

**CITY OF WOBURN
NOVEMBER 9, 2021 – 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Campbell	Ferullo
Concannon - Absent	Gately
Demers	Lannan - Absent
Dillon	Mercer-Bruen
Tedesco	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE, all in favor, 7-0-2 (Concannon and Lannan Absent).

MAYOR'S COMMUNICATIONS: None.

NEW PETITIONS:

Petitions for renewal of First Class Motor Vehicles Sales Licenses by the following: Lawless Inc., 196 Lexington Street; C.N. Wood Company, Inc., 200 Merrimac Street; C.N. Wood Enviro, LLC, 200 Merrimac Street; Woodco Machinery, Inc., 22 North Maple Street; Gordon Colonial, Inc., dba Colonial Cadillac, 201 Cambridge Road; and Woburn Foreign Motors, Inc., 394 Washington Street. Motion made and 2nd that the MATTER BE REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND LICENSE, all in favor, 7-0-2 (Concannon and Lannan Absent).

Petitions for renewal of Second Class Motor Vehicles Sales Licenses by the following: Lawless Inc., 193 Main Street; Ollie's Service Center, 310 Main Street; George's Auto Body of Woburn, Inc., 19 Jefferson Avenue, #C; Nicholas Saba dba Montvale Service, 289 Salem Street; Wassim (Sam) Nicholas dba Woburn Square Mobile, 23 Pleasant Street; Maurice Saba, dba Montvale Auto Care, 317 Montvale Avenue; Robert McSheffrey dba Bob McSheffrey Auto Sales, 880 Main Street; Kenneth L. O'Connor dba City Line Motors, 30 Rear Torrice Drive. Motion made and 2nd that the MATTER BE REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND LICENSE, all in favor, 7-0-2 (Concannon and Lannan Absent).

Petition by Montvale Auto Care for a new inflammable license, for 1,045 gallons of Class I oil in 55 gallon drums and, 24,000 gallons of Class I Liquid gas in underground storage tank, at 317 Montvale Avenue. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 7-0-2 (Concannon and Lannan Absent).

Petition by the Chateau Restaurant of Woburn, Inc. for special permit pursuant to the 1985 City of Woburn Zoning Ordinance, as amended, Section 5.1(69), Section 7.3 and Section 13.5 to allow for alterations to the existing two (2) nonconforming pylon signs at 311 Mishawum Road. Motion made and 2nd that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 7-0-2 (Concannon and Lannan Absent).

Petition by West Woburn Development Corporation request for Minor Modification to Landowner's Decision and Notice of Special Permit dated January 9, 2003 as modified by Landowner's Decision and Notice of Special Permit dated April 13, 2017 for the relocation of parking area, as well as the relocation and change of configuration of the clubhouse and pool, at 498 Lexington Street.

Motion made and 2nd that any and all communication be received and made part of the permanent record and to suspend the rules to allow Attorney Tarby to speak on behalf of the petitioner, all in favor, 7-0-2 (Concannon and Lannan Absent). Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 stated that he represents the West Woburn Development Corporation regarding the modification with the change in the pool house, equipment house and open space in the pool area. Attorney Tarby stated that the parking area was relocated and that the pool was slightly modified. Attorney Tarby then stated that a minor modification is defined under Section 11.12 of the Woburn Zoning Ordinance and consists of insignificant changes. Attorney Tarby stated that moving the pool house was minor in nature, and that it would not affect the overall buildout of the site. Further, he stated that open space is not being reduced, rather more is being created. Also, he stated that the changes would not affect the number of units, nor the number of affordable housing units, nor would there be a change in the increase in parking requirements and asked for the minor modification to be approved. Upon inquiry from Councilor Gately, Attorney Tarby stated the pool has not been built yet, but that the requested pool is a different shape then the original, and that the original pool was probably approved in the late 1990s. Further, he stated that there are about 30 units built right now. Councilor Gately stated that this is a beautiful area and have to expect such modifications over time on such projects. Upon inquiry from Councilor Mercer-Bruen, President Tedesco stated he spoke with Councilor Lannan, the Ward Councilor, last week and that he had no issue with the changes. Councilor Dillon stated that these changes seem to be minor, and that he has no problem with the changes. Upon inquiry from Councilor Campbell, Attorney Tarby stated there was no reduction in parking. Councilor Campbell stated she was okay with the changes. Motion made and 2nd to return to the regular order of business, all in favor, 7-0-2 (Concannon and Lannan Absent). Motion made and 2nd to grant the minor modification with

the condition that any other previously existing conditions remain in full force and effect unless otherwise modified herein, all in favor, 7-0-2 (Concannon and Lannan Absent).

PUBLIC HEARINGS:

On the petition by Comcast Cable Communications Management, LLC, 9 Forbes Road, Suite 9B, Woburn, Massachusetts 01801, for grant of right in a way starting at Utility Pole No. 38/37 excavating across Main Street and into the sidewalk to place (1) 3" PVC Conduit 130' +/- to a proposed 24" vault located in front of 269 Main Street. Continuing in the sidewalk to place (1) 3" PVC Conduit 96' +/- to number 275 Main Street. PUBLIC HEARING OPENED: A communication dated November 4, 2021 was received from Jay Duran, Superintendent, Department of Public Works as follows:

