

**CITY OF WOBURN  
JANUARY 2, 2007 - 7:30 P.M.  
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Ciriello	Gately
Denaro	Galvin
Drapeau	Gonsalves
Dwyer	Mercer-Bruen
Doherty	

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

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**MAYOR'S COMMUNICATIONS:**

A copy of a communication dated December 5, 2006 with attachments from His Honor the Mayor Thomas L. McLaughlin to The Honorable State Senator Robert A. Havern was received as follows:

Dear Senator Havern:

I am writing to you to express my concern about Governor Romney's recent budget cut of \$25 million in water and sewer rate relief. Our 2007 water and sewer rates in Woburn were already based upon this \$25 million in rate relief. This unanticipated cut could amount to a \$371,608 reduction in relief for the City of Woburn.

I urge you to restore this funding so that we may keep water and sewer rates affordable. Woburn is especially impacted by these budget cuts as we will be adjusting our water and sewer rates upward in 2008 to pay for much needed and costly capital improvements to our local water distribution system.

Your efforts in this matter would be greatly appreciated.

Sincerely, s/Thomas L. McLaughlin

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**PUBLIC HEARINGS:**

On the petition by Keyspan Energy Delivery for a grant of right in a way to install approximately 125 feet of four (4) inch gas main in Cottage Street as shown on the plan filed therewith. PUBLIC HEARING OPENED.

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On the petition by Krystal New England, LLC, 399 Washington Street for a special permit to allow auto sales and for a First Class Motor Vehicles Sales License at 399 Washington Street. PUBLIC HEARING OPENED. A communication dated December 15, 2006 was received from Edmund P. Tarallo, Director, Woburn Planning Board as follows:

Re: Krystal New England, LLC – 399 Washington St. – To occupy 7000 S.F. for limousine dealership

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on December 12, 2006, the Board voted to forward a favorable recommendation to the City Council on the Special Permit request to occupy 7000 S.F. of the building at 399 Washington Street for a limousine dealership.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

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On the petition by Mishawum Properties, LLC, 215 Lexington Street, Woburn, Massachusetts 01801 for a special permit pursuant all applicable sections of the 1985 Woburn Zoning Ordinances, as Amended, including with out limitation Section 12 and Section 21, to allow for 210 elevator apartments, associated parking and access at Lot A, Mishawum Road. PUBLIC HEARING OPENED. A communication dated December 4, 2006 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Mishawum Properties, LLC – Lot A Mishawum Road – To allow 210 elevator apartments, associated parking and access under Sections 12 and 21

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on November 28, 2006, the Board voted to forward a favorable recommendation to the City Council in accordance with the petitioner's request for a Special Permit under Sections 12 and 21 to allow 210 elevator apartments, associated parking and access at Lot A Mishawum Road in accordance with Site Development Plans dated October 3, 2006 subject to the following conditions:

1. That the Planning Board shall retain jurisdiction over the landscaping.
2. That the 21 affordable units shall be restricted as "Low or Moderate Income Housing" as such term is defined in the Department of Housing and Community Development's Local Initiative Program Regulations, 760 CMR

45.02 (the "Affordable Units"). The percentage of the handicapped accessible units among the Affordable Units shall be equal to the percentage of required handicapped accessible units in the development as a whole under applicable federal and state law. The 21 Affordable Units shall remain affordable in perpetuity to Low or Moderate Income households as such term is defined in the Department of Housing and Community Development's Local Initiative Program Regulations, 760 CMR 45.02. In addition, the 21 Affordable Units shall comply with Department of Housing and Community Development's Local Initiative Program Regulations, 760 CMR 45.00 et seq. in effect as of the passage of this Special Permit, and the Developer and the City shall submit an application to DHCD for the affordable units to be counted as "Local Action Units" in compliance with 760 CMR 45.03 as in effect as of the passage of this Special Permit.

3. That the mitigation shall be provided in accordance with Section 18.7 of the Zoning Ordinance.
4. That the petitioner shall comply with the recommendations of the City Engineer regarding water, sewerage, drainage and traffic.
5. That the development shall not exceed 210 units or 5 stories in height.
6. That a transportation demand management program shall be established under an Employee Transportation Coordinator which shall include participation in a transportation management association.

