

**CITY OF WOBURN  
AUGUST 16, 2022 – 6:30 P.M.  
REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

|           |                 |
|-----------|-----------------|
| Campbell  | Ferullo         |
| Demers    | Gately - Absent |
| Dillon    | Mercer-Bruen    |
| DiMambro  | Viola           |
| Concannon |                 |

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President Concannon had a moment of silence for Catherine (Curran) Scalley who passed away on August 5, 2022. Catherine was the Secretary to five consecutive Mayors including, Edward P. Gilgun, Thomas M. Higgins, John W. Rabbitt, Robert M. Dever , and finishing her career with her nephew, John C. Curran.

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VOTED to dispense with the reading of the previous meeting’s Journal and to APPROVE, all in favor, 8-0-1 (Ferullo Absent).

**MAYOR’S COMMUNICATIONS:**

ORDERED That the sum of \$5,000.00 be and is hereby transferred as so stated:

|       |                                   |            |
|-------|-----------------------------------|------------|
| From: | Traffic Safety and Infrastructure | \$5,000.00 |
| To:   | Acct# 360058-588350               |            |
|       | Traffic Detail Town Fair Tire     | \$5,000.00 |

Local Bottleneck Reduction Program  
City Share for police Details – Mass DOT

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

Councilor Mercer-Bruen stated she wanted a communication sent to the City Engineer asking him to attend the committee meeting to explain what the Local Bottleneck Reduction Program is. Motion made and 2<sup>nd</sup> to send a communication to the City Engineer inviting him to the committee meeting, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> that the

MATTER BE REFERRED TO THE COMMITTEE ON FINANCE, all in favor, 8-0-1 (Ferullo Absent).

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ORDERED That the sum of \$19,550.00 be and is hereby transferred as so stated

|       |  |                   |
|-------|--|-------------------|
| From: | Traffic Safety and Infrastructure                              | \$19,550.00       |
| To:   | Washington Street Drainage Improvements<br>Acct# 360058-588235 | \$10,700.00       |
|       | UHall Olympia Ave<br>Acct# 360058-588206                       | <u>\$8,850.00</u> |
|       | Total  | \$19,550.00       |

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

Councilor Mercer-Bruen stated she wanted a communication sent to the City Engineer asking him to attend the committee meeting to explain to discuss the details of this transfer. Motion made and 2<sup>nd</sup> to send a communication to the City Engineer inviting him to the committee meeting, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON FINANCE, all in favor, 8-0-1 (Ferullo Absent).

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ORDERED That the City of Woburn appropriates the sum of One Million Four Hundred Thousand Dollars (\$1,400,000) to pay for the costs of acquiring a ladder truck, including the payment of costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority. Any premium received by the City upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

I hereby recommend the above: s/Scott D. Galvin, Mayor  
Dated: 8/11/2022

Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON FINANCE, all in favor, 8-0-1 (Ferullo Absent).

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**NEW PETITIONS:**

Petition by New England Orienteering Club, 9 Cannon Road, Woburn, Massachusetts, 01801, for a Special Event Permit for a map and compass sport event at Horn Pond, parking lot and Arlington Road on August 28, 2022. Motion made and 2<sup>nd</sup> to APPROVE THE SPECIAL EVENT PERMIT, all in favor, 8-0-1 (Ferullo Absent).

**Presented to the Mayor: August 18, 2022**                      **s/Scott D. Galvin August 18, 2022**

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Petition by Jeraism Services Inc., 111 Locust Street, Town House 21, Woburn, Massachusetts, 01801 for a New Livery License for 1 vehicle. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND LICENSE, all in favor, 8-0-1 (Ferullo Absent).

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A communication dated August 3, 2022, was received from Thomas Gallione, Safety Officer for Ultra Intelligence & Communications, 10 Sonar Drive, Woburn, Massachusetts 01801 as follows:

Dear Lindsey,

The hydrogen tanks are no longer in use and have been removed, the license to store certain flammable materials is no longer needed. Included is an email chain from Air Products confirming the removal of tanks.

Regards, s/Thomas Gallione, Safety Officer

City Clerk Higgins stated nothing has been received from the Fire Department on this matter. Motion made and 2<sup>nd</sup> that the communication be received and made part of the permanent record, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND LICENSE, all in favor, 8-0-1 (Ferullo Absent).

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Petition by Woburn Bowladrome Inc., 32 Montvale Avenue, Woburn, Massachusetts 01801 for renewal of Bowling Alley License. Motion made and 2<sup>nd</sup> that the MATTER BE

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND LICENSE, all in favor, 8-0-1 (Ferullo Absent).

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Petition by NStar Electric Company, d/b/a Eversource Energy, for grant of right in a way to install 52 feet of conduit, in East Dexter Avenue. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 8-0-1 (Ferullo Absent).

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Petition by Comcast for grant of right in a way to install a new conduit, at 1 Hill Street. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 8-0-1 (Ferullo Absent).

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Petition by John Luther Bonanno Construction Inc, 239 Salem Street, Woburn, Massachusetts 01801, for special permit pursuant to Section 5.5 of the 1985 City of Woburn Zoning Ordinance, as amended, to bring in additional fill for a retaining wall, at 11 Harvard Avenue Extension. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 8-0-1 (Ferullo Absent).

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Petition by Carden Muffin, Inc. d/b/a Graze Craze, 4 Mostika Road, Woburn, Massachusetts 01801, for a special permit pursuant to Section 5.1(29), Section 7.3, Section 12, and Section 15, of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for the alteration of the existing nonconforming use and structure for a fast-food restaurant (sale of charcuterie boards), with existing nonconforming parking spaces within the Groundwater Protection District, at 221 Main Street. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 8-0-1 (Ferullo Absent).

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Petition by Dan N. Zhu d/b/a Jo Salon, 3 Dunstable Street, Charlestown, Massachusetts 02129, for a special permit pursuant to Section 5.1(33b) of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for muscular therapy, at 440 Main Street a/k/a 442 Main Street. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 8-0-1 (Ferullo Absent).

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Petition by Veir Inc, 3 Gill Street Suite D, Woburn, Massachusetts 01801, for a special permit pursuant to Section 5.1(57b) and Section 5.1(66) of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for overnight parking of five (5) commercial vehicles, and

to allow for the accessory use for scientific research to install a temporary test bed for the next generation superconducting power cables, at 6 Draper Street. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 8-0-1 (Ferullo Absent).

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A communication dated August 10, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, regarding “Request for Minor Modification to Landowner’s Decision and Notice of Special Permit dated September 2, 2021/FRH Realty LLC, 316 New Boston Street, Woburn, Massachusetts (the “Decision”). Motion made and 2<sup>nd</sup> that the communication be received and made part of the permanent record, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> to suspend the rules to allow the petitioner to speak on the matter, all in favor, 8-0-1 (Ferullo Absent). Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated he is requesting to refer this to the Special Permits Committee because he knows there is a lengthy agenda. Attorney Tarby stated he spoke with Councilor DiMambro about this. Attorney Tarby stated he did meet with the Building Commissioner with respect to Section 7.12 of the zoning ordinance that the petitioner must go to the Building Commissioner first and if he does not allow the changes, then the petitioner must apply to the City Council who then determines if it is a minor or a major change. Attorney Tarby stated that the client nor the engineer is here tonight. Councilor Mercer-Bruen stated she wanted to make a brief comment. Councilor Mercer-Bruen stated she would defer to Councilor DiMambro as it is his ward. Councilor Mercer-Bruen stated that she cannot support this as a minor modifications. Councilor Mercer-Bruen stated that they may be minor in nature, but when you put all the 10 changes together, they are not minor, so she wants to be clear about this. Attorney Tarby stated he understands this is a large projects. Attorney Tarby stated that they are bringing down the heights of the building, that there is 425 units and buildings on site. Attorney Tarby stated he would like to take time in Special Permits Committee to explain. Motion made and 2<sup>nd</sup> to return to the regular order of business, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 8-0-1 (Ferullo Absent).

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A communication dated August 11, 2022, was received from Attorney Mark T. Vaughn, Reimer & Braunstein LLP, 700 District Avenue, Burlington, Massachusetts 01803, regarding “Woburn Village (Avalon Woburn), Minor Plan Amendment” at 290 Mishawum Road. Motion made and 2<sup>nd</sup> that the communication be received and made part of the permanent record, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> that the MATTER BE LAID ON THE TABLE, all in favor, 8-0-1 (Ferullo Absent).

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**PUBLIC HEARINGS:**

Motion made and 2<sup>nd</sup> to take the next two matters collectively, all in favor, 8-0-1 (Ferullo Absent).

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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 July 20, 2022, was received from Janet Carter Bernardo, P.E., Associate Principal, and Steve Stanish, P.E., Senior Engineer, Horsley Whitten Group, 112 Water Street, 6<sup>th</sup> Floor, Boston, Massachusetts 02109, regarding "Initial Stormwater Peer Review 216 New Boston Street, Woburn, Massachusetts".

Further, a communication dated August 11, 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 August 16, 2022 be continued to the City Council meeting scheduled for September 20, 2022. The peer review from Environmental Partners has not been finalized. In addition, the peer review from World Tech was received last week. If you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 8-0-1 (Ferullo Absent). PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON September 20, 2022, all in favor, 8-0-1 (Ferullo Absent).