Subject: Comcast Petition – 275 Main Street

This memo is pursuant to the request from Comcast for the Grant of Way for the installation of underground conduit and appurtenant structures for service to 275 Main Street. The petition is a request for Comcast to excavate and install conduit from utility pole 38/37 in front of the Saint Charles Rectory. The trench will cross perpendicular to Main Street and into the concrete sidewalk area in front of the Lynch Cantillon Funeral Home northerly to the building located at 275 Main Street currently occupied by the Rockland Trust Bank. The work is shown on a plan prepared by Dewsnap Engineering Associates LLP dated September 10, 2021. I have been working with the applicant as well as with the owner of the funeral home on this proposal to attempt to find the least disruptive and most efficient working conditions possible. All adjacent utilities had been clearly marked on the ground in the path of the proposed conduit prior to my initial review. Based upon past personal experience and review of the utility mark outs, this is clearly the path of least resistance and disruption to vehicular and pedestrian traffic as well as to disturbance to the entire area. DPW experienced this first hand with utility upgrades prior to the paving of Main Street in this area. All vaults have also been clearly shown on the plan and should be marked on the ground for verification. These vaults must be set flush and all work must be ADA compliant and to the City of Woburn DPW specifications.

I recommend that the City Council Grant their approval on this application under the following conditions. All excavation work for the conduit must be installed at night or as can be coordinated to allow continued and safe operation of the funeral home and for pedestrian traffic along the easterly sidewalk. The area excavated in Main Street should be temporarily patched to finished grade and any traffic lines replaced to the satisfaction of the DPW. In the spring, the roadway must be milled and paved from curb to curb a minimum of 2 inches deep for a length of 100 feet minimum or as determined in the field with approved bituminous concrete. This work must also be performed at night from 9 PM until 6 AM. The sidewalk should be saw cut uniformly in front of the Lynch Cantillon Funeral Home and extending northerly to the point of entry at the bank. I recommend that the trench be backfilled properly and patched with bituminous concrete. In the spring after proper settling has occurred, I recommend that the entire sidewalk from the southerly driveway at 253 Main Street to the

bank building be replaced in its entirety in full panels and be fully ADA compliant. All disturbed traffic lines and crosswalks must be replaced by thermo-plastic markings to match existing. DPW should be allowed to adjust permit conditions slightly in the field if it is beneficial for all parties involved.

Furthermore, I recommend that this work be completed in its entirety before the end of May, 2022. Permits will have to be obtained from the DPW and coordinated with the Woburn Police for safe pedestrian and vehicular access. Please feel free to call me with any questions or concerns.

Motion made and 2nd that any and all communication be received and made part of the permanent record, all in favor, 7-0-2 (Concannon and Lannan Absent). Appearing for the petitioner, Dave Flewelling, Comcast Cable Communications, Specialist 2, Construction, 9 Forbes Ave Suite9B, Woburn, MA 01801 stated the request is to service the Rockland Bank and that he had no issues with DPW Superintendent's memorandum. Upon inquiry from Councilor Gately, Mr. Flewelling stated that the bank was previously using Verizon, and that they do not always need to tear up the street to switch providers. Councilor Gately stated that the location is in his ward and that this could affect the funeral home, church, bank etc. Mr. Flewelling stated that Rockland Bank requested the service and that there is no Comcast service in this area, and that this is the only request currently. Upon inquiry from Councilor Campbell, Mr. Flewelling stated that there is no utility pole over in that section now, so Comcast has to go under the street. He further stated that it was proposed to do the work at night and that it will take three nights to saw cut, trench, and finish. Councilor Campbell stated that the DPW Superintendent thought it was best the working hours are at night because of the funeral home. Councilor Gately stated that he hoped that Comcast would never leave any open holes. Mr. Flewelling stated there would be no plates on the street, and that he would make a note to make sure to have a sweeper on site. Councilor Ferullo stated that he would like Comcast to notify the neighbors on Myrtle Street of the work. Mr. Flewelling stated he had no issue with the notification. Councilor Mercer-Bruen stated she wanted to make sure that the DPW Superintendent's recommendations would be made permanent conditions. Councilor Dillon stated that putting the logistical and legal aspect aside, there is a church and funeral home right there and that they should not be interrupted. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 7-0-2 (Concannon and Lannan Absent). PUBLIC COMMENTS: Appearing on behalf of Lynch Cantillon Funeral Home, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 stated that his client is not opposed to the work, but that the client is concerned with disruption all night for the work. Attorney Tarby stated that as he read the DPW Superintendent's memorandum, there are two sets of work timing: 1. The excavation either at night or done by coordination; and 2. Paving should be done at night. Attorney Tarby stated that for the first one, the timing of the work should be coordinated with the DPW, Lynch Cantillon, Comcast, and St. Charles Church. Councilor Mercer-Bruen stated that from her experience, this work is very loud work and that everyone will be on the phone complaining, and that when night work was done at Washington Street, it was very disruptive. Upon inquiry from Councilor Dillon, Councilor Gately stated that the excavating work is loud and noisy work, and that it is kind of crazy to do during the day, especially since Lynch Cantillon is so busy. Councilor Gately further stated that he did not

