CITY OF WOBURN
JANUARY 2, 2018 - 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL

Roll Call

Anderson	Gately
Campbell	Higgins
Concannon	Mercer-Bruen
Gaffney	Tedesco
Haggerty	

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

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MAYOR'S COMMUNICATIONS:

ORDERED That the sum of $125,000.00 be and is hereby appropriated as so stated from Fire/BLS Ambulance Acct #31359-595000 $125,000.00 to Fire Ambulance Salary Acct #0122051-511500 $125,000.00

I hereby recommend the above: s/Scott D. Galvin, Mayor
I hereby approve the above: s/Stephen W. Adgate, Chief Fire Department
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, all in favor, 9-0.

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ORDERED That the sum of $1,403,985.67 be and is hereby appropriated as so stated from Mayor Salary Adjustments Acct #0112151-511019 $1,403,985.67 to Union Contract Settlements $1,403,985.67, Purpose: Union Contract Settlements

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, all in favor, 9-0.

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ORDERED Be it ordained by the City Council of the City of Woburn that the Mayor be and is hereby authorized to enter into a ten (10) year lease to operate and maintain the O'Brien Ice Rink located at 55 Locust Street to a qualified non-profit organization for the provision of skating programs for the benefit of Woburn residents and other rink users.

s/President Haggerty

Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON ORDINANCES, all in favor, 9-0.

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PUBLIC HEARINGS:

On the petition by Madison Woburn Holdings LLC, 333 Newbury Street, Suite 201, Boston, Massachusetts 02116 pursuant to 1985 Woburn Zoning Ordinances, as amended, for special permits and site plan approval to amend special permit issued August 11, 2015, as amended by special permit issued July 14, 2016 as follows: 1. Special Permit pursuant to section 5.1.20a to allow for a Mixed Use Hotel/Restaurant Use; 2. Special Permit pursuant to section 8.7.6 to allow for a reduction in off street loading requirements; 3. Special Permit pursuant to section 5.1.29 to allow for fast food restaurant; 4. Site Plan Approval pursuant to Section 12.2.1 to allow for a fast food restaurant; 5. Special Permit pursuant to section 5.1, Note 16 to allow hours of operation for the fast food restaurant beyond 11:00 p.m.; and 6. Amended site plan which includes eight (8) Tesla charging stations and related equipment, at 369 Washington Street. PUBLIC HEARING OPENED. A communication dated December 28, 2017 with attachment was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Special Permit Petition of Madison Woburn Holdings LLC, 369 Washington Street, Woburn, Massachusetts

Dear Mr. Campbell:

Enclosed please find for filing the following in connection with the above-referenced Special Permit Petition:

1. Ten (10) copies of revised Sheets C-2A and C-2B entitled "Layout & Materials Plan" dated August 7, 2014; revised September 24, 2014; October 14, 2014; November 21, 2014; December 16, 2014: December 31, 2014; May 1, 2015: May 28, 2015; July 2, 2015; March 28, 2016; March 29, 2016; May 27, 2016, June 8, 2016; June 17, 2016; August 5, 2016; July 21, 2017: October 12, 2017; December 21, 2017; and December 27, 2017 (the "Modified Layout & Materials Plan of Record').

The revised plan shows the elimination of the proposed Blaze Pizza with the 2,823 square foot space being shown as a proposed restaurant.

If you need any further information, please do not hesitate to contact me. Thank you.

Very truly yours, s/Joseph R. Tarby, III

Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. Appearing was Attorney Joseph R. Tarby and he stated that the petitioner will ask for leave to withdraw without prejudice for the fast food restaurant and hours of operation for fast food after 11:00 p.m. special permits, that the petitioner seeks approval of a revised site plant, that the building is 8,610 square feet with two restaurants, that at the locus there will be a duel brand hotel, Red Robin restaurant which is operating, a 110 Grill restaurant and a Chick-fil-A restaurant which will be constructed once the Phase II road improvements are completed, that the Blaze Pizza restaurant proposal will not move forward, that the hotel will be reduced from 250 rooms to 235 rooms, that the number of restaurant seats will be reduced from 562 to 382, that the 110 Grill opened in September 2014 in Chelmsford and has ten locations, that no tenant is currently proposed for the second restaurant on the pad, that some restaurants which are classified as a fast food restaurant have little impact, that the second space will be marketed as a restaurant location as the 100 Grill space was marketed, that if a customer pays for food before it is served this is a fast food restaurant, that many restaurants in the city meet the definition of a fast food restaurant but would not be considered a fast food restaurant by most people, that if a fast food restaurant is proposed for the second space the petitioner would have to come back to the City Council for a special permit, that the petitioner would not seek to change the definition of a fast food restaurant as it would have citywide impact, that the petitioner heard the concerns of the City Council with respect to the fast food use and withdrew the petition for that use from consideration, that the Board of Appeals granted a variance for the co-sign which was the final piece necessary to move forward with the widening of Washington Street, that the petitioner would need a special permit for a fast food use at the site, that any use of the second space will be for a restaurant, that an ATM, cellular phone retail store or similar use would not be allowed in the second space, that the second space has to be a restaurant, that the Phase I road improvements are for the hotel and restaurant pads, that the Phase II road improvements are for the Chick-fil-A fast food use, that construction of the Chick-fil-A restaurant will not begin until the Phase II road improvements are completed, that the petitioner would have to come back to the City Council if the Chick-fil-A restaurant is not built for use on that pad, that the Phase I road improvements are complete, that the city hired a traffic consultant who studied the proposal, that MassDOT provided their opinion relative to the traffic, that at the end of the process it was determined that the Phase I road improvements would work, that the petitioner came back to the City Council for approval of the Chick-fil-A fast food use which was approved, and that the petitioner came back to the City Council to amend the zoning to allow other uses on the site which was denied in one meeting. Attorney Tarby offered the following document with two proposed conditions to the City Council for review:

