

**CITY OF WOBURN
JULY 19, 2022 – 6:30 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	

This meeting was originally scheduled for July 12, 2022, at 6:30 p.m. and was rescheduled to July 19, 2022, at 6:30 p.m.

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

MAYOR’S COMMUNICATIONS:

A communication dated July 7, 2022, was received from His Honor the Mayor Scott D. Galvin as follows:

Michael Concannon, City Council President
Members of Woburn City Council

I am pleased to submit the 5 Year Capital Improvement Plan (FY 2023-FY 2027) to the city council, which provides important measured investments in our buildings, equipment, infrastructure, sustainability and community. The total CIP cost is \$89,613,758 and includes a number of funding sources including, grants and state funds in excess of \$33,691,000, the issuance of new general fund debt in the amount of \$9,515,200 and the issuance of new water and sewer debt in the amount of \$22,910,000. The plan also provides for “pay as you go” requests of \$ 12,591,558, including \$4.2 million for FY 2023 from the stabilization fund account. There is also the provision \$2,000,000 in ARPA funds to design the PFAS water treatment plant and \$90,000 to design the reconstruction of Well A-2.

The largest expenditure in the CIP is \$20,000,000 for the design and construction of upgrades at the Water Treatment Plant, which will remove PFAS from our water in compliance with MA DEP regulations and upgrade Well-B. The final design will be completed by April of 2023 and construction of the PFAS treatment plant should be finished by December of 2024 (approximately 17 months). We anticipate three sources of funding, including \$ 2 million in ARPA funds, \$2 million in grant funding and \$16 million in SRF loan funding. This substantial capital expenditure will result in a water rate increase in FY 24.

In addition to the upgrades at the Water Treatment Plant to remove PFAS from our water, there is continued investment over the 5 Year CIP in public works infrastructure and equipment needed to maintain city property, utilities and clean safe water. The CIP plan provides \$4 million for water main relining and \$1 million for the reconstruction of Well A-2, both to be funded thru the issuance of new debt service in the water/sewer enterprise fund.

We will continue with aggressive sewer repair and relining in the amount of \$7,870,000, which will help to reduce extraneous inflow/infiltration into our sewer system and reduce our MWRA sewer assessment. We will receive \$1,492,500/year in grant funding and \$475,000/year in interest free loans from The MWRA to pay for this capital initiative. We will continue to invest in street paving and intersection improvements over the next five years using our pavement management system as a guide. The 5 year CIP provides for \$11,387,000 in funding consisting of Chapter 90 funds, complete streets grant funding and annual city appropriations.

In addition, we are scheduled to receive \$16,680,000 in State and Federal funds in FY 25 for the Woburn Common Roadway and Intersection improvements project. This project will improve safety and traffic circulation and make the downtown more pedestrian friendly. I have also included \$350,000 in FY 24 for engineering design fees to move this project to Part B of the 25% design phase.

Public safety funding for the Police Department in FY 2023 will exceed \$400,000 with a continued commitment to energy efficient Hybrid cruisers, firearms upgrades and advanced communication software. The CIP also provides continued investments in the Woburn Fire Department. In FY 2023, the CIP provides funding for the acquisition of a new ambulance, Ladder Truck and turnout gear.

The CIP provides \$950,000 in funding to The School Department in FY 2023 for technology upgrades, replacement of the turf on the practice field at WMHS, and dugouts for the girls softball team. The 5 year CIP is likely to change significantly upon the completion of the \$600,000 district wide capital needs feasibility study funded with Elementary and Secondary School Emergency Relief Funds (ESSER), which is currently out to bid

There are a number of projects aimed at mitigating the impacts of climate change and improving our resiliency. These include the Shaker Glen Project, The Horn Pond Fish Ladder and The Hurd Park Site. Design funding for each project has been provided by grants, including \$236,000 for Shaker Glen, \$183,000 for the Fish Ladder and \$735,000 for Hurd Park. In addition, the city has received grant funding for the construction of the Fish Ladder in the amount of \$900,000 and for Shaker Glen totaling \$2,000,000 in FY 24. We have also funded \$50,000 for the 2nd year of a 5 year \$275,000 city wide tree planting program.

The 5 Year CIP continues our commitment to providing residents with increased passive and active recreational opportunities, with the aforementioned Shaker Glen and Hurd site initiatives, which combined represent 45 acres of open space for our residents to enjoy. In addition, we have included funds to resurface the Green Street basketball courts, to resurface

the street hockey rink at Leland Park and for new improved lighting at Leland. There is also funding to begin planning for the city's first skateboard park.

