

**COMMITTEE ON ORDINANCES, CHARTER & RULES**  
**MONDAY, APRIL 10, 2023, AT 6:07 p.m.**  
**COMMITTEE ROOM**  
**WOBURN CITY HALL**

Voting members present: Chairman Joseph Demers, Councilor Lou DiMambro, Councilor Richard Gately, and Councilor Robert Ferullo. Absent: Councilor Darlene Mercer-Bruen  
Non-voting members present: President Michael Concannon, Councilor Joanne Campbell, Councilor Charles Viola, and Councilor Jeffrey Dillon

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**Reading and approval of previous meeting minutes:** Motion made by Councilor Ferullo and seconded by Councilor DiMambro to approve the minutes of the meeting of March 13, 2023; approved, 4-0.

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**Receipt and placement on file of the following legislation: a.) Woburn Commerce Way e-TOD Plan; b.) Outside seating associated with restaurant use in S-1 zoning district; c.) Order to amend Title 12, Article XV, Section 12-58 regarding Municipal Flagpole Guidelines; and, d) Communication regarding recently-adopted changes to state law regarding housing and zoning:** Chairman Demers said these items have been in committee for some time and are unlikely to be discussed again. Motion made by Councilor DiMambro and seconded by Councilor Ferullo to receive the aforementioned items and place them on file; approved, 4-0.

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**Petition by 120 Commerce Apartments, LLC c/o Toll Brothers Apartment Living to amend Section 23 of the WZO to allow for solar photovoltaic systems in the Commerce Way Corridor Overlay District:** Representing the petitioner were Joseph R. Tarby III, Rubin Rudman, 500 Unicorn Park Drive, Woburn, MA; and Nicholas Wigglesworth, Onyx Renewable Partners LP, 230 Park Avenue, Suite 845, New York, NY. Attorney Tarby said he has 10 copies of a handout that includes an elevation drawing and an aerial photograph of 120 Commerce Way. Motion made by Councilor Ferullo and seconded by Council DiMambro to receive and make part of the permanent record a document entitled “Conceptual Elevation Drawing MA Toll Brothers 120 Commerce Way,” and dated April 6, 2023; approved, 4-0. Attorney Tarby said there is a petition before the council to amend the zoning ordinance. He said the Commerce Way Corridor Overly District was accepted in 2008, before the proliferation of solar photovoltaic systems. He said solar arrays are now part of every development. He said the proposed change will add solar arrays to Section 23 of the zoning ordinance. He said at the council’s meeting on April 4, Councilor Campbell asked for an elevation plan so the City Council can see what will be on top of the roof. He said all the parking spaces are set back 35-38 feet from the edge of the roof. He said the solar panels will be 10 feet high. Mr. Wigglesworth said if you look up from ground level to the roof, you will probably see about a foot of the solar panels. Councilor DiMambro asked if the solar panels will require a fully corrugated deck or a steel frame. Mr. Wigglesworth said there will be a steel frame. Councilor DiMambro asked if there will be a fire

prevention system installed. Mr. Wigglesworth answered affirmatively. Attorney Tarby said the petitioner will be in front of the Planning Board tomorrow night. Councilor Gately asked how drainage will be handled. Mr. Wigglesworth said there is a 5-degree slope. Councilor Gately said the applicant can expect plenty of water that will require drainage. Councilor DiMambro asked how snow will be removed from the deck. Mr. Wigglesworth said the snow will melt off the panels when they heat up. He said the solar panels will not block plowing. He said there will be no obstruction to snow removal. Councilor Demers said the Planning Board is going to weigh in on this matter and it might be best to wait to issue a recommendation. He said he will speak to Planning Director Tina Cassidy after the board meets. Motion made by Councilor DiMambro and seconded by Councilor Ferullo that the order be sent "back for action," approved, 4-0.

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**MOTION** made by Councilor Ferullo and seconded by Councilor DiMambro to adjourn; in favor, 4-0. Chairman Demers adjourned the meeting at 6:16 p.m.

A TRUE RECORD ATTEST

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Gordon Vincent  
Clerk of Committees