think the work could be done in three days. Further, he stated that there are probably cobblestones and steel in the ground and that the petitioner should take some test digs on the road. Councilor Ferullo stated that the re-routing of traffic would be a circus in the area because you would either have to go down to Prospect Street, or Summer Street/Myrtle Street. Councilor Mercer-Bruen stated she liked Attorney Tarby's suggestion. Councilor Campbell stated she thought the better idea was to coordinate. Tom Spangler, Unified Networks, 5 Commonwealth Road, Natick, Massachusetts, stated they are trying to get broadband access to Rockland Bank, and have been trying to get broadband for two years. Mr. Spangler stated that he spoke with Attorney Tarby and Jean Cantillon ahead of the meeting and would also like the City Council to consider the needs of Rockland Bank. Mr. Spangler stated that the DPW Superintendent did not want to shutdown Main Street but that the Rockland Bank needs 21st Century technology to it, as it is the first bank on that island. Upon inquiry from President Tedesco, Attorney Tarby and Mr. Flewelling both stated they did not have an issue with coordinating the excavating work schedule. Upon inquiry from Councilor Dillon, Councilor Gately stated he would have them do a test dig there. President Tedesco stated he did not have an opinion either way. Councilor Gately stated let it go. Motion made and 2nd that the PUBLIC HEARING BE CLOSED, all in favor, 7-0-2 (Concannon and Lannan Absent). Motion made and 2nd to APPROVE THE GRANT IN A RIGHT OF WAY, with the conditions as outlined by the Superintendent of Public Works in his November 4, 2021 communication as amended by the City Council as follows: 1. All excavation work for the conduit must be installed as can be coordinated with DPW, Comcast, Lynch Cantillon Funeral Home, and Rockland Bank and Trust, to allow continued and safe operation of the funeral home and for pedestrian traffic along the easterly sidewalk; 2. The area excavated in Main Street should be temporarily patched to finished grade and any traffic lines replaced to the satisfaction of the DPW; 3. In the spring, the roadway must be milled and paved from curb to curb a minimum of 2 inches deep for a length of 100 feet minimum or as determined in the field with approved bituminous concrete. This work must also be performed at night from 9 PM until 6 AM; 4. The sidewalk must be saw cut uniformly in front of the Lynch Cantillon Funeral Home and extending northerly to the point of entry at the bank. The trench should be backfilled properly and patched with bituminous concrete; 5. In the spring after proper settling has occurred, the entire sidewalk from the southerly driveway at 253 Main Street to the bank building must be replaced in its entirety in full panels and be fully ADA compliant; 6. All disturbed traffic lines and crosswalks must be replaced by thermo-plastic markings to match existing; 7. DPW is allowed to adjust permit conditions slightly in the field if it is beneficial for all parties involved; 8. All work must be completed in its entirety before the end of May, 2022. Permits will have to be obtained from the DPW and coordinated with the Woburn Police for safe pedestrian and vehicular access. Please feel free to call me with any questions or concerns; and 9. Comcast must send notification of work to neighbors on Myrtle Street, all in favor, 7-0-2 (Concannon and Lannan Absent).

Presented to the Mayor: November 12, 2021 s/Scott D. Galvin November 12, 2021

On the petition by CONTINUUS Pharmaceuticals, Inc. for a special permit to allow: 1. Revised site plan filed with Special Permit Petition; 2. A Modification to the Landowner's Decision and Notice of Special Permit dated March 29, 2018 (the "Decision") to allow for a total of approximately 37,728 square feet of light manufacturing use; and approximately 13,038 square feet of office use; and 7,440 square feet of light manufacturing use; 3. A Special Permit pursuant to Section 9 to allow for the requested uses within the limits of the Floodway and Food Plain Districts; 4. Site Plan Approval pursuant to Section 12.2.4; and 5. A Special Permit pursuant to Section 5.1(53) to allow for a high hazard use, at 32 Cabot Road. PUBLIC HEARING OPENED: A communication dated October 21, 2021 was received from Jay Duran, Superintendent, Department of Public Works as follows:

Subject: GMP Plant Facility- 32 Cabot Road

Pursuant to the petition from Continuus for a Special Permit at the above referenced property. We have met with the applicant, their engineer and counsel and offer the following comments. The building was recently constructed and the Cabot Road area to Commerce Way was recently paved as a condition of a prior Special Permit.

Water: Applicant has requested a new 8 inch service line based upon the high hazard use to replace the existing 6 inch service for domestic and fire demands. We have requested a 12 inch insertion valve be added on Cabot Road and a new section of main be cut in to accommodate this request. All final connections must be approved by the DPW and Water Superintendent(s) and permits obtained for their installation.

Sewer: We have requested that individual sewer manholes be added for sampling purposes for the sanitary sewer and for the lab waste portion of the sewer. This is necessary to accommodate requests from the MWRA Sewer Division which will be required prior to the applicant obtaining their Sewer Discharge Permit(s) prior to entering the municipal main. Calculations for the sewer connection fee will be re-evaluated prior to their obtaining said permit. This can be resolved at the building permit level if necessary.

Gas: The applicant originally asked for an 8 inch main to service the building. National Grid has since stated that their 2 inch service is adequate to service the facility. In the event that this changes and a new request is made that would require a significant upgrade of the gas service infrastructure, this should be considered a major engineering change. This installation would entail excavation into other portions of the newly paved Cabot Road as well as Commerce Way. In this case, the applicant should be held responsible for all repaving and roadway restoration costs.

Roadway Paving Restoration: The new road will be excavated for the installation of at least a new water services as described above. The roadway should be milled 2 inches and restored to the minimum limits as currently marked on the ground and shown on the plan dated October 22, 2021. These limits may have to be increased if the work area is expanded and/or if further utility changes are made in the future.

Please feel free to call with questions or concerns on this matter.

Further, a communication dated November 1, 2021 was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 regarding “Special Permit Petition of Continuus Pharmaceuticals, 32 Cabot Road, Woburn, MA” with 10 copies of a revised site plan dated October 22, 2021.

