

**CITY OF WOBURN  
FEBRUARY 19, 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, all in favor, 9-0.

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**MAYOR'S COMMUNICATIONS:**

A communication entitled Petition for Acceptance of Public Way was received from His Honor the Mayor Thomas L. McLaughlin as follows:

I, the undersigned Mayor of the City of Woburn, hereby petition for acceptance of the following public ways which the city has obtained obtained conveyance of the fee interest:

1. Arthur G. Pernokas Drive as set forth in a plan entitled "Cranberry Estates in Woburn, Mass. – Definitive Subdivision Lot Layout Plan" dated May 12, 1994 and prepared by Commonwealth Engineering Inc., a copy of which is attached hereto.
2. Crossman Road to Loves Lane as set forth in a plan entitled "Crossman Road Plan and Profile – As-Built Plant Shaker Hills Estates Woburn, MA." dated July 25, 2001 and prepared by Commonwealth Engineering Inc., a copy of which is attached hereto.
3. Shaker Hill Lane as set forth in a plan entitled "Shaker Hill Lane Plan and Profile – As-Built Plan Shaker Hills Estates Woburn, MA." dated July 25, 2001 and prepared by Commonwealth Engineering Inc., a copy of which is attached hereto.

s/Mayor Thomas L. McLaughlin

Motion made and 2<sup>nd</sup> that the communication be received, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON MUNICIPAL LANDS/HIGHWAYS, all in favor, 9-0.

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**PUBLIC HEARINGS:**

On the petition by Boys & Girls Club of Woburn, Inc., Charles Gardner Lane, Woburn, Massachusetts 01801 for a special permit to conduct a six-day carnival from May 13, 2008 to May 18, 2008 at the National Amusements (Showcase Cinemas) site at 25 Middlesex Canal Park. PUBLIC HEARING OPENED. A communication dated February 13, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Boys & Girls Club of Woburn – 25 Middlesex Canal Park-Special Permit to conduct carnival

Dear Mr. Campbell and Members of the City Council:

At the meeting held on February 12, 2008, the Planning Board voted to forward a favorable recommendation to the City Council, subject to the condition that the applicant comply with Note 14 of the Notes to Section 5.1 of the 1985 Zoning Ordinance as amended.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

Appearing for the petitioner was Jim Haggerty, Carnival Chair, Boys & Girls Club of Woburn, Inc. and he stated that the carnival operator will be Dean & Flynn, that this is the same carnival operator that they have used for thirty years, that the operator has been in business since 1925, that the funds raised go towards the operation of the Boys & Girls Club of Woburn, and that membership in the club has grown from 1,200 to 2,600 in the past few years. IN FAVOR: None. OPPOSED: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the SPECIAL PERMIT be GRANTED, all in favor, 9-0.

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On the petition by City of Woburn, Engineering Department, Woburn City Hall, 10 Common Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.79 of the 1985 Woburn Zoning Ordinances, as amended, to allow to construction of public restrooms at Library Field. PUBLIC HEARING OPENED. A communication dated February 1, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: City of Woburn – Library Park adjacent to Access Road – To Erect Public Restroom under Section 5.1.79

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on January 29, 2008, the Board voted to send a favorable recommendation to the City Council to allow the erection of a comfort station/public restroom at Library Park.

