

**CITY OF WOBURN  
JULY 11, 2023 – 6:30 P.M.  
REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBER, WOBURN CITY HALL**

Roll Call

Campbell	Ferullo
Demers	Gately
Dillon	Mercer-Bruen
DiMambro	Viola
Concannon	

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VOTED to dispense with the reading of the previous meeting’s Journal and to APPROVE, all in favor, 9-0.

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**MAYOR’S COMMUNICATIONS:**

ORDERED Be it Ordained by the City Council of the City of Woburn, that the Woburn Police Department be and are hereby authorized pursuant to M.G.L. c.44, §§53A to accept a gift of funds in the amount of one thousand five hundred dollars (\$1,500.00) in the form of a bequest from the Estate of Lorraine R. Colton, late of 74 Mill Street, Woburn, MA, which funds are to be used and expended for the specific purpose of purchasing equipment and/or uniforms, that the funds be deposited into a gift account for this specific purpose, and that the same be expended without further appropriation.

s/President Michael P. Concannon  
By request of the Mayor

Motion made and 2<sup>nd</sup> that the ORDER BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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ORDERED Be it Ordained by the City Council of the City of Woburn that Title II, Article XI, Police Department, as amended, be further amended as follows:  
(deletions in ~~striketrough~~/new language in **bold**)

by revising 2-59 Composition of Police Department, A. Regular and Reserve Force, to add the position of **Deputy Chief of Police**; and

by revising 2-68 (~~Reserved~~) to insert, Deputy Chief of Police – Appointment/Duties

**The Deputy Chief of Police shall be appointed by the Mayor in accordance with Civil Service, and shall work under the direction of the Chief of Police. The duties of the Deputy Chief of Police shall include, but not be limited to, assisting the Chief of Police in the administration, direction, and coordination of the activities and operations of the Woburn Police Department, and shall act on behalf of the Chief of Police in their absence, or as assigned. The Deputy Chief of Police will work closely with the Woburn School District and shall be responsible for the development, administration, coordination and implementation of school security measures for the Woburn Public Schools. The Deputy Chief of Police will report directly to the Chief of Police, as well as the Mayor and Superintendent of Schools on all matters related to the Woburn Public Schools. The duties, responsibilities and activities of the Deputy Chief of Police may change at any time with or without notice.**

s/President Michael P. Concannon  
By request of the Mayor

Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, CHARTER & RULES, all in favor, 9-0.

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ORDERED Be it Ordained by the City Council of the City of Woburn that Title II, Article XXVIII, Compensation of Officers and Employees, be amended as follows:

that Section 2-180, Base Salaries, be amended by establishing the base salary of the Deputy Police Chief as \$117,000.00; and

that Section 2-190, Sick leave, attendance records, vacation and other incentives, be amended by adding a new subsection “F. The Deputy Police Chief shall be entitled to the same benefits as negotiated in the collective bargaining agreement between the City of Woburn and the Woburn Police Superior Officers Association, as the same may be revised from time to time”.

s/President Michael P. Concannon  
By request of the Mayor

Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON ORDINANCES, CHARTER & RULES, all in favor, 9-0.

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**NEW PETITIONS:**

Petition by CVS Pharmacy Inc., 1 CVS Drive, Woonsocket, Rhode Island 02895, for a modification of special permit dated April 21, 2020 pursuant to Section 5.1(69), Section 7.3, Section 8.6.3, Section 8.7.1.6, Section 13.5, and Section 15 of the WZO, to allow for: (1) a service establishment providing nail and salon service to occupy approximately 3,300 square feet of space formerly labeled as “Overstock Storage Area” and once occupied by a full service restaurant; and (2) a revised Site Plan of Record, at 175 Main Street. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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Petition by Chick-fil-A, Inc., 5200 Buffington Road, Atlanta, Georgia 30349, for a special permit to allow for the following: (1) fast food restaurant pursuant to Section 5.1(29) of WZO; (2) alteration of the existing nonconforming structure to allow for a new structure as shown on Site Plan pursuant to Section 7.3 of WZO; and (3) parking requirements to be met on a lot separate from 17 Commerce Way, which is immediately adjacent, as shown on Site Plan pursuant to Section 8.3.1 of the WZO, at 17 Commerce Way. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO PUBLIC HEARING, all in favor, 9-0.

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Petition by 18 Hovey Street Rear Left, LLC, Vittorio D’Amore, 84 N. Margin Street, Apt.#9, Boston, Massachusetts 02113, requesting extension of special permit dated August 5, 2021 until August 5, 2025, at 18 Hovey Street Rear Left. A communication dated July 6, 2023, was received from Attorney Robert W. Tedesco, Esq., Tedesco Law Offices, P.C., 88 Main Street, Woburn, Massachusetts 01801 regarding “ 2 year extension of special permit, 18 Hovey Street Rear Left, LLC, Vittorio D’Amore”. Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record AND to suspend the rules to allow the petitioner to speak on the matter, all in favor, 9-0. Appearing for the petitioner, Attorney Robert W. Tedesco, Esq., Tedesco Law Offices, P.C., 88 Main Street, Woburn, Massachusetts 01801, stated the petitioner is requesting the extension as the owner is still under litigation with his insurance company. Attorney Tedesco stated he was not handling the litigation, but the matter before the City Council. Attorney Tedesco stated that the demolition company went in and gutted the entire place instead of just portions of it and they do not want to pay for the damage. Councilor Demers stated that he did a site visit and it is devastating what has happened and he supports the extension. Councilor Dillon stated he agrees with Councilor Demers as he his in the same type of business. Councilor Dillon stated that working under such pressure often get people into litigation. Councilor DiMambro stated he supports the extension. Upon inquiry from Councilor Gately, Attorney Tedesco stated there is no money to fix the issue that is why his client is in litigation, but he is unsure of the cost as he is not the litigation attorney. Attorney Tedesco stated he was hoping it would be done by now and did not think they would be back here. Motion made and 2<sup>nd</sup> to return to the regular order of business, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the TIME FOR THE PETITIONER TO EXERCISE ITS RIGHTS UNDER THE SPECIAL PERMIT SHALL BE

EXTENDED FOR AN ADDITIONAL TWO (2) YEAR PERIOD TO August 5, 2025, all in favor, 9-0.

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**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. PUBLIC HEARING: City Clerk Higgins stated that Jay Duran informed the City Clerk that MWRA personnel were on vacation last week, and still have work to do. City Clerk Higgins stated Mr. Duran suggested pushing this off to the September meeting. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. 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 19, 2023, all in favor, 9-0.

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On the petition by Crown Castle NG East, LLC for grant of right in a way to install (1) 4” PVC Communication Conduit approximately two (2) feet southerly from Utility Pole #620/6 on Cabot Road to a proposed 17” x 30” Crown Castle Handhole. From newly placed handhole, continue approximately five (5) feet to Telephone MH #35/221A, at 11 Cabot Road. PUBLIC HEARING OPENED: A communication dated July 7, 2023, was received from Jay Duran, Woburn DPW Superintendent as follows:

This recommendation is pursuant to the request from Crown Castle NG East LLC Comcast for the Grant of Way for the installation of underground conduit at **11 Cabot Road**. The work does not appear to be in the newly paved road. I recommend that the disturbed area be restored to existing conditions. If the work has to be extended across or in the roadway, I recommend that a minimum of 100 feet of curb to curb mill and inlay be a condition of the approval.

