

## **APPROVED MINUTES**

**Tuesday, January 28, 2020 Meeting | 7:00 p.m.  
City Council Chamber, 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. Bob Doherty, Mr. Jim Callahan, Mr. Michael Ventresca, Ms. Carolyn Turner, and Chair Kevin Donovan were present; Ms. Claudia Bolgen and Mr. Dave Edmonds were absent.

Doherty noted that Mr. Dave Edmonds' name had not been called during the roll but that he is absent.

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

### **2-4 & 6 COURT STREET (Adam T. Carignan & Jennifer A. Grubb)**

Cassidy provided an overview of the proposed ANR application. The owner/applicants are proposing to adjust lot lines between two (2) existing lots. Both newly-configured parcels will continue to fall short of zoning requirements for both frontage and minimum lot area in the R-2 zoning district, but have obtained the required variance for frontage and lot size.

Cassidy further stated that she recommends Board endorsement of the plan as one not requiring approval under the Subdivision Control Law.

Motion to approve the 2-4 & 6 Court Street plan as one not requiring approval under the Subdivision Control Law, made by Ventresca;  
Seconded by Doherty,  
Motion carried, 5-0-0.

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

Cassidy provided an overview of the status of this proposed subdivision. The applicant and his attorney are continuing to work with their engineer, DPW and nearby property owners to address a number of points and issues raised during the earlier segments of the public hearing and will need additional time to address resident concerns in the form of a more thoughtfully-designed drainage and sewer system.

Cassidy further stated that, due to the current design status, the requests before the Board this evening are to extend the time for Board action on this application (from January 30, 2019 to February 28, 2020) and to continue the public hearing on this matter from this evening to February 25, 2020.

Cassidy further stated that she recommends opening the public hearing again this evening to provide members of the audience an opportunity to offer public comment.

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, Doherty made a motion to accept the Petitioner's request to extend the deadline for Board action on this filing from January 30, 2020 to February 28, 2020;

Seconded by Turner;

Motion carried, 5-0-0.

Motion to continue the public hearing on this matter to the Board's meeting on February 25, 2020, at 7:00 pm, made by Doherty;

Seconded by Turner;

Motion carried, 5-0-0.

### **PRELIMINARY SUBDIVISION PLAN OF PROPERTY AT 316 NEW BOSTON STREET (DM Five Inc.)**

Attorney Joseph Tarby, Murtha Cullina, 600 Unicorn Park Drive, approached the Board to provide an overview of the application. He began by presenting the lotting plan for the proposed preliminary subdivision to the Planning Board.

Tarby briefly reviewed the comments received thus far from the Public Works, Engineering, Inspectional Services, and Fire Departments, as well as the Conservation Commission covering topics such as traffic, utilities, traffic, zoning conformance, and jurisdictional boundaries/limits of work. He added that his client is aware of and is working to address all issues raised for the definitive plan filing.

Tarby invited the project engineer to address the Board and offer responses to departmental feedback.

Mr. Brian McCarthy, project engineer from R.J. O'Connell & Associates, 80 Montvale Ave # 201, Stoneham, MA, approached the Board to provide an overview via projector of the proposed preliminary subdivision lotting plan.

McCarthy continued to review the proposed development, the existing conditions, and how utilities will service the proposed development.

McCarthy then reviewed the grading and drainage conditions and the configuration of the roadway.

McCarthy summarized the departmental comments received and provided an explanation of how they plan to address them, in part by completing an additional required filing with the Conservation Commission and by ensuring that the definitive plan includes components/details currently missing.

Callahan stated that there are a number of items that have not been conveyed that should be made more clear, such as the proposed new configuration of the New Boston Street Bridge. Overall, he does not look at the filing "too favorably."

Cassidy added that the New Boston Street Bridge project is currently at approximately 75% completion in terms of design, so a final rendition is forthcoming.

Ventresca stated that because the current bridge design is still not yet finalized, it does not seem that the applicant would be able to firmly account for it. Cassidy responded that there is a lot of publicly available information the applicant can still incorporate into the preliminary plan, such as the utility components.

McCarthy stated that the applicant has already met with the Engineering Department relative to the basic design for the bridge and has obtained information that will factor into the location, configuration, and alignment of the proposed subdivision roadway.

Cassidy stated that her recommendation to the Board would be to deny the preliminary subdivision plan, based on two critical deficiencies related to: a) currently inaccurate roadway alignment that does not adequately plan for the proposed New Boston Street Bridge project, and b) use of residential design standards for roadway layout in the case of a non-residential subdivision resulting in numerous deficiencies, including:

- 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 main is an 8" cement lined ductile iron pipe proposed for connection to an existing 12" pipe, but the requirements for Type III subdivisions require water mains to be a minimum of 12" in diameter [Section III.E.1.];
- g. The proposed water line is dead-ended and the regulations require the water line to be looped (Section III.E.4.); and
- h. The proposed connection between the existing and proposed sewer lines calls for use of a so-called "dog house" manhole which is unacceptable to the City of Woburn Department of Public Works.

Motion to accept the Planning Director's recommendation to deny the preliminary subdivision application for 316 New Boston Street, made by Doherty;  
Seconded by Callahan;  
Motion carried, 5-0-0.

**24 FLAGG STREET DEFINITIVE SUBDIVISION (24 Flagg Street LLC)**

Cassidy provided an overview of the requests before the Board. The developer has submitted a Treasurer's Check in the amount of \$44,400 which he hopes will be accepted as surety to guarantee subdivision completion. He has also submitted the subdivision Mylar for endorsement and requested a further extension of the subdivision's construction completion date.

