

**CITY OF WOBURN
OCTOBER 18, 2011 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Anderson	Gately
DiTucci	Haggerty
Drapeau	Mercer-Bruen
Gaffney	Raymond
Denaro	

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

MAYOR'S COMMUNICATIONS:

ORDERED That the sum of \$5,845.00 be and is hereby transferred as so stated from Police Salary Acct #0121051-51100 \$5,845.00 to Cruiser Outlay Acct #0112158-586681 \$5,845.00

I hereby recommend the above. s/Robert Ferullo, Chief of Police
I have reviewed the above: s/Gerald W. Surette, City Auditor
I hereby approve the above: s/Scott D. Galvin, Mayor

s/Alderman _____

PUBLIC HEARINGS:

On the petition by Woburn 38 Development LLC, 1621 State Street, New Haven, Connecticut for a special permit pursuant to Section 5.5 of the 1985 Woburn Zoning Ordinances, as amended to allow for the removal of loam, soil, clay, sand, borrow, gravel, stone or any other earth product, earth constituent or earth material from 1042 Main Street, 0 Briarwood Drive and 7 Driftwood Drive. PUBLIC HEARING OPENED. A communication dated October 7, 2011 was received from Attorney Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Special Permit Petition of Woburn 38 Development LLC, 1042 Main Street, and 0 Briarwood Road, Woburn, Massachusetts

Dear Mr. Campbell:

Please be advised that I represent Woburn 38 Development LLC in connection with the above-referenced Petition seeking approval from the City Council to allow for the removal of loam, soil, clay, sand, borrow, gravel, stone or any other earth product, earth constituent or earth material from 1042 Main Street and 0 Briarwood Road, Woburn, Massachusetts. On behalf of my client, I respectfully request leave to withdraw without prejudice of the above-referenced petition which has been scheduled for a public hearing on October 18, 2011.

If you need any further information, please do not hesitate to contact me. Thank you.

Very truly yours, s/Joseph R. Tarby III

On the petition by Waste Management of Massachusetts Inc. and WM Recycle America L.L.C., 26 Patriot Place, Suite 300, Foxboro, Massachusetts 02035 for a special permit pursuant to Sections 5.1.40bb, 42, 57b, 7.3 and 8.6.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for the alteration of the existing non-conforming use and structure to provide for a heavy manufacturing facility (processing of residential and commercial single-stream recyclables); the storage and distribution of same; the installation of two truck scales; exception to the landscaping requirements; and to allow for the overnight storage of commercial vehicles at 485 Wildwood Avenue. PUBLIC HEARING OPENED. A communication dated October 7, 2011 was received from Attorney Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Special Permit Petition of Waste Management of Massachusetts, Inc. and W.M. Recycle America L.L.C., 485 Wildwood Avenue, Woburn, Massachusetts

Dear Mr. Campbell:

Due to the fact that the Planning Board will not complete its review of the above petition until its meeting on October 25, 2011, I respectfully request that the public hearing on this matter be continued to November 15, 2011.

If you need any further information, please contact me. Thank you.

Very truly yours, s/Joseph R. Tarby III

On the petition by James W. Dean for Dollar Tree Stores, 4 Railroad Avenue, Suite 301, Wakefield, Massachusetts 01880 for a special permit pursuant to Sections 7.3 and 8.7.2.10 of the 1985 Woburn Zoning Ordinances, as amended, to extend a pre-existing non-conforming structure by replacing two existing loading docks with a single loading dock at 425 Washington Street. PUBLIC HEARING OPENED. A recommendation dated September 19, 2011 was received from Edmund P. Tarallo, Planning Director as follows:

Re: Dollar Tree Stores – 425 Washington Street – To allow for the alteration of a pre-existing non-conforming structure by demolishing two existing loading docks and replacing them with a single loading dock pursuant to Sections 7.3 and 8.7.2 (10)

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on September 6, 2011, the Planning Board voted to send a favorable recommendation to the City Council on the Special Permit application of Dollar Tree Stores, regarding the property at 425 Washington Street subject to the following condition:

1. That a landscaping plan shall be provided and approved by the Planning Board for the area to the rear of the property between the building and the southeast property line for the purpose of providing screening to the abutting residential properties.

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

On the petition by Seaver Properties LLC to amend the 1985 Woburn Zoning Ordinances, as amended by adding Note 25 relative to automobile and truck repair garages to Notes to 5.1 Table of Use Regulations and under Section 5.1, line 44, Table of Use Regulations by replacing the “-“ with a “P” in the S-1 Zoning District and inserting: Note 25 under the heading: “Notes; Other Sections”. [See City Council Journal of September 20, 2011 for a full recitation of the proposed Ordinance.] PUBLIC HEARING OPENED. A communication dated October 12, 2011 was received from Attorney Joseph Tarby, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Proposed Amendment to Section 5 Notes to Table of Use Regulations and Section 5.1 Table of Use Regulations of the 1985 City of Woburn Zoning Ordinance, as Amended

Dear Mr. Campbell:

Due to the fact that the Planning Board will not complete its review of the above proposed Amendment until its meeting on October 25, 2011, I respectfully request that the public hearing on this matter be continued to November 1, 2011.

If you need any further information, please contact me. Thank you.

Very truly yours, s/Joseph R. Tarby III

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS: None.

NEW PETITIONS:

Petitions for renewal of First Class Motor Vehicles Sales Licenses by C.N. Wood Company, Inc., 200 Merrimac Street; Lannan Chevrolet, Inc., 40 Winn Street & Winn Street; R.C. Olsen Cadillac, Inc., 199-201 Cambridge Road; and Woodco Machinery, Inc., 22 North Maple Street.

Petitions for renewal of Second Class Motor Vehicles Sales Licenses by Murray's Enterprises, Inc. dba Murray's Auto & Truck Sales, 88 Winn Street; Southside Associates, Inc. dba Burke's Garage, 71 Main Street; David Dellarocco dba Woburn Auto Sales, 5 Crescent Avenue #4.

COMMUNICATIONS AND REPORTS:

A communication dated October 4, 2011 was received from Joanne Collins, Director, Woburn Council on Aging along with a copy of the Director's Report and the minutes of the Council on Aging for the month of September.

A copy of a communication dated September 30, 2011 to Mayor Scott D. Galvin was received from Patricia A. Leavenworth, P.E., District Highway Director, MassDOT, 519 Appleton Street, Arlington, Massachusetts 02476 was received advising that resurfacing and related work will commence on a 2.04 mile section of I-95 from Burlington to Woburn including work in the vicinity of the Winn Street interchange.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED That the Regular Meeting of the City Council scheduled for December 20, 2011 shall begin at 6:30 p.m.

s/President Denaro

RESOLVED Whereas, the education of the youth of the City of Woburn is of the highest priority for the entire City of Woburn; and

Whereas, providing parity in the Woburn Public School system remains a top priority for our City: and

Whereas, making sure our students and teachers have a first rate school building to teach and learn in is consequentially important to the educational process; and

Whereas, making sure our students and teachers have the newest technology to help advance the requisite educational needs of our students in Woburn is an attainable goal for the City of Woburn;

Now therefore be it resolved that the Mayor, Superintendent of Schools and Woburn School Committee take the appropriate steps to file a Statement of Interest with the Massachusetts School Building Authority to build a new Hurld-Wyman Elementary School.

s/ Alderman Haggerty, Alderman Anderson, Alderman Gaffney,
President Denaro

Motion made and 2nd to ADJOURN.