Motion made and 2nd that any and all communication be received and made part of the permanent record, all in favor, 7-0-2 (Concannon and Lannan Absent). Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated that presenting with him tonight was Ernest Penachio, Vice President of Technical Operations at Continuus, Jim Jackson of Pare Corporation, Ed Flag with Integrated Project Services, and the general contractor James Maguire. Attorney Tarby then stated that presenting the revised site plan would be Will Shaw. Attorney Tarby then stated the petitioner was requesting the following: 1. Revised site plan filed with Special Permit Petition; 2. A Modification to the Landowner’s Decision and Notice of Special Permit dated March 29, 2018 (the “Decision”) to allow for a total of approximately 37,728 square feet of light manufacturing use; and approximately 13,038 square feet of office use; and 7,440 square feet of light manufacturing use; 3. A Special Permit pursuant to Section 9 to allow for the requested uses within the limits of the Floodway and Food Plain Districts; 4. Site Plan Approval pursuant to Section 12.2.4; and 5. A Special Permit pursuant to Section 5.1(53) to allow for a high hazard use. Attorney Tarby stated that since August 10th Public Hearing and the Planning Board decision submitted the following: Project Impact Statement, Hazmat Security Summary, as built plan, 3D View, building occupancy and lighting plan, revised site plan dated October 22, 2021, and all plans and memorandums from the DPW, Engineering and Board of Health. Attorney Tarby stated that on October 26th the Planning Board voted to approve. Jim Jackson, the managing engineer from Par Corp, explained the changes on the revised plans. Mr. Jackson stated that the existing site was done in 2018 and 2019 and that the petitioner intends to keep the existing plan and parking area and will not expand out past the paved areas. Mr. Jackson stated that there is approximately 4,500 sq. ft. addition on two floors on the back of the existing building totaling approximately 9,000 sq. ft. Mr. Jackson stated that adjacent to the addition will be a utility structure, and then adjacent to the utility structure will be solvent storage and loading area, which will all be within the current paved area. Mr. Jackson stated that the water filtration was approved in 2018, and that the petitioner will just be adding a slight modification to make it a cleaner storm water. Mr. Jackson also stated there would be a new waterline coming across Cabot Road. Upon inquiry from Councilor Gately, Mr. Jackson stated that the water line from Cabot Road is an 8-inch line coming from the other side of Cabot Road, and that it was vetted with the DPW Superintendent as to where to install. Further, Mr. Jackson stated that he believed the existing water line was 12-inch and that fire suppression will be inside the building and will have pumps. Ernest Penachio, Vice President of TechOps at Continuus, explained the back of the building additions for high hazard use and chemicals. Mr. Penachio stated that in the bottom right contains the solvent lockers, and each locker houses two totes for chemicals. Further, he stated there is a single solvent tank for CIP solvents (clean in place solvents), which is fresh solvent to wash and rinse, such as IPA or

ethanol solvents. Mr. Penachio stated that inside the second floor lower section addition will be the utility structure, and two suites for production. Upon inquiry from Councilor Campbell, Mr. Penachio stated that the hazardous waste will be deposited in three tanks, and then hauled off site, some of the waste can be used for fuel and others must be incinerated. Mr. Penachio stated that all the sterile injectable are cleaned with water and acid bases are hauled off as hazardous, which occurs maybe every two weeks to a month. Councilor Mercer-Bruen stated that she has a draft of conditions she would like to talk about in committee, especially about truck routes to the highway. Mr. Penachio stated he would think the trucks would come out Cabot Road and take a left to go to I-93 or right to go to I-95. Upon inquiry from Councilor Mercer-Bruen, Mr. Penachio stated that all the designs are around complete containment for the hazardous waste and that nitrogen is used to keep it pressurized. Upon inquiry from Councilor Demers, Mr. Penachio stated that nothing is designed to exhaust in the atmosphere, and if that did happen it would be negligent operation, and that there should be no smells because it is airtight. Upon inquiry from Councilor Campbell, Mr. Penachio stated there are safety redundancies and that the system is completely automated. Upon inquiry from Councilor Demers, Mr. Penachio stated for the fire suppression there is a tank system that was designed with input from the Fire Department and that it is mostly water based. Councilor Dillon stated that this project is very well thought out and that this industry is highly regulated. He further stated he is happy to take something from overseas and now is being done in Woburn and that other communities will look to Woburn and say Woburn got it right. Upon inquiry from Councilor Gately, Mr. Penachio stated they are digging up the existing loading dock and putting in the containment equipment. Jim Maguire, the construction manager for the project, then explained the logistic plan. Mr. Maguire stated that the trailer would be located in the back, that the entire site would be fully fenced, and that police details will be implemented if the construction would be in the street. Mr. Maguire concluded that they want to be good neighbors. Attorney Tarby stated that the traffic report was still an outstanding item and that they expect to have it by November 29th. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 7-0-2 (Concannon and Lannan Absent). PUBLIC COMMENTS: None. Motion made and 2nd that the matter be referred to the Committee on Special Permits and that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON December 7, 2021, all in favor, 7-0-2 (Concannon and Lannan Absent).