In addition, that the City Council consider requiring the developer to install a traffic signal or other appropriate safety and traffic improvements at the intersection of Mishawum Rd @ Olympia Ave/Rumford Park Ave. and to install appropriate signage at the intersection of Forest Park Rd. and Mishawum Rd. to address safety concerns.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A communication dated December 28, 2006 was received from John E. Corey, Jr., PE, City Engineer with attachments as follows:

Subject: Mishawum Station – Special Permit Review

Materials Reviewed: Site Plans, Phase I & II, dated October 3, 2006 by Allen & Major

Mishawum Station Drainage Report, prepared by Allen & Majors, dated October 3, 2006, received October 16, 2006

Transportation Study for Mishawum Station Development prepared by Howard/Stein-Hudson, dated November 8, 2006, received November 16, 2006

Fiscal Impact Report for Mishawum Station Mixed-Use  
Development prepared by Connery Associates, dated November 9,  
2006, received November 16, 2006

Development Impact Statement for Mishawum Station prepared by  
Allen & Major, dated November 8, 2006, received November 16,  
2006

Revised cost estimates by phase, dated December 12, 2006

Fire flow test data and ISO Fire demands, dated December 27, 2006

Meetings with Applicant: Meetings were held with the applicant and/or the applicant's representatives on September 17, 2006, October 17, 2006, November 20, 2006 and November 30, 2006 concerning the subject project.

Engineering Department Memoranda: Memoranda dated November 21, 2006 and November 27, 2006.

Based on the engineering department's review of the above referenced materials and meetings with the applicant to date, we offer the following comments concerning the project:

Water System: There is an existing 6 inch cast iron main installed in 1961 serving the general project area in Mishawum Road. As indicated in a previous memorandum, the age of the main does not warrant investigation for tuberculation of the pipe and cleaning and relining is not a consideration at this time. The applicant indicates that the average daily usage for the proposed facilities will be approximately 50,000 gallons per day with a fire demand of 750 gpm. Assuming an equal distribution of the flow in a looped situation, the velocity in the main under a fire demand situation would be approximately 3.7 fps which is well within accepted standards and there would be no adverse impacts on the surrounding system. Data from the fire flow test performed at the site indicates an available flow rate of 1,075 gpm at a residual pressure of 65 psi demonstrating that the existing system is adequate for the intended needs of the development without adversely affecting the surrounding users of the system.

The utility plan indicates a wet tap to the existing 6 inch main in Mishawum Road. A tapping sleeve and valve is not allowed and a three way, cut-in gate arrangement with flexible couplings will be required. This connection can be reviewed with the water department at the building permit stage and does not affect the special permit.

Although there are no apparent cleaning and relining issues within the project area, it is desirable from a hydraulic standpoint to replace a water loop across the Mishawum Road Bridge over Route 128 in the future. The priority of water mitigation improvements is discussed at the end of this memorandum.

Sewer System: The applicant has indicated that the facility will generate approximately 45,000 gallons per day of sanitary sewage from the facility and they have supplied information requested pursuant to Title 13 of the municipal code relative to the removal of extraneous infiltration/inflow. The City is subject to an administrative consent order from the DEP concerning the 10 to 1 removal of extraneous infiltration/inflow for the addition of new sewage flows. The applicant has indicated that they will pay the required infiltration/inflow fee and have the city apply these funds towards one of the ongoing infiltration/inflow projects to obtain the necessary I/I reduction. The applicant also indicates that the project is contingent upon a DEP sewer connection permit. The site plan review is not contingent upon the DEP permit; however, it is a necessary element of any resulting building permit and can be dealt with at the time of issuance.

As requested previously, the applicant's engineer should provide the maximum daily flow rate expected for discharge from the facility with a comparison of the capacity in the existing sewer and current flow volumes.

Drainage System: As indicated in our previous memorandum, the drainage computations have been reviewed by the engineering department and the department finds that the drainage system proposed is consistent with the requirements to reduce post development flows to pre-development rates. Furthermore, the storm water quality requirements have been satisfied in accordance with state mandated best management practice tactics, including the provision of a drainage system maintenance plan.