1. The Petitioner shall construct and improve the Site as substantially described in the revised plans submitted with the Petition for Special Permit entitled: "Layout & Materials Plan" dated August 7, 2014; revised September 24, 2014; October 14, 2014; November 21, 2014; December 16, 2014; December 31, 2014, May 1, 2015, May 28, 2015; July 2, 2015, March 28, 2016, March 29, 2016, May 27, 2016, June 8, 2016, June 17, 2016, August 5, 2016, July 21, 2017, October 12, 2017, December 21, 2017 and December 27, 2017, prepared by Allen & Major Associates, Inc., 100 Commerce Way, Woburn, MA 01801 (hereinafter the "Site Plan") although design adjustments and modifications generally associated with: (i) preparing so-called "working drawings" or (ii) site conditions shall be permitted so long as such changes do not constitute substantial changes from said plans as determined by the Building Commissioner. In the event that the Building Commissioner determines that the building plans filed with the building permit application are not in substantial conformance with the Site Plan, the Petitioner may request a review of said plans by the City Council Special Permits Committee who shall make a final determination. If the Special Permits Committee makes a determination that the proposed plans are not in conformance with the Site Plan, the Petitioner shall be required to file a Special Permit Petition seeking approval to modify the Site Plan.
2. Except as modified by this Decision, all conditions set forth in the Landowner's Decision and Notice of Special Permit dated August 11, 2015 as modified by Landowner's Decision and Notice of Special Permit dated July 14, 2016 shall remain in full force and effect.

Motion made and 2nd that the document be received and made part of the record, all in favor, 9-0. Tim Williams, Allen & Major Associates, Inc., 100 Commerce Way, Woburn, Massachusetts 01801 stated that the site plan shows a reduction in the number of hotel rooms in the plan parking schedule, that the plan shows the eight proposed Tesla parking spaces, that the tenant spaces will be serviced by sidewalks, that there will be service corrals and dumpsters to the rear of the restaurants, that 532 parking space are provided, that 473 parking spaces were required and now 475 parking spaces will be required, that the parking is essentially the same as it has been with the exception of the addition of the Tesla parking spaces which have been located where parking was already proposed, that the utility stubs are in place as is the grease trap, that the site lighting remains the same, that the service corral is a gated area with two eight foot swing doors on either side for a sixteen foot wide opening for the dumpsters and loading, that the service corral will be enclosed by a fence although the style of the fence has not been determined, and that the second restaurant space will be 2,800 square feet with its own service corral. Alderman Mercer-Bruen stated that she is in favor of eliminating the Blaze Pizza restaurant as it was a fast food operation, that she is concerned that the second space will still be provided but it is not known what use will go in the 2,800 square foot space, that she is concerned with the history of this project that the space is not filled, that the hotel building permit has issued and is moving forward, that she is concerned that the petitioner could try to change the definition of fast food use, that the traffic improvements have not been completed, that the petitioner can build the 110 Grill and come back later if they have a tenant for the additional 2,800 square foot space, that there is no reason to allow the unused 2,800 square foot space except to cram another use on the site, that the

2,800 square foot space is a big deal, that hotels do not generate a lot of traffic, that the reduction in the number of hotel rooms do not make much difference in terms of traffic, that the reduction in the number of seats is an means to an end as the petitioner will find a restaurant use that will not require a high number of seats to turn customers around quickly, that she is concerned what will happen to the Phase II traffic improvements if the Chick-fil-A restaurant is not built, that the project does not work with the Phase I improvements, that it is irresponsible to say the 2,800 square foot area is not an issue, that the area is a disaster, and that the 2,800 square foot area will result in another tenant at the site. Alderman Gately stated that construction of the hotel appears assured as the building permit has issued, that he understands the 2,800 square foot space will be held for a future tenant and the 110 Grill will be constructed, and that there is sufficient parking. President Haggerty stated that if a fast food use is proposed for the second space the petitioner would have to return to the City Council for a fast food special permit, that the roadway widening is tied to the traffic impact of the Chick-fil-A restaurant, that he wants to see this project completed, and that the petitioner can come forward with any number of hypothetical projects but discussing the project in that fashion runs the process off the rail. Alderman Campbell stated that she is happy the fast food restaurant will not locate at the site because it would cause a lot of traffic, that she does not want a use in the 2,800 square foot space which would generate a lot of traffic, that if the proposed use is a fast food use the matter would have to come back for a special permit, that the 110 Grill is a good addition, that she supports moving forward with the petition, that the City Council has been tough on this project, that the work of the City Council has resulted in reductions in impact of the proposed plans, that the petitioner is trying to get the project completed as is the city, that the project needs to move forward to get the project completed, that there potentially could be an additional tenant at the site but the use would not have as great an impact at a fast food use, and that City Council would determine whether a fast food use special permit would be granted. Alderman Concannon stated that he did not support the project as he does not believe the burdens created by the project would be mitigated by the traffic improvements, that there were three restaurants proposed and one hotel and now there are four restaurants proposed with the hotel, that each business will have separate operations and employees, and that he does not see this proposal as a sufficient improvement. Alderman Higgins stated that she is happy the Blaze Pizza restaurant is not moving forward because of the anticipated impact on traffic with a high customer turnover, that the hotel moving forward is a good development, that a similar fast food restaurant will not receive City Council approval, that the 110 Grill will be a good addition, and that she is more comfortable with the proposal now. Alderman Anderson stated that he wants to make clear that if the petitioner wants a fast food restaurant use on the site the petitioner will have to come back to the City Council for a special permit and if the petitioner wants an allowed use on the site the petitioner will not have to come back to the City Council, that the use cannot be an ATM, cellular phone retail store or similar use, and that there has been a significant reduction in the number of hotel rooms and restaurant seating. PUBLIC COMMENTS: Wayne Newcomb, 386 Washington Street stated that no matter what goes at the site will the traffic improve, that even the pizza restaurant would have been an issue as nothing will improve the traffic, and that the traffic control signals do not work. Margaret Bose, 70 Pine Street stated that the petitioner’s attorney stated that the city’s traffic consultant

report said the traffic improvements would work, that the city's peer review was just to make certain that the work done by the petitioner's traffic consultant was done by the book and the answer was yes it was, that city's consultant did not determine that there work was in the city's best interests as this was beyond the scope of the review. Motion made and 2nd that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2nd that the petition for a second 2,800 square foot site be denied, 2 in favor, 7 opposed (Anderson, Campbell, Gaffney, Gately, Higgins, Tedesco, Haggerty opposed). Motion made and 2nd for an amendment to read as follows: "It is the City Council's clear intention that this restaurant pad site will not be used for a fast food restaurant", Roll Call: Anderson – No, Campbell – No, Concannon – Yes, Gaffney – No, Gately – No, Higgins – No, Mercer-Bruen – Yes, Tedesco – No, Haggerty – No, Motion Fails. Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS AMENDED with the conditions as follows: 1. That the two proposed conditions be adopted as conditions of the special permit, and 2. That the following petitions for special permits be given leave to withdraw without prejudice "3. Special Permit pursuant to section 5.1.29 to allow for fast food restaurant; 4. Site Plan Approval pursuant to Section 12.2.1 to allow for a fast food restaurant; 5. Special Permit pursuant to section 5.1, Note 16 to allow hours of operation for the fast food restaurant beyond 11:00 p.m., 7 in favor, 2 opposed (Concannon, Mercer-Bruen opposed).