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

Motion made and 2<sup>nd</sup> that the communication be received and made part of the record, all in favor, 9-0. Appearing for the petitioner was City Engineer John E. Corey, Jr., P.E. and he stated that municipal uses require a special permit, that the city secured a grant to construct the facilities, that this will be a prefabricated building as opposed to the building at Horn Pond, that the Department of Public Works will do a portion of the project, that it will be a precast concrete building, that it will be for use of the Recreation Department, sports programs and for city events held at Library Field, that there will be separate men's and women's rooms, that the building will meet ADA requirements, that the building will be twelve and one-half feet wide by twenty-one feet long, that there will be a storage area between the bathrooms with mechanical services and storage for the Recreation Department, that the building will be constructed of vandalism resistant material, that there will be a green clay tile roof to match the roof of the library, that there is existing water and sewer service to the site, that locating the building closer to the tennis courts would require more extensive excavation work, that there will be a dog mitt station available at the facility, that the facility will be maintained during the year by the Parks Department and Recreation Department, that the departments currently have a crew that cleans the restrooms at the city swimming pools, that during other times of the year the facility will be maintained by the Department of Public Works, that the building will be set thirty-five feet off a pole line which marks the field of play, that he consulted with the Recreation Commission in developing the plan, that the facility should be open by July 1, 2008, that he will try to coordinate the work to eliminate interference with the sports programs on the field, that the facility will be located 150 feet from the police station and will be visible from the street so as not to be subject to vandalism, that funds are not currently sufficient to add a snack bar but that could be added at a later date, that the Horn Pond restrooms are seasonal and are open from approximately 7:00 a.m. to 8:00 p.m. with not much vandalism at that location, that they will be looking to install time locks on the doors, that porta-pottys are currently used at the site, that the grant was in the amount of \$75,000.00, that the cost of the building is approximately \$45,000.00, that they will be using stainless steel fixtures which are sturdier against vandalism but more expensive, that the remaining funds will be used for site work and the foundation, and that the Parks Department will be completing the finished site work. Alderman Galvin stated that this is a long overdue project. Alderman Denaro stated that locating the facility away from the current elderly housing is prudent given the discussion about further elderly housing in that area. Alderman Gately stated that he prefers this location for the facility on the site as opposed to closer to the bandstand. IN FAVOR: William Booker, 3 Forest Park Circle stated that he represents a girls softball team, that one of the reasons tournaments are not played at the site is the necessity of a comfort station, that the city

could host more tournaments with the facility, and that he supports the project.  
OPPOSED: None. Motion made and 2<sup>nd</sup> to close the public hearing, all in favor, 9-0.  
Motion made and 2<sup>nd</sup> that the SPECIAL PERMIT be GRANTED, all in favor, 9-0.

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On the petition by Extra Space Storage, 15 Olympia Avenue, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.57b of the 1985 Woburn Zoning Ordinances, as amended, to modify a special permit dated February 8, 1989 by modifying the hours of operation to Monday through Sunday 7:00 a.m. to 7:00 p.m. and to allow for the outside storage of commercial motor vehicles at 15 Olympia Avenue. PUBLIC HEARING OPENED. A communication dated February 12, 2008 was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 15 Olympia Avenue – Modification of Business Hours & Outside Commercial Motor Vehicles Special Permit – Special Permit Application Dated January 18, 2008 – Previous Department Memo Date February 27, 2007

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

The applicant is seeking a modification of hours of operation and to allow outside storage of commercial vehicles. This offices takes no exception to the modification of hours of operation, however there is no accompanying plan to indicate the location or the number of commercial spaces. A plan showing the location and number of spaces should be submitted for review.

This office will complete its review when the additional information is submitted.

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

A communication dated February 15, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Extra Space Storage - 15 Olympia Avenue – To modify the condition from the February 8, 1989 Special Permit limiting the hours of operation and to allow under Section 5.1(57b) the outside storage of commercial motor vehicles.

Dear Mr. Campbell and members of the City Council:

At the meeting held on February 12, 2008, the Planning Board voted to send the following recommendation to the City Council regarding the request to modify the Special Permit condition from the February 8, 1989 Special Permit limiting the hours of operation and to allow under Section 5.1(57b) the outside storage of commercial motor vehicles:

1. That the hours of operation required by the 1989 Special Permit be modified from Monday – Saturday 8 A.M. to 5:30 P.M. and Sunday 10 A.M. to 2 P.M. to Monday – Friday 7 A.M. – 7 P.M., Saturday 8 A.M. – 5:30 P.M., and Sunday 10:00 A.M. – 2:00 P.M.; and
2. That the Planning Board sends an unfavorable recommendation to the City Council on the request for outside storage of commercial motor vehicles at the site.

