

APPROVED
Meeting Minutes
May 8, 2018 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. Michael Ventresca, Ms. Carolyn Turner, Mr. Jim Callahan and Chair Dave Edmonds were present. Also present were Planning Director Tina Cassidy and City Planner/Grant Writer Dan Orr.

Edmonds asked all present to silence all cell phones and noted that the meeting is being recorded.

22 JAMES TERRACE & 93 GREEN STREET ANR (Ralph Surianello, Trustee of the Surianello Family Trust and Surianello Irrevocable Trust)

Cassidy provided an overview of the plan and the land intended for conveyance. The plan conforms to zoning requirements and as such she recommends that the Board endorse the plan as one not requiring approval under the Subdivision Control Law.

Callahan asked about the impact of the lot line changes on a side setback of the existing home located at #22 James Terrace. Attorney Mark Salvati, 10 Cedar Street, responded that he has spoken with the Building Commissioner about the setback in question, who confirmed that it is sufficient as is, as it has been deemed a side, not front, setback.

Edmonds called for a motion.

Bolgen moved to endorse the ANR plan, as submitted;
Seconded by Doherty;
Motion carried, 7-0-0.

PUBLIC HEARING (continued): 88-92 PEARL STREET (ALAN R. GERRISH DRIVE (FORMERLY KNOWN AS DOUGLAS CIRCLE) DEFINITIVE SUBDIVISION (Cattle Crossing LLC)

Edmonds and Ventresca recused themselves from participation in this matter. Donovan assumed the role of Chair pro tem.

Doherty stated for the record that he has qualified himself for participating in this matter by reviewing the prior meeting video and has submitted the required qualification form.

Attorney Joseph Tarby, Murtha Cullina, 600 Unicorn Park Drive, approached the Board on behalf of the Petitioner and asked introduce three documents into the record: a site distance document with revised measurements as of May 2nd, a document of proposed changes to the area (installation of 25 mph signs and the removal of a neighbor's rhododendron bush), and thirdly an email from the Traffic Division supervisor with the Woburn Police Department indicating that there has only been one recorded traffic accident in the vicinity of Pearl and Ward Streets between January 2016 and May 2018.

Turner moved to accept the documents submitted by Attorney Tarby into the record;
Seconded by Doherty;
Motion carried, 5-0-0.

Tarby stated that he will like to request that the Board, at the conclusion of the forthcoming presentation, consider a continuance of the public hearing on this matter to allow additional time to obtain further line-of-sight data from Officer Pacheco with the Woburn Police Department.

Tarby provided an overview of the plan proposal relative to lot sizes, configuration and proposed construction.

Tarby further provided an overview of additional comments received from City Departments thus far.

Tarby further reviewed the process by which the line-of-sight for the proposed subdivision was measured and the use of stakes to approximate where the “stop bar” for the subdivision would be located.

Tarby stated that his client has received permission to remove the rhododendron bush on the neighboring property. Once removed, he is confident that the sight lines will exceed 200’ in the southerly direction, although this will need to be confirmed by a re-measurement by Officer Pacheco.

Tarby further stated that posted speed limits in the vicinity range from 25-30 mph.

Tarby further stated that he would request that the Board consider the waivers this evening in anticipation of a final site distance report with the intent to make a final decision at its May 22nd meeting.

Cassidy stated that she would like clarification of the discrepancy between the line of sight measurements taken initially by the project engineer versus what was determined in the field.

Mr. Thad Berry, project engineer, ASB Design Group, 363 Boston Street, Topsfield, MA, approached the Board on behalf of the Petitioner. He responded that the initial sight distance calculation utilized aerial photography, as opposed to the “in the field” methodology using an approximated point.

Berry further provided an overview of the applicant’s requested waivers.

Callahan inquired about why Officer Pacheco was not provided with the precise sight distance location. Berry responded that the officer was not initially certain of the exact location of the proposed stop bar on the proposed new roadway. Additionally, the line-of-sight increases dramatically once a driver moves past the stop bar and crosswalk to immediately approach Pearl Street.

