

APPROVED

MEETING MINUTES

Tuesday, April 27, 2021 Woburn Planning Board Meeting | 7:00 p.m.

Meeting held virtually via Zoom Platform

Chair Kevin Donovan called the meeting to order at 7:00 pm and asked City Planner Karen Smith to call the roll.

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

Cassidy stated the meeting was being recorded by both video and audio.

3 SHERMAN TERRACE SUBDIVISION: ACCEPT TRIPARTITE AGREEMENT AS SURETY TO GUARANTEE SUBDIVISION COMPLETION (Sherman Terrace LLC)

Cassidy provided an overview of the timeline of the 3 Sherman Terrace subdivision and indicated that the developer has now completed, executed and submitted a Tri-Partite Agreement for Planning Board consideration this evening. She explained that the bond amount previously set by the Board at its prior meeting has been incorporated into the proposed document. If accepted by the Board, this document would enable the release of the building lots from the Form G restrictive Covenant so they may be built upon and sold.

Cassidy further stated for information that there is a condition prohibiting the issuance of building permits for this subdivision prior to approval of the proposed utility (gas) lines, unless the plan is otherwise modified to incorporate propane. She added that the intent of this condition is to prevent undue delays in construction on the part of utility approval/installation.

Cassidy stated that her ultimate recommendation is to accept the proposed Tri-Partite Agreement in the amount of \$188,889.50, as submitted, and to release both building lots in this subdivision from the language of the Form G restrictive Covenant.

Ventresca asked about the timeline for construction and whether there is a sense that the developer might be delayed in meeting the designated completion date established by Planning Board approval as a result of the Covenant being released just now. Cassidy responded that the developer has not been precluded from initial sitework/roadway construction since a Covenant was established, so the current August 18, 2022 completion date would still seem reasonably attainable.

Motion to accept the Planning Director's recommendation on this matter by accepting the proposed Tripartite Agreement document in the amount of \$188,889.50 to guarantee completion of the 3 Sherman Terrace subdivision and to release the lots in the subdivision from the Form G restrictive Covenant previously posted as surety so they may be built upon and sold, made Bolgen;

Seconded by Turner;

Roll call vote on the motion:

Callahan-Aye

Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Bolgen-Aye
Donovan-Aye

The motion carried, 7-0-0.

REQUEST FOR APPROVAL OF MINOR MODIFICATION TO SPECIAL PERMIT SITE PLAN OF RECORD (Lord Hobo Brewery)

Cassidy provided an overview of the proposed modification filed by Lord Hobo Brewery seeking to amend the previously-approved Special Permit site plan by relocating two (2) existing Dumpsters and relocating two (2) parking spaces. She added that prior to acting on this request, Board members must make a determination that the proposed request is either a “minor” amendment or a “major” amendment under the provisions of the Section 11.12 of the Woburn Zoning Ordinances. She added that if the Board determines the change to be a “major” change, that would mean the request is subject to a public hearing, abutter notification, and a 20-day appeal period after the decision is made.

Cassidy further stated that in the absence of a proponent attending the meeting to represent the applicant, she defers to the Board as to whether discussion of the request should continue this evening or be postponed to another evening.

Donovan asked if members had any comments.

Bolgen stated that she is not inclined at this point to make a determination that this matter should be considered minor, especially because she recalls that there were interested residential abutters who have attended hearings regarding this property in the past. However, she is willing to hear from the applicant’s attorney and consider any compelling reason to advance the request as “minor.”

Callahan asked for confirmation that the proposed modifications are limited to Dumpster relocation and parking stall relocation and if so, why it might not be a minor request. Cassidy responded with reasoning as to why this request may not necessarily be considered “minor” in nature, including greater visibility of the Dumpsters generally as a result of their new location and the fact they are not required to be screened now that the City Council has modified the Municipal Code not to eliminate any screening requirement. She added that the new Dumpster location would be closer to residential abutters and potentially in a wetland “no disturb zone” according to the Conservation Administrator.

Ventresca stated that he is inclined to agree with Bolgen and would like to continue the “minor” versus “major” modification discussion until the client’s attorney can be present for discussion and questioning. He added that the issue of the proximity of the new Dumpster location to a wetland “no disturb” zone or resource area is an open one and questioned whether a determination of “major” would require the applicant to provide additional clarity. Cassidy responded that as a matter of fact, a “major” special permit filing would require specific comments from all reviewing departments, a public hearing, abutter feedback, etc.

Cassidy further stated that it appears that a formal filing with the Conservation Commission may be required based on the Conservation Administrator’s comments regarding Dumpster placement within a buffer zone and perhaps within a “no disturb” zone, which is independent of the Planning Board special permit review process.

Ventresca stated that he would also like to have additional information as to the rationale for the proposed modification. He added that he does not want this review to be detrimental to Lord Hobo as a business, but more clarity about the Petition is necessary.