Mr. George Gately, Jr., project developer, approached the Board on this matter and stated that he would appreciate more clarification from City staff regarding the location of the utility pole. Cassidy responded that she would commit to following up with Superintendent Jay Duran on this specific topic.

Callahan stated that he has had a discussion with Superintendent Duran indicating that he would appreciate gathering more information to make a decision as to what would he would find acceptable as to the siting of the pole in combination with potential installation of protective curbing.

Cassidy stated that between now and the Board's February 11<sup>th</sup> meeting, she would follow up with Superintendent Duran for clarity on the utility pole issue but still would recommend Board acceptance of the offered surety, extension of the completion date, and Mylar endorsement this evening.

Motion to accept the submitted Treasurer's check, in the amount of \$44,400, as surety to guarantee completion of the 24 Flagg Street subdivision, made by Doherty;  
Seconded by Turner;  
Motion carried, 5-0-0.

Motion to extend the subdivision's construction completion date to December 9, 2020, made by Doherty;  
Seconded by Turner;  
Motion carried, 5-0-0.

### **BORSELLI DRIVE II SUBDIVISION (George W. Gately, Jr.)**

Cassidy provided an overview of the request before the Board. At the previous meeting the Board set the bond amount at \$112,300, on recommendation of the Engineering Department. The developer has also submitted a concurrent request to release the building lots from the restrictive Covenant for building and sale purposes.

Motion to accept the submitted Treasurer's check in the amount of \$112,300, and to release the building lots from the language of the restrictive Covenant previously posted as surety, made by Doherty;  
Seconded by Callahan;  
Motion carried, 5-0-0.

### **DOWNS COURT SUBDIVISION (Fred Cialdea)**

Attorney Mark Salvati, 10 Cedar Street, approached the Board on behalf of the developer to provide an overview of the subdivision's construction status. As-built plans were filed with the City last week, with Engineering staff subsequently identifying several modifications that would be necessary prior to endorsement. The developer committed to submitting a modified As-built plan within the next few weeks correcting the deficiencies.

Salvati further stated that the developer intends to close-out the subdivision as currently approved and file for a subdivision modification in the coming months, after reaching resolution with the Superintendent of Public Works and determining field changes intended to accommodate public plowing and maintenance.

Cassidy stated that staff would request a formal request from the developer for a bond release when the time is appropriate, to be submitted along with the revised As-built plan, so that both matters can be handled by the Board concurrently.

Callahan asked about intended street acceptance for this subdivision. Salvati responded that the subdivision, as approved, was intended as a private way, but that may change with a proposed modification.

Cassidy stated that the additional request before the Board is to consider extending the subdivision completion date from the current date of January 30, 2020 to May 1, 2020.

Motion to extend the Downs Court subdivision construction completion date to May 1, 2020, made by Doherty;  
Seconded by Ventresca;  
Motion carried, 5-0-0.

**APPROVAL OF MINUTES: Revised draft December 10, 2019 regular meeting and draft January 14, 2020 regular meeting minutes**

Motion to accept the revised draft December 10, 2019 meeting minutes, as submitted, made by Doherty;  
Seconded by Ventresca;  
Motion carried, 5-0-0.

Motion to accept the draft January 14, 2020 meeting minutes, as submitted, made by Doherty;  
Seconded by Ventresca;  
Motion carried, 5-0-0.

**PLANNING BOARD DIRECTOR UPDATE**

Cassidy provided a status update of the proposed zoning text amendments for the Commerce Way Corridor Overlay District (CWCOD). The City Council recently adopted the proposed text amendments as submitted to them. It is anticipated that additional proposed zoning changes will be forthcoming as the Council considers more holistic overlay district changes.

Cassidy further stated that Mr. William Scire, developer for the Russo Drive subdivision, has submitted a revised, more-detailed construction timeline, as required, and it was included in the members' meeting packet for their information.

**ADJOURNMENT**

Seeing no further business, Doherty made a motion made to adjourn the meeting at 7:43 pm.  
Seconded by Ventresca;  
Motion carried, 5-0-0.

The meeting adjourned at 7:43 pm.

***Table of Documents Used and/or Referenced at Meeting***

Planning Board Staff Report
Staff Report Attachment (2-4 & 6 Court Street): Application materials with proposed plan
Staff Report Attachment (0 Village Street Definitive Subdivision): (1) Request for an extension of the deadline for Board action to February 28, 2020; and (2) request for continuance of the public hearing to February 25, 2020
Staff Report Attachment (316 New Boston Street Preliminary Subdivision): (1) Plan, application and supplemental information; and (2) Departmental comments received to date; (3) Draft denial letter on definitive subdivision application
Staff Report Attachment (24 Flagg Street Definitive Subdivision): (1) Copy of Treasurer's check in the amount of \$44,400; and (2) Completion date extension request; and (3) Engineering comment letter on the extension request
Staff Report Attachment (Borselli Drive II Definitive Subdivision): (1) Copy of Treasurer's check in the amount of \$112,300 and the developer's initial surety request

Copy to Planning Board (Russo Drive Definitive Subdivision): Copy of developer's revised construction timeline, dated January 15, 2020
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Draft Planning Board Meeting Minutes: (1) Revised draft December 10, 2019 minutes; and (2) Draft January 14, 2020 minutes
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Respectfully submitted,

*Dan Orr*

Dan Orr  
City Planner/Grant Writer

APPROVED