

**CITY OF WOBURN  
JANUARY 7, 2014 - 7:00 P.M.  
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gaffney
Concannon	Gately
DiTucci	Mercer-Bruen
Drapeau	Raymond
Haggerty	

---

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

---

**MAYOR'S COMMUNICATIONS:** None.

---

**PUBLIC HEARINGS:**

On the petition by Alderman Gately concerning the structure or structures located in the City of Woburn, County of Middlesex, Commonwealth of Massachusetts known and numbered as 141-143 Main Street, Woburn, Massachusetts, for the purposes of determining whether said structure or structures are a public nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or other structure, as said terms are used in Massachusetts 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. Alderman Gately stated that neither he nor the Building Commissioner have had any luck communicating with the property owners, and that the conditions have not worsened. 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, 2014, 8 in favor, 0 opposed, 1 abstained (Concannon abstained).

\*\*\*\*\*

Motion made and 2<sup>nd</sup> to lay on the table the petition by 859 Main Development, LLC for a special permit at 855 Main Street to a time later in the meeting, all in favor, 9-0.

\*\*\*\*\*

Motion made and 2<sup>nd</sup> that a communication be forwarded to the City Solicitor requesting a legal opinion as to which petitions a newly elected Alderman can legally vote on and

that she clarify which petitions already in committee a newly elected Alderman is able to vote on, all in favor, 9-0.

\*\*\*\*\*

On the petition by Kohl's Illinois, Inc., N56 W17000 Ridgewood Dr., Menomonee Falls, Wisconsin 53051 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended to allow remodeling to building exterior, including adding less than 110 square feet of uninhabited area to the store entrance for cosmetic reasons, adding EIFS to enhance the existing façade, and minor maintenance where needed around the building at 425 Washington Street. PUBLIC HEARING OPENED. A communication dated December 4, 2013 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Kohl's Illinois, Inc. – 425 Washington St. – To allow for the alteration of the existing nonconforming structure and use. Said alterations will include but are not limited to exterior design elements and the adding of less than 110 S.F. of uninhibited area the store entrance pursuant to Section 7.3

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on December 3, 2013, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Kohl's Illinois, Inc, regarding the property at 425 Washington Street to allow for the alteration of the existing nonconforming structure and use pursuant to Section 7.3 subject to the following conditions:

1. That the site plan shall be in accordance with the plan titled "Proposed Site Plan" for Permit 11/27/13 – Exterior, Sheet SP dated 11/01/2013;
2. That all conditions of the original Special Permit granted August 2, 2012 for this locus shall remain in full force and effect unless modified by this Special Permit;
3. That this permit will not serve as approval of any new or modified signs requiring a separate permit from the Building Commissioner.

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 Adam Stein, Manager of Architecture for Kohl's and he stated that the petitioner will remodel the interior and exterior of the store to bring the facility up to current corporate standards, that the exterior gateway legs add to the aesthetics but is an uninhabitable space, that within the building departments will be moved around and there will be some reshelving of the store, that the special permit is required because of the exterior changes, that there will be no change to the traffic patterns, that the overall width of the sidewalk will be the same as currently, that there will be no site plan or landscape changes, that the petitioner would be opposed to

allowing trucks to park at the rear of the building, that all interior and exterior modifications will be brought up compliance with the Americans with Disabilities Act requirements, that the project is currently on a March 2014 construction phase plan, that the petitioner cannot submit an application for a building permit until the special permit is issued, and that this almost creates a hardship for the petitioner to see this petition delayed because of this gate to the rear of the building which may not be under the petitioner's control. Alderman Mercer-Bruen stated that she often receives call from neighbors whose homes directly abut the building about trucks idling in that area at night, that she would like this issue to be addressed, that there is a gate to the right of the building when looking from the front of the building, that she wants a condition added to the special permit requiring the gate to be locked to avoid this situation with idling trucks to the rear, that these trucks are not associated with the businesses at the locus but are parked in the back area of the building at night, that the special permits are issued under the name of the petitioner and this would be the time to address the issue, and that the neighbors would not agree that this further review was a hardship. Alderman Anderson stated that according to the application the petitioner does not own the property and cannot control the issue of the gate, and that this request is a minor modification. 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 JANUARY 21, 2014 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 9-0.