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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 July 20, 2022, was received from Janet Carter Bernardo, P.E., Associate Principal, and Steve Stanish, P.E., Senior Engineer, Horsley Whitten Group, 112 Water Street, 6<sup>th</sup> Floor, Boston, Massachusetts 02109, regarding "Initial Stormwater Peer Review 216 New Boston Street, Woburn, Massachusetts".

Further, a communication dated August 11, 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 August 16, 2022 be continued to the City Council meeting scheduled for September 20, 2022. The peer review from Environmental Partners has not been finalized. In addition, the peer review from World Tech was received last week. If you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 8-0-1 (Ferullo Absent). PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON September 20, 2022 , all in favor, 8-0-1 (Ferullo Absent).

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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 August 11, 2022, was

received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, regarding “Special Permit Petition/Modification of Special Permit Decision of U-Haul Co. of Massachusetts and Ohio, Inc., 31 Olympia Avenue, Woburn, MA” that contains revised site plan dated July 29, 2022 and summary of Plan revision prepared by Allen & Major Inc., dated August 3, 2022.

Further, a communication dated August 4, 2022, was received from John E. Corey, Jr. P.E., Woburn City Engineer, as follows:

**Subject: 31 Olympia Ave. – U Haul Special Permit**

We wish to offer clarification on our memo dated July 18, 2022, relative to the above referenced project. The intersection of Cedar St. and Washington St. was at one time coordinated with the traffic signal at Salem St. and Washington St. The communications link in the state signal has not functioned for the last year. Our intension is to reestablish the communications link using an Applied Information field monitoring unit (FMU) with a five year cloud service package.

Since the time of our memo, we have had an opportunity to see what is actually available for equipment in the signal cabinet. It is equipped with both a GS2 GridSmart processor and camera as well as with Iteris cameras. Therefore, the intersection can stream video through either camera system using a GridSmart performance plus package with streaming video software or with Iteris 4 channel video encoder streaming video system. The FMU would be configured on the MassDOT mmcomms.appinfoinc system so that we can monitor and alter the intersection via the computer. The FMU would also be configured to allow running the TravelSafelyApp. Additionally, the two intersections would communicate with each other through the FMU’s, and they would be coordinated to run in a dynamic split mode.

The traffic consultant would have to have the work approved by MassDOT and the equipment would be installed by a certified Traffic Signal Contractor. The city would own and maintain the FMU as is standard with MassDOT.

Our estimate of the above work would be \$7,500 for the FMU with a five year cloud service, \$3,500 for the Iteris video encoder and \$3,000 for the installation and configuration. However, the traffic consultant should make their own estimate of the work since they are the experts. The cost will be what it will be. It is our intent that the intersection function as specified above and that the work should not be the city’s responsibility.

I trust the foregoing information suffices for your needs. Should you have any questions or comments, please do not hesitate to contact this office.

Further, a communication dated August 8, 2022, was received from Craig J. Ziady, General Counsel, Cummings Properties, 200 West Cummings Park, Woburn, Massachusetts 01801,

regarding “U-Haul Co. of Massachusetts (“Applicant”), 31 Olympia Avenue, Woburn, MA; Application for Modification to Special Permit.”.

Further, a communication dated August 11, 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 Petition/Modification of Special Permit Decision of U-Haul Co. of Massachusetts and Ohio, Inc., 31 Olympia Avenue, Woburn, MA

Dear Ms. Higgins:

I respectfully request that the public hearings on the above matter scheduled for August 16, 2022 be continued to the City Council meeting scheduled for September 20, 2022. The Special Permit Petition is still being reviewed by the Special Permits Committee. If you need any further information, please do not hesitate to contact me. Thank you.

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

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 8-0-1 (Ferullo Absent). PUBLIC COMMENTS: None. Councilor Mercer-Bruen stated she is very worried and that this project is a huge expansion. Councilor Mercer-Bruen stated this is turning more into a storage facility. Councilor Mercer-Bruen stated the City Council in prior years tried to restrict the amount of storage facilities in the city. Councilor Mercer-Bruen stated she is concerned about the size of this project. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON September 20, 2022, all in favor, 8-0-1 (Ferullo Absent).

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Motion made and 2<sup>nd</sup> to take the matter of Woburn Avalon LLC for a minor modification to approve a patio canopy in the Woburn Village at 290 Mishawum Road, from the table, all in favor, all in favor, 8-0-1 (Ferullo Absent).

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A communication dated August 11, 2022, was received from Attorney Mark T. Vaughn, Reimer & Braunstein LLP, 700 District Avenue, Burlington, Massachusetts 01803, regarding “Woburn Village (Avalon Woburn), Minor Plan Amendment” at 290 Mishawum Road. Motion made and 2<sup>nd</sup> to suspend the rules to allow the petitioner to speak on the matter, all in favor, 8-0-1 (Ferullo Absent). Appearing for the petitioner, Attorney Mark T. Vaughn, Reimer | Braunstein LLP, 700 District Avenue, 11th Floor, Burlington, Massachusetts 01803, stated he had Robin Griffin from Edens with him. Attorney Vaughn stated this request was

consistent with a previous one for certain outdoor canopy areas such as with Panera, Cava, and Shake Shack. Attorney Vaughn stated that one area they overlooked was in the Avalon Building Caffe Nero near DSW. Attorney Vaughn stated that Caffe Nero is a fast casual restaurant that offers coffee, breakfast and lunch and they want an outdoor canopy. Attorney Vaughn stated that this was part of the building envelope, but that they did not put a canopy entrance. Attorney Vaughn stated that he believes it is minor under the Chapter 40R zoning. Attorney Vaughn also stated that he did include language for a proposed condition to keep with the same intent as previous modifications: “The restaurant patio canopy shall substantially conform with the design intent shown on the renderings entitled ‘Exterior Elevations, Caffe Nero, Sheets A300 and A400’ dated March 18, 2022. The patio canopy may be open air or modified to be fully enclosed, but any wall enclosure shall be constructed with glass panels and shall not have plastic walls at the ground level.” Attorney Vaughn stated that there is going to be a green lawn area behind the newly opened Surf restaurant, and there is going to be a fire pit. Attorney Vaughn stated that the final location of the fire pit shifted slightly and is on the plans, which the Building Commissioner asked that this was included in the updated plans. Councilor Mercer-Bruen stated she is not a fan of minor modifications; however, this is minor to her. Councilor Mercer-Bruen stated that some people had concerns of parking, but she has heard great things. Councilor Mercer-Bruen commended the builders for building what they said they were going to build. Attorney Vaughn stated that parking is always a challenge, especially since there is construction. Attorney Vaughn stated once the construction is done, the concern should be done. Motion made and 2<sup>nd</sup> to return to the regular order of business, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> TO GRANT THE MINOR MODIFICATION with the following condition: The restaurant patio canopy shall substantially conform with the design intent shown on the renderings entitled “Exterior Elevations, Caffe Nero, Sheets A300 and A400” dated March 18, 2022. The patio canopy may be open air or modified to be fully enclosed, but any wall enclosure shall be constructed with glass panels and shall not have plastic walls at the ground level, all in favor, 8-0-1 (Ferullo Absent).

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Motion made and 2<sup>nd</sup> to return to the regular order of business, all in favor, 8-0-1 (Ferullo Absent).

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On the 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. PUBLIC HEARING OPENED: A communication dated August 1, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: APPLICATION TO MODIFY PREVIOUSLY-APPROVED SPECIAL PERMIT  
DECISION AND PLAN OF RECORD FOR 200 MERRIMAC STREET / CN  
WOOD

Dear Council:

The Planning Department reviewed the above-referenced Petition which seeks permission to modify a previously-granted Special Permit (August 6, 2020) for this property. Specifically, the pending application seeks permission to add a roof over an existing concrete landing at the rear of the building. The new portion of roof will be 30' wide x 60' deep, and will have a height of 28'10".

Please be advised that the Planning Department has no comments or recommendations to suggest with respect to this Petition. Please feel free to contact me if you have any questions.

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

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 8-0-1 (Ferullo Absent). Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated C.N. Wood is seeking a modification of the Special Permit dated August 6, 2020, under Section 7.3 of the Woburn Zoning Ordinances for a nonconforming structure to put a roof over a concrete slab at the rear. Attorney Tarby stated this area will be used for a wash bay which will be 60' x 30' x 28'10" height. Attorney Tarby stated that the planning board chose not to send comments or recommendations. Upon inquiry from Councilor DiMambro, Attorney Tarby stated the intent on the wall is to come down a couple feet. Gerry Carney of C.N. Wood stated that the roof over the slab will come down a few feet and there will be no skirting, nor will it come all the way down. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 8-0-1 (Ferullo Absent). PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> to GRANT THE SPECIAL PERMIT, all in favor, 8-0-1 (Ferullo Absent).