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

Appearing for the petitioner was Attorney Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the petitioner is seeking to operate from 7:00 a.m. to 7:00 p.m. Monday through Saturday and to allow the outside storage of motor vehicles at its facility, that the property is located in the I-P zoning district, that the Planning Board recommended hours of 7:00 a.m. to 7:00 p.m. Monday to Friday, 8:00 a.m. to 5:30 p.m. Saturday and 10:00 a.m. to 2:00 p.m. Sunday, that the Planning Board gave an unfavorable recommendation on the outside storage of motor vehicles, that the petitioner is seeking to open an hour earlier and close one and one-half hours later each day, that this will respond to customer requests, that the petitioner operates facilities with hours from 6:00 a.m. to 10:00 p.m. seven days per week in nearby communities, that the petitioner seeks to allow five vehicles of customers to be parked on site, that there may be a plumber or carpenter who operates out of his house with a second truck, that this will allow the contractor to park the second vehicle on the site, that the hours of operation will not have an adverse impact on the neighborhood, that the type of storage and traffic to the site will not be burdensome, that the petitioner amends its request for the hours of operation on the weekends for 8:00 a.m. to 6:00 p.m. Saturday and 10:00 a.m. to 5:00 p.m. Sunday, that the petitioner has addressed all issues previously raised, that the petitioner seeks permission to store five motor vehicles on site and the City Council can set conditions to the number of vehicles allowed, that the conditions in the special permit were set seventeen years ago, that times have changed, and that when the business was first opened people did not foresee the extent to which people would need extra space for storage of personal items. Attorney Tarby offered photographs of the site for the City Council to review. Motion made and 2<sup>nd</sup> that the photographs be accepted and made part of the record, all in favor, 9-0. Alderman Mercer-Bruen stated that this matter was before the City Council Committee on Special Permits Review as the petitioner was violating the conditions of the current special permit, and that she is concerned with the vehicle parking component. IN FAVOR: Paul Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park stated that since the last time this matter was before the City Council the situation has been totally corrected, that the property is well maintained and it is a well groomed building, that the petitioner maintains the landscaping along on the outside of the fence in front of the property, that this is a clean business, that there is room for compromise, and that the business has been located at the site since 1989 although currently under different ownership. OPPOSED: Paul Medeiros, 9 Marietta Street stated that his house is across

from the gate to the petitioner's property, that he filed a complaint with the Building Department due to violations of the conditions of the special permit, that not all requested improvements have been completed, that under the prior owner if there was an issue at the property he would call and receive a response, that he complained about a truck idling and unloading at the dock and received no response from this owner, that banners were posted on the fence and he complained to the Building Department, that the banners were removed a couple of weeks ago, that he questions whether this is a legal public hearing as the petitioner has not filed any plans as required, that he opposes the special permit, that the gate has been left open approximately two dozen times, and that the gate is heavy and may be the reason why the employees do not close the gate. Lori Medeiros, 9 Marietta Street stated that she is concerned with the storage of commercial vehicles on the site, that if this component of the special permit is allowed the hours of operation will be 24 hours per day, that the motor vehicle owners were operating businesses from the location and want to get to the vehicles whenever they are needed, that there is not a lot of activity at the site on Sunday afternoon. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. Alderman Mercer-Bruen stated that the weekend hours and storage of motor vehicles on the site are the greater concerns. Motion made and 2<sup>nd</sup> to reopen the public hearing, all in favor, 9-0. Derrick Sammataro, Regional Vice President, Extra Space Storage stated that their customers execute a standard lease, that a business cannot be operated from the units under the terms of the lease, that a businessperson can store his tools in the unit, that if a business is operated from the facility then a fifteen day notice to quit is sent to the tenant as this is a tenancy at will, and that a customer moved its business to another location because the hours of access were better at that location. Alderman Drapeau stated that it appears that businesses are running from the location because if they are storing a truck and tools at the location the question then becomes what is operating a business. Alderman Gonsalves stated that it has been less than a year since this matter was reviewed, and that it is too soon to determine whether the current conditions do not make the business viable. Alderman Gately stated that he has a storage facility in his ward, that at one time there were a number of businesses operating from the facility, that he called the operator of the facility about the issue and within 24 hours the commercial vehicles were removed from the site with the exception of one, that this is presently a good fit for the neighborhood, and that extending hours for this facility may affect other facility hours in the city. Motion made and 2<sup>nd</sup> to close the public hearing, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the SPECIAL PERMIT be DENIED, all in favor, 9-0.