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On the petition by Vecna Technologies, Inc., 36 Cambridgepark Drive, Cambridge, Massachusetts 02140 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 57a to allow six storage containers at 71 Pine Street. PUBLIC HEARING OPENED. A communication dated December 28, 2017 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Planning Department comments on special permit applications for 71 Pine Street/Vecna Technologies, Inc.

Dear Council:

The Planning Department has reviewed the above-referenced applications which seek Special Permit pursuant to Sections 5.1 (57a) for the allowance of accessory storage/parking of six (6) storage containers for manufacturing-related materials for the onsite tenant. The property is zoned Industrial General (I-G), which allows the aforementioned use by City Council special permit. A review of environmental mapping on the City's GIS system reveals that the parcel does not fall within a local floodplain, Groundwater Protection District (GPD), or an area of contaminated soils. This parcel does fall within 150' of a wetland boundary line. However, no new construction or increase in impervious surface area is proposed in connection with this application.

Although a specific use is not cited by the applicant as to the onsite tenant, "manufacturing" is referenced in the application description section. Staff has confirmed with the Building Commissioner that this application does not raise any issues with respect to the storage trailers serving as an accessory use for the tenant. However, a plot

plan should be required/provided so that compliance with zoning setback requirements for the storage containers (no closer than five [5] feet from the lot line, in accordance with Sec. 8.4.3) can be ascertained.

It is assumed that the property would continue to meet the parking requirements of the Zoning Ordinance if the trailers are permitted on the site, since the area proposed to house them appears to be paved area near the loading docks. The applicant should be required to provide calculations of both the number of off-street parking spaces needed to satisfy zoning requirements for all uses on site as well as a calculation of the number of parking spaces actually provided.

Additionally, the City Council may want to require the revised plan to include details on exterior lighting in accordance with Sec. 8.5. It should be noted that the location of exterior lighting is depicted on an 8.5" x 11" sketch plan included with the application but not on an engineered plot plan. The sketch plan indicates the lighting will be located on the building itself (not pole-mounted) but there is no information in the application regarding details of site lighting (style/appearance, number of lumens, etc.). This information should be required.

Although the information necessary to completely review this application has not been fully provided, Planning staff recommends the Council consider imposing at least the following as minimum conditions, should the Council ultimately decide to approve the application:

- That the Special Permit shall be granted for a period to not exceed one (1) year, per Note 17 to Section 5.1 Table of Use Regulations; and

- That the special permit is issued only to Vecna Technologies, Inc. and is not transferrable with the exception of a transfer to an entity of Vecna Technologies, Inc. is the primary or principal owner.

If you have any questions relative to this communication, please do not hesitate to contact me.

Respectfully, s/Dan Orr, City Planner/Grant Writer

Motion made and 2nd that the communication be received and made part of the record, all in favor 9-0. Appearing for the petitioner was James Camire and he stated that the petitioner seeks permission to store up to six storage containers on site for their products, that he was not aware that such containers could only be stored for one year, that the petitioner's manufacturing operations continue at the locus as they have for several years, that the main office is in Cambridge, that the extra storage is needed because of increased manufacturing, that the storage would support the manufacturing operation, that he was at the facility this day and the petitioner continues to operate at the locus, that the petitioner is looking to store up to six storage containers but the number will be determined by the amount of contracted work, that the petitioner manufactures robots and kiosks, that there

is no concern with this matter being reviewed in committee, that the intention is to place the containers in an area where they would not be visible from the street, that the containers are 40 feet by 8 feet by 8 feet 6 inches in size, that parts stored in the storage containers will go from the container to the manufacturing facility and then the finished product would be stored in the container if needed until time for delivery, that the containers would not be moved offsite, that he is not aware whether a forklift truck would be needed to move the items, and that there is a loading dock at the facility. Alderman Mercer-Bruen stated that she understood that the petitioner was no longer operating from the location, that the petitioner's sign was removed from the locus, that a contractor was parking vehicles at the site and told doing so was not allowed, that she wants to speak with the Building Commissioner concerning the matter as she understood the petitioner no longer operated at the site, and that she wants the matter to go to committee in order to consult with the Building Commissioner and neighbors have concerns as well. President Haggerty stated that the petitioner should come back with a plan as to how in the long-term the storage issues would be addressed, that the City Council only allows the storage containers to remain on site for one year, that this is a large number of storage containers for one site, and that the petitioner needs to plan as to what they will do for storage after one year. Alderman Campbell stated that she wants to know what will be stored in the containers, whether the units will be visible from off the property and whether these containers will generate more truck traffic, and that she is concerned about the impact of the containers on nearby residences. Alderman Tedesco stated that he understands that the request is for six storage containers on site, that materials will be stored in containers, that parts will be retrieved when needed for the manufacturing process, and that the finished units may also be stored in the containers. Alderman Anderson stated that he is not in favor of storage containers, and that if more room is needed for storage there should be another solution other than containers. PUBLIC COMMENTS: Margaret Bose, 70 Pine Street said that this is a weight restricted street, that there will be roadway projects on Salem Street, Montvale Avenue and Washington Street which will impact traffic in the area, and that she does not want a use that will increase traffic. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON FEBRUARY 6, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 9-0.

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Motion made and 2nd to take the following matter out of order, all in favor, 9-0.