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On the petition by Guardado Landscaping, 11 Green Street, Woburn, Massachusetts 01801, for a special permit pursuant to the 1985 Woburn Zoning Ordinance, as amended, Section 5.1(57b), to allow for the overnight parking of 3 trucks and 2 trailers for a landscaping business, at 11 Green Street. PUBLIC HEARING OPENED: Attorney Joseph P. Franzese, Franzese & Franzese, P.C., Attorneys at Law, 152 The Lynnway, Suite 3B, Seaport Landing, Lynn, Massachusetts 01902, stated his client, Oscar Guardado, was present. Attorney Fanzese stated Mr. Guardado was born in El Salvador, is a U.S. Citizen, and he is the owner and runs this small business. Attorney Fanzese stated Mr. Guardado was on the list do plowing for Woburn. Attorney Fanzese stated the business has been there for 12 years and he would like to keep overnight parking on the site. Attorney Fanzese stated the business is not operating on Green Street, but that he gives estimates and performs the work at the

homeowners' locations. Attorney Fanzese stated there will be two or three spaces for the employees and then spaces for a one ton truck, a three ton truck, and a couple of trailers. Attorney Fanzese stated in response to the planning comments about refuse, the refuse is clean in the morning. Attorney Fanzese stated the petitioner picks up the mulch at Heimlich's Nursery/Landscaping and at the end of the night the truck will go back to the Heimlich for recycling. Attorney Fanzese stated there is no woodchipper. Attorney Fanzese stated the petitioner is asking for a very narrow request and that he had photos to submit. Motion made and 2<sup>nd</sup> that the photos be received and made part of the permanent record, all in favor, 8-0-1 (Ferullo Absent). Attorney Fanzese stated during the winter the petitioner does plowing and the plows stay on the trucks neatly secured. Attorney Fanzese stated the business is not a nuisance to the neighbors: there is no customers on site, there is no traffic except for the employees, and they are licensed and insured. Attorney Fanzese stated they are good neighbors. Councilor Gately stated that this is in his Ward 2. Councilor Gately stated that the reason the petitioner is here is because of complaints from the neighbors. Councilor Gately stated that legally the business cannot start until 7:00 a.m. Upon inquiry from Councilor Gately, Attorney Fanzese stated the business has a 5:00 p.m. end time. Councilor Gately stated that the shape of building needs to be cleaned up and that the petitioner needs to paint it to make it look good. Attorney Fanzese agreed. Councilor Gately stated when striping the car cannot be hanging out the back of it and on to the street. Attorney Fanzese agreed. Attorney Fanzese stated he agreed to having the parking area striped, the cleaning up the shack and painting it, as well as hours of operation from 7:00 a.m. to 7:00 p.m. Upon inquiry from Councilor Viola, Oscar Guardado, the petitioner, stated he stores the plows behind the garage. Councilor Campbell stated that the space looks tight. Upon inquiry from Councilor Campbell, Mr. Guardado stated that the trucks with plows are parked in the back of the building and do not stick out. Attorney Fanzese stated the employee parking will be in front with stripes and the truck will be parked in the back. Councilor Mercer-Bruen stated she agrees with Councilor Gately about the paint as the building is in tough shape, and she wanted the fence to be repaired. Mr. Guardado stated he has replaced the fence, but that his neighbor keeps pushing snow towards his side. Councilor Mercer-Bruen stated when that happens the petitioner should call the building inspector. Mr. Guardado stated the neighbor keeps doing it. Councilor Mercer-Bruen stated fix it. Upon inquiry from Councilor Mercer-Bruen, Mr. Guardado stated the business was originally in Winchester, so he left the vehicles registered in Winchester. Councilor Mercer-Bruen stated that she wants a condition that all three are registered in Woburn. Upon inquiry from Councilor Dillon, Mr. Guardado stated he has been in business for 14 years. Councilor Dillon stated the neighbors did complain. Mr. Guardado stated he believes it is the other company onsite. Upon inquiry from Councilor Dillon, Mr. Guardado stated that the extra materials are just clippings, and they go to Heimlich. Upon inquiry from Councilor Dillon, Mr. Guardado stated he makes sure his guys are back to Heimlich before Heimlich closes. Upon inquiry from Councilor DiMambro, Mr. Guardado stated that he takes his own truck overnight home when needs to plow, there is one truck with a plow. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 8-0-1 (Ferullo Absent). PUBLIC COMMENTS: George Poole, 12 Green Street, stated he has lived in his home since 2015 and that the problems did not originate with this petitioner. Mr. Poole stated that the issues were when Black Diamond moved in. Mr. Poole stated he had concerns with the site plan dated May 5, 2022, by Uniterra Consulting. Mr. Poole stated that No. 9 and No. 11 Green Street have bituminous concrete

that usually has dust and mud by Black Diamond. Mr. Poole stated that the three trucks and two trailers seem fine because that is what they are doing. Mr. Poole stated that the special permit should defined the vehicle and trailer size. Mr. Poole stated that the bobcat located at 9 Green Street should not be used onsite and the number of private vehicles onsite should be limited. Mr. Poole stated that his neighbor every day uses the sidewalk to go across and the back of the cars are sticking out. Mr. Poole stated that most of the problems is 9 Green Street, but that this request seems reasonable. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> THAT THE SPECIAL PERMIT BE GRANTED with the following conditions: 1. The hours of operation shall be 7:00 a.m. to 7:00 p.m.; 2. The petitioner shall paint the building; 3. The traffic markings for the spots out front shall be striped; 4. The petitioner shall be limited to three (3) vehicles parked out front of the building; 5. All vehicles shall be registered in the City of Woburn; 6. No materials shall be stored on site; 7. The vehicles to be parked overnight on site include three (3) trucks (consisting of a ¾ ton truck, a ton truck, and a bobcat), and two (2) landscaping trailers; and 8. Petitioner shall repair and maintain fence on the easterly side of the property, all in favor, 8-0-1 (Ferullo Absent).

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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. PUBLIC HEARING OPENED: A communication dated August 1, 2022, was received from Tina P. Cassidy, Woburn Planning Board Director as follows:

RE: APPLICATION TO MODIFY PREVIOUSLY-APPROVED SPECIAL PERMIT DECISIONS AND PLANS OF RECORD FOR RESTAURANT AT 333 MONTVALE AVENUE / McDonald’s Real Estate Company

Dear Council:

The Planning Department has reviewed the above-referenced Petition which seeks permission to modify two (2) previously-granted Special Permits (October 11, 2011 and February 9, 2012) authorizing the operation of a fast food restaurant at this address. Revisions include **(a)** relocation of trash enclosure; **(b)** reconfiguration of the existing full access driveway on Hill Street, to make it an “entrance only” driveway; **(c)** installation of a new full access driveway approximately 70’ south of the existing Hill Street driveway; **(d)**

replacement of an existing vehicular exit lane with an expanded landscaped area; (e) replacement of an existing utility pole transformer and new connection to underground conduits; and (f) construction of a walkway to connect the building's entrance/exit door with the public sidewalk on Hill Street.

We offer the following comments on this Petition:

1. With respect to the trash enclosure, the Department recommends the Council require it be screened with some type of opaque fencing;
2. An additional "Do Not Enter" sign be erected facing traffic entering from Montvale Avenue, at the location noted as "Point A" on the attachment;
3. Consider requiring the Petitioner to plant one (1) or two (2) trees, in the largest of the "islands" proposed to be created via pavement striping, behind the drive-through in locations noted as "Point B" and "Point C" on the attachment; and
4. A condition should be imposed that requires the site's operator to re-paint the pavement markings annually. The pavement markings are critical to ensuring safe vehicular and pedestrian circulation around the site. Inspectional Services Director Tom Quinn and I both recommend the pavement painting take place every year after the snow season, perhaps between May 1st and June 30th.

Please feel free to contact me if I can provide clarification or additional assistance.

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

Further, a communication dated August 11, 2022, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, regarding "Special Permit Petition/Modification of Special Permit Decision of McDonald's USA, LLC, 333 Montvale Avenue, Woburn MA".

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 8-0-1 (Ferullo Absent). Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated this was a continuation from last month. Attorney Tarby stated the clerk had read the original request. Attorney Tarby stated in addition there are revised plans with the following changes: originally proposed striping in the northwest of site now proposed landscaping with one tree; in the southeast portion of property still proposed striping to allow for trash removal; a new stop and do not enter sign; paving markings; and a note was added to plan for paving markings and discussed with Councilor Mercer-Bruen. Attorney Tarby stated that the reason they are here is that the existing use of nonconforming as in 1970 fast food was by right and now it needs a special permit under Section 5.1(29) of the Woburn Zoning Ordinances. Daniel Allen, Bohler Engineering, for the petitioner, stated there is an existing 3,500 sq. ft. McDonald's restaurant, with drive thru facility and parking lot. Mr. Allen stated that there are two driveways, one on Montvale Avenue, with one full access driveway

