

**CITY OF WOBURN
JUNE 7, 2016 – 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
Campbell	Higgins
Concannon	Mercer-Bruen
Gaffney	Tedesco - absent
Haggerty	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

MAYOR'S COMMUNICATIONS:

ORDERED That the Woburn City Council hereby authorizes the Office of the Mayor to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E½. The Office of the Mayor may spend funds received without further appropriation during Fiscal Year 2017 with the purpose of unanticipated special education costs for out of district tuition and transportation. The Special Education Departmental Revolving Fund is to be credited with Medicaid revenue not to exceed \$300,000.00 received during Fiscal Year 2017. Any remaining balance at June 30, 2017 is to revert to the General Fund, unless the fund is re-established. The "Special Education Department Revolving Fund", under M.G.L. Chap. 44, Sec. 53E½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Departmental Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Mayor to utilize a Department Revolving Fund under M.G.L. Chap. 44, Sec. 53E1/2. Mayor may spend funds received without further appropriation during Fiscal Year 2017. The "Spence Farm Revolving Fund", is to be credited with all fees and charges not to exceed \$50,000.00 received during Fiscal Year

2017 from donations and money raised. Any remaining balance at June 30, 2017 is to revert to the General Fund, unless the fund is re-established. The "Spence Farm Revolving Fund", under M.G.L. Chap. 44, Section 53E½ must be re-established on a year-to-year basis. The City Council, upon recommendation of the mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Recreation Department to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E½. The Recreation Department may spend funds received without further appropriation during Fiscal Year 2017 for the purpose of a basketball league. The "Recreation Basketball Revolving Fund", is to be credited with all fees and charges not to exceed \$40,000.00 received during Fiscal Year 2017 from donations and monies raised. Any remaining balance at June 30, 2017 is to revert to the General Fund, unless the fund is re-established. The "Recreation Basketball Revolving Fund", under M.G.L. Chap. 44, Sec. 53E½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Woburn Police Department School Resources Officer to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Woburn Police Department School Resources Officer may spend funds received without further appropriation during Fiscal Year 2017. The "Woburn Police Department School Resources Officer Revolving Fund", is to be credited with all fees and charges not to exceed \$25,000.00 received during Fiscal Year 2017 from donations and money raised. Any remaining balance at June 30, 2017 is to revert to the General Fund, unless the fund is re-established. The "Woburn Police Department School Resources Officer Revolving Fund", under M.G.L. Chap. 44, Sec. 53E½ must be re-

established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Historical Commission to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E1/2. The Historical Commission may spend funds received without further appropriation during Fiscal Year 2017 for the purpose of expending for Historical Plaques. The “Historical Commission Revolving Fund”, is to be credited for all gifts, charges and donations not to exceed \$3,000.00 received during Fiscal Year 2017. Any remaining balance at June 30, 2017 is to revert to the General Fund, unless the fund is re-established. The limit on the total amount which may be expended from the Historical Commission shall not exceed \$3,000.00. The “Historical Commission Revolving Fund”, under M.G.L. Chap. 44, Section 53E½ must be re-established on a year-to-year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Mayor to utilize a Department Revolving Fund under M.G.L. Chap. 44, Sec. 53E1/2. The Office of Mayor may spend funds received for Green Energy Revolving Fund receipts without further appropriation during Fiscal Year 2017 for the purpose of paying the expenses of Energy Consultants, capital projects and other expenses. The “Green Energy Revolving Fund” may be credited with receipts up to \$150,000.00 received during Fiscal Year 2017 from energy saving projects. Any remaining balance at June 30, 2017, is to revert to the General Fund, unless the fund is re-established. The “Green Energy Revolving Fund”, under M.G.L. Chap. 44, Section 53E½ must be re-established on a year-to-year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start

of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the current Fiscal Year.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Department of Public Works to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Section 53E½ . The Department of Public Works may spend funds received without further appropriation during Fiscal Year 2017 for the purpose of the Liberty Elm Tree Program. The “Liberty Elm Tree Revolving Fund”, is to be credited with all fees, charges and donations not to exceed \$10,000.00 received during Fiscal Year 2017 from donations and monies collected. Any remaining balance at June 30, 2017 is to revert to the General Fund, unless the fund is re-established. The “Liberty Elm Tree Revolving Fund” under M.G.L. Chap. 44 Section 53E½ must be re-established on a year-to-year basis. The City Council, upon recommendation of the mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Council on Aging to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E½. The Council on Aging may spend funds received without further appropriation during Fiscal Year 2017 for the purpose of operating the Senior Center. The “Council on Aging Revolving Fund”, is to be credited with all fees and charges received during Fiscal Year 2017 up to \$80,000.00. Any remaining balance at June 30, 2017 is to revert to the General Fund, unless the fund is re-established. The “Council on Aging Revolving Fund”, under M.G.L. Chap. 44, Sec. 53E½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Conservation Commission to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Conservation Commission may spend funds received without further appropriation during Fiscal Year 2017 for the purpose of environmental public benefit and open space acquisitions and/or protection. The “Conservation Commission’s Revolving Fund”, is to be credited with all fees and charges not to exceed \$10,000.00 received during Fiscal Year 2017 from gifts, donations and monies raised. Any remaining balance at June 30, 2017 is to revert to the General Fund, unless the fund is re-established. The “Conservation Commission’s Revolving Fund”, under M.G.L. Chap. 44, Sec. 53E½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Office of the Mayor to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E ½. The Office of the Mayor may spend funds received for cable television and telecommunications franchise fees as required under the CATV operator license agreement with the City of Woburn without further appropriation during Fiscal Year 2017 for the purpose of cable related expenditures. The “Cable Television and Telecommunications Revolving Fund”, is to be credited with all fees and charges up to \$80,000.00 received during Fiscal Year 2017. Any remaining balance at June 30, 2017 is to revert to the General Fund, unless the fund is re-established. The “Cable Television and Telecommunications Revolving Fund”, under M.G.L. Chap. 44, Sec. 53 ½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Board of Health to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Section 53E½. The Board of Health may spend funds received without further appropriation during Fiscal Year 2017 for the purpose of expending for vaccines and expenses associated with the distribution. The “Board of Health Revolving Fund”, is to be credited for all gifts, charges and donations not to exceed \$20,000 received during Fiscal Year 2017. Any remaining balance at June 30, 2017 is to revert to the General Fund , unless the fund is re-established. The limit on the total amount which may be expended from the Board of Health shall not exceed \$20,000. The “Board of Health Revolving Fund”, under M.G.L. Chap. 44, Section 53E½ must be re-established on a year-to-year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the Woburn City Council hereby authorizes the Board of Health to utilize a Departmental Revolving Fund under M.G.L. Chap. 44, Sec. 53E½. The Board of Health may spend funds received without further appropriation during Fiscal Year 2017 for the purpose landfill closure. The “Board of Health Revolving Fund”, is to be credited with all fees and charges up to \$100,000.00 received during Fiscal Year 2017. Any remaining balance at June 30, 2017 is to revert to the General Fund, unless the fund is re-established. The “Board of Health Revolving Fund”, under M.G.L. Chap. 44, Sec. 53E½ must be re-established on a year-to year basis. The City Council, upon recommendation of the Mayor, must have an annual vote prior to the start of the Fiscal Year. This authorization makes the approved Revolving Fund effective for the ensuing Fiscal Year only.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the sum of \$56,000.00 be and is hereby appropriated from Cemetery Interest Fund and distributed as follows for Fiscal year 2017: \$15,000.00 to Burial Sections 0149058-586601; \$9,000.00 to Utility Acct. \$0149052-521103; \$11,000.00 to New Equipment 0149058-586600; \$2,000.00 to Office Supplies 0149054-542000; \$4,000.00 to Equip/Bldg Maint 0149054-543000; \$11,000.00 to Tools/Supplies Acct 0149054-546100; \$4,000.00 to Over-time Acct. 0149051-513100