This recommendation is pursuant to the request from Crown Castle NG East LLC Comcast for the Grant of Way for the installation of underground conduit at **35 Cabot Road**. This work appears to be within the roadway area. Therefore, based upon other similar grants, I recommend that 100 feet of curb to curb restoration be required with a 2 inch mill and inlay. Final limit can be determined after excavation is completed and all work must be completed by October 15, 2023. A performance bond in the amount of \$25,000 should be required to ensure that this work be completed to DPW specifications prior to the issuance of a permit.

Permits will have to be obtained from the DPW and coordinated with the Woburn Police for safe pedestrian and vehicular access. Please feel free to call me with any questions or concerns.

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: Appearing for the petitioner, Bill Conway, Project Manager, Axis Engineering Group, 201 Boston Post Road W, Suite 100, Marlboro, Massachusetts 01752, stated they would like to install a PVC pipe and handhole to provide service to 35 Cabot Road, which is the next petition. Upon inquiry from President Concannon, Mr. Conway confirmed he read the concerns of the DPW Superintendent and has no issue with them. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the GRANT OF RIGHT IN A WAY BE APPROVED, subject to the DPW Superintendent's conditions in the communication dated July 7, 2023, as follows: 1. That the disturbed area be restored to existing conditions; 2. If the work has to be extended across or in the roadway, that a minimum of 100 feet of curb to curb mill and inlay be a condition of the approval; and 3. Permits will have to be obtained from the DPW and coordinated with the Woburn Police for safe pedestrian and vehicular access, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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On the petition by Crown Castle NG East, LLC for grant of right in a way to install (1) 4" PVC Communication Conduit approximately 54 feet northerly from Telephone MH #35/223 on Cabot Road to a proposed 17" x 30" Crown Castle Handhole, continue approximately 111 feet northeasterly and install ADDD 1019 conduit (Microtrench) to private property, at 35 Cabot Road. PUBLIC HEARING OPENED: A communication dated July 7, 2023, was received from Jay Duran, Woburn DPW Superintendent as follows:

This recommendation is pursuant to the request from Crown Castle NG East LLC Comcast for the Grant of Way for the installation of underground conduit at **11 Cabot Road**. The work does not appear to be in the newly paved road. I recommend that the disturbed area be restored to existing conditions. If the work has to be extended across or in the roadway, I recommend that a minimum of 100 feet of curb to curb mill and inlay be a condition of the approval.

This recommendation is pursuant to the request from Crown Castle NG East LLC Comcast for the Grant of Way for the installation of underground conduit at **35 Cabot Road**. This work appears to be within the roadway area. Therefore, based upon other similar grants, I recommend that 100 feet of curb to curb restoration be required with a 2 inch mill and inlay. Final limit can be determined after excavation is completed and all work must be completed by October 15, 2023. A performance bond in the amount of \$25,000 should be required to ensure that this work be completed to DPW specifications prior to the issuance of a permit.

Permits will have to be obtained from the DPW and coordinated with the Woburn Police for safe pedestrian and vehicular access. Please feel free to call me with any questions or concerns.

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Bill Conway, Project Manager, Axis Engineering Group, 201 Boston Post Road W, Suite 100, Marlboro, Massachusetts 01752, stated this is a continuation of the previous petition to bring service to the building at 35 Cabot Road. Upon inquiry from President Concannon, Mr. Conway confirmed he had read the comments from the DPW Superintendent and agrees to the terms. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED and that the GRANT OF RIGHT IN A WAY BE APPROVED, subject to the DPW Superintendent's communication dated July 7, 2023 as follows: 1. That 100 feet of curb to curb restoration be required with a 2 inch mill and inlay. Final limit can be determined after excavation is completed and all work must be completed by October 15, 2023; 2. A performance bond in the amount of \$25,000 is required to ensure that this work be completed to DPW specifications prior to the issuance of a permit; and 3. Permits will have to be obtained from the DPW and coordinated with the Woburn Police for safe pedestrian and vehicular access, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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On the petition by John Delegas, 1 Carlson Way, Woburn, Massachusetts 01801, for a new inflammable license, for 23,000 gallons of Class B gasoline fuel (stored in a 13,000 gallon container and a 10,000 gallon container), and 9,000 gallons of diesel fuel, at 163 Salem Street. PUBLIC HEARING OPENED: City Clerk Higgins stated the petitioner provided proof of mailing to abutters to Clerk's office. Appearing for the petitioner, John Delegas, 1 Carlson Way, Woburn, Massachusetts 01801, stated he is purchasing the existing business and keep the use the same. Mr. Delegas stated this is his third location and there are no major changes. Upon inquiry from Councilor DiMambro, Mr. Delegas stated the tanks are inspected by a third party and they probably have 20 or more years left, but there is no timeline, and they are inspected every year. Upon inquiry from Councilor Mercer-Bruen, Mr. Delegas stated the sign had been run into and he is planning to repair it once the sale goes through. Upon inquiry form Councilor Gately, Mr. Delegas stated that the fire department had signed off on the application. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: Lori Medeiros, 9 Marietta Street, stated she has known the petitioner for eight years, and he and his wife are homeowners in Woburn and raise their children here. Ms. Medeiros stated the petitioner has two other gas stations in other communities and she hopes the Council looks favorably on this one. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the INFLAMMABLE LICENSE BE APPROVED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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On the petition by New England Laboratory Casework, Co., Inc., 3 Arrow Drive, Woburn, Massachusetts 01801, for a special permit to allow for the following: 1. the overnight parking of three (3) box trucks under Section 5.1(57b); 2. special permit and site plan review under Section 7.3, and Section 12.2.4 to allow for a two (2) story addition to an existing building to be used for light manufacturing, storage, and office, as well as additional site modifications, at 1 Arrow Drive. PUBLIC HEARING OPENED: Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 500 Unicorn Park Drive, Suite 502, Woburn, Massachusetts 01801, stated that Matt Teal, President of New England Labs, and Mira Cousins, from Silver Design Consultants Civil Engineer were in attendance. Attorney Tarby stated the petitioner is seeking to allow for a two story addition of 6,600 square feet, having 3,300 square feet on each floor. Attorney Tarby stated the petitioner is seeking special permit under Section 7.3 for the modification of a nonconforming building and use, as it is a 1989 building. Attorney Tarby stated the modifications include new signage, interior sidewalks, lighting, flagpole, two loading docks on the left side of the building, two EV charging stations, and roof mounted solar panels. Attorney Tarby stated the petitioner would like to park three trucks overnight. Attorney Tarby stated the property is located in the IP zoning district and is allowed by special permit. Attorney Tarby stated that New England Labs has been a longtime business in Woburn and wants to stay and grow here. Attorney Tarby stated New England Labs provides lab furniture and it has been in business 33 years, 22 of which have been on Arrow Drive. Attorney Tarby stated the petitioner also has locations in Baltimore and Raleigh. Attorney Tarby stated New England Labs will occupy 80% of the space and the additional space will be for another company. Attorney Tarby stated the petitioner will be moving its deliveries from 3 Arrow Drive to 1 Arrow Drive which is further away from the neighborhood. Ms. Cousins stated the property is 3.47 acres and the existing building is approximately 27,700 square feet. Ms. Cousins stated the petitioner has filed with the Conservation Commission a notice of intent because there is an intermittent stream on the property. Ms. Cousins stated that the floor plan addition is 3,300 square feet, using heavy duty pavement, new sidewalks along the parking lot, new flagpole, dumpster pad, EV charging stations, an outdoor seating pergola, bollard lights that are dark sky compliant, landscaping, and pavement restriping. Ms. Cousins stated there will be 600 square feet decrease in impervious surfaces. Ms. Cousins stated the two loading docks are standard dock height. Ms. Cousins stated the proposed subsurface system revised plan has been submitted to the Conservation Commission. Ms. Cousins stated currently the water runs off the pavement into the intermittent stream, which they want to eliminate. Councilor Mercer-Bruen stated she assumes this is going to committee, and that there have been noise complaints from the trucks which have been ongoing for many years. Councilor Mercer-Bruen stated this can be difficult as the property abuts residential space, and she would like a plan to address this. Mr. Teal stated that they became aware of the complaints on June 1, 2023, and he has only been the owner since 2019. Mr. Teal stated since June 1<sup>st</sup>, he has put a policy and procedure in place with the employees and has notified some freight companies about what is allowed and what is not. Mr. Teal stated that the incident Sunday night was a driver had backed in and left the site, it did not park onsite overnight and made noise. Mr. Teal stated he has informed the deliveries that they must be done during normal business hours. Mr. Teal stated the neighbors have numbers for the general manager and the operating manager and they will be using 3 Arrow Drive for deliveries as it is further away from the neighbors. Councilor Mercer-Bruen stated the neighbors believe you are trying, but there is