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On the petition by John Tremblay, 8 Ruthven Avenue, Burlington, Massachusetts 01803 for a special permit to recognize a residential property as a three-family residence at 4-6 Lowell Street. PUBLIC HEARING OPENED. A communication dated February 12, 2008 was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 4-6 Lowell Street Two Family to a Three Family Dwelling Unit – Special Permit – Special Permit Application Dated January 10, 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 a two family dwelling unit to a three family dwelling unit. According to the application, it has been taxed as a three family unit but is only recognized by the Building Department as a two family dwelling unit. 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 February 15, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: John Tremblay - 4-6 Lowell Street – To allow for the existing two-family dwelling into a three-family dwelling unit

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on February 12, 2008, the Board voted to inform the City Council that this matter is more properly handled by the Board of Appeal in accordance with Chapter 40A Section 8 of the Massachusetts General Laws, because no Special Permit Section is identified as allowing conversion of a two-family dwelling into three-family dwelling.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A communication dated February 19, 2008 was received from Attorney Daniel S. Braese, 132 Pleasant Street, Woburn, Massachusetts 01801 as follows:

Re: John Tremblay – Application for a Special Permit

Dear Mr. Campbell:

I represent John Tremblay in conjunction with his application for a Special Permit before the City Council scheduled to be heard on Tuesday, February 19, 2008. Please accept this letter as his withdrawal of the application for the Special Permit.

Sincerely, s/Daniel S. Braese, Esq.

Appearing for the petitioner was Attorney Daniel Braese and he stated that the petitioner filed this petition before securing him as counsel, that this is a legal two-family residence presently but the petitioner is seeking three-family as the property has been taxed in this

basis for over thirty years, that the petitioner will bring this matter to the Building Commissioner, and that if a negative decision issues it will be brought to the Board of Appeals. IN FAVOR: None. OPPOSED: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the MATTER be GIVEN LEAVE TO WITHDRAW WITHOUT PREJUDICE, all in favor, 9-0.

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On the petition by Verizon New England Inc., 125 High Street, Boston, Massachusetts 02210 for a special permit pursuant to Section 57b of the 1985 Woburn Zoning Ordinances, as amended, to further amend a special permit granted July 15, 1988, as amended February 18, 2005, as amended May 12, 2005 to allow for parking of an additional thirty commercial vehicles for a total of 167 commercial vehicles at 275 Wildwood Avenue. PUBLIC HEARING OPENED. A communication dated February 12, 2008 was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 275 Wildwood Avenue – Verizon Special Permit – Special Permit Application Dated January 18, 2008 – Plan Dated 1/14/08 – Previous Memo Dated January 21, 2005

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

The petitioner is seeking an amendment to a previously approved special permit approved May 12, 2005 to allow an additional 30 vehicles and a proposed leased area. Upon review of the 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.

A communication dated February 15, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Verizon New England - 275 Wildwood Av- To modify the Special Permit pursuant to Section 5.1.57b of the Woburn Zoning Ordinance to allow for parking of an additional 30 commercial vehicles on the Property, for a total of 167 commercial vehicles.