Furthermore, there is an appropriation of \$650,000 which will be combined with a state grant of \$400,000 to construct a splash park to replace the Green Street pool and upgrade the bathrooms. There is also a funding request in the amount of \$125,000 to match a \$125,000 legislative earmark spearheaded by Rep. Haggerty to upgrade the playground at Ferullo Field. An additional \$125,000 earmark secured by our legislative delegation will be used to upgrade the pocket park in Woburn Center.

I look forward to discussing the 5 Year CIP and the FY 2023 appropriation request of \$ 4,196,640 for "pay as you go" capital in committee. Please feel free to contact me if you have any questions.

Sincerely, s/Scott D. Galvin, Mayor

ORDERED That the sum of \$4,196,640.00 be and is hereby transferred as so stated

From:	Stabilization Fund Acct# 704059-596100	\$4,196,640.00
To:	Various Capital Projects See Attached Breakdown	\$4,196,640.00

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

s/President Michael P. Concannon

CAPITAL BUDGET FY23

Project Title	Department	FY2023
I. Voting machines	City Clerk	\$96,000.00
I. Voting Marking booths	City Clerk	\$55,000.00
TOTAL	\$151,000.00	
I. Leland Park testing	Engineering	\$20,000.00
I. Engineering Department Survey Equipment	Engineering	\$26,000.00
I. Hurld Demo	Engineering	\$75,000.00
I. MS -4 Stormwater consultant	Engineering	\$200,000.00
TOTAL	\$321,000.00	
I. Software upgrade	Fire	\$40,000.00
I. Turnout Gear	Fire	\$64,000.00
TOTAL	\$104,000.00	
I. Cisco Phone System	Information Technology	\$50,000.00
I. End User Technology Equipment Refresh	Information Technology	\$50,000.00
I. WAN Network Equipment	Information Technology	\$150,000.00
I. Copier Replacement	Inspectional Services	\$14,000.00
I. Desktop Printer Replacements	Inspectional Services	\$1,500.00
I. Vehicle Replacement	Inspectional Services	\$40,000.00
TOTAL	\$305,500.00	
I. City wide Tree planting	Mayor	\$50,000.00
TOTAL	\$50,000.00	
I. Utility pickup	Parks	\$60,000.00
TOTAL	\$60,000.00	
I. Planning Dept. copier	Planning	\$10,000.00
TOTAL	\$10,000.00	
I. AXON Taser X-7 Electronic Control Device Project	Police	\$36,140.00
I. Cruiser Replacement	Police	\$180,000.00
I. NEXGEN Public Safety Solutions CAD System	Police	\$140,000.00
I. Smith & Wesson, M&P 9mm New Firearms Transition	Police	\$94,000.00
TOTAL	\$450,140.00	
I. 1 Ton Dump Replacement	Public Works	\$80,000.00
I. Sidewalk/ Trackless Equipment replacement	Public Works	\$300,000.00
I. Utility Pickup Truck Replacements	Public Works	\$120,000.00
I. Street paving	Public Works	\$635,000.00
TOTAL	\$1,135,000.00	
I. Ferullo Field Playground	Recreation	\$125,000.00
I. Leland Lights	Recreation	\$30,000.00
I. Leland Park Street Hockey Rink Resurfacing & Repair	Recreation	\$10,000.00
I. Shamrock Basketball Court Resurfacing	Recreation	\$35,000.00
I. Skateboard Park Design / Construction	Recreation	\$10,000.00
I. Spray Park/Bathrooms Green Street	Recreation	\$650,000.00
TOTAL	\$860,000.00	
I. H.S Turf practice field / Girls softball field dugouts	Schools	\$500,000.00
I. Technology Updates	Schools	\$250,000.00
TOTAL	\$750,000.00	
TOTALS FY23 Capital Budget		\$4,196,640.00

ORDERED Be it Ordained by the City Council of the City of Woburn, that the Woburn Municipal Code, as amended, be further amended by revising Title 2, Article VII, 2-41 Human Resources Director; Planning and Direction of Personnel Program as follows (deletion in ~~striketrough~~, revision in **bold**):

Section 3. ~~Personnel~~ **Human Resources** Department

A. Establishment

There shall be in the City of Woburn a ~~Personnel~~ **Human Resources** Department, the head of which shall be the ~~Personnel~~ **Human Resources** Director.