On the petition by Cabot, Cabot & Forbes LLC for Special Permit pursuant to Section 23.5.5.2(a), Section 23.5.5.2(b)(e), Section 23.5.5.3(a), Section 23.9 and Section 12 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for: 1. Two Hundred Fifty (250) residential dwelling units; 2. Accessory pool; 3. Approximately 2,125 square feet of commercial, restaurant, fitness and/or retail space; 4. Site Plan Approval for Two Hundred Fifty (250) residential dwelling units; and 5. All signage as shown on the Site Plan, at 0 New Boston Street. PUBLIC HEARING OPENED: A communication dated October 28, 2021 was received from Tina P. Cassidy, Woburn Planning Board Director regarding “APPLICATION FOR COMMERCE WAY CORRIDOR OVERLAY DISTRICT (CWCOD) SPECIAL PERMITS TO ALLOW A MIXED-USE, 250 RESIDENTIAL UNIT

DEVELOPMENT AT 0 (OFF) NEW BOSTON STREET / CABOT, CABOT & FORBES LLC.”

Further, a communication dated November 2, 2021 was received from Donald C. Kenton, Woburn Fire, Chief of Department, regarding “Development Plans for Mixed Used Development: 0 New Boston Street Rear, Woburn, MA 01801.”

Further, a communication dated November 3, 2021 was received from Horsley Witten Group, 112 Water Street, 6th Floor, Boston, Massachusetts 02109 regarding “Initial Stormwater Peer Review, Proposed Mixed-Use Development, 0 New Boston Street, Woburn, MA.”

Further, a communication dated November 4, 2021 was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 regarding “Special Permit Petition, Cabot, Cabot & Forbes LLC, 0 New Boston Street, Woburn, Massachusetts” with 10 copies of the Affordable Housing Plan.

Motion made and 2nd that any and all communication be received and made part of the permanent record, all in favor, 7-0-2 (Concannon and Lannan Absent). Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated that the following would be presenting: John Sullivan and Matt Dimico of Cabot, Cabot and Forbes, Tim Williams of Allen and Major, and Scott Thornton of Vanasse & Associates. Attorney Tarby stated the petitioner is seeking Special Permit pursuant to Section 23.5.5.2(a), Section 23.5.5.2(b)(e), Section 23.5.5.3(a), Section 23.9 and Section 12 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for: 1. Two Hundred Fifty (250) residential dwelling units; 2. Accessory pool; 3. Approximately 2,125 square feet of commercial, restaurant, fitness and/or retail space; 4. Site Plan Approval for Two Hundred Fifty (250) residential dwelling units; and 5. All signage as shown on the Site Plan. Attorney Tarby stated that the property is located in the Commerce Way Corridor Overlay District (“CWCOD”) as well as in the Industrialplex superfund site, which is in the northwest corner of the Anderson train station. Attorney Tarby stated that there is 12.27 acres owned by the Industrialplex LLC and petitioner will purchase the property pending approvals. Attorney Tarby stated on December 8, 2020, the Planning Board approved the definitive subdivision plan under the CWCOD, resulting in regulation of overlay as of January 20, 2020, governing this proposal, which allows for 25 units per acre. Attorney Tarby addressed the Planning Board comments generally stating the water was satisfied, that DPW had no issue, the Fire Department stated currently it is not adequate for emergency response however there is a recorded easement that allows direct access from the Anderson train station, the density for the 12.27-acre lot is 23.7 units per acre, not 75 units per acre, and that the CWCOD requires 15% of the dwelling units to be affordable housing. Attorney Tarby further stated that despite the Planning Board comments that none of the space should be used for retail, retail is allowed. Attorney Tarby stated that for the comment for lack of a convenient store on property, Attorney Tarby stated Target is in the area. Attorney Tarby further stated that the peer review is being down by World Tech and Horsley Witten. Tim Williams from Allen and Major stated there is an easement for the driveway from 315 New Boston, thus there is access from three sides and a giant staging area from

Anderson Station for fire and emergency access. Mr. Williams stated that there is snow removal plan and snow melts on top of the roof. Mr. Williams stated that the expects the peer review memorandum by the end of the week, and they will need time to iron out some of those details from the peer review. Scott Thornton of Vanasse & Associates, gave a traffic update and stated there was a letter from World Tech Engineering a couple of weeks ago related to a number of issues with the traffic study. Mr. Thornton stated that there was a lot of agreement between the two companies for the studied area distribution. Traffic analysis was requested for some of site components and number of parking spaces. Mr. Thornton stated that there was additional request for detail on mitigation that were sent out today and that he anticipates working with them and the City Engineer. Further, Mr. Thornton stated that there was a request for clarification for the pedestrian connection to Anderson Transportation Center, as well as bicycle storage, and public transit. Mr. Thornton stated he will continue to work with the City Engineer's office. Upon inquiry from Councilor Gately, Mr. Williams stated that the MWRA kicked on when testing, he also stated there are all new utilities. Mr. Williams also stated that they will look for the small tunnel under the Anderson station, but that it was all looked into during the New Boston Street Bridge project. Councilor Campbell stated that she was concerned about the project since the Fire Chief wrote for the first time 5 to 6 paragraphs, and that the easement does not seem to alleviate the issue. Further, Councilor Campbell stated that the Planning Board recommended reducing the density and that 250 units is too much. She further stated that the building is being stuffed into a small area even though allowed. Mr. Williams stated he is going to meet with the Fire Chief in person as the last meeting was online and that he had not received the Fire Department memorandum yet. Councilor Mercer-Bruen stated that the project is too big, and that just because it says we can do it then does not mean we cannot vote against it. Upon inquiry from Councilor Demers, Mr. Williams stated that they were worried about the Conservation Commission jurisdiction with respect to going all the way down to the dead end of the parking lot. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 7-0-2 (Concannon and Lannan Absent). PUBLIC COMMENTS: None. Councilor Mercer-Bruen stated that the traffic report has not been received yet. Upon inquiry from Councilor Mercer-Bruen, President Tedesco stated that the City Council has to schedule the date of the next public hearing. Motion made and 2nd that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON December 7, 2021, and that the matter be referred to the COMMITTEE ON SPECIAL PERMITS, all in favor, 7-0-2 (Concannon and Lannan Absent).

