

**CITY OF WOBURN  
APRIL 6, 2021 – 7:00 P.M.  
REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Campbell	Ferullo
Concannon	Gately
Demers	Mercer-Bruen
Dillon	Lannan
Tedesco	

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VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, all in favor 7-2 (Campbell & Dillon absent).

**MAYOR'S COMMUNICATIONS:** None.

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**NEW PETITIONS:**

Petition by TransAction Corporate Shuttles Inc., 5 Wheeling Avenue, Woburn for renewal of Common Carrier License. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO COMMITTEE ON PUBLIC SAFETY AND LICENSES, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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Petition by Joseph Prizio, 96 Pleasant Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, to allow the installation of an in-ground pool within the Groundwater Protection area at 96 Pleasant Street. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor 7-2 (Alderman Campbell & Alderman Dillon Absent).

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Petition by Mass General Brigham Integrated Care, Inc., 399 Revolution Drive, Suite 13E58, Somerville, Massachusetts 02145 for a special permit and site plan review pursuant to 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Section 28.6.1.10 to allow a medical office building for general outpatient and diagnosis containing approximately 60,206 gross floor area; 2. Section 8.3 to allow parking on separate lot within 500 feet of proposed use; 3. Section 8.6.3 to allow exceptions to landscaping requirements for parking facilities in temporary parking lot; 4. Section 28.3 to allow relief to allow height of retaining wall up to nine (9) feet more or less in height; 5. Section 8.7.1.6 to allow reduction in loading space requirements; 6. Section 28.3 to

allow reduced setbacks for bike racks (if applicable), CHP, SG and Transformer; and 7. Approval of all signage as set forth on illustrative Site Plan, all at 2 Hill Street. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, 6-2-1 (Alderman Campbell & Alderman Dillon Absent) (Alderman Mercer-Bruen abstained).

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Petition by Autoworx, Inc., 921 Main Street, Woburn, MA 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1 (44) to allow for auto repair at 921 Main Street. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor 7-2 (Alderman Campbell & Alderman Dillon Absent).

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Petition by Madison Woburn Holding, LLC, 369 Washington Street A/K/A 375 Washington Street (Chick-Fil-A) for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, as follows: 1. To eliminate eleven (11) parking spaces at southern end of Chick-fil-a parcel; 2. Add painted island between drive aisle and drive-thru lane; 3. Add paint to delineate queuing of ten additional cars; 4. Eliminate raise curb island at entrance to drive-thru; 5. Replace and relocate vehicular clearance bar at drive-thru entrance; 6. Relocate sidewalk at rear of building; 7. Widen stacking space between order boards and pickup window to allow two (2) lanes to circumnavigate the building; 8. Modify the island behind the building (Between the drive thru lanes and dumpster pad). 9. Add nine (9) dedicated employee spaces east of the dumpster pad; 10. Remove and replace raised island (and lights with that island) between the drive-up window and the drive aisle on the north side of the building; 11. Modify drive aisle on the north side of the building from two way to one way going east; 12. Replace twenty (20) 90-degree head-in spaces with thirteen (13) angled spaces along northern edge of parcel; 13. Reconfigure brick wall at outdoor seating all at 369 Washington Street A/K/A 375 Washington Street. Motion made and 2<sup>nd</sup> that the MATTER be REFERRED TO PUBLIC HEARING, all in favor 7-2 (Alderman Campbell & Alderman Dillon Absent).

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**PUBLIC HEARINGS:**

On the petition by FRH Realty LLC, An Affiliate of Fairfield Residential, 5 Burlington Woods, Suite 203, Burlington, Massachusetts 01803 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1, 5.3.2, 5.3.44, 8.4.2, 13.4.1, 23.5.5.2(a), 23.5.5.3(a) and (b), 6.1 and Section 12 to allow as follows: 1. Four hundred forty-five (445) residential dwelling units, 2. Accessory pool, 3. Accessory garages for use of residents on the premises, 4. Fence over 3 feet high within street setback, 5. Maximum height of fence to exceed 6 feet, 6. Free-standing sign in front yard setback, 7. Maximum pavement width of driveway increased to dimensions shown on plan, 8.

Private garage larger than 900 s.f. with doors exceeding 8 feet high, 9. Private accessory garage in front yard setback if applicable, 10. Private swimming pool larger than 900 s.f., and 11. Site Plan Approval for four hundred forty-five (445) residential dwelling units, at 316 New Boston Street. PUBLIC HEARING OPENED: A communication was received from Attorney Joseph R. Tarby, III of Rubin and Rudman LLP, Attorneys at Law, 53 State Street, Boston, MA. as follows:

RE: Special Permit Petition of FRH Realty LLC, 316 New Boston Street, Woburn, Massachusetts

Dear Joyce

On behalf of RFH Realty LLC, I respectfully request that the public hearing on this matter scheduled for April 6, 2021 be continued to the City Council meeting schedules for May 4, 2021. 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 2<sup>nd</sup> that the communication be received and made part of the permanent record, all in favor 6-2 (Alderman Campbell & Dillon Absent). Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor 6-2 (Alderman Campbell & Alderman Dillon Absent). PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON MAY 4, 2021 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor 6-2-1 (Alderman Campbell & Dillon Absent).

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On the petition by Woburn (Edens), LLC, 21 Customs House Street, Suite 450, Boston, Massachusetts 02110 pursuant to 1989 Woburn Zoning Ordinances, as amended, Section 30.13.2 for an amendment to special permit and plan approval dated June 13, 2019, modified April 10, 2020, modified December 3, 2020 to allow reconfigured retail and restaurant building pads including rooftop dining and interactive outdoor retail, restaurant and entertainment/special events uses in place of deferred construction of cinema building, parking and circulation modifications, utility modifications and building envelope adjustments at 300 Mishawum Road. PUBLIC HEARING OPENED. A communication dated April 1, 2021 was received from Tina P. Cassidy, Planning Board Director as follows:

RE: Proposed Modifications to plan approval and special permit decision for Woburn Village (Woburn mall Redevelopment) at 300 Mishawum Road / Edens

Dear Council:

The Planning Department organized a virtual meeting between the Petitioner and its representatives and a number of department heads for the purpose of reviewing the above-referenced application. City attendees included members of the Planning, Fire, Public Works, Engineering, and Municipal Inspections Departments.