B. Appointment and Qualifications of the ~~Personnel~~ **Human Resources** Director

The ~~personnel~~ **human resources** director shall be qualified for this appointment by reasons of previous education, training and experience and shall be appointed by the ~~City Council~~ **Mayor**.

s/President Michael P. Concannon
Per Request of the Mayor

ORDERED Be it Ordained by the City Council of the City of Woburn, that the Woburn Municipal Code, as amended, be further amended by revising Title 2, Article XVIII, Compensation of Officers and Employees as follows (deletion in ~~striketrough~~, revision in **bold**):

2-180 Base Salaries

Water Treatment Plant Manager \$104,559.02
\$118,457.50

and that such increase be effective July 1, 2022.

s/President Michael P. Concannon
Per Request of the Mayor

NEW PETITIONS:

Petition by the Church of the Living God, 1 Mountain Road, Ste 2, Burlington, Massachusetts 01803, for special event permit for a music concert on August 8, 2022, at Horn Pond Ice House Park.

Petition by C.N. Wood Enviro LLC, 200 Merrimac Street, Woburn, Massachusetts 01801, for a special permit to amend Landowner's Decision and Notice of Special Permit dated August 6, 2020, and Section 7.3 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for alteration of nonconforming structure to provide for a roof over the existing concrete slab, at 200 Merrimac Street.

Petition by TDC Development Group, LLC, 125 High Street, Boston, Massachusetts 02110, to amend the 1985 City of Woburn Zoning Ordinance, as amended, to add new Section 32 Life Sciences and Business Overlay District (LBOD) located at Woburn Assessors' Map 29, Block 01, Lot 2; Map 29, Block 01, Lot 3; Map 29, Block 01, Lot 4; and Map 29, Block 01, Lot 5.

Petition by TDC Development Group, LLC, 125 High Street, Boston, Massachusetts 02110, to amend the zoning map for the four parcels of land known as Middlesex Canal Park (29-01-02), Middlesex Canal Park (29-01-03), 25 Middlesex Canal Park (29-01-04), 15 Middlesex Canal Park (29-01-05), together containing approximately 32.96 acres of land as shown on a plan entitled "Zoning Amendment Plan" dated July 6, 2022 from the B-I zoning district to Life Sciences and Business Overlay District (LBOD) proposed zoning district.

A communication dated July 7, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Request for Minor Modification to Landowner's Decision and Notice of Special Permit dated October 11, 2012 issued to Great Saves Concepts #30, LLC d/b/a Firehouse Subs, 103 Commerce Way, Woburn, Massachusetts (the "Decision")

Dear Ms. Higgins:

Please be advised that I represent Poke Hot LLC of 82 Brook Road, Weston, Massachusetts in connection with the above-referenced matter. On behalf of my client I respectfully request that Poke Hot LLC be allowed to replace Great Saves Concepts #30, LLC d/b/a Firehouse Subs as the Petitioner.

I have included herewith ten (10) copies of the following:

1. The Decision;
2. Menu of Firehouse Subs
3. Menu of Poke Hot

Section 11.12 of the 1985 City of Woburn Zoning Ordinance entitled Modification of Special Permits defines a “Minor Modification” as follows:

A Minor Modification is one which will result in insignificant changes to the project. The following changes are examples of revisions that may be deemed to be Minor Modifications by the SPGA for purposes of this section (**this list is not intended to be inclusive**):

1. Minor adjustments in the location of buildings.
2. Minor adjustments to parking, landscaping or other site details that do not affect the overall buildout of the site;
3. Reductions of less than five percent (5%) in the amount of landscaped usable open space.
4. Minor adjustments that do not affect the number of housing units;
5. Minor adjustments that do not materially affect any housing units set aside as affordable housing units.
6. Minor adjustments to interior building floor plans that do not increase the number of required parking spaces.
7. Minor adjustments to approved façade plans and building elevations.
8. Minor adjustments to underground utility infrastructure.

The replacement of Great Saves Concepts #30, LLC with Poke Hot, LLC is a minor modification. Poke Hot LLC will operate a fast food restaurant that serves Poke bowls which are fresh fish on top of salad or rice and dumplings that are made from steam and fried dumplings. Firehouse Subs served specialty subs, “build your own subs”, chili, soup and chopped salads topped with various meats. Both restaurants serve soft drinks. Poke Hot’s meals will be healthy, high quality Japan inspired meals. As with Firehouse Subs the customer can take food to go or enjoy it within the restaurant.