Dear Mr. Campbell and members of the City Council:

At the meeting held on February 12, 2008, the Planning Board voted to send a favorable recommendation to the City Council regarding the request to modify the Special Permit for the property at 275 Wildwood Ave. by allowing an additional 30 commercial vehicles on the Property, for a total of 167 commercial vehicles subject to the following condition:



1. That the additional 30 vehicles shall be located within the fenced area on the south side of the existing building shown as the "Existing South Yard" and "New Lease Area" of Drawing C-1 of the plan entitled "Site Plan, Notes" prepared by Juniper Russell and Associates, Inc., dated January 14, 2008.

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

Appearing for the petitioner was Attorney Douglas McGarrah, Foley Hoag LLP, 155 Seaport Blvd., Boston, Massachusetts 02210 and he stated that he is attorney for the petitioner, that the property is located in an industrial zone, that there will be accessory parking of commercial vehicles, that this will increase the number of vehicles on the site from 30 to 167, that there will be sufficient parking, that there will be no impervious surface changes, that there will be striping changes, that the petitioner will be consolidating operations, that the petitioner will be moving vehicles from the Locust Street site to this location, that there will be no tractor trailers or oversize vehicles, that the activity will be on the southerly side of the building, that 137 vehicles are currently allowed on the site under the special permit, that some vehicles will be moved to this site from the Locust Street site, that there could be up to 120 extra vehicle trips to the site each day, that there is no direct correlation between the thirty vehicles and the number of daily vehicle trips, that if the petitioner makes a representation that there will be thirty fewer vehicles at the Locust Street site there were not then there would be valid grounds to bring the petitioner back before the City Council, and that the vehicles will be registered in Woburn. Alderman Gonsalves stated that if the special permit is granted there should be additional restrictions, that there may need to be a further traffic study, that there should be restrictions on the size of the vehicle, that the lot could only be used by the petitioner and that the spaces could not be leased. An unidentified woman from the petitioner stated that the fenced areas on the site would not be getting larger and that the extra spaces will permit trucks to be parked on the site overnight. President Doherty stepped down from the chair and Alderman Galvin assumed the chair. President Doherty stated that this is a better site for the vehicles than at the Locust Street site, that the Locust Street site is bordered by residential uses, a recreational field and a middle school, that there is a concern that if this is passed there would be thirty additional vehicles parked in the city and that there would be no guarantee that they would reduce the number of vehicles on Locust Street, that the petitioner should bring a scale of operations for the Locust Street and Wildwood Avenue locations to the committee meeting, and that there will have to be a condition that thirty vehicles will be taken off the Locust Street site if thirty additional vehicles are allowed at this site. Alderman Mercer-Bruen stated that she views this petition as bringing relief to other residential areas, and that Wildwood Avenue is an industrial street with the capacity to handle the traffic. Alderman Denaro stated that he is not comfortable with the numbers, that getting relief at Locust Street would be a good process, and that the vehicles should be registered in Woburn. IN FAVOR: Paul Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn stated that Boston Edison was previously located at the Locust

Street site, that having a utility company located in the city brings jobs and service to the community, that these thirty vehicles will not be tractor trailer trucks, that some are vans and some are bucket trucks, that these vehicles are seen on all of the cities roads, that the property was previously occupied by Lechmere and then was to be occupied by NECCO although NECCO never located there, that the property remained vacant for four or five years, that the building has been improved, that Pacer is located on one side of the building and the petitioner on the other side of the building, that there is a heavy presence of Verizon vehicles and cars on the site, and that this is a good location for the business in the city. OPPOSED: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MARCH 4, 2008 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

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Alderman Galvin stepped down from the chair and President Doherty assumed the chair.

