

Approved Meeting Minutes
July 10, 2018 Planning Board Meeting
7:00 P.M. | City Council Chambers, Woburn City Hall

MEETING CALLED TO ORDER at 7:00 p.m.

Chair Dave Edmonds asked all to silence their cell phones and noted the meeting was being recorded. He asked for a roll call vote of members present.

ROLL CALL OF MEMBERS

Mr. Kevin Donovan, Mr. Bob Doherty, Ms. Claudia Bolgen, Ms. Carolyn Turner, Mr. Jim Callahan and Chair Dave Edmonds were present. Mr. Michael Ventresca was absent. Also present were City Planner/Grant Writer Dan Orr and Planner Karen Smith.

Edmonds asked if there were any ANR plans to consider this evening and Orr stated there were not.

Motion by Bolgen to take the Public Hearing noted on the Agenda as Item 3D regarding the Zoning Text Amendment to require certain streets and ways to be named after a military veteran out of order, per the request of Alderman Richard Gately;
Seconded by Doherty;
Motion carried 6-0-0.

PUBLIC HEARING ON ZONING TEXT AMENDMENT to add a new paragraph 13 to Section 11.6 of the Woburn Zoning Ordinance (entitled Special Permits and Variances, Additional Conditions for Special Permits for Specific Uses and Conditions) which amendment would require certain streets and ways to be named after veterans of wars and conflicts who died in action and who have a Woburn affiliation.

Ward 2 Alderman Richard Gately, 1 Abbott Court, Woburn, Mass. stated he would like the Board's approval of his petition to amend the Woburn Zoning Ordinances by adding a new paragraph 13 to Section 11.6, Special Permits and Variances, Additional Conditions for Special Permits for Specific Uses and Conditions, as follows: *13. Townhouses or Garden Apartment: Detached dwellings in a cluster development (5.1.3a); Townhouse or Garden Apartment: Congregate Elderly Housing (5.1.3b); Townhouse or Garden Apartment: Townhouse Development (5.1.3c); Townhouse or Garden Apartment: Garden Apartment (5.1.3d); and Elevator Apartment (5.1.4). All streets, ways or access roads within the interior of any development that are shown on an approved Plan of Record and which provide access to dwelling units, shall be named after a man or woman killed in action in Revolutionary War, Civil War, World War I, World War II, the Korean War, the Vietnam War or any other armed conflict involving the United States military forces and said person shall have a connection to Woburn. A list of those who were killed in action in war shall be assembled by the Veteran's Agent and filed with the City Clerk. The city council may change the name of any street or way at any time, and the superintendent of public works shall place and maintain suitable street signs on each street heretofore and hereafter named by the city council.*

Gately continued that veterans killed in action deserve respect and feels his amendment would identify them.

City Veterans' Services Officer Larry Guiseppa, 2 Minchin Drive, further stated that any and all streets, ways, roads, etc., regardless of being public or private from this point on shall be named for a veteran killed in action. He noted the intent of the ordinance is to draw from the names on the list of 294 killed in action (KIA) veterans that is on file in the City Clerk's Office which shall be used from this point forward.

Edmonds opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so.

PUBLIC HEARING

No members of the audience stepped forward.

Bolgen motioned to close the public hearing;
Seconded by Doherty;
Motion carried 6-0-0.

Edmonds asked the Orr for a recommendation. Orr responded that staff recommendation is to recommend City Council adoption of the proposed zoning amendment.

Motion from Bob to accept Orr's recommendation;
Seconded by Bolgen;
Motion carried 6-0-0.

PUBLIC HEARING (CONTINUED): 88-92 PEARL STREET DEFINITIVE SUBDIVISION (ALAN R. GERRISH DRIVE, FORMERLY KNOWN AS DOUGLAS CIRCLE)

Edmonds recused himself from the discussion. Donovan assumed the role of Chair.