I hereby approve the above. s/John Sawyer
I hereby recommend the above. s/Scott D. Galvin, Mayor
I have reviewed the above. s/Charles E. Doherty, City Auditor

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the sum of \$123,090.00 be and is hereby transferred as so stated from Unreserved Fund Balance Acct #01-356000 \$123,090.00 to Library Sick Leave Buy Back Acct #0161051-515400 \$123,090.00 – Purpose: Kathleen O’Doherty retirement

I have reviewed the above. s/Charles E. Doherty, City Auditor
I hereby approve the above. s/Elaine Pruyne, Human Resources Director
I hereby recommend the above. s/Scott D. Galvin, Mayor

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

ORDERED That the sum of \$3,172.00 shall be and hereby are transferred from Election and Registration Elections Workers Account 0116251-512005 to City Clerk Office Supplies Account 0116254-542000 \$540.00, Election Printing Account 0116252-534005 \$1,912.00, City Council Printing Account 0111152-534300 \$720.00.

I hereby approve the above. s/William C. Campbell, City Clerk
I hereby recommend the above. s/Scott D. Galvin, Mayor
I have reviewed the above. s/Charles E. Doherty, City Auditor

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON FINANCE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

PUBLIC HEARINGS:

Motion made and 2nd that the public hearings on the next two matters be held collectively, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

On the petition by Cellco Partnership dba Verizon Wireless, 118 Flanders Road, Westborough, Massachusetts 01581 for a grant of right in a way to attach wireless communications equipment consisting of one JMR Wireless Small Cell Cantenna (Model No. CYL-X7CAP-2), one Alcatel-Lucent B4 RRH2x60-4R Remote Radio Head/Cabinet, one power meter and associated equipment to existing Eversource/Verizon Telephone Utility Pole #5 located on Dewey Avenue (adjacent to 1 Dewey Avenue). PUBLIC HEARING OPENED. Appearing for the petitioner was Attorney Elizabeth Mason, McLane Middleton, 300 TradeCenterm Suite 7000, Woburn, Massachusetts 01801 and she stated that the petitioner is not legally the same company as Verizon which owns the utility poles, that the petitioner will speak to Verizon representatives about the double pole issues, that wireless carriers are required to bring seamless wireless coverage to the entire country under the federal Telecommunications Act of 1996, that each carrier makes their own decision as to where equipment should be placed by reviewing where there is less than adequate room for voice and data to flow in a particular area, that 5G service is coming next and will required building additional coverage site in two to three years to meet data demand, that other than these two sites and a private site on Micro Drive no other locations are anticipated in the city at this time, that the intent is to make antennas less intrusive, that the petitioner would not propose to locate on every utility pole or every other utility pole, that the location of equipment is related to areas of dropped calls, that antennas are getting smaller as technology improves, and that the technology is not at a point where the smaller antennas will replace the larger sites but do supplement the larger sites. Alderman Gately stated that the City Council received a legal opinion about what the city can do with respect to these facilities, that the city has limited control over these antennas according to the City Solicitor, that the City Solicitor also said that the petitions cannot be held up due to the double pole issues, that he does request the assistance of the petitioner in addressing the double pole issues, and that these petitions involve two locations but he is concerned that there could be multiple requests over the years and the city has no control. President Haggerty stated that the City Solicitor said that up to a ten foot antenna could be located on the utility poles, and that the City Council must look to what the future may hold with respect to this equipment. Alderman Anderson stated that he does not agree with the assessment of the City Solicitor that these antennas can be located on every pole or that the city does not have authority over the locations, that he understands that coverage is important and required, and that the opinion of the City Solicitor was vague on the issue that equipment could locate on any pole. Motion made and 2nd that the communication of the City Solicitor dated May 23, 2016 be received and made part of the record, 8 in favor, 0 opposed, 1

absent (Tedesco absent). Martin Lavin, C Squared Systems, 65 Dartmouth Drive, Auburn, New Hampshire 03032 stated that these antennas take traffic off larger sites and provided coverage in smaller areas which allows a two foot cylinder antenna. Brian Ross, Structure Consulting Group, 49 Brattle Street, Arlington, Massachusetts 02474 stated that if there are no utility poles then a consumer can purchase network extenders, that these two proposed sites are required to meet demand, that the South Bedford Street location is due to demand from the middle school and ballfields in the area which create a lot of demand for data, and that the Dewey Avenue location is to meet demand of the commercial development in the area. PUBLIC COMMENTS: None. Motion made and 2nd that the public hearing be closed, 8 in favor, 0 opposed, 1 absent (Tedesco absent). PUBLIC HEARING CLOSED. Motion made and 2nd that the GRANT OF RIGHT IN A WAY be APPROVED, with the following finding: That the grant of right in a way is necessary to fill the gap in coverage and cure issues of capacity, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016

s/Scott D. Galvin June 9, 2016

On the petition by Cellco Partnership dba Verizon Wireless, 118 Flanders Road, Westborough, Massachusetts 01581 for a grant of right in a way to attach wireless communications equipment consisting of one Andrew Dualband Omni Metro Cell Antenna (Model No. NH360QM-DG-2XR), one Commscope dixer (Model No. E15S09P69), one Alcatel-Lucent RRH2x60 AWS Remote Radio Head, one Alcatel-Lucent B25 RRH4x30-4R PCS Remote Radio Head, one power meter and associated equipment to existing Eversource/Verizon Telephone Utility Pole #235-17 located on Willow Street adjacent to 50 South Bedford Street. PUBLIC HEARING OPENED. See record notes from preceding matter. Motion made and 2nd that the public hearing be closed, 8 in favor, 0 opposed, 1 absent (Tedesco absent). PUBLIC HEARING CLOSED. Motion made and 2nd that the GRANT OF RIGHT IN A WAY be APPROVED, with the following finding: That the grant of right in a way is necessary to fill the gap in coverage and cure issues of capacity, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016

s/Scott D. Galvin June 9, 2016

On the petition by Leidos, Inc./Robert Siegel, 2 Draper Street, Unit 3, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, to allow parking of commercial vehicles overnight at 2 Draper Street Unit 3. PUBLIC HEARING OPENED. A report was received from the Committee on Special Permits as follows: "back for action". A copy of a communication dated June 6, 2016 to Alderman Richard Gately was received from Building Commissioner Thomas C. Quinn, Jr. with attachments as follows:

Re: 2 Draper Street Parking Summary

Dear Alderman Gately:

With regard to the above referenced address that currently has two special permit petitions for a request for overnight parking of commercial vehicles; I have done a parking calculation based on the Woburn Zoning Ordinances (WZO) section 8.2 for all the uses on the property as provided to this writer by this owner.

