

Approved Meeting Minutes
November 28, 2017 Planning Board Meeting
7:00 P.M. | City Council Chambers, Woburn City Hall

ROLL CALL OF MEMBERS

Mr. Kevin Donovan, Mr. Bob Doherty, Ms. Claudia Bolgen, Mr. Jim Callahan, Mr. Michael Ventresca, Mr. Dave Edmonds and Chair Carolyn Turner were present. Also present were Planning Director Tina Cassidy and City Planner/Grant Writer Dan Orr.

Turner inquired to Cassidy if there were any ANR applications before the Board this evening. Cassidy responded that there is one.

18B BUTTARO ROAD (Marie Jackson Thompson and John Dever)

Planning Director Cassidy reviewed the purpose of the plan and recommended endorsement as one. The reconfigured lots will maintain the appropriate amount of frontage and result and no zoning non-conformities. As a result, staff recommend approval of the plan as one not requiring approval under the Subdivision Control Law.

Motion to approve the ANR plan, as submitted, made by Edmonds;
Seconded by Bolgen;
Motion carried, 7-0-0.

24 FLAGG STREET DEFINITIVE SUBDIVISION (George Gately, Jr)

Planning Director Cassidy provided an overview of where the plan currently stands in the review process. Since last meeting, staff have met with the developer to discuss the encroachments in the right-of-way, as well as the preservation of mature trees. A plan has been developed in consultation with the developer that identifies the mature trees that are slated for preservation.

Cassidy further stated that language has been submitted by the Petitioner's attorney that would assist in the preservation of the mature trees onsite in the form of a restrictive deed. In addition, the developer has arranged for a new utility pole to be placed further back from the existing pole to alleviate right-of-way conflict.

Cassidy further stated that the developer has negotiated with the neighboring property owner to move a carport and retaining wall that fell within in right-of-way.

Cassidy further stated that the Board does have until the end of the week to statutorily make and file a decision with the City Clerk. Otherwise, a motion must be made for an extension of time and a continuance of discussion.

Ventresca inquired about the whether the relocation of carport on would be reflected on a revised plan. Cassidy responded that relocation of the utility pole, carport and retaining wall may be approved as is as conditions of approval of the subdivision.

Turner inquired about the location of the preserved trees and whether it could be depicted to the audience. Cassidy reviewed the tree preservation plan for the benefit of the audience and identified which trees can be reasonably expected to be preserved if the plan were approved. This plan would also be cited as part of the approval letter, along with language that a future property owner must come to the Board for permission for tree removal.

Ventresca stated that there was discussion at the last meeting specifically about preservation of trees that are adjacent to an abutters property. Cassidy explained that the two trees in question are found in the area for preservation on the left side of the developer's property.

Ventresca stated that he believes that this subdivision presents an opportunity to make a situation safer and improve it if the subdivision is conditioned properly. If the Board does not approve the current application before them, the developer is not precluded from building-out the property by-right.

Ventresca stated that he does not necessarily agree with the "slippery slope" argument. There are many ways to set a precedent.

Bolgen inquired to the Planning Director what the fire department language is. She personally is struggling with a waiver request and trying to determine whether a waiver would improve public safety, or whether a waiver impinge upon public safety. It is not necessarily a matter that because a waiver is being requested, the application should be denied. It appears that in allowing the waiver in this case, it would be the right thing to do.

Cassidy stated that there were two letters from Chief Adgate. He maintains that the Fire Department has no issues with the development and right-of-way. In addition, Police Chief Ferullo stated that he has no issues with the application and would defer the question of the turnaround component to Chief Adgate.

Cassidy further stated that Engineering commented on issues relative to water and sewer service, drainage, and miscellaneous questions of street light location, street trees, etc. Building Inspector comments were relative to zoning issues and nothing to do with safety. Finally, the Board of Health issued comments recommending dust controls and rodent mitigation measures for the duration of construction.