Berry further stated that they have received permission from the neighbor to remove their rhododendron, which should increase the sight distance to 200’, at a minimum.

Berry stated that the line of sight was calculated in the most conservative way in observance of engineering standards, which cannot account for “rolling stops.”

Berry further stated that the sight distance in the opposite direction is sufficient (118’) because of the comparably lower speed limit (25 mph).

Bolgen stated that she is concerned with basing a line-of-sight decision on plantings located on a neighboring property. Even though the neighbor may remove the rhododendron, her understanding is that nothing is in place to prevent future plantings on the site that may inhibit sight distance. Cassidy responded that member Bolgen’s read of the situation is correct; absent a property easement or restriction, nothing can prohibit current or future property owners from installing new plantings.

Cassidy asked for the record whether a fire flow test has been conducted. Berry responded that a fire flow test has not been conducted, but they are willing to do so at this point.

Doherty asked for clarification about the sight distance deficiency that was noted in the other direction by the project engineer. Cassidy responded that she was not aware of a site deficiency in the northerly direction until this evening and will need to follow up on this information with the Engineering Department.

Donovan opened this matter for a public hearing and stated that if any audience members would like to come forward to speak to please do so at this time.

PUBLIC HEARING

Mr. Tucker Lochrie, 110 Pearl Street, expressed concern with the proposed subdivision due to environmental impacts to air, trees and wildlife. Concerns were also expressed with regard to flooding.

Ms. Kerstin Lochrie, 110 Pearl Street, expressed concern regarding environmental impacts, increases to the school-aged population, and increased police activity.

Mr. Frances M. O'Rourke, 39 Chandler Road, Burlington, expressed concern regarding water/flooding issues in the area where he owns property on Bartlett Drive. He stated that, by increasing the structures in the area, the water will have fewer places to infiltrate the ground.

Donovan asked Cassidy for her recommendation. Cassidy responded that her recommendation is to continue this matter until the Board's May 22nd or June 12th meeting, depending on Board preference, to allow more time to follow up on line-of-sight and fire flow testing-related issues that remain unaddressed.

Bolgen stated for the Board's information that she will not be able to attend the May 22nd meeting in person, and there is only a possibility that she will be able to participate remotely, which will potentially leave the Board with four (4) participating members.

Doherty asked about the timeline for required Board action. Cassidy responded that the Board's decision on this matter is due June 7th although the applicant's thoughts on scheduling may be helpful.

Tarby approached the Board to request that the Board continue this matter to the May 22nd. He is willing to grant an extension of time for Board deliberations if need be.

Bolgen stated that she would like the Board to be mindful of the commitment audience members must make in attending upcoming meetings.

Turner stated and Cassidy confirmed that a deficiency in the northerly line-of-sight would present another waiver. Berry verified for the record that the line of sight is 218', as opposed to the incorrectly stated 118'.

Doherty stated that there is a remote possibility that he too will not be able to attend the May 22nd meeting, which would leave this matter with less than a quorum of voting members.

Bolgen moved to continue the public hearing on this matter to the Board's June 12th meeting, at 7:00 pm;
Seconded by Doherty;

Cassidy stated, for discussion, that she would advise the Board to first confirm that the applicant is amenable to an extension of time to consider this matter. Tarby stated his client is agreeable to an extension of time for

consideration of the definitive subdivision application to June 14th. An extension form was executed accordingly.

Motion carried, 5-0-0, with Edmonds and Ventresca abstaining.

PUBLIC HEARING (continued): 12 BUCKMAN COURT DEFINITIVE SUBDIVISION (Nardone Property Group LLC)

Edmonds re-assumed the role of Chair. Ventresca recused himself from this matter.

Tarby provided an overview of the definitive subdivision application.

Mr. Fred Russell, project engineer, 154 Aldrich Rd., Wilmington, approached the Board to review the latest modification to the site plan and existing conditions layouts dated April 2, 2018.