frustration with the truck idling until 2:30 a.m. Councilor Mercer-Bruen stated they will talk in committee about conditions. Mr. Teal stated there are two cell phones available, which may wake someone up, but they will answer. Mr. Teal stated when a driver arrives at 2:00 a.m. it means the driver showed up early as they are coming a long distance and parked there. Mr. Teal stated since June there is no onsite parking. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: Nancy Frost-Canty, 73R Middle Street, stated she is frustrated as she is a stone's throw away from the property, and if she opens her windows, it is very loud. Ms. Frost-Canty stated she has no problem with the proposed physical changes, and that she has spoken with Mr. Teal who has been responsive. Ms. Frost-Canty stated despite the positive conversations, a truck recently back in at approximately 10:15 p.m. and the alarm was blaring for 20 minutes. President Concannon stated there are ordinances regulating against sound and that the special permit can be conditioned related to noise. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON August 15, 2023 AND THAT THE MATTER BE REFERRED TO THE COMMITTEE ON SPECIAL PERMITS, all in favor, 9-0.

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On the petition by Accutemp Engineering Inc., 100 Maple Street, Building B, Stoneham, Massachusetts 02180, for a special permit pursuant to Section 57b of the 1985 Woburn Zoning Ordinances, as amended, to allow for overnight parking for 2 vehicles (rack body and box van), at 271 Salem Street, Building H. PUBLIC HEARING OPENED: A committee report from the Committee on Special Permits was received "ought to pass" with the following conditions: 1. The Special Permit is issued to Accutemp and it is not transferrable; 2. The Special Permit is limited to two (2) trucks for overnight parking. All vehicles must be registered in the city of Woburn and a copy of the registration for each vehicle must be provided to the City Clerk; 3. The dumpster utilized by Accutemp shall be enclosed by a screen and said enclosure shall be locked between 4 p.m. – 7 a.m.; 4. Hours of operation are 7 a.m. – 4 p.m. No unloading or loading of trucks shall be permitted outside of the hours of operation; and 5. The petitioner agrees that five (5) parking spots are required and a sign indicating which spots are assigned to Accutemp shall be affixed to the building. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED AND THE SPECIAL PERMIT BE APPROVED, subject to the conditions as outlined as follows: 1. The Special Permit is issued to Accutemp and it is not transferrable; 2. The Special Permit is limited to two (2) trucks for overnight parking. All vehicles must be registered in the city of Woburn and a copy of the registration for each vehicle must be provided to the City Clerk; 3. The dumpster utilized by Accutemp shall be enclosed by a screen and said enclosure shall be locked between 4 p.m. – 7 a.m.; 4. Hours of operation are 7 a.m. – 4 p.m. No unloading or loading of trucks shall be permitted outside of the hours of operation; and 5. The petitioner agrees that five (5) parking spots are required and a sign indicating which spots are assigned to Accutemp shall be affixed to the building, all in favor, 9-0.



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On the petition by Valentino J. Tocci, Jr., 660 Main Street, Woburn, Massachusetts 01801, for special permit under Section 5.5.1 of the Woburn Zoning Ordinances, as amended, to bring in additional fill to infill a low area that is subject to flooding, at 2 Lowell Street. PUBLIC HEARING OPENED: City Clerk Higgins stated the petitioner indicated he would like to continue the public hearing. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. 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 19, 2023, all in favor, 9-0.

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On the petition by Super Dog Groomer, 77 Winn Street, Woburn, Massachusetts, 01801, for a special permit under Section 7.3.1 of the WZO to allow for dog grooming use, at 77 Winn Street. PUBLIC HEARING OPENED: A communication dated July 10, 2023, was received from Attorney Mark J. Salvati, Attorney At Law, 10 Cedar Street, Suite 26, Woburn, Massachusetts 01801 regarding "77 Main Special Permit". Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Attorney Mark J. Salvati, Attorney At Law, 57 Arlington Road, Woburn, Massachusetts 01801, stated he was here a couple weeks ago and that his letter dated July 10, 2023 had the following proposed conditions: 1. No dogs shall be allowed in the yard and all waste shall be handled inside the building; 2. Only two dogs shall be allowed in the premises at any given time; 3. The hours of operation shall be Monday through Saturday, 9 to 5; 4. Petitioner has permission by the landlord to park 1 car off street at the address; and 5. Petitioner shall clean up the façade prior to opening. Attorney Salvati stated he is also suggesting a sixth condition that there shall be no overnight boarding of dogs. Councilor Dillon thanked Attorney Salvati for the conditions and stated he would like the word overnight to be eliminated in the new condition. Upon inquiry from Councilor Viola, Attorney Salvati stated there do have a policy on dogs requiring up to date shots. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Motion made and 2<sup>nd</sup> that the SPECIAL PERMIT BE GRANTED, with the six conditions as amended, as follows: 1. No dogs shall be allowed in the yard and all waste shall be handled inside the building; 2. Only two dogs shall be allowed in the premises at any given time; 3. The hours of operation shall be Monday through Saturday, 9 to 5; 4. Petitioner has permission by the landlord to park 1 car off street at the address; 5. Petitioner shall clean up the façade prior to opening; and 6. There shall be no boarding of dogs, all in favor, 9-0.

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On the petition by Pressed Ventures Woburn LLC, 6 Mountain Laurels Drive, Nashua, New Hampshire 03062, for a special permit under Section 5.1(29) to allow for a fast food restaurant, and for an amended site plan for previously issued special permit, at 369 Washington Street. PUBLIC HEARING OPENED: A committee report from the Committee

on Special Permits was received “back for action”. Further, a communication dated July 11, 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 PETITION OF PRESSD VENTURES WOBURN LLC, NOW PRESSED WOBURN, LLC 369 WASHINGTON STREET, WOBURN, MASSACHUSETTS

Dear Ms. Higgins:

On behalf of Pressd Ventures Woburn LLC, I hereby request that the name of the Petitioner be amended to Pressed Woburn, LLC. Thank you.