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On the petition by President Richard Haggerty and Alderman Lindsay Higgins to further amend the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. By adding a new paragraph 11.3.13 as follows: Minimum Mandatory Conditions. In addition to any other conditions that may be required pursuant to Section 11.3 it shall be a material condition for such Special Permits that any construction manager, general contractor or other lead or prime contractor, or any entity functioning in any such capacity, and any other contractor or subcontractor of any tier or other person or entity that is engaged to perform the construction work on the property that is the subject to such Special Permit shall comply with all laws applicable to the compensation of workers, including but not limited

to the provisions of G.L. c. 149 (Labor and Industries) , G.L. c. 152 (Workers Compensation) and Chapter 58 of the Acts of 2006.; 2. By adding a new paragraph 11.3.14 as follows: Compliance/Remedies. If any person or entity that is subject to the foregoing Special Permits fails to comply with any such laws applicable to work on the project and the Building Commissioner is notified of, and confirms such failure, the Building Commissioner or his designee shall take such steps as are reasonably necessary, up to and including the issuance of a stop work order, directed to the party so failing or to the general contractor, relative to all work on the project, in order to achieve expedited compliance. Such stop work order shall remain in effect until full compliance is achieved. PUBLIC HEARING OPENED. A copy of a communication dated January 2, 2018 from Planning Board Director Tina Cassidy to City Solicitor Ellen Callahan Doucette entitled "Proposed zoning amendments regarding special permit conditions related to labor law" was received. Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. President Haggerty stated that the City Council heard from many people during review of the 120 Commerce Way special permit of the issues addressed by the proposed ordinances, that the State has limited resources to enforce these requirements, that the City Solicitor has raised concerns about these amendments as has the Planning Director, that it is not the intent of the amendments to expand the prevailing wage, and that this is an attempt to enforce existing laws. Alderman Higgins stated that this is an attempt by the City Council to look at issues that were raised during the 120 Commerce Way special permit process, and that the City Council can work with the City Solicitor and the Planning Director on the amendments. PUBLIC COMMENTS: Brian Richardson of the New England Regional Council of Carpenters stated that this is an important ordinance, that they have been reaching out to cities and towns regarding the issue, that workers are being paid off the books, that the Attorney General has taken action but that the process is long and not all offenders can be prosecuted, that the estimate loss to the State in unpaid taxes, unemployment insurance, and health care funding is $100,000,000.00 a year, that a contractor cannot compete with a contractor who does not pay their employees according to the law, that the city of Quincy passed this ordinance in February 2016, that they are seeking municipal enforcement assistance because the State does not have the resources to enforce all the issues, and that the ordinance would allow the city to issue stop a work order unless the issue was rectified. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON FEBRUARY 20, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, all in favor, 9-0.

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Motion made and 2nd to return to the regular order of business, all in favor, 9-0.

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On the petition by Subhadraben Patel, 18 Westgate Drive, Apt. T-5, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.29 to allow fast food restaurant at 902 Main Street. PUBLIC HEARING OPENED. A communication dated December 27, 2017 was received from Tian P. Cassidy, Planning Director, Woburn Planning Board as follows:

Re: Planning Department comments on special permit application for 902 Main Street/Subhadrben Patel

Dear Council:

The Planning Department has reviewed the above-referenced special permit application which requests permission to operate a fast food restaurant (5.1 [29]) at the above-referenced location. The property is zoned Highway Business (B-H) and therefore such use is permitted by City Council special permit, subject to Site Plan Review requirements (Section 12). The application references the required special permit but does not specifically request Site Plan Review/approval.

Planning staff offers the following questions and comments for the Council's consideration:

- No exterior construction appears to be proposed in connection with this application. However, the Building Commissioner indicates that the applicant has not yet received a determination as to whether the planned work will constitute "substantial alteration". This determination should be made before any Decision on the Special Permit application is rendered by the Council, since this determination will indicate whether Section 18 (Development Mitigation) is applicable to this proposal. The Commissioner recommends the applicant meet with him as soon as possible to review the scope of work so that the determination can be made;

- The applicant should be required to submit a site plan that includes a locus plan as an inset and notes the building location and any off-street parking spaces/exterior site features;

- The applicant should be required to submit floor plans that are drawn to scale;

- No information has been provided relative to parking. Fast food restaurants require twelve (12) parking spaces for every 1,000 sq. ft. of net floor area, per Section 8.2.5. No computation of net floor area is provided, nor is there any computation as to how much parking this use will need. The existing space (currently vacant) was formerly an electronics repair/sales establishment. Would the restaurant be "grandfathered"? If so, perhaps a request for a Special Permit under Section 7.3 should also have been filed. On the other hand, if the fast food use requires additional parking be provided, how many spaces will be needed and where will they be located?

- The issue of trash storage and its regular pickup seems particularly important given that food will compose a significant portion of the business's trash. However, no plan for trash storage/refuse removal has been submitted. If there is to be an exterior Dumpster its location should be shown on the to-be-submitted site plan and the plan referred to the Fire Department for review and comment (the Fire Department is the entity charged with regulating Dumpsters in accordance with Title 8, Article VII,

Section 8-17 of the Woburn Municipal Code, general regulations for Dumpsters). If instead trash will be stored inside the building, the floor plans should be modified to identify the location of receptacles and referred to the Board of Health for comment;

- The application does not provide information as to the expected delivery arrangements (loading and unloading of stock and foodstuffs). It appears the only option for delivery trucks will be to park on Main Street and traverse the sidewalk (Minot Street is posted "No Parking Here to Corner" and would therefore seem not to be an option). The Council should consider imposing a condition on any approval prohibiting delivery-related activities from interfering with use of the sidewalk by pedestrians (i.e. blocking the sidewalk with boxes or dolly ramps). There should also be a condition prohibiting stock and foodstuffs from being delivered through the front door if possible, in order to further lessen the possibility/extent of sidewalk conflict. The Council should also consider restricting/limiting the hours of deliveries to those that are outside of peak pedestrian times, if in fact deliveries will be made via a truck parked on the street;

- Unless authorized by a subsequent Special Permit, the hours of operation of this establishment must be 6:00 a.m. to 11:00 p.m. in accordance with Note 16 to Section 5.1, Table of Use Regulations; and

- The application contains no information relative to signage. The Council should consider imposing a condition noting that no exterior signage is being approved as part of the Special Permit, and that a separate sign application package will need to be filed with the Inspectional Services Department in the future for any signage.