Bolgen stated that the subdivision regulations implore the Board to look at safety and the public safety-related departments have all indicated that the application meets expectations. Although the Board must also be mindful of impacts to abutters, but that does not involve prioritization of the current conditions. All of the evidence points to making the subdivision safer based on the proposed roadway improvements.

Callahan stated that for the entire time, he has been concerned with access to this development. He does not believe the existing conditions allow for safe and adequate access for emergency vehicles. He believes the context of the neighborhood should be considered when rendering a decision. However, he does not believe the subdivision, as it is being applied for and presented, impacts the neighborhood in a detrimental way from a public safety perspective.

Ventresca inquired about the current zoning of the property and what would be permitted by-right. Cassidy stated that if an existing single-family home was onsite, and the property contained 80-feet of frontage, the developer could convert the home to a duplex by-right. By new construction, a duplex would require 15,000 sq. ft. of land area and 100-feet of street frontage.

Turner stated that she agrees that it is important to consider what can occur on the subject property from a by-right point-of-view.

Ventresca inquired about an overview of the proposed approval letter drafted by the Planning Director. Cassidy provided an overview of the waivers requested by the developer relative to the subdivision rules and regulations. She does not believe the second waiver relative to a decrease in the required pavement width to match the existing right-of-way is necessary due to her interpretations of the regulations. The draft letter of approval would incorporate four of the five additional waivers, including a series of standard and customized conditions. She recited each of the draft approval conditions, appeal process and other information of abutter interest noted in the approval letter.

Cassidy stated that the denial letter would simply deny the four waivers, as applicable, being requested by the developer on the basis of not meeting all of the subdivision rules and regulations. A denial letter would typically note general Board observations leading to denial, but she has not heard anything from the Board relative to reasons for denial beyond non-compliance with the Subdivision Rules and Regulations. As a result, she has attempted to take excerpts from the Subdivision Rules & Regulations to help bolster an argument for denial but opted to include only the rationale of the request for waivers.

Turner stated that she agrees with the reasoning for approval, despite the waivers being requested, because the application meets three of the five criteria stipulated for approval, modification or disapproval of subdivision plans on the basis of public safety, as per the Subdivision Rules and Regulations, and the other two criteria are not applicable.

Doherty stated that he is not for the subdivision because of the waivers being requested. He believes that, even using the standard of promoting the safety of the area, that is not necessarily straightforward. He does not see that it is in the interest or the welfare of the residents and as such is not consistent with Subdivision Rules and Regulations that require consideration of resident impact from construction.

Turner stated that at some point construction is assumed, but moving forward with this project would at least would require adherence to conditions of approval.

Ventresca inquired about the condition relative to the tree preservation. Cassidy responded with a clarification as to required measures for tree preservation during construction and the language that would be incorporated into future property owners' deeds.

Motion to approve the subdivision, with the conditions stated and offered by the Planning Director; made by Ventresca;

Seconded by Callahan, for discussion. He would like to also add that wood slats be provided on the trees that will be preserved, as well as a clear and effective dust control plan and highly visible hours of construction operation.

Cassidy stated that she can modify the current dust control condition (#3) to ensure that the developer submit the dust control plan to the planning Board. Callahan agreed with that approach.

Cassidy stated that the hours of operation would reflect those stipulated by municipal code, unless otherwise authorized by the Board. Enforcement would fall to Planning staff.

Callahan stated that it would be beneficial to exclude work on holiday. Cassidy responded that it the Board may consider including all major holidays, as well as Patriots Day, Columbus Day, and Veterans' Day (included as condition #10 in the conditions of approval).

Doherty stated that he would be supportive of varying the required construction hours of operation to stipulate 7:00 am through 7:00 pm, Monday through Friday, and 7:00 am through 5:00 pm Saturdays. Callahan agreed and no other members objected.

Motion carried, 5-1-1, with Doherty opposed and Edmonds abstaining due to ineligibility to vote.