- Unit 1, 2440 sq. ft., Light Manufacturing Use, 6 parking spaces; 1160 sq. ft., Office Use, 3 parking spaces;
- Unit 2, 2180 sq. ft., Warehouse/Storage, 3 parking spaces; 1025 sq. ft. Office Use, 3 parking spaces;
- Unit 3, 1320 sq. ft. Warehouse/Storage, 2 parking spaces; 590 sq. ft. Office Use, 2 parking spaces;
- Unit 4, 1500 sq. ft. Warehouse/Storage, 2 parking spaces; 807 sq. ft., Office Use, 3 parking spaces;
- Unit 5/6, 3100 sq. ft., Warehouse/Storage, 4 parking spaces (units are combined one tenant:

Total parking required per WZO Section 8.3, 28 parking spaces for current uses of the property prior to any considerations for additional parking of overnight parking of commercial vehicles.

Also within the WZO 8.4 all parking spaces should be of required dimensions, parking on the site should not be less than five (5) feet from a lot line, additionally no parking should be permitted within the front yard setback. Based upon my review of a plan dated December 10, 2015 by Stephan M. Melesciuc it identifies 30 spaces with 6 spaces shown in the front yard setback which are non compliant so in my view there are 24 legal spaces on the premises 4 less than the WZO requires. Attached: Proposed parking plan 12/10/15, Summary of Uses provided by Kendall RC, LLC

s/Thomas C. Quinn, Jr., Building Commissioner

Motion made and 2nd that the communication be received and made part of the record, 8 in favor, 0 opposed, 1 absent (Tedesco absent). PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JULY 19, 2016, 7 IN FAVOR, 1 OPPOSED (Mercer-Bruen opposed), 1 absent (Tedesco absent).

On the petition by Allan Danley, Food Truck Builders Group, 2 Draper Street, Unit 1, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.57B to allow overnight parking of two (2) commercial vehicles at 2 Draper Street. PUBLIC HEARING OPENED. A copy of a communication dated June 6, 2016 to Alderman Richard Gately was received from Building Commissioner Thomas C. Quinn, Jr. with attachments as follows:

Re: 2 Draper Street Parking Summary

Dear Alderman Gately:

With regard to the above referenced address that currently has two special permit petitions for a request for overnight parking of commercial vehicles; I have done a parking calculation based on the Woburn Zoning Ordinances (WZO) section 8.2 for all the uses on the property as provided to this writer by this owner.

- Unit 1, 2440 sq. ft., Light Manufacturing Use, 6 parking spaces; 1160 sq. ft., Office Use, 3 parking spaces;
- Unit 2, 2180 sq. ft., Warehouse/Storage, 3 parking spaces; 1025 sq. ft. Office Use, 3 parking spaces;
- Unit 3, 1320 sq. ft. Warehouse/Storage, 2 parking spaces; 590 sq. ft. Office Use, 2 parking spaces;
- Unit 4, 1500 sq. ft. Warehouse/Storage, 2 parking spaces; 807 sq. ft., Office Use, 3 parking spaces;
- Unit 5/6, 3100 sq. ft., Warehouse/Storage, 4 parking spaces (units are combined one tenant:

Total parking required per WZO Section 8.3, 28 parking spaces for current uses of the property prior to any considerations for additional parking of overnight parking of commercial vehicles.

Also within the WZO 8.4 all parking spaces should be of required dimensions, parking on the site should not be less than five (5) feet from a lot line, additionally no parking should be permitted within the front yard setback. Based upon my review of a plan dated December 10, 2015 by Stephan M. Melesciuc it identifies 30 spaces with 6 spaces shown in the front yard setback which are non compliant so in my view there are 24 legal spaces on the premises 4 less than the WZO requires. Attached: Proposed parking plan 12/10/15, Summary of Uses provided by Kendall RC, LLC

s/Thomas C. Quinn, Jr., Building Commissioner

Motion made and 2nd that the communication be received and made part of the record, 8 in favor, 0 opposed, 1 absent (Tedesco absent). President Haggerty stated that the petitioner requested additional time to address the comments of the Building Commissioner. PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JULY 19, 2016, 7 IN FAVOR, 1 OPPOSED (Mercer-Bruen opposed), 1 absent (Tedesco absent).

On the petition by T-Mobile Northeast, LLC, c/o Matt Burke, Tower Resource Management, 15 Commerce Way, Suite B, Norton, Massachusetts 02766 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 80a to allow collocation of antennas and related ancillary equipment on to be built new wireless communications link, including 15 foot by 15 foot lease area inside existing and to be

built compound at 10 Presidential Way. PUBLIC HEARING OPENED. A communication dated May 31, 2016 was received from Dan Orr, Planner, Woburn Planning Board as follows:

Re: T-Mobile Northeast, LLC c/o Matt Burke, Tower Resource Managements – 10 Presidential Way – Modification of approved special permit to collocate antennas and related ancillary equipment on to-be built new wireless communications link pursuant to Section 5.1(80A).

Dear Mr. Campbell and Honorable Council:

The Planning Department has reviewed the above-referenced petition submitted for property at 10 Presidential Way, which seeks to modify a previously-approved Special Permit to allow for the collocation of antennas and related ancillary equipment on a new wireless communications link (approved and to be constructed). The property is classified as being in an Industrial Park 2 (IP-2) Zoning District.

If the Council approves the modification to the Special Permit, the Planning Department recommends the Council consider imposing the following as conditions of approval:

- That the updated Plans of Record shall be the plans G-1, Z-1 through Z-3, C-1 through C-4, and E-1 through E-2, with a Title Sheet T-1, revised through 4/11/2016; Prepared by Dewberry Engineers Inc., 280 Summer Street, 10th Floor, Boston, MA 02210; Entitled “T-Mobile Site #: 4BO0016A, Site Name: American Tower One, 10 Presidential Way, Woburn, MA 01801, Middlesex County ”; and “Model Tower: An Educational & Training Facility”; dated March 17, 2016; Created by Benjamin E. Caron, Caron & Associates Design, 301 Concord St, Haverhill, MA 01830;
- That the Special Permit be issued to T-Mobile Northeast, LLC only and shall not be transferrable; AND
- That all other conditions of the February 27, 2014 Special Permit decision shall remain in full force and effect unless modified by this decision. However, the Department is not recommending re-imposition of Condition #7 of the February 27, 2014 decision regarding the Planning Board’s jurisdiction over landscaping, per the opinion of City Solicitor Ellen Callahan Doucette that the Council, as the Special Permit granting authority, may not impose conditions upon the grant of a Special Permit which delegate matters that belong to the Council to another board.