On the petition by Montvale Land LLC for approval of amended Master Concept Plan pursuant to Section 28.4.3 of the City of Woburn Zoning Ordinance, as amended, for the Vale, located on Hill Street, and for a Special Permit with Site Plan Review under the Technology Business Overlay District under the 1985 City of Woburn Zoning Ordinance, as amended, to allow for life science campus with a mix of R&D lab buildings, a cGMP biomanufacturing building, and an amenity building of approximately 10,000 square feet, at A2 Hill Street. PUBLIC HEARING OPENED: A communication dated October 27, 2021 was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: TECHNOLOGY AND MIXED-USE BUSINESS OVERLAY DISTRICT (TBOD):
SITE PLAN REVIEW AND SPECIAL PERMIT/SITE PLAN REVIEW APPLICATIONS,
AND MODIFIED MASTER CONCEPT PLAN, FOR LIFE SCIENCES BASED CAMPUS
AT FORMER KRAFT SITE ON HILL STREET / MONTVALE LAND LLC

Dear Council:

The Planning Board reviewed and considered the above-referenced applications at meetings held on October 12th and October 26, 2021. The applications propose to develop an approximately 1,041,620 square foot life science campus with a mix of R&D lab buildings (4 total each at 220,341 square feet); a cGMP bio manufacturing building of approximately 130,256 square feet; and an amenity building of approximately 10,000 square feet (in addition to 20,000 square feet of first floor retail/amenity space within the R&D lab buildings). The buildings will be clustered around a central green and single-story restaurant/brew pub/coffee shop offering food and amenities for the entire Vale complex and the surrounding area. The buildings will be provided with a mix of underground parking, surface parking and a central parking garage. It is their intention to build one R&D building and the bio manufacturing building first with surface parking (and parking under the R&D building), and to build the parking garage in conjunction with construction of the third building on the site.

Respectfully, the Board defers to the Engineering Department regarding comments on the subject of traffic and drainage. The Council should note that Planning staff conducted a virtual meeting with the Petitioner and its representatives on September 27th to discuss these applications. Staff invited participation by City departments, and members of the Engineering, DPW, Conservation Commission, Inspectional Services and Fire Department participated. Comments by City personnel included the following:

- City Engineer Jay Corey voiced strong objection to the developer's plan to ignore his concern about locating a building on top of a sewer line, and reiterated his objections to any site design that didn't move the sewer line out from under the planned building.
- The Fire Department was unable to provide comments during the departmental meeting because its staff had not yet had an opportunity to review the plans; any Fire Dept. comments will instead be submitted in writing subsequently and directly to the City Council.
- The Inspectional Services Department recommended the plan note the heights of any and all retaining walls on site, to ensure they are authorized by the City Council as part of its special permit review process/decision. The Department also noted the presence of an off-premise sign proposed for Hill Street. Currently, such a sign would constitute a zoning violation, as off-premise signs are not permitted.
- The Conservation Commission noted that it will be necessary for the developer to submit a request to amend the Order of Conditions issued by the Conservation Commission, and the developer indicated his intent to do so this month.

The Planning Board offers the following comments and recommendations for the Council's consideration:

- The Fire Department should be consulted separately, to confirm it has no issues/concerns with the proposed site plan or uses or if it does, to determine the details;
- The Petitioner should be required to relocate the planned sewer line in such a way that it is not located under a proposed building and is in a location that meets the approval of the Engineering Director;
- The off-premise sign proposed on Hill Street should be deleted from the plans as it would constitute a zoning violation if included (off-premise signs are not permitted by the Woburn Zoning Ordinance [WZO]);
- The location and text of proposed signage and pavement markings relating to the multi-use path should be submitted to and approved by the City Council as part of the filings currently before it, and incorporated into the plans for future installation. Some of that information was presented to the Planning Board during its consideration of the Petitions, and it is attached for reference; and
- At the Board's request, the Petitioner provided supplemental information regarding the lighting standards and fixtures that will be used on site. That information is attached, and the Board recommends the Council consider incorporating it into any approval of the revised Master Concept Plan, site plan review, and/or special permits with site plan review.

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

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

Motion made and 2nd that any and all communication be received and made part of the permanent record, all in favor, 7-0-2 (Concannon and Lannan Absent). Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated under that under the peer review, that he is still waiting on Horsley Witten and Environmental Partners. Attorney Tarby stated he was going to give an overview of the site plan and what was presented at the Planning Board's last meeting. Attorney Tarby stated he had a department head's meeting at the end of September, on October 5, 2021, the City Council held its first meeting and sent to the Special Permits Committee and continued to tonight's meeting. Attorney Tarby stated that the plan is to have 1,041,620 square foot life science campus with a mix of R&D lab buildings (4 total each at 220,341 square feet) and a cGMP bio manufacturing building of approximately 130,256 square feet, clustered around a central green space with a single story restaurant. Parking will be a mixture of underground and surface parking. Attorney Tarby stated that they are also seeking site plan review for entire complex. He continued that the Planning Board on October 26, 2021, completed its review and its suggested comments were forwarded along. Attorney Tarby stated that the City Engineer had an issue with the locating a building on top of a sewer line, but that this is not happening and the line will be relocated. Further, Attorney