On behalf of my client I respectfully request that the City Council approve the change as a minor modification. If you need any additional information please contact me. Thank you.

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

Petition by Verizon New England Inc., 63 High Street, Danvers, Massachusetts 01970, to remove Provision No. 2 from conditions for grant of right in a way in Montvale Avenue as approved by City Council on May 3, 2022.

PUBLIC HEARINGS:

On the petition by Boston Gas dba National Grid for grant of right in a way to install approximately 354 feet of 4-inch, plastic gas main in East Dexter Avenue from an existing gas main in North Maple Street.

On the petition by CCF New Boston Property Company LLC, 185 Dartmouth Street, Suite 402, Boston, Massachusetts 02116, for Special Permits pursuant to Section 5.1(30b); Section 5.1(41a); Section 5.1(53), Section 8.3.1, and Site Plan Review pursuant to Section 12.2.4 to allow for a two (2) story building containing approximately 133,738 sf of net floor area with the following uses: Office (approximately 39,229 sf); Manufacturing (approximately 33,514 sf); and Lab Use (approximately 58,845 sf) with accessory high hazard use and the parking of ninety-two (92) vehicles on an adjacent lot located at 225 Merrimac Street, at 216 New Boston Street. PUBLIC HEARING OPENED: A communication dated June 30, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

RE: Special Permit Petitions, CCF New Boston Property Company LLC, 216 New Boston Street/225 Merrimac Street, Woburn Massachusetts

Dear Ms. Higgins:

I respectfully request that the public hearings on both the above matters scheduled for July 12, 2022 be continued to the City Council meeting scheduled for August 16, 2022. The peer review contracts have been finalized by the City Engineer but the peer reviews have not yet commenced. If you need any further information, please do not hesitate to contact me. Thank you.

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

On the petition by CCF New Boston Property Company LLC, 185 Dartmouth Street, Suite 402, Boston, Massachusetts 02116, for Special Permits pursuant to Section 5.1(30b); Section 5.1(41a), and Site Plan Review pursuant to Section 12.2.4 to allow for a four (4) story building containing approximately 174,812 sf of net floor area with the following uses: office (approximately 67,056 sf) and Lab Use (approximately 100,584 sf), as well as the Petitioner is proposing to construct a parking garage to accommodate approximately 451 parking spaces, at 225 Merrimac Street. PUBLIC HEARING OPENED: A communication dated June 30, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

RE: Special Permit Petitions, CCF New Boston Property Company LLC, 216 New Boston Street/225 Merrimac Street, Woburn Massachusetts

Dear Ms. Higgins:

I respectfully request that the public hearings on both the above matters scheduled for July 12, 2022 be continued to the City Council meeting scheduled for August 16, 2022. The peer review contracts have been finalized by the City Engineer but the peer reviews have not yet commenced. If you need any further information, please do not hesitate to contact me. Thank you.

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

On the petition by Robert D. Gaudet & Sons Cleaning Services Inc. d/b/a Service Master by Gaudet, 90 Blueberry Hill Road, Woburn, Massachusetts 01801, for a special permit from Section 7.3 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for the alteration of the preexisting nonconforming use (moving and storage warehouse business) and nonconforming structure to allow for: 1. Service use in connection with the operation of a business office under Section 5.1 (31); 2. the overnight parking of ten (10) commercial vehicles on the premises, consisting of five (5) cargo vans, (3) box trucks, and two (2) pick up trucks under Section 5.1 (57b); 3. a service use area in excess of twenty (20%) percent of the gross floor area of the principal structure; and 4. The continuation of the existing nonconforming structure related to parking setbacks, buffer zone compliance, loading door fronting on Blueberry Hill Road, and interior parking landscaping, at 90 Blueberry Hill Road.