PETITION TO AMEND THE 1989 WOBURN ZONING ORDINANCES BY ADDING A NEW SECTION 31 (FEDERAL STREET SMART GROWTH OVERLAY DISTRICT [FS/SGOD]) AND OVERLAYING THE FS/SGOD DISTRICT ON 14 AND 14R FEDERAL STREET (Jamieson Properties)

Turner stated that members who were absent at the previous meetings have viewed a video of the Board's proceedings on this matter, taking place on October 24, 2017 and November 14, 2017, and filed their completed certification forms with the Planning office in order to participate this evening.

Cassidy stated that the attorney for this matter has filed a request for a continuance on behalf of the Petitioner, as they will be unavailable this evening and need additional time to collect additional information requested by the Board.

Turner opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so.

PUBLIC HEARING

There being no members of the audience wanting to address the Board, Turner asked for a motion.

Motion to continue the public hearing to December 12, 2017 at 7:00 pm, by Doherty;
Seconded by Callahan,
Motion carried, 7-0-0.

PROPOSED ZONING TEXT AMENDMENTS TO SECTION 11.11 (Alderman Joanne Campbell)

Alderman Joanne Campbell approached the Board. Council has had further discussions on this proposal since she last appeared before the Board, which have been continued until January 16th. She and the Planning Director have researched other towns that have adopted much higher affordable housing requirement thresholds (20%), such as Cambridge and Somerville. Currently, Councilors are supportive of a 3-tiered approach, which has already been adopted by the City of Newton. One such proposal by Council President Haggerty included 1-15 units requiring 15%; 16-50 units requiring 15%; and 51+ units requiring 20%. Her tiered approach would place the tiers at a

higher threshold, with 3-15 units beginning at 15%; 16-50 units requiring 20%, and 51+ units requiring 25%. This would allow a greater diversity in potential housing project proposals.

Cassidy stated that one thing that should be taken into consideration is the threshold for affordable housing would need to be addressed separately for each of the overlay districts, as they have separate affordable housing threshold components. Campbell responded that she is familiar with the varying thresholds for each of the overlay districts and recited each of them.

Edmonds inquired about the elimination of the “buyout” and off-site provisions in the current ordinance. Campbell responded it is true that those two portion of the ordinance is proposed to be removed under this Petition.

Edmonds inquired about the applicability of the ordinance single-family projects. Campbell responded that the ordinance would only apply to multi-family projects (i.e., condos and townhomes).

Campbell stated she has spoken with a few developers who have indicated that one way that they will cope with this is to assume that they will be not making a profit on affordable units and as such raise take that into consideration when they are examining the number of units that are necessary to make a project viable.

Edmonds inquired about what safeguards are in place to ensure that an affordable housing unit is constructed the same as a market-rate unit. Although not accounting for “upgrades,” the City’s Building Department and the Department of Housing and Community Development (DHCD) have enforcement authority for building aspects.

Edmonds stated that he appreciated the efforts to provide more housing options to individuals with lesser means, or elderly individuals on fixed incomes, particularly as housing in Woburn becomes more expensive.

Edmonds inquired about where the city stands with its current affordable housing threshold. Cassidy stated. Cassidy stated that currently the City’s subsidized housing inventory stands at a bit above 8%, but even with the progress of larger residential projects, the recalculation of the City’s subsidized housing inventory in 2019 will likely push that number downward due to the large volume of market-rate housing since 2010. Additionally, it is possible that if larger a project adopts a least a 20% threshold, all of the units would be counted on the City’s inventory and greatly assist in meeting the overall 10% goal.

Campbell stated that the City’s approved Housing Production Plan also encouraged adoption of these types of affordable housing provision amendments, such as increasing the 10% minimum threshold and extending the applicability to the downtown area.

Cassidy inquired about why single-family homes should not be included in zoning ordinance. Campbell responded that the current proposal at least begins the discussion and that should would not be opposed to exploring the application of the ordinance to single-family home projects in the future.