Traffic and Access: A complete discussion on the traffic study is contained in our last memorandum concerning the project and we concur with the applicants division of off site improvements by phase as most recently submitted with the following recommendations. The applicant has adequately identified necessary traffic and traffic related improvements to address potential adverse impacts that could result from the project moving forward without mitigation, and we believe that the applicant has fully met the requirements of Section 18 of the zoning by law as it pertains to this development.

The initial phase of the project includes the development of the commercial building with off site improvements for the installation of a traffic signal at the intersection of Mishawum Road at Industrial way as described in the December 12<sup>th</sup> submission detailing the cost of proposed mitigation tactics by phase.

Phase two would include the intelligent traffic light upgrades to the Ryan Road/Mishawum Road intersection and the Ryan Rd./Industrial Way intersection with coordination of the these traffic signals with the phase I signal.

Phase III anticipates the installation of improved pedestrian access at both the Mishawum Rd. /Olympia Ave. and School St. /Merrimac St. intersections. The installation of pedestrian signalization at these two intersections is costly, will impede the flow of traffic and in general are considered unwarranted. We propose that improved pedestrian access could be provided with the strategic installation of impressed crosswalks at these

locations at a substantially reduced cost over signalization. On this basis, we propose the following:

- The Olympia Ave. /Mishawum Road intersection would require the installation of impressed crosswalks along the westerly intersection with Rumford Park and the southerly crossing of Mishawum Road. This would provide safe access from the westerly side of Mishawum Rd. where the pedestrian traffic occurs as there is no sidewalk on the bridge on the easterly side of Mishawum Road. Approximately 60 feet of concrete sidewalk and curbing would be required along the southeast corner of Rumford Park and Mishawum Rd. as well as new handicapped access ramps, situated as necessary, to complete the installation. The two secondary crosswalks would be replaced with thermoplastic striping. The estimated cost of the safer pedestrian access is \$34,000.00. We believe that these safety improvements should be made a part of the phase I portion of the project rather than later phases. A plan depicting the conceptual design for these improvements has been attached.
- The School St. /Merrimac St. intersection would also require the installation of two impressed crosswalks running perpendicular to the streets as opposed to the current arrangement that requires a longer travel distance for pedestrians. Additionally, a third crosswalk consisting of thermoplastic striping would be installed across the driveway into the Office for Social Concern. The impressed crosswalks would be placed back farther from the intersection is and be provided with necessary handicapped access cuts in the curbs. The estimated cost of safer pedestrian access is \$23,000.00. We believe that these safety improvements should be made a part of the phase I portion of the project rather than later phases. A plan depicting the conceptual design for these improvements has been attached.
- The New Boston Street bridge design has been partially funded through a line item in the Executive Office of Transportation. The provision of \$46,000.00 will allow the bridge design to move forward and accelerate the opportunity to obtain construction funds through the MPO.
- As discussed in a prior department memorandum, there is a need to replace the Mishawum Road water loop crossing over Route 128. We have obtained a cost estimate of \$30,000.00 to prepare the structural designs and obtain the necessary approvals from MassHighway to move forward with this project in the future.
- There is a need to install new computer hardware and racking within the City Hall IT facility to accommodate the privately supplied master controllers and other inputs for intelligent traffic signal equipment being installed in conjunction with this project, the Trade Center and the Woburn Mall. The estimated cost of the purchase and installation of this equipment with ancillary software is \$34,000.00 to address the foreseeable future needs of intelligent traffic light system available to police, fire and engineering.
- Based on the foregoing, we have identified \$167,000.00 in traffic, traffic related and water system mitigation improvements, under the phase III portion of the project with a balance of \$240,000.00 that would be applied towards

traffic improvements at Elm and Main Street and miscellaneous geometric improvements to address traffic issues in Wards 4, 5 and 6.

The phase I improvements would have to be installed prior to occupancy of the commercial building. Although the cost breakdown submitted by the developer bases the mitigation improvements on the specific phase development costs, we believe that the pedestrian safety improvements at the intersections of Mishawum Rd./Olympia Ave. and Merrimac St./School St. are a necessary component of the initial phase of construction.

Similarly, the phase II improvements would have to be installed prior to issuance of occupancy for the initial residential development. Phase III improvements consist of mitigation payments to the city for work to be performed under municipal agreements and no performance is required by the developer for occupancy.