On the petition by Iryana Market and Saeed Rajavi, 44 Main Street, Woburn, Massachusetts 01801, request for a special permit pursuant to the 1985 Woburn Zoning Ordinance, as amended, Section 5.1(29) to allow for restaurant, fast food, at 442-444 Main Street. PUBLIC HEARING OPENED: A communication dated July 5, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: PLANNING DEPARTMENT COMMENTS ON SPECIAL PERMIT
APPLICATION FOR 444 MAIN STREET IRYANA MARKET / SAEED RAJABI

Dear Council:

The Planning Department has reviewed the above-referenced Special Permit application which requests permission to allow for a fast food restaurant at the above-referenced location, in accordance with Section 5.1[29] of the Woburn Zoning Ordinance (WZO). The property is zoned Downtown Business (B-D) and therefore such use is permitted by City Council Special Permit, subject to Site Plan review requirements (Section 12). No exterior construction is proposed in connection with this application. Instead, re-configuration/renovation of interior space is proposed.

The applicant is seeking to add a hooded grill in order to sell hot food in addition to the basic daily grocery and specialty items they currently supply. With the addition of the hot grill, they intend to expand their business to include catering services of Mediterranean and Middle Eastern foods.

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

- The proposed use (RESTAURANT, FAST FOOD) 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). The application references the required special permit but does not specifically request site plan review/approval.
- Unless authorized by a subsequent Special Permit, the hours of operation of this establishment must be between 6:00 a.m. and 11:00 p.m., in accordance with Note 16 to Section 5.1, Table of Use Regulations.
- Section 8.3 allows, by right, commercial enterprises to rely on municipal off-street parking lots to meet the parking requirements of the zoning ordinance (e.g. no special permit is needed). Although the application is silent on the issue of parking, it is presumed that the business will rely on the Walnut Hill parking lot to provide parking for employees and customers in addition to the city parking lot at Campbell and Union Streets, which are within 500' of the business.
- The issue of trash storage and its regular pickup seems particularly important given that food waste will compose a portion of the business's trash. The application does not indicate if there is a dumpster at the rear of the store that will be used by the restaurant to safely store the refuse and prevent health issues. A site plan should be submitted which identifies the location of the Dumpster (if any) that will be used by this business, and the Council should consider referring the plan to the Fire Department for review and comment, since the Fire Department is the entity that regulates Dumpsters in accordance with Title 8, Article VII, Section 8-17 of the Woburn Municipal Code (general regulations for Dumpsters).
- The plan included with the application indicates that there is a rear access door. Will that door be used by employees and delivery personnel to load and unload inventory? Will delivery trucks drive to the rear of the building via the driveway, or will delivery trucks park on Main Street and goods walked to the rear access door by employees? If goods will be offloaded on Main Street because the narrow driveway precludes truck access, the Council should include a condition in any approval prohibiting delivery-related activities from interfering with use of the sidewalk by pedestrians (i.e. blocking the sidewalk with boxes or dolly ramps). There should also be a condition prohibiting stock and foodstuffs from being delivered through the front door, in order to further lessen the possibility/extent of sidewalk conflict. The Council should also consider restricting/limiting the hours of deliveries to those that

are outside of peak pedestrian times, if in fact deliveries will be made via a truck parked on the street.

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

Respectfully, s/Tina P. Cassidy, Planning Director

On the petition by U-Haul Co. of Massachusetts and Ohio, Inc., 31 Olympia Avenue, Woburn, Massachusetts 01801, for special permit pursuant to Section 7.3 and site plan review under Section 12 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for: 1. a modification of Special Permits dated September 1, 2011 and July 9, 2015; 2. the alteration of the existing nonconforming use and structure under Section 7.3 to allow for a one story addition containing approximately 19,831 gross square feet of gross floor area for the storage of U-Boxes, an increase of U-Boxes from 816 to 1200, and an increase in self-storage units from 802 to 1202; 3. Site Plan Review under Section 12 since there is an increase of gross floor area in excess of 5,000 square feet (19,831 square feet); and 4. the construction of the addition within the Flood Plain District under Section 9, at 31 Olympia Avenue. PUBLIC HEARING OPENED: A communication dated July 5, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: PLANNING DEPARTMENT COMMENTS ON APPLICATION FOR MODIFICATIONS TO A PREVIOUSLY-GRANTED SPECIAL PERMIT AUTHORIZING U-HAUL FACILITY AT 31 OLYMPIA AVENUE / U-Haul Co. of Massachusetts and Ohio, Inc.

