

APPROVED MINUTES

Tuesday, February 25, 2020 Meeting | 7:00 p.m.

Engineering Conference Room, Woburn City Hall, 10 Common Street, Woburn, MA

Chair Kevin Donovan called the meeting to order at 7:00 pm and asked City Planner/Grant Writer Dan Orr to call the roll.

Mr. Dave Edmonds, Ms. Claudia Bolgen, Mr. Jim Callahan, Mr. Michael Ventresca, Ms. Carolyn Turner, and Chair Kevin Donovan were present; Mr. Bob Doherty was absent.

Planning Director Tina Cassidy and City Planner/Grant Writer Dan Orr were also present.

ABBOTT COURT R-LOT 6 AND 4 BELMONT STREET ANR (Lisa Gately and Jeff Mills)

Cassidy provided an overview of the proposed parcel reconfiguration plan. The plan seeks to divide an existing buildable lot into two buildable lots and to transfer small parcels of land between two lots.

The applicant's representative, Mr. George Gately, approached the Board to say that the purpose of the plan is to accommodate construction of a two-family home lot on Belmont Street and to ensure that the lot area minimums are met for the property owner whose lots will front on Abbott Court.

Callahan asked about a driveway location for the proposed new building lot. Gately responded that the driveway will likely be located at the beginning of the radius of the existing cul-de-sac.

Cassidy stated that, with the plan meeting requirements for sufficiency, she would recommend Board endorsement.

Motion to approve the Abbott Court R-Lot 6 and 4 Belmont Street plan as one not requiring approved under Subdivision Control Law, made by Edmonds;

Seconded by Bolgen;

Motion carried, 6-0-0

61-63 PEARL STREET ANR (61 Pearl Street Woburn LLC)

Attorney Salvati approached the Board to explain that this is a land re-configuration plan, with no new building lots being created. The land transfer will enable the creation of a two-family dwelling on Lot 1 (#61 Pearl Street).

Cassidy recommended that, with the plan meeting requirements for sufficiency, she would recommend Board endorsement.

Motion to approve the 61-63 Pearl Street plan as one not requiring approval under the Subdivision Control Law, made by Edmonds;

Seconded by Turner;

Motion carried, 6-0-0.

**PUBLIC HEARING (CONTINUED): 0 VILLAGE STREET DEFINITIVE SUBDIVISION PLAN
(Frederick Gonsalves)**

Cassidy explained that the applicant has submitted a request to withdraw this definitive subdivision plan application from consideration by the Board at this time. The applicant has determined that additional time is needed to address drainage and utility issues which would unnecessarily prolong the current public hearing process. The applicants are asking that they be allowed to withdraw the application without prejudice so that they may resubmit it at any time in the future.

Donovan opened the public hearing and asked any audience members who would like to speak for or against this matter to address the Board.

PUBLIC HEARING

No members of the audience stepped forward.

Seeing none, Edmonds made a motion to close the public hearing;
Seconded by Bolgen;
Motion carried, 6-0-0.

Cassidy stated that her recommendation is Board acceptance of the request to withdraw the subdivision filing from consideration, without prejudice.

Motion to accept the Petitioner's request for a withdrawal of the 0 Village Street definitive subdivision application, made by Bolgen;
Seconded by Edmonds;

Turner asked whether there is a limitation relative to the timeframe on refiling the application after modifications are complete. Cassidy responded that there is no limitation.

Motion carried, 6-0-0.

PRELIMINARY SUBDIVISION PLAN FOR PROPERTY OFF NEW BOSTON STREET (LOTS 4-7-11, 5-1-1, 5-1-3, 5-1-11, 9-2-2, 10-1-2, 10-1-9, 10-1-11 AND 10-1-17 ON CITY OF WOBURN ASSESSORS MAPS) (Industriplex Woburn LLC)

Cassidy reminded members that discussion of this application was tabled at the last meeting to allow sufficient time for City staff to review the revised plan sheets that had been submitted prior to the last Board meeting. The result of those reviews is that neither the Department of Public Works or Engineering Department had any additional comments to offer following review of the revised plan sheets, and their last comments stand as the ones most current.

Attorney Joseph Tarby, project attorney, Murtha Cullina, 600 Unicorn Park Drive, approached the Board to provide a brief overview of the application and reiterated the department comments received to date.