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On the petition by Ztek Corporation, 300 West Cummings Park, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.41 of the 1985 Woburn Zoning Ordinances, as amended, to allow research and testing laboratory at 300 West Cummings Park. PUBLIC HEARING OPENED. Appearing for the petitioner was Michael Hsu and he stated that the petitioner has been located in Woburn for twenty years, that they intend to supply hydrogen gas for hydrogen vehicles, that they will provide a facility in Woburn, that the planning started six to eight months ago, that they have consulted with the fire department during this process, that the fire department expressed concern with public safety, that the landowner believes that a special permit will not be required for the use, that the fire department has been conducting an internal review, that the fire department is reviewing additional locations in the city, that there will be increased testing for the research aspect, that they are starting to make multiple hydrogen stations, that the testing will be conducted in the facility, that public safety is a concern as they do not want to be an issue for the residents, that the quantity of hydrogen gas increased, that they are developing a testing site and then will develop hydrogen stations, that there are many hydrogen stations in the country, and that they are looking for a final decision from the City Council. Mr. Hsu offered a copy of a communication dated September 27, 2007 with attachment and a document entitled "Special Permit" to the City Council for review. Motion made and 2<sup>nd</sup> that the documents be received and made part of the record, all in favor, 9-0. Alderman Denaro stated that a special permit may not be needed for the use and this matter could be given leave to withdraw. President Doherty stated that continuing the hearing will allow the matter to progress. Alderman Gonsalves stated that there is a question as to whether a license would be need for the hydrogen gas. Alderman Raymond stated that isolated areas would preferable for this use. IN FAVOR: A communication dated February 15, 2008 was received from Craig J. Ziady, General Counsel, Cummings Properties, LLC, 200 West Cummings Park, Woburn stating that the petitioner does not require a special permit for the permitted use in view of an Agreement for Judgment in the matter of Aberjona Valley, LLC, et. al v. Steven M. Paris, et. al. found at Land Court Docket Number 275138. Motion made and 2<sup>nd</sup> that the

communication be received and made part of the record, all in favor, 9-0. OPPOSED: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MARCH 18, 2008 , THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, THAT A COMMUNICATION BE FORWARDED TO THE FIRE CHIEF ASKING FOR A REPORT ON THIS MATTER FOR THE COMMITTEE, AND THAT A COMMUNICATION BE FORWARDED TO THE BUILDING COMMISSIONER REQUESTING THAT HE COMMENT ON THE NECESSITY OF A SPECIAL PERMIT FOR THE COMMITTEE, all in favor 9-0.

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On the petition by Michael Colameta and Douglas Lynch, 247 Salem Street, Woburn, Massachusetts 01801 for a special permit to allow three metal storage bins at 247 Salem Street. PUBLIC HEARING OPENED. A communication dated February 12, 2008 was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 247 Salem Street – Outside Storage Bins Special Permit – Special Permit  
Application Dated January 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 3 storage containers on the property. After reviewing the special permit application, this office takes no exception to the special permit as submitted.

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

A communication dated February 15, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Michael Colameta & Douglas Lynch - 247 Salem Street – To allow outside storage of metal storage bins under Section 5.1.57a

Dear Mr. Campbell and members of the City Council:

At the meeting held on February 12, 2008, the Planning Board voted to forward a favorable recommendation to the City Council on the Special Permit application of Michael Colameta & Douglas Lynch, regarding the property at 247 Salem Street, subject to the following conditions:

1. That the storage bins be visually screened from Salem Street; and
2. That the special permit shall be limited to one (1) year from the date of issuance.

The Board made its determination on the fact that the storage bins had been in place since at least 1992 and that this would allow the petitioners time to obtain a more permanent solution.

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

Appearing was the petitioner Michael Colameta and he stated that the petitioners seek to continue the public hearing to the Regular Meeting of the City Council on March 18, 2008 to allow further time to review the matter. Mr. Colameta offered a written request to continue the public hearing to the City Council for its records. Motion made and 2<sup>nd</sup> that the document be received and made part of the record, all in favor, 9-0. IN FAVOR: None. OPPOSED: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MARCH 18, 2008 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

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**CITIZEN’S PARTICIPATION:** None.

