

**CITY OF WOBURN
JANUARY 18, 2011 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
DiTucci	Haggerty
Drapeau	Mercer-Bruen
Gaffney	Raymond
Denaro	

Pursuant to Title 2, Article III, Section 2-13 of the 1989 Woburn Municipal Code, as amended, His Honor the Mayor Scott D. Galvin delivered the State of the City Address.

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, all in favor, 9-0.

MAYOR'S COMMUNICATIONS:

ORDERED That the sum of \$75,000.00 be and is hereby transferred as so stated from BLS Ambulance Receipts Acct #31359-595000 \$75,000.00 to Fire/Overtime Acct #0122051-513100 \$75,000.00

I hereby recommend the above: s/Paul Tortolano, Chief, Fire Department
I have reviewed the above: s/Gerald W. Surette, City Auditor
I hereby approve the above: s/Scott D. Galvin, Mayor

s/Alderman _____

ORDERED That the sum of \$25,000.00 be and is hereby transferred as so stated from BLS Ambulance Receipts Acct #39359-595000 \$25,000.00 to Ambulance Maintenance Acct #0122054-544300 \$25,000.00

I hereby recommend the above: s/Paul Tortolano, Chief, Fire Department
I have reviewed the above: s/Gerald W. Surette, City Auditor
I hereby approve the above: s/Scott D. Galvin, Mayor

s/Alderman _____

ORDERED That the sum of \$14,466.65 be and is hereby transferred as so stated from ALS Ambulance Receipts Acct #39359-595000 \$14,466.65 to Hazardous Clothing Acct #0122054-558402 \$14,466.65

I hereby recommend the above: s/Paul Tortolano, Chief, Fire Department
I have reviewed the above: s/Gerald W. Surette, City Auditor
I hereby approve the above: s/Scott D. Galvin, Mayor

s/Alderman _____

ORDERED That the sum of \$200,000.00 be and is hereby transferred as so stated from BLS Ambulance Receipts Acct #31359-595000 \$100,000.00, ALS Ambulance Receipts Acct #31359-595000 \$100,000.00 to Ambulance Salaries Acct #0122051-511500 \$200,000.00

I hereby recommend the above: s/Paul Tortolano, Chief, Fire Department
I have reviewed the above: s/Gerald W. Surette, City Auditor
I hereby approve the above: s/Scott D. Galvin, Mayor

s/Alderman _____

PUBLIC HEARINGS:

On the petition by NSTAR Electric Company and Verizon New England, Inc. for a grant of right in a way to install two new poles 187/3, 187/4 on Massachusetts Avenue southeasterly side approximately 275 feet northeast of Wheeling Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "ought to pass".

On the petition by Boston Billiards Supply, Inc., 343 Medford Street, Somerville, Massachusetts for a special permit pursuant to Sections 5.1.69 and 7.3 of the 1989 Woburn Municipal, Code, as amended, for the alteration of a pre-existing nonconforming use and structure to allow for a billiards table sales and service retail facility at 102-104 Main Street. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "ought to pass with the following conditions: 1. All deliveries to be made on Main Street, 2. Any chemicals to be stored in proper flammable storage with proper ventilation, 3. Entrance to parking lot shall be from Main Street with exit to Ash Street, 4. Dumpster to be screened, and 5. All plowed snow to be stored on property."

On the petition by West Marine, 500 Westridge Drive, Watsonville, California 95076 for a special permit pursuant to Section 5.1.22c of the 1985 Woburn Zoning Ordinances, as

amended, to alter the existing site plan for alterations to sidewalk and adding a door and stairs for access to receiving dock pursuant to filed plan, at 299 Mishawum Road_____. PUBLIC HEARING OPENED. A communication dated January 13, 2011 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: West Marine – 299 Mishawum Road – To allow alteration of Site Plan approved April 2, 1991 by shifting the parking lot to the north of the building to allow for a wider sidewalk; to alter the sidewalk on the west side of the building to allow for a new ADA ramp located at the new entrance; and to add a door and stairs to the south end of the building for access to the receiving dock

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on January 11, 2011, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of West Marine, regarding the property at 299 Mishawum Road subject to the following conditions:

1. The Plan of Record shall be the “Site Plan Sheet AS-1” entitled “West Marine Store #1286 299 Mishawum Road, Woburn, MA 01801” prepared by David Boyce, Architect dated 11/08/10 as revised 11/08/10, 12/10/10, 12/15/10 (3), 12/15/10 (4), and 01/07/11 (the “Plan”);
2. That the 16’ compact spaces shown on the Plan north of the West Marine tenant space shall be marked compact spaces in accordance with Section 8.2.3 of the Woburn Zoning Ordinance;
3. That the light pole shown on the Plan in the parking space in the parking area to the north of the West Marine tenant space shall be relocated north of the parking spaces;
4. That the “No Parking Fire Lane” shown on the Plan shall be designated by signage and/or pavement markings to the satisfaction of the Fire Chief;
5. The Planning Board shall review and approve a landscaping plan and shall retain jurisdiction over the landscaping; and
6. That the handicapped parking spaces as shown on the Plan shall meet all local, state and federal handicap code requirements.