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

Further, a communication dated July 11, 2023, was received from John E. Corey Jr., P.E., City Engineer, as follows:

Subject: Pressed Café Special Permit – Pedestrian Crossing Mitigation

In our memorandum of June 26, 2023, we had proposed that the above referenced project provide mitigation funding for the coordination of the Cedar St. and Salem St intersections on Washington St. These signals have been the subject of numerous complaints and synchronizing the timing of the two intersections would mitigate traffic congestion in the area.

Since that time, the writer has had an opportunity to discuss the matter with the Ward Alderman. The Alderman has indicated that the pedestrian signal at Olympia Ave. and Washington St. has been generating complaints from area residents and that fixing this problem would better address the location of the special permit. The writer agrees with the Alderman’s suggestion.

The City Engineer, Mayor and the Alderman all agree that the Salem St/Cedar St traffic signal coordination work is still a priority, however, it will be better served if funded through other mitigation accounts.

On the basis of the foregoing, we would propose the following language as a condition of the special permit relative to the pedestrian crossing issue:

“The applicant shall investigate the status of the pedestrian crossing equipment at the intersection of Olympia Ave. and Washington St. Any audible pedestrian buttons, wiring or pedestrian crossing heads found to be in non-working order shall be replaced. In the event that no deficiencies are found, the applicant shall provide one spare audible pedestrian button to the Fire Department Traffic Maintenance Officer for future use. The intersection is within MassDOT’s jurisdiction and as such, all work shall be coordinated through them.”

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

Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 500 Unicorn Park Drive, Suite 502, Woburn, Massachusetts 01801, stated he had submitted a request to amend the name of the petitioner to be "Pressed Woburn, LLC. Motion made and 2<sup>nd</sup> that the petitioner's name change to "Pressed Woburn, LLC" be approved, all in favor, 9-0. Attorney Tarby stated there was a special permit meeting on June 26, 2023, and there has been an email from Captain Foley of the fire department, and elevation plans. Attorney Tarby stated at the meeting there were proposed conditions submitted and the Special Permit Committee sent the matter "back for action". Attorney Tarby stated that those conditions were revised and he would like to submit for the record, the following proposed conditions: 1. The Petitioner shall construct and improve the Site as substantially described in the plans submitted with the Petition for Special Permit entitled: "Layout & Materials Plan" dated August 7, 2014; revised September 24, 2014; October 14, 2014; November 21, 2014; December 16, 2014; December 31, 2014; May 1, 2015; May 28, 2015; July 2, 2015; March 28, 2016; March 29, 2016; May 27, 2016; June 8, 2016; June 17, 2017; October 12, 2017; December 21, 2017; December 27, 2017; February 28, 2018; June 12, 2018; June 28, 2018; August 9, 2018; June 7, 2019; April 1, 2021; May 4, 2021 and May 11, 2023; Sheet C-2A and Sheet C-2B; "Proposed Site Plan" dated May 11, 2023 Sheet C-100 both plans prepared by Allen & Major Associates Inc., 100 Commerce Way, Woburn, MA. 01801-8501 (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. Except as modified by this Decision, all conditions set forth in the Landowner's Decision and Notice of Special Permit dated August 11, 2015, as amended shall remain in full force and effect; 3. The Special Permit is granted to Pressd Ventures Woburn LLC only and is non-transferrable except with approval by the Woburn City Council; 4. Except in an emergency, no deliveries shall be made between the hours of 4:00 p.m. and 6:00 p.m.; 5. The hours of operation for Pressd Ventures Woburn LLC will be Monday - Sunday 6:30 a.m. to 11:00 p.m.; 6. A wall or bollards shall be placed along the outside future outdoor seating to protect patrons; 7. The signage plan shall comply with all existing city ordinances; 8. The Petitioner shall be responsible for the upkeep and maintenance of its property on a daily basis to prevent the accumulation of trash and other debris; 9. All dumpsters shall be enclosed by means of a fence, wall or landscaping in compliance with the Woburn Zoning Ordinance and Title 8, Section VII 8-17 of the Woburn Municipal Code and not picked up prior to 7:00 a.m. or after 7:00 p.m. In addition, rodent control measures in connection with any dumpsters shall be in place and maintained; 10. The outdoor seating shown on the Site Plan cannot be used until

such time the Petitioner obtains the required approvals to allow for outdoor seating; 11. Mitigation for this Petition shall be: (1) the installation by the Petitioner of a “no left turn” sign at the Washington Street entrance to Woburn Landing; and (2) The applicant shall investigate the status of the pedestrian crossing equipment at the intersection of Olympia Ave. and Washington St. Any audible pedestrian buttons, wiring or pedestrian crossing heads found to be in non-working order shall be replaced. In the event that no deficiencies are found, the applicant shall provide one spare audible pedestrian button to the Fire Department Traffic Maintenance Officer for future use. The intersection is within MassDOT’s jurisdiction and as such, all work shall be coordinated through them. Motion made and 2<sup>nd</sup> that the proposed conditions be received and made part of the permanent record, all in favor, 9-0. Attorney Tarby stated they added Condition No. 10 related to outdoor seating because at the initial public hearing the petitioner wanted to be transparent and everyone understood that outdoor seating is not allowed until and if zoning amendment is approved. Attorney Tarby stated Condition No. 11 was also added related to mitigation. Attorney Tarby stated there has also been some concerns with the Washington Street entrance and exiting left turns out of the site. Attorney Tarby stated the sign on Washington Street that prohibited the turn was knocked down and not replaced. Attorney Tarby stated the sign was a ground level and installed above the stop sign. Attorney Tarby stated there is a condition that no left turn onto Washington Street at the entrance to Woburn Landing. Councilor Mercer-Bruen stated regarding the Cedar Street and Washington Street intersection, new equipment was recently installed. Councilor Mercer-Bruen stated she met with the City Engineer in May and understood what needs to be done and have an outline and there are existing accounts that can be used for this project. Councilor Mercer-Bruen stated Pressed can do mitigation for stuff closer to their location, especially the pedestrian light which is extremely old and antiquated and need to be replaced. Councilor Mercer-Bruen stated there have been complaints on Q-Alert and Mass Highway and it will cost approximately \$3,500 to replace. Councilor Mercer-Bruen stated the crosswalk needs to be repainted as well. Motion made and 2<sup>nd</sup> that the communication dated July 11, 2023, received from Erica Wright, Operations Manager, Cummings Properties, be received and made part of the permanent record, all in favor, 9-0. Attorney Tarby stated the letter is from Cummings Properties and there is a dispute about the signs, but the petitioner understands the concerns. Scott Thornton, Vanasse and Associates, stated he is not sure what the issue with the pedestrian crossing is because all the push buttons work, but they are not the latest style with audible instructions. Mr. Thornton stated he did not see the lights at night. Councilor Mercer-Bruen stated the box is tiny and is barely visible at night, and her concern that it will not be working in a month, and she would like an audible button installed at the very least. Councilor Mercer-Bruen stated if they are working fine, she would like a report stating that. Mr. Thornton stated he can get one from District 4 and confirm about crosswalks. Councilor Mercer-Bruen stated the condition about the outside dining, there needs to be an ordinance change before allowed. Attorney Tarby stated he clarified that he made a mistake last meeting and the number of outdoor seats is 86. Councilor Mercer-Bruen stated Condition No. 6 there needs to be a wall similar size and materials to the other restaurants on site. Councilor Demers stated he appreciated Councilor Mercer-Bruen’s concerns but wants to caution not to wade into conditions related to MassDOT District 4, as the Council is the local permitting authority and MassDOT may have to do the work and does not want this to necessarily hang up the petitioner. Councilor Mercer-Bruen stated she is not asking Mass Highway to do the work, rather the petitioner to