Doherty inquired as to why the current offsite option provision should be eliminated and that he would not be in favor of a 25% tier, as he believes it would discourage developers from building in Woburn. Campbell responded that the concern about the offsite provision is that it could be used in

a discriminatory fashion by developers by placing the affordable units in a different location that could be seen as inequitable.

Doherty stated that he does not personally take issue with the offsite provision, because he believes it would better enable the construction of more affordable housing. Overall, he is favorable to the proposal, but even with the benefit of counting all units as affordable under a 20% threshold, it may be that it has a negative impact to development. Campbell stated that in her conversations with developers she learned that they do not necessarily see a 20% affordable housing threshold as an impediment to development in a community such as Woburn.

Ventresca inquired about the affordable units being so in perpetuity under the proposed amendments. Cassidy stated that Woburn's affordable housing ordinance currently requires that a unit remain affordable in perpetuity.

Ventresca inquired about any other way in which affordable housing can be provided, such as a program that would encourage affordability. Campbell responded that she believes the City has explored their options. The effort to improve access to affordable housing has been going on since 2007 and Woburn still has not met the 10% threshold. In addition, in the absence of these efforts, the City will be subject to more 40B projects over which there are no local controls and negative impacts to traffic.

Edmonds inquired about applicability of 40B housing to the subsidized housing inventory. Cassidy responded that the number of units required to be affordable in a 40B project is 25%, to those earning 80% of the Area Median Income (AMI), or 20% of units affordable to residents making 50% of the AMI.

Edmonds inquired about the types of housing that would apply to the subsidized housing inventory. Cassidy responded that all public housing or state-run assistive housing would count towards the inventory.

Ventresca inquired about any planned increase in subsidized housing. Campbell stated that she would like to address that in the City's capital plan but currently that particular issue is not making any progress.

Edmonds inquired about the amount of money that the City has placed aside for affordable housing. Campbell responded that the City has approximately \$2 million that has accrued from affordable housing buyouts but it would not necessarily go very far in subsidized housing construction. However, it could be bonded to go towards a project.

Bolgen inquired about research that has been done as to the amount of developable land in the city. Cassidy responded with an overview of the results and projects of the last study conducted for Woburn based 2000 data in comparison to actual numbers of population and housing growth between 2000 and 2014, which appear outdated.

Cassidy stated that she has also reviewed a study that was conducted by Cambridge that is referred to as an inclusionary housing study. The study reviewed and analyzed aspects such as socioeconomic diversity and economic feasibility. This led to the conclusion for that community to adopt 20% threshold.

Turner stated that another consideration for a community like Cambridge is that the percentage of renters is much higher than a locality such as Woburn.

Bolgen stated the location of Woburn inside the 128 Corridor, similar to a place like Cambridge, allows the City to remain very attractive to developers, regardless of a higher affordable housing provision due to the demand for housing in the area and ability for developers to make money.

Turner opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so.

PUBLIC HEARING

There being no members of the audience wanting to address the Board, Turner asked for a motion.

Motion to close the public hearing made by Edmonds;
Seconded by Bolgen;
Motion carried, 7-0-0.

Turner inquired to the Planning Director for a recommendation. Cassidy stated that he her recommendation is for the Board to recommend Council adoption of the following:

- Support expanding the scope of applicability of the affordable housing ordinance to include uses and projects that have dwelling units above first-floor commercial uses;
- Keep the provision that allows the City Council to grant special permits to allow units to be provided off-site;
- Support eliminating the cash option in cases where less than one (1) unit is required;
- Increase the required affordable housing percentage from 10% to 15% for all zoning and overlay districts and recommend in this regard that no number higher than 15% should be recommended unless and until there is a comprehensive evaluation/analysis of the impacts and effects of such a change;
- And should the Council elect to increase the percentage, amendments to Section 21 and 28 of the Zoning Ordinance should be proposed and adopted as soon as possible to ensure the affordable housing requirements of those sections are consistent with Section 11.