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**COMMITTEE REPORTS:** None.

**NEW PETITIONS:**

Petition by Boston Tours, Inc., 56 Williams Street, Waltham, Massachusetts 02453 for renewal of Common Carrier License. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON POLICE AND LICENSES, all in favor, 9-0.

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Petition by Andrew G. Eromin and Mary Eromin, both of 13 Waverly Road, Woburn, Massachusetts 01801 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to alter and change a pre-existing non-conforming structure, by razing the same and constructing a new, two-family structure which will conform to all dimensional requirements excepting lot size at 7 Richmond Avenue. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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Petition by Barry Callahan, 6 Valley Road, Woburn, Massachusetts 01801 for two special permits pursuant to the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Pursuant to Section 5.1.29 to allow for a fast food establishment, and 2. Pursuant to Section 8.2.5 to allow for a 30% reduction in parking, both at 229 Main Street. Motion

made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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Petition by Michael DeVincent dba Custom Auto Re-creation, 10D Roessler Road, Woburn, Massachusetts 01801 for a special permit pursuant to the 1985 Woburn Zoning Ordinances, as amended, Section 44 to allow automobile and truck repair garage, auto restoration, auto body shop, full restorations on older cars, body work, bondo, fiberglas, sheet metal work, prime and paint work at 10D Roessler Road. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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Petition by NSTAR Electric Company and Verizon New England, Inc. for a grant of right in a way to install conduit on Mishawum Road southeasterly approximately 280 feet southwest of Industrial Parkway, a distance of about 52 feet. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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**COMMUNICATIONS AND REPORTS:**

A communication dated February 8, 2008 was received from Attorney John W. Giorgio, Kopelman and Paige, P.C., relative to solid waste flow control laws – new life. Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

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

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**APPOINTMENTS AND ELECTIONS:**

A communication dated February 11, 2008 was received from His Honor the Mayor Thomas L. McLaughlin as follows:

Re: Conservation Commission – Scott W. Gatchell

By the power vested in me as Mayor of the City of Woburn, I hereby reappoint Scott W. Gatchell of 1 Lexington Street as a member of the Conservation Commission. Please be advised that Mr. Gatchell's term will expire on May 31, 2009.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin, Mayor

Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON PERSONNEL, all in favor, 9-0.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

ORDERED Be It Ordained by the City Council of the City of Woburn that Section 2-181(A) of the 1989 Woburn Municipal Code, as amended, be further amended by striking therefrom the words and numbers "Base Salary \$92,060.00" and inserting in their place the words and numbers "Base Salary \$77,640.00".

s/Alderman Galvin and Alderman Gonsalves

Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON ORDINANCES, 8 in favor, 1 opposed (Gately opposed).

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RESOLVED Whereas, West Street provides pedestrian access from Elm Street to Pearl Street; and

Whereas, there are currently no sidewalks along either side of West Street;

Now, Therefore, Be It Resolved that His Honor the Mayor instruct the Superintendent of Public Works to construct a sidewalk on one side of West Street as determined by a study to be conducted by the City Engineer to improve pedestrian safety; and

Be It Further Resolved that His Honor the Mayor instruct the Superintendent of Public Works to repave the entire length of West Street side to side from the intersection with Elm Street to the intersection with Pearl Street.

s/Alderman Raymond

Motion made and 2<sup>nd</sup> that the RESOLVE be ADOPTED, all in favor, 9-0.

**Presented to the Mayor: Feb. 21, 2008** s/Thomas L. McLaughlin **Feb. 22, 2008**

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Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 9-0. Meeting adjourned at 9:03 p.m.

A TRUE RECORD ATTEST:

William C. Campbell  
City Clerk and Clerk of the City Council