get the necessary permits to do the work, which has been done before. Councilor Demers stated the prior condition is a condition of the landlord not the tenant of a prior special permit. Councilor Campbell stated she was concerned with the 86 seats as it is dangerous with the amount of people. Councilor Mercer-Bruen stated there must be walls not bollards. Councilor Demers stated the petitioner is just showing intent for outdoor seating and they still have to come back because of the condition limiting outdoor seating. Councilor Dillon stated this is a tough street to cross. Councilor Gately stated there needs to be a wall for outdoor dining and thanked the petitioner for presenting the conditions. Councilor Gately stated public safety must be first as this is a dangerous place and situation. Councilor Demers stated he is not against public safety that his concern was with who is responsible for it, the landlord or the tenant. Rob Parsons, Pressed Café, stated the landlord is responsible for the striping of the entire site. Attorney Tarby stated that limit in Condition No. 4 is similar to that of Chick-fil-A due to the nighttime rush hour. Councilor Mercer-Bruen stated she would like to remove Paragraph 2 of Condition No. 11 to read: The applicant shall upgrade the existing crosswalk to today's standards and include audible pedestrian buttons and lights at the intersection of Olympia Avenue and Washington Street. Attorney Tarby stated the petitioner does not want this tied to occupancy. Mr. Parsons stated this is an existing restaurant location that was already approved and outside improvements made and the restaurant has been empty for three years. Mr. Parsons stated he is willing to help solve issues and willing to look into the wall for safety, but not the existing crosswalk. Mr. Parsons stated this is the third time the petitioner is before the Council and he cannot control MassDOT. Mr. Parsons stated he is investing millions of dollars and cannot be put in that position. Councilor Mercer-Bruen stated that they need to contact MassDOT as the light is 40 years old and that the traffic numbers have increased with this use. President Concannon stated this matter can go back to committee to discuss this detail. Mr. Parsons stated that this could cause 30 to 90 day delay and cost more money. Motion made and 2<sup>nd</sup> to take a five (5) minutes recess, all in favor, 9-0. Motion made and 2<sup>nd</sup> to return to the regular order of business, all in favor, 9-0. Councilor Mercer-Bruen stated she would like Paragraph 2 of Condition No. 11 to read: the applicant shall make reasonable efforts to work in collaboration with MassDOT District 4 to upgrade the pedestrian crosswalk at the intersection of Washington Street and Olympia Avenue with audible buttons and necessary lights and restripe existing crosswalk in the area. Mr. Parsons stated this is more than acceptable. Councilor Mercer-Bruen stated the petitioner needs to make the efforts and provide proof. Mr. Parsons stated this is the third meeting and he is just hearing this is a concern now. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: None. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CLOSED, all in favor, 9-0. Councilor Mercer-Bruen stated that there will be no outside seating until there are ordinance changes are approved and the building changes are approved with Inspector Quinn. Motion made and 2<sup>nd</sup> that the SPECIAL PERMIT BE GRANTED, with the eleven conditions, as amended, as follows: 1. The Petitioner shall construct and improve the Site as substantially described in the plans submitted with the Petition for Special Permit entitled: "Layout & Materials Plan" dated August 7, 2014; revised September 24, 2014; October 14, 2014; November 21, 2014; December 16, 2014; December 31, 2014; May 1, 2015; May 28, 2015; July 2, 2015; March 28, 2016; March 29, 2016; May 27, 2016; June 8, 2016; June 17, 2017; October 12, 2017; December 21, 2017; December 27, 2017; February 28, 2018; June 12, 2018; June 28, 2018; August 9, 2018; June 7, 2019; April 1, 2021; May 4, 2021 and May 11, 2023; Sheet C-2A

and Sheet C-2B; “Proposed Site Plan” dated May 11, 2023 Sheet C-100 both plans prepared by Allen & Major Associates Inc., 100 Commerce Way, Woburn, MA. 01801-8501 (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. Except as modified by this Decision, all conditions set forth in the Landowner’s Decision and Notice of Special Permit dated August 11, 2015, as amended shall remain in full force and effect; 3. The Special Permit is granted to Pressed Woburn LLC only and is non-transferrable except with approval by the Woburn City Council; 4. Except in an emergency, no deliveries shall be made between the hours of 4:00 p.m. and 6:00 p.m.; 5. The hours of operation for Pressed Woburn LLC will be Monday - Sunday 6:30 a.m. to 11:00 p.m.; 6. A wall or bollards shall be placed along the outside future outdoor seating to protect patrons; 7. The signage plan shall comply with all existing city ordinances; 8. The Petitioner shall be responsible for the upkeep and maintenance of its property on a daily basis to prevent the accumulation of trash and other debris; 9. All dumpsters shall be enclosed by means of a fence, wall or landscaping in compliance with the Woburn Zoning Ordinance and Title 8, Section VII 8-17 of the Woburn Municipal Code and not picked up prior to 7:00 a.m. or after 7:00 p.m. In addition, rodent control measures in connection with any dumpsters shall be in place and maintained; 10. The outdoor seating shown on the Site Plan cannot be used until such time the Petitioner obtains the required approvals to allow for outdoor seating; 11. Mitigation for this Petition shall be: (1) the installation by the Petitioner of a “no left turn” sign at the Washington Street entrance to Woburn Landing; and (2) the applicant shall make reasonable efforts to work in collaboration with MassDOT District 4 to upgrade the pedestrian crosswalk at the intersection of Washington Street and Olympia Avenue with audible buttons and necessary lights and restripe existing crosswalk in the area, all in favor, 9-0.

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On the petition by 288 MISHRD LLC c/o Tim Casey, 430 East First Street, Boston, Massachusetts 02127, for a special permit under Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the renovation of an existing nonconforming building and reconfiguration of the rear parking area, at 288 Mishawum Road. PUBLIC HEARING OPENED: A communication dated July 11, 2023, was received from Capt. Joseph Foley, Woburn Fire Prevention, Woburn Fire Department, 124 Main Street, Woburn, Massachusetts 01801 regarding “288 Mishawum Rd”. Motion made and 2<sup>nd</sup> that all communications be received and made part of the permanent record, all in favor, 9-0. Appearing for the petitioner, Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 500 Unicorn Park Drive, Suite 502, Woburn, Massachusetts 01801, stated with him was Tom Nolan, Patrick Connolly, Director of Land Planning and Urban Design at Beals Associates, Inc, Maureen McCue for