Tarby stated they will setup a meeting with the fire department, and that inspectional services note the heights of any walls. Attorney Tarby stated that the off premise sign is not allowed and they are working with the building department to figure it out, they are also talking to Conservation Commission is under way, and the additional comments will be addressed during the presentation. George Ryan of Stantec went through the new renderings for the five life sciences buildings centered around a green space. Mr. Ryan stated that there will be concrete curbing in the select highlighted areas, which is built in and poured with the sidewalk, instead of vertical granite. Regarding truck access and loading routes, Mr. Ryan stated the goal was to consolidate and focus the trucks away from the central campus and have them pull to the outside away from the main roundabout and pedestrian movement. Mr. Ryan stated that it is a WB 40 truck turning movements. Mr. Ryan stated that they looked at pedestrian access paths are highlighted in green will be around the perimeter to access Hill Street and bikeway, and that there will be interior bike racks as well as outside racks. Upon inquiry from Councilor Gately, President Tedesco stated that this is an amended master concept plan. Upon inquiry from Councilor Campbell, Bill Gause from Leggat McCall stated that this was the same plan as a month ago, but that it was originally office buildings and that the scale was smaller on the buildings because more parking was required; now the buildings are bigger and the parking is smaller. Mr. Gause stated it was approximately 820,000 sq. ft. and not it is approximately 1,000,000 sq. ft. Further, Mr. Gause stated that there is more green space now because they eliminated one huge parking garage, since one floor in each building is for parking. Mr. Ryan also mentioned that the green space was a big discussion with Conservation Commission because of the Sweetwater Brook and that a lot of the critical open space remained exactly the same. Councilor Campbell stated that it looks more congested and she liked the more pavement plan better than the bigger buildings. Attorney Tarby requested that the matter be continued to December 1, 2021, and that all the peer reviews will hopefully be in for the committee meeting. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 7-0-2 (Concannon and Lannan Absent). PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON December 7, 2021, and that the matter be referred to the COMMITTEE ON SPECIAL PERMITS, all in favor, 7-0-2 (Concannon and Lannan Absent).

On the petition by President Tedesco to amend the 1985 Woburn Zoning Ordinances, as amended, by amending Section 2, Definitions, to insert the following: “OUTDOOR DINING: the use of an adjacent, outside area by a Restaurant, Full-Service establishment for the same eating and drinking activities that occur within that establishment, operating in the same manner thereof including hours of operation, and which is continuously supervised by management or employees of the establishment. The outdoor dining use is not permitted at a Restaurant, Fast Food.” PUBLIC HEARING OPENED: A communication dated October 27, 2021 was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: PROPOSED ZONING AMENDMENT TO ADOPT A DEFINITION OF OUTDOOR DINING / Alderman Tedesco

Dear Council:

The Planning Board conducted a public hearing on the above-referenced zoning amendment at its meeting last evening. Following the close of the hearing and subsequent discussion, members of the Board voted unanimously (Bolgen, Doherty, Donovan, Callahan, Ventresca, Turner in favor, Edmonds absent) to recommend the Council ADOPT the proposed amendment but with several minor edits which are reflected below (text recommended to be stricken shown in ~~strike-out~~, text to be added shown in **bold font**):

OUTDOOR DINING: the use of ~~an~~-adjacent, outside area(s) by a Restaurant, Full-Service establishment for the same eating and drinking activities that occur within that establishment, operating in the same manner thereof including hours of operation, and which is continuously supervised by management or employees of the establishment. ~~The~~ **Outdoor** ~~d~~**Dining** use is **shall not be** permitted at a Restaurant, Fast Food **establishment**.

For the Council's information, Planning staff provided City Solicitor Ellen Callahan Doucette with a copy of the above suggested revisions in advance of the Planning Board's vote. She had no objections to the changes.

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

Motion made and 2nd that any and all communication be received and made part of the permanent record, all in favor, 7-0-2 (Concannon and Lannan Absent). President Tedesco stated he has no issues with the Planning Board changes. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 7-0-2 (Concannon and Lannan Absent). PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING BE CLOSED, all in favor, 7-0-2 (Concannon and Lannan Absent). Upon inquiry from Councilor Campbell, President Tedesco stated the change to "area(s)" was to allow more than one section. Councilor Ferullo stated that this allows for a patio that is split by a walkway. Motion made and 2nd to ADOPT THE ORDER, as amended by the Planning Board, all in favor, 7-0-2 (Concannon and Lannan Absent).

Presented to the Mayor: November 12, 2021 **s/Scott D. Galvin November 12, 2021**

On the petition by President Tedesco and Alderman Ferullo to amend the 1985 Woburn Zoning Ordinances, as amended, be further amended by amending the definition of "RESTAURANT, FULL- SERVICE" in Section 2 by inserting after "space" on the first line the following language: "(including outdoor seating and rooftop dining)" so that the revised definition will be as follow: "RESTAURANT, FULL-SERVICE: Any building, room space (including outdoor seating and rooftop dining) or portion thereof where food is sold for consumption on premises, customers are provided an individual menu, a restaurant employee serves the customer at the same table or counter at which items are consumed. A restaurant, full-service may provide "accessory" delivery service, takeout service (except drive-up customer service) and related retail sales items. PUBLIC HEARING OPENED: A committee

report was received “ought to pass” with the amendment that all references for “seating” be changed to “dining”. President Tedesco stated that he had no issue nor comments. Motion made and 2nd that the public hearing be opened for public comments, all in favor, 7-0-2 (Concannon and Lannan Absent). PUBLIC COMMENTS: None. Motion made and 2nd that the PUBLIC HEARING BE CLOSED, all in favor, 7-0-2 (Concannon and Lannan Absent). Motion made and 2nd to ADOPT THE ORDER, as amended by the Committee on Ordinance, all in favor, 7-0-2 (Concannon and Lannan Absent).