In large measure, City departments had no issues with the changes proposed by the application:

- The Fire Department was satisfied that emergency vehicle access will be unaffected and took no issue with relocation of one of the fire hydrants. The Petitioner's designers confirmed that adequate provisions will be incorporated into the building designs to ensure emergency medical personnel have adequate access for all calls, including those requiring the use of stretchers.
- The Engineering Department had no recommended revisions, and noted that it did not foresee traffic-related issues arising from the proposed plan changes/site programming amendments. Planning staff notes the Petition included a March 9, 2021 memorandum from MDM Transportation Consultants, Inc., on the subject of traffic. Planning staff defers to the Engineering Department with respect to this document.
- The Public Works Department confirmed it took no issues with the plan amendments, particularly given that the Fire Department was unconcerned about relocation of the hydrant.
- The Municipal Inspections Department met with the Petitioners previously, on numerous occasions, and as a result most of its issues had already been addressed. It did list two remaining concerns: The location/method of disposal of ice shavings if/when the open assembly area is used as a skating rink, and the need to ensure the planned refuse area for Building "Retail C2" complies with access/egress requirements, given its proximity to an access door to the building. Lastly, the Department noted it frequently observes customers of the various retail stores on site using fire lanes for the curbside pickup of purchased merchandise. The Department asked the Petitioner to consider the growing problem and find ways to address it.

The Planning Department expressed concern on two matters. First, it is important to ensure the plan revisions comply with the design guidelines that were adopted as part of the 40R District. To this point, the Petitioners prepared a summary of the various design guidelines and the ways in which the revised plans are consistent with them. A copy of the summary/analysis is attached for the Council's information. It appears the revised plans now before the Council are in fact consistent with the adopted guidelines for the District.

Second, the Planning Department wishes to express significant concern about the impacts the proposed plan changes/ site programming amendments will have on the supply of on-site parking. Finding parking on site can be challenging now, even with some retail spaces still under construction and with most of the construction vehicles parked off site during the work day. The requested plan revisions will result in a net loss of approximately 60 parking spaces, mostly by virtue of the fact that the parking garage that was to be built under the cinema will not in fact be constructed. At the same time, other plan and

programming changes will add to the demand for on-site parking. Among them are converting seasonal outdoor patio dining space to year-round enclosed dining which will add hundreds of restaurant seats to the site; adding a "beer garden"; authorizing special events of regional interest such as craft fairs at a much larger scale than expected with the original plan; and introducing seasonal/temporary attractions such as skating rinks and additional transient retail vendors.

It is of course true that deferring or eliminating construction of the cinema will mean the parking spaces that would have been occupied by movie goers will instead be available to patrons of the uses and activities mentioned above. It will not likely offset the additional parking demand resulting from these changes, in the Planning Department's opinion.

Respectfully,

Tina P. Cassidy, Planning Board Director

Motion made and 2<sup>nd</sup> that all communications be received and made part of the record, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). Appearing for the petitioner was Attorney Mark Vaughan, Riemer and Braunstein LLP, 7 District Avenue #800, Burlington, Massachusetts 01803 and he stated that a special permit was granted back in 2019, that most of the work is completed, that the property owner is asking to defer the cinema building and seeks approval for outdoor space. The cinema business was hit very hard during the pandemic. Eden is very interested in making an outdoor space, they are not looking to give up the right for a cinema but it will be smaller and the land will not be left vacant. Robert Michard, Principal MGM Transportation Consultant stated that having the green space will be less traffic and will improve parking with more spaces. Currently the area is still an active construction site but when it is done it will be an improvement. In the previous special permit there was a condition that a parking assessment be done before an occupancy permit is issued., that having the recreation use there will be more parking spaces than if the cinema was built added surplus, that there will be a lower traffic impact, that the park area will get people who are already on the site shopping. Saturdays will have a reduction in traffic where a cinema would generate more vehicles. This is a well thought project for the site giving them more flexibility. Brad Dumont, Eden Managing Director stated that being a retail operator has been a challenging year. Eden believes that this project will be an upgrade to the area. (Power Point showing the site and changes). Eden is trying to limit the construction, that what you see today is before the accessories are added the "Jewelry" once weather gets better. Currently HomeSense, TJ Max and HomeGoods are all open and doing very well even with the pandemic. Additional tenants are open Shake Shack, Salad Works & Panera. There will be two new restaurants in the green area Surf and Tavern on the Square aka Broadway. There will be lights strung across the green area, a stage for local bands to play, a screen to show movies on warm nights, corn hole, fire pits and they are looking at a skating rink in the winter with skate rentals an area where families can enjoy between shopping. It will be multi uses. We do not plan to build in the green space unless we come back before the City Council. If anything was to be built on the lot a parking structure would also have to be built. The only thing changing is the cinema block. Steve Mariano, Bohler Engineering stated that the zoning details for original special