Turner inquired about the timing of amending the overlay districts to be consistent with the affordable housing threshold increase adoption. Cassidy stated that there may be a gap of time with an inconsistency of the affordable housing threshold, but she does not think that will be problematic.

Bolgen inquired to Cassidy about her opinion about adopting a tiered approach. Cassidy responded that it is an interesting and potentially feasible approach but it is important to put some thought into the tiers that are ultimately chosen.

Bolgen stated that she does not think that the Board has the information available at this time to offer recommendation on fine-tuning the tiered approach, but she would be favorable to adopting a favorable recommendation with respect to a general tiered approach, with 15% being the “floor” as

a new threshold for the City's affordable housing. Ventresca added that he agrees with the tiered approach, as it makes the process fairer.

Cassidy noted a consensus of the Board as to recommending adoption of a tiered approach with a general favorability of increasing the affordable housing threshold to at least 15%.

Cassidy further noted a consensus of the Board as to recommend eliminating the cash out option as well as extending the applicability of the ordinance to the B-D district (downtown projects with residential units above first floor commercial uses).

Cassidy stated that she is supportive of keeping the off-site housing option, as it preserves a tool for the Council to use in a special permitting process that may be appropriate, depending on the project circumstances. She does not view it as a loophole.

Turner stated that it is also important to consider the legal aspects such as deed restrictions or other regulations when the Council is proposing changes to the offsite affordable housing provision.

Bolgen inquired to Campbell as to whether she agrees with the idea of limiting the options of the Council in this case to prevent unintended consequences on future Councils. Campbell responded although she has not spoken to the Council at length on this issue, she would simply like to avoid situations of housing inequity.

Bolgen stated that she would be supportive of eliminating the offsite housing option to eliminate the possibility of inequity, even though it would eliminate a tool of flexibility from the City Council.

Ventresca stated that one approach may be for the Council to consider taking the value of housing into the equation by keeping the offsite provision and potentially use that as a "bargaining" tool for requiring more affordable housing in that scenario. Campbell responded that she still would still view the offsite option as a way to provide a less valuable housing unit.

Ventresca stated that he believes this proposal represents a good stride forward on this issue. Campbell stated that she agrees and that, depending on the Board's recommendation, the Council may revisit one of the proposed amendments in the future to give it more thought.

Doherty stated that he believes that the city should be most focused on affordable housing creation, not necessarily ensuring the socioeconomic equity by considering the location of that housing.

Cassidy noted that the Board, based on a majority, supports eliminating the offsite housing provision to meet the requirements of Section 11.11. The final condition would be for the adoption of a zoning change to the overlay districts in a reasonable time to ensure consistency.

Campbell stated that it would be helpful if the Planning Board could specify their support for a particular threshold number in their recommendation letter. Bolgen responded that she would be comfortable with a tiered approach that incorporates up to 25% of affordable housing for the third tier and no less than 15% for the first tier.

Members discussed amongst the various options that could constitute a tiered approach to affordable housing. Cassidy noted that, overall, the Board supports a tiered approach of a no greater than 20% threshold, with a minority supporting an upper threshold of 25%.

Motion to accept the Planning Directors recommendation, as amended individually in discussion, made by Edmonds;
Seconded by Doherty;
Motion carried, 7-0-0.

WALL ESTATES DEFINITIVE SUBDIVISION (Robert W. Murray)

Chair Carolyn Turner recused herself for this matter and Ventresca assumed the role of Chair pro tem.

Cassidy stated that this project has reached completion and the developer has conveyed as-built plan along with a Form G conveyance of easements and utilities to the City, and as such is requesting the final release of the bond.

Cassidy further stated that the developer has submitted a revised as-built plan, based on Engineering Department recommendation with the correct placement of property easement. As such, staff recommend accept the as-built plan, conveyance of easements and utilities subject to further Council authorization, and finally to release the remaining \$11,000 in bond monies to guarantee completion of the subdivision.