Russell stated that the grading of the site has been modified to ensure that everything captured onsite from the impervious surface will now flow into an infiltration system on the development site. Additionally, the existing roadway will be widened to 22' and 1" water lines will be extended from Buckman Court.

Russell stated that he has met with some of the neighbors, in addition to DPW, to address some of the concerns surrounding dry well construction and suggested a couple of water containment measures, such as rebuilding the existing dry well in Buckman Court and the addition of a berm.

Bolgen asked about the T-turnaround and why it has been proposed in this particular case. Russell responded that the inclusion of the turnaround is in response to public safety standards, although he is unsure how well-utilized it would be (large vehicles may opt to simply back up from Buckman Ct.).

Callahan asked about the inclusion of a T-turnaround in the right-of-way on Buckman Court if the roadway were paved further. Russell responded that he does not believe that would have been feasible.

Turner asked about the details relative to sewer capacity, as the issue had been raised by the Department of Public Works in the past. Russell responded that sewerage capacity detail may be found on Sheets 5 and 6 on the current plan.

Edmonds asked Cassidy about any additional documents that remain outstanding for this application. Cassidy responded that the one unaddressed item in particular relates to the proposed waiver request to avoid conducting a fire flow test.

Russell stated that he did not conduct fire flow testing based on the understanding that water lines in the area have recently been cleaned and lined and that the Fire and Public Works Departments were not necessarily adamant about conducting testing. Cassidy responded that in her conversations with the Fire Chief and Engineering, they both indicated, respectively, that fire flow testing may be beneficial at least in the interest of consistency with regulations and water line servicing configuration.

Edmonds asked about any other missing information. Cassidy stated that, based on DPW and Engineering Department comments, the size, type and slope of the sewer main has not yet been indicated on the plan in addition to water main specifications. In addition, outstanding waiver requests for the plan have yet to be decided upon.

Callahan asked about the pavement width on the adjoining streets. His concern is that there will be future development further down the street. Russell responded that the developer will be widening the street to

22' along the property's street frontage, despite the fact that they are still seeking a waiver. The engineer does not know the width of other streets in the vicinity.

Callahan stated that his concern is that there will be future development on the Buckman Court roadway. Tarby responded that future development is highly unlikely, due to the steep grade of the land.

Edmonds opened this matter for a public hearing and stated that if any audience members would like to come forward to speak to please do so at this time.

PUBLIC HEARING

Mr. Dan Lionetta, 16 Buckman Court, stated that he is opposed to the emergency turnaround due to impacts to the existing green space. Additionally, he is concerned with the function of the existing catch basins which are designed to capture stormwater but do not do so sufficiently.

Mr. Mike Thomas, 4 Buckman Court, approached the Board and stated that he has met with the project engineer and the applicant. He is pleased to see that the proposed home has now been pushed further away from his residence, allowing for greater privacy. However, his major concern continues to be persistent neighborhood flooding issues and insufficient drainage.

Thomas further stated that he would appreciate the preservation of trees on the existing lot.

Ms. Dianne Barrett, 21 Buckman Street, approached the Board and stated that she is concerned about pooling water and mosquito infestation. In addition, she does not envision that the proposed T-turnaround will actually be utilized by emergency services vehicles, nor is she in favor of removing green space.

Cassidy stated for the record that the T-turnaround may be utilized for vehicles other than emergency responders, such as trash trucks and package delivery vehicles. Additionally, the turnaround would be constructed of pavers that allow for at least partially exposed ground.

Bolgen asked about the outstanding tasks for this project. Cassidy responded that a fire flow testing waiver remains on the table for Board consideration, as well as additional plan information per DPW and Fire Department comments.

Bolgen stated that she does not necessarily believe the T-turnaround is the only option in this case. She believes that it would make the most sense to reach out to the future "users" of the access easement to solicit input as to whether they would actually be aware of this feature and whether it would be useful to them. Cassidy responded that requiring installation of signage on the T-turnaround could be useful and found on at least one other subdivision in Woburn.