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

A communication dated December 28, 2006 with attachments was received from Attorney James Mawn, Mawn and Mawn, 215 Lexington Street, Woburn, Massachusetts 01801 as follows:

Dear Mr. Campbell:

As requested, enclosed are the proposed conditions for Lot A and Lot B and the proposed Construction Management Plan.

Very truly yours, s/James J. Mawn

Attached thereto was a document stating as follows:

#### Proposed Conditions Lot A

1. That the Planning Board shall retain jurisdiction over the landscaping.
2. That the 21 affordable units shall be restricted as "Low or Moderate Income Housing" as such term is defined in the Department of Housing and Community Development's Local Initiative Program Regulations, 760 CMR 45.02 (the "Affordable Units"). The percentage of the handicapped accessible units among the Affordable Units shall be equal to the percentage of required handicapped accessible units in the development as a whole under applicable federal or state law. The 21 Affordable Units shall remain affordable in perpetuity to Low or Moderate Income households as such term is defined in the Department of Housing and Community Development's Local Initiative Program Regulations, 760 CMR 45.02. In addition, the 21 Affordable Units shall comply with the Department of Housing and Community Development's Local Initiative Program Regulations, 760 CMR 45.00 et seq. in effect as of the passage of this Special Permit, and the Developer and the City

shall submit an application to DHCD for the affordable units to be counted as “Local Action Units” in compliance with 760 CMR 45.03 as in effect as of the passage of this Special Permit.

3. That the Developer shall provide the following mitigation:

Phase 2 - ½ Residential units

Industrial Parkway/Ryan Road Signal Upgrade

- New TS2 controller and cabinet with fiber optic drop
- Full Opticom
- Video detection
- Interconnect with other two intersections
- Protected left turn (new signal head)
- Right turn overlap phase (new signal head)

School Street/Mishawum Road/Ryan Road Signal Upgrade

- New TS2 controller and cabinet with fiber optic drop
- Full Opticom
- Video detection
- Interconnect with other two intersections

Phase 3 - ½ Residential units

Contribution of \$407,000.00 to be distributed as follows:

- \$46,000.00 toward design of New Boston Street bridge
- \$30,000.00 toward design of Mishawum Road water loop crossing over Route 128
- \$34,000.00 toward the purchase of new computer hardware and racking within City Hall IT facility
- \$240,000.00 toward traffic improvements at Elm and Main Street and miscellaneous geometric improvements to address traffic issues in Ward 4, 5 and 6.

As per the recommendations of the City Engineer.

4. That the petitioner shall comply with the recommendations of the City Engineer regarding water, sewerage, drainage and traffic.
5. That the development shall not exceed 210 units or 5 stores in height.
6. That a transportation demand management program shall be established under an Employee Transportation Coordinator which shall include participation in a transportation management association.
7. That the project be built in substantial conformity with plans filed on record with the City Council.

8. Dumpsters shall be shielded from view or stored within the parking structure and shall not be picked up or emptied prior to 7:00 a.m. or after 7:00 p.m., Monday through Saturday, and shall not be picked up or emptied on Sunday.
9. Construction activities shall be conducted according to the "Construction Management Plan, Mishawum Station, January 2, 2007", on file with the City Clerk.
10. The developer/owner shall provide the Fire Department with a call list which shall include the on site emergency response coordinator who will be available 24/7.
11. The developer/owner and/or the then current management company and Fire Department shall meet, as required by the Fire Department, to review fire safety issues including but not limited to the Emergency Evacuation Plan, site circulation to and within the site and other related fire safety issues.
12. The developer/owner shall designate a Community Safety Coordinator to act as a liaison between the developer/owner and the Fire Department.
13. The developer/owner agrees that it will be responsible in perpetuity for all trash removal services.
14. There shall be no unregistered vehicles stored on the premises.
15. There shall be no recreational vehicles such as motor homes, boats, etc. stored on the premises.
16. Construction vehicles may gain access to and egress from the site as follows:
  - a.) Industrial Way and Ryan Road
  - b.) Mishawum Road to Washington Street to Route 128N
  - c.) Route 128S to Mishawum Road exit at Woburn Mall
  - d.) Mishawum Road to Commerce Way to flyover for 93N or 93S
  - e.) New Boston Street for pickup and delivery only
17. Construction vehicles are prohibited from the following roadways or portions thereof:
  - a.) Alfred Street
  - b.) Mishawum Road/Ryan Road to Main Street to Woburn center
  - c.) School Street
  - d.) Merrimac Street
  - e.) Olympia Avenue
  - f.) New Boston Street (excepting pickup or deliveries from businesses located on New Boston Street)

The buildings exterior will consist of high quality materials including without limitation brick and Arriscraft.