permit was 14 spaces above zoning, that the new green space concept will now be building C1&C2, that the beer garden popup space will be seasonal use, that the parking spaces went down from 1509 spaces to 1363 spaces giving 92 extra space with the new concept, the parking was 3.9 parking space per 1000 now it will be 4.3 parking spaces per 1000. Alderman Mercer-Bruen agreed that they delivered what they said they would, beautiful landscaping, the plan looks great, that there is plenty of parking that may not be accessible. Pop-ups are new and exciting but we do not have control over them. Do any of the current tenants have reserved parking spaces? Keith Hague, Vice President for Construction and Development at Eden stated that there is about 3000 sf for pop-ups, 4000sf for the Beer Garden, a zone for about 4 pop-up buildings about 200 s.f. each with 2 larger ones for a skate shop rental or hot chocolate stand. Most things will be geared around movie nights or stage shows, family type events. No hosting events. The area is not meant to have a ton of people enough to be able to sit by a fire pit, watch children skating etc. TJ Max have a pickup area so that people are not parking in the fire lanes, Shake Shack has a drive up area for pick up and Lock & keys have a reserved area for pick up. Alderman Gately stated that when this project started the Cinema was going to help with the traffic, that is why it is important that it does not change the scope of the project, that it is sad to see the cinema being changed it was a big selling point, that its disappointing that it didn't work out, that I don't want a plan to come back to the council in the future that something else will go in there. Attorney Mark Vaugh stated that the events of the past year had added to the changes but hopefully it will come back. This is an interim use to make the area look good. Alderman Mercer-Bruen stated that it should make a very nice addition to everyone who will be living there, that there is something for everyone. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON April 20, 2021 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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On the petition by Skewers Catering Inc., 150F New Boston Street, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.29 to allow fast food take-out service at 150F New Boston Street. PUBLIC HEARING OPENED. A communication dated April 1, 2021 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

RE: Planning Department comments on special permit application for 150F New Boston Street / Skewers Catering Inc.

Dear Council:

The Planning Department has reviewed the above-referenced Special Permit application which requests permission to operate a fast food restaurant at the above-referenced location pursuant to Section 5.1(29) of the Woburn Zoning Ordinance (WZO). The Petitioner's business currently operates as a light manufacturing (catering) use only in an

Industrial Park (I-P) zoning district. The proposed additional fast food restaurant use is permitted by City Council Special Permit in the I-P district.

Fundamentally, the application lacks a required site plan which precludes comprehensive review of and comment on the Petition. The omission also fails to satisfy the requirements of Sections 12.4 and 12.5 (Site Plan Review application procedures and plan contents). The Council should require the Petitioner to submit an engineer-certified site plan meeting all plan content requirements, prior to further consideration of this Petition.

Planning staff reviewed the application and architect-certified floor plan (dated 8/1/2019) jointly with the Building Commissioner and offers the following observations and comments:

- The proposed use requires both a special permit in accordance with Section 5.1(29) of the WZO as well as Site Plan Review in accordance with Section 12 (see Notes to Section 5.1, Table of Use Regulations). As noted above, the application references the required special permit but does not specifically request site plan review/approval, which is required.
- The Petitioner must provide all information necessary for the Building Commissioner to determine whether this application is considered a “substantial alteration or improvement” pursuant to Section 18.4.4(3). If it is so determined, the Petition will be subject to Section 18 of the WZO (Development Impact Assessment and Mitigation). The Council require the Petitioner to seek clarification from the Building Commissioner on this point as soon as possible; if Section 18 indeed applies, the Petitioner will need to submit a Development Impact Statement for review as soon as possible.
- Unless authorized by a subsequent Special Permit, the hours of operation of this establishment must fall within the parameters of 6:00 a.m. to 11:00 p.m. in accordance with Note 16 to Section 5.1, Table of Use Regulations. The Petitioner should clarify the intended hours of operation for the proposed fast food restaurant segment of its business to ensure consistency with this WZO provision.
- The issue of trash storage and its regular pickup seems particularly important given that food may compose a significant portion of trash from the Petitioner’s business. The application indicates, via inclusion of a picture, that there is a Dumpster on the property that may be used for refuse purposes. However, it is not clear whether the Dumpster is adequately sized for additional fast food restaurant operations, especially if it will be shared by other businesses on the property. The yet-to-be-submitted site plan should identify the location of the Dumpster that will be used by this business, and the Petitioner should be required to provide more information relative to it. Will the Dumpster be for Skewers’ exclusive use or will it be shared with other building tenants? If shared, does it have adequate capacity for the additional food refuse that may be generated, and

is the frequency of Dumpster servicing adequate for the expanded food-related use?

- The Petition provides a picture of the existing loading area adjacent to the business entrance (via a driveway facing New Boston Street). The Petitioner should clarify the logistics for loading/unloading food items via a submitted site plan to ascertain the level of pedestrian and vehicular (truck) safety. Information on existing and expected truck traffic related to deliveries to and from the site should also be provided.
- The Petition provides a picture indicating that off-street parking is provided on the premises, but it is unclear whether there are a sufficient number of parking spaces available to service a new fast food use (e.g. conformance with the parking requirements of the WZO). The yet-to-be-submitted site plan should include both a table of zoning requirements and a detailed table of off-street parking requirements and provisions, so that conformance with the WZO can be ascertained prior to any Decision on the application.

The Planning Department would be happy to review a site plan and offer (more) specific comments on the Petition if the Council requests it.

Respectfully, Dan Orr, City Planner/Grant Writer

Motion made and 2<sup>nd</sup> that the application for Skewers Catering Inc. be amended to include a site plan review, all in favor 7-2 (Alderman Campbell & Alderman Dillon Absent). Motion made and 2<sup>nd</sup> that all communication be received and made part of the record, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). Appearing are the petitioner Ann and Pantlis Karakatsanis stated that they are a catering company that people come to pick-up and take out, that there are six people working including themselves, that they are closed on weekend but are at the location preparing catering orders with no takeout, that the hours of operation are 11:00 a.m. to 8:00 p.m. with no weekends, that parking is not an issue that no one will be at the location for any length of time just to pick-up we use Uber eats and grub hub to deliver residential but most of our orders are catering that we deliver. Alderman Gately ask how long the business has been at this location and has it always been a catering Company. Ann Karakatsanis state that they have been open for one year September, that the business has been a catering, that the trash is picked up weekly and the loading dock is use for deliveries that is stored in the excess store area in boxes. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the SPECIAL PERMITS be GRANTED as Amended with the condition that the hours of operation are 11:00 am to 8:00 pm Monday thru Sunday, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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On the petition by Woburn APNA Bazar Incorporated, 4 Held Circle, Medford, Massachusetts 02155 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 5.1.69 and 7.3 to amend a special permit dated January 12, 2011, modified June 9, 2016 to allow for alteration of pre-existing non-conforming use and structure containing approximately 53,326 square feet of gross floor area to allow for 1. Retail store in Unit 2 consisting of approximately 14,440 square feet of net floor area, and 2. Provide for 232 parking spaces as shown on plan on file, at 335 Washington Street. PUBLIC HEARING OPENED. A communication dated March 31, 2021 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Planning Department comments on special permit application for 335 Washington Street/Woburn APNA Bazar Incorporated