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

Sincerely, s/Dan Orr , Planner

Motion made and 2nd that the communication be received and made part of the record, 8 in favor, 0 opposed, 1 absent (Tedesco absent). Appearing for the petitioner was

Christopher Tracy, Tower Resource Management and he stated that the petitioner wants to add nine antennas on a previously approved monopole, that the tower was approved by a special permit dated February 27, 2014, that the building permit was approved, that this will be a low profile mount to keep a low profile, that this will be a three sector for nine total antennas, that American Tower owns the tower but the petitioner looks to collocate on the pole, that the antenna will be mounted close to the pole to lessen the impact on aesthetics, that the compound will not be expanded, that the compound already exists, that the petitioner will install an 8 foot by 15 foot concrete pad for cabinets, that there will be nothing additional constructed on the outside, that the petitioner will lease space from American Tower, that the cabinets are about the size of a refrigerator, that the equipment will not be outside the fenced area, that further co-location on the pole by another carrier would depend upon the structural integrity of the tower, that co-location reduces the need for additional towers, and that the petitioner has no objections to the conditions recommended by the Planning Board. PUBLIC COMMENTS: None. Motion made and 2nd that the public hearing be closed, 8 in favor, 0 opposed, 1 absent (Tedesco absent). PUBLIC HEARING CLOSED. Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS AMENDED with the conditions as follows: , 8 in favor, 0 opposed, 1 absent (Tedesco absent).

On the petition by Woburn Toyota, 394R Washington Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.71 and 7.3 to allow for a commercial parking lot at (parcels 04-01-01, 04-01-02; 04-01-03; 04-01-04; 03-05-11; 03-05-06; 03-05-05) 1095R Main Street. PUBLIC HEARING OPENED. A communication dated June 2, 2016 was received from Dan Orr, Planner, Woburn Planning Board as follows:

Re: Planning Department comments on special permit application for 1095R Main Street/Woburn Toyota

Dear Mr. Campbell and Honorable Council:

The Planning Department has reviewed the above-referenced petition submitted for property at 1095 R Main Street, which petition seeks two special permits; one for permission to operate a commercial parking lot (Section 5.1 [71]) and an unspecified Special Permit under Section 7.3 (extension or alteration of a non-conforming use). The property is classified as being in a Industrial General (I-G) Zoning District.

The application does not explain the nature of the proposed change/extension/alteration of the building or use. Specifically, information should be provided on frequency of expected vehicle trips to/from the site. The non-conforming aspects of the plan (i.e., lot area, lot coverage, open space, side setback and rear setback) apparently will remain the same; the Department recommends the lot coverage and open space calculations be included on the plan. In addition, other aspects of the plan do not conform to zoning, which are addressed in the conditions of approval.

Planning Staff thus recommended that the City Council confirm three plan elements before voting: that the proposed snow storage area is adequate, the parking requirements for all uses on site and any uses previously authorized (with calculation included on plan), and the existing uses that are being displaced and whether they will be relocated elsewhere on site or eliminated.

If the City Council ultimately grants the Special Permit, the Planning Department recommends the Council consider imposing at least the following as conditions of approval:

- That the Plan of Record for this petition shall be “Plot Plan for 1095 R Main Street, Woburn, MA; Scale 1”-40’; Prepared by Edward J. Farrell, Professional Land Surveyor, 110 Winn Street, Suite 203, Woburn, MA. (781) 933-9012; dated April 23, 2016;
- That the Council confirm what kind of parking would be used onsite for storage (e.g., trucks, employee parking, general, etc.) and how often it will be utilized;
- That the applicant submit a revised plan conforming with zoning requirements for space size (9’x18’ standard spaces, with compact spaces comprising no more than 30% of all spaces onsite), lot location (parking lot in upper left corner has parking within 5’ of a lot and straddles the lot line encroaching into Ingelow Avenue), addition of parking calculation in concert with specification of building use, and addition of open space/lot coverage calculations; AND
- That the Special Permit be issued to Woburn Toyota only and shall not be transferrable.

If you have any questions or comments, please do not hesitate to contact me.

Respectfully, s/Dan Orr, Planner

A report was received from the Committee on Special Permits as follows: “ought to pass”. Appearing for the petitioner was Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the property is located in the I-G zoning district, that a special permit is required for the use, that the petitioner seeks to park up to 141 new vehicles in the area as shown on the plan, that there will be no impact on the traffic, that the petitioner’s personnel will drive vehicles to the site during regular business hours, that the petitioner has a satellite parking lot at 1 Jewel Street in Wilmington, that car carriers will deliver and drop off the vehicles at the Wilmington location and the petitioner’s personnel will drive the vehicles to the locus as needed, that there will be no sales on the locus, that the locus will be used for parking the vehicles only, that these will be new Toyota vehicles, that this is not a parking area similar to one at an office park, that there will be no gas or oil on site, that allowing this as a temporary special permit may not be feasible, that the petitioner stated that they would maintain the lot in Wilmington, that ownership of the Wilmington site has changed, that it is not certain that the petitioner will be able to continue using the Wilmington site for parking and therefore the petitioner seeks to park 141 vehicles at the locus, that there is an existing fence, that there is no paving, and that the parking area will

be crushed stone. Diana Davanzo, Assistant General Manager for the petitioner stated that no car carriers will be sued to drop vehicles off at the locus, that the hours of operation at the locus will be Monday through Friday between 9:00 a.m. and 5:00 p.m., that the car carriers will only go to the Wilmington site, that this site is needed due to the construction at their Washington Street location, that many of the vehicles will be stored inside at the new location, that if the special permit is to be temporary then it should be permitted until at least two years after construction of the Washington Street building is completed to coordinate at the new building, that the lease of the locus is for three years, and that the petitioner would not object to a review six months after the new building is constructed. Alderman Mercer-Bruen stated that this special permit should be temporary until completion of the new building on Washington Street. Alderman Anderson stated that the special permit could be reviewed six months after the new building is constructed on Washington Street. PUBLIC COMMENTS: None. Motion made and 2nd that the public hearing be closed, 8 in favor, 0 opposed, 1 absent (Tedesco absent). PUBLIC HEARING CLOSED. Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS AMENDED with the conditions as follows: 1. That the Plan of Record shall be "Plot Plan for 1095 R Main Street, Woburn, MA; Scale 1"-40'; Prepared by Edward J. Farrell, Professional Land Surveyor, 110 Winn Street, Suite 203, Woburn, MA. (781) 933-9012 dated April 23, 2016; 2. That the Special Permit shall be issued to Woburn Toyota only and shall not be transferrable; 3. That the hours of operation shall be Monday through Friday between 9:00 a.m. and 5:00 p.m.; 4. That no vehicles shall be transported to or from the site by a car carrier vehicle; 5. That the special permit shall be reviewed six (6) months after the occupancy permit issues for the building(s) to be constructed at 394 Washington Street and 394R Washington Street under special permits issued August 11, 2015; 6. That the special permit shall expire upon the expiration of the commercial parking lot license; 7. That new Toyota vehicles only shall be parked on the locus; and 8. That the petitioner shall file a snow storage plan with the City of Woburn Building Department, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Motion made and 2nd to take the following matter out of order, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Petition by Shamrock Running Club, P.O. Box 602, Woburn, Massachusetts 01801 for a Special Event Permit to allow a road race and health walk at Spence Farm and area roadways on July 4, 2016. Motion made and 2nd that the SPECIAL EVENT PERMIT be GRANTED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016

s/Scott D. Galvin June 9, 2016

Motion made and 2nd to return to the regular order of business, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