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On the petition by Mishawum Properties, LLC, 215 Lexington Street, Woburn, Massachusetts 01801 for a special permit pursuant to all applicable sections of the 1985 Woburn Zoning Ordinances, as Amended, including without limitation Section 11, Section 12 and Section 5.30b to allow for a business, professional and general office over 15,000 square feet, associated parking and access at Lot B, Mishawum Road. PUBLIC HEARING OPENED. A communication dated December 4, 2006 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Mishawum Properties, LLC – Lot B Mishawum Road – To allow 50,000 S.F. +/- of business, professional, and general office under Sections 11, 12, and 5.30b

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on November 28, 2006, the Board voted to forward a favorable recommendation to the City Council in accordance with the petitioner's request for a Special Permit under Sections 11, 12 and 5.30b to allow 50,000 S.F. +/- of business, professional, and general office at Lot B Mishawum Road in accordance with Site Development Plans dated October 3, 2006 subject to the following conditions:

1. That the Planning Board shall retain jurisdiction over the landscaping.
2. That the petitioner shall comply with the recommendations of the City Engineer regarding water, sewerage, drainage and traffic.
3. That the mitigation shall be provided in accordance with Section 18.7 of the Zoning Ordinance.
4. That a transportation demand management program shall be established under an Employee Transportation Coordinator which shall include participation in a transportation management association.
5. That the building shall not exceed 5 stories or 50, 000 S.F. for business, professional, and general offices, and a financial institution.

In addition, that the City Council consider requiring the developer to install a traffic signal or other appropriate safety and traffic improvements at the intersection of Mishawum Rd @ Olympia Ave/Rumford Park Ave. and to install appropriate signage at the intersection of Forest Park Rd. and Mishawum Rd. to address safety concerns.

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

Sincerely, s/Edmund P. Tarallo, Planning Director

A communication dated December 28, 2006 was received from John E. Corey, Jr., PE, City Engineer with attachments as follows:

Subject: Mishawum Station – Special Permit Review

Materials Reviewed: Site Plans, Phase I & II, dated October 3, 2006 by Allen & Major

Mishawum Station Drainage Report, prepared by Allen & Majors, dated October 3, 2006, received October 16, 2006

Transportation Study for Mishawum Station Development prepared by Howard/Stein-Hudson, dated November 8, 2006, received November 16, 2006

Fiscal Impact Report for Mishawum Station Mixed-Use Development prepared by Connery Associates, dated November 9, 2006, received November 16, 2006

Development Impact Statement for Mishawum Station prepared by Allen & Major, dated November 8, 2006, received November 16, 2006

Revised cost estimates by phase, dated December 12, 2006

Fire flow test data and ISO Fire demands, dated December 27, 2006

Meetings with Applicant: Meetings were held with the applicant and/or the applicant's representatives on September 17, 2006, October 17, 2006, November 20, 2006 and November 30, 2006 concerning the subject project.

Engineering Department Memoranda: Memoranda dated November 21, 2006 and November 27, 2006.

Based on the engineering department's review of the above referenced materials and meetings with the applicant to date, we offer the following comments concerning the project:

Water System: There is an existing 6 inch cast iron main installed in 1961 serving the general project area in Mishawum Road. As indicated in a previous memorandum, the age of the main does not warrant investigation for tuberculation of the pipe and cleaning and relining is not a consideration at this time. The applicant indicates that the average daily usage for the proposed facilities will be approximately 50,000 gallons per day with a fire demand of 750 gpm. Assuming an equal distribution of the flow in a looped situation, the velocity in the main under a fire demand situation would be approximately 3.7 fps which is well within accepted standards and there would be no adverse impacts on the surrounding system. Data from the fire flow test performed at the site indicates an available flow rate of 1,075 gpm at a residual pressure of 65 psi demonstrating that the existing system is adequate for the intended needs of the development without adversely affecting the surrounding users of the system.