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

Respectfully, s/Tina P. Cassidy, Planning Director

Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. Appearing for the petitioner was Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that he was recently engaged to represent the petitioner, that he will be meeting with the Building Commissioner to discuss issues raised by his department, that the company has been in business for 28 years, that there are 2,200 locations in 41 states and one overseas territory, that there will be three employees on site at any time, that the hours of operation will be 10:00 a.m. to 11:00 p.m., that there will be four seats, that there is parking for employees, that the rubbish containers are at the rear of the property, that the petitioner will use half of the building, that the mini-mart will remain at the building, that he will obtain more information concerning the on-site parking, that the unit is approximately 1,100 square feet in area, and that the petitioner will receive approximately one to two deliveries per week. Attorney Tarby offered a mortgage inspection plan, exterior photographs of the locus and the petitioner's menu for the City Council to review. Motion made and 2nd that the documents be received and made part of the record, all in

favor, 9-0. Alderman Tedesco stated that neighbors have expressed concerns about on-street parking as the streets are narrow, that this may overburden the streets, and that employee parking and trash collection are also issues. President Haggerty stated that he request information on proposed signs and building improvements be brought to the committee meeting. PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON FEBRUARY 6, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 9-0.

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On the petition by Leo Realty Holdings LLC, 17 Concord Avenue, Cambridge, Massachusetts for special permits pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.5 to 1; allow for eight (8) residential units above first floor story in commercial structure at 375 Main Street; and 2. To amend a prior special permit to allow for an addition to 371 Main Street. PUBLIC HEARING OPENED. A communication dated December 26, 2017 was received from Dan Orr, City Planner/Grant Writer as follows:

Re: Planning Department comments on special permit application for 371-375 Main Street/Leo Realty Holdings, LLC

Dear Council:

The Planning Department has reviewed the above-referenced special permit application submitted by Leo Realty Holdings filed pursuant to Section 5.1.5 (dwelling units above first story in a commercial structure). The subject property is zoned downtown business (B-D), which allows the aforementioned use by City Council special permit. This mixed-use project represents a “reconditioning” of the 375 Main Street façade for first-floor commercial use and a vertical addition to the rear portion of the existing structure to accommodate eight (8) new residential units. The project is partially intended as an expansion of “The Brickyard” full-service restaurant business, located at 371 Main Street, into the abutting property. The Petitioner has submitted a Mixed-Use Project Plan, including site plan, floor plan and exterior elevations as part of the application materials.

Planning staff has conferred with the Building Commissioner about this application, who did not indicate any zoning issues of note. Aspects such as maximum ground coverage, lot width minimum, minimum street frontage, and maximum building height are in compliance with the Woburn Zoning Ordinance (WZO). Parking requirements for the non-residential (commercial) space in the renovated structure at 375 Main Street will be satisfied by the nearby Walnut Hill parking lot because it is located within five hundred (500) feet of the use it will serve. There is no off-street parking provided on site, so all parking requirements for the residential units will require a Special Permit from the City Council in accordance with Section 8.3; the application fails to request that needed Special Permit.

In addition, sixteen parking spaces are required to service the eight (8) proposed residential dwelling units. Because the applicant will rely solely on nearby off-street municipal lots to provide this parking, the applicant will be required to pay $72,000.00 into the Downtown Parking Enhancement Fund, per Section 8.3.4 of the WZO (11 units at 2 spaces per unit times $4,500 per space).

Should the Council choose to grant the Special Permit for this application, Planning staff recommends at least the following as potential conditions of approval:

1. That the applicant shall assume full responsibility for maintenance of the elevator located in the building at 371 Main Street as well as the attendant telephone line. This elevator provides essential access between the Walnut Hill municipal parking lot and Main Street, particularly for those with physical disabilities;

2. That the Site Plan, Floor Plan and Elevations plan set be revised to reflect the location of all municipal parking lots within five hundred (500) feet of the proposed project and that the revised plan is incorporated into the Plan of Record; and

3. That the special permit is issued only to Leo Realty Holdings, LLC, and is not transferrable with the exception of a transfer to an entity of which Leo Realty Holdings, LLC is the primary or principal owner.

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

Respectfully, s/Dan Orr, City Planner/Grant Writer

Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. Appearing for the petitioner was Attorney Mark Salvati, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 and he stated that the intent of the petitioner is to expand The Brickyard restaurant and construct eight new residential units at the former Moore & Parker store with the eight units on the top two stories that the top stories of the building have not been used for many years, that the rear portion of the property is dilapidated, that the Historical Commission did not require a demolition delay as the building has no historical significance, that an ANR plan was recorded which removed the lot line between the parcels, that the building will be fully compliant with the zoning code requirements, that there will be no basement in the addition except for a small portion at the front for utilities, that there will be no need for blasting, that the current building sits on grade, that there will be an 850 square foot store front which will be rented to a third party, that the use for the store front is not known at this time, that the rear two-thirds of the first floor will have access from The Brickyard to a 100 seat function room with a bar and restrooms, that functions are currently held in the basement of the restaurant, that the functions will not add a large parking influx because of the current function business, that there will be eight 450 square foot residential units with one bedroom each, that there will be four units on the second floor and four units on the third floor, that there is some issue with natural light which will be remedied with a light