On the petition by James L. McKeown Boys & Girls Club of Woburn, Inc. for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 7.3 and all other applicable sections to allow alteration and expansion of pre-existing nonconforming structure (clubhouse facility) and pre-existing nonconforming access drive at Charles Gardner Lane, 650 Main Street Rear and 650 Main Street. PUBLIC HEARING OPENED. A communication dated June 1, 2016 was received from Planning Board Director Tina Cassidy as follows:

Re: Special Permit application for expansion of Boys and Girls Club on Charles Gardner Lane

Dear Honorable Council:

The Planning Department has reviewed the above-referenced petition which seeks a special permit under Section 7.3 of the Zoning Ordinance to allow for renovation and expansion of the existing building and parking facilities at this location as well as associated improvements to the property and access way. The use is classified as a “community center” as permitted by Section 5.1(14) of the Zoning Ordinance.

Planning staff notes the following:

- (a) The driveway to the abutting parcel at 650 Main Street predates the provision found at Section 5.2.4 of the Zoning Ordinance and is therefore not subject to it; and
- (b) The City Council, in accordance with the provisions of Section 8.2 of the Zoning Ordinance, must determine whether the proposed number of parking spaces is sufficient to accommodate the users of this “community center”.

Planning staff recommends that the City Council require the applicant to provide documentation that it has a valid license with NStar - and its permission - to include some of its property in the proposed project.

Further, Planning staff recommends the City Council consider imposing the following as conditions of approval of this special permit:

1. Sheet S-3 (Site Layout Plan) should be revised to delete any information relative to existing conditions and should reflect only the proposed (not existing) site conditions. As drafted the plan is confusing and difficult to read. For example, the plan shows a Dumpster and parking spaces inside the proposed building additions;
2. The Plan of Record shall be “James L. McKeown Boys and Girls Club Renovation/Addition Project; Sheets T-1 (Title Sheet and Index) dated 5-12-16, no revisions; S-1 (Existing Conditions) dated 5-12-16, no revisions; S-2 (Site Demolition Plan) dated 5-12-16, no revisions; S-3 (Site Layout Plan) dated 5-12-16, revised _____; S-4 (Site Grading and Drainage Plan) dated 5-12-16, no revisions; S-5 (Site Utility Plan) dated 5-12-16, no revisions; S-6 (Site Details) dated 5-12-16, no revisions; S-7 (Site Details) dated 5-12-16, no revisions; L-1

(Landscaping Plan) dated 5-12-16, no revisions; L-2 (Landscaping Details) dated 5-12-16, no revisions; drawn by: Design Development Solutions, LLC, 400 TradeCenter, Suite 5900, Woburn, MA”;

3. The proposed 6’ tall wood stockade fence along the eastern property line be extended along the southern property line for a distance of about 60’ so that the residential property owned by Kazimer/Lamarre at Map 36 Block 9 Lot 21 is screened from view of the expanded parking area;
4. The plan shows a hydrant to be located within a landscaped island in the parking lot. The hydrant should be protected from errant vehicles by bollards or small boulders;
5. The aisles through the main parking lot on the eastern side of the property should be one-way and pavement markings (arrows) used to indicate the direction of vehicular travel;
6. The aisle along the northern building face near the drop off area should be restricted to right turns only, so that traffic exiting that part of the site follows the same one-way travel pattern noted above; and
7. An adequate area for snow storage should be depicted on the plans.

If you have any questions regarding this recommendation please do not hesitate to contact me.

Respectfully, s/Tina P. Cassidy, Planning Board Director

Appearing for the petitioner was Attorney Shaun W. Briere, 17 Cronin Way, Woburn, Massachusetts 01801 and he stated that he is a Member of the Board of Directors, that the petitioner serves over 1,400 youth members with a variety of programs, that the petitioner has been in existence for over fifty years, that the club has grown exponentially in the last ten to fifteen years, that the membership and programs have evolved and now the building has to evolve, that the petitioner has raised more money in this effort than at any time in its history, that the locus is in the R-3 zoning district, that the property was acquired in 1961 and the club opened in 1964, that the locus is 3½ acres in area, that the building is 23,000 square feet, that the locus is a landlocked parcel with access by way of a fifteen foot right of way easement granted by Boston Edison in 1964, that the locus has no frontage on Main Street, that parking is off-site, that the majority of the parking is on land owned by NStar under a longstanding licensing agreement, that the facility will be 44,000 square feet upon completion, that the right of way will be reconstructed to have two lane access and a sidewalk, that both the club and 650 Main Street enjoy the use of the right of way from NStar, that the driveways are legally nonconforming, that the petitioner will reconfigure the existing rights of way with NStar, that there will be associated site improvements, that there will be a rear outdoor area, landscaping improvements and parking area and drive lane improvements, that there will be improved parking capacity, striped drive lanes and striped parking spaces, that the petitioner is finalizing an agreement with NStar relative to parking improvements, that the petitioner seeks a waiver from mitigation requirements, that the petitioner will be hosting a neighborhood meeting about the project next week at the club, that the construction timetable has construction starting in September 2016 and continuing for 8½ months, that construction hours will include some Saturday work, that progress is being made at the

Clapp School site, that the project should be ready without issue by September 2016, and that the petitioner has no objection keeping the public hearing open to allow the community to be heard at the neighborhood meeting. Mike Pascavage, Principal, Design & Development Solutions, LLC, 400 TradeCenter, Suite 5900, Woburn, Massachusetts 01801 stated that the facility has been designed to be colorful and playful, that the existing building constructed over fifty years ago, that the petitioner will renovate the existing structure, that there is reasonable infrastructure in the building that can be used rather than tearing the building down, that the petitioner currently has a 22,000 square foot facility, that there is a small second floor near the gym that the petitioner intends to maintain, that the gym has no long-term value as it is too small and wood-framed, that the pool has five lanes and this will be increased to six lanes to better accommodate swim meets, that the gym will be razed and a new full basketball court constructed, that there will be increased seating in the pool area for spectators at swim meets, that there will be a new entrance and administrative area, that there will be a café area with outdoor seasonal seating and a dedicated kitchen area, that the game room space will be opened up, that the locker rooms will be expanded, that there will be a computer lab, art lab and library in the second floor program area, that there will be an elevator to the second floor, and that the building will be fully compliant with the Americans with Disabilities Act. John Gaudette, WorldTech Engineering, 300 TradeCenter, Suite 5580, Woburn, Massachusetts 01801 stated that there will be improved driveway access, that the current driveway is 15 feet wide, that the new driveway will be 24 feet wide, that there will be increased parking and improved vehicle flow, that there will be improvements in the landscaping, that a five foot wide sidewalk will be installed along the driveway, that there will be a loop circulation driveway for drop off at the club and at the daycare, that there will be emergency access to the back of the building, that the only work in the road will be the cut in the curbing, that there will be no utility trenching required in the street, that service will come in through the Tocci property, that the petitioner will install night sky compliant lighting for the basketball court to the rear, that the water service will be reconfigured, that there will be a domestic water line and a fire line with a hydrant on the locus, that six substantial trees will be planted, that day lilies and hardy plants, azaleas and hydrangeas will be planted, that there are areas for snow storage on site, that there will be a ten foot easement for water service from Place Lane, that the sheet flow drainage works now and will be used for the project, that Planning Board recommendations 3, 5, 6 and 7 have been incorporated on the plan, that trench drains have been installed around the perimeter, that a long strip of crushed stone with piping will be installed, that there is grade A soil on site that will allow for filtration, that some pavement will have to be cut on Place Lane and a gate installed, and that he does not anticipate any disruption to water service on Place Lane. Alderman Gaffney stated that he wants assurances that the Hart Street area will not be affected by drainage from the project. Alderman Anderson stated that there should be a discussion with neighbors regarding the hours of construction. PUBLIC COMMENTS: Michael Donaghey, 20 Thistle Road stated that he is the President of the petitioner and a member of the Board of Directors, and that this is a great project. Carol Donovan, 445 Place Lane stated that the petitioner has been a good neighbor, and that the petitioner allowed the residents of Place Lane to park on their lot when the Place Lane driveway was being resurfaced. Neal Milloer, 320 Place Lane stated that he represents the 147 unit owners at Place Lane, that they have met with the