Dear Council:

The Planning Department has reviewed the above-referenced Special Permit application which requests permission make several modifications to the Plan of Record approved in connection with a Special Permit granted on September 11, 2011 and modified on July 9, 2015. Modifications/requests consist of constructing a new 19,831 sq. ft., one-story addition to the existing building in order to allow for the storage of so-called U-Boxes; authorization to increase the number of allowed U-Boxes from 816 to 1,200; and authorization to increase the number of self-storage units from the current 802 to 1,202. Special permits pursuant to Section 7.3 (Non-Conforming Uses) and 9 (Floodplain District) will be needed as will Site Plan Review pursuant to Section 12 of the Woburn Zoning Ordinance (WZO).

Planning staff hosted a department meeting with the Petitioners on Tuesday, July 5, 2022. Attendees included the Engineering, Fire, Planning, and Inspectional Services departments. Written comments were also provided by staff for the Conservation Commission. The Commission noted that some of the work being proposed will fall within areas under the Commission's jurisdiction, and therefore the Petitioners will be required to file with the

Commission for permission to conduct the work. The Commission also noted that site work is planned in very close proximity to the limits of the FEMA floodplain. It recommends special care be taken to ensure the Petitioner does not fill any portion of the site that is within a floodplain, or store any materials, including snow, within the floodplain itself.

The following additional comments and recommendations were made during the department meeting:

- The Engineering Department noted that the submitted drainage calculations appeared acceptable but that it did have several traffic-related questions it needed to pose to the Petitioner's traffic engineer. Comments on drainage and traffic will be submitted by the Engineering Department separately from this comment letter;
- The project triggers review under the City's Development Impact Assessment and Mitigation Ordinance (Section 18 of the WZO). The Engineering Department will provide additional comments and recommendations on mitigation under separate cover;
- The Fire Department expressed concerns with at least one aspect of the intended interior floor use. The Petitioner intends to stack multiple U-Boxes on top of each other as a matter of routine, and the Fire Department is concerned the potential impact of this practice on firefighting capability. In the event a fire breaks out in a storage box on the lower levels, the boxes on the upper level will act as barriers and prevent the water from fire sprinklers from ever reaching the lower level. In those circumstances, the fire can spread laterally along the lower level of storage boxes;
- The proposed plans show new, additional water and sewer lines being extended into the site, but the Petitioner indicated he had not consulted with either the Department of Public Works or the Engineering Department to determine if a second, metered line can be added. The Petitioner is urged to do so before a decision is made on the Special Permit, since plan revisions may be needed after consultation;
- There is concern that the number of vehicles on the site occasionally or routinely exceeds the maximum number of 75 that has been previously authorized. Adding additional floor space will only exacerbate the potential for infractions. Inspectional Services staff recommends the Council require an "operations and maintenance" plan of sorts, which plan clearly specifies how vehicles will be managed to ensure numbers don't exceed the maximum permitted; and
- All refuse disposal containers must be sited so that they comply with all zoning setback requirements and be adequately screened.

Please feel free to contact me if you have any questions or need additional information.

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

On the petition by ECA NEMA Brightfields I, LLC and ECA NEMA Brightfields II, LLC, 282 Moody Street, No. 202, Waltham, Massachusetts 02453, request for special permit and site plan review pursuant to the 1985 Woburn Zoning Ordinance, as amended, Section 12 and Section 26, to modify existing special permit issued on June 10, 2021, regarding the site plan and solar array layout, at the Industri-Plex site at 134 Commerce Way, 39 Atlantic Avenue, 132 Commerce Way, four parcels off New Boston Street, 30 Atlantic Avenue and 0 New Boston Street. PUBLIC HEARING OPENED: A communication dated July 5, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: PLANNING DEPARTMENT COMMENTS ON APPLICATION FOR MODIFICATIONS TO A PREVIOUSLY-GRANTED SPECIAL PERMIT AUTHORIZING CONSTRUCTION OF SOLAR FIELDS AT 39 ATLANTIC AVENUE AND 134 COMMERCE WAY / ECA NEMA Brightfields I LLC and ECA NEMA Brightfields II LLC

Dear Council:

The Planning Department has reviewed the above-referenced Special Permit application which requests permission make several modifications to the Plan of Record approved at the time a Special Permit was granted on June 10, 2021. Modifications consist of relocating the proposed driveway on Atlantic Avenue in order to avoid conflicts with recently-installed utilities and minor site work associated with the relocation; and relocating various solar panels in both the southern and northern solar arrays in order to accommodate the wishes of the Woburn Conservation Commission, either to safeguard the 25' No Disturb Zone around several wetlands resources or to minimize site disturbances and changes to the cap surface.

