

**CITY OF WOBURN
MAY 3, 2022 – 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Campbell	Ferullo
Demers	Gately
Dillon	Mercer-Bruen
DiMambro	Viola
Concannon	

VOTED to dispense with the reading of the previous meeting’s Journal and to APPROVE.

MAYOR’S COMMUNICATIONS: None.

NEW PETITIONS:

On the request by National Grid under Woburn Municipal Code Section 12-24 to break up streets due to an obvious necessity in the Lowell/Wyman Street area. A communication dated April 21, 2022 was received from Diana Cuddy, Operations Support for National Grid, as follows:

As discussed, we have a large gas main replacement project coming up in the Lowell/Wyman Street area (plans attached). We have learned that some of these streets are under moratorium due to recent paving. In accordance with the City of Woburn’s Municipal Code Section 12 Streets, Sidewalk and Public Places, we are requesting City Council approval to work in those streets to replace this critical infrastructure and enhance the integrity and reliability of our gas system there.

Please let me know if you need anything further.

s/Diana Cuddy

Petition for renewal of Taxi Cab License by Checker Cab of Woburn Inc., 827 Main Street

Petition for renewal of Livery License by Checker Cab of Woburn Inc., 827 Main Street.

Toll Brothers request for minor modification of special permit to allow for a temporary occupancy permit to issue while waiting for poles and removal of abandoned poles, at 120 Commerce Way. A communication dated April 28, 2022 was received from Attorney Mark J. Salvati, Attorney at Law, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 as follows:

RE: 120 Commerce Way
Request for Minor Modification to Special Permit

Dear President Concannon and Council,

Request is made to allow for the following to be accepted as a minor modification to the special permit.

1. Allow for a temporary occupancy permit to issue pending the installation of poles and removal of abandoned poles, all as approved by Woburn Building Department and DPW, provided all other work complete.

Thank you for your attention to this matter and please call with any questions.

Very Truly Yours, s/Mark J Salvati

PUBLIC HEARINGS:

On the petition by Verizon New England Inc. for grant of right in a way, to place one new four-inch (4") conduit \pm 42' from existing conduit located on the southerly side of Montvale Avenue in a northwesterly direction onto private onto private property at 12 Montvale Avenue, in Montvale Avenue. PUBLIC HEARING OPENED: A communication dated April 28, 2022 was received from Jay Duran, Superintendent, Department of Public Works as follows:

Pursuant to the petition from Verizon for a grant of right in a way on Montvale Avenue, I recommend approval under the following conditions. The request is to install conduits from the site on Montvale Avenue to the Verizon infrastructure on the southerly side of Montvale Avenue almost directly across the street. I recommend that the City Council Grant approval for this petition under the following conditions. All disturbed curbing shall be reset to obtain a 6 inch reveal and all disturbed sidewalk panels be replaced with concrete panels to DPW specification. The conduit work must be performed at night between 8 pm and 5 am and should include DPW issued permit with conditions added for compliance to our specifications. The locations must be painted on the ground and field verified prior to installation. An as-built plan should be furnished to both the Engineering Department and to the DPW. manhole in Main Street.

Furthermore, I recommend that the Verizon representative discuss future improvements to their overhead infrastructure. In particular, the low cables from the double/triple poles in

Warren Avenue are a constant complaint from the neighbors in this area. This presents problems for accessibility of larger vehicles, most importantly emergency vehicles to the Woburn Housing Authority. These matters should be formally addressed to prevent future inconvenience which has become more than aesthetics at this time. **This was a condition of approval for the adjacent parcel over a year ago and has never been addressed by Verizon.**

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

On the petition by Boston Gas dba Nationalgrid for grant of right in a way to install approximately 150 feet of 4 inch, plastic gas main in Porter Street.

On the petition by Montvale Land LLC, c/o Joseph R. Tarby, III, Esquire, Rubin & Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 to amend Sections 13 (SIGN REGULATIONS) and 28 (TECHNOLOGY AND BUSINESS MIXED USE OVERLAY DISTRICT [TBOD]) of the 1985 Woburn Zoning Ordinances (WZO) as follows: (a) Adding a new provision as Section 13.9.1.6 that would allow, in B-I zoning districts, one free-standing sign per lot that advertises the street address, name of development(s) or project(s), and/or name of businesses in a TBOD district adjacent to such B-I zoning district; (b) Adding a new provision as Section 13.9.2.9 that would allow the off-premises free-standing signs noted in (a) above to be up to 100 sq. ft. in size per sign face (maximum of 200 sq. ft.), up to 30' in height, and permissible anywhere on a lot regardless of applicable setback and "location" requirements with approval of the Building Commissioner; (c) Revising Section 28.3 and 28.6.3 to authorize the City Council to allow, by special permit, additional uses not otherwise permitted by Section 28.6.1.19; (d) Amending Section 28.6.1 to allow roof-mounted, solar carport/canopy, small-scale ground-mounted, medium-scale ground-mounted, large-scale ground-mounted, off-grid and passive solar energy systems, and solar thermal systems, by right with site plan review; (e) Adding a new Section 28.7.6 relating to solar photovoltaic installations that would incorporate the dimensional requirements of Section 26.5 (subject to the City Council's authority to vary dimensional requirements pursuant to Section 28.3) and eliminate any setback requirement for solar photovoltaic installations in a TBOD that are within a yard abutting I-93; (f) Adding a new Section 28.11 entitled "Solar Photovoltaic Installations" to incorporate the requirements of Section 26 with respect to solar photovoltaic installations unless otherwise provided for in Section 28; and (g) Renumbering subsequent subsections (current subsections 28.11, 28.12, 28.13, 28.14 and 28.15) sequentially, to accommodate the insertion noted in (f) above. PUBLIC HEARING OPENED: A communication dated April 27, 2022 was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