Mr. Tim Williams, project engineer, Allen & Major, 100 Commerce Way, approached the Board on behalf of the Petitioner to provide an overview of the revised plan and explain how the project will obtain its required frontage and access.

Williams continued by explaining how the applicant would proceed by working in partnership with the City's Engineering Department and other stakeholders involved in the construction of the New Boston Street bridge to establish a right-of-way.

Edmonds asked Cassidy for clarification of her staff report recommendation relative to roadway construction standards. Cassidy provided her rationale to the Board for denial of the proposed preliminary subdivision plan and identified a list of deficiencies. Specifically, she stated that the roadway as designed meets the definition of a Collector Street and collector streets must be through streets. This subdivision shows a dead end road with a cul-de-sac, which is not permitted by the Board's Regulations. A waiver from the Subdivision Rules and Regulations would therefore be necessary and has not been requested.

Williams stated that the roadway was designed as a Type-II roadway to eventually service a multi-family housing project. Cassidy responded that the roadway will still have to be reviewed as an industrial roadway in this particularly case.

Ventresca stated that the proposed denial by the Board will not have any bearing on what will ultimately be developed at the site.

Callahan asked for clarification of the status of communications regarding the spur road created via the MBTA right-of-way and the contacts made thus far with the City and partner agencies. Cassidy responded that the City is aware of the spur off of New Boston Street that intends to be utilized by the developer for subdivision access. John Sullivan, of Cabot, Cabot & Forbes, 185 Dartmouth Street, Boston, approached the Board on behalf of the Petitioner to add that the plan was drafted in consideration of the New Boston Street bridge design work completed to date, and the drafting included input from City Engineer Jay Corey and from VHB, the City's traffic engineering consultant for the New Boston Street project. He stated that no direct contact has been made with other entities such as MassPort or MassDOT.

Williams added that conversations are ongoing and he anticipates working on easement issues related to the MBTA spur and extending the required utilities in the future.

Callahan stated that it does not seem that the plan is sufficient without actual easement or takings secured by the City in order for the developer to create and utilize the MBTA parking lot access road for the required frontage.

Ventresca stated that it is important to note that past developers have experienced difficulties in working with utilities companies for issues related to access easement and establishing new service, which will be important factors in the case of timing the construction of this subdivision.

Cassidy stated that her recommendation is that the Board deny the preliminary subdivision plan for property off New Boston Street submitted by Industriplex Woburn LLC for the following reasons:

1. None of the submitted materials provide any of the requirements of Section III.D.1.n. of the Woburn Planning Board's Land Subdivision Rules and Regulations. This provision requires submission of "basic design data, including estimated water consumption, fire demand, sewage flow, average daily traffic volume, sight distances, and peak drainage runoff rate and volume for the 20- and 100-year storm-events...";

2. The submitted materials did not include a list of the waivers that would be needed from the above-cited Rules and Regulations in order to build the subdivision road shown on the plan submitted;
3. The proposed roadway has been designed using the wrong design/construction standards, and no waivers of any of those standards have been requested. The drafters erroneously used the typical cross-section for residential subdivisions (Types I and II subdivisions) to design the roadway rather than the typical cross-section for roads for business and industrial purposes (Type III). As a result of this “mis-application” of design standards and for other reasons, the subdivision’s design is deficient in the following respects (all references in brackets are references to sections of the City of Woburn Planning Board’s Land Subdivision Rules & Regulations):
 - a. The right-of-way is shown as 50’ wide but must be 60’ [Section VIII];
 - b. The proposed pavement width is 26’ but must be 44’ [Section VIII];
 - c. The proposed sidewalks are only 4’ wide but must be 6’ wide [Section VIII];
 - d. The grass strips on each side of the roadway are not provided as required and are of the wrong dimensions [Section VIII];
 - e. The roadway pavement courses and gravel roadway base are all substandard in that they comply with residential, not business/industrial, requirements [Section VIII];
 - f. The proposed water line is dead-ended and the regulations require the water line to be looped (Section III.E.4.); and
4. The proposed dead-end roadway design is not permitted by the Board’s Rules and Regulations. The roadway will meet the definition of a COLLECTOR STREET because it will be the principal entrance street of a subdivision, and Table II of the Regulations (entitled Street Design Standards) prohibits collector streets from being dead-end roads.

