

**CITY OF WOBURN
WOBURN CITY COUNCIL
SPECIAL PERMITS COMMITTEE
WOBURN CITY HALL
COMMITTEE ROOM
MONDAY, JULY 1, 2024 – 6:39 p.m.**

Voting members present: Chair Darlene Mercer-Bruen, Councilor Joanne Campbell, Councilor Lou DiMambro, Councilor Joseph Demers, and Councilor Charles Viola.

Non-voting members present: President Jeffrey Dillon, Councilor Robert Toro, Councilor William Pappalardo and Councilor Robert Ferullo

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Reading and approval of meeting minutes of April 29, 2024: Motion made by Councilor Demers and seconded by Councilor Viola to waive the reading of and approve the minutes of the previous meeting; in favor, 5-0.

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25 Everett Street Realty Trust for a special permit under Sections 5.1(5), and 8.3.3 of the WZO, to allow for: 1. The construction of a mixed use building consisting of commercial space and eight residential units above; and 2. Use of municipal parking facilities to meet parking requirements, at 0 Walnut Street: Representing the applicant was Attorney James Juliano, Juliano Law Group LLC, 607 Main St., Woburn, MA. Attorney Juliano said there was a public hearing held at the most recent City Council meeting. He said they are asking for eight units. He said the parcel is small and the proposal will result in a tight fit. He said there was a conversation about parking. He said the applicant is trying to configure additional parking. He said the applicant is looking at ways to try to fit more parking spots in front. He said the applicant is looking at the drainage situation. He said he is hoping to get more information to the council when the council resumes the public hearing on July 16. Motion made by Councilor Demers and seconded by Councilor DiMambro to suspend the council's rules to allow any member of the council not on the committee to address the petition; approved, 5-0. Councilor Pappalardo asked with this new configuration what parking the applicant will require. Attorney Juliano said 16 parking spaces are required and they are looking to provide up to five spaces, and the other 11 they will buy into in the public parking area. Councilor Pappalardo said there are a lot of different approvals required and asked when the applicant will know for certain how many public parking spaces it will need. Attorney Juliano said the applicant won't know until the drainage is reconfigured. He said the applicant has been in contact with the DPW and City Engineer about runoff. He said the applicant wants to make sure the infiltration system works. He said the Planning Director expressed concerns about parking. Councilor Pappalardo asked if any neighbors spoke against the project. Attorney Juliano said two spoke in favor. Councilor Pappalardo asked if nine parking spaces will be the starting point. Attorney Juliano said they are crunching numbers. Councilor Pappalardo asked if it would behoove the applicant to get that number nailed down. Attorney Juliano said they will have to see if the parking configuration works. Councilor Viola said the parking situation on Walnut Street is already atrocious at best.

He said any parking spots that are included with this project are not going to be guaranteed. He said the applicant has to figure out a better solution. He said he does not think he can support this petition with the residential component. Councilor DiMambro said there is a similar building on High Street with parking underneath the building. He said the upper floor is built on columns and the parking is on the ground level. He asked if that were something the applicant would consider. Attorney Juliano said they are considering that. He said they are exploring all options. He said their job is to find the best-case scenario. Councilor Demers said he respects Councilor Viola's point of view, but if there are issues about parking, then the council should do something about the ordinance. He said there is an application for a special permit in front of the City Council to remedy a blighted area. He asked if the council is going to turn that away. He said he thinks the council has to remain consistent. He said he would caution his colleagues not to take out any flaw in the ordinance on the petitioner. He said the council needs to be fair. He said if there are folks who don't like the ordinance, then the council should change it. He said it is spelled out in the ordinance that parking is not guaranteed. President Dillon said it's a balance. He said he is not sure if there is a parking supply problem or a parking management problem. He said he thinks the council needs to challenge that. He said if you say paid parking, everyone loses their mind. He said the council could consider an option where the first 15-20 minutes are free, but if you want to park for 2-3 hours, then you're going to have to pay. He said he thinks the city has a parking management problem. He said he thinks there is a benefit to residential housing above commercial. He said he thinks the council needs to figure this out. He said the solution may not be creating more parking but managing it better. Councilor DiMambro said the function hall and the Woburn Bowladrome are going to be resurrected soon, and that will create a greater demand for parking. He said if developers start lifting buildings and putting parking underneath, that's something that can be looked at. He said the petitioners need to start coming up with solutions. Councilor Campbell said she agrees with Councilor DiMambro. She said there is not a lot of parking on Walnut Street. Chair Mercer-Bruen said she would be hard-pressed to support this petition if the city is going to be giving away parking spots. She said this is a special permit, and the reason it's special is because there are special circumstances. She said things have changed and people are having a hard time getting parking spaces. She said maybe it's time to revisit the ordinance and determine what a parking space costs. She said she can't support giving out another parking spot in that municipal lot. Attorney Juliano said he just got a call about an identical project. He said it is a blighted area. He said these sites are going to be developed. He said developers are willing to put money into projects, but the parking is capped. Chair Mercer-Bruen said Woburn Center has transformed little by little over the past 18 years. She said at the end of the day, however, building a place to live without a place to park is unreasonable. She said the parking ordinance is a sweet deal for developers. She said they don't have to provide parking. She said they only have to write out a check. Attorney Juliano said the public hearing is scheduled to resume on July 16 and he may have to request a continuance. He said he thinks the drainage will work and then the applicant can address parking.