The utility plan indicates a wet tap to the existing 6 inch main in Mishawum Road. A tapping sleeve and valve is not allowed and a three way, cut-in gate arrangement with flexible couplings will be required. This connection can be reviewed with the water department at the building permit stage and does not affect the special permit.

Although there are no apparent cleaning and relining issues within the project area, it is desirable from a hydraulic standpoint to replace a water loop across the Mishawum Road Bridge over Route 128 in the future. The priority of water mitigation improvements is discussed at the end of this memorandum.

**Sewer System:** The applicant has indicated that the facility will generate approximately 45,000 gallons per day of sanitary sewage from the facility and they have supplied information requested pursuant to Title 13 of the municipal code relative to the removal of extraneous infiltration/inflow. The City is subject to an administrative consent order from the DEP concerning the 10 to 1 removal of extraneous infiltration/inflow for the addition of new sewage flows. The applicant has indicated that they will pay the required infiltration/inflow fee and have the city apply these funds towards one of the ongoing infiltration/inflow projects to obtain the necessary I/I reduction. The applicant also indicates that the project is contingent upon a DEP sewer connection permit. The site plan review is not contingent upon the DEP permit; however, it is a necessary element of any resulting building permit and can be dealt with at the time of issuance.

As requested previously, the applicant's engineer should provide the maximum daily flow rate expected for discharge from the facility with a comparison of the capacity in the existing sewer and current flow volumes.

**Drainage System:** As indicated in our previous memorandum, the drainage computations have been reviewed by the engineering department and the department finds that the drainage system proposed is consistent with the requirements to reduce post development flows to pre-development rates. Furthermore, the storm water quality requirements have been satisfied in accordance with state mandated best management practice tactics, including the provision of a drainage system maintenance plan.

**Traffic and Access:** A complete discussion on the traffic study is contained in our last memorandum concerning the project and we concur with the applicants division of off site improvements by phase as most recently submitted with the following recommendations. The applicant has adequately identified necessary traffic and traffic related improvements to address potential adverse impacts that could result from the project moving forward without mitigation, and we believe that the applicant has fully met the requirements of Section 18 of the zoning by law as it pertains to this development.

The initial phase of the project includes the development of the commercial building with off site improvements for the installation of a traffic signal at the intersection of

Mishawum Road at Industrial way as described in the December 12<sup>th</sup> submission detailing the cost of proposed mitigation tactics by phase.

Phase two would include the intelligent traffic light upgrades to the Ryan Road/Mishawum Road intersection and the Ryan Rd./Industrial Way intersection with coordination of the these traffic signals with the phase I signal.

Phase III anticipates the installation of improved pedestrian access at both the Mishawum Rd. /Olympia Ave. and School St. /Merrimac St. intersections. The installation of pedestrian signalization at these two intersections is costly, will impede the flow of traffic and in general are considered unwarranted. We propose that improved pedestrian access could be provided with the strategic installation of impressed crosswalks at these locations at a substantially reduced cost over signalization. On this basis, we propose the following:

- The Olympia Ave. /Mishawum Road intersection would require the installation of impressed crosswalks along the westerly intersection with Rumford Park and the southerly crossing of Mishawum Road. This would provide safe access from the westerly side of Mishawum Rd. where the pedestrian traffic occurs as there is no sidewalk on the bridge on the easterly side of Mishawum Road. Approximately 60 feet of concrete sidewalk and curbing would be required along the southeast corner of Rumford Park and Mishawum Rd. as well as new handicapped access ramps, situated as necessary, to complete the installation. The two secondary crosswalks would be replaced with thermoplastic striping. The estimated cost of the safer pedestrian access is \$34,000.00. We believe that these safety improvements should be made a part of the phase I portion of the project rather than later phases. A plan depicting the conceptual design for these improvements has been attached.
- The School St. /Merrimac St. intersection would also require the installation of two impressed crosswalks running perpendicular to the streets as opposed to the current arrangement that requires a longer travel distance for pedestrians. Additionally, a third crosswalk consisting of thermoplastic striping would be installed across the driveway into the Office for Social Concern. The impressed crosswalks would be placed back farther from the intersection is and be provided with necessary handicapped access cuts in the curbs. The estimated cost of safer pedestrian access is \$23,000.00. We believe that these safety improvements should be made a part of the phase I portion of the project rather than later phases. A plan depicting the conceptual design for these improvements has been attached.
- The New Boston Street bridge design has been partially funded through a line item in the Executive Office of Transportation. The provision of \$46,000.00 will allow the bridge design to move forward and accelerate the opportunity to obtain construction funds through the MPO.
- As discussed in a prior department memorandum, there is a need to replace the Mishawum Road water loop crossing over Route 128. We have obtained a cost estimate of \$30,000.00 to prepare the structural designs and obtain the