well to the middle units, that there will be no use of the rooftop except for utilities, that the same brick front will be used as for The Brickyard, that there will be an entrance from the parking lot at the rear of the building to the function room, that the exterior will match the existing building façade, signage and lighting, that the particular sign will depend upon the tenant, that the city installed the elevator shaft, that the city paid for and maintains the elevator, that the petitioner is willing to take over the maintenance of the elevator in exchange for a waiver from the rent to use the exterior area for outdoor seating, that the petitioner is not willing to take over major repairs of the elevator but only the yearly maintenance, that the city has an easement for public access to the elevator and the petitioner owns the land where the elevator is located, that at this time it does not appear that excavation in Main Street will be required, that the petitioner would agree to a condition that if excavation is required the petitioner will pay for the repaving, that the parking fund is to encourage downtown residential units, that the zoning ordinance indicating a landowner could use parking within 500 feet of a property was to encourage downtown residences, that the petitioner is willing to meet with abutters, that he anticipates the matter will go to committee, that no variances were required, and that there was a variance for the construction of The Brickyard which had 22 feet of frontage but there is now over 50 feet of frontage by the two properties being combined. Jai Singh Khalsa, Khalsa Design Inc., 17 Ivaloo Street, Suite 400, Somerville, Massachusetts 02143 stated that residents will enter the same door as the residents of the current building as the buildings will share a common corridor, that the existing elevator exit and entrance is and will continue to be external to the building, and that a common corridor and common entrance points will be shared between the two buildings. Nicholas Leo, Manager, Leo Realty Holdings LLC stated that the layout of the 371 Main Street property will not change, that the goal is to utilize the utilities from the current structure to avoid opening Main Street, that the petitioner shares a dumpster with Tre Monte restaurant and the former Moore & Parker dumpster will be removed, that there will be no change in the hours of operation, that there is adequate lighting at the rear of the property, that he understands there is a parking fee fund due, that he wants to isolate the apartments on a separate meter, that handicapped accessible parking is existing, that parking requirements for four multiple bedroom units will create a larger demand for parking, that the 450 square foot units will results in one or two residents in each, that it will be less likely that sixteen parking spaces will be needed, that the parking fund fee would be less for four units than eight units, that if the units were larger there would be at least two bedrooms, that there is a good function business in the basement but the area does not have a sit down atmosphere, that most of the functions are on Saturday and Sunday when there is a lower parking demand, that the petitioner does not want to hurt itself with respect to adequate parking, that he spoke to one of the abutters and there was not a concern expressed with the project, that the maximum occupancy in the basement area is 100, that typically attendance at functions in the basement is 20 to 80 people, that no one can walk in the area at the rear of the property at this time as it is fenced in and there is a lock on the gate, that the hours of operation currently are between 11:00 a.m. and 12:30 a.m. depending upon the day of the week, and that the construction period will be eight to twelve months. Alderman Gately stated that the utilities in the building have to be reused as the city does not want Main Street dug up as it has recently been paved, and that staging will be necessary to protect the public during the construction phase. Alderman

Mercer-Bruen stated that she is concerned about Main Street being dug up during construction. Alderman Campbell stated that she is concerned about parking in the area, that eight units seems like a high amount as sixteen parking spaces will be required, that the city just paid $2,000,000.00 to create sixty parking spaces, that this is a large parking requirement, that parking is at a premium at the Walnut Street parking lot at this time, that a parking garage is needed in the downtown, that the parking fund was not established to encourage the need for more parking, that she is concerned about the impact the function room will have on parking and the impact the parking demand would have on other businesses in the area, that the current basement area is not that large, that she is concerned about the impact of the project on the abutting structure, that she wants to hear from abutters because of the possible disruption, and that an abutting property has four affordable units and this project has no affordable units. Alderman Higgins stated that wanted to know the capacity of the current function area. President Haggerty stated that this is a good project for the downtown, that he wants to know if access to the neighboring building to the north will be impacted or whether there is an easement agreement between the two buildings, that it looks like the abutter could not access its building from the rear of the property, that the issue is whether development should be encouraged and the city work towards resolving the parking needs issue or whether the city should build a parking garage and then move towards more development, that he would prefer to move forward with the development, that there may be metered parking which would impact the petitioner, and that any damage to the public ways would have to be repaired by the petitioner to Department of Public Works specifications. Alderman Gaffney stated that this is a good project, that there will be additional new parking behind the library and there is parking behind city hall at night, and that the parking should be adequate. PUBLIC COMMENTS: Sean Coakley, 640 Main Street stated that he owns the building two units north of the locus, that the petitioner cannot build walls that will block windows, fire access and emergency access to his property, that the area behind his building is currently accessible, that he supports new development but he does not want it to adversely impact his building, that the construction phase could use up to forty parking spaces, that he wants to preserve the natural light at his units, that he worked with the city to develop his site including fire suppression fourteen years ago, that his project had a requirement for four affordable housing units, that the petitioner's project cannot block his windows, that he had to shore up his building and reconstruct the building which had been burnt out in a fire, that some of his tenants have been at his property for thirteen years, that the petitioner cannot have mechanical units running up against his residential units, that a neighborhood has been created and cannot be adversely disturbed, that his building has been a success project, that the buildings in the area were constructed in the 1700s and 1800s and are difficult to work with, that there should be a site visit at the property, and that he has four existing windows on this building. Mr. Coakley offered photographs of the property to the City Council for review. Motion made and 2nd that the documents be received and made part of the record, all in favor, 9-0. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON FEBRUARY 6, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 9-0.

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On the petition by Petrogas Group New England Inc., 168 N. Main Street, Suite B, Andover, Massachusetts 01810 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 7.3, 11.5, 5 Note 16 to allow the addition to and renovation of an existing building currently used as gasoline service station and convenience store at 325 Washington Street. PUBLIC HEARING OPENED. A communication dated December 26, 2017 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Special Permit applications for 325 Washington Street/Petrogas Group New England, Inc.

Dear Council:

The Planning Department has completed its review of the Petition, which seeks to modify an existing Special Permit for the subject property (pursuant to Sec. 11.3.12), an extension or alteration to a pre-existing, non-conforming use and structure relative to a proposed 720 sq. ft. building addition (pursuant to Sec. 7.3), and to extend the current hours of operation, from the current 6:00 am until 10:00 pm (Monday through Saturday) and 6:00 am until 8:00 on (Sundays only), to the proposed 5:00 am until 12:00 am (Sunday through Thursday) and 5:00 am until 1:00 am (Fridays and Saturdays only), pursuant to Section 5 (Note 16). The Petitioner is also proposing the installation of new freestanding, wall and directional signage, which requires a variance from the Board of Appeals. The existing non-conformities (lot area, front pavement setback and open space coverage) will not change as a result of the proposed site alterations.

The applicant has submitted information relative to vehicular and pedestrian flows, utilities, parking, refuse collection, lighting, landscaping and neighborhood impacts as part of the application. In reviewing this material, Planning staff note that the Petitioner has taken these aspects into due consideration and that the vast majority of the site will remain the same. The Petitioner also maintains that traffic patterns and utility capacity will not be substantially different with the proposed addition, particularly given that the Dunkin' Donuts establishment is being removed. Relative to the request to extend the business hours of operation, the Council may want to consider asking the applicant for more information (no reasoning has been provided in the application materials and as such Planning staff have no comment on this specific request).