\*\*\*\*\*

On the petition by 10 Presidential Way Associates, LLC, 10 Presidential Way, Woburn, Massachusetts 01801 for a special permit with any dimensional relief as may be required pursuant to Sections 5.1.80a, 5.6, 6 and 11 of the 1989 Woburn Zoning Ordinances, as amended, to establish a telecommunications facility to be used for education, training and transmission of secure data at 10 Presidential Way. PUBLIC HEARING OPENED. A communication dated December 4, 2013 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: 10 Presidential Way Associates, LLC - 10 Presidential Way – To construct and operate a telecommunication facility pursuant to Sections 5.1, 5.6, 6, and 11

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on December 3, 2013, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of 10 Presidential Way Associates, LLC, regarding the property at 10 Presidential Way to allow for the construction and operation of a telecommunication facility subject to the following conditions:

1. That the Plans of Record shall be the plans Z-1 – Z-8 with a Title Sheet T-1 revised through 11/22/13 by Dewberry Engineers Inc., 280 Summer Street, 10<sup>th</sup> Floor, Boston, MA 02210 entitled “Model Tower: An Educational Training Facility” except as modified by this decision;

2. The Carrier Equipment Shelter Interior Isometric on Sheet Z-8 shall be unmanned and not be used as an educational classroom and only as an equipment shelter;
3. The Future Carrier Equipment Shelter shall not be allowed;
4. That prior to building permit a license for secure data link shall be issued for the proposed facility by the FCC;
5. That 16' wide paved access road as shown on the plan shall be provided for access and the elimination of the two parking spaces to be utilized for access shall be eliminated to provide for fire access and general access the compound area;
6. That the proposed height of the Tower shall not exceed 160'; and
7. That the Planning Board shall retain jurisdiction over the landscaping.

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 Brandon Ruotolo of American Tower and he stated that the petitioner is one of the largest operators of telecommunications infrastructures, that they have interests in five continents with over 30,000 located in the United States, that there are 500 employees in the Woburn office, that they own the building in Woburn, that project management, legal, executive and training are conducted in the office, that the tower is a 160 foot telecommunications training facility, that the petition will allow the business to continue operating, that the 500 employees transact business at the location to support the 30,000 properties, that they currently have a fiber optic connection between their locations in Woburn and Billerica which is their secure data line, that if the data line is interrupted the facility goes black, that this scenario is a challenge as the petitioner is both a domestic and an international company, that the petitioner builds steel and the towers and then work with vendors such as AT&T, the federal government, retailers such as Kohl's and BJs and on oil rigs, that the petitioner has to keep their business operating so that the client businesses who rely on the infrastructure can continue to operate, that the petitioner manages and acquires assets, that the goal of the petition is to centralize operations in the Woburn office, that petitioner had 45 employees and 4,500 properties and has expanded to 500 employees and 30,000 properties, that the petitioner is preparing for an additional expansion and will bring more people to the site, that training is required for this sophisticated business, that employees are brought to the training facility and use the hotels, restaurants, retail and entertainment services offered in the city, that the proposal is for a monopole tower, that it is not possible to use the tower as a broadcast tower as it is not large enough, that the proposed tower is not a lattice tower as you see at Bear Hill in Waltham off Route 128, that this tower is designed 160 feet in height with a base to accommodate the tower height, that the petitioner has to demonstrate co-location under the Woburn Zoning Ordinances and FCC regulations, that the petitioner wants the structure to look clean as this is their corporate headquarters, that a Massachusetts structural engineer reviewed the proposal, that a public safety link and three additional carriers would consist of 36 panels, that cedar wood fencing will be located around the tower, that standard locks will be provided, that there will be monitoring which will indicate if someone breaks into the