traffic, and Carrie Ridell from BrightPath. Attorney Tarby stated that the petitioner is seeking a special permit under Section 7.3 alteration of an existing nonconforming structure, as the use is allowed as a matter of right. Attorney Tarby stated on June 27, 2023 they received responses, also a traffic study was conducted. Attorney Tarby stated in response to the access question, there is access on a small encroachment on a paper street, and the petitioner is agreeable to get the required permission from the other property owners and will have this resolved. Mr. Connolly stated a revised site plan was submitted and they are continuing the conversation with Edens and Avalon. Mr. Connolly stated that they are reconfiguring the second access with a right in and out. Mr. Connolly stated they removed the drop-off area which allowed two more parking spaces for a total of 41 overall spaces. Mr. Connolly stated the playground is the same, the parking is similar, there were no changes to the design itself, and the maximum number of students is 200 with staff peak of 30. Mr. Connolly stated at maximum there will be six to eight parents at pickup and drop off at a time, and the hours of operation are from 6:00 a.m. to 6:00 p.m., Monday through Friday, with no plans for weekend and no special events. Mr. Connolly stated there are 24 staff parking spaces designated in orange and 17 spaces for parent parking. Mr. Connolly stated to compare, the Primrose School on Lexington Street has 45 parking spaces, which is one space for every 345 square feet, and the proposed parking here is one space for every 332 square feet, which is a lower ratio. Mr. Connolly stated they completed the traffic study and they are waiting on the peer review. Mr. Connolly stated the business is seeking approve from the DHCD on the stated level. Mr. Connolly stated Edens will need to make a plan change as well. Mr. Connolly stated they are still trying to finalize the fire and water separation. Mr. Connolly stated Captain Foley of the fire department communicated in the drop box that the fire truck could fit, and that the fire department wants a second gate on the fence for better access. Mr. Connolly stated they provided a parking memorandum to the Building Commissioner. Mr. Connolly stated there is 9,425 cubic feet of snow storage on site, and they added the lighting location details, which are dark sky compliant, to the plans. Mr. Connolly stated between the apartment complex and the playground there is a fence and parking lot, so there is not a lot of room for plantings, but they are seeking permission to plant on Edens property. Ms. McCue stated she has coordinated with the engineering department about traffic. Ms. McCue stated that Woburn Village will be able to use the parking of the daycare site after daycare hours. Ms. McCue stated for futures conditions sued used the year 2030. Ms. McCue stated the warrant for Woburn Village and Mishawum Road indicates no signalization. Ms. McCue stated the daycare peak drop off is from 7:00 a.m. to 8:00 a.m. accounting for 50% of the students, which is a little earlier than the peak roadway hours. Ms. McCue stated that the afternoon pickup hours is from 4:00 p.m. to 5:00 p.m. accounting for 40% of students. Ms. McCue stated that unlike other schools, there are more staggard pickups and with multiple children in the same vehicle. Ms. McCue stated the operational analysis shows during peak hours there is a slight increase onto Mishawum Road, but all intersections are under capacity. Ms. McCue stated the second and third signal warrants were not met because for future or no build. Councilor DiMambro stated he still had concerns with entering/exiting the lot to the left as it is a very busy road. Councilor DiMambro stated he is concerned with the amount of students, drivers not paying attention, and people getting hit. Ms. Ridell stated the drop off time is sporadic and that from 7:00 a.m. to 9:00 a.m. the drop off time is 10 to 15 minutes to hand the child off to the teacher and then to leave. Ms. McCue stated the traffic conditions were based off the information provided by the school for drop off and pick up. Councilor

Gately stated this is a dangerous location, specifically for a daycare, and that he is concerned with utilities, and that there are too many accidents especially in the winter. Councilor Viola stated safety is paramount on this heavily traveled road, and that there will need to be bollards for protection from car acceleration. Mr. Connolly stated that there is a five foot sidewalk parallel to the fence as well as an existing fence. Councilor Viola stated vehicles can jump a fence and bollards are necessary. Councilor Mercer-Bruen stated she agrees with the councilors and is grateful for the proposal as this building is such an eyesore. Councilor Mercer-Bruen stated that BrightPath has been doing this a longtime and has a very good track record. Councilor Mercer-Bruen stated she would like examples of where BrightPath has locations in industrial parks. Councilor Mercer-Bruen stated regarding the entrance to the mall, she wants to make sure a message gets forwarded to the peer reviewer about a left turn only lane at the west entrance (the old China Pearl), as a constituent suggested this as an option. Attorney Tarby stated that he will look into it and have the peer review look at it. Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 9-0. PUBLIC COMMENTS: Attorney Tarby stated he would request the matter be continued to the August 15, 2023 meeting. Motion made and 2<sup>nd</sup> that the PUBLIC HEARING BE CONTINUED TO THE REGULAR MEETING OF THE CITY COUNCIL ON August 15, 2023, all in favor, 9-0.

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City Clerk Higgins stated Councilor Ferullo and Councilor Gately cannot vote on the next two matters, but they may participate. Motion made and 2<sup>nd</sup> to take the next two matters collectively, all in favor, 7-0-2 (Ferullo and Gately Abstain).

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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 June 15, 2023 was received from Lt. Joseph Foley, Woburn Fire Prevention, Woburn Fire Department, 124 Main Street, Woburn, Massachusetts 01801 regarding “216 New Boston St Project”. Further, a communication dated June 15, 2023 was received from Horsely Witten Group to Theresa Murphy, Conservation Administrator, and forwarded on to the City Council, regarding “Wetlands and Stormwater Peer Review for Notice of Intent – Report #3, 216 New Boston Street Woburn, MA, MassDEP File No. 348-0849”. Further, a communication dated July 6, 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 of the above matters scheduled for July 6, 2023 be continued to the first City Council meeting scheduled for September 2023. The Conservation Commission public hearing was further continued to July 13, 2023. We are hopeful that the Conservation Commission hearing will be closed at the July 13, 2023 meeting.

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, 7-0-2 (Ferullo and Gately Abstain). Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 7-0-2 (Ferullo and Gately Abstain). 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 19, 2023, all in favor, 7-0-2 (Ferullo and Gately Abstain).

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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 June 15, 2023 was received from Lt. Joseph Foley, Woburn Fire Prevention, Woburn Fire Department, 124 Main Street, Woburn, Massachusetts 01801 regarding “216 New Boston St Project”. Further, a communication dated June 15, 2023 was received from Horsely Witten Group to Theresa Murphy, Conservation Administrator, and forwarded on to the City Council, regarding “Wetlands and Stormwater Peer Review for Notice of Intent – Report #3, 216 New Boston Street Woburn, MA, MassDEP File No. 348-0849”. Further, a communication dated July 6, 2023, was received from Attorney Joseph R. Tarby, III, Rubin and Rudman LLP, 500 Unicorn Park Drive, Suite 502, Woburn, Massachusetts 01801 as follows:

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We are hopeful that the Conservation Commission hearing will be closed at the July 13, 2023 meeting.

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, 7-0-2 (Ferullo and Gately Abstain). Motion made and 2<sup>nd</sup> that the public hearing be opened for public comments, all in favor, 7-0-2 (Ferullo and Gately Abstain). 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 19, 2023, all in favor, 7-0-2 (Ferullo and Gately Abstain).