Edmonds asked Cassidy for her recommendation. Cassidy responded that she would recommend that the Board at the very least make a decision this evening as to the proposed fire flow test as to whether it should be required. She will endeavor to reach out to the Fire Department and Waste Management regarding potential use of an access easement, and as this remains an open issue, she would recommend continuing the public hearing.

Bolgen asked why the issue of fire flow testing having come up for two subdivision applications this evening when it has rarely come up in the past. Cassidy responded that her understanding is that in one instance, it was an issue of timing related to the winter weather. DPW's recent re-lining of the water line was part of the justification for the waiver request in another instance.

Russell stated that, based on his experience, the need for a fire flow test should be weighed against the scope of the proposed subdivision.

Bolgen asked whether the issue of the fire flow testing requirements is something perhaps for the Board to address in its Subdivision Rules & Regulations amendments. Cassidy responded that it may be, although she would recommend first hearing from the Engineering Department for their perspective on this topic.

Callahan motioned to support granting the fire flow testing waiver on this application;
Doherty seconded;

Turner stated, for discussion, that because the fire flow testing requirement is part of the current record, she would be inclined to deny the waiver request.

Motion carried, 5-1-0, with Turner in opposition and Ventresca recusing.

Edmonds asked Cassidy about her recommendation on this matter. Cassidy stated that at this point it would be appropriate for the Board to continue the public hearing due to some remaining outstanding plan information based on tonight's discussion. The Board will also want to consider member participation/absences and other scheduled hearings before continuing to its next meeting on May 22nd.

Russell asked the Board to consider closing the public hearing on this matter, given the minor nature of what is outstanding and consider granting conditional approval of the application.

Motion to continue the public hearing on this matter to the Board's May 22nd meeting at 7:00 pm; made by Bolgen;

For discussion, Bolgen stated that it is not a standard practice of the Board to offer conditional approvals. She would also like further clarity on the T-turnaround as previously discussed prior to issuing a decision.

Seconded by Turner;
Motion carried, 6-0-0, with Ventresca recusing.

Ventresca returned to the meeting.

PUBLIC HEARING: PROPOSED ZONING MAP AMENDMENT to revise one parcel of land on Garfield Avenue (Assessors Map 69, Block 08, Lot 07) from the I-G to R-2 Zoning District (Sports Management Services)

Donovan recused himself from discussion of this matter.

Turner stated for the record that she has filed a disclosure document with the City Clerk's office on this matter.

Tarby approached the Board to provide an overview of the zoning map change application to rezone a parcel of land, located on Garfield Avenue, from the I-G to the R-2 zoning district. If rezoned successfully, the applicant would intend to file a definitive subdivision application for the entirety of the applicant's abutting properties.

Edmonds opened this matter for a public hearing and stated that if any audience members would like to come forward to speak to please do so at this time.

PUBLIC HEARING

Ms. Theresa DaCosta, 134 Garfield Avenue, stated that she is generally concerned about public safety and construction that is both sensitive to the area and receives adequate oversight. Additionally, she is concerned about the logistics of water pumping in the area given current challenges.

Cassidy, for the benefit of the audience, provided an overview of the intent of this rezoning application and what is envisioned as opposed to the previous application, as well as the purview of the Planning Board.

Ms. Lori Medeiros, 23 Arlington Street, stated that her concern is that new homes will be encroaching on the existing neighborhoods. She also believes that the current I-G zoning designation provides more buffer protection to abutting residents than a residentially-zoned property. Overall, there are too many uncertainties involved to support the Petition.

Ms. Jean Monihan-Doherty, 31 Arlington Street, stated that she is wary of what will happen to this property as well as the process in which there is a delay in exposure to the construction plans. She is not sure that rezoning would be beneficial to the neighborhood.

Ms. Dianne Yebba, 3 Belmont Street, stated that she is concerned with the potential impacts to quality of life due to increased traffic and negative impacts on neighbors. The developer is able to provide access to and develop his lot without extending any roadways or building out paper streets.