necessary approvals from MassHighway to move forward with this project in the future.

- There is a need to install new computer hardware and racking within the City Hall IT facility to accommodate the privately supplied master controllers and other inputs for intelligent traffic signal equipment being installed in conjunction with this project, the Trade Center and the Woburn Mall. The estimated cost of the purchase and installation of this equipment with ancillary software is \$34,000.00 to address the foreseeable future needs of intelligent traffic light system available to police, fire and engineering.
- Based on the foregoing, we have identified \$167,000.00 in traffic, traffic related and water system mitigation improvements, under the phase III portion of the project with a balance of \$240,000.00 that would be applied towards traffic improvements at Elm and Main Street and miscellaneous geometric improvements to address traffic issues in Wards 4, 5 and 6.

The phase I improvements would have to be installed prior to occupancy of the commercial building. Although the cost breakdown submitted by the developer bases the mitigation improvements on the specific phase development costs, we believe that the pedestrian safety improvements at the intersections of Mishawum Rd./Olympia Ave. and Merrimac St./School St. are a necessary component of the initial phase of construction.

Similarly, the phase II improvements would have to be installed prior to issuance of occupancy for the initial residential development. Phase III improvements consist of mitigation payments to the city for work to be performed under municipal agreements and no performance is required by the developer for occupancy.

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

A communication dated December 28, 2006 with attachments was received from Attorney James Mawn, Mawn and Mawn, 215 Lexington Street, Woburn, Massachusetts 01801 as follows:

Dear Mr. Campbell:

As requested, enclosed are the proposed conditions for Lot A and Lot B and the proposed Construction Management Plan.

Very truly yours, s/James J. Mawn

Attached thereto was a document stating as follows:

#### Proposed Conditions Lot B

1. That the Planning Board shall retain jurisdiction over the landscaping.

2. That the petitioner shall comply with the recommendations of the City Engineer regarding water, sewerage, drainage and traffic.
3. That the Developer shall provide the following mitigation:

#### Phase 1 - Office Building

##### Mishawum Road/Mishawum Road/Industrial Parkway

###### Signal/Conduit Installation & Geometric Improvements

- Install fully actuated traffic signal
  - Install audible pedestrian countdown signals
  - Full Opticom
  - Video detection
  - TS2 controller and cabinet with fiber optic drop
- Install conduit and interconnect cable
- New crosswalk (2) and ADA ramps (4)
- Widen northbound approach of Mishawum Road to improve turning movements

##### Mishawum Road

- Re-stripe centerline on Mishawum Road between Mishawum Road/Industrial Way and Ryan Road

##### Olympia Avenue/Mishawum Road

- Installation of impressed sidewalks along the westerly intersection with Rumford Park and the southerly crossing of Mishawum Road. Installation of approximately 60 feet of concrete sidewalk and curbing along the southeast corner of Rumford Park and Mishawum Road as well as new handicapped access ramps, situated as necessary, to complete the installation. The two secondary crosswalks should be replaced with thermoplastic striping.

##### School Street/Merrimac Street

- Installation of two impressed crosswalks running perpendicular to the streets as opposed to the current arrangement that requires a longer travel distance for pedestrians. Installation of a third crosswalk consisting of thermoplastic striping should be installed across the driveway into the Office for Social Concern. The impressed sidewalks should be placed back farther from the intersection and be provided with necessary handicapped access cuts in the curbs.

