
6-1	Joan Mann	15 Floyd Street	Inspector
6-1	Josephine Wallace	55 Vernon Street	Inspector
6-1	Loretta Cianchi	32 Dix Road	Inspector
6-1	Helen Buss	15 Plympton Street	Inspector
6-1	Jane Linn	204 School Street	Inspector

6-2	Dianne Autenzio	23 Milan Avenue	Warden
6-2	Daniel Brady	3 Munroe Street	Clerk
6-2	Antoinette Allen	273 Cambridge Rd #208	Inspector
6-2	Carolyn Grammer	27-0 Arlington Rd #1	Inspector
6-2	Irene DeCata	57 Wood Street	Inspector
6-2	Marjorie Amato	24 Mountain Street	Inspector
6-2	Mary O'Doherty	134 Bedford Road	Inspector
6-2	Rita Stone	63 Merrimac Street	Inspector
6-2	Michelina F. DeAngelis	255 Lexington Street	Inspector
6-2	Eleanor J. Collins	19 Squanto Road	Inspector
7-1	Michael Parise	244 Russell Street	Warden
7-1	Alfred Magro	9 Rich Road	Clerk
7-1	Camille Maccini	3 Pheasant Lane	Inspector
7-1	Dorothy Curran	1 Dix Road	Inspector
7-1	Ellen Magro	9 Rich Road	Inspector
7-1	Florence Tully	5 Hiawatha Road	Inspector
7-1	Rita Allitto	11 Morningside Drive	Inspector
7-1	Nancy Nardone	12 Roman Road	Inspector
7-1	Thomas O'Rourke	15 Highet Avenue	Inspector
7-1	Barbara Callahan	32 Van Norden Road	Inspector
7-2	Gloria Hildebrandt	17 Grace Road	Warden
7-2	M. Joyce O'Donnell	442 Russell Street	Clerk
7-2	Helen Foti	10 Morningside Drive	Inspector
7-2	Jean Lally	29 Hart Street	Inspector
7-2	Laura Morrow	15 South Bedford Street	Inspector
7-2	Phyllis Flight	99 Middle Street	Inspector
7-2	Virginia Evans	12 Barbara Circle	Inspector
7-2	Veronica Croke-Golden	12 Warren Avenue	Inspector
7-2	Sharon Lee	14 Henderson Road	Inspector
7-2	Nancy Mathews	11 Albert Street	Inspector
1	Louise (Scholtes) LeBlanc	20 Mayflower Road	Substitute
2	Carolyn Fitzler	23 Webster Ave.	Substitute
3	Debbie Perelli	65 Pine Street	Substitute
4	Edith A. Welch	960C Main Street	Substitute
5	Elizabeth L. Donovan	5 Crescent Road	Substitute
6	Florianna H. Tobin	200 Bedford Rd #26D	Substitute
7	Renee Maher	12 Sendick Road	Substitute
8	Jean O'Connor	9 Rock Street	Substitute
9	June Myers	10 Delaware Avenue	Substitute
10	Martin LaCarbonara	10 Grove Street	Substitute
11	Mary Harrison	48 Lake Avenye #BC5	Substitute
12	Mary Alice Grzyb	26 Carroll Road	Substitute
13	Nancy Disessa	5 Susan Terrace	Substitute
14	Pasquale J. Paradiso	5 Cortland Circle	Substitute
15	Ron Dunn	8 Spring Street	Substitute
16	Rosemary F. Spencer	5 Caulfield Road	Substitute
17	Ruthann Gridelli	25 Grape Street	Substitute
18	Thaddeus M. Baxter, Jr.	172 Winn Street	Substitute
19	Theresa Chotkowski	3 Pond Terrace	Substitute
20	William F. Connolly	27 Parker Street	Substitute

I hereby approved the above: s/Thomas L. McLaughlin, Mayor

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