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Bombay Baking LLC for a modification of previously issued Special Permit dated January 8, 2004, to allow for replacement of Starbucks Coffee Corp. as petitioner, and special permit under Section 5.1(29), and Section 5.1 Note 16, of the WZO, to allow for a fast food restaurant at 350 Washington Street aka 204 West Cummings Park: Representing the applicant were Attorney Joseph R. Tarby III, Rubin Rudman LLP, 500 Unicorn Park, Woburn,

MA; and Scott Thornton, Partner, Vanasse & Associates Inc., 35 New England Business Center Drive, Andover, MA. Attorney Tarby said his client is seeking a modification of a special permit issued in 2004 to take over the location formerly occupied by Starbucks. He said proposed hours of operation are from 5 a.m. to 11 p.m. He said the plan is to operate a coffee shop similar to Starbucks with Indian-style coffee. He said his client will essentially be doing the same thing. He said Mr. Thornton will go over the traffic calculations. Motion made by Councilor Campbell and seconded by Councilor Viola to receive and make part of the permanent record a letter from Mr. Thornton and Jennifer Conners, Senior Transportation Engineer, Vanasse & Associates, to Babu Koganti, Bombay Baking Co., 200 West Cummings Park, Woburn, MA, entitled "Re: Trip Generation Letter – Proposed Café Shop 204 West Cummings Park Suite 1, Woburn, Massachusetts;" approved, 5-0. Mr. Thornton said the letter summarizes the traffic conditions at similar facilities and used Starbucks transaction data. He said a review was done to determine similar coffee shops in the area. He said 27 towns with 21 coffee shops were surveyed and the most similar locations were in Lowell and Stoneham. He said traffic counts were done last Wednesday and Thursday. He said the traffic survey determined the Bombay Baking Co. will produce about one-third of the traffic as the former Starbucks at the same site on Washington Street. Councilor Toro said he has no opposition to this modification to the special permit but in general he dislikes traffic studies. He said this study has no local data, but instead relies upon data culled from coffee shops in Stoneham and Lowell that do not compare to Washington Street in Woburn. He said he has never read a traffic study that indicates traffic is going to increase. Chair Mercer-Bruen said she concurs. Mr. Thornton said the summary of the traffic survey is the traffic projections to Bombay Baking Co. will not be as high as Starbucks. Councilor Toro said he is referring to traffic studies, not the traffic surveyors. He said he appreciates what they do. Councilor DiMambro said his personal traffic studies indicate traffic is lighter early in the week but there are huge lines on Thursdays and Fridays. He said he is in favor of this modification to the special permit. President Dillon asked if the applicant has satisfied the requirements of the License Commission. Attorney Tarby said the applicant did go before the License Commission in April. He said he will propose two conditions that reference the requirements of the License Commission. Attorney Tarby presented a list of seven proposed conditions. Chair Mercer-Bruen said she will propose an eighth condition that there shall be no outside seating. She said Building Commissioner Thomas Quinn's position is outside seating is not allowed. She said if Commissioner Quinn is not going to approve it, the applicant should have a conversation with him. Attorney Tarby said Starbucks had outside seating. He said he will speak to Commissioner Quinn. Chair Mercer-Bruen said City Engineer John Corey is going to send a memorandum as well and her recommendation is for the committee to send the matter "back for action," pending augmentation of the list of conditions. Councilor DiMambro asked if the applicant has any idea if there will be allocation of parking. Chair Mercer-Bruen said she does not think there was any issue with parking. Councilor Demers said parking allocation is a slippery slope. He said dedicated parking is more of a requirement in larger cities closer to Boston. He said dedicated parking opens up Pandora's Box. Chair Mercer-Bruen said she had a conversation with License Commission Chair Thomas Skeffington and they will collaborate on conditions for the Common Victualer's license requirement. Motion made by Councilor Demers and seconded by Councilor Viola to send the matter "back for action;" approved, 5-0.

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Motion made by Councilor Demers and seconded by Councilor DiMambro to adjourn; in favor, 5-0. Chair Mercer-Bruen adjourned the meeting at 7:17 p.m.

A TRUE RECORD ATTEST

Gordon Vincent
Clerk of Committees