Planning staff hosted a department meeting with the Petitioners on Tuesday, July 5, 2022. Attendees included the Engineering, Fire, Planning, and Inspectional Services departments. City staff confirmed that the plan filed with the Council is up to date and accurately reflects current, existing lot lines. The Petitioner also stated that all needed EPA approvals have been obtained.

The following comments and recommendations were made during the department meeting:

- A significant number of solar panels are being relocated to an area immediately adjacent to the driveway leading from the Anderson/Woburn Regional Transportation Center to Commerce Way. The existing light poles along this driveway are owned by MassPort and many appear to be in questionable (poor) condition. Inspectional Services and Fire Department personnel are concerned with the condition of the poles at present as they present a potential safety risk to both humans and equipment, including the planned solar array.

- A Knox Box, Knox Padlock, or similar device meeting the Fire Department’s approval should be required on every gate at every point of access, to ensure/facilitate ease of access by the Fire Department when needed.
- The Council should consider imposing a condition of approval that requires the Petitioner’s management team and its contractor to provide access and mitigation training for Fire Department personnel, prior to “energizing” the proposed fields for use. The condition should also require the Petitioner to provide additional training to City personnel any time there is an update/upgrade or change to the solar photovoltaic installation that might impact emergency responses to the site.

If you have any additional questions please feel free to contact me.

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

On the petition by McDonald’s Real Estate Company, 110 N. Carpenter Street, Chicago, Illinois 60607, request for a special permit pursuant to the 1985 Woburn Zoning Ordinance, as amended, Section 7.3 and Section 9, to allow for a modification to the Site Plan of Record dated December 2, 2011 within the Floodway as follows: 1. Relocation of the trash enclosure; 2. Reconfiguration of the existing full access drive to an entrance only drive which reconfiguration was previously approved as part of the Vale/Hill Street widening project; 3. New full access drive, previously approved as part of the Vale/Hill Street widening project; 4. The existing exit lane flowing against the drive-thru traffic to be removed and the landscape area to be expanded; 5. Replacement of existing utility pole transformer and new connection to underground conduits; and 6. Connection to public sidewalk, [please see Sheet C-301 entitled: “Proposed Layout Exhibit” dated April 20, 2022, as revised on June 7, 2022, prepared by Bohler, 352 Turnpike Road, Southborough, Massachusetts 01772], at 333 Montvale Avenue.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

COMMITTEE REPORTS:

FINANCE:

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

ORDERED That the sum of \$246,738.31 be and is hereby transferred as so stated

From:	Mayor Salary Adjustment / FY2023	
	Acct# 0112151-511019	\$246,738.31

To: Various Department Salaries \$246,738.31

Purpose: Contract Settlement & Commitments
Teamsters Contract Settlement FY2023

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

s/President Michael P. Concannon

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

ORDERED That the sum of \$29,000.00 be and is hereby transferred as so stated

From: Stabilization-Affordable Housing
Acct# 704159-596100 \$29,000.00

To: Planning Consultant/Peer Review \$29,000.00
Acct# 0117252-530500

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

s/President Michael P. 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 2, Article XXVII, Section 2-180 of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. That the base salary of the City Auditor be amended to \$110,998.84;
2. That the base salary of the City Clerk be amended to \$91,287.41;
3. That the base salary of the Clerk of City Council be amended to \$12,698.88;
4. That the base salary of the Clerk of Board of Registrars of Voters be amended to \$12,698.88;
5. That the base salary of the Human Resources Director be amended to \$107,768.35;

6. That the base salary of the Library Director be amended to \$107,111.69;
7. That the base salary of the City Solicitor be amended to \$108,707.80;
8. That the base salary of the Superintendent of Public Works be amended to \$132,680.95; and
9. That this section shall be effective July 1, 2021.

Be it further Ordained by the City Council of the City of Woburn that Title 2, Article XXVII, Section 2-180 of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. That the base salary of the City Auditor be amended to \$113,218.82;
2. That the base salary of the City Clerk be amended to \$93,113.16;
3. That the base salary of the Clerk of City Council be amended to \$12,952.86;
4. That the base salary of the Clerk of Board of Registrars of Voters be amended to \$12,952.86;
5. That the base salary of the Human Resources Director be amended to \$109,923.72;
6. That the base salary of the Library Director be amended to \$109,253.92;
7. That the base salary of the City Solicitor be amended to \$110,881.96;
8. That the base salary of the Superintendent of Public Works be amended to \$135,334.57; and
9. That this section shall be effective July 1, 2022.