area, that there will be lighting, that the Planning Board conditions are acceptable to the petitioner, that the transmission between Woburn and Billerica will be by air once construction is completed rather than by the underground fiber optic link, that the facility operates under safe frequency levels, that there will be a signal from one dish in Woburn to one dish in Billerica, that a cellphone vendor would have a wider signal than the petitioner, that if the tower is no longer operational or obsolete the petitioner would be willing to file a bond to ensure that the tower is removed, that they petitioner assists clients in getting their systems operational with the facilities, at this time there are no clients that would raise a security concern, that this location would be the petitioner's first exclusive training facility, that there is a classroom with 65 seats with training on the on-site tower, that the petition will allow the centralization of operations, that there is a technical need for the tower as it will allow communication between the Woburn and Billerica locations, that the tower can also be used for training, that the tower can also be available for lease to other entities as required under the Zoning Ordinances and FCC regulations with the intent to reduce the number of towers, that of co-location was not required there may be many towers on one location rather than just one tower serving multiple users, that the tower will allow interoperability among public safety officials, that the petitioner demonstrates 36 antenna which is equivalent to three carriers but at times a small company may have only one antenna, that a condition limiting the users to three carriers would limit co-location requirements, that the petitioner would prefer any condition to state the users cannot exceed the structural capacity of the tower as shown in the plans filed, that the petitioner proposes two dishes currently but has to show co-location under the Zoning Ordinances and FCC regulations, that at the request of the Planning Board the petitioner shows a maximum number of panels based on three providers which would be twelve panels each, and that the tower depends upon the weight and wind resistance of the panels installed. Alderman Gately stated that he is concerned about the facility closing and the tower being used only for other vendors' satellite dishes, that he is concerned about the visual impact the tower will have, that this proposal was presented as a training tower but it is now being shown that the tower will be available for third parties. President Haggerty stated that the matter may have to be forwarded to committee for further review. Alderman Drapeau stated that the petitioner seems to be a substantial growing business that should be welcomed into the community, that the petitioner provide significant jobs and with many employees training on site will provide support to local businesses and additional tax revenue through the hotel tax and meals tax, that the City Council is getting too fixated on the number of carriers rather than on the number of antennas, that the base of the tower should be more of a concern than the height because of potential generator noise, that this proposal is located in a commercial area and is a good use, and that he will support the petition. **IN FAVOR:** Michael Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park stated that the petitioner's 500 employees help support the local businesses, that there will be minimal residential impact in that area, and that the petitioner has chosen Woburn for this business when other communities could have been chosen. **OPPOSED:** None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON FEBRUARY 4, 2014 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, 8 in favor, 0 opposed, 1 abstained (Concannon abstained).

\*\*\*\*\*

Motion made and 2<sup>nd</sup> to take from the table the petition by 859 Main Development, LLC for a special permit at 855 Main Street, all in favor, 9-0.

\*\*\*\*\*

On the petition by 859 Main Development, LLC, 215 Lexington Street, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 11.3.12 and 22 of the 1985 Woburn Zoning Ordinances, as amended to modify a special permit dated October 10, 2012 to allow changes to previously approved Site Layout Plan (Sheet 3 of 8 of the approved plan set dated August 14, 2012) including revised sidewalk layout, repositioning of the building footprint for Units 33-35 to accommodate revised sidewalk layout, revised building layout for Flats 8-40 to accommodate addition of decks, and enlargement of clubhouse building, at 855 Main Street. PUBLIC HEARING OPENED. A communication dated December 20, 2013 with attachment was received from Attorney Shaun W. Briere, Mawn and Mawn, P.C., 275 Mishawum Road, 4<sup>th</sup> Floor, Woburn, Massachusetts 01801 as follows:

Re: 859 Main Development LLC – Special Permit Modification – 855 Main Street

Dear Mr. Campbell:

In connection with the above referenced petition scheduled for public hearing before the City Council on January 7, 2014, please find enclosed herewith twenty (20) copies of the revised plan entitled “Proposed Residential Development Site Layout Plan, 859 Main Street in Woburn, Massachusetts (Middlesex County)” Sheet 1 dated November 27, 2013, prepared by Keenan Survey, 8 Winchester Place, Winchester, MA 01890 concerning the property located at 855 Main Street. The plan originally filed with the application has been revised to reflect changes required by the Planning Board in their decision dated December 9, 2013 modifying their approval of the revised plans for more than one residential building on a lot.

Kindly file same in your usual course. Thank you very much for your assistance in this matter.

Very truly yours, s/Shawn W. Briere

Appearing for the petitioner was Attorney Shawn W. Briere and he stated that the original decision was filed on August 14, 2012 and modified on October 10, 2012, that as a result of the project progressing on the ground these changes became necessary, that the clubhouse is not yet fully designed but the footprint would not exceed what is proposed, that the City Council has previously approved special permits conditioned upon the Conservation Commission approving matters within their jurisdiction, and that the Planning Board met this evening and approved the proposal. Attorney Briere offered to the City Council for review a communication dated January 7, 2014 from Erin Wortman, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: 859 Main Development LLC – 855 Main Street – To allow for the modification of a special permit dated October 10, 2012 to allow changes to previously approved Site Layout Plan (Sheet 3 of 8 of the approved plan set dated August 14, 2012) including revised sidewalk layout, repositioning of the building footprint for Units 33-35 to accommodate revised sidewalk layout, revised building layout for Flats 8-40 to accommodate addition of decks, and enlargement of clubhouse building, at 855 Main Street pursuant to Sections 11.3.12 and 22.

