

APPROVED MEETING MINUTES

**Tuesday, March 26, 2019 Meeting | 7:00 p.m.
Engineering Conference Room, Woburn City Hall, 10 Common Street, Woburn, MA**

Chair Dave Edmonds called the meeting to order at 7:00 pm and asked Planning Director Tina Cassidy to call the roll.

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

Planning Director Tina Cassidy was also present and introduced herself.

WORKSHOP DISCUSSION FOR POTENTIAL AMENDMENTS TO RULES AND REGULATIONS FOR LAND SUBDIVISION

Cassidy reminded the Board that at their previous meeting they discussed the various needs for different types of right-of-way widths, while recognizing the city has many paper streets and existing partially-constructed streets that are currently laid out at 40' wide; advantages of having a 50' right-of-way for some subdivisions including those that would be thru streets or streets that would connect to major roads; and the need to have set standards for commercial roads. She also touched base on the need to prioritize the types of things to include in the right of way such as safe passage of cars, lane width for two-way traffic, and sidewalks while adding ADA compliance requires sidewalks to be at least 48". The Board pondered the question as to what they would like to require in a new subdivision, such as the need to include a sidewalk if it did not connect to an existing one and the impact as to whether or not there would be any ADA compliance issues with that specific scenario. Cassidy mentioned she asked DPW Superintendent Jay Duran and City Engineer Jay Corey and is waiting for a written answer regarding details about sidewalk and street requirements for ADA.

Cassidy also mentioned she would like to receive current Fire Chief Adgate's comments on the Board's Rules and Regs as the comments she's received in the past have been from the now retired Fire Chief Ring. Chief Adgate is in possession of a copy of the Board's current Regs and mentioned the need to send a draft copy of the revisions to all the department heads for review before the Board advertises a Public Hearing to adopt the revised Rules and Regulations.

Cassidy then showed a map that shows what land might still be left in the city for development while noting in the future the Board is more likely to see smaller proposed subdivisions versus larger 30+ lot subdivisions. Engineering has created an interactive map on GIS for that identifies residential parcels zoned R1, R2, R3, R4, and S1 as they all allow single families and duplexes. Two and one-half times the minimum required lot size as the incentive to develop would probably only come if they were only going to get at least one more unit. Cassidy noted the interactive map may be more useful and beneficial to identify parcels that may be potential subdivisions if engineering removed the parcels that are currently owned by the City of Woburn, City of Boston, and some government-owned parcels.

Board members discussed the history of "pork-chop" shaped lots and the function of short cul-de-sacs while focusing on the importance short streets and the prioritizing rights-of-way and pavement widths.

Cassidy stated that City Engineer Cory and Engineering Consultant Richard Benevento, of World Tech Engineering, who is knowledgeable of the state's complete streets policy and MS4 permitting to ensure stormwater runoff is clean, will be attending a future Planning Board meeting to discuss important issues such as material choices, design choices, porous pavement benefits, and grass strips.

Callahan stated the need for the determination of complete streets, accepted streets, paper streets, and streets that are undeveloped and that are not fully conveyed to the city. Callahan feels the Board needs to challenge the developers to adhere to standards before they come before the Board with their applications and plans.

Edmonds noted the need to create a set of rules and regulations so the Board does not have to grant waivers. Cassidy reminded the Board that sometimes waivers are granted that are beneficial and offer improvement to the neighborhood.

Bolgen stressed the need and importance of the Board to focus on prioritizing by considering the intentions and goals of the Board. She questioned if the Board wants to prioritize putting housing in the city to accommodate the people who'd like their sons and daughters to come to the city and there's no affordable housing or does the Board prefer to reduce the number of people coming here. Bolgen stated that a policy of restricting housing is good if that is a priority of the Board. She questioned as to whether the Board wants to be a suburban town that has certain amounts of front yards, sidewalks, and streets? She questioned if the Board wants to maximize the housing in the city. Bolgen reminded the Board there is a need to find the balance to be friendly to additional housing while keeping a certain quality of life for the city.

Doherty stated the need to have fair rules so we do not have to grant waivers and noted the importance of being developer friendly. Waivers may be granted but stressed the Board needs to be fair to all residents and developers.

Ventresca stated the newly constructed townhouse developments will assist in alleviating the housing crunch while noting the Board can't control pricing and affordability.

The Board discussed the future of R1 zoning and the scenario and likelihood that it may remain the same for the next 20 to 30 years; while adding that if there is going to be an increase of housing in the city it will more likely to consist of condo and townhouse developments.

Doherty stated that the majority of people within the city would not be able to purchase their homes at the current prices.