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**UNFINISHED BUSINESS FROM PREVIOUS MEETINGS: None.**

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**COMMITTEE REPORTS:**

**ORDINANCES, CHARTER AND RULES:**

On the order adding new subsection 12-41(M) of the WMC prohibiting hunting or trapping on Whispering Hill off of Cambridge Road, a committee report was received “ought to pass”. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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**PERSONNEL:**

On the reappointment of Emily Lipsett to the Board of Trustees for the Woburn Public Library, a committee report was received “ought to pass”. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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On the reappointment of Richard Mahoney to the Board of Trustees for the Woburn Public Library, a committee report was received “ought to pass”. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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On the reappointment of Timothy J. Donovan to the Commission on Disability, a committee report was received “ought to pass”. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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On the appointment of Lisa Ann Gately to the Woburn Golf & Ski Authority, a committee report was received “ought to pass”. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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On the order to fill Resident Representative position on the Woburn Traffic Commission, a committee report was received forwarding the nominations of Richard Jolly and Anne Chatfield to the City Council for further discussion and vote. Councilor Campbell stated she believes that the most difficult job of a councilor is voting for members of boards and commissions as we know the people. Councilor Campbell stated we know them through work, volunteering and it is hard as we know and like them. Councilor Campbell stated for the Resident Representative she is looking at specific criteria for that position that offers a different perspective with a new voice that is going to look at this differently than members already represented on the Traffic Commission. Councilor Campbell stated that is how she is going to vote tonight. President Concannon stated this is going to be a difficult decision and that they had four very suitable candidates originally. President Concannon stated he hopes there would be other positions available in the city so that these individuals could contribute. The City Council proceeded to the appointment of the Resident Representative position on the Woburn Traffic Commission by roll call vote and after one ballot the vote was as follows:

<u>Councilor</u>	<u>Ballot 1</u>
Campbell	Anne Chatfield
Demers	Richard Jolly
Dillon	Richard Jolly
DiMambro	Richard Jolly
Ferullo	Richard Jolly
Gately	Anne Chatfield
Mercer-Bruen	Richard Jolly
Viola	Anne Chatfield
Concannon	Richard Jolly

Richard Jolly, having received the necessary majority with six votes, was declared by the President appointed.

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**PUBLIC SAFETY AND LICENSE:**

On the petition for renewal of Taxi Cab License for Woburn Cab Co Inc., 100 Ashburton Avenue, a committee report was received “ought to pass”. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**                      **s/Scott D. Galvin July 13, 2023**

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On the petition for renewal of Musto Jewelers for a Secondhand Dealers and Secondhand Collectors License at 186 Cambridge Road, #9, a committee report was received “ought to pass”. Motion made and 2<sup>nd</sup> that the COMMITTEE REPORT BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**                      **s/Scott D. Galvin July 13, 2023**

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**CITIZEN’S PARTICIPATION: None.**

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**COMMUNICATIONS AND REPORTS:**

A communication dated July 5, 2023, was received from Thomas C. Quinn, Jr., Building Commissioner as follows:

Re: Woburn Municipal Code Title 15 Article VIII 15-42

Dear Members of the Council:

Regarding the above referenced section of the Woburn Municipal Code, I submit the following quarterly nuisance report for the period of April 1, 2023 thru June 30, 2023.

8 Russell Court matter has been resolved thru District Court.

43-45 Church Street Court fines have been paid, owner is currently trying to sell the property and is aware to monitor site.

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

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

Councilor Viola stated he would like to thank Thomas Quinn for his help with one of those properties over the years. Motion made and 2<sup>nd</sup> that the MATTER BE RECEIVED AND PLACED ON FILE, all in favor, 9-0.

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A communication dated June 26, 2023, was received from Dennis M. Stone, Electrical Inspector, as follows:

Dear Tom,

This letter represents my official notice of retirement from my position of Electrical Inspector with the City of Woburn be final on the 14<sup>th</sup> of July 2023.

It has been with great pleasure to be alongside the individuals at Inspectional Services Department and I will always appreciate the experience and knowledge I gained during my time here.

I hope the notice period is enough for you to find a replacement. Furthermore, let me know of any help that I could be to train or assist the person who will take over my position.

Sincerely, s/Dennis M. Stone

Councilor Gately stated he has known Mr. Stone for a long time as he plowed and worked at the DPW doing electrical work when he was there. Councilor Gately stated he did a fantastic job and that he loves his family and the city. Councilor Gately stated he was always reliable and wishes him the best of luck and a good retirement. Councilor Dillon stated he would like the Personnel Committee to move on this fairly fast as that department is low on staff. President Concannon stated he wished the best for Mr. Stone and a long and happy retirement. Motion made and 2<sup>nd</sup> that the MATTER BE RECEIVED AND PLACED ON FILE, all in favor, 9-0.

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**APPOINTMENTS AND ELECTIONS: None.**

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**MOTIONS, ORDERS AND RESOLUTIONS:**

ORDERED That the following list of Wardens, Clerks, Inspectors and Substitutes be approved for all Elections between September 1, 2023 and August 31, 2024:

Last	First	Address
Adams	Andrea	118 Green Street

Ahern	Diane	2 Keith Circle
Alaras	Godfredo	7 Bradford Road
Alessandroni	Carmelita	29 Grace Road
Anastos	Peter	13 Lee Road
Andrews	Marcia	238 Winn Street
Autenzio	Alfred	9 Arbor Lane
Autenzio	Diane	23 Milan Avenue
Autenzio	Michele	23 Milan Avenue
Autenzio	Tammy	25 Milan Avenue
Bailey	Kathleen	4 Utica Street
Barkalow	Pauline	12 Wolcott Road
Barkalow	Tom	12 Wolcott Road
Beane	Patricia	107 Bedford road
Bechakian	Paula	10 Locust Street
Benedict	Tara	99 Middle Street
Bengtson	Roberta	6 Samoset Road
Bisesi	Richard	10312 Inwood Drive
Black	Sisily	9 Otis Street
Bloch	Emily	18 Lexington Street
Borys	Pam	85 Willow Street
Breed	Carol	269 Cambridge Rd #509
Bullen	Donna	27 Robinson Road
Burke	Gail	6 Janis Terrace
Burns	Joanne	3 Wiley Street
Burton	Diane	35 Union Street
Burton	William	6 Bradford Road
Callahan	Barbara	32 Van Norden Road
Carlson	Stefanie	45 Merrimac Street #5
Catania	Leslie	28 Burlington Street
Chinian	Mary	8 Asbury Avenue
Chinian	Shaeleigh	8 Asbury Avenue
Chiofolo	Marie	114 Winn Street
Chorlton	MaryAnn	312 Lexington Street
Christenson	Hans	256 Salem Street
Christerson	Theresa	33 Sherman Place
Coffey	Robert	273 Cambridge Road #307
Cogan	Elizabeth	4 Coolidge Road
Collins	Eleanor	19 Squanto Road
Cox	Maureen	201 Main Street #13
Coyle	Ellen	41 Mayflower Road
Czerwinski	Mark	3 Lincoln Road

Damico	Mary Anne	20 Brentwood Road
Deal	Patricia	225 Place Lane
DeAngelis	Michelina	255 Lexington Street
Decata	Irene	57 Wood Street
DeSimone	Sharon	10 Paul Avenue
Dickie	Mary	1 Linden Circle
DiGirolamo	Stella	9 Lee Road
DiMeo	Christopher	45 Robinson Road
Donovan	Elizabeth	5 Crescent Road
Dooley	Pamela	9B Totman Drive
Drapeau	Melinda	6 Whispering Hill Road
Drapeau	Ray	6 Whispering Hill Road
Ducharne	Mary	18 Karen Road
Easler	Geraldine	7 Adams Circle
Ebrecht	Marilyn	40 West Street
Elios	Judy	9 Thomas Street
Evans	Virginia	12 Barbara Circle
Farrey	Paul	5 Sedgewick Park
Finn	Deborah Jean	1 Village Street
Flaherty	Joseph	6 Princeton Road
Flynn	Sharon	6 Thornton Street
Fogarty	Diane	117 Washington Street
Forsyth	Nancy Farrey	9 Sedgewick Park
Fuller	Jan	178 Montvale Avenue
Fuller	Thomas	178 Montvale Avenue
Garlick-Haraldsen	Maryann	75 Cambridge Road
Garvey	Tim	2 Cranson Circle
Gray	Joyce	57 Mountain Road
Haggerty	Elaine	30 Thistle Road
Haley	Richard	273 Cambridge Road #608
Harris	Deshea	49 Nashua Street
Hatch	Elizabeth	14 Marlboro Road
Hatch	Helen	14 Marlboro Road
Hennessy	Maria	6 Jan Street
Hennessy	Robert	6 Jan Street
Hurley	Clare	5 Bruce Road
Irwin	Janet	37 Waltham Street
Janeliunas	Donna	12 Carroll Road
Johnson	Barbara	7 Churchill Road
Jones	Jennifer	4 Sherman Terrace
Jones	Mary Ellen	5 Hilltop Circle