Mr. Nick Deary, 1 Medford Street, stated that he is not in favor of the zoning change due to the existing conditions of the narrow roadways (Medford Street, in particular) and the steep grade on Garfield Avenue.

Ms. Renita Busconi, 5 Stoneham Street, stated that she is concerned about the rezoning because she is unsure of the developer's intention for the lot relative to the number of proposed units and whether the parcel will be sold to another party. She also does not believe the roadway infrastructure in the neighborhood is sufficient for a large development. Further, she does not think that her neighbors are entirely opposed to an R-2 rezoning but mostly with the number of units that will be eventually be proposed and the use of paper streets.

Cassidy stated that it is a reasonable request to ask the developer about his intention for development during the rezoning process if there are conceptual plans available.

Ms. Claire Murphy, 124 Garfield Avenue, stated that her primary concern is accommodation of school bus traffic on Garfield Avenue and water quality, but she does think the developer is entitled to build out his property.

Tarby approached the Board to respond to some of the public testimony and stated that the previous process was in fact transparent based on a scheduled neighborhood meeting that was largely unattended and that during testimony on a prior rezoning petition for this parcel it was demonstrated that, despite opposition being conveyed this evening, several abutters were in support of a rezoning to R-2.

Tarby further stated that conceptual subdivision plan has been drafted and opted to share it with the audience this evening via PowerPoint. A layout plan with 3 two-family homes and 4 single-family homes, with frontages on two newly-constructed rights-of-way with cul-de-sacs, was depicted.

Doherty asked about why the secondary entrance to the subdivision is coming via Medford Street, as opposed to Garfield Avenue. Tarby was unable to answer.

Callahan expressed concern about the lack of grading information reflected on the plan. In his opinion there does not appear to be enough information before the Board to be comfortable with this Petition.

Bolgen asked Tarby to elaborate on the rationale for seeking the rezoning from a public policy perspective. Tarby responded that the public benefit for eliminating an industrially-zoned property is to remove current truck traffic and the possibility of an additional commercial business. He noted that the current proposed zoning district is consistent with the neighboring properties.

Bolgen further stated that it seems that the policy justification seems to be that the applicant is advocating for the removal of industrial property in favor of a larger-sized residential community. Tarby agreed with this understanding.

Edmonds asked what is currently permitted in the I-G zoning district. Tarby responded by reciting the permitted uses per the Woburn Zoning Ordinances for this district (WZO), although this does not speak to lot size limitations.

Ms. Busconi stated that if the property were to remain in the I-G zoning district, the conceptual roadway layout would not be feasible.

Ventresca asked Cassidy for clarification regarding the buffer requirement (Section 5.7.3) relative to R-2 zoned land (with the burden of the buffer requirement falling to the owner of the re-zoned property). Cassidy confirmed that the buffer requirement would indeed apply to the property rezoned from I-G to R-2 in this case, but notes that the buffer may be waived or varied by City Council special permit.

Ventresca further stated that it would be helpful for the plan to indicate the distance between the existing tennis court property and the property to be rezoned. In addition, adjacent roadways should form an intersection, where applicable, with the newly-constructed rights-of-way. A “u-shape” coming off of Garfield may be preferable as a subdivision roadway configuration

Turner asked about the maximum amount of construction that could be accommodated on the combined site. Tarby responded that it would all depend on the chosen lot sizes.

Cassidy asked the Board if they would need further information to make a decision, such as roadway widths, or would they feel comfortable issuing a recommendation on this matter.

Callahan stated that he would need further information about surrounding roadway widths to take into consideration.

Bolgen stated that her perspective is that the Board’s decision should primarily focus on the zoning implications and not necessarily the homes that could be constructed, as that is not necessarily certain or binding at this point.

Edmonds asked Cassidy for her recommendation on this matter. Cassidy stated that, based on her research of the surrounding neighborhood being largely consistent an R-2, single-family zoning designation, she would recommend that the Board consider issuing a recommendation to the City Council to adopt the proposed zoning map amendment.