Attorney Joseph Tarby of MurthaCullina, 600 Unicorn Park Drive, presented on behalf of the applicant and provided a brief update of the status of the continued public hearing for the two-lot subdivision. He noted upon recommendation from the Board at the June 26, 2018 Planning Board meeting, the Planning Director successfully coordinated a meeting with representatives from the Engineering and Public Works Departments, the Conservation Commission, and the project's attorney and architect on Thursday, June 21, 2018. The purpose of the meeting was to explore whether it would be possible and advisable to have the applicant clean out the portion of the brook that runs through the back of the 88-92 Pearl Street property. The applicants indicated a willingness to participate/perform additional cleanout of the water course itself, but authorization from the Conservation Commission would be needed for work of this type. As a result of the meeting, the group agreed that the applicant can and will perform additional clearing of obstructions within the brook itself as long as certain Conservation Commission-related concerns/conditions are met. They also agreed to additional cleaning along the brook's bank on other, privately-owned properties nearby if those owners will grant permission to allow them to do the work as the applicant will use good faith efforts to access the abutters' property to perform the clean-up.

Donovan opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so.

PUBLIC HEARING

No members of the audience stepped forward.

Motion to close the public hearing made by Callahan;
Seconded by Doherty;
Motion carried 5-0-1 (Edmonds abstaining).

Orr stated the Staff's recommendation is to approve the definitive subdivision plan with the conditions and waivers as included in the draft approval letter that was provided to the Board and it incorporates the conditions regarding the stream cleanup that were agreed upon between Staff, Conservation Commission and the developer.

Motion to accept Staff's recommendation made by Doherty;
Seconded, for discussion made by Bolgen as she asked for clarification as to the details of the actions that applicant will take to clean up the area and what the city is hoping to accomplish with this approval.

Orr summarized the work to be performed by the applicant includes removal of debris dumped in and on the edges of the drainage channel by the abutting properties and all work will be hand labor. They also agreed to additional cleaning along the brook's bank on other, privately-owned properties nearby if those owners will grant permission to allow them to do the work.

Bolgen asked as to whether it is the applicant that will do the clean up on their own property and if the Conservation Commission has given permission for them to do so.

Orr stated the Conservation Commission did approve the cleanup based on the conditions discussed at the June 21, 2018 city hall meeting. He further noted that Planning staff asked the applicant to consider granting the City an access easement so that the City can actually access the brook in the future to perform the cleanout/maintenance work proposed in the 2012 Plan, whenever it has the resources. Without an access easement, the City would need to obtain rights of entry from all private property owners in order to physically reach the brook to clean it. It will be easier to obtain an easement from the owner (singular) now, during subdivision approval, versus attempting to obtain rights of entry from the 5-6 owners of the new duplexes in the future. The owner is willing to grant such an easement to the City and Planning staff would work with Attorney Tarby to finalize the language.

Bolgen clarified that "The applicant shall grant to the City of Woburn two easements: An easement for future stream cleaning/maintenance and an easement that provides physical access to the brook and stream cleaning/maintenance easement as shown on Figure One," which pre-supposes that there is going to be city involvement in addition to what the applicant is doing on their property.

Bolgen noted that the Board will have recourse through the applicant if they fail to clean the area and questioned what actions the Board can take through this approval to be sure the city monitors the status of the area.

Orr stated it may be beneficial if the Board required a follow-up report from the applicant if that seems appropriate to ensure responsive action to demonstrate that the applicant has completed the work.

Callahan suggested language be added that there is an annual maintenance review through the Homeowner's Association (HOA) and also insure the city is doing its due diligence. The HOA Agreement will have a certain component (language) to use as leverage for the city to do their part also. Callahan also added that the Conservation Commission accept the work that is performed before issuing building permits or occupancy permits.

Bolgen stated it seems the Board would have the ability during the building out of the subdivision and before the acceptance of the As-Built plans, to ask the developer for progress reports relative to this specific issue (clean-up); however, in regard to the HOA including language asking for progress reports after the subdivision is closed, she could not recall that type of in perpetuity condition.

Doherty asked Bolgen if she was thinking of a condition to attach to the approval.

Bolgen stated there was a suggestion that perhaps we could add language to the approval that includes the applicant providing a status report on or before the first anniversary of the approval date setting forth the progress of the stream clean up that is discussed in Item #6 of our Draft Approval Letter.

Motion made by Bolgen to amend the prior motion which approved the subdivision on the basis of Draft Decision Letter, with the added condition requiring that the developer report on drainage area clean-up progress within one (1) year of definitive subdivision approval.

Seconded by Doherty;

Motion carried, 5-0-1 (Edmonds abstaining).

Donovan asked Orr to read the motion.