entrance on Hill Street. Mr. Allen stated the site has a right to left circulation with a drive thru. Mr. Allen stated the exits create conflicts between lanes. Mr. Allen stated this is part of the improvements to Hill Street project with full access being further south, and the original full access drive will be enter only. Mr. Allen stated they removed the exit lane, proposed landscaping, and the circulation onsite was reversed to accommodate the new traffic flow. Mr. Allen stated the trash was relocated and now is located further along the curve and eliminated six spaces. Mr. Allen stated the planning department provided comments, such as adding landscaping in the striped areas, but will maintain the striping by the trash. Mr. Allen stated that on the plan it is noted that the pavement markings will be inspected annually and repainted if needed. Mr. Allen stated the trash enclosures will be screened so it be McDonalds that does this. Councilor Mercer-Bruen stated she appreciates the striping comments and if willing the directional striping must be done every year. Councilor Mercer-Bruen stated she spoke with the Building Commissioner and striping is fine and reviewing that about every other year or two years is appropriate but if faded wants it repaired. Councilor Mercer-Bruen stated she wants the striping done annually. Upon inquiry from Councilor Mercer-Bruen, Mr. Allen stated they are planting one tree in the one island because of the proximity to the trash and want to keep open. Mr. Allen stated there is also a stop sign and a do not enter for line of site purposes. Councilor Mercer-Bruen stated she is not so inclined not to have landscaping there. Attorney Tarby stated that he has some proposed conditions he wanted to submit to the council with the understanding that Condition No. 3 will be modified. Motion made and 2<sup>nd</sup> that the proposed working conditions be received and made part of the permanent record, all in favor, 8-0-1 (Ferullo Absent). Attorney Tarby stated that the planning comments said to consider planting one or two trees, and they decided to do one. Councilor Mercer-Bruen stated that she would like to amend working Condition No. 3 to read: All vehicle and pedestrian directional markings on site shall be repainted annually in May or June. Motion made and 2<sup>nd</sup> to adopt the amendment to Condition No. 3, all in favor, 8-0-1 (Ferullo Absent). Upon inquiry from Councilor Viola, Councilor Mercer-Bruen stated that she was not sure if the crosswalk was onsite, and she believes it is on Hill Street. Councilor Campbell stated she was concerned with reducing the number of trees in the island. Mr. Allen stated originally the proposal only had striping and no trees or landscaping, and now there is a landscaping island and one tree. Councilor Campbell stated she would like to fit the other tree in as it makes a huge difference in appearance of a particular property, and two trees would be better route. Councilor Demers stated that while he understands about change to site and special permit to make sure about landscaping, however in that area you could probably make it difficult to back up. Councilor Demers stated small trees on a small island would visually impair drivers. Councilor Demers stated that planting one tree and hoping it will not get hit is probably the best way to go now. Mr. Allen stated there were no trees before. Councilor Demers stated that one tree should suffice. Councilor Mercer-Bruen stated that she agrees with Councilor Demers, and if she had read the comments closer, she would have seen "one or two". Councilor Mercer-Bruen stated that this is a nice addition and if there was an issue she would have heard. Councilor DiMambro stated gage the proper maple tree size and can get a large one. Councilor Campbell stated she is okay with one tree so long as adding one there. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 8-0-1 (Ferullo Absent). PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> that the SPECIAL

PERMIT BE GRANTED with the following conditions: 1. The Petitioner shall construct and improve the Site as substantially described on the Plan of Record which for this project shall be "Proposed Site Plan Documents" for Leggat McCall Properties, Existing McDonald's W/Drive-Thru dated February 2, 2022, revised April 20, 2022, revised June 7, 2022 and revised August 9, 2022, Sheet C-101; Sheet C-102; Sheet C-201; Sheet C-202; Sheet C-301; Sheet C-401; and Sheet C-901 prepared by Bohler, 352 Turnpike Road, Southborough, MA 01772 (hereinafter the "Site Plan") although design adjustments and modifications generally associated with: (i) preparing so-called "working drawings" or (ii) site conditions shall be permitted so long as such changes do not constitute substantial changes from said plans as determined by the Building Commissioner. In the event that the Building Commissioner determines that the building plans filed with the building permit application are not in substantial conformance with the Site Plan, the Petitioner may request a review of said plans by the City Council Special Permits Committee who shall make a final determination. If the Special Permits Committee makes a determination that the proposed plans are not in conformance with the Site Plan, the Petitioner shall be required to file a Special Permit Petition seeking approval to modify the Site Plan; 2. All dumpsters shall be enclosed, by means of a fence, wall or landscaping in compliance with the Woburn Zoning Ordinances; 3. All vehicle and pedestrian directional markings on site shall be repainted annually in May or June; 4. That all conditions of any prior special permits shall remain in effect unless modified herein; and 5. Petitioner shall plant one tree in the largest of the "islands" proposed to be created via pavement striping, behind the drive-through in locations noted as "Point B" and "Point C", all in favor, 8-0-1 (Ferullo Absent).

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On the petition by President Concannon, per request of the Mayor, to amend the 1985 Woburn Zoning Ordinances, as amended, by adding a new section, Section 32, entitled Adult Use of Marijuana; by amending Section 2, Definitions, by deleting the current definitions of Marijuana Establishment and Medical Marijuana Treatment Center, and adding a new definition of Medical Marijuana Treatment Center, also known as a Registered Marijuana Dispensary (RMD); by deleting in its entirety, Section 5.8, entitled Marijuana Establishments Forbidden; by amending Section 5.1, Table of Use Regulations, to revise line 33(d) by replacing "Marijuana Establishment" with "Marijuana Retailer" as a special permit use only in the IP-2 zoning district and by deleting reference to Note 19(c); and by deleting 19(c) from the list of Notes to 5.1 Table of Use Regulations. PUBLIC HEARING OPENED: President Concannon stated the Mayor is putting this proposal forward and is not here tonight. President Concannon stated that it was the Mayor's expectation that it was remaining in committee for discussion. Councilor Demers stated that initially it was supposed to be discussed in the August Ordinance Committee meeting, but it was posted for just the order adopting the rate increase only, which was putting the cart before the horse, so the council held off. Councilor Demers stated that they are going to hold a committee meeting in September before the September 20<sup>th</sup> meeting. Councilor Campbell stated just last week Governor Baker signed sweeping cannabis reform law on what cities can do with the Cannabis Control Commission. Councilor Campbell stated this was monumental and will affect what the City will get for local tax. Councilor Campbell stated the Mayor is hoping to get 3% and a community impact fee of approximately \$750,000, however, now the City will

have to show how they are spending the money to get it back. Councilor Campbell stated this is a big piece of legislation amending the statute with a strong intent in the licensing process. Councilor Campbell stated this might be a bidding system or not and that she has not finished, as it is passed but not finalized. Councilor Campbell stated she does not know what else is coming, and they need to make sure we are not fined. Councilor Campbell stated it is not for the petitioner to pass, and it does not limit recreational marijuana. Councilor Campbell stated it will continue to grow, it will start at two, then it will become three, and there will be more. Councilor Campbell stated that later in the agenda, she did sponsor an order to put this question on the ballot on the next municipal election in November 2023. Councilor Campbell stated the councilors want the residents to vote on it, so let us let them vote on it. Councilor Campbell stated the finished regulations will not be until January 2023 so let the voters vote. Councilor Campbell stated she hopes the council does not rush this zoning through. Councilor Gately stated she agrees with Councilor Campbell and is not in favor of this. Councilor Gately stated he has seen firsthand what this can do as he just buried his son who was heavily involved. Councilor Gately stated that his son started as a kid in his teens. Councilor Gately stated if this ever goes through it will be in the hands of children and he is not for it. Councilor Mercer-Bruen stated people have strong feelings on this and the most important thing the council can do is listen to all sides, as everyone has a story to tell. Councilor Mercer-Bruen stated she appreciates waiting and having more hearings on this that are not in the summer. Councilor Mercer-Bruen stated with regards to Councilor Campbell's suggestion to putting it on the ballot, it makes complete sense, but is confused. Councilor Mercer-Bruen stated when original conversation was happening the council did not give that choice, the council made the decision to ban it. Councilor Mercer-Bruen stated why should the council hand shun this responsibility now. Councilor Mercer-Bruen stated she has heard from her constituency and need to continue to hear from them. Councilor Mercer-Bruen thanked her fellow councilors. Councilor Viola stated he has heard tremendously and has not taking this lightly as he works in law enforcement. Councilor Viola stated drug crimes did not start out on marijuana, rather it was prescription drugs and heroin. Councilor Viola stated that overdoses are from opioids and drugs laced with fentanyl. Councilor Viola stated he is happy to talk about it more and likes the idea of letting the voters vote on it. Councilor Campbell stated yes, the council took a vote when it was brand new and did not want to be the first cities and decided not to do it. Councilor Campbell stated the residents did not get to vote. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 8-0-1 (Ferullo Absent). PUBLIC COMMENTS: John Heslin, 36 Clinton Street, stated it is a confusing timeline. Mr. Heslin stated the vote to legalize it was 49% of votes against is, then the city council was allowed to vote it down. Mr. Heslin stated it should be put back to the voters. Mr. Heslin stated the vote was not for nonmedical stores and the citizens never got to decide this. Mr. Heslin stated the council has an opportunity to slow down and there has been four years in communities without an issue. Mr. Heslin stated in 2019 there were retail locations, and there has not been issues. Mr. Heslin stated people may not like it, but it is a legal product sold in Arlington Heights. Mr. Heslin stated he was just in Billerica and had to show an I.D. then another person you go to the counter and explain what you want. Mr. Heslin stated they record everything you purchase, and it is the most regulated and protected product. Mr. Heslin stated he does not understand sending taxes to other communities. Mr. Heslin stated the medical marijuana establishment may need to open it up for equity, but that he is in favor of recreational marijuana. Paul Girard, 49 Arlington Road,