Dear Council:

The Planning Department has reviewed the above-referenced petition submitted by Woburn APNA. Bazar, Inc., which requests special permits and approval of a modification to a previous Special Permit Plan of Record to allow a 14,440 sq. ft. ethnic food market (Unit #2). The Petition specifically requests special permits pursuant to Sections 5.1 (69) and 7.3 (extension or alteration of a non-conforming uses) of the Woburn Zoning Ordinances (WZO). The subject address is located in an Office Park (O-P) zoning district, which allows the proposed use by City Council special permit.

Planning staff reviewed the application and surveyor-certified site plan (dated 2/3/2021) jointly with the Building Commissioner and offers the following observations and comments:

- Fundamentally, the applicant must provide more information regarding the nature of the pre-existing, non-conforming use referenced in the Petition. Retail establishments are not permitted in an OP Zoning District, and while Planning staff is aware that a special permit for a retail use was granted for this floor space back in 2011, that 2011 special permit never in fact resulted in occupancy of the space by a retailer. It is therefore the stance of the Building Commissioner that the applicant must provide documentation proving that there was in fact a pre-existing, non-conforming retail use of this space and that the retail use was in continuous operation since the granting of the 2011 special permit. Otherwise, this retail use cannot be permitted in this location.
- No exterior modifications have been identified on the Site Plan or the Petition, although the Council should request that the Petitioner specify any/all other site plan modifications that have been made to the proposed site plan (other than tenancy) for comparison to the Plan of Record approved as part of a prior modification and dated April 11, 2016.
- The site plan indicates 168 parking spaces are required onsite to accommodate both the existing Staples business and proposed food market in accordance with Section 8

of the WZO (“Off-street Parking and Loading Facilities Regulations”), whereas 232 spaces are provided. This number is consistent with the Plan of Record. The Council should be aware that the number of parking spaces required for the current building tenancies will leave 64 parking spaces to service future tenant(s) of the remaining vacant retail space.

- The parking calculations do not include any reference to accessible parking spaces available onsite in accordance with ADA/Architectural Access Board (AAB) regulations. The calculations should be revised to note the number and location of such spaces. In addition, the Petitioner should clarify whether it is planning to install shopping cart corrals in any portion of the parking lot. If so, the site plan should be revised to reflect the location(s) of any planned shopping cart corrals, and the parking space count revised if/as needed.
- After the special permit application was filed, the Petitioner’s attorney subsequently provided a floor plan to the Planning Department (dated 1/21/21 and attached for reference) for the proposed new tenant, which staff verified aligns with the parking calculations table incorporated into the submitted site plan. This floor plan should be stamped and signed by a registered architect and submitted to the Council for formal inclusion in the record/ adoption as part of the Plan of Record.
- The submitted site plan does not identify snow storage areas, which should be added to a revised version of the proposed site plan for review and approval by the Council, with a copy provided the Inspectional Services Department (if the special permit is granted).
- Given the food-related waste that will originate from the new tenant, the Council should require the Petitioner to clarify the logistics of refuse storage and removal. Staff notes the location of one Dumpster on site (at the rear of the Staples store), but it is unclear whether that Dumpster will be available to the proposed tenant for its use. If it is to be shared with other establishments, does it have sufficient capacity for additional refuse storage?
- The Petitioner has submitted a Transportation Impact Assessment as part of the application package for the Council’s consideration. Planning staff defers to the Engineering Department for comment on this information.
- The Council should ask the Petitioner to explain the method and timing of product deliveries to the proposed food market. Will products be delivered from the parking lot to the front door, via sidewalks/walkways using hand carts? At what times of day will deliveries be made to the store? Will the deliveries be made while other businesses on site are open for business? Will this market also offer delivery of groceries to customers? If so, how will they be delivered? Is the Petitioner planning to store delivery vehicles on the site? If so, an additional special permit would be needed.

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

- That the Petitioner be required to file modified Plans of Record with the Inspectional Services Department, which Plans of Record should clearly identify any on-site snow storage areas approved by the City Council. If off-site disposal of snow is proposed, a snow management plan must be filed with the Inspectional Services Department;
- That the Petitioner be required to file a Pest Management Plan, with copies provided to the Inspectional Services Department and Board of Health;
- That, consistent with Condition #3 imposed by the Council's special permit decision dated June 9, 2016, the hours of operation shall be limited to 9:00 am – 9:00 pm, Monday through Saturday, and 10:00 am to 6:00 pm on Sundays; and
- That any signage modifications made to the property are subject to the provisions of Section 13 (Sign Regulations) of the WZO and filing of separate applications thereunder.