Motion to accept the Planning Director’s recommendation to deny the preliminary subdivision filing, as submitted, made by Ventresca;
Seconded by Edmonds;
Motion carried, 6-0-0.

24 FLAGG STREET DEFINITIVE SUBDIVISION (24 Flagg Street LLC)

Cassidy reminded members that the developer had asked the Board to determine that the location of the recently-relocated utility pole met condition #8 of the Board’s decision to approve this subdivision project. The Board had sought the input of DPW Director Jay Duran, who finds the location acceptable if the developer surrounds it with vertical granite curbing; the developer is amenable to that installation. Cassidy therefore recommended the Board find that Condition #8 of its approval of the 24 Flagg Street subdivision will be satisfied if six-inch vertical granite curbing is installed around the relocated utility pole in a manner that meets with the approval of the Superintendent of Public Works.

Motion to accept the Planning Director’s recommendation, as submitted, made by Bolgen;
Seconded by Callahan;
Motion carried, 6-0-0.

APPROVAL OF MINUTES: February 11, 2020 regular meeting minutes

Donovan stated the next matter on the agenda was approval of draft minutes of the Board's last meeting.

Motion to approve, the February 11, 2020 meeting minutes, as submitted, made by Bolgen;
Seconded by Ventresca;
Motion carried, 6-0-0.

PLANNING BOARD DIRECTOR UPDATE

Cassidy stated that Planning staff is in receipt of legal correspondence from Attorney Roshan Jain, representing developer Santullo Construction. Submission of a letter updating Board members as to the status of the on-going court case with Eversource was required by the Board at its September 16, 2019 meeting, when it granted the most recent construction completion date extension. A copy of Mr. Jain's letter has been provided to members for their information.

Turner stated that it would be appropriate, given the proposed case schedule, to require an update from the developer in late May of this year.

Ventresca asked about how the process might have been different in terms of requiring the developer to obtain the necessary easement from Eversource prior to accepting the subdivision application. Bolgen responded that the Board must be consistent in how it approaches its review of subdivision plans requiring access easements, which have never been required prior to application. Cassidy added that while City boards cannot require easements be obtained prior to accepting a subdivision application, the Board does have the authority to be stricter in enforcing its completion dates.

Cassidy stated that she would follow up with Mr. Jain to request an additional Board update by the end of May.

Cassidy further stated that a concept plan in connection with the Commerce Way Corridor Overlay District (CWCOD) was recently filed for the 316 New Boston Street property. She conferred with the City Solicitor who determined that the applicant is entitled to file a concept plan for Committee review prior to receiving definitive plan approval from the Planning Board, even though the essential zoning freeze protection is not yet in place.

Cassidy further stated that she intends to update to the City's affordable housing calculation in light of the Inspectional Services Department's recent approval of the residential units in connection with the Woburn Mall redevelopment project and will let Board members know the result when they are available.

Cassidy provided an overview of the proposed agenda items for the Board's next meeting, to be held on March 10th, which include a zoning text amendment, an update on the Robertson Way definitive subdivision, and a preliminary subdivision plan filing for Sherman Place.

ADJOURNMENT

Seeing no further business, Bolgen made a motion made to adjourn the meeting at 7:50 pm;
Seconded by Edmonds;
Motion carried, 6-0-0.

The meeting adjourned at 7:50 pm.

Table of Documents Used and/or Referenced at Meeting

Planning Board Staff Report
Staff Report Attachment (R-Lot 6 and 4 Belmont Street ANR): Application materials with proposed plan
Supplemental Attachment (61-63 Pearl Street ANR): Application materials with proposed plan
Staff Report Attachment (0 Village Street Definitive Subdivision): Request for an withdrawal of application without prejudice
Staff Report Attachment (Preliminary 9-Lot Subdivision [off New Boston Street]): Draft letter of denial
Staff Report Attachment (24 Flagg Street Definitive Subdivision): Correspondence from the Superintendent of Public Works
Draft Planning Board Meeting Minutes: February 11, 2020 minutes

Respectfully submitted,

Dan Orr

Dan Orr
City Planner/Grant Writer