Motion to accept the Planning Director's recommendation, made by Callahan;
Seconded by Doherty;

For discussion, Edmonds inquired as to whether the namesake street for this subdivision was named after a veteran. Ventresca confirmed that it is.

Motion carried, 6-0-0, with Chair Carolyn Tuner recusing.

300 MISHAWUM ROAD PRELIMINARY SUBDIVISION (Woburn [Edens] LLC)

Attorney Mark Vaughn, Riemer & Braunstein LLP, 700 District Avenue, 11th Floor, Burlington, appeared before the Board representing the Petitioner and provided an overview of the proposed development and the prior work of the developer. They have been in discussion with the Planning Director and the Mayor to discuss how this property may be developed and what will comprise a redevelopment, although no plans have been developed as of yet. The preliminary plan is intended to provide new frontage for some "outparcel" lots from the main building as well some zoning protections based on current zoning ordinances. No waivers are currently being requested.

Steve Martorano, Bohler Engineering, 75 Federal Street, Suite 620, Boston, discussed engineering components of the plan in terms of public accessibility. Utilities are already onsite, and considerations have been given for automobile and pedestrian access. In addition, landscaping aspects would provide runoff benefits.

Doherty asked for clarification of the plan in terms of lotting and the access provided. Vaughn responded that the current access drive would become a cul-de-sac and the lotting would accommodate a potential retail tenant with a separate parcel and by utilizing existing roadway as the proposed access point.

Doherty inquired about the continued availability of onsite parking. Vaughn confirmed that some of the existing parking spaces would be impacted by the proposed plan but that any construction onsite would comply with minimum requirements for parking and likely see the site drive remain for at least some version of the outparcel lots. The benefit is a "salable" parcel to market.

Turner inquired about the appearance of another building on the subdivision. Vaughn clarified that represents the building envelope of a salable parcel.

Doherty inquired about the impact of buildings placed on the outparcels to the mall facility. Vaughn responded that conceptually they will not propose to increase the amount of retail space overall, so the ancillary outparcel retail space would be deducted from the mall.

Edmonds stated that understands that the intent of the application is freeze the zoning and he appreciates the efforts to redevelop the current property into something more valuable, particularly given its prominent location. Vaughn stated that the developer looks forward to working with the City to develop something impactful on this property.

Callahan stated that he is not favorable towards to the current plan in terms of the approach of subdividing the land prior to understanding the fully proposed plan. Vaughn stated that the intent is to freeze the zoning and ensure predictability in the future. There are no concrete buildings are being proposed; only how the access to the site is envisioned. The preliminary plan will have no bearing on whether the parcel is developed.

Callahan stated that he is concerned with traffic issues in particular and how the future tenants would impact parking conditions. Vaughn responded that no current structures will be built as a result of this plan. Once they formulate a more concrete plan, they will before the Council for a Site Plan Review/Special Permitting process to ensure that issues such as parking are sufficiently addressed.

Callahan stated that he is concerned with approving a preliminary design that incorporates an existing access point if the site is going to be redeveloped with something more substantial. Consideration needs to be given to existing traffic patterns in the Commerce Way area as the design is modified. Vaughn stated that the developer and project engineer is mindful of the need to examine was to improve access to the site.

Ventresca inquired about whether the Commerce Way Overlay District encompasses this property and how this would affect the proposal. Vaughn responded that it does not fall within the overlay district. Even though this would provide more tools to the developer, they are still afforded a number of options under current zoning.

Ventresca inquired why the applicant did not pursue an Approval Not Required (ANR) application instead of the preliminary subdivision. Vaughn responded that the zoning "freeze" under an approval ANR plan is only for three years and is only limited to site uses. It is a prudent approach for an asset of this size.