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

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

Motion made and 2<sup>nd</sup> that all communication received and made part of the record, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). Appearing for the petitioner was Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the special permit is to allow a retail store, Ethnic Food Market, with 14,440 s.f. of net floor area and 232 parking spaces. Shopping centers are not allowed in OP zoning. A little history the building was built in 1961 as office and warehouse use. A special permit was issue in 1986 to allow staples and in 1992 to allow CompUSA. In 2003 zoning was amended adding sec. 5.1.27 business services and business sales establishments. The use had changed to retail by changing the use that made Staples non-conforming in the OP zone, that a shopping center not allowed. The building was built in 1961 for office & warehouse use, the permit to staple in 1992 and to CompUSA in 11/2003 amending 5.1.27. The use had changed to retail which makes staples a non-conforming use. A special permit was granted for auto parts sale in unit 3 for the use of 7000 s.f. net floor area & the overnight parking of (4) four commercial vehicles. This the building that CompUSA vacated four years' prior. In June 2016 a special permit was granted to Blubs & Lamps to operate a light store but when out of business before it opened. The India Ethnic Food store will have quality food, that the store will use 14,440 s.f. for retail, 2133 s.f for storage and 503 s.f. for office space with 168 parking spots. The hours of operation will be 9:00 a.m. to 9:00 p.m. Monday – Sunday with 2 parking spaces being designated for pickup. The area has been totally updated with landscaping, paving, granite curbing, new lighting and upgrades to the storm water management. The City Engineer is working on the mitigation of \$10,000.00 for repairs of signals at Washington Street and Salem Street.

Scott Thornton, Vanesse and Associates stated that there is no purposed change to the access of driveways, that the replacement of signal at Salem St and Washington Street that we have been working with the City Engineer, that we have looked at 5 intersections for traffic flow, volume and safety concerns. We used a supermarket use in our study, that the evening 85 trips ½ in ½ out, Saturday 96 trips ½ in ½ out, that there have been no reported crashes at the entrance of the site with the exiting site there is about a 1 to 2 minutes' delay but the is in the parking lot. Alderman Mercer-Bruen stated that this site is under no definition a shopping center. Motion made and 2<sup>nd</sup> that a communication be sent to the City Solicitor requesting an opinion on the non-conformity relative to the Woburn APNA Bazar Incorporated petition, all in favor 7-2 (Alderman Campbell & Alderman Dillon Absent). That trying to cross 4 lanes of traffic to make a left turn is very difficult, that will cause a backup in the parking lot, which happens now this is still a problem, that the \$10,000 in mitigation will not make a dent in the issues. I have seen accidents where I travel that road every day. Supermarkets generate a lot of traffic, that the engineer said that they used a supermarket as there use even if a smaller retail area. With a possibility of making the exit a right turn only by putting in some kind of permanent structure, that a lot of pedestrians cross in that area maybe a light could be put in. Alderman Gately stated that we know the area well, the owner has gone in renovated the entire lot that looks good. I don't think it's a bad thing, that we need to look at it in committee. That is one space that needs to be filled. Alderman Concannon state that Washington Street is the worst street in Woburn. Taking a left hand turn is ill advised. Motion made and 2<sup>nd</sup> that a communication be sent to City Engineer, Jay Corey to supply the Council with his opinion on the required traffic mitigation and his review of the traffic numbers and only if he is available to attend the next City Council meeting to discuss this matter further, all in favor 7-2 (Alderman Campbell & Alderman Dillon Absent). Attorney Tarby stated the per the zoning ordinance defines shopping center complex of retail stores, service establishments and other consumer oriented commercial facilities usually attached, located on one or more contiguous lots under common management and sharing parking and other facilities. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). PUBLIC COMMENTS: Attorney Greg Demark Ashby Inc. stated that his client Mr. Patel has entered into a lease at 6 Cummings Park to operate an Indian Grocery store. That their position this is not a valid non-conforming use. According to the 1985 zoning a retail sale establishments was not a permitted use. Because no business has operated on that site prior to the 1985 zoning adoption, which prohibits the use. In 1992 a letter was sent from the city council to the building commissioner that line 27 should not mean or permit retail sales. On November 1992 a note was added to line 27 to clarify, so the zoning never included retail sales. Any other unauthorized use can be defined. In 2016 a special permit was issued to Blubs and Lamps that was incorrectly issued. Staple and CompUSA serviced other business which was allowed which does service other business which eventually involved retail sales. The ordinance never allowed retail in that area. Staples and CompUSA involved to retail sales is not a bases for the continuation of the property. This use is barred by the zoning ordinance.

Motion made and 2<sup>nd</sup> that a communication be sent to City Engineer, Jay Corey to supply the Council with his opinion on the required traffic mitigation and his review of the

traffic numbers and if he would be available to attend the next City Council meeting to discuss this matter further, all in favor 7-2 (Alderman Campbell & Alderman Dillon Absent).

Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON May 4, 2021 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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On the petition by Crossroads Properties, LLC, c/o Cummings Properties, LLC, 200 West Cummings Park, Woburn, Massachusetts 01801 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Sections 7.3 and 12.2.4 to allow construction of a two-story, 12,375 gross square foot addition to existing two-story pre-existing non-conforming structure at 299 Washington Street. PUBLIC HEARING OPENED: A communication dated April 1, 2021 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

RE: Planning Department comments on special permit modification for 299 Washington Street / Crossroads Properties, LLC

The Planning Department has completed its review of the petition filed pursuant to Section 12.2.4 and Section 7.3 of the Woburn Zoning Ordinance (WZO) for Site Plan Review and for the extension or alteration of a pre-existing, non-conforming structure, respectively. The subject property currently hosts a two-story, 43,699 s.f. office building in an Industrial-General (I-G) District, and the Petitioner proposes to add an additional 12,375 s.f. of floor area.

Planning staff reviewed the application and surveyor-certified site plan (dated 2/12/2021) jointly with the Building Commissioner and offers the following observations and comments:

- The floor plans submitted with the application do not delineate the current floor areas for the uses on the site, which include office, light manufacturing, storage, restaurant, and researching/testing laboratory spaces, as indicated on Sheet C-1 of the site plan. The floor plans should be revised to incorporate this information.

The Petitioner proposes to reduce the number of available parking spaces onsite by fourteen (14), from the existing 149 spaces to 135 spaces. This is one (1) space more than the number of spaces needed for the current tenants/floor uses (134). Moreover, the current tenants/floor uses include three vacant suites, one of which has been reclassified as storage. In sum, the parking supply appears to meet the zoning requirements for the proposed building additions, but the parking supply could instantly become non-conforming with a change in tenancy or a change in floor use.