RE: Zoning Amendment Petition of Montvale Land LLC

Dear Ms. Higgins:

I respectfully request that the public hearing on the above matter scheduled for May 3, 2022 be continued to the City Council meeting scheduled for May 17, 2022. A public hearing was held on April 26, 2022 before the Planning Board. At the conclusion of its hearing the Petition was continued to the next meeting of the Planning Board scheduled for May 10, 2022. Since the City Council must receive a recommendation from the Planning Board prior to action on the Petition it makes sense to continue the City Council public hearing until after the Planning Board vote.

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

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

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

COMMITTEE REPORTS:

FINANCE:

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

ORDERED That the amount of \$285,000.00 be and is transferred as follows from Unreserved Fund Balance Acct# 01-359000 \$285,000.00 to Engineering/New Boston Street Acct# 0112158-589260 \$285,000.00.

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

s/President Michael Concannon

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

ORDERED That the amount of \$1,700,000.00 be and is transferred as follows from Water/Sewer Enterprise Unreserved Fund Balance Acct# 6410-359000 \$1,700,000.00 to Commercial Meters Acct# 623058-580000 \$1,700,000.00.

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

s/President Michael Concannon

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

ORDERED That the amount of \$1,054,008.53 be and is transferred as follows from BLS/Ambulance Receipts Acct# 31359-595000 \$1,054,008.53 to Fire Regular Salary Acct# 0122051-511000 \$336,000.00, Fire Ambulance Salary Acct# 0122051-511500 \$381,000.00, Fire / Overtime Acct# 0122051-513100 \$193,000.00, Fire 16th Man Overtime Acct# 0122051-513101, \$87,000.00, Ambulance Maintenance Acct# 0122054-544300 \$21,000.00, Apparatus Maintenance Acct# 0122054-544400 \$15,000.00, Computer Maint / Fire Acct# 0122054-544500 \$6,008.53, and Medical Attention Acct# 0122054-558103 \$15,000.00.

I hereby recommend the above: s/Scott D. Galvin, Mayor

I approve the above: s/Donald Kenton, Fire Chief

I have reviewed the above: s/Charles E. Doherty, City Auditor

s/President Michael Concannon

ORDINANCE, CHARTER AND RULES:

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

ORDERED Be it ordained by the City Council of the City of Woburn that Title 13, Public Services, of the Woburn Municipal Code as amended, be further amended, by revising Article II, Water System, as follows: (additions in **bold**; ~~deletions in strikethrough~~)

Section 13.2.14 Water Meters

On all water service installations other than those solely for the purpose of fire protection, the pipe shall be equipped with such meters and meter reading devices, as the Superintendent of Public Works shall direct. All meters and meter reading devices shall be purchased by and remain the property of the Department of Public Works. For all residential units in existence as of January 1, 2013, all meters and meter reading devices shall be installed and remain the property of the Department of Public Works at no charge. ~~All meter reading devices shall be purchased by, installed and remain the property of the Department of Public Works at no charge to all commercial units in existence as of January 1, 2013.~~

For all new construction of residential ~~and commercial~~ units after January 1, 2013, the builder shall make payment with the Department of Public Works for the full cost of furnishing the water meter and meter reading unit. No such service shall be installed until payment has been received by the Department of Public Works. No abatement or refunding of the cost of the installation shall be made. The City shall not be required to make connections at its expense. The minimum meter size for all new connections shall be 1-inch.

