

**CITY OF WOBURN
FEBRUARY 21, 2023 – 7:00 P.M.
REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Campbell	Ferullo
Demers	Gately
Dillon	Mercer-Bruen
DiMambro	Viola
Concannon	

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

MAYOR'S COMMUNICATIONS:

A communication was received from His Honor Mayor Galvin dated February 8, 2023 as follows:

RE: MBTA Communities Law (M.G.L. CHAPTER 40A SECTION 3A)

Dear Council:

I am following up on the discussion we had last March regarding the Housing Choice Act, often referred to as the MBTA Communities Law. You will recall that at the time of last year's discussion neither I nor a majority of the Council were in favor of pursuing the steps that would have been necessary to comply with that law as it existed at that point in time.

Since last March, the State's Department of Housing and Community Development (DHCD) refined the guidelines for administering the law in a number of ways that may make its implementation more acceptable to us. In the interim, DHCD also revealed its intention to withhold funds from our local Housing Authority if the City did not comply with the new law. While I am confident this threatened loss of housing authority funding ultimately would not have occurred for legal reasons, I will not be at all surprised if the agency uses a community's compliance or non-compliance with the MBTA Communities Law as a factor when scoring myriad grant applications in the future. If that were to happen, the potential negative effects on the City would obviously be compounded.

Largely based on these two factors, I directed City Planner Tina Cassidy to complete and submit an MBTA Communities Action Plan to DHCD by the filing deadline at the end of last month. The action plan, a copy of which is attached hereto, calls for her to work with a small core group of people over the remainder of the calendar year to research and investigate how the City might comply with the law if it chose to do so. She will be assisted by Mr. Chris

Kuschel from the Metropolitan Area Planning Council (MAPC) who many of you will remember helped us with the Woburn Mall 40R project. MAPC will help the City identify areas that would serve to qualify as a compliant district, and the core group will work on corresponding zoning text. Ultimately, Tina hopes to publicly present draft recommendations in November of this year, with consideration of possible zoning text and map amendments to follow in early 2024 if the Council responds favorably.

Submission of the Action Plan has at least one favorable upside. If the City follows the steps outlined in the Plan it submitted it will be considered to be in compliance with the MBTA Communities Law until mid-late 2024. This will mean the City remains eligible for all grants, including MassWorks funding, until at least that time.

While I still have significant concerns regarding the MBTA Communities Act I feel it is prudent to thoroughly study its provisions and consider whether compliance is possible and advantageous to the City. I look forward to keeping you apprised of the Planning Department's efforts.

Respectfully, s/Scott D. Galvin, Mayor

NEW PETITIONS:

On the request by Cargotiator LLC to update Second Class Motor Vehicle Sales License at 104 Winn Street, a communication dated February 16, 2023, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 500 Unicorn Park Drive, Suite 502, Woburn, Massachusetts 01801 regarding "Cargotiator LLC, Second Class Motor Vehicle Sales License, 104 Winn Street, Woburn, Massachusetts".

PUBLIC HEARINGS:

On the petition by National Grid for a grant of right in a way to install approximately 60 feet of 4-inch, plastic gas main in Grape Street to connect to an existing main in Albany Street as shown in and accordance with plans.

On the petition by M&K Engineering Inc., 166 New Boston Street, Woburn, Massachusetts, 01801, for a special permit pursuant to Section 7.3 of the 1985 City of Woburn Zoning Ordinance, as amended, to allow for additional storage space of approximately 6,450 square feet more or less of gross floor area as shown on the site plan file with this petition, due to nonconforming front yard setback of 20.4 feet, at 166 New Boston Street. PUBLIC HEARING OPENED: A communication dated February 16, 2023, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 500 Unicorn Park Drive, Suite 502, Woburn, Massachusetts 01801 as follows:

RE: Modification of Special Permit Decision of M&K Engineering Inc., 166 New Boston Street, Woburn Massachusetts

Dear Ms. Higgins:

I respectfully request that the public hearing on the above matter scheduled for February 7, 2023 be continued to the City Council meeting scheduled for March 21, 2023. My client’s engineer has not yet finished the revisions to the Site Plan as requested by the Planning Department. If you need any further information, please do not hesitate to contact me. Thank you.

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

On the petition by CCF New Boston Property Company LLC, 185 Dartmouth Street, Suite 402, Boston, Massachusetts 02116, for Special Permits pursuant to Section 5.1(30b); Section 5.1(41a); 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 February 15, 2023, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 500 Unicorn Park Drive, Suite 502, 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 February 21, 2023 be continued to the City Council meeting scheduled for April 4, 2023. My client is continuing to work through the Conservation Commission process and hopes to have it completed by the end of March. If you need any further information, please do not hesitate to contact me. Thank you.

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

On the petition by CCF New Boston Property Company LLC, 185 Dartmouth Street, Suite 402, Boston, Massachusetts 02116, for Special Permits pursuant to Section 5.1(30b); Section 5.1(41a), and Site Plan Review pursuant to Section 12.2.4 to allow for a four (4) story building containing approximately 174,812 sf of net floor area with the following uses: office (approximately 67,056 sf) and Lab Use (approximately 100,584 sf), as well as the Petitioner is proposing to construct a parking garage to accommodate approximately 451

parking spaces, at 225 Merrimac Street. PUBLIC HEARING OPENED: A communication dated February 15, 2023, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 500 Unicorn Park Drive, Suite 502, 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 February 21, 2023 be continued to the City Council meeting scheduled for April 4, 2023. My client is continuing to work through the Conservation Commission process and hopes to have it completed by the end of March. If you need any further information, please do not hesitate to contact me. Thank you.

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

UNFINISHED BUSINESS FROM PREVIOUS MEETINGS: None.

COMMITTEE REPORTS: None.

CITIZEN'S PARTICIPATION: None.

COMMUNICATIONS AND REPORTS:

A communication dated February 8, 2023, 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 2023: Number of Violations Issued 104, Numbers of Violations Paid 26, Number of Violations Outstanding 78, Amount collected and submitted to Collectors Office \$3,831.20, Parking fines referred to the Handicap Commission \$1,800.00.

There is a backlog of 1549 tickets dating from January 2004 to December 2021. 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

APPOINTMENTS AND ELECTIONS:

A communication dated February 15, 2023 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Higgins:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Sarkis S. Chinian, 8 Asbury Avenue, to the Woburn Board of Registrars of Voters, for a three-year-term to expire December 31, 2025, subject to approval by the City Council.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated February 15, 2023 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Higgins:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Christopher Glaser, 17 Porter Street, Woburn, MA 01801 to the Woburn Redevelopment Authority with a term set to expire on December 31, 2028, subject to the approval of the City Council.

Respectfully, s/Scott D. Galvin, Mayor

A communication dated February 15, 2023 was received from His Honor the Mayor Scott D. Galvin as follows:

Dear City Clerk Higgins:

By the power vested in me as Mayor of the City of Woburn, I hereby appoint Alan Simpson, 6 Foley Road, Woburn, MA 01801 to the Woburn Golf & Ski Authority, with a term to expire on January 31, 2029, subject to the approval of the City Council.

Respectfully, s/Scott D. Galvin, Mayor

MOTIONS, ORDERS AND RESOLUTIONS: None.

Motion made and 2nd to ADJOURN.