Staff have also confirmed that the Building Commissioner takes no major zoning issues with the proposed application, aside from the required aforementioned sign variances. In addition, the Building Commissioner recommends that the Petitioner confirm that the arrangement of parking space #12 on the Site & Landscape Plan, in front of the dumpster enclosure, will not conflict with refuse storage access.

Should the City Council choose to grant the Special Permit, the Planning Department recommends imposing the following as conditions of approval:

1. That the Proposed Site Improvement Plan, dated November 14, 2017, is adopted as part of the Plan of Record;

2. That the Petitioner successfully obtains a variance from the Board of Appeals relative to the proposed freestanding, wall and directional signage; and

3. That the special permit is issued only to Petrogas Group New England, Inc. and is not transferrable with the exception of a transfer to an entity of which Petrogas Group New England, Inc. is the primary or principal owner.

Please feel free to contact me if you have any questions regarding these comments.

Respectfully, s/Dan Orr, City Planner/Grant Writer

Motion made and 2nd that the communication be received and made part of the record, all in favor, 9-0. Appearing for the petitioner was Attorney Joshua Lee Smith, Bowditch & Dewey, 311 Main Street, Worcester, Massachusetts 01615 and he stated that the property is located in the O-P zoning district at the intersection of Washington Street and Cedar Street, that there is currently a BP gasoline station, a convenience store and a Dunkin Donuts on site, that the property is one-half acre in area, that there is a building and a canopy, that the building is 2,000 square feet in area, that the petitioner is looking to expand the rear portion of the building by 720 square feet for expansion of the convenience store, that the Dunkin Donuts will be removed from the site, that there will be a gasoline station and convenience store uses, that there will be no change to the canopy, drive aisles or access points, that four parking spaces will be removed to accommodate the expansion, that the property will still comply with the parking requirements, that there will be improved landscaping along Cedar Street, that the petitioner was before the Board of Appeals relative to signs, that the petitioner will eliminate one proposed pylon sign and will utilize the existing pylon sign on Washington Street, that the Dunkin Donuts sign will be replaced with a 7-11 store sign, that the petitioner will comply with the five foot setback requirement for the directional signs, that there will be exterior and interior aesthetic improvements, that there will be no negative impacts with respect to noise, traffic or light, that there may be a reduction in trip generation with the elimination of the Dunkin Donuts, that there may have been an issue with the handicapped parking sign during the transition but he will be certain this issue is addressed, that the trash receptacle has a privacy fence, that the property is located close to the interstate highway which creates a demand to serve the public, and that the hours of operation will be 5:00 a.m. to 12:00 midnight Monday through Thursday and 5:00 a.m. to 1:00 a.m. Friday and Saturday. Heseyin Sevincgil, MHF Design Consultants , Inc., 44 Stiles Road, Suite One, Salem, New Hampshire 03079 stated that they are the design engineers, that parking plan at the front of the building will not change, that in general ice machines are located outside to serve the public, that the light fixture will be updated to LED, that the ice machine does not impede the handicapped accessible parking space or route, that four parking spaces are being lost but more parking may have been required for the Dunkin Donuts use, and that the dumpster is emptied when the store is open and the employee can move their car out of the way if

necessary. Mr. Sevincgil offered a revised set of plans entitled “Proposed Site Improvement Plans for Assessors Map 32 Block 2 Lot 5, 325 Washington Street, Woburn, Massachusetts” dated November 14, 107, revised 1/2/18 prepared by MHF Design Consultants, Inc. to the City Council for review. Motion made and 2nd that the documents be received and made part of the record, all in favor, 9-0. Alderman Mercer-Bruen stated that the Dunkin Donuts was not a high volume location, that the location was designed as relief for the Dunkin Donuts on the other side of Washington Street, that there have been issues with handicapped accessible parking at the site over the past few months, that she wants the handicapped accessible parking space sign and painting to be permanent and maintained, that she has received complaints about trash from the site blowing into neighboring property, that the site must be maintained and kept clean, that the dumpster emptying schedule must be determined, that the hours of operation until 1:00 a.m. is late, and that she is concerned the late hours with the location near the interstate highway will attract people to the area and there is an elderly facility and residential area nearby. Alderman Gately stated that the ice machine should be inside the building, that no beer or wine sales are allowed in convenience stores, that he wants to see the curb near the Cedar Street entrance rounded, and that the dumpster area has to be kept clean. President Haggerty stated that the landscaping improvements should be reviewed further, that the landscaping changes appear to be minimal, that there are no parking improvements, that this is a small lot, that a robust landscaping plan should be proposed, that the use appears to be staying the same except that it will be larger, that the corner island and landscaping along Washington Street can be improved, that it is difficult to move around the site in a vehicle, and that the building is being enlarged and parking space being taken away with no real change in the use. PUBLIC COMMENTS: Tim Swain, 29 Dragon Court stated that he has had problems at this facility over the years, that there are three access points to the site, that he wants one of the access points on Washington Street closed, and that perhaps the southerly access point on Washington Street could be removed. Motion made and 2nd that a communication be sent to the Building Commissioner requesting comment on the parking on site, whether required parking spaces have been lost and what the current parking requirements are for the site, all in favor, 9-0. Motion made and 2nd that a communication be sent to the Building Commissioner and City Clerk requesting information as to what the hours of operation are for the 7-11 store at the intersection of Cambridge Road and Russell Street and the Speedway gasoline station and convenience store located at the intersection of Washington Street and Montvale Avenue, all in favor, 9-0. Motion made and 2nd that a communication be sent to the Traffic Safety Officer for a report as to traffic patterns, accident analysis and the location of the curb cuts at the site, all in favor, 9-0. Motion made and 2nd that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON FEBRUARY 20, 2018 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 9-0.

