

**CITY OF WOBURN
WOBURN CITY COUNCIL
SPECIAL PERMITS COMMITTEE
WOBURN CITY HALL
CITY COUNCIL CHAMBERS
MONDAY, APRIL 7, 2025 – 7:31 p.m.**

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

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 March 24, 2025: Motion made by Councilor Demers and seconded by Councilor DiMambro to waive the reading of and approve the minutes of the previous meeting; in favor, 4-0-1.

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Mill Street Gardens, LLC for a special permit under WZO Section 7.3, and site plan review under Section 12.2.2, to change, extend, or alter a preexisting nonconforming use to replace an existing swimming pool in a garden apartment complex with a clubhouse building containing common amenity space and bathrooms for pool users, at 50 Mill Street:

Representing the petitioner were Attorney Jesse Schomer, Dain, Torpy, Le Ray, Wiest & Garner, P.C., 175 Federal St., Suite 1500, Boston, MA; Chris Sparages, Williams & Sparages, 189 North Main St., Middleton, MA; and Marco Bader, Project Executive, The Hamilton Company, 39 Brighton Avenue, Boston, MA. Attorney Schomer asked if the committee wants to be provided with the applicant's full presentation from the April 1 City Council meeting. Chair Mercer-Bruen said the applicant can provide any additional information but does not need to repeat the presentation from the April 1 hearing. She said she met with Building Commissioner Thomas Quinn this morning at 10 a.m. at the site and she has some comments. Chair Mercer-Bruen said it would be best if she yields the chair to Councilor Viola so she can address the application. Councilor Mercer-Bruen said she met with Commissioner Quinn to take a look at the site. She said her biggest concern was the height and size of the pool house. She said after viewing the site the dimensions of the pool house are not a concern. She said she was concerned about the impact of the pool on the people who live in that complex. She said no one who lives in the complex has contacted her. She said she has not heard any concerns at all. She said if the petitioner is willing she would like to discuss conditions. She said Commissioner Quinn has proposed a list of conditions that has been sent to the committee. She asked Attorney Schomer if he had a chance to read the proposed conditions. Attorney Schomer answered affirmatively. Motion made by Councilor Mercer-Bruen and seconded by Councilor Demers to receive and make part of the permanent record a document from Building Commissioner Thomas C. Quinn to the Special Permits Committee dated April 3, 2025, and entitled "Re: Mill Street Gardens LLC – 50 Mill Street;" approved, 4-0-1. Councilor Mercer-Bruen read proposed condition #1 as follows: "Designate construction traffic/routes to and from the site like the same that was approved for the adjacent property during construction." Councilor Mercer-Bruen said sometimes the routes have

not always been obeyed. She said she is going to ask the petitioner to be vigilant and make sure the trucking routes are followed. Attorney Schomer said his client is agreeable to that. He said the applicant was before the Zoning Board of Appeals last year for a minor modification to allow blasting at 57 Mill Street. He said as part of those negotiations his client and the ZBA reached an agreement on haul routes, which is what they are referred to in the decision, to and from the site. He said the agreement stipulates all trucks will enter the site from Salem Street and will avoid all other side streets. He said his client is agreeable to that condition. Councilor Mercer-Bruen read proposed condition #2 as follows: "Construction hours should be specified with no work on Sundays; any work on Saturdays be interior only." Councilor Mercer-Bruen said no work can be done on Saturdays because nothing the applicant is doing is inside. Attorney Schomer said there is some work that is being done on the inside, but his client is agreeable to the condition. Councilor Mercer-Bruen read proposed condition #3 as follows: "The Construction Site should always be secure by fencing due to proximity to occupied residential buildings and the construction of an inground pool." Attorney Schomer said his client is agreeable to that condition. Councilor Mercer-Bruen read proposed condition #4 as follows: "The perimeter of the property abutting residential neighborhoods that has wooden fencing should be repaired/replaced and maintained at all times. Complaints have been received and have had to be addressed in the past." Councilor Mercer-Bruen said she would prefer a condition that requires the fence to be replaced and maintained at all times. She said there have been many problems with this fence. She said she does not want to fight with the applicant about a fence but she would like to see it replaced and maintained. Attorney Schomer said his client agrees to this condition. Councilor Mercer-Bruen read proposed condition #5 as follows: "Dumpster placement and allowed hours of pickup should be addressed. Complaints have been received and had to be addressed in the past." Councilor Mercer-Bruen said the dumpsters will not be put on public property. She said the dumpsters will not be emptied before 7 a.m. or after 7 p.m. She said if she receives complaints about the dumpsters, she will ask the City Council to review the special permit and require the applicant to put a lock on the dumpster. Attorney Schomer said his client understands and agrees to the proposed condition. He said they are breaking in a new trash collection company. He said there have been some growing pains. He said they will make the trash contractor aware of the council's requirements and they will be compliant. Councilor Mercer-Bruen said she would also like to address rodent control. She said she would like to include a condition but she would like to keep it open-ended at this time. She said there are a couple of people who want to speak at the public hearing about rodent control. Attorney Schomer said his client will be agreeable to a condition about rodent control. Councilor Mercer-Bruen thanked Mr. Sparages for staking out the pool section. She said it made it easier for her and Commissioner Quinn to visualize the area. Motion made by Councilor Demers and seconded by Councilor Mercer-Bruen that the special permit "ought to pass" with the following conditions: 1. Designate construction traffic/routes to and from the site like the same that was approved for the adjacent property during construction; 2. Construction Hours should be specified with no work on Sundays; any work on Saturdays be interior only; 3. The Construction Site should always be secure by fencing due to proximity to occupied residential buildings and the construction of an inground pool; 4. The wooden fence along the perimeter of the property between abutting residential neighborhoods shall be replaced and maintained in perpetuity by the property owner; 5. Any dumpsters shall be placed on private and not public property, and shall not be emptied before 7 a.m. nor after 7 p.m.; 6. [A to-be-determined condition regarding rodent control to be introduced at the public hearing.]; all in favor, 4-0-1.

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Motion made by Councilor Demers and seconded by Councilor DiMambro to adjourn; in favor, 4-0-1. Chair Mercer-Bruen adjourned the meeting at 7:42 p.m.

A TRUE RECORD ATTEST

Gordon Vincent
Clerk of Committees