

**CITY OF WOBURN
FEBRUARY 20, 2007 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Ciriello	Gately
Denaro	Galvin
Drapeau	Gonsalves
Dwyer	Mercer-Bruen
Doherty	

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

MAYOR'S COMMUNICATIONS:

PUBLIC HEARINGS:

On the petition by National Development Acquisitions LLC, c/o National Development of New England, 2310 Washington Street, Newton Lower Falls, Massachusetts 02462 to further amend the Zoning Map of the City of Woburn as follows: By amending the present zoning district of a certain parcel of land containing approximately 5.00 acres of land at 112 Commerce Way identified on Woburn Assessors' Map 10, Block 01, Lot 02 from the IP-2 zoning district to the B-I zoning district. PUBLIC HEARING OPENED. A communication dated February 14, 2007 was received from Attorney Joseph R. Tarby III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Proposed Zoning Map Amendments for 112 Commerce Way, Woburn, MA

Dear Mr. Campbell:

Due to the fact that the feasibility study requested by Alderman Bruen and Ed Tarallo, Planning Director in connection with this Petition will not be available by Tuesday, February 20, 2007, I respectfully request that the public hearing on this matter be further continued to the City Council meeting scheduled for March 6, 2007. If you need any further information, please contact me. Thank you.

Very truly yours, s/Joseph R. Tarby III

On the petition by Nodraer Realty Corporation, 120 Commerce Way, Woburn, Massachusetts 01801 to further amend the Zoning Map of the City of Woburn as follows: By amending the present zoning district of a certain parcel of land containing approximately 3.42 acres of land at 120 Commerce Way identified on Woburn Assessors' Map 10, Block 01, Lot 03 from the IP-2 zoning district to the B-I zoning district. PUBLIC HEARING OPENED. A communication dated February 14, 2007 was received from Attorney Joseph R. Tarby III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Proposed Zoning Map Amendments for 120 Commerce Way, Woburn, MA

Dear Mr. Campbell:

Due to the fact that the feasibility study requested by Alderman Bruen and Ed Tarallo, Planning Director in connection with this Petition will not be available by Tuesday, February 20, 2007, I respectfully request that the public hearing on this matter be further continued to the City Council meeting scheduled for March 6, 2007. If you need any further information, please contact me. Thank you.

Very truly yours, s/Joseph R. Tarby III

On the petition by Thomas J. Flanagan, 344 Lexington Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.11b of the 1985 Woburn Zoning Ordinances, as amended, to allow teaching, training students, adults in basic trade and craft business skills at 238 Lexington Street. A communication dated February 12, 2007 was received from Brett F. Gonsalves, Senior Engineer, as follows:

Subject: 238 Lexington Street – Special Permit
Special Permit Application Dated January 7, 2006
Plan Dated June 2, 2004

This office has reviewed the submitted waiver request for the above referenced project and offers the following comments.

It would appear that the proposed will be used as school or educational facility. The applicant should check with the building department to determine if the structure would need to conform to ADA requirements due to a change in use.

The plot plan shows locations of two parking spaces with an optional third space. The parking configuration should be designed so that there is sufficient space for vehicles entering and exiting not to impede traffic on Lexington Street.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

A communication dated February 16, 2007 was received from Edmund P. Tarallo, Planning Director as follows:

Re: Thomas J. Flanagan – 238 Lexington St. – To occupy existing building for a private school

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on February 13, 2007, the Board voted to forward a favorable recommendation to the City Council on the Special Permit request to occupy an existing non-conforming building for a private school at 238 Lexington Street with the following conditions:

1. That the petitioner shall provide a revised parking plan such that no space will have to back onto Lexington Street and all spaces shall be in compliance with the Woburn Zoning Ordinance.
2. That the number of students shall be limited to no more than 5 at any one time.

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

COMMITTEE REPORTS:

POLICE AND LICENSE:

On the petition by Abdulla H. Nasser dba AACO Travel and Taxi to increase the number of taxi cabs permitted from one (1) to two(2), committee report was received “ought to pass with a limit of two (2) taxi cabs”.

On the petitions for renewal of First Class Motor Vehicles Sales Licenses by Azure Dynamics US Inc., C.N. Wood Company, Inc., and Woodco Machinery, Inc., committee report was received “ought to pass”.

On the petitions for renewal of Second Class Motor Vehicle Sales Licenses by Robert P. Fucarile dba Classic Auto Sales, New Boston Auto Exchange, O’Rourke’s Service Stations, Inc., Tracey M. Batten dba Tracy’s Auto Sales, and Richard Cail dba Winn Street Motor Sales, committee report was received “ought to pass”.

FINANCE:

On the Order to appropriate the sum of \$1,500,000.00 from Stabilization Fund to Demolition of Old Reeves Elementary School, committee report was received "ought to pass".

CITIZEN'S PARTICIPATION:

Petition by Christopher Bortlik, 59 Harold Avenue, Woburn to address the City Council under Citizen's Participation Time relative to sound barriers along Toure 128 and Route 93 in Woburn.

NEW PETITIONS:

Petition by Edmund F. Wall, 4 Waite Avenue, Burlington, Massachusetts 01803 for a special permit pursuant to 1985 Woburn Zoning Ordinances, as amended, Section 5.5.56 Note 15 to construct a single family home with garage within, approximately 420 square feet of garage area at 7 Sherman Place Court.

COMMUNICATIONS AND REPORTS:

A communication dated February 13, 2007 with attachments was received from Steven M. Paris, Building Commissioner as follows:

Re: Passenger Transportation Terminal

I have reviewed the City of Woburn's Zoning Ordinance (WZ) in particular, the definition for "Passenger Transportation Terminal" and based on its wording, could advise the Council that it somewhat reflects the proposed use of the property at Bucci Way and Holton Street. But, I must also mention that back in July of 2003 the former City Solicitor, Thomas Lawton supplied a memo (see attached to Ed Tarallo that gave his opinions on the commercial parking lot that was being proposed at Holton Street. That said, maybe what the Council could consider is to ask the City's legal staff to opinion on the definition of a "Passenger Transportation Terminal", the memo of Thomas Lawton and the proposed at Bucci Way and Holton Street.

A communication dated February 8, 2007 was received from Gerald LeBlanc, Chairperson, Architectural Access Board, One Ashburton Place, Room 1310, Boston, Massachusetts 02108 relative to the necessity of constructing sidewalks that comply with regulations of the Commonwealth.

A copy of a communication dated January 11, 2007 to Mayor Thomas L. McLaughlin from Shawni Littlehale, Director, Pioneer Institute for Public Policy Research, 85 Devonshire Street, 8th Floor, Boston, Massachusetts 02108 announcing the Better Government Competition.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS: None.

Motion made and 2nd to ADJOURN.