- The existing parking spaces and interior driveway aisles in the parking lot are not dimensioned on the site plan. This information should be incorporated on a modified version of the site plan for the record.
- Due to the scope of the proposed building addition, this Petition will be subject to the provisions of Section 18 of the WZO (“Mitigation”). Accordingly, the applicant has submitted a Development Impact Statement (DIS) addressing traffic, utilities and drainage. Planning staff defers to Engineering Department staff relative to providing comments on the DIS
- The Petitioner should confirm for the record whether existing utilities on the site will be used to service the expanded building floor area or whether new utility lines will be brought into the site from an adjacent street. Clarification should also be provided as to how the additional space will be provided with utilities such as water, sewer, and fire suppression.
- The proposed building and lot will continue to meet setback, frontage, and maximum building height requirements. The building ground coverage percentage will increase and the amount of landscaped usable open space will decrease with this project but the site will continue to meet required thresholds for both dimensions.
- Pursuant to Section 12.5.4 (“Site Plan Review”) of the WZO, the site plan does not depict exterior location(s) of refuse storage (i.e., a Dumpster) or otherwise explain the planned provisions for refuse removal. The site plan also fails to note the existing and proposed contour lines of the property in two-foot increments. Both pieces of information should be included on a modified version of the site plan.
- There are a couple of items/site plan symbols located within the right-of-way that are not identified in the plan legend and the Petitioner should revise the legend to incorporate/explain them.
- The site plan does not contain any reference to the location(s) designated for snow storage. The Petitioner should confirm the method of snow removal from the parking lot area (onsite or offsite). If the snow is to be stored on site, the site plan should be modified to depict the area(s) so they can be evaluated for adequacy by the Engineering Department prior to the Council’s decision on the Petition and included on any Plan of Record. If the snow is to be removed from the site instead, a snow management plan should be submitted to the City Council for review and acceptability.

If the Council ultimately votes to grant the Special Permit requests, the Planning Department recommends imposing the following as conditions of approval:

1. That the Petitioner be required to file the approved Plan of Record with the Inspectional Services Department, which Plan of Record should clearly identify any on-site snow storage areas approved by the City Council. If the Plan of

Record does not show on-site snow storage areas, or if off-site disposal of snow is proposed, a snow management plan must be filed with the Inspectional Services Department;

2. That any change in the property's use or tenancy must result in the applicant's filing of a revised parking plan before the City Council to verify the parking sufficiency;
3. That, other than the proposed reduction in landscaped usable open space, the landscaping plan should otherwise conform to that of the original special permit, unless otherwise modified by the City Council;
4. That any signage modifications made to the property are subject to the provisions of Section 13 (Sign Regulations) of the WZO; and
5. That all other conditions of all prior Special Permit decisions shall remain in full force and effect to the extent still applicable or unless modified by this decision.

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

Respectfully, Dan Orr, City Planner/Grant Writer

Appearing for the petitioner was Michael Aveni, Senior Project Architect, Cummings Properties, LLC and he stated that they are looking to construct an addition 12,375 s.f. on the north side adjacent to Forbes Road, that the building is on a corner lot with access to Forbes Road, Cedar Street and Washington Street. The building is currently occupied by two (2) life science businesses that are looking to expand in place, part of the 2 story addition will be built over an existing roof structure about 5000 s.f on the ground with 3000 s.f on the roof. The full service restaurant has given up their lease so we abandoned the restaurant use, that it will be repurpose for the life science expansion and it will give up a surplus of parking spaces. This property use to be a sausage company so it will not have any utilities issues. There would be more peak trips in the a.m. due to employees, that there would be no environmental impact, that it is a pre-existing non-conforming front set back in the front parking lot. Alderman Mercer-Bruen stated that she agreed it will have little less impact, that tenant parking needs to be corrected that could be in flex. The restaurant being abandoned to take the parking spaces might be a condition. Motion made and 2<sup>nd</sup> that a communication be sent to Jay Corey, City Engineer and Jay Duran, DPW Superintendent and Tom Quinn, Building Commissioner that they get back to the City Council before the April 20, 2021 meeting with comments, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). Alderman Gately stated that the building looks good and a good use for the location, granite curbs. Alderman Concannon state that he has no issues that it is a nice petition, that the entrance is in & out with a no right turn heading out of the property on Washington Street, that could there be a way that all the traffic entering the location be on and off Cedar Street and Forbes Road, that it will be worth looking into. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be

CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL On April 20, 2021 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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On the petition by Landmark News Group Inc. dba Wicked Bagel Woburn, 171 Mass Avenue, Lexington, Massachusetts 02420 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.1.29 to allow a fast food restaurant at 345 Washington Street aka 8 Cummings Park. PUBLIC HEARING OPENED. A communication dated March 2, 2021 was received from Dan Orr, City Planner/Grant Writer, Woburn Planning Board as follows:

Re: Planning Department comments on special permit application for 8 Cummings Park Drive (Unit 4)/Landmark News Group, Inc. (d/b/a Wicked Bagel Woburn)

Dear Council:

The Planning Department has reviewed the above-referenced Special Permit application which requests permission to operate a fast food restaurant in accordance with Section 5.1(29) of the Woburn Zoning Ordinances (WZO) at the above-referenced location, which is a use permitted only by City Council Special Permit in an Office Park (O-P) zoning district. The subject location most recently housed a fitness studio (Centre Yoga). Planning staff reviewed the application, including floor plan (dated 4/9/2019), jointly with the Building Commissioner and offers the following observations and comments:

- The proposed use requires both a special permit in accordance with Section 5.1(29) of the Zoning Ordinance as well as Site Plan Review in accordance with Section 12 (see Notes to Section 5.1, Table of Use Regulations). As noted above, the application references the required special permit for a fast food restaurant but does not specifically request site plan review/approval.
- Fundamentally, the application lacks a required site plan, which precludes comprehensive review and comment with regard to satisfying Sections 12.4 and 12.5 of the WZO (Site Plan Review application procedures and plan contents). The Council should require the Petitioner to submit an engineer-certified site plan satisfying all site plan review and special permit requirements prior to further action on this Petition.
- The Petitioner has submitted a “generic lease” floor plan with the Petition and indicates that the restaurant’s layout will be similar to that of the prior tenant. However, the Council should require the Petitioner to submit a new, architect-certified floor plan indicating the actual proposed layout for the proposed new restaurant. The “LSF” should be determined prior to submitting the revised floor plan, rather than deferring confirmation of leasable area until after Council action.