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on January 7, 2014, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of 859 Main Development LLC, regarding the property at 855 Main Street to allow for the modification of the special permit subject to the following conditions:

1. That the condition Number 1 of the Special Permit issued January 12, 2012, amended by Special Permit issued October 10, 2012 and further modified on August 8, 2012 be stricken and in its place be inserted a new Condition 1 as follows: “1. That the plans shall be the last revised November 27, 2013 unless modified by the conditions of the original Special Permit”
2. That the changes to Units 8-29 as shown on the plan revised November 27, 2013 be approved provided that all decks shall not exceed 10’x14’;
3. That the clubhouse shall not exceed the size shown on the plan revised November 27, 2013;
4. That the parking spaces shall be as shown on the plan revised November 27, 2013;
5. That the revised footprints of Units 30-40 including the decks shall be approved as shown on the plan revised November 27, 2013; and
6. That the walkway in the area of Units 30-40 shall remain as shown on the plan revised November 27, 2013.

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

Sincerely, s/Erin Wortman, City Planner /Grant Writer

Project engineer Fred Russell, 154 Aldrich Road, Wilmington, Massachusetts stated that the plan was amended after discussions with the Planning Board Director, that some decks were added, that sidewalks were moved to accommodate the decks, that the full architectural designed plans which were not completed at the original approval have been completed and resulted in these changes, that the 55 foot by 40 foot clubhouse shown on the plan is only an envelope within which the clubhouse will be built, that this is not the clubhouse design but only the maximum envelope in which the clubhouse will be built, that the decks will be constructed of wood, that the plan dated November 27, 2013 is the current revised plan, and that the matter will be before the Conservation Commission for approval as well. Alderman Drapeau stated that the petitioner at an earlier time indicated

that more detailed plans would be brought forward and the petitioner has fulfilled that promise, and that he supports the petition. Alderman Gately stated that he is reluctant to act on the matter before the Conservation Commission votes on the matter, that projects do change during construction, and that these modifications have been minor changes. Alderman Mercer-Bruen stated that she is concerned that this project with its many modifications has continued to develop as the project moved along, that this project has been back many times for issues that should have been resolved earlier in the process, that she understands that particulars change along the way however the public relies on proposals as initially approved, and that there should not be excessive modifications. Alderman Anderson stated that it is better that a petitioner come back to the City Council to resolved issues such as these. IN FAVOR: None. OPPOSED: None. Motion made and 2<sup>nd</sup> that the public hearing be closed, 7 in favor, 1 opposed (Mercer-Bruen opposed), 1 abstained (Concannon abstained). Motion made and 2<sup>nd</sup> that the SPECIAL PERMIT be GRANTED, AS AMENDED with the conditions as follows: 1. That the recommendations of the Planning Board be adopted as conditions of the special permit, and 2. That Buildings 8 to 40 remain under the jurisdiction of the Conservation Commission and upon receiving a report of approval from the Conservation Commission the special permit shall issue, 7 in favor, 1 opposed (Mercer-Bruen opposed), 1 abstained (Concannon abstained).

\*\*\*\*\*

On the petition by Eleftheria Exarchos, 422-426 Main Street, Woburn, Massachusetts 01801 for a special permit pursuant to Sections 5.1.5 and 11.6.11 of the 1985 Woburn Zoning Ordinances, as amended, to renovate existing apartment and convert the space to three apartments on the second floor at 422-426 Main Street. PUBLIC HEARING OPENED. A communication dated December 4, 2013 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Eleftheria Exarchos – 422-426 Main Street – To allow for the conversion of 2 apartments on the second floor to 3 apartments on the second floor pursuant to Sections 5.1.5, and 11.6.11

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on December 3, 2013, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Eleftheria Exarchos, regarding the property at 422-426 Main Street to allow for the conversion of 2 apartments on the second floor to 3 apartments on the second floor in accordance with the plans titled “Sec. Fl. Renovations, 426 Main Street, Woburn, MA”, dated December 1, 2013 consisting of 4 sheets including the cover page.