representatives of the petitioner, that there will be an inconvenience during construction, that he was not aware of construction hours from 7:00 a.m. to 7:00 p.m., and that he has questions about the water service from Place Lane and how the upgrade of the service may affect their development. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JUNE 21, 2016 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

On the petition by Lannan Family, LLC, 831 Rogers Street, Lowell, Massachusetts 01852 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.45, 5.1.72, 8.3 and 15.6.C.iv to allow change in use from residential to sales of automobiles and trucks, to expand parking area to serve car dealership on separate lot located not more than 500 feet from property, and property is located within Zone II of the Groundwater Protection Overlay District with the lot currently having and proposed to have more than 15% of the lot covered by impervious surfaces, at 12 Harrison Avenue. PUBLIC HEARING OPENED. A communication dated June 2, 2016 was received from Dan Orr, Planner, Woburn Planning Board as follows:

Re: Planning Department comments on special permit application for 12 Harrison Avenue/Lannan Family LLC

Dear Mr. Campbell and Honorable Council:

The Planning Department has reviewed the above-referenced petition which seeks to allow for a use change (residential to automobile and truck sales), expanded parking area with associated landscaping and infrastructure improvements, and an increased non-conformity (greater than 15% in impervious surface) per Groundwater Protection District (Zone II) regulations. Special Permits are being sought in accordance with Sections 5.1.45, 7.3, 8.3 and 15.6.C.vi of the Woburn Zoning Ordinances (WZO). The property is classified as being within a Business Highway (B-H) Zoning District.

As a result of approval obtained in December 2015, demolition of a pre-existing building and driveway on the 12 Harrison Avenue property has already occurred. The proposed impervious surface increase amounts to approximately 2,000 sq. ft., although the Petitioner maintains that the proposal would improve existing drainage capacity by installing three (3) 1,000-gallon dry wells capturing runoff from a 5,000 sq. ft. area (3,000 sq. ft. in excess of the proposed increase in impervious surface). The proposed expanded parking area also abuts (and thus is within 500 ft.) of the pre-existing parking area at 40 Winn Street. These elements would satisfy the minimum requirements to obtain a Special Permit in accordance with Sections 8.3 and 15.6.C.vi.

In addition, Planning Office staff were contacted by the Petitioner and their attorney to solicit comments prior to submission of this application. The Petitioner further confirmed that they have spoken with the Building Commissioner to address the feasibility of the foregoing issues.

If the City Council grants the Special Permit, the Planning Department recommends the Council consider imposing the following as conditions:

- That the Plan of Record for this petition shall be “Parking Lot Expansion Lannan Chevrolet, 12 Harrison Avenue, Woburn, Massachusetts, April 2016”; Scale: 1”-20’; Prepared for Lannan Family LLC, 831 Roger Street, Lowell, MA 01852; Prepared by Griffin Engineering, 495 Cabot Street, 2nd Floor, Beverly, MA 01915; Sheets: Title, C-1, C-2, C-3, and C-4; Dated April 27, 2016;

That a snow storage plan be filed with the Building Commissioner; AND

- That the Special Permit be issued to Lannan Family LLC only and shall not be transferrable.

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

Respectfully, s/Dan Orr, Planner

Appearing for the petitioner was Attorney Steven L. Cicatelli, Cicatelli & Cicatelli, 266 Main Street, Stoneham, Massachusetts 02180-3502 and he stated that the property is located in the B-H zoning district, that in June 2012 a special permit was granted which allowed the construction of the new showroom and related site improvements, that there will be a net reduction in impervious pavement and a net decrease in water infiltration, that there is a single family home, a garage and a shed that will be razed, that the petitioner seeks to amend the previous special permit, that the intention is to add to parking for the dealership, that the parking will increase from 212 spaces to 227 spaces, that they will be able to square off the back of the lot, that this improves vehicle access around the back of the building, that there will be improved landscaping, that the lot is 7,000 square feet, that a stormwater management plan has been submitted, that snow is removed from the cars and then stored at the rear of the lot to be removed to maintain the parking, that the special permit should be transferable and run with the land, that there is no condition concerning transferability in the previous special permit, that if the dealership was ever sold the special permit should run with the land and the new owner be bound by the conditions of the special permit, and that if the use changed the new owner would have to come back to the City Council for a special permit. Alderman Gately stated that he would recuse himself from participating in this matter as his cousin may be doing the work although he will not be involved in the work. Alderman Gately left the Council Chamber. Michael Lannan, Lannan Family, LLC stated that the fence at the rear of the lot is in good condition, and that the petitioner may paint the fence black to keep a neat appearance. Alderman Anderson stated that the snow is always handled appropriately by the petitioner, that the petition is to use a small piece of land, that he is not concerned about the transferability issue, and that a subsequent user can only use for a like or similar use or the special permit expires. President Haggerty stated that the City Council should consider the transferability issue. Alderman Concannon stated that there

could be a condition restriction transferability unless the new use is a like or similar use. Alderman Campbell stated that she agrees that the transferability issue should be considered. PUBLIC COMMENTS: None. Motion made and 2nd that the public hearing be closed, 8 in favor, 0 opposed, 1 absent (Tedesco absent). PUBLIC HEARING CLOSED. Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS AMENDED with the condition as follows: 1. That the Plan of Record shall be “Parking Lot Expansion Lannan Chevrolet, 12 Harrison Avenue, Woburn, Massachusetts, April 2016”; Scale: 1”-20’; Prepared for Lannan Family LLC, 831 Roger Street, Lowell, MA 01852; Prepared by Griffin Engineering, 495 Cabot Street, 2nd Floor, Beverly, MA 01915; Sheets: Title, C-1, C-2, C-3, and C-4; Dated April 27, 2016, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

On the petition by Houg Vong and My Thi Vong, 6 Albany Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1 Note 15 to amend a prior special permit issued September 24, 2015 to allow for an oversized garage to reference a revised set of plans showing the height of the garage to be 2.3 feet higher than previously approved at 6 Albany Street. PUBLIC HEARING OPENED. A communication dated May 26, 2016 was received from Dan Orr, Planner, Woburn Planning Board as follows:

Re: Modification to previously-approved special permit to increase garage height by 2.3 feet at 6 Albany Street/Huong and My Thi Vong (owners and applicants)

Dear Honorable Council:

This office has reviewed the above-referenced petition which seeks approval for the modification of a previously-approved Special Permit to increase the height of a detached, oversized garage door by 2.3 feet over that which was previously authorized. The applicants are seeking the Special Permit modification in accordance with Section 5.1, Note 15. The property remains classified as being in a Business Highway (B-H) Zoning District.