Edmonds stated that he would like to hold off on any decision on this matter until the applicant is represented before the Board. He is particularly concerned with potential for odors and lack of screening in proximity to a residential area, particularly due to production and storage of “spent grain” resulting from the onsite brewing process.

Turner stated that she agrees with holding off on this matter until the applicant’s attorney is present for questioning to make an informed determination of a “major” or “minor” modification and to better understand the nature of impacts to surrounding residents. She added that her primary question revolves around the reasoning for the modification.

Doherty stated that he is also in agreement with the sentiment to continue this matter until the applicant and/or their representative is present.

Cassidy stated that she can inform the Petitioner’s attorney that the Board opted to continue discussion on this matter with the intent to resume discussion at its next scheduled meeting on May 25th, at which point a determination of a “major” or “minor” modification may be made.

Motion to accept the Planning Director’s recommendation to place this matter on the next agenda, made by Bolgen;
Seconded by Doherty;

Roll call vote on the motion to continue discussion on the matter of the proposed modification for the Lord Hobo Brewery special permit Site Plan of Record to the May 25, 2021 meeting:

Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Bolgen-Aye
Donovan-Aye

The motion carried, 7-0-0.

APPROVAL OF MINUTES: March 23, 2021 virtual meeting.

Motion to accept the draft March 23, 2021 meeting minutes, as submitted, made by Bolgen;
Seconded by Turner;

Roll call vote on the motion to accept the draft March 23, 2021 meeting minutes, as submitted:

Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Bolgen-Aye
Donovan-Aye

The motion carried, 7-0-0.

PLANNING DIRECTOR UPDATE

Cassidy stated that the attorney representing the developer of Highview Estates, Roshan Jain, has provided an additional update on the status of the ongoing court case, which was included as correspondence in members' meeting materials.

Cassidy further stated that the matter of 0 New Boston Street is currently under review by staff relative to the drafting of required legal documents (including an easement and Property Owners Association [POA] agreement), and she continues to work with the developer's attorney and the City Solicitor to finalize them. She added that, should the final, executed documents materialize, she would like to propose a special meeting sometime in the next couple of weeks to address the matter earlier than the May 25th meeting.

Cassidy further discussed a proposed zoning amendment relative to the topic of building lot access over its frontage. She added that the genesis of the proposal is a property owner in the vicinity of New Boston Street who will, of necessity, have temporary driveway access during ongoing construction of the New Boston Street bridge. She further added that she expects this matter will be placed on the May 25th agenda as a public hearing.

Cassidy further stated that she anticipates subdivision updates at the Board's next meeting pertaining to one or two different subdivisions.

Cassidy further stated that the next meeting will also include review of a proposed outpatient medical office facility to be located on the premises of the former Kraft Site ("the Vale" project). She further stated that this matter would be discussed pursuant to the Technology and Business Overlay District (TBOD) requirement for Planning Board review and issuance of recommendation(s) to the City Council for matters within that overlay district.

Edmonds inquired about the extent of traffic analysis that has been conducted in the vicinity of "The Vale" project, primarily due to concerns about "cut through" traffic patterns. Cassidy stated that she will endeavor to provide members with information collected by City Engineer Jay Corey resulting from his work with the developer's traffic engineers on matters of mitigation and traffic design-related improvements.

Ventresca stated that he agrees with concerns about "cut through" traffic in the vicinity of "The Vale" and would be interested in learning about any efforts being made to discourage traffic patterns prompted by Internet-based GPS applications.

ADJOURNMENT

Donovan called for a motion to adjourn should there be no further business to conduct.

Seeing no further business, Bolgen made a motion to adjourn the April 27, 2021 Planning Board meeting at 7:32 pm; Seconded by Doherty;

Roll call vote on the motion to adjourn the April 27, 2021 Planning Board meeting, at 7:32 pm:

Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Donovan-Aye
Bolgen-Aye

Motion carried, 7-0-0.

The meeting adjourned at 7:32 p.m.

Table of Documents Used and/or Referenced at Meeting

3 Sherman Terrace Definitive Subdivision: Proposed Tripartite Agreement document
5 Draper Street (Lord Hobo) Special Permit (Minor) Modification: (1) Copy of Attorney Mark Salvati's cover letter and application materials, received April 6, 2021; (2) Departmental comments from Departments of Engineering, Inspection Services, Public Works, Fire and Police, in addition to the Conservation Commission; and (3) Text of Section 11.12 of the Woburn Zoning Ordinance
Planning Director Update: Copy of email correspondence from Attorney Roshan Jain, representing the developers of the Highview Estates subdivision, dated March 24, 2021
Draft Meeting Minutes: March 23, 2021 meeting

Respectfully submitted,

Dan Orr

Dan Orr
City Planner/Grant Writer