Orr stated the Board made a motion to approve the Definitive Subdivision Plan for 88-92 Pearl Street with the amended condition for the developer to provide a one-year status report as to the progress on the stream cleanup and drainage area and that would be the only modification to the conditions set forth in the Draft Approval Letter. The conditions are as follows:

1. Construction must conform to the Plan of Record (cite all current/updated plan sheets);
2. This roadway is intended to remain a private way. Therefore, prior to endorsement of the plan, the developer must prepare and record acceptable homeowners association and related documents making the homeowners responsible for roadway, utility and drainage/infiltration systems maintenance and repairs on all aspects of the systems, including submission of an acceptable Operation and Maintenance Plan meeting the requirements of the City's Engineering Department relative to drainage/infiltration system, with the Plan to include annual maintenance and annual inspections/documentation by the homeowners' association;
3. Prior to endorsement of the plan, the developer must prepare and submit to the Planning Board acceptable easement documents for the proposed drainage and utility easements for recordation at the Registry of Deeds;
4. All utilities must be underground;
5. Any proposed change in the plans approved by this decision shall require the applicant to notify the Planning Board. Any change contemplated or required in the approved plans shall

be submitted to the Planning Board for review and approval prior to implementation. If the Board deems that the proposed change is major or substantial, a new public hearing may be required;

6. The applicant will perform additional stream clearing within the watercourse to the extent permitted by a Memorandum of Understanding (MOU) between itself, the Planning Board and Conservation Commission. The additional stream cleaning will involve the removal of trash, leaves, grass clippings, tree limbs and other dumped debris from the portion of the brook within the limits of the property at 88-92 Pearl Street. The MOU shall require that the work be performed by hand (using no mechanized equipment in the process). The applicant shall make its best, good faith efforts to obtain the permission of abutting property owners to access their property to facilitate and maximize the effectiveness and scope of the work. If the applicant is unable to obtain such permission from the abutters, the MOU shall specify the path of travel it will use to access the brook and perform the work;
7. The applicant must provide a status report the Board relative to progress made on stream cleaning/debris removal activities (as described in Condition #6). The status report must be provided either within one (1) year of the date of approval, or prior to the submission of As-Built plans (whichever shall first occur). The status report shall include picture documentation to accompany the description of work completed;
8. The applicant shall grant to the City of Woburn two easements: An easement for future stream cleaning/maintenance and an easement that provides physical access to the brook and stream cleaning/maintenance easement as shown on Figure 1 dated 06.25.2018 and attached hereto;
9. Construction of all aspects of this subdivision shall be completed within two (2) years of the date of approval of the definitive subdivision plan (by July 10, 2020);
10. Dust control measures must be employed on site at all times to ensure no undue impact on nearby residents. A proposed dust control plan must be submitted to the Planning Department and Board of Health prior to any site disturbance or construction; and
11. The developer must submit, prior to commencement of site work and/or building demolition, proof that the services of a rodent abatement firm have been secured.

Donovan re-stated the original motion by Doherty which had been seconded by Bolgen;
Motion carried, 5-0-1 (Edmonds abstaining).

PUBLIC HEARING: WOBURN MALL (300 MISHAWUM ROAD) DEFINITIVE SUBDIVISION

Edmonds rejoined the meeting as Chair.

Attorney Mark Vaughn, Riemer & Braunstein, 700 District Avenue, 11th Floor, Burlington, MA, provided brief background information about Edens, a retail shopping center developer that develops, owns and manages shopping and mixed-use centers. Edens is very excited to invest in the Woburn Mall and feels the area offers great potential to be transformed into something that is more appealing than what is there today. Attorney Vaughan noted they are in ongoing discussions with the City regarding Smart Growth initiatives and the city is working with Metropolitan Area Planning Council (MAPC) to assess this area regarding the future and what type of development will be most

beneficial to the city. Attorney Vaughan stated Edens does not have any formal development plans that have been submitted as of this time but looks forward to continuing dialogue with the city as Edens recognizes this property is as important to the city as it is to Edens in terms of making it a first-class destination.