Be it further Ordained by the City Council of the City of Woburn that Title 2, Article XXVII, Section 2-180 of the 1989 Woburn Municipal Code, as amended, be further amended as follows:

1. That the base salary of the City Auditor be amended to \$115,483.20;
2. That the base salary of the City Clerk be amended to \$94,975.42;
3. That the base salary of the Clerk of City Council be amended to \$13,211.92;
4. That the base salary of the Clerk of Board of Registrars of Voters be amended to \$13,211.92;
5. That the base salary of the Human Resources Director be amended to \$112,122.19;
6. That the base salary of the Library Director be amended to \$111,439.00;
7. That the base salary of the City Solicitor be amended to \$113,099.60;
8. That the base salary of the Superintendent of Public Works be amended to \$138,041.26; and
9. That this section shall be effective July 1, 2023.

s/President Michael P. Concannon

PUBLIC SAFETY AND LICENSE:

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

Transfer of Second-Class Motor Vehicle Sales License from Capelo’s Auto Service, Inc. dba J.C. Auto Sales to JFSO Auto Sales, LLC at 84-86 Winn Street.

LIAISON:

Review and Potential Approval of Settlement Agreement for NAI Entertainment Holdings LLC v. Woburn City Council.

CITIZEN’S PARTICIPATION: None.

COMMUNICATIONS AND REPORTS

A communication dated June 16, 2022, 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 2022 to May 2022: Number of Violations Issued 228, Numbers of Violations Paid 113, Number of Violations Outstanding 109, Amount collected and submitted to Collectors Office \$19,040.00, Parking fines referred to the Handicap Commission \$3,600.00.

There is a backlog of 1587 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

A communication dated July 1, 2022, 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:

Regarding the above referenced section of the Woburn Municipal Code, I submit the following quarterly nuisance report for the period of April 1, 2022 thru June 30, 2022.

8 Russell Court Owner has communicated with office and has started to clean exterior grounds, site is being monitored weekly for progress.

43-45 Church Street owner failed to comply with Court Order on resolving fines, a criminal complaint has been filed with court.

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

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

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED Be it Ordained by the City Council of the City of Woburn, that pursuant to the Woburn Municipal Code, as amended, Title 3, Article I, Section 3-6, the Police Chief is hereby authorized to dispose of the following vehicles and equipment which the Police Chief has determined is of no value to the department and which no other department has expressed an interest in obtaining.

<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>
2004	Toyota Sienna	5TDZA23C14S167105

s/President Michael P. Concannon

ORDERED Be it Ordained by the City Council of the City of Woburn, that pursuant to the Woburn Municipal Code, as amended, Title 3, Article I, Section 3-6, the Superintendent of the Parks Department is hereby authorized to dispose of the following vehicles and equipment which the Superintendent of the Parks Department has determined is of no value to the department and which no other department has expressed an interest in obtaining.

<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>
2005	Ford F-350	2FAFP71W85X118720

2002 GMC 3500 1GDJK34U82E225426
1999 Ford F-350 2FDKF38GXSCA69263
1995 Jacobsen Mower

s/President Michael P. Concannon

ORDERED Be it Ordained by the City Council of the City of Woburn, that pursuant to the Woburn Municipal Code, as amended, Title 3, Article I, Section 3-6, the Superintendent of Public Works is hereby authorized to dispose of the following vehicles and equipment which the Superintendent of Public Works has determined is of no value to the department and which no other department has expressed an interest in obtaining.

<u>Year</u>	<u>Make/Model</u>	<u>VIN</u>
2006	Ford Crown Vic	2FAFP71W56X110074
2006	Ford F-350	1FDWF31536EC60405
2001	Ford Taurus	1FAFP53U61A170446
1999	Ford F-350	1FDWF37L4XEA90918
2008	Ford Taurus	1FAHP27W98G132607
2002	Ford F-350	1FTSF31L72EA42950
2006	Ford Crown Vic	2FAFP71WX6X113388
2001	Chevrolet Tahoe	1GNEK13V81J266334
1985	Hyster Forklift	

s/President Michael P. Concannon

ORDERED That the City Council Regular Meeting scheduled for September 6, 2022 is hereby canceled due to the state primary election.

s/President Michael P. Concannon

Motion made and 2nd to ADJOURN.