Cassidy noted that the city's subdivisions do not create affordable housing as they are exempt from inclusionary zoning. Seaver's townhouses include affordable units, but if the Board wants housing that we create to be affordable, we need to make subdivisions subject to it, which has zero support from the city council, or else we need to look toward the multi-family developments, townhouses, or developments like the Woburn Mall where you will get at least 15% of the units created to be affordable.

Bolgen floated the idea, although not advocating for it, of re-imagining subdivisions allowing for smaller homes and smaller lots in order to make Woburn even more affordable. However, the Board discussed if creating smaller lots and smaller houses would actually result in lower prices that would ultimately make buying a home more affordable?

Edmonds and Bolgen questioned how to keep the community growing and what the Board wants the community to look like. Bolgen stated if the Board chooses to have 40' rights-of-way that means what we are building in the future is what we are envisioning as the perfect subdivision today; adding that she senses that we are not thinking much beyond what we currently have for our short cul-de-sacs in terms of safe passage streets and sidewalks resulting in the fact that if that, as a result, there will be less housing if that is what we are willing to do. Bolgen asked if anyone had a sense of how many paper streets we have in the city.

Bolgen stated her understanding is that if a person buys a parcel on a paper street, they have the right to develop and use that street. Cassidy confirmed Bolgen was correct and added the owner has the right to improve it and can't interfere or prevent the rights of others to pass and re-pass. The members also discussed the scenario of developers building out an existing 30' paper street. The Board expressed concern that if the city laid out the paper street years ago, and it is part of your title, that it is a "street" and does the city have the right to "just take it back".

Bolgen stated that beginning to discuss street width is a good idea but how many paper streets are there in the city that are less than 40' wide and what rights do the owners of these properties have to simply come before the Board to build on their paper street?

Callahan asked Cassidy if she could obtain an interpretation from the city solicitor regarding Bolgen's comment.

Bolgen summarized the request to Cassidy: That she ask the city solicitor to clarify whether an owner of a parcel with frontage on a paper street has the right to build even if the right to of way is less than what we currently require. She also asked for additional information from the city's engineering department to identify where in the city we potentially have this problem, if it in fact exists.

Ventresca questioned if landowners would have to be notified if the Board stated all paper streets have to be 40 feet wide.

Bolgen stated she is skeptical because the landowners have title to a property that has a paper street laid out and they have rights. She added she is looking forward to hearing back from the city solicitor as to whether or not the property owner has a right to build a street to the limits of their right of way.

Turner proposed the scenario of existing legal non-conforming houses, versus current owners of parcels on paper streets that have not been built on yet. They have the right of way on their property and the ability do what they choose; while adding that perhaps that could be the distinction that the city solicitor will surmise.

Cassidy added a lot of the paper streets in North Woburn were laid out in the 1800's when there zoning was nonexistent. The paper streets are existing, legal, and need to be addressed. Cassidy suggested asking the Engineering Department if they are able to identify rights-of-way that are less than 40'.

Bolgen summarized that in terms of short cul-de-sacs streets, the Board has decided in favor of 40' rights-of-way and 24' of pavement. Other issues that need discussion are grass strips, sidewalks and street trees after we obtain more information on materials to be used and confirmation of ADA compliant sidewalks.

Turner asked Cassidy to request an opinion from the solicitor regarding the interpretation of the 521 CMR 22.00 for clarification regarding to see if sidewalk connectivity with existing sidewalks is required and what obligation, if any, a developer might have in the case of no existing sidewalks on the adjacent street.

APPROVAL OF MARCH 12, 2019 MINUTES

Motion to approve the minutes of the March 12, 2019 Planning Board meeting as drafted made by Bolgen;
Seconded by Doherty;
Motion carried, 5-0-1 (Callahan abstained).

PLANNING BOARD DIRECTOR UPDATE

Cassidy noted there is a public hearing scheduled on April 9, 2019 regarding a rezoning petition involving Billboards which would allow billboards by special permit in two sections of the city. This petition is very similar to one submitted two years ago that was withdrawn. Cassidy noted she hopes the easement paperwork regarding the East Dexter Avenue subdivision will be completed and submitted in time for the next meeting also.

ADJOURNMENT

Seeing no further business, Bolgen made a motion to adjourn the meeting at 8:30 pm;
Seconded by Doherty;
Motion carried, 6-0-0.

The meeting adjourned at 8:30 pm.

Table of Documents Used and/or Referenced at Meeting

Planning Board Staff Report March 26, 2019
Instructions relative to using the City's GIS mapping system
521 CMR 22.00 Architectural Access Board: Walkways
Letter to DPW and Engineering Department requesting information on pervious pavement costs and applications and information regarding ADA/AAB compliance of sidewalks
List of advantages and disadvantages of pervious pavement
Draft Meeting minutes of March 12, 2019

Respectfully submitted,

Karen Smith

Karen Smith
Planner