Multi-family dwelling with six (6) or more units, including condominiums and townhouses, shall be equipped with such meter and meter reading devices, in the manner as the Superintendent of Public Works shall direct. In addition, a separate water meter and meter reading device shall be installed on all services lines for outdoor water use such as irrigation lines, pool houses, etc. in the manner as the Superintendent shall direct. “Multi-family dwelling units with six (6) or more units, including condominiums and townhouses, shall be billed at the commercial water and sewer rates for outdoor water use. Multi-family dwelling units with five (5) or less units, including condominiums and townhouses, that have a separate service line for outdoor water use, shall be billed at the residential water and sewer rates for such use. Townhouse and condominium associations with more than one building on a lot for dwelling purposes shall be billed at the commercial water and sewer rates for outdoor water use.

For all commercial units, meters and reading devices shall be supplied, installed and owned by the Department of Public Works. The cost of meters and reading devices shall be charged to the user based upon the cost of the water meter and reading devices over a 5-year period. All meter charges shall be deposited to the Water and Sewer Enterprise Account and accounted for separately, and are to be used for water meter replacement and maintenance.

s/President Michael Concannon
Per Request of the Mayor

CITIZEN’S PARTICIPATION: None.

COMMUNICATIONS AND REPORTS:

A communication dated April 27, 2022 was received from Miles Lang-Kennedy, Eversource, as follows:

Dear City Council Members:

We are resuming construction on the **Eversource Woburn to Wakefield 345 kilovolt Underground Transmission Project** this year in Woburn. The following is a progress update and a forecast of anticipated construction activities.

Eversource and McCourt Construction have been coordinating with the City of Woburn Department of Public Works (DPW) to plan work activities on a week-to-week basis, depending on weather forecasts. The primary focus in 2022 is completing duct bank on Main Street, Cross Street and Lake Avenue. Furthermore, Eversource would like to commence a trenchless crossing near our Woburn Substation on Lake Avenue.

For weekly project schedule updates, we encourage abutting property owners and residents to visit: <https://eversource.com/content/woburn-wakefield-project>.

Below is a list of current or near-term anticipated work zones and associated activities in Woburn to support Eversource's Woburn to Wakefield Project.

Work Zone 1 – Montvale Avenue between Maple Street and Rainin Road (Ongoing):

- Crews are completing a small stretch of duct bank near the I-93 interchange and work in this area is expected to be completed by the end of May 2022.
- Construction activity is happening between 7 a.m. and 4 p.m., Monday through Friday.
- Lane restrictions will be utilized during work hours.
- Access for businesses and residents will be maintained.

Work Zone 2 – Main Street and Cross Street (Ongoing):

- Crews resumed work at this location in mid-April, during daytime work hours, to excavate and install duct bank.
- Construction activity on Main Street will occur between 7:00 a.m. and 4:00 p.m., Monday through Friday.
- Access for businesses and residents will be maintained.
- Remaining work at Main Street is anticipated to take 3-4 weeks and our contractor will move along Cross Street after receiving feedback from City staff.
- Project outreach to nearby property owners was completed in advance of work.

Work Zone 3 – Lake Avenue / Horn Pond Area (Anticipated):

- Eversource plans to begin installing duct bank on Lake Avenue between Pickering Street and Cove Street as well as a trenchless crossing of the Horn Pond Brook. Work schedules will be based on feedback from the Woburn DPW.
- The Project Team is working with the Woburn DPW to review locations of existing utilities and confirm a duct bank alignment that minimizes impact to those utilities.
- Crews will soon begin conducting field tests to identify existing utilities before proceeding with work along this road.
- Daytime construction activity on Lake Avenue will occur between 7 a.m. and 4 p.m., Monday through Friday.
- Residents will be notified in advance of this work.

General Project Information:

Steel road plates will be used to safely secure the area at the end of each work shift. Pedestrian detours and parking restrictions may be necessary during certain phases of the work. Parking restrictions will be clearly posted in advance.

As construction continues, please note that the Woburn Police Department may modify the traffic management plans based on their judgement and expertise. This includes street closures and traffic detours to ensure public safety.

Owners of property along this project route are encouraged to direct questions and concerns to the Eversource project hotline at **1-800-793-2202** or send an email to ProjectInfo@eversource.com. Members of the public can also sign up to receive email updates by visiting this link <https://bit.ly/EversourceWWsignup>. A field outreach representative will respond to all inquiries via phone or email.

Feel free to contact **Miles Lang-Kennedy** (781-583-8705) or **Eric Sacchetti** (781-570-1228) with any questions.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

From the Traffic Commission:

ORDERED Be it ordered that Schedule 1 Parking Restrictions of the 2017 Woburn Traffic Code, as amended, be further amended by adding the following:

MT. PLEASANT STREET – Handicapped accessible parking space be established at 14 Mt. Pleasant Street.

From the Traffic Commission:

ORDERED Be it ordered that Schedule 1 Parking Restrictions of the 2017 Woburn Traffic Code, as amended, be further amended by adding the following:

EAST DEXTER AVENUE – No parking on the northerly side from North Maple Street westerly to Chester Avenue.

Motion made and 2nd to ADJOURN.