Bolgen stated that she would like the Board to consider a third option, which may be similar to the creation of an overlay district that is sensitive to the unique existing conditions in this part of the city. This may be useful, as the Board is limited in its authority to require modifications to a definitive subdivision plan based on community feedback that is “safe and palatable.” If this is feasible, the Board should consider

recommending that the Council explore such an option, as opposed to simply recommending adoption or denial of an R-2 zoning designation.

Cassidy asked whether Tarby would be willing to continue the public hearing on this matter to allow for an opportunity to meet with the abutting neighbors of this parcel to come up with a more collaborative solution for development.

Bolgen stated that, instead of requesting a community meeting, it may be more appropriate for the Board to issue a recommendation to the Council that neither recommends adoption or denial of the zoning Petition but conveys the Board's limitations with respect to subdivision review (should the zoning change be adopted) and that a more thoughtful solution may come out of the Council's special permit granting authority to ensure greater adherence to aspects such as roadway layout and public safety. Cassidy responded that she is supportive of this approach and it presents a useful option to the Council.

Bolgen moved to close the public hearing on this matter;
Seconded by Doherty;
Motion carried, 6-0-0, with Donovan recusing.

Bolgen moved to send a recommendation that recommends neither adoption, nor denial, or of the proposed zoning change and instead suggest the Council consider an option for an overlay district;
Seconded by Doherty;

Edmonds stated, for discussion, that he appreciates member Bolgen's thoughtful approach to suggesting a different type of recommendation to the Council.

Motion carried, 6-0-0, with Donovan recusing.

Donovan rejoined the meeting.

APPROVAL OF PRIOR MEETING MINUTES: April 10, 2018 and April 24, 2018 meetings

Callahan moved to approve the April 10, 2018 meeting minutes, as submitted;
Seconded by Ventresca;
Motion carried, 5-0-0, with Edmonds and Doherty abstaining due to meeting absences.

Bolgen moved to approve the April 24, 2018 meeting minutes, as submitted;
Seconded by Callahan;
Motion carried, 6-0-0, with Donovan abstaining due to meeting absence.

PLANNING BOARD DIRECTOR UPDATE

Cassidy provided updates on upcoming/scheduled public hearings for the Board's May 22nd meeting. As to the workshop portion of the meeting, she intends to request Chief Adgate of the Fire Department to attend to provide insights on potential modifications to the Subdivision Rules & Regulations.

Cassidy further provided an overview of the upcoming public hearings on zoning petitions and subdivisions for the Board's June 12th meeting.

ADJOURNMENT

Bolgen moved to adjourn the meeting at 9:44 pm;

Seconded by Doherty;
Motion carried, 7-0-0.

Table of Documents Used at Meeting

Planning Board Staff Report
22 James Terrace & 93 Green Street ANR Filing: Copy of ANR Plan
88-92 Pearl Street (Alan R. Gerrish Drive) Definitive Subdivision Application: 1) nearby resident email from Ms. Kerstin Lochrie, dated 4/10/18; 2) Three (3) handouts submitted on behalf of the Petitioner during this meeting: a) a site distance document with revised measurements as of May 2 nd ; b) a document of proposed changes to the area (installation of 25 mph sights and the removal of a neighbor’s rhododendron bush); and c) an email from the Traffic Division supervisor with the Woburn Police Department indicating that there has only been one recorded traffic accident in the vicinity of Pearl and Ward Streets between January 2016 and May 2018.
12 Buckman Court: Revised list of waivers
Proposed Zoning Map Amendment (Garfield Avenue): 1) Rezoning Petition; 2) Letter of Clarification from Attorney Tarby (dated April 19, 2018); 3) PowerPoint presentation document (existing and conceptual site plans)
Draft Meeting Minutes: April 10, 2018 and April 24, 2018 meetings

Respectfully submitted,

Dan Orr,
City Planner/Grant Writer