stated that marijuana is a mind altering drug that is harmful and detrimental to our youth and selling it retail store legitimizes a lethal substance. Mr. Girard stated that there is a stigma to buying on the streets and having to do so will dissuade people from buying it, which is a good thing. Mr. Girard stated if allowed in Woburn, you are approving it being sold in the city. Mr. Girard stated people will buy it and give it to minors like alcohol. Mr. Girard stated that in 2016 David Naguna was killed by a driver who was high and speeding. Mr. Girard stated he had a wife and seven children. Mr. Girard stated he does not want recreational marijuana in Woburn. Nancy Herlihy, 10 Fortune Road, stated she spoke last meeting and stated Governor Baker's actions last night when he signed Bill No. 3096 were shocking. Ms. Herlihy stated an article that Governor Baker makes it more inclusive. Ms. Herlihy stated the bill's name is an act relative to the equity in the cannabis industry. Ms. Herlihy stated in the bill there was a recommendation of expanding medical marijuana at public and private schools in the Commonwealth. Ms. Herlihy stated she has serious concerns about medical marijuana in schools, which is highly prospective. Ms. Herlihy stated the recommendation stated it must make medical marijuana widely available in schools. Ms. Herlihy stated apparently the sponsors of the bill are not legislatures, but the cannabis industry. Ms. Herlihy stated that Mike Rodriguez stated students greatly benefit from medical use marijuana. Ms. Herlihy stated he is not a parent. Ms. Herlihy read a portion of the bill Section 26 that the Cannabis Control Commission and Department of Elementary and Secondary Education, and the Department of Public Health "shall" look into expanding medical marijuana into schools. Ms. Herlihy stated parents are not mentioned. Ms. Herlihy stated she hopes the local legislatures are taking concerns of the local residents. Ms. Herlihy stated she agrees with Councilor Gately, as well as Councilor Mercer-Bruen's observation over prescription opioids. Ms. Herlihy stated she and her husband were prescribed opioids and when they did not finish them, got rid of them. Ms. Herlihy stated the recreational marijuana THC levels are much higher because it has been genetically altered. Ms. Herlihy stated her son while at UMass Lowell was offered drugs during final exams and it took two weeks to recover. Ms. Herlihy stated she lost her son, and he was barely able to function after a one-time use. Ms. Herlihy stated the Chief of Police does not see it happening, but that she has. Ms. Herlihy stated she urged people to read the book "Tell Your Children: The Truth About Marijuana, Mental Illness, and Violence", as well as the production about Purdue Pharma for oxycontin. Emily Crowley, 6 Loves Lane, stated she cannot add much to what Ms. Herlihy eloquently stated. Ms. Crowley stated she also oppose the bill and asked the council to really think why we would make it more accessible, which is a dangerous precedent. Ms. Crowley stated the use is going to spike. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON September 20, 2022, all in favor, 8-0-1 (Ferullo Absent).

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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; and 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.

**PUBLIC HEARING OPENED:** The City Clerk Higgins stated the Planning Board will be meeting on August 23, 2022, on this matter, but the agenda has not been posted yet. Motion made and 2<sup>nd</sup> to take a five minute recess, all in favor, 8-0-1 (Ferullo Absent). Motion made and 2<sup>nd</sup> to return to the regular order of business, all in favor, 8-0-1 (Ferullo Absent).

Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801, stated he represents TDC Development Group, which is a subsidiary of the Davis Company. Attorney Tarby stated that the public hearing is for two proposals: 1. A zoning text amendment; and 2. A zoning map amendment. Attorney Tarby stated if the council has any questions he has Chris Mora, Vice president of Real Estate for the Davis Companies, Tim Williams of Allen & Major Associates, Dr. Antonia Pugliese of Safety Partners, Joshua Philbrook of DENS Facility Services, present to answer them. Motion made and 2<sup>nd</sup> that the PowerPoint presentation be received and made part of the permanent records, all in favor, 8-0-1 (Ferullo Absent). Attorney Tarby stated he had a second document regarding the permitting requirements dated June 28, 2022, that he provided at the last neighborhood meeting. Motion made and 2<sup>nd</sup> that the document dated June 28, 2022, be received and made part of the permanent records, all in favor, 7-1-1 (Gately Opposed, Ferullo Absent). Attorney Tarby stated as you can see from the first slide the presentation will consist of the following: Development Experience, Project Summary, Zoning Amendment Petition Overview, Changes Since Last Meeting, Questions We Heard From the Neighbors, Safety Program Overview, Economic & Employment Benefits, and Questions. Chris Mora, Vice president of Real Estate for the Davis Companies, stated that the Davis company has been operating since 1976 as a real estate company, and in the 2008/2009 crisis started a real estate investment fund. Mr. Mora stated there is a sample of project types, some of which the council may be familiar with. Mr. Mora stated there is a history with local communities, such as the Boston Market Terminal in Everett. Mr. Mora stated that there are numerous products in industrial, life sciences, residential, and hospitals. Mr. Mora stated they are driven by intellectual capital. Mr. Mora stated the following on the Project Summary slide: there is an existing 13.49-acre development site which is currently operates as an underutilized overflow parking lot for the adjacent Showcase Cinema; propose to develop two (2) buildings to operate as a high-tech advanced/light manufacturing use or a life science/pharmaceutical use; each structure will have an approximately 80,000 sq. ft. footprint and include an interior 20,000 sq. ft. mezzanine level; project includes the rehabilitation and restoration of exiting stormwater detention systems to address the current deteriorated onsite storm drainage conditions; and provides significant new employment opportunities for residents of Woburn and nearby communities. Mr. Mora stated with respect to the aerial image slide, the parcel is the parking lot to the west of the cinemas. Mr. Mora stated Attorney Tarby will talk about the history of the site. Attorney Tarby stated the following on the Site & Zoning Amendment History: that the Life Science and Business Overlay District (LBOD) petition initially filed in November 2021; the LBOD was withdrawn without prejudice in December of 2021; there were revisions to the LBOD to address concerns of councilors and the neighbors in April of 2022; there was the first informal neighborhood meeting to discuss changes to the petition on June 8, 2022; there was as second informal neighborhood meeting to address concerns on June 28, 2022; the LBOD

petition was filed on July 7, 2022; and the first City Council public hearing is tonight. Attorney Tarby stated the Planning Board has its hearing next Tuesday, which is a virtual meeting. Attorney Tarby stated he filed a zoning amendment as well as a zoning map amendment. Attorney Tarby stated the map consists of four parcels of land: 1. 10.88 acres; 2. 13.49 acres; 3. 1.09 acres; and 4. The hotel is 7.50 acres. Attorney Tarby stated together the parcel contains approximately 32.96 acres of land. Attorney Tarby stated the purchase of the land is subject to the zoning and special permit approvals. Attorney Tarby stated the LBOD does not affect others, and if the LBOD is not exercised then the underlying zoning district is B-I. Attorney Tarby stated he submitted the proposed revised LBOD. Attorney Tarby stated that the overlay district only applies within the red outline as shown on the LBOD Extent slide. Attorney Tarby stated that the LBOD does not include the wetlands between Lowell Street and southern overlay boundary. Attorney Tarby stated based on the Planning Board recommendation the added clear definitions and cleaned up the language. Attorney Tarby stated they added the solar energy system, as well as a manufacturing use table. Attorney Tarby stated they removed toxicology and added H2 or H3 use. Attorney Tarby stated they added additional revisions similar to that of the TBOD. Attorney Tarby stated with the most important definitions they made it clear the types of uses allowed and steps taking to lower the impact. Attorney Tarby stated the memorandum dated June 28, 2022, explains the extensive permitting requirements in addition to additional conditions regarding noises and flashing. Attorney Tarby stated in addition the City Council can retain experts to make recommendations. Attorney Tarby stated he will produce a redlined version of the changes. Mr. Mora stated there were questions that came up during the neighborhood meetings. Mr. Mora stated Questions No. 1 through No. 10 on the slide are all design related and site plan. Mr. Mora stated Questions 11 through No. 13 Attorney Tarby will address, and Question No. 14 through No. 14 operations and life sciences are to address. Mr. Mora stated that the setbacks were a minimum of 125 feet, and neighbors suggested a redesign of the layout to allow for a bigger setback, which increases to over 200 feet. Mr. Mora stated that the landscape buffering will evergreen landscaping which will be year round. Mr. Mora stated regarding parking and traffic, the only entrance and exit to the site is from Middlesex Canal Park Drive, and there is no other entrance and exit allowed. Mr. Mora stated there will be no subgrade parking and parking facilities will be included in the calculation of a building's height. Mr. Mora stated there is a parking ration of 2.5 per 1,000 square feet. Mr. Mora stated a traffic impact study will occur as a prerequisite to filing a special permit application. Mr. Mora stated in coordination with the City and neighbors, they are proposing to install signage directing traffic past True Place to the site entrance on Main Street. Mr. Mora stated that the buildings will not exceed 40 feet in height. Mr. Mora stated that the exact dimensions of the rooftop structures are unknown, but they have asked for up to 25 feet of height on 60% of building with an additional 10 feet allowed on 5-7% of rooftop for limited additional mechanical support. Mr. Mora stated there are no plans to remove the current stockade fencing and will work with the neighbors to increase the buffer with fencing or landscaping such as evergreen trees. Mr. Mora stated they have committed to rehabilitate and restore the existing drainage systems to modern standards. Mr. Mora stated the culverts, which are currently in disrepair, will be fixed to ensure proper stormwater management, and all of the work will be done in conjunction with the Woburn City Engineer. Mr. Mora stated the project will have dark sky compliant lighting to minimize the effect of light pollution on the neighborhood. Dr. Antonia Pugliese of Safety Partners stated that she also lives in