- The Petitioner must submit information needed to determine whether this application is subject to Section 18 of the WZO” (Development Impact Assessment and Mitigation”). The information originally submitted with the Petition is not sufficient to make such determination.
- The Petition indicates that there are 900 parking spaces available on the premises serving three (3) office buildings, but there is not enough information to confirm that the number of existing parking spaces is sufficient to accommodate the proposed new business use. An engineer certified-site plan, identifying the location of the proposed tenancy within the existing building and including comprehensive parking calculations (indicated by use and floor area), must be provided in order to verify the proposed off-street parking arrangement on the site meets the zoning requirements.
- Unless authorized by a subsequent Special Permit, the hours of operation of this establishment must fall within the parameters of 6:00 a.m. to 11:00 p.m. in accordance with Note 16 to Section 5.1, Table of Use Regulations. The Petitioner should clarify the intended hours of operation of its business.
- The Petition provides no information with respect to trash storage and servicing. Refuse removal is of particular importance given that food may comprise a portion of this business’s waste. An engineer-certified site plan must indicate the exact location of the refuse container for this restaurant (pursuant to 12.5.4[11] of the WZO) and the container should be of sufficient size to handle the expected volume of refuse, particularly important if the container is shared with other food-related businesses on the property. The Petitioner should also provide the Council with information relative to how frequently the trash containers are emptied.
- The Petition makes written reference to providing a direct loading area for the business via a raised platform, but this feature must be depicted on a revised site plan to adequately consider incoming/outgoing delivery logistics, circulation, and volume, pursuant to Section 12.5.4(10) of the WZO. The Petitioner must submit documentation that the loading bays are legally established as a pre-existing, non-conforming feature to permit their continued use (because the Zoning Ordinance now prohibits loading docks that are visible from a street, the Petitioner is prohibited from installing any new loading bays). In addition, questions relative to the method and anticipated timing of product deliveries should be addressed by the Petitioner.
- The Petitioner should verify that the property landlord has a snow management plan that incorporates/services the proposed tenant’s space, for the record.

If the Council ultimately votes to grant the Special Permit request, the Planning Department recommends imposing the following as conditions of approval:

1. That the Petitioner be required to file all forthcoming and accepted site plans with the Inspectional Services Department; and

2. That any signage modifications made to the property are subject to the provisions of Section 13 (Sign Regulations) of the WZO.

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

Motion made and 2<sup>nd</sup> that all communication be received and made part of the record, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). Appearing for the petitioner was Jack & Maria Mahoney and he stated that they are lifelong residents of Woburn, that they are looking to open a second business like the one in Lexington, that all products are made on site, to go items, that we hope to service the tenants in the Cummings Park area businesses, that we use Grub hub, uber and door dash for deliveries, that most of our business is in the middle of the day 10% of our business and 90% of our business is walk in. The dumpster in front is contained, that the landscaping and up keep is done by the owners, that deliveries are made between 5:00 am and 7:00 am. Alderman Mercer Bruen stated that the site is very small, that plans are needed. Jack Mahoney stated that there will be glass petitions so you will be able to see everything being made on site. The hours of operation will be 6:00 a.m. to 3:00 p.m. Monday to Sunday, that there will be no drive-thru, the trash will be picked up one time per week by Waste Management. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). PUBLIC COMMENTS: Michael Aveni, 200 West Cummings Park, Woburn, MA stated that the location is 90% pass thru traffic, that Cummings takes care of the rodent issues outside and the tenant is responsible for the inside, that new lighting and sidewalks were put in during the reconstruction of Washington Street and we are also looking to have the state put a cross walk. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING be CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON April 20, 2021 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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**UNFINISHED BUSINESS OF PRECEDING MEETING:**

On the proposed Order to amend the 1989 Woburn Municipal Code, as amended by deleting from Title 5, Businesses and Regulations, Article XIV Sunday Sales, Section 5-83 Licenses for Necessary Work on Sunday, and inserting in its place Article XIV Innkeepers, Section 5-83 Guest Registration. Motion made and 2<sup>nd</sup> to take the matter from the table, all in favor, 6-2 Alderman Campbell & Alderman Dillon Absent). Motion made and 2<sup>nd</sup> that the ORDER be ADOPTED, all in favor, 6-2 (Alderman Campbell & Alderman Dillon Absent).