Cassidy stated that they have received comments from various departments, including the Board of Health indicating the need to confirm that sewer capacity can be increased, the Fire Department indicating no issues with the design, the Building Department would like to ensure that new structures meet setbacks, and the Engineering Department provided comments relative to drainage and sewerage service. Comments from the Police and Public Works Departments remain outstanding. The Board may elect to decide on this preliminary subdivision this evening in the

absence of comments, or it may continue discussion this matter until its next meeting, which would require both a continuance of discussion and extension of time for application consideration.

Turner stated that she would support continuance of discussion to allow time to confirm that adequate drainage and sewerage is onsite.

Ventresca stated that it does not seem that it would matter if the preliminary plan is approved or disapproved by the Board. Cassidy responded that it is true that regardless of how the Board decides on the preliminary application, the applicant must also receive an approval of a definitive subdivision, submitted within 7 months of the Board's preliminary application decision, to be eligible for a zoning "freeze."

Vaughn stated that the developer would be amenable to Board approval subject to addressing all City department recommendations in its definitive plan application.

Ventresca stated that he would support with the approach of approval of the preliminary plan subject to addressing department recommendations. Bolgen agreed with this approach.

Turner inquired as to how the motion would be structured, although she is inclined to deny the subdivision at this time due to the outstanding sewerage issue. Cassidy stated that the Board could issue their support for incorporation into the definitive plan all of the recommendations issued by the City's Boards and Commissions.

Motion to approve the preliminary application, with condition to accept recommendations issued by the City's various Boards, made by Ventresca;
Seconded by Bolgen;
Motion carried, 5-2-0, with Turner and Callahan opposed.

EAST DEXTER/WARREN/NORTH MAPLE/NAPLES PRELIMINARY SUBDIVISION (Arthur M. Brussard Trust)

Mr. Tim Williams, project engineer, Allen & Major, 100 Commerce Way, approached the Board on behalf of the Petitioner to provide an overview of the application.

Williams requested to provide an Assessors' Map-related handout to the Board that better depicts the subject parcels.

Motion to accept the handout, made by Doherty;
Seconded by Callahan;
Motion carried, 7-0-0.

Williams reviewed the lotting plan of the application, as well as the access points (via Ashburton Avenue, Missouri Avenue, Dakota Street, Naples Avenue, or Maple Street). The project proposes to extend Naples Avenue via cul-de-sac and two lots. Waivers are being requested to subdivision requirements for cul-de-sac dimensions relative to radius, right-of-way, and planting strip (proposed elimination).

Bolgen stated that there are primary ownership issues as to the parcel in question, per Engineering Department Comments. As a result, the Board is not able to move forward with the application at this point.

Mr. Arthur Brussard, Petitioner, approached the Board to state that he has records of paying taxes on the Naples Avenue lot since 1985, as well as deeds from the City of Woburn.

Bolgen inquired to the Cassidy as to why there would be a discrepancy with the City's records. Cassidy responded that she is unaware of potential issues with the Naples Avenue parcel, but the East Dexter parcel is reflected as "owner unknown" in the City's Assessors' Database. Brussard added that he has a history of paying taxes on that parcel, as well.

Bolgen inquired to the Petitioner as to whether he has legal counsel on this matter. Brussard responded that his attorney is Mr. Edward Lonergan, of Boston. Bolgen responded stated that the Petitioner will need to resolve the issue of ownership prior to moving forward on discussion of this application.

Brussard stated that he is willing to provide the documentation necessary to prove ownership of both parcels. Cassidy responded that she would recommend the Petitioner to seek counsel on this issue, as in her discussion with the City Solicitor, it appears that the Petitioner has not gone through the necessary steps to convey ownership via tax title.

Cassidy further advised the Petitioner to have his attorney contact the Planning office so that she may route the issue as needed to applicable City departments. In addition, discussion would need to be tabled until recommendations are received from the Department of Public Works and Police.

Williams stated that a revised plan will be submitted to the Board to incorporate comments from the Building Department indicating that residentially-zoned parcels cannot be accessed via industrially-zoned land by moving the access point. They will address the other issues, as well.