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On the petition by Little Egg Realty, 5 Hancock Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.57b and 7.3 to modify Condition 7 of a special permit issued May 10, 2012 to read as

follows: “7. That the garage shall be limited to one story with no attic but a pitched roof is acceptable with no attic. It will be acceptable to cover the ceiling joists as necessary for the fire rating.” at 5 Hancock Street. PUBLIC HEARING OPENED. A communication dated December 26, 2017 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Planning Department comments on special permit application for 5 Hancock Street/Little Egg Realty

Dear Council:

The Planning Department has reviewed the above-referenced special permit application which requests modifications to condition number seven (7) of the Council’s Decision, rendered at its April 17, 2012 meeting. By way of background, records of the City Council’s meeting on this Petition indicate a previous modification to an existing special permit for accessory storage or parking of commercial motor vehicles (Sec. 5.1 [57b]), as well as the extension or alteration of a non-conforming use (Sec. 7.3). However, the nature of the purported non-conformity is not referenced in the current application. The property is zoned as Industrial General (I-G), which allows such use by City Council special permit.

Upon review of the rationale for modifying the special permit, Planning staff take no exception to this request. The proposed new condition #7 language appears to reasonably accommodate both the requirements of the Building Code and interpretation of same by Building Department staff.

Should the City Council ultimately vote to approve this request, the Planning Department recommends considering imposing at least the following as conditions of approval:

1. That the elevation drawing included in the application, Sheet A2, dated 4/10/2017, be incorporated in to the Plan of Record; and

2. That all other conditions referenced in the Council’s previous Decisions for this Petition remain in full force and effect, unless otherwise amended.

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

Respectfully, s/Dan Orr, City Planner/Grant Writer

Appearing for the petitioner was Jeff Oliver and he stated that he owns the property, that in 2012 they obtained a special permit, that they are nearing completion of improvements to the property, that he wants to install 5/8 inch sheetrock in the ceiling of the garage, that the special permit has a conditions stating there will be no second story in the garage, that the Building Commissioner is of the opinion that the sheet rock ceiling creates a second story, and that the sheetrock ceiling will be added for fire protection. PUBLIC

COMMENTS: None. Motion made and 2nd that the public hearing be closed, all in favor, 9-0. PUBLIC HEARING CLOSED. Motion made and 2nd that the SPECIAL PERMIT be GRANTED, AS AMENDED with the conditions as follows: 1. That it will be acceptable to cover the ceiling joists as necessary for the fire rating; and 2. That the recommendations of the Planning Department be adopted as conditions of the special permit, all in favor, 9-0.

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CITIZEN'S PARTICIPATION: None.

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COMMITTEE REPORTS: None.

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NEW PETITIONS:

Petition by Petrogas Group New England Inc., 168 N. Main Street, Suite B. Andover, Massachusetts 01810 for change of holder of Inflammable License from Washington Street Getty to Petrogas Group New England Inc. dba BP at 325 Washington Street. Motion made and 2nd that the CHANGE OF HOLDER OF INFLAMMABLE LICENSE be APPROVED, AS AMENDED with the amendment as follows: 1. That any existing conditions shall apply to the new license holder, all in favor, 9-0.
Presented to the Mayor: January 5, 2018 s/Scott D. Galvin January 5, 2018

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Petition for renewal of Second Class Motor Vehicle Sales License by Murray's Enterprises, Inc. dba Murray's Auto & Truck Sales, 88 Winn Street. Motion made and 2nd that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 9-0.

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Petition by NSTAR Electric Company d/b/a Eversource Energy for a grant of right in a public way to allow installation of a new subsurface 345 kilovolt transmission conduit duct bank with appurtenant communication/signal wires beneath Lake Avenue (approximately 1485 linear feet), Pickering Street (approximately 475 linear feet), Border Street (approximately 540 linear feet), Cross Street (approximately 365 linear feet), Washington Street (approximately 2,375 linear feet), and Montvale Avenue (approximately 2090 linear feet). The duct bank is comprised of four (4) eight-inch (8") HDPE conduit and two (2) four-inch (4") and two (2) two-inch (2") PVC conduit. The conduit is encased in thermal duct bank concrete. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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Petition by Unified Construction Group LLC, 29 Draper Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.57b to allow for the overnight parking of petitioner's commercial vehicles

(two (2) box trucks and six (6) cargo vans) at 29 Draper Street. Motion made and 2nd that the MATTER be REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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COMMUNICATIONS AND REPORTS:

A communication dated December 14, 2017 was received from Catherine Dazé, 200 Bedford Road, Apartment 6E, Woburn, Massachusetts 01801 relative to the traffic and pedestrian safety issues at the intersection of Cambridge Street and Bedford Road. Motion made and 2nd that MATTER be RECEIVED AND PLACED ON FILE, all in favor, 9-0.

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UNFINISHED BUSINESS OF PRECEDING MEETING: None.

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APPOINTMENTS AND ELECTIONS: None.

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MOTIONS, ORDERS AND RESOLUTIONS:

From the Traffic Commission:

ORDERED That the 2016 Woburn Traffic Code, as amended, be further amended by amending Schedule 2 Turning and Moving Restrictions by adding the following:

CLINTON STREET – No turn on red westerly at the intersection with Main Street.

Alderman Concannon asked what prompted this Order as there is already a sign in place restricting the turn. Alderman Anderson stated that there is a new traffic control signal at the intersection, and that a right turn on red would make the intersection unsafe. Alderman Campbell stated that the City Engineer indicated the restriction was needed for traffic safety reasons. Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0.

Presented to the Mayor: January 5, 2018 s/Scott D. Galvin January 5, 2018

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From the Traffic Commission:

ORDERED That the 2016 Woburn Traffic Code, as amended, be further amended by adding to Schedule 3 Stop Signs the following:

SACHEM ROAD – Stop sign northeast at the intersection with Samoset Road.

Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0.
Presented to the Mayor: January 5, 2018 s/Scott D. Galvin January 5, 2018

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From the Traffic Commission:

ORDERED That the Traffic Code as set forth in the November 16, 2017 minutes of the Traffic Commission together with any further traffic regulations adopted by the Traffic Commission between October 19, 2017 and December 14, 2017 be adopted as the 2017 Woburn Traffic Code.

Motion made and 2nd that the ORDER be ADOPTED, all in favor, 9-0.
Presented to the Mayor: January 5, 2018 s/Scott D. Galvin January 5, 2018

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Motion made and 2nd to ADJOURN, all in favor, 9-0. Meeting adjourned at 9:46 p.m.

A TRUE RECORD ATTEST:

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