Woburn at True Place but is here in her professional capacity for the petitioner as a safety expert. Dr. Pugliese stated there is a robust health and safety precautions. Dr. Pugliese stated number one is worker safety and permits are required. Dr. Pugliese stated the company must be compliant with federal, state, and local regulations. Dr. Pugliese stated the products must be stored and used safely and when leaving the facility. Dr. Pugliese stated current good manufacturing practice (“cGMP”) is an FDA standard encouraging companies to proactively conform with the latest regulations, embracing state-of-the-art technology and making the best products. Dr. Pugliese stated this ensures quality and safety of the products, activities are governed by standard operation procedures (“SOPs”), quality control is high priority, equipment is rigorously maintained and calibrated, and records are mandatory and meticulous. Dr. Pugliese stated this work is highly regulated, more so than other work with equivalent chemical risks. Dr. Pugliese stated chemical hygiene is all about proper storage and avoiding exposures. Dr. Pugliese stated the most significant volumes of chemicals used in a manufacturing setting would be disinfectants like alcohol, bleach, hydrogen peroxide-based disinfectants, and phenolic cleaners/disinfectants. Dr. Pugliese stated risk for these and other laboratory chemicals are mitigated through the following: hazard communication programs, safety controls when working, proper storage, permits and oversight from the Fire Department, and EPA and MassDEP oversight of waste generation, with assistance from a licensed waste hauler. Dr. Pugliese stated there are one or two contaminant levels – Risk Group 1, example beer yeast, and Risk Group 2, example pathogens in humans. Dr. Pugliese stated they cannot do Risk Group 3 or Risk Group 4. Dr. Pugliese stated the companies need an emergency action plan or contingency plan and other manuals if applicable include a biosafety manual and/or a chemical hygiene plan. Dr. Pugliese stated there are a lot of regulations at the federal, state, and local levels with strict requirements. Dr. Pugliese stated that the slide is not a comprehensive list of these regulations. Joshua Philbrook of DENS Facility Services, for the petitioner, stated there has been a tremendous growth in the life sciences over the years and he has trained over 160 technicians to support the life sciences since Spring of 2020. Mr. Philbrook stated his business does facility services, lab support services, inspection and testing, and alarm response. Mr. Philbrook stated that he worked in healthcare before life sciences, and currently uses the following tools: equipment, such as redundant air systems, and power backup, such as generators and UPSs; building automation systems, such as engineered sequences of operations, and interactive visual control of building functions; and alarm systems, such as fire, lab equipment, and building alarms. Mr. Mora stated that Massachusetts is the global leader in the life sciences with 1/3 of the \$50 billion in 2021. Mr. Mora stated only the San Francisco bay area is the closest. Mr. Mora stated the average is about 6,800 jobs per year in Middlesex/Suffolk counties and Woburn is well positioned as it is only 10 miles away from Cambridge’s Kendall Square. Councilor Gately stated he is not in favor of this and wants to go back to the original plan not to build anything else until the sidewalks are finished. Attorney Tarby stated the petitioner will do the sidewalks once the City does the necessary takings over the land on privately held land. Tim Williams of Allen & Major Associates, for the petitioner, stated they have not looked at the sewer, but have looked at drainage and will camera them if needed. Councilor Gately stated that Lowell Street and Hart Street there is concrete, clay, and asbestos that has collapsed. Mr. Williams stated he agrees to work with the Engineering Department on this. Councilor Demers stated that he is the Ward Councilor and has been working with Davis Company and residents. Councilor Demers stated he has had two community meetings with the Davis

Company, the first one being at the library. Councilor Demers stated Davis has taken a lot of the residents' concerns to heart such as moving the site plan to benefit the buffer zone. Councilor Demers stated they do class act projects and maintains them. Councilor Demers stated there will never be another entrance over there. Councilor Demers stated a lot away from zoning as opposed to conditions in a special permit. Councilor Demers thanked his fellow councilors for their participation early in the process, such as Councilor Gately reviewing the drainage so not to impact. Councilor Demers stated a lot of work still needs to be done. Councilor Demers thanked the residents for their work. Upon inquiry from Councilor Dillon, Attorney Tarby stated there will be high hazard use, but that in other communities this term is not used anymore, only in building permit process. Attorney Tarby stated they used H2 and H3 group uses on lower end. Attorney Tarby stated that under the building code it is required under the definition the use has to be an accessory use to life sciences, lab, R&D, and no more than 10% of the gross floor area, thus it is condensed down. Attorney Tarby states in his memorandum it explains the steps the Fire Department has to take. Attorney Tarby stated that high hazard use is an archaic term from the 1985 Zoning Code, when Ronald Reagan was in his second term as President, with origins in the 1970s. Councilor DiMambro stated it has come a long way, industrial park in the late 1960s and early 1970s and they did not have all the restrictions and techniques they do now. Councilor DiMambro stated he is happy to see all the systems in this design. Councilor DiMambro stated he has seen it and lived it and the technology caught up to the time. Councilor Mercer-Bruen stated she appreciates the work Councilor Demers has done with the neighbors. Councilor Mercer-Bruen stated she will have potential conditions when it moves forward such as deed restrictions but can discuss this in committee. Councilor Mercer-Bruen stated there were a few references to Cambridge, and that she likes to hear it is going to help Woburn drive business here. Councilor Mercer-Bruen stated she would like to see examples from other communities similar to Woburn. Councilor Viola stated this has come a long way and that he attended the community meetings. Attorney Tarby stated that they will only have Risk Group 1 and Risk Group 2. Councilor Viola stated he was happy with just that. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 8-0-1 (Ferullo Absent). PUBLIC COMMENTS: Cynthia Tocci, 16 Lowell Street, stated she attended a couple of the hearings, and she is comfortable with the safety protocols as her neighbor works at Lincoln Labs. Ms. Tocci stated these companies pay really well and are good for the community. Ms. Tocci stated Woburn is no longer holding on to keep dead space and there will be less traffic. Joe Flaherty, 7 Boyd Road, stated he met local officials at the local government day by chamber of commerce. Mr. Flaherty stated the people spoke to the vision of Woburn, and the Mayor stated he was looking towards more life sciences and clean high tech companies. Mr. Flaherty stated the proposal is in alignment with this goal and he is in support of the project. Lynn Blanchard, 10 Wyman Street, stated this impacted her and she is concerned for the people who live closer, and refuse disposal. Ms. Blanchard stated the company did a good job explaining. Ms. Blanchard stated traffic is horrible on Main Street and the rotary backs up, especially now with the new fire station. Ms. Blanchard stated she is concerned Winn Street and will now use Wyman Street. Ms. Blanchard stated there are health and safety issues, and the products shown are pretty safe. Ms. Blanchard stated her husband was in aviation and the products he worked with gave him pancreatic cancer. Ms. Blanchard stated cigarette smoking used to be okay too and said it prevented miscarriage of offspring, and certain drugs in prenatal vitamins. Ms. Blanchard stated she

was a neonatal nurse at Tufts and things are a lot safer now. Ms. Blanchard stated there are 367 students at the Hurld-Wyman School and a daycare facility in the neighborhood, which are the most vulnerable. Ms. Blanchard stated she thinks everyone is earnest and honest in this project, but the ego is somewhere else. Kevin Lonergan, 7 Allen Road, stated this project has come a long way and that he was outspoken against it. Mr. Lonergan stated he will continue to look at this with open mind and is neither for nor against. Mr. Lonergan stated the dialogue has been great since November and if this keeps up, we will see where it goes. Ann Dowd, 43 Wyman Street, stated she is not against life sciences but against the location. Ms. Dowd stated she is concerned with the noise, getting the materials to and from the site which she hopes is not on Wyman Street. Ms. Dowd stated she is not sure if it is good or bad quality. Ms. Dowd stated she was not against life sciences but is concerned with chronic disease in the neighborhood. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON September 20, 2022, AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCE, CHARTER AND RULES, all in favor, 8-0-1 (Ferullo Absent).

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### UNFINISHED BUSINESS OF PRECEDING MEETING:

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 ~~strikethrough~~, 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

Councilor Gately stated he stated that this is relinquishing the authority of the City Council to appoint the Human Resource director to the mayor. President Concannon stated this is happening on the advice of the City Solicitor. Councilor Gately stated the City Council has

had this authority since the 1980s. Motion made and 2<sup>nd</sup> that the ORDER BE ADOPTED, all in favor, 7-1-1 (Gately Opposed, Ferullo Absent).

**Presented to the Mayor: August 18, 2022**

**s/Scott D. Galvin August 18, 2022**

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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

Motion made and 2<sup>nd</sup> that the ORDER BE ADOPTED, all in favor, 8-0-1 (Ferullo Absent).

**Presented to the Mayor: August 18, 2022**

**s/Scott D. Galvin August 18, 2022**

**COMMITTEE REPORTS:**

**FINANCE:**

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

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 | \$4,196,640.00 |
|       | See Attached Breakdown   |                |

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           |
| <b>TOTAL</b>  | <b>\$151,000.00</b>    |                       |
| 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          |
| <b>TOTAL</b>  | <b>\$321,000.00</b>    |                       |
| I. Software upgrade                                       | Fire                   | \$40,000.00           |
| I. Turnout Gear   | Fire                   | \$64,000.00           |
| <b>TOTAL</b>  | <b>\$104,000.00</b>    |                       |
| 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           |
| <b>TOTAL</b>  | <b>\$305,500.00</b>    |                       |
| I. City wide Tree planting                                | Mayor                  | \$50,000.00           |
| <b>TOTAL</b>  | <b>\$50,000.00</b>     |                       |
| I. Utility pickup   | Parks                  | \$60,000.00           |
| <b>TOTAL</b>  | <b>\$60,000.00</b>     |                       |
| I. Planning Dept. copier                                  | Planning               | \$10,000.00           |
| <b>TOTAL</b>  | <b>\$10,000.00</b>     |                       |
| 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           |
| <b>TOTAL</b>  | <b>\$450,140.00</b>    |                       |
| 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          |
| <b>TOTAL</b>  | <b>\$1,135,000.00</b>  |                       |
| 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          |
| <b>TOTAL</b>  | <b>\$860,000.00</b>    |                       |
| I. H.S Turf practice field / Girls softball field dugouts | Schools                | \$500,000.00          |
| I. Technology Updates                                     | Schools                | \$250,000.00          |
| <b>TOTAL</b>  | <b>\$750,000.00</b>    |                       |
| <b>TOTALS FY23 Capital Budget</b>                         |                        | <b>\$4,196,640.00</b> |

Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 8-0-1 (Ferullo Absent).