Attorney Vaughan reminded the Board that the Petitioner presented a Preliminary Subdivision Plan in November 2017 to afford themselves protection against then-pending zoning amendments. This Definitive Plan is the next step in the process and it includes some adjustments made to accommodate some departmental comments during the Preliminary plan application. The Definitive Plan depicts the roadway in the same exact location as is the existing driveway off Mishawum Road and they will not be creating a new curb cut and added that it is a four-lot layout. He continued to state he received comments from the Building Inspector regarding the setbacks as the Inspector pointed out discrepancies regarding rear and side setbacks depicted on the corner lots and the plans have been modified and resubmitted to reflect the correct building envelope setbacks. The purpose of this plan is to lock in the existing zoning that is on the property and which is located in the B-I District and when purchasing the property, they did so with the understanding of what the existing zoning allowed. Vaughan reiterated this subdivision allows Edens to keep that zoning framework in place if needed. They do not intend to build out the subdivision, as they intend to continue to work with the city as part of the Smart Growth zoning dialogue that is ongoing and look forward to transforming this site.

Bolgen stated Engineering's departmental comments note the "water main connection in Mishawum Road is shown as a tapping sleeve and these are not allowed; the connection shall be a cut in tee" and asked Attorney Vaughan to address the water and sewer issue of this subdivision that they don't intend to build.

Civil Engineer Stephen Martorano, of Bohler Engineering, stated they are fine with the Engineering department's request to changing that to the cut-in tee and working with the Superintendent to see if there are additional inline improvements to complete.

Orr stated he will add language in the approval letter to ensure that the developer does as requested regarding the water connection and additional capacity.

Bolgen stated she finds it interesting that the developer has asked for waivers for a subdivision they do not intend to build. Martorano responded they are requesting the waiver on the current driveway as the city engineer does not have any issues as to how it is operating today. The developer does not feel the need to widen it to 44' as the proposed plan provides additional green space to either side of the roadway which he stated is a better use and reiterated they are requesting the waivers to keep the driveway consistent with what it is today.

Bolgen repeated, to be sure her understanding was clear, that the only reason the developer was requesting the waiver for the subdivision they do not intend to build was that they feel design-wise it makes sense to match what is on the ground today, and that it was not necessarily for any type of benefit to the subdivision. Martorano confirmed Bolgen's understanding was correct.

Edmonds opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so.

PUBLIC HEARING

No members of the audience stepped forward.

Motion to close the public hearing made by Bolgen;
Seconded by Turner;
Motion carried 6-0-0.

Doherty asked for clarification as to the Preliminary Plan and freezing the zoning relative to the purpose of the Definitive Plan that is now before the Board and questioned if the zoning would remain frozen if the Board votes against the Definitive plan. Orr responded that the applicant is required to file the Definitive Plan within a certain time period after they filed the Preliminary Plan.

Attorney Vaughan inquired as to whether or not the Board would like to vote separately on the waivers. He stressed the fact that there is nothing being proposed in terms of development at this time and even if the subdivision were ultimately to be built or pursued, any proposal for any new building to be located on the property would need to obtain a special permit. The road will be kept in the same exact location as it is today.

Callahan discussed the four waiver requests noting that residential developments often ask for the same type of requests regarding sidewalk width, turnaround, pavement width, etc. The developer is requesting these waivers even before he has designed the plan for one the largest tracts of land in the city and is grappling with the reasoning for waiving requirements before the idea is even designed. He understands the zoning freeze but feels it is important for the Board to keep their options open regarding the waivers.

Bolgen added that Attorney Vaughan stated the applicant is most interested in an endorsement of the plan while the waivers are not his top priority and suggested the Board vote on the waivers individually.

Bolgen also stated, with regard to the water connection detail issue and to ensure the water and sewerage capacity is adequate to service its planned development, if a motion is made to approve the subdivision, Staff will include language in the approval letter that would require the applicant to meet the water and sewer specifications of the city engineer. Orr replied the letter will include that language.

The Board then discussed the four requested waivers on the subdivision they do not intend to build.

Motion by Bolgen to GRANT a waiver regarding the reduction of the minimum roadway pavement width from 44' to 31' as the point of the waiver is to match what is on the ground today;
Seconded by Doherty;
Motion carried 5-1-0, with Callahan against.

Motion by Bolgen to DENY the waiver requesting a reduction of the sidewalk width from 6' to 4' stating sidewalk width is important within mixed-use developments;
Seconded by Doherty;
Motion carried 6-0-0.