Presented to the Mayor: November 12, 2021 s/Scott D. Galvin November 12, 2021

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

COMMITTEE REPORTS:

PUBLIC SAFETY AND LICENSE:

A committee report was received “ought to pass” for the following:

Petition for renewal of First Class Motor Vehicles Sales License by M & L Transit Systems, Inc., 60 Olympia Avenue. Motion made and 2nd that the COMMITTEE REPORT BE ADOPTED, all in favor, 7-0-2 (Concannon and Lannan Absent).

Presented to the Mayor: November 12, 2021 s/Scott D. Galvin November 12, 2021

A committee report was received “ought to pass” for the following:

Petitions for renewal of Second Class Motor Vehicle Licenses by McSheffrey Auto Sales, Inc., 878 Main Street; Velozo Enterprises, Inc. dba Rogers Radiator, 936 Main Street; David Dellarocco dba Woburn Auto Sales, 5 Crescent Avenue, #4; Capelo’s Auto Service, Inc. dba Capelo’s Auto Sales, 22 Winn Street; Capelo’s Auto Service, Inc. dba J.C. Auto Sales, 84-86 Winn Street; Woburn Gas & Service, Inc., 545 Main Street; and Thomas Keane dba Woburn Classic Auto Sales, 13 Fowle Street. Motion made and 2nd that the COMMITTEE REPORT BE ADOPTED, all in favor, 7-0-2 (Concannon and Lannan Absent).

Presented to the Mayor: November 12, 2021 s/Scott D. Galvin November 12, 2021

CITIZEN’S PARTICIPATION:

Petition by Richard English to discuss military buyback for city employees. Motion made and 2nd that the MATTER BE REFERRED TO THE COMMITTEE ON LIAISON, all in favor, 7-0-2 (Concannon and Lannan Absent).

COMMUNICATIONS AND REPORTS:

A communication dated October 18, 2021 was received from Charles O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

Council Members,

In accordance with Massachusetts General Laws Chapter 90, Section 20½, I am submitting the following parking ticket report. Figures cited below are for the Month of January 2021 to September 2021: Number of Violations Issued 322, Numbers of Violations Paid 119, Number of Violations Outstanding 179, Amount collected and submitted to Collectors Office \$23,494.80, Parking fines referred to the Handicap Commission \$4,200.00.

There is a backlog of 1585 unpaid tickets dating from January 2004 to December 2020. A 21 day late notice is sent to vehicle owners who have not paid the fine. After 28 days, if the fine still has not been paid, that information is forwarded to the Registry of Motor Vehicles for administrative action.

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

Motion made and 2nd that the MATTER BE RECEIVED AND PLACED ON FILE, all in favor, 7-0-2 (Concannon and Lannan Absent).

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

A communication dated November 4, 2021 was received from Ellen Callahan Doucette, City Solicitor, as follows:

Re: Release of Water Line Easement – 1 Country Club Road

I am filing for your consideration an Order to authorize the Mayor to release all of the City's right and title in a 15' wide water line easement which was located across the property at 1 Country Club Road. The sale of this property is pending, and Attorney Robert Tedesco contacted this office and the Engineering Department to determine if in fact, the easement was being utilized.

According to the Engineering Department, the water line was relocated within Country Club Road some years ago and prior to the construction of the garage. The easement should have been released, but was not, after the water line was relocated. Release of the easement can now be accomplished with the adoption of the attached Order. I have

also attached the original grant of the easement together with copies of the 3 plans which show the easement, and a print out of the GIS maps which show location of the water line within Country Club Road.

Thank you for your attention to this matter. Please contact me if you wish to discuss the above.

Sincerely, s/Ellen Callahan Doucette

ORDERED

That the Mayor be and is hereby authorized to release all of the City's right, title and interest in a 15' wide water easement over and upon the property located at 1 Country Club Road, which easement was granted to the City of Woburn by an instrument recorded with the Middlesex South Registry of Deeds in Book 8395, Page 171, and which is shown on 3 plans: a plan entitled "Subdivision Plan of Land on Country Club Road Woburn, MA. 1" = 20' June 7, 1993" which is recorded in said deeds as Plan no. 708 of 1993 in Book 23662, Page 79; a plan entitled "Subdivision Plan of Land on Country Club Road Woburn, MA. 1" = 20' January 10, 1997" which is recorded in said deeds as Plan no. 209 of 1997 in Book 27116, Page 561; and a plan entitled "Plan of Land Woburn, Mass. Country Club Rd." which is recorded as Plan no. 209 of 1998 in Book 28141, Page 117.

s/President Tedesco

Motion made and 2nd that the communication be received and made part of the permanent record, all in favor, 7-0-2 (Concannon and Lannan Absent). Motion made and 2nd that the MATTER BE LAID ON THE TABLE, all in favor, 7-0-2 (Concannon and Lannan Absent).

Motion made and 2nd to ADJOURN, all in favor, 7-0-2 (Concannon and Lannan Absent). Meeting adjourned at 8:46 p.m.

A TRUE RECORD ATTEST:

Lindsay E. Higgins
City Clerk and Clerk of the City Council