Presented to the Mayor: August 18, 2022

s/Scott D. Galvin August 18, 2022

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

ORDERED That the sum of \$218,775.12 be and is hereby transferred as so stated

From: Mayor’s Salary Adjustment \$218,775.12  
Acct# 0112151-511019

To: Various Department \$218,775.12

SEIU – DPW, Cemetery & Parks Contract Settlement

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

Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 8-0-1 (Ferullo Absent).

**Presented to the Mayor: August 18, 2022 s/Scott D. Galvin August 18, 2022**

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

ORDERED That the sum of \$20,000.00 be and is hereby transferred as so stated

From: Traffic Safety & Infrastructure \$20,000.00

To: ACCT# 360058-588405  
4 Presidential Way

Study of Truck Traffic on Commerce Way

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

Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 8-0-1 (Ferullo Absent).

**Presented to the Mayor: August 18, 2022 s/Scott D. Galvin August 18, 2022**

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**CITIZEN’S PARTICIPATION: None.**

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**COMMUNICATIONS AND REPORTS**

A communication dated July 26, 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 June 2022: Number of Violations Issued 287, Numbers of Violations Paid 149, Number of Violations Outstanding 127, Amount collected and submitted to Collectors Office \$23,844.80, Parking fines referred to the Handicap Commission \$5,100.00.

There is a backlog of 1584 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 2<sup>nd</sup> that the MATTER BE RECEIVED AND PLACED ON FILE, all in favor, 8-0-1 (Ferullo Absent).

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**APPOINTMENTS AND ELECTIONS: None.**

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**MOTIONS, ORDERS AND RESOLUTIONS:**

**ORDERED** That in accordance with Massachusetts General Laws Chapter 54, as amended, the City Clerk is hereby authorized and directed to notify and to warn such of the inhabitants of the City of Woburn as are qualified to vote in Primaries to assemble at the polling places in their respective wards as designated herein, on TUESDAY, the SIXTH DAY OF SEPTEMBER, 2022 from 7:00 a.m. to 8:00 p.m., then and there to cast their votes in the State Primary for the candidates of political parties DEMOCRATIC, REPUBLICAN for the following offices:

GOVERNOR ..... FOR THIS COMMONWEALTH  
LIEUTENANT GOVERNOR ..... FOR THIS COMMONWEALTH  
ATTORNEY GENERAL ..... FOR THIS COMMONWEALTH  
SECRETARY OF STATE..... FOR THIS COMMONWEALTH  
TREASURER ..... FOR THIS COMMONWEALTH  
AUDITOR ..... FOR THIS COMMONWEALTH  
REPRESENTATIVE IN CONGRESS ..... FIFTH DISTRICT

COUNCILLOR..... THIRD DISTRICT  
 SENATOR IN GENERAL COURT ..... 4<sup>TH</sup> MIDDLESEX DISTRICT  
 REPRESENTATIVE IN GENERAL COURT .... 15<sup>TH</sup> MIDDLESEX DISTRICT  
 (Ward 1, Precinct 1, 2; Ward 7)  
 REPRESENTATIVE IN GENERAL COURT .... 30<sup>TH</sup> MIDDLESEX DISTRICT  
 (Ward 1, Precinct 2A, Wards 2, 3, 4, 5, 6)  
 DISTRICT ATTORNEY ..... NORTHERN DISTRICT  
 SHERIFF ..... MIDDLESEX COUNTY

| <u>Ward-Precinct</u> | <u>Polling Place Location</u>                             |
|----------------------|---|
| 1-1                  | Joyce Middle School, 55 Locust Street                     |
| 1-2                  | Joyce Middle School, 55 Locust Street                     |
| 1-2A                 | Joyce Middle School, 55 Locust Street                     |
| 2-1                  | Shamrock Elementary, 60 Green Street                      |
| 2-2                  | Shamrock Elementary, 60 Green Street                      |
| 3-1                  | Hurld-Wyman Elementary School, 39 Wyman Street            |
| 3-2                  | Hurld-Wyman Elementary School, 39 Wyman Street            |
| 4-1                  | old Wyman Elementary School, Main Street and Eaton Avenue |
| 4-2                  | White Elementary School, 36 Bow Street                    |
| 5-1                  | Goodyear Elementary School, 41 Central Street             |
| 5-2                  | Goodyear Elementary School, 41 Central Street             |
| 6-1                  | Altavesta Elementary School, 980 1/2 Main Street          |
| 6-2                  | Altavesta Elementary School, 980 1/2 Main Street          |
| 7-1                  | Reeves Elementary School, 240 Lexington Street            |
| 7-2                  | Reeves Elementary School, 240 Lexington Street            |

s/President Michael P. Concannon

Motion made and 2<sup>nd</sup> that the ORDER BE ADOPTED, all in favor, 8-0-1 (Ferullo Absent).

**Presented to the Mayor: August 18, 2022**                      **s/Scott D. Galvin August 18, 2022**

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**ORDERED** That the following list of Wardens, Clerks, Inspectors and Substitutes be approved for all Elections between September 1, 2022 and August 31, 2023:

|           |              |                        |
|-----------|--------------|------------------------|
| Diane     | Ahern        | 2 Keith Circle         |
| Godfredo  | Alaras       | 7 Bradford Road        |
| Carmelita | Alessandrini | 29 Grace Road          |
| Marcia    | Andrews      | 238 Winn Street        |
| Alfred    | Autenzio     | 9 Arbor Lane           |
| Diane     | Autenzio     | 23 Milan Avenue        |
| Michele   | Autenzio     | 23 Milan Ave           |
| Kathleen  | Bailey       | 4 Utica Street         |
| Pauline   | Barkalow     | 12 Wolcott Road        |
| Tom       | Barkalow     | 12 Wolcott Road        |
| Patricia  | Beane        | 107 Bedford road       |
| Paula     | Bechakian    | 10 Locust St           |
| Tara      | Benedict     | 99 Middle Street       |
| Emily     | Bloch        | 18 Lexington Street    |
| Donna     | Bullen       | 27 Robinson Road       |
| Gail      | Burke        | 6 Janis Terrace        |
| Diane     | Burton       | 35 Union Street        |
| Barbara   | Callahan     | 32 Van Norden Road     |
| Stefanie  | Carlson      | 45 Merrimac Street #5  |
| Leslie    | Catania      | 28 Burlington St       |
| Mary      | Chinian      | 8 Asbury Avenue        |
| Marie     | Chiofolo     | 114 Winn Street        |
| MaryAnn   | Chorlton     | 312 Lexington Street   |
| Hans      | Christenson  | 256 Salem Street       |
| Theresa   | Christerson  | 33 Sherman Place       |
| Robert    | Coffey       | 273 Cambridge Rd #307  |
| Eleanor   | Collins      | 19 Sauanto Road        |
| Maureen   | Cox          | 201 Main Street #13    |
| Mary Anne | Damico       | 20 Brentwood Road      |
| Patricia  | Deal         | 225 Place Lane         |
| Michelina | DeAngelis    | 255 Lexington Street   |
| Irene     | Decata       | 57 Wood Street         |
| Sharon    | DeSimone     | 10 Paul Avenue         |
| Mary      | Dickie       | 1 Linden Circle        |
| Stella    | DiGirolamo   | 9 Lee Road             |
| Elizabeth | Donovan      | 5 Crescent Road        |
| Melinda   | Drapeau      | 6 Whispering Hill Road |
| Geraldine | Easler       | 7 Adams Circle         |
| Marilyn   | Ebrecht      | 40 West Street         |
| Judy      | Elios        | 9 Thomas Street        |

