

**CITY OF WOBURN
DECEMBER 20, 2011 - 6:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

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| 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: None.

PUBLIC HEARINGS:

On the petition by Alderman Anderson relative to the structure or structures located at 30 Union Street, Woburn for the purposes of determining whether said building or buildings are a nuisance, a nuisance to the neighborhood, a dilapidated or dangerous building or buildings or other structure, as said terms are used in Mass. General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED.

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 December 16, 2011 with attachments 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

Dear Mr. Campbell and Members of the City Council:

In advance of the meeting of the City Council scheduled for Tuesday, December 20, 2011, please find enclosed herewith an original and ten (10) copies of the Memorandum of Law relative to the above referenced petition.

Please feel free to contact the undersigned should you have any questions.

Very truly yours, s/Shawn W. Briere

CITIZEN’S PARTICIPATION: None.

COMMITTEE REPORTS:

PERSONNEL:

On the appointment of a new City Treasurer/Collector, committee report was received “Recommend that Deputy Treasurer/Collector Timothy Donovan be appointed City Treasurer/Collector.”

POLICE AND LICENSES:

Renewal of First Class Motor Vehicle Sales License by Lawless Chrysler Jeep, Inc., committee report was received “ought to pass.”

Renewal of Second Class Motor Vehicle Sales Licenses by Joseph P. Mahoney Company, Inc.; McSheffrey Auto Sales, Inc.; Tracy M. Batten dba Tracy’s Auto; and Wassim dba Woburn Square Mobil, committee report was received “ought to pass.”

Transfer of Inflammable License from Acquiport Unicorn, Inc. to ND/CR Unicorn LLC at 500 Unicorn Park Drive, committee report was received “back for action”.

Transfer of Inflammable License from Acquiport Unicorn, Inc. to ND/CR Unicorn LLC at 400 Unicorn Park Drive, committee report was received “back for action”.

FINANCE:

Communication from PERAC relative to the FY2013 appropriation for the retirement system, committee report was received “ought to pass.”

NEW PETITIONS:

Petitions for renewal of Second Class Motor Vehicle Sales License by Capelo’s Auto Service, Inc. dba J.C. Auto Sales, 84-86 Winn Street; Robert Fucarile dba Classic Auto

Sales; Robert Fucarile dba Classic Auto Sales, 9 Salem Street; and Woburn Gas & Service, Inc., 545 Main Street.

Petition by McDonald's USA, LLC, c/o Bohler Engineering, 353 Turnpike Road, Southborough, Massachusetts 01772 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to modify a special permit that was issued on October 27, 2011 by adding a door and sidewalk on the south side of the restaurant, widening the Hill Street driveway by 3.5 feet, and replacing the concrete pad in front of the restaurant with a parking space and lawn area, at 333 Montvale Avenue.

COMMUNICATIONS AND REPORTS:

A copy of a communication to Archdiocese of Boston, Deborah C. Dillon, Director of Property Services, 66 Brooks Drive, Braintree, MA 02184-3839 was received as follows:

Dear Deb:

Thank you for taking the time to talk with me on the phone on Wednesday, December 14th regarding the recent MLS listing of the St. Joseph Church and rectory property located on Washington Street and Central Street.

I was very pleased to hear that the Archdiocese is committed to making sure that potential development of this property fits within the character of the neighborhood and that decisions will be made based on what is in the best interests of the surrounding neighbors. This is reassuring and I thank you for that.

In that same spirit, as we discussed the property for sale is primarily surrounded by single family homes, and one or two (2) family homes. I thank you for your commitment to monitor closely the marketing for this property to be sure it clearly represents the allowable uses that are truly in character for the neighborhood. I would also like to extend an invitation for you to attend a meeting in January to meet with the neighbors. I will follow up with you soon to arrange a time that is mutually convenient for everyone.

Additionally, with the recent listing of the property there have been many questions from the neighbors about who is responsible for maintaining general landscaping/upkeep as well as snow removal from the sidewalks in front of the Church and on Central Street. It would be very helpful if you could provide me with a contact name for the property management organization that is responsible for these tasks.

Thank you again, Deb for your support and assistance with these matters and for your quick response to my phone calls. I wish you and your loved ones a very Merry Christmas and a healthy & Happy New Year. God bless.

Sincerely, s/Darlene Mercer-Bruen, Alderman, Ward 5

A communication dated December 16, 2011 was received from Attorney Joseph R. Tarby, III, Murtha Cullina LLP, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: Petition of Northeast Tree, Inc., 62 Holton Street, Woburn, Massachusetts

Dear Mr. Campbell:

I respectfully request that the City Council public hearing on this matter presently scheduled for January 3, 2012 be continued to the City Council meeting on January 17, 2012. If you need any further information, please contact me. Thank you.

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

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS: None.

MOTIONS, ORDERS AND RESOLUTIONS:

RESOLVED That the Woburn City Council send a communication to the current property owner of 399 Washington Street (formerly known as GMC/Buick) advising that the building in its current condition with broken out windows, graffiti lined exterior and landscape overgrowth is becoming a nuisance to the area, and further advising that the building exterior be cleaned up of all graffiti, windows be made secure and that the property should be cleaned up.

s/Alderman Mercer-Bruen

RESOLVED That the City Council in collaboration with the Building Department send a communication with associated fines to North East Tree, Inc. located on Salem Street whereas the company is in violation of the 1985 Woburn Zoning Ordinances, as amended Sections 5.1.42, 5.1.43 and 5.1.57b; and further North East Tree, Inc. applied for a special permit to operate at the property located at 62 Holton Street and three weeks ago began using the property without any permits and is operating the business at 62 Holton Street without the benefit of a special permit .

s/Alderman Mercer-Bruen

From the Traffic Commission:

ORDERED CENTRAL STREET – No parking Monday through Friday between 6:00 a.m. and 5:00 p.m. 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.

Motion made and 2nd to ADJOURN.