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 January 11, 2011 from Brett F. Gonsalves, Senior Engineer, Engineering Department to Edmund Tarallo, Planning Director was received as follows:

Subject: 299 Mishawum Road – Site Plan Alteratiohn Special Permit – Special Permit Application Dated 12/16/2010 – Site Plan Dated 11/8/2010

The applicant is seeking permission to alter the existing site plan by shifting the parking lot, allowing for a wider sidewalk, and add a proposed door and stairs to the south of the building.

Upon review of the special permit application and submitted plan, 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.

On the petition by Blair Crawford, 89 Main Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.1 of the 1985 Woburn Zoning Ordinances, as amended, to recognize the legal use of a pre-existing non-conforming property as a three-family detached dwelling at 87-89 Main Street. PUBLIC HEARING OPENED. A communication dated January 13, 2011 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Blair Crawford – 87-89 Main Street – To allow the conversion of a pre-existing two family house and convenience store to a three family house pursuant to Section 7.3

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on January 11, 2011, the Board voted to forward an unfavorable recommendation to the City Council on the Special Permit application of Blair Crawford regarding the property at 87-89 Main Street until such time as the illegal basement apartment is removed.

If Council members have any questions or concerns regarding the above recommendations, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Woburn Properties, LLP, c/o Cummings Properties, LLC, 200 West Cummings Park, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 5.1.30b and 5.1.41 of the 1985 Woburn Zoning Ordinances, as amended to approve as-built plans which include two minor modifications to the plan of record, at 8 Cabot Road. PUBLIC HEARING OPENED. A communication dated January 13, 2011 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Woburn Properties, LLC – 8 Cabot Road – To allow approval of the as-built plans by allowing modification of location of the bike rack and the curbing as originally shown on the plans approved with the Special Permit granted on May 19, 2010

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on January 11, 2011, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Woburn Properties, LLC, regarding the property at 8 Cabot Road to allow the relocation of the bike rack subject to the condition that a snow removal plan be placed on file with the Building Department and City Clerk's office showing the area around the bike rack that will be made free from snow and to allow the existing curbing to remain as per the "Curb As-Built Plan" dated November 15, 2010, except that should the bituminous concrete curbing become deteriorated, then it shall be replaced with slope granite curbing subject to the determination of the City Engineer.

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

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Order to transfer the sum of \$9,000.00 from Treasurer/Payroll Account to Treasurer/Salary Account, committee report was received "ought to pass".

On the Order to appropriate the sum of \$125,000.00 from Unreserved Fund Balance Account to Veteran's Cash Aid Account, committee report was received "ought to pass".

NEW PETITIONS:

Petition by SureRide, LLC, 400 TradeCenter, Suite 5900 for a new Taxi Cab License.

Petition by Boys and Girls Club of Woburn, Inc., Charles Gardner Lane, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.14 of the 1985 Woburn Zoning Ordinances, as amended, to conduct a six-day carnival from May 3 through May 8, 2011 at the National Amusements (Showcase Cinema) site at 25 Middlesex Canal Park Drive.

Petition by Peter Mamakos, 1092 Fellsway, Medford, Massachusetts 02155 for a special permit pursuant to Section 5.1.29 of the 1985 Woburn Zoning Ordinances, as amended,

to amend a special permit issued April 7, 2005 by amending Condition 5 to allow hours of operation to between 6:00 a.m. and 11:00 p.m. and by amending Condition 11 to allow a revision to the plan of record to a plan entitled "The Restaurant, Bar Renovations, 487-489 Main Street" dated 12/6/10 prepared by Seger Architects, Inc., at 487-489 Main Street.

Petition by Robert W. Murray, 27 Cambridge Street, Burlington, Massachusetts for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the alteration of the existing non-conforming use and structure (mobile home) to provide for the construction of a single family dwelling at 8 Albany Street.

COMMUNICATIONS AND REPORTS:

A communication dated January 14, 2011 was received from City Clerk William C. Campbell relative to the process of re-precincting ward and precinct boundaries following the 2010 U.S. Census.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS: None.

Motion made and 2nd to ADJOURN.