Motion by Bolgen to GRANT a waiver of the requirement for a turnaround, stating the Fire Department has no negative feedback regarding the waiver request;

Seconded by Doherty;
Motion carried 6-0-0.

Motion by Bolgen to approve the Definitive Subdivision as submitted by the applicant only allowing the two aforementioned waivers, subject to the following conditions:

1. Construction must conform to the approved subdivision plan cited above;
2. The roadway is designed and intended to become a public way;
3. That the applicant must submit a revised subdivision plan within fourteen (14) days of Board approval to the Planning Board, Engineering Department, and Department of Public Works reflecting a replacement of the water connection detail currently proposed (a tapping sleeve) with a cut-in tee;
4. That the applicant must contact the Department of Public Works Superintendent and City Engineer prior to the submission of any Special Permit applications for this property to ensure that water and sewerage capacity is adequate to service its planned redevelopment;
5. Prior to commencement of any activities related to construction of the way and utilities shown on the approved subdivision plan referenced above, the developer must prepare and submit to the Planning Board easement documentation for the proposed 30' access & utility easement and 20' utility easement acceptable for recordation at the Registry of Deeds;
6. All new utilities associated with the subdivision way must be underground;
7. Any proposed change in the plans approved by this decision shall require the applicant to notify the Planning Board. Any change contemplated or required to the approved plans shall be submitted to the Planning Board for review and approval prior to implementation. If the Board deems that the proposed change is major or substantial, a new public hearing may be required;
8. Construction of all aspects of this subdivision shall be completed within two (2) years of the date of approval of the definitive subdivision plan (by July 10, 2020);
9. Dust control measures must be employed on site at all times to ensure no undue impact on nearby residents; a proposed dust control plan must be submitted to the Planning Board for review and approval and made a part of the project file; and
10. The developer must submit, prior to commencement of site work and/or building demolition, proof that the services of a rodent abatement firm have been secured.

Seconded by Doherty;
Motion carried 6-0-0.

PUBLIC HEARING: ZONING MAP AMENDMENT TO REZONE THE FOLLOWING LOTS ON NORTH MAPLE, MONKS & HINCKLEY STREETS & WARREN, MISHAWUM AND DEXTER AVENUES FROM R-2 and/or O-P ZONING DISTRICTS TO R-3: City of Woburn Assessors Map 9, Block 9, Lots 1 and 2; Map 9, Block 14, Lots 1 and 3; Map 9, Block 10, Lot 1; and Map 9, Block 15, Lots 1, 2 and 3 AS WELL AS PORTIONS OF SEVERAL STREET LAYOUTS

Attorney Tarby, Murtha Cullina 600 Unicorn Park Drive, representing Scott Seaver of Seaver Development, LLC, Woburn, MA asked the Board if he may submit two plans, one showing the proposed rezoning area, and the second one showing a conceptual site layout plan for the proposed project in the event that the zoning is allowed.

Motion to accept the plans from Attorney Tarby made by Bolgen;
Seconded by Doherty;
Motion carried 6-0-0.

Attorney Tarby stated his client has filed a petition seeking a zoning map amendment to include the entire parcel of land known as North Maple and Monks, Monks & Hinckley Streets & Warren, Mishawum and Dexter Avenues to the center lines of North Maple, Monks, Mishawum and Dexter containing approximately 5.998 acres of land currently zoned as R-2 and/or O-P to be included within the R3 zoning district. Seaver Properties has filed this petition to change the zoning designation on these eight lots and portions of several rights of way to facilitate a townhouse development similar to similar to the condo project he built on an abutting parcel on East Dexter Avenue. Attorney Tarby stated rezoning the property to R-3 will eliminate business uses here in the future and then listed types of uses allowed under the O-P zoning.

Edmonds opened this matter for a public hearing and asked any members of the audience who would like to step forward to address the Board to please do so.

PUBLIC HEARING

No members of the audience stepped forward.

Bolgen asked the petitioner to provide some details related to the project regarding the zoning and the units, etc.

Scott Seaver, Seaver Properties LLC, stated the project is similar to, but smaller than, his abutting Baldwin Ave townhouse project that also was rezoned from R-2 and/or O-P to R-3. Seaver added the current proposal will be 16 townhouses and 24 stacked flats (2 units on one footprint) resulting