

**CITY OF WOBURN
NOVEMBER 15, 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.

A communication dated November 3, 2011 was received from Donald N. Jensen, City Treasurer/Collector as follows:

Dear President Denaro:

I write this letter to announce my formal retirement as Treasurer/Collector effective Friday, January 6, 2012.

I would like to thank the Council for all the great opportunities they have given me as an employee for the City of Woburn for the past eight years and am ready to move on to the next phase of my life.

Please let me know if I can be of any assistance during this transition.

Sincerely, s/Donald N. Jensen

MAYOR'S COMMUNICATIONS:

Executive Order

Whereas, the City of Woburn promotes and encourages job creation and economic development; and

Whereas, the traditional "Black Friday" shopping holiday provides benefits to the merchants of our community, provides additional employment opportunities for the residents of the community, and encourages our residents to patronize the many fine stores in the City of Woburn,

I, Now, Therefore, as the Mayor of the City of Woburn hereby issue this Executive Order that permits any retail store or restaurant located within the City of Woburn to operate and open to the public between the hours of 12:00 midnight and 6:00 a.m. on Friday, November 25, 2011 provided that the store comply with the following:

1. Register the name, address, manager designated to be on duty during the hours, and an emergency contact number with the Office of the City Clerk by 12:00 noon on Wednesday, November 23, 2011;
2. That the facility will take steps necessary to protect the public, including engaging security or police details if management in its discretion finds such action necessary or the Chief of Police or the Fire Chief of the City of Woburn order such measures; and
3. Provide adequate lighting and security in parking areas and keep walkways and parking areas clear of debris, snow and ice for pedestrian and vehicle safety.
4. This Executive Order shall not apply to any establishment holding a liquor license. Such facility shall operate only during the normal hours allowed by the respective liquor license.

Signed this 9th day of November, 2012.

s/Scott D. Galvin, Mayor, City of Woburn

s/Paul J. Denaro, President, Woburn City Council

PUBLIC HEARINGS:

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 28, 2011 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Waste Management of Massachusetts Inc. and WM Recycle America LLC – 485 Wildwood Avenue - To allow for the alteration of the existing non-confirming use and structure to provide a heavy manufacturing facility (processing of residential and commercial single-stream recyclables); the storage and distribution of the same; the installation of two truck scales; exemption to the landscaping requirements; and to allow for the overnight storage of commercial vehicles pursuant to Sections 5.1.40bb, 5.1.42, 5.1.57b, 7.3 and 8.6.3

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on October 25, 2011, the Planning Board voted to send an unfavorable recommendation to the City Council on the Special Permit application of Waste Management of Massachusetts Inc. and WM Recycle America LLC, regarding the property at 485 Wildwood Avenue for the following reasons that the proposed use will be substantially more detrimental than the existing nonconforming use to the neighborhood because of the impacts upon the following: traffic volumes, traffic congestion related to the size of the vehicles and the capacity of the roadways, and the impact on the abutting property regarding snow storage.

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 November 4, 2011 was received from Attorney Joseph R. Tarby III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

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

Dear Mr. Campbell:

Please be advised that I represent Waste Management in connection with the above-referenced Petition. 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 November 15, 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 859 Main Development, LLC, 57 Russell Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 22 of the 1985 Woburn Zoning Ordinances, as amended for a proposed 98 unit condominium development at 859 Main Street. PUBLIC HEARING OPENED. A communication dated November 10, 2011 with attachment was received from Attorney Shaun W. Briere, Mawn and Mawn, 275 Mishawum Road, Woburn, Massachusetts 01801 as follows:

Re: 859 Main Development LLC – Special Permit Petition – 859 Main Street, Parcel Street, Woburn

Dear Mr. Campbell:

With regard to the above referenced petition, please find enclosed herewith a revised Traffic Impact Assessment. I have also submitted an additional copy to the Planning Director. Please feel free to contact the undersigned should you have any questions or require any additional information.

Very truly yours, s/Shawn W. Briere

CITIZEN’S PARTICIPATION: None.

COMMITTEE REPORTS: None.

NEW PETITIONS:

Petition for renewal of First Class Motor Vehicle Sales Licenses by Azure Dynamics US Inc., 9 Forbes Road.

Petitions for renewal of Second Class Motor Vehicle Sales Licenses by Anchor Auto Sales, Inc., 3 Breed Avenue; Capelo’s Garage, Inc., 22 Winn Street; Enterprise Rent-a-Car Company of Boston, LLC, 248 Mishawum Road; Francis Garbino dba Tom’s Auto Body, 10R Green Street; EC Inc. dba Xpress Fuel, 303 Main Street; Robert McSheffrey dba Bob McSheffrey Auto Sales, 891 Main Street; Kenneth L. O’Connor dba City Line Motors, 30 Rear Torrice Drive; Nicolas Saba dba Montvale Service, 289 Salem Street; and David Pollock dba Exclusive Automobiles, 7 Independence Drive.

Petition for renewal of Third Class Motor Vehicle Sales License by Woburn Truck and Auto, Inc., 1095R Main Street.

Petition by Mourad Elbaciti dba Taxi Ride, 29 Cummings Park, Suite 440 for a new Taxi Cab License for one vehicle.

Petition by Northeast Tree, Inc. 60 Louanis Drive, Reading, Massachusetts 01867 for a special permit pursuant to the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Section 5.1.42 to allow for the interior storage of equipment, 2. Section 5.1.43 to allow for the outside storage of new or used building materials and equipment, 3. Section 5.1.45 to allow for the sale of chippers, and 4. Section 5.1.57b to allow for accessory parking of commercial vehicles and equipment, and for a First Class Motor Vehicles Sales Licenses, at 62 Holton Street.

COMMUNICATIONS AND REPORTS:

A communication dated November 9, 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 October.

A communication dated November 10, 2011 was received from the Woburn Traffic Commission as follows:

Re: Citywide Truck Traffic Study

At its regular meeting on October 18, 2011, the Traffic Commission voted to request that the city appropriate funds for the purposes of conducting a citywide truck traffic study that may lead to the establishment of truck travel routes in the city. The estimate for the cost of the study is \$45,000 to \$50,000, depending upon the scope of the project.

Thank you for your consideration of this request.

s/William C. Campbell, City Clerk

A copy of a communication dated November 9, 2011 from Joseph E. Connarton, Executive Director, PERAC, 5 Middlesex Avenue, Suite 304, Somerville, Massachusetts 02145 was received advising that the city's required Fiscal Year 2013 appropriation for the retirement system is \$5,089,320.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

From Woburn Traffic Commission:

ORDERED CENTRAL STREET – No parking westerly side from the intersection with Montvale Avenue a distance of 461 feet in a northerly direction, except for school buses servicing the Goodyear School.

All prior ordinances and regulations contrary to this regulation are hereby repealed.

ORDERED ORANGE STREET – No parking northerly and then northeasterly side from the intersection with Central Street a distance of 280 feet in a westerly and then northwesterly direction between the hours of 6:00 a.m. to 8:00 a.m. and between the hours of 1:00 p.m. to 3:00 p.m.

All prior ordinances and regulations contrary to this regulation are hereby repealed.

ORDERED That the City of Woburn accepts Clause 56 of G.L. c. 59, § 5, the National Guard or Military Reservists Tax Relief Order, which would allow members of the Massachusetts national guard or military reservists who are on active duty to obtain a reduction of all or part of their City of Woburn real and personal property taxes for any fiscal year they are serving in a foreign country, to be effective beginning in fiscal year 2013.

s/Alderman Haggerty and Alderman Drapeau

Motion made and 2nd to ADJOURN.