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 Eleftheria Exarchos and he stated that the apartment is on the second floor of the building, that he will add a new one-bedroom and a new two-bedroom to the same floor, that the building has eleven parking spaces to the rear of the property on the same lot, that the access to the parking is from Park Street, that there is a nail salon and a Brazilian grocery store on the first floor, that he also owns the adjoining building with the Andrea's Pizza restaurant and a barber shop which shares the parking lot, that the building is fully sprinkled, that there are five parking spaces shown on the plan, that there are two garages which fit four cars and there are two additional parking spaces, and that there is nothing above the Andrea's Pizza building. IN FAVOR: Michael Meaney, Executive Director, Woburn Business Association, Ten Tower Office Park, Woburn and he stated that he supports the petition, that the Andrea's Pizza business has been located there since 1977, that the property is well kept, and that the City Council has encouraged residential uses in the downtown area and achieves this goal. 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, AS AMENDED with the conditions as follows: 1. That the Planning Board recommendation relative to the plan of record dated December 1, 2013 be adopted as a condition of the special permit, all in favor, 9-0.

---

**CITIZEN'S PARTICIPATION:** None.

---

**COMMITTEE REPORTS:** None.

**NEW PETITIONS:**

Petition by Joseph Zink, Atlantic Management Corporation, 205 Newbury Street, Framingham, Massachusetts 01701 for special permits pursuant to the 1985 Woburn Zoning Ordinances, as amended as follows: 1. Section 5.1.44 to allow operation of a garage, automobile and truck repair, 2. Section 5.1.57b to allow accessory storage or parking of commercial motor vehicles other than as provided for in Section 5.1.58, trucks, buses or contractor's equipment, and 3. Section 7.3 findings for extension or alteration of non-conforming uses/structures for the following: a. minimum landscaped usable open space requirement under Section 6.1 and footnote 7 (30%), and b. retaining loading bays facing Wildwood Avenue under Section 8.7.10, at 205 Wildwood Avenue. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

---

**COMMUNICATIONS AND REPORTS:**

A communication dated December 20, 2013 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 this report to you on the parking violations within the city of Woburn for the period ending November 2013: number of violations issued 671, number of violations paid 357, number of violations outstanding 216, amount collected and submitted to the Collector's Office \$38,493.20. There exists a backlog of 3,068 tickets from 1982 through 2012. Demand will be sent until all tickets have been paid. Parking fines referred to the Handicapped Commission \$7,900.00.

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

Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

\*\*\*\*\*

A communication dated January 2, 2014 was received from Building Commissioner Thomas C. Quinn as follows:

Re: Woburn Municipal Code Title 15 Article VIII 15-42

Dear Members of City Council:

With regard to the above referenced section of the Woburn Municipal Code, I submit the following quarterly nuisance report for the period of October 1, 2013-December 31, 2013.

As of this time there are currently two properties that the Inspectional Services Department is assisting the Ward Alderman as they are listed below:

143 Main Street (request of Alderman Gately).  
4 Pheasant Lane (request of Alderman Drapeau).

In addition the following property 602 Main Street has had some concerns and communications between this writer and property owner have been ongoing and I will provide a further update as this proceeds.

As always if there are any questions do not hesitate to contact this writer.

s/Thomas C. Quinn, Jr., Building Commissioner, City of Woburn

Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

\*\*\*\*\*

A copy of a communication dated December 9, 2013 to His Honor the Mayor Scott Galvin was received from Rachel Freed, Acting Deputy Regional Director, Bureau of

Resource Protection – NERO, Department of Environmental Protection, Northeast Regional Office, 205B Lowell Street, Wilmington, Massachusetts 01887 as follows:

Re: Wetlands/Woburn – Community Gardens – ACOP-NE-10-6W023 – Return to Compliance

Dear Mayor Galvin:

On November 5, 2010, the Massachusetts Department of Environmental Protection (“MassDEP”) entered into an Administrative Consent Order (“Consent Order”) with the City of Woburn that required certain activities to be performed within prescribed timelines in order to bring the site reference above into compliance with Massachusetts wetlands regulations.

Based upon the information submitted to date in accordance with the requirements under the Consent Order Agreement and on observations made during site inspections, MassDEP has determined that all requirements of the Consent Order have been met. MassDEP hereby acknowledges that the site has been returned to compliance.