**Presented to the Mayor: April 8, 2021**

**s/Scott D. Galvin**

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On the petition by True World Foods Boston LLC, 242 Salem Street, Woburn, Massachusetts 01801 for a Minor Modification to Landowner's Decision and Notice of Special Permit dated December 28, 2020 by replacing the Site Plan of record referenced in the Decision with the plan filed with this request entitled "Site Layout Plan" Sheet C-1 dated November 5, 2020 as revised on March 10, 2021, Sheet V-101 dated March 4, 2021 and Sheet D-1 dated November 5, 2020 as revised on March 10, 2021, prepared by Allen & Major Associated Inc., 100 Commerce Way, Woburn, MA 01801 (the "Revised Plan"). Motion made and 2<sup>nd</sup> to take the matter from the table, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). Motion made and 2<sup>nd</sup> that all communication received and made part of the record, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). Appearing was Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 and he stated that the first plan with the special permit was to eliminate the stairs on left side of building and add a 12x12 loading dock then we came back a couple of weeks later with another plan with the elimination of the stairs and replacing the 12x12 loading dock with a 24x12 loading dock, that after a site review with Alderman Mercer-Bruen and Building Commissioner Quinn there were concerns on the 24x12 loading dock on the side setback and whether or not it met the building code, so at this we took the original plan that showed the elimination of stairs with the 12x12 dock, the relocation of the dumpster from the back of the building to the side of the building then there was an issue with the dumpster flush against the building so Allen and Major designed a plan for the truck to back up on the right side of the building and remove the compactor. The compactor will be removed and replaced once a week. The plan before you to relocation of the compactor and the two parking spaces this is something that needs to get done so that they can open their business. We know there is an issue with the loading dock. Alderman Mercer Bruen stated that there are concerns and we not should be moving forward till the concerns get addressed. Two opinions one would be to eliminate the 12x12 loading dock and submit a new set of plans or we can sit on this till we get a new set of plans that the building commissioner approves. I don't think the plan should be approved as is. Attorney Tarby stated that there if the Commissioner has an issue with the dock we will address that but to they need to get their business open. Kent Trabin, Director of Real Estate for True World Group, we are ok with the original special permit, we purchased the building with the special permit that was issued, that we would like a third dock but if the commission has issues we will deal with that. Attorney Tarby stated that we will send a communication to the City Clerk's office indicating we will not use the third dock until approved by the building commissioner and that this will be a condition of the modification of special permit. Motion made and 2<sup>nd</sup> that the MINOR MODIFICATION be APPROVED as AMENDED, that Attorney Tarby will submit a letter to the City Clerk's Office stating the third dock will not be use until approved by the building commissioner and with the condition that all conditions of any previous special permit shall remain in full force and effect unless modified herein, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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**COMMITTEE REPORTS:** None.

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**CITIZEN’S PARTICIPATION:** None.

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**COMMUNICATIONS AND REPORTS:**

A communication dated March 17, 2021 was received from Woburn City Clerk William C. Campbell as follows:

Re: Office of the City Clerk

Dear President Tedesco:

This will confirm that due to my appointment as Director of the Massachusetts Office of Campaign and Political Finance, I am hereby submitting my resignation as Woburn City Clerk effective on April 12, 2021 at 9:00 a.m.

I thank you, the Aldermen and all of your predecessors on the City Council for the opportunity to have served the City of Woburn in this unique capacity. It has been an honor to hold the oldest continuous office in our municipal government, to have had the responsibility of maintaining the ancient records of our community, to establish processes so our citizens could freely participate in the democratic process and exercise their right to vote, and to assist the public in their varied dealings with our city government.

Although I look forward to the new challenges ahead, I will always cherish my time working with you, all of the Aldermen, the Mayors, the department heads and staff, and serving the public who had business with the city each day.

Respectfully submitted, s/William C. Campbell, City Clerk

Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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A copy communication dated March 30, 2021 to the Massachusetts Land Court was received from Attorney Austin P. Anderson, Anderson and Kreiger, 50 Milk Street, 21<sup>st</sup> Floor, Boston, Massachusetts 02019 and attached thereto was a Stipulation of Dismissal in the matter of Town of Winchester v. Woburn City Council, et. al., Land Court Department Civil Action No. 21-MISC-000007 (JSDR). Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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A communication dated April 1, 2021 was received from Thomas C. Quinn, Jr., Building Commissioner as follows:

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

Dear Members of the Council:

With regard to the above referenced section of the Woburn Municipal Code, I submit the following quarterly nuisance report for the period January 1, 2021 thru March 31, 2021.

8 Russell Court matter with City Council  
14 Hilltop Parkway property has been listed for sale  
31 Elm Street matter with City Council

As always if you have any questions do not hesitate to contact me.

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

Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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A communication was received from Charlotte Barrows, 28 Albany Street, Woburn stating her concerns regarding the development of the former Kraft plant. Motion made and 2<sup>nd</sup> that the MATTER be RECEIVED AND PLACED ON FILE, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

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RESOLVED                      Whereas, autism spectrum disorder is known to be a complex developmental disability which impacts communication and social interaction, resulting in significant impairment of an individual's ability to interact with the world around them: and

Whereas, autism spectrum disorder is a lifelong neurological disability and is the third most common developmental disability in the United States of America: and

Whereas, autism can often affect the individual's ability to learn in the same manner as other individuals do, in part due to their over-sensitivity to sight, sound, smell and touch: and

Whereas, although a cure has not been found for autism spectrum disorders, research for cause, prevention, cure and early diagnosis, appropriate educational services and support services are vital to the development of each individual to reach sometimes, astounding potential and to be valuable members of our community. In Woburn, we have many children and adults with Autism living in our community and being important members of it.

Now, therefore, the City Council of the City Woburn hereby recognizes the month of April to be Autism Acceptance Month in the City of Woburn and we urge all of our citizens to be cognizant of this important day and support this very important cause.

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Edward Tedesco, President

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Alderman Michael P. Concannon

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Alderman Robert J. Ferullo, Jr.

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Alderman Joanne E. Campbell

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Alderman Richard F. Gately, Jr.

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Alderman Jeffrey P. Dillon

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Alderman Joseph E. Demers

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Alderman Darlene Mercer-Bruen

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Alderman Michael Lannan

Motion made and 2<sup>nd</sup> that the RESOLVE be ADOPTED, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent).

**Presented to the Mayor: April 8, 2021**

**s/Scott D. Galvin**

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Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 7-2 (Alderman Campbell & Alderman Dillon Absent). Meeting adjourned at 10:04 p.m.

A TRUE RECORD ATTEST:

Joyce M. Gray  
Assistant City Clerk and  
Clerk of the City Council, Pro Tem