Kairo	Joanne	59 Campbell Street #305
Kaufman	Kevin	370 Reed Road, Manchester, NH
Keegan	Kristin	31 Glenwood Avenue
Keough	Jennie	16 Parliament Lane
Ladouceur	Christopher	35 Scott Street
Lalumiere	Marie	13 Hiawatha Road
Lambert	Hazel	3 Elmwood Terrace
Lentz	Loretta	47 Conn Street
Leonard	Kim	91 Green Street
Leonard, Jr.	Robert	176 Montvale Avenue
Lingblom	Jeanne	18 Day Circle
Loreth	Linda	19 Rich Road
Lovuolo	Laura	42 Waverly Road
Lyons	Jo-Ann	10 Grant Street
MacGee	Amanda	200 Bedford Road, Apt 6C
MacGee	Donald	26 Cranston Circle
MacKenzie	June	20 Mt Pleasant Street
MacNeill	Colin	299 Lexington Street #99
MacNeill	Ruth	299 Lexington Street #99
Magro	Rosemary	26 Briarwood Road
Maher	Michael	11 Garden Street
Malaguti	Claire	10 Colonial Road
Marinelli	Ron	1 Seneca Road
Marshall	Joyce	5 Elijah Street
Marshall	Rita	20 Kentucky Avenue
Marshall	Sheila	26 Boyd Road
McCaffery	John M	300 Lexington Street
McCall	Calvin	32 Webster Avenue
McCall	Patrice	32 Webster Avenue
McCarthy	Janine	59 Campbell Street #209
McDonough	June	33 Union Street
McLaughlin	Linda	269 Cambridge Rd #103
Medina	Julie	47 Willow Street
Mee	Gail	17 Canterbury Road
Mee	Robert	269 Cambridge Road #711
Mele	Jennifer	36 Cambridge Road



Metz	Wendy	10 Rock Street
Miner	Carol	33 Revere Road
Miner	William	33 Revere Road
Monaco	Diane	201 Main Street #23
Montuori	Vivian	269 Cambridge Road #311
Moraes	Hudson	6 Park Drive
Murphy	Pearl	14 Brae Circle
Murphy-Walsh	Nancy	6 Foster Avenue
Murray	Gerald	6 Asbury Avenue
Murray	Joanne	6 Asbury Avenue
Nagle	Judith	8 Thomas Street
Nagle	Paula	8 Thomas Street
Nardone	Theresa	2 Albert Drive #3
Nasta	Lucille	24 Hart Place
Newman	Sheila	81 Willow Street
Oconnor	Justin	118 Green Street
Oldham	Linda	52 Wyman Street
Osterman	Kate	6 Arnold Street
Pandolph	Connie	9 Park Drive
Parker	Joyce	42 Vernon Street
Patton	Allison	27 Dartmouth Street
Peary	David	5 Blueberry Hill Road
Peary	Donna	5 Blueberry Hill Road
Peitzsch	Lynda	11 Scott Street
Perkins	Margaret	16 Gardner Avenue
Perrish	Rai-An	14 Gardner Avenue
Proia	Sandra	59 Campbell Street #601
Quinn	Thomas	6 Newbridge Avenue
Riley	Evelyn	10 Carter Street
Rivela	Vincent	16 Jan Street
Rooney	James	38 Carroll Road
Ruggiero	Richard	22 Revere Road
Ryan	Patricia	99 Pearl Street
Sannizzaro	Ann	12 Erie Street
Sasso	Mary	39 Carroll Road
Saunders	Kathryn	33 Montvale Avenue #11
Schindler	George	3 Wyman Street
Schuck	Loretta	44 Leonard Street
Simonds	Elizabeth A.	3 Court Street
Smith	Marilyn	16 Nichols Street Ext

Souza	Anthony	24 North Woods Circle/12306 Inwood Drive
Spencer	Rosemary	5 Caulifield Road
Spinazola	Rosemarie	1 Library Place #401
Stafford	Judith	28 Hiawatha Road
Stima	Carol	44 Elm Avenue
Sullivan	Gail	299 Lexington Street #79
Sullivan	Judi	17 Jan Street
Sullivan	Michelle A	2 Belmont Street
Sullivan	Patricia	428 Place Lane
Sullivan	William	39 Hiawatha Road
Surette	Lois	78 Kilby Street
Sutton	Janet	11 Lawrence Street
Uvino	Paulette	5 Ashburton Avenue
Ver Planck	Elena	6 Wood hill Circle
Walsh	Catherine	273 Cambridge Road #202
Weaver	Allison	241 Cambridge Road
Weaver	Jay	242 Cambridge Road
Winitzer	Donna	18 Hart Place
Youngclaus	Carolyn	2 Park Drive
Zeoli	Anthony	15 Independence Drive
Zeoli	Judith	15 Independence Drive

s/President Michael P. Concannon

Motion made and 2<sup>nd</sup> that the ORDER BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 16, 2023**

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ORDERED That the Committee on Personnel take the necessary steps to fill the vacancy in the position of Electrical Inspector (Inspector of Wires).

s/Councilor Joanne E. Campbell

Councilor Campbell stated she spoke with the Building Commissioner briefly, and that she agrees with Councilor Dillon, that he would like if possible, to have someone in the position by the end of September or beginning of October out of necessity of the amount of work that needs to be done. Motion made and 2<sup>nd</sup> that the MATTER BE REFERRED TO THE COMMITTEE ON PERSONNEL, all in favor, 9-0.

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From the Traffic Commission:

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

MAIN STREET – No parking westerly side from Warren Avenue northerly a distance of 100 feet; and

MAIN STREET – One-hour parking westerly side from a point beginning 100 feet northerly of Warren Avenue northerly a distance of 300 feet any time between the hours of 8:00 a.m. and 6:00 p.m. any day except Sundays and public holidays.

Motion made and 2<sup>nd</sup> that the ORDER BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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From the Traffic Commission:

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

MAIN STREET – “4-one-hour parking spaces on the west side of Main Street north of the Warren Avenue intersection, commencing at the prolongation of the southerly building wall of 160 Main Street extending 95’ north along Main Street.

Motion made and 2<sup>nd</sup> that the ORDER BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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From the Traffic Commission:

ORDERED Be it ordered that Schedule 3 Stop Signs of the 2017 Woburn Traffic Code, as amended, be further amended by adding the following:

REED STREET – Southeastbound at Brandon Court; and

REED STREET – Northeastbound at Brandon Court.

Motion made and 2<sup>nd</sup> that the ORDER BE ADOPTED, all in favor, 9-0.

**Presented to the Mayor: July 13, 2023**

**s/Scott D. Galvin July 13, 2023**

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Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 9-0. Meeting adjourned at 8:45 p.m.

A TRUE RECORD ATTEST:

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