Edmonds inquired about the timeline for approval of this application. Cassidy responded that there is a 45-day review timeline for a preliminary application from the date of submission, which gives the Board until December 29th.

Bolgen stated that given the current issues left unresolved, she would make a motion to continue discussion on this matter until the Board's December 12th meeting;
Seconded by Doherty;
Motion carried, 7-0-0.

APPROVAL OF PRIOR MEETING MINUTES: November 14, 2017

Cassidy stated that the prior meeting minutes, from the November 14th meeting, will have to be postponed until the Board's December 12th meeting to allow additional time to draft.

PLANNING DIRECTOR UPDATE

Planning Director Cassidy stated that zoning amendment relative to building permits in connection with Special Permit applications will be before the Board at their next meeting, in addition to the proposed Smart Growth Overlay District matter and preliminary subdivision plans.

(b) Update on progress toward remote meeting participation by Board members

Cassidy stated that staff are now working on an audio-only arrangement and hope to have system in place by the Board's December 12th meeting.

Bolgen stated that she would appreciate giving the remote participation a chance at the next meeting, even if a more technical setup is not yet in place.

Ventresca stated that he also will not be able to attend due to work obligations. Cassidy responded that her understanding is that only one person may participate remotely at a time.

Cassidy stated under a Skype arrangement, it is difficult to transit the audio coming for multiple Board members in the Chamber to the remote participant. Bolgen responded that she would be still be willing to give it a test.

Ventresca inquired as to whether the video for this meeting may be transmitted remotely. Cassidy responded that it does not.

OTHER BUSINESS MATTERS THAT MAY LEGALLY COME BEFORE THE BOARD NOT KNOWN AT THE TIME OF POSTING

Cassidy stated that the 2018 proposed meeting schedule has been provided to the Board and would appreciate if members could indicate whether they pose any conflicts to the extent possible.

Cassidy inquired about reconstituting the meeting schedule to include a workshop-type meeting, which would cover "big picture" planning and zoning issues, and business-type meeting, focusing on specific applications.

Ventresca stated that he is not opposed to that type of meeting structure, but that there should be some flexibility in terms of business and workshop discussion overlap and aim for some balance.

Bolgen stated that she would agree with the restructuring approach and echoed the notion of attempting to balance the timing of workshop versus business meetings.

Cassidy stated that she would work to begin this arrangement starting in 2018 and let the Board know about a potential workshop topic for discussion once the first meeting approaches.

ADJOURNMENT

Motion adjourn at 10:29 pm, made by Bolgen;
Seconded by Edmonds;
Motion carried, 7-0-0.

Table of Documents Used at Meeting

Staff Report
18A & 18B Buttaro Rd. ANR Application

24 Flagg Street Definitive Subdivision Application: draft letters of Board approval and denial
24 Flagg Street Definitive Subdivision Application: Tree preservation plan
Federal Street/Smart Growth Overlay District Rezoning Application: Letter from Petitioner requesting continuance of public hearing until Board's Dec. 12 th meeting
Amendments to Section 11.11 (Affordable Housing) Petition: Letter from the City Solicitor concerning Overlay Districts
Amendments to Section 11.11 (Affordable Housing) Petition: Cambridge Inclusionary Housing Study (2016)(Cover Page, Table of Contents, Executive Summary and Introduction)
Wall Estates Definitive Subdivision (Review As-Built/Form G/Request to Release Surety): Engineering memo
300 Mishawum Road: Preliminary Subdivision Application
300 Mishawum Road: Department Comments Letters
E. Dexter/Warren/North Maple/Naples: Preliminary Subdivision Application
E. Dexter/Warren/North Maple/Naples: Department Comment Letters
E. Dexter/Warren/North Maple/Naples: Handout from Petitioner (Assessors Map Image)
Draft meeting minutes for City Council's Committee on Ordinances, Charter and Rules (November 13, 2017)

Respectfully submitted,

Dan Orr,
City Planner/Grant Writer