A previous Planning Department Special Permit recommendation memo, dated June 1, 2015, issued to the City Council referenced contact with the petitioner’s attorney confirming that the height of the garage door in the prior plans did not exceed eight (8) feet. The earlier plans did not depict the height of the proposed garage doors. The pending petition does not indicate the height of the garage doors; the proposed height increase of 2.3 feet may result in the garage door exceeding eight (8) feet in height.

The Planning Department recommends that the City Council consider imposing the following as conditions of approval of this petition:

1. That the City Council confirm with the Petitioner’s attorney the exact proposed height of the garage door as a result of the height increase;

2. That the Plan of Record incorporate an updated elevation schematic of the proposed garage door with the height of the garage door noted; AND

That all other conditions of the September 24, 2015 Special Permit decision remain in full force and effect unless modified by this decision.

Please feel free to contact me if you have any questions about this recommendation.

Respectfully, Dan Orr, Planner

Appearing for the petitioner was Attorney Mark Salvati, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 and he stated that an oversized garage was previously approved, that the garage is 26 feet high, that the petitioner is not seeking oversized garage doors, that the doors meet zoning requirements and will be eight feet by nine feet, that the height of the garage was to allow a better pitch but not for increased use inside, that the garage is used for storage, that the oversized garage doors cannot be removed at the moment because the project is under a stop work order, that the height of the garage does not violate zoning ordinances as the building is not located in a residential zoned area but in a business zoned area, and that the petitioner will not keep oversized doors and therefore oversized vehicles cannot be parked in the garage. Alderman Gately stated that the oversized garage doors will have to be removed and smaller doors installed, that the previously approved plan were very specific, and that this deviation in height is more than can be expected. Alderman Mercer-Bruen stated that she is concerned that the building was constructed in excess of what had been approved. Alderman Anderson stated that there was already a two car garage on the locus, and that the new garage was approved but bigger garage doors than what was approved was installed, and that the petitioner was caught. Alderman Higgins stated that she is concerned by the precedent that is being established. President Haggerty stated that if this property was in a residential zoned area he may take a harder look at the issues. PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON JULY 19, 2016 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, 7 in favor, 1 opposed (Mercer-Bruen opposed), 1 absent (Tedesco absent).

On the petition for purposes of accepting the relinquishment and revoking the Inflammable License held by Kraft Foods, Inc., 7 Hill Street at the request of licenseholder. PUBLIC HEARING OPENED. A communication dated June 2, 2016 was received from Lt. Keith Peary, Fire Prevention Officer, Woburn Fire Department as follows:

We have been working with the Kraft/Heinz Co. in the shutdown of their facility on Hill St. They have emptied and cleaned all tanks at property. The tanks were all Aboveground Tanks. They are staying on the property pending the sale of property and then will be salvaged or repurposed. The closure of the tanks were also documented with the DEP. The Woburn Fire Dept. has no issues with termination of the Inflammable

License held by Kraft/Heinz Co. with the City of Woburn. All permits they have with the Woburn Fire Dept. have been closed. If you have any questions, please contact me anytime.

Thank you, Lt. Keith Peary, Fire Prevention Officer

Motion made and 2nd that the communication be received and made part of the record, 8 in favor, 0 opposed, 1 absent (Tedesco absent). No one appeared for the licenseholder. PUBLIC COMMENTS: None. Motion made and 2nd that the public hearing be closed, 8 in favor, 0 opposed, 1 absent (Tedesco absent). PUBLIC HEARING CLOSED. Motion made and 2nd that the INFLAMMABLE LICENSE be REVOKED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016

s/Scott D. Galvin June 9, 2016

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Order to transfer the sum of \$725,000.00 from BLS/Ambulance Receipts Acct to Fire Salary Acct, Fire Ambulance Salary Acct, Fire/Overtime Acct and Ambulance Maintenance Acct, committee report was received "ought to pass." Motion made and 2nd that COMMITTEE REPORT be ADOPTED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016

s/Scott D. Galvin June 9, 2016

On the Order to transfer the sum of \$23,500.00 from Inspectional Services Salary Acct to Mayor Capital Outlay, Color Copier Scanner Acct, File Cabinets Acct, Desktop Computers/Software Acct, Building Code Books Acct, committee report was received "ought to pass." Motion made and 2nd that COMMITTEE REPORT be ADOPTED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016

s/Scott D. Galvin June 9, 2016

On the Order to transfer the sum of \$2,135,000.00 from Unreserved Fund Balance Acct to various Capital Projects (Council on Aging, City Council, DPW, Engineering, Parks/Recreation, School Department, Fire Department, Police Department, City Hall), committee report was received "ought to pass." Motion made and 2nd that COMMITTEE REPORT be ADOPTED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016

s/Scott D. Galvin June 9, 2016

ORDINANCES:

On the Order to amend Section 2-180 relative to non-union department head salaries, committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 7 in favor, 0 opposed, 1 abstained (Campbell abstained), 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016 **s/Scott D. Galvin June 9, 2016**

PUBLIC SAFETY AND LICENSES:

On the petition by Kelley Towncar, Inc. for renewal of Livery License, committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016 **s/Scott D. Galvin June 9, 2016**

On the petition by SureRide, LLC for renewal of Taxi Cab License, committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016 **s/Scott D. Galvin June 9, 2016**

On the petition by Woburn Cab Co. Inc. for renewal of Taxi Cab License, committee report was received “ought to pass”. Motion made and 2nd that the COMMITTEE REPORT be ADOPTED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor June 9, 2016 and ten days having elapsed without same being approved, said License became effective without his signature on June 21, 2016.