Estimated cost: \$397,950.00

As per the recommendations of the City Engineer

4. That a transportation demand management program shall be established under an Employee Transportation Coordinator which shall include participation in a transportation management association.

5. That the building shall not exceed 5 stories or 50, 000 S.F. for business, professional, and general offices, and a financial institution.
6. That the project be built in substantial conformity with plans filed on record with the City Council.
7. Dumpsters shall be shielded from view or stored within the parking structure and shall not be picked up or emptied prior to 7:00 a.m. or after 7:00 p.m., Monday through Saturday, and shall not be picked up or emptied on Sunday.
8. Construction activities shall be conducted according to the "Construction Management Plan, Mishawum Station, January 2, 2007", on file with the City Clerk.
9. Sidewalks shall be as shown on the plans and shall meet ADA requirements for sidewalks, as applicable.
10. The developer/owner agrees that it will be responsible in perpetuity for all trash removal services.
11. There shall be no unregistered vehicles stored on the premises.
12. There shall be no recreational vehicles such as motor homes, boats, etc. stored on the premises.
13. Construction vehicles may gain access to and egress from the site as follows:
  - a. Industrial Way and Ryan Road
  - b. Mishawum Road to Washington Street to Route 128N
  - c. Route 128S to Mishawum Road exit at Woburn Mall
  - d. Mishawum Road to Commerce Way to flyover for 93N or 93S
  - e. New Boston Street for pickup and delivery only
14. Construction vehicles are prohibited from the following roadways or portions thereof:
  - a. Alfred Street
  - b. Mishawum Road/Ryan Road to Main Street to Woburn center
  - c. School Street
  - d. Merrimac Street
  - e. Olympia Avenue
  - f. New Boston Street (excepting pickup or deliveries from businesses located on New Boston Street)

A communication dated December 22, 2006 was received from Attorney James Mawn, Mawn and Mawn, 215 Lexington Street, Woburn, Massachusetts 01801 as follows:

Re: Lot B, Mishawum Road

Dear Mr. Campbell:

Enclosed herewith please find the following with regard to the above-entitled property:

1. 19 copies of revised Phase I Layout and Materials plan, sheet #C-2A; and
2. 19 copies of Phase I Subsurface Parking plan sheet #C-2B.

Very truly yours, s/James J. Mawn

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**COMMITTEE REPORTS:** None.

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**CITIZEN'S PARTICIPATION:** None.

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**NEW PETITIONS:**

Petitions by Brad Kent, Agent to Nextel Communications, 30 Lyman Street, Suite 12, Westborough, Massachusetts 01581 for a special permit to replace the existing nine (9) antennas on an existing pipe frame with twelve (12) antennas on a proposed anchored antenna roof frame pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended.

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Petition by Boys & Girls Club of Woburn, Inc., Charles Gardner Lane, Woburn, Massachusetts 01801 for a special permit to conduct a carnival at the National Amusements (Showcase Cinemas) site from Tuesday, May 15, 2007 to Sunday, May 20, 2007.

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**COMMUNICATIONS AND REPORTS:**

A communication dated December 21, 2006 was received from Charles L. O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

In accordance with Massachusetts General Laws Chapter 90, Section 20A½, I am submitting a report to you on the parking violations in the City of Woburn for the period ending November 2006: number of tickets issued 1,753, number of tickets paid 1,464, number of hearings scheduled 743, number of tickets voided or dismissed 178, number of tickets outstanding 400, number of tickets issued by motorcycle officers 0, total dollar amount collected and turned into the Treasurer's Office \$63,851.20. There exists a backlog of 4,818 tickets for 1982 through 2005. Demands will be sent out until all tickets have been cleared. Parking violations turned over to Handicap Commission to date \$12,650.00.

Respectfully submitted, s/Charles L. O'Connor, Parking Clerk City of Woburn

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**UNFINISHED BUSINESS OF PRECEDING MEETING:** None.

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**APPOINTMENTS AND ELECTIONS:** None.

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**MOTIONS, ORDERS AND RESOLUTIONS:**

RESOLVED That the Traffic Commission investigate the feasibility of installing a stop sign restriction on Mishawum Road in a southerly direction at the intersection with Forest Park Road.

s/Alderman Dwyer

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Motion made and 2<sup>nd</sup> to ADJOURN