If you have any questions about this authorization or continued regulatory compliance, please contact me.

Sincerely, s/Rachel Freed, Acting Deputy Regional Director, Bureau of Resource Protection – NERO

Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

\*\*\*\*\*

A copy of a communication dated December 9, 2013 to His Honor the Mayor Scott Galvin was received from Rachel Freed, Acting Deputy Regional Director, Bureau of Resource Protection – NERO, Department of Environmental Protection, Northeast Regional Office, 205B Lowell Street, Wilmington, Massachusetts 01887 as follows:

Re: Wetlands/Woburn – Washington Circle – ACOP-NE-10-6W020 – Return to Compliance

Dear Mayor Galvin:

On November 5, 2010, the Massachusetts Department of Environmental Protection (“MassDEP”) entered into an Administrative Consent Order (“Consent Order”) with the City of Woburn that required certain activities to be performed within prescribed timelines in order to bring the site reference above into compliance with Massachusetts wetlands regulations.

Based upon the information submitted to date in accordance with the requirements under the Consent Order Agreement and on observations made during site inspections, MassDEP has determined that all requirements of the Consent Order have been met. MassDEP hereby acknowledges that the site has been returned to compliance.

If you have any questions about this authorization or continued regulatory compliance, please contact me.

Sincerely, s/Rachel Freed, Acting Deputy Regional Director, Bureau of Resource Protection – NERO

Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

\*\*\*\*\*

A copy of a communication dated December 9, 2013 to His Honor the Mayor Scott Galvin was received from Rachel Freed, Acting Deputy Regional Director, Bureau of Resource Protection – NERO, Department of Environmental Protection, Northeast Regional Office, 205B Lowell Street, Wilmington, Massachusetts 01887 as follows:

Re: Weltands/Woburn – Harrison Avenue – ACOP-NE-10-6W021 – Return to Compliance

Dear Mayor Galvin:

On November 5, 2010, the Massachusetts Department of Environmental Protection (“MassDEP”) entered into an Administrative Consent Order (“Consent Order”) with the City of Woburn that required certain activities to be performed within prescribed timelines in order to bring the site reference above into compliance with Massachusetts wetlands regulations.

Based upon the information submitted to date in accordance with the requirements under the Consent Order Agreement and on observations made during site inspections, MassDEP has determined that all requirements of the Consent Order have been met. MassDEP hereby acknowledges that the site has been returned to compliance.

If you have any questions about this authorization or continued regulatory compliance, please contact me.

Sincerely, s/Rachel Freed, Acting Deputy Regional Director, Bureau of Resource Protection – NERO

Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

---

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

---

**APPOINTMENTS AND ELECTIONS:**

A communication dated December 18, 2013 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Campbell|:

In accordance with Title 2, Article XL of the 1989 Woburn Municipal Code, and by the power vested in me as Mayor of the City of Woburn, I hereby reappoint the following individuals to the Woburn Agricultural Commission:

- Timothy Mooney, 6 Bow Street, with a term to expire on December 31, 2013;
- Michael J. Benenate, 83 Burlington Street, with a term to expire December 31, 2015;
- Robert F. Carley, 25 Wright Street, with a term to expire December 31, 2016; and
- Paul A. Medeiros, Chairman, 9 Marietta Street, with a term to expire December 31, 2016.

Respectfully, s/Scott D. Galvin, Mayor

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

---

**MOTIONS, ORDERS AND RESOLUTIONS:**

**ORDERED** That City Council lift the moratorium on Livery Licenses; and  
Be it further Ordered that the Committee on Public Safety and Licenses review the number of Livery Licenses available.

s/Alderman Haggerty

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

**Presented to the Mayor: January 14, 2014**      **s/Scott D. Galvin January 14, 2014**

---

Motion made and 2<sup>nd</sup> to suspend the rules for the purposes of taking the following matter from the Committee on Public Safety and Licenses, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the petition by Jeffrey Pollock dba Exclusive Automobiles for renewal of a Second Class Motor Vehicles Sales License be APPROVED, 8 in favor, 0 opposed, 1 abstained (Concannon abstained).

**Presented to the Mayor January 14, 2014 and ten days having elapsed without same being approved, said Ordinance became effective without his signature on January 27, 2014.**

---

Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 9-0. Meeting adjourned at 8:17 p.m.

A TRUE RECORD ATTEST:

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