|              |              |                             |
|--------------|--------------|-----------------------------|
| Virginia     | Evans        | 12 Barbara Circle           |
| Paul         | Farrey       | 5 Sedgewick Park            |
| Laura        | Felch        | 10 Beacon St, Unit 303      |
| Deborah Jean | Finn         | 1 Village Street            |
| Joseph       | Flaherty     | 6 Princeton Road            |
| Nancy Farrey | Forsyth      | 9 Sedgewick Pk              |
| Rosellen     | Fortz        | 17 Nichols St               |
| Thomas       | Fuller       | 178 Montvale Avenue         |
| Jan          | Fuller       | 178 Montvale Avenue         |
| Tim          | Garvey       | 2 Cranson Circle            |
| Joyce        | Gray         | 45 Mountain Road            |
| Elaine       | Haggerty     | 30 Thistle Road             |
| Deshea       | Harris       | 49 Nashua Street            |
| Helen        | Hatch        | 14 Marlboro Road            |
| Elizabeth    | Hatch        | 14 Marlboro Road            |
| Maria        | Hennessy     | 6 Jan Street                |
| Robert       | Hennessy     | 6 Jan Street                |
| Robert       | Hurkett      | 16 Linden Street            |
| Janet        | Irwin        | 37 Waltham Street           |
| Donna        | Janeliunas   | 12 Carroll Road             |
| Barbara      | Johnson      | 7 Churchill Road            |
| Mary Ellen   | Jones        | 5 Hilltop Circle            |
| Jennifer     | Jones        | 4 Sherman Terr              |
| Joanne       | Kairo        | 59 Campbell Street#305      |
| Kevin        | Kaufman      | 144 Buckman St, Everett, MA |
| Jennie       | Keough       | 16 Parliament Lane          |
| Hazel        | Lambert      | 3 Elmwood Terrace           |
| Loretta      | Lentz        | 47 Conn Street              |
| Kim          | Leonard      | 91 Green Street             |
| Robert       | Leonard, Jr. | 176 Montvale Avenue         |
| Jeanne       | Lingblom     | 18 Day Circle               |
| Linda        | Loreth       | 19 Rich Road                |
| Laura        | Lovuolo      | 42 Waverly Road             |
| Jo-Ann       | Lyons        | 10 Grant Street             |
| Donald       | MacGee       | 26 Cranston Circle          |
| Amanda       | MacGee       | 200 Bedford Road, Apt.6c    |
| June         | MacKenzie    | 20 Mt Pleasant Street       |
| Colin        | MacNeill     | 299 Lexington Street #99    |
| Ruth         | MacNeill     | 299 Lexington Street #99    |
| Rosemary     | Magro        | 26 Briarwood Road           |
| Ron          | Marinelli    | 1 Seneca Road               |
| Joyce        | Marshall     | 5 Elijah Street             |
| Rita         | Marshall     | 20 Kentucky Avenue          |

|              |            |                                       |
|--------------|------------|---------------------------------------|
| Sheila       | Marshall   | 26 Boyd Road                          |
| Calvin       | McCall     | 32 Webster Avenue                     |
| Patrice      | McCall     | 32 Webster Avenue                     |
| Beatrice     | McCue      | 53 Waverly Road                       |
| June         | McDonough  | 33 Union Street                       |
| Linda        | McLaughlin | 269 Cambridge Rd #103                 |
| Julie        | Medina     | 47 Willow Stree                       |
| Bob          | Mee        | 269 Cambridge Road #711               |
| Jennifer     | Mele       | 36 Cambridge Road                     |
| Carol        | Miner      | 33 Revere Road                        |
| Vivian       | Montuori   | 269 Cambridge Road #311               |
| Hudson       | Moraes     | 6 Park Drive                          |
| Carol        | Murphy     | 275 Russell Street                    |
| Pearl        | Murphy     | 14 Brae Circle                        |
| Gerald       | Murray     | 6 Asbury Avenue                       |
| Joanne       | Murray     | 6 Asbury Avenue                       |
| Paula        | Nagle      | 8 Thomas Street                       |
| Judith       | Nagle      | 8 Thomas Street                       |
| Theresa      | Nardone    | 2 Albert Drive #3                     |
| Lucille      | Nasta      | 24 Hart Place                         |
| Sheila       | Newman     | 81 Willow Street                      |
| Linda        | Oldham     | 52 Wyman Street                       |
| Connie       | Pandolph   | 9 Park Drive                          |
| Joyce        | Parker     | 42 Vernon Street                      |
| Allison      | Patton     | 27 Dartmouth Street                   |
| Donna        | Peary      | 5 Blueberry Hill Road                 |
| Lynda        | Peitzsch   | 11 Scott Street                       |
| Margaret     | Perkins    | 16 Gardner Avenue                     |
| Rai-An       | Perrish    | 14 Gardner Avenue                     |
| Sandra       | Proia      | 59 Campball Street #601               |
| Vincent      | Rivela     | 16 Jan Street                         |
| James        | Rooney     | 38 Carroll Road                       |
| Richard      | Ruggiero   | 22 Revere Road                        |
| Patricia     | Ryan       | 99 Pearl Street                       |
| Mary         | Sasso      | 39 Carroll Road                       |
| Kathryn      | Saunders   | 33 Montvale Avenue #11                |
| Loretta      | Schuck     | 44 Leonard Street                     |
| Elizabeth A. | Simonds    | 3 Court Street                        |
| Marilyn      | Smith      | 16 Nichols Street Ext                 |
| Anthony      | Souza      | 24 North Woods Circle/12306 Inwood Dr |
| Rosemary     | Spencer    | 5 Caulifield Road                     |
| Rosemarie    | Spinazola  | 1 Library Place #401                  |
| Judith       | Stafford   | 28 Hiawatha Road                      |

|           |            |                         |
|-----------|------------|-------------------------|
| Carol     | Stima      | 44 Elm Avenue           |
| William   | Sullivan   | 39 Hiawatha Road        |
| Judi      | Sullivan   | 17 Jan Street           |
| Lois      | Surette    | 78 Kilby Street         |
| Janet     | Sutton     | 11 Lawrence Street      |
| Florianna | Tobin      | 59 Campbell Street #309 |
| Paulette  | Uvino      | 5 Ashburton Avenue      |
| Elena     | Ver Planck | 6 Wood hill Circle      |
| Catherine | Walsh      | 273 Cambridge Road #202 |
| Allison   | Weaver     | 241 Cambridge Road      |
| Donna     | Winitzer   | 18 Hart Place           |
| Carolyn   | Youngclaus | 2 Park Drive            |
| Anthony   | Zeoli      | 15 Independence Dr      |
| Judith    | Zeoli      | 15 Independence Dr      |

s/President Michael P. Concannon

Motion made and 2<sup>nd</sup> that the ORDER BE ADOPTED, all in favor, 8-0-1 (Ferullo Absent).

**Presented to the Mayor: August 18, 2022**                      **s/Scott D. Galvin August 18, 2022**

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**ORDERED** That pursuant to Chapter 92 of the Acts of 2022, the Votes Act, the Woburn City Council votes to authorize that at least one (1) police officer will be assigned to each polling location for all future elections, and designates the Police Chief, on advice from the City Clerk, the authority to assign specific police officers according to scheduling and availability.

s/President Michael P. Concannon

Motion made and 2<sup>nd</sup> that the ORDER BE ADOPTED, all in favor, 8-0-1 (Ferullo Absent).

**Presented to the Mayor: August 18, 2022**                      **s/Scott D. Galvin August 18, 2022**

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**ORDERED** Whereas, on November 8, 2016, the residents of Woburn voted to prohibit the possession, use, and transfer of marijuana and products containing marijuana concentrate (including edible products), the cultivation of marijuana, and the commercial sale of marijuana and marijuana products in the City of Woburn, except for medical use marijuana;

Now, therefore, the City Clerk shall have printed on the ballot to be used at the Municipal Election on November 7, 2023, the following question:

Do you approve of an ordinance to provide for the establishment of marijuana retailers for the sale of non-medical use marijuana products, also known as recreational use marijuana, in the City of Woburn, as authorized pursuant to applicable state laws and regulations?

s/Councilor Joanne E. Campbell

Councilor Campbell stated she spoke briefly about this earlier, that we should look into giving the residence the vote. Councilor Campbell stated so many people have emotionally stories about this, and the best way forward is to all the residents of Woburn to decide. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON LIAISON, all in favor, 8-0-1 (Ferullo Absent).

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ORDERD      Whereas, the City of Woburn (“City”) has various issues with telephone poles located in the City, including but limited to double poles, triple poles, dangling parts of poles and wires, and the movement and replacement of poles in a timely manner; and

Whereas, on numerous occasions, representatives from various utilities have stated before the Woburn City Council that they were waiting on another utility to perform work in order to proceed;

Now, therefore, Be it Resolved, that the Woburn City Council invite representatives of each of the utility companies that oversee, manage, use and/or maintain the telephone poles in the City to a coordinated meeting to discuss protocol and related issues with the Woburn City Council, Mayor, and various department heads.

s/Councilor Lou DiMambro

Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON LIAISON, all in favor, 8-0-1 (Ferullo Absent).

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Motion made and 2<sup>nd</sup> to suspend the rules and allow for the following two late filing to be added to the Order of the Day, all in favor, 8-0-1 (Ferullo Absent).

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ORDERED      That the sum of \$12,000.00 be and is hereby transferred as so stated

From:              Traffic Safety and Infrastructure              \$12,000.00

To: Acct# 360058-588190  
Traffic Controls & Equipment \$12,000.00

Installation of Flashing Speed Sign at Washington Circle,  
Washington Street, and Mill Street.

I hereby recommend the above: s/Michael P. Concannon, Acting Mayor  
I have reviewed the above: s/Charles E. Doherty, City Auditor

s/Councilor Darlene Mercer-Bruen

Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON  
FINANCE, all in favor, 8-0-1 (Ferullo Absent).

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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 19, 2022, and  
September 19, 2022, at Horn Pond Ice House Park. Motion made and 2<sup>nd</sup> to APPROVE THE  
SPECIAL EVENT PERMIT, all in favor, 7-0-1-1 (Ferullo Absent, Campbell Abstained).

**Presented to the Mayor: August 18, 2022**                      **s/Scott D. Galvin August 18, 2022**

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

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Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 8-0-1 (Ferullo Absent). Meeting adjourned  
at 9:36 p.m.

A TRUE RECORD ATTEST:

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