NEW PETITIONS:

Petition by Badreddine Elallam dba Badr Car Service, 84 Pleasant Street, Apt. 3, Woburn, Massachusetts 01801 for a new Livery License for one (1) vehicle. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Petition by NSTAR Electric Company dba Eversource Energy for a grant of right in a way to install joint occupancy pole 87/3 and anchor guy on the southerly side of Fremont Street approximately 40 feet west of Mack Road. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Petition by Apple New England LLC dba Applebee's Neighborhood Grill & Bar, 2 Elm Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.64 to allow to allow for forty-eight (48) E La Carte Presto tablet devices at 2 Elm Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Petition by A.L. Prime Energy, 319B Salem Street, Wakefield, Massachusetts 01880 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, to amend a special permit to allow for a reduction in the gross floor area of the proposed building, a revised site plan and 1. Pursuant to Section 5.1.22a to allow for a convenience store less than 5,000 square feet, 2. Pursuant to Section 46b to allow for a self-service gasoline stations, 3. Pursuant to Section 5.1, Note 16 to allow for hours in excess of 7:00 a.m. to 10:00 p.m., at 1 Hill Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Petition by 390 Main Street Woburn Realty Trust, 182 Main Street, Medford, Massachusetts 02155 to amend the Zoning Map by changing the zoning district from R-4/B-D to B-D at 386 Main Street a/k/a 386-390 Main Street, containing approximately .57 acres of land as shown on City of Woburn Assessors Map 43. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Petition by Seaver Properties LLC, 215 Lexington Street, Second Floor, Woburn, Massachusetts 01801 to amend the Zoning Map by changing the zoning district from R-2/O-P to R-3 at North Maple and Monks; Monks Street; Hinkley Monks; Warren-Mishawum Avenue; Mishawum and Dexter Avenue and Hinkley Street, to the centerlines of North Maple; Monks Street and Mishawum Avenue and Dexter Avenue, containing approximately 249,442 square feet of land as shown on a plan by Keenan Survey entitled "Proposed Rezoning Plan in Woburn, Massachusetts" dated May, 23, 2016. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

COMMUNICATIONS AND REPORTS:

A communication dated May 19, 2016 was received from Charles O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

Council Members,

In accordance with Massachusetts General Laws Chapter 90, Section 20½ I am submitting the following parking ticket report. Figures cited below are for the Month of April 2016: Number of violations issued 378, Numbers of violations paid 216, Number of

violations outstanding 145, Amount collected and submitted to Collectors Office \$21,194.60, Parking fines referred to the Handicap Commission \$11,000.00.

There is a backlog of 1,661 unpaid tickets dating from January 2004 to April 2016. After 28 days, if the fine still has not been paid, that information is forwarded to the Registry of Motor Vehicles for administrative action.

Respectfully submitted, s/Charles O'Connor, Parking Clerk

Motion made and 2nd that the MATTER be RECEIVED AND PLACED ON FILE, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

UNFINISHED BUSINESS OF PRECEDING MEETING:

On the Woburn Housing Production Plan. Motion made and 2nd that the matter be taken from the table, 8 in favor, 0 opposed, 1 absent (Tedesco absent). A communication dated May 20, 2016 was received from Planning Board Director Tina P. Cassidy as follows:

Re: Housing Production Plan for the City of Woburn

Dear Mr. Campbell:

Please be advised that the Woburn Planning Board held a special meeting on Thursday, May 19, 2016 to consider and discuss the proposed Housing Production Plan for the City of Woburn.

I am pleased to report that following its deliberations, the Planning Board voted unanimously (7-0) to approve the attached Plan for submission to the State for its approval.

Please feel free to contact me if you have any questions relative to the Planning Board's vote on this matter. Thank you.

Respectfully, s/Tina P. Cassidy, Planning Board Director

Attached thereto was the following proposed Order:

ORDERED That the City of Woburn and the Woburn City Council adopted the attached Housing Production Plan dated June 7, 2016 and will work toward compliance with Massachusetts General Law, Chapter 40B, in accordance with said Plan.

s/President Haggerty

Alderman Campbell stated that she spoke to Planning Director Tina Cassidy concerning this plan, that she wants more information on the 1.5% land area method of meeting the affordable housing goals, that she wanted to be certain that adopting this plan will not prohibit the city from using the 1.5% land area calculation, that Planning Director Cassidy said adopting the plan would not prohibit pursuing the 1.5% land area calculation, that the city needs to work towards establishing its own elderly housing, that the city has gone over and above providing affordable housing, that she believes that the city can achieve the 1.5% land area requirement for affordable housing, that even Planning Director Cassidy stated that the calculation method is confusing, that the city should continue to work towards achieving the 1.5% land area requirement, that the city already has plenty of affordable housing options, and that she would like to encourage the Mayor into creating more elderly housing in the city. Alderman Concannon stated that M.G.L. Chapter 40B is an over burdensome law, that adopting a plan like this creates a safe harbor and gives some control to local authorities, and that for that reason he reluctantly supports the plan. Alderman Anderson stated that adopting the plan will allow some safe harbor while the city attempts to make other efforts to achieve the affordable housing requirements. Motion made and 2nd that the ORDER be ADOPTED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016

s/Scott D. Galvin June 9, 2016

APPOINTMENTS AND ELECTIONS:

A communication dated May 25, 2016 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby reappoint Margaret Casey, 23 Wade Avenue, with a 3-year term to expire Dec. 31, 2018, to the Woburn Council on Aging; subject to approval by the City Council.

Respectfully, s/Scott D. Galvin, Mayor

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PERSONNEL, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

MOTIONS, ORDERS AND RESOLUTIONS:

RESOLVED That a street light and utility pole be erected between 7 and 9 Abbott Court West at the end of the cul-de-sac to improve public safety.

s/Alderman Gately

Motion made and 2nd that the RESOLVE be ADOPTED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor June 9, 2016 and ten days having elapsed without same being approved, said Resolve became effective without his signature on June 21, 2016.

ORDERED That the City of Woburn accept Clause 56 of G.L. c. 59, § 5, which would allow members of the Massachusetts national guard or military reservists who are on active duty to obtain a reduction of all or part of their City of Woburn real and personal property taxes for any fiscal year they are serving in a foreign country, to be effective beginning in fiscal year 2017.

s/President Haggerty, Alderman Gately
and Alderman Campbell

President Haggerty stated that this Order expires every two years unless renewed, and that there is limited financial impact on the city but significant impact on the veterans families. Motion made and 2nd that the ORDER be ADOPTED, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Presented to the Mayor: June 9, 2016

s/Scott D. Galvin June 9, 2016

Motion made and 2nd to accept a communication dated June 7, 2016 from James Squires, Associate Health and Wellness Director, North Suburban YMCA, YMCA of Greater Boston, 137 Lexington Street, Woburn, Massachusetts 01801 as follows:

Subject: Fired up 5k June 26 Time Amendment

Mr. Campbell,

Pleasure speaking with you today. I was looking to make a time adjustment to our Road Race due to a clerical error on my part in regards to the time. Currently: June 26, 2016 from 8:30 am to 10:00am. I would propose a change to June 26, 2016 10:00 am to 12:00 pm.

Thank you.

James Squires, Associate Health and Wellness Director

Motion made and 2nd to accept the communication, 8 in favor, 0 opposed, 1 absent (Tedesco absent).

Motion made and 2nd to ADJOURN, 8 in favor, 0 opposed, 1 absent (Tedesco absent).
Meeting adjourned at 9:12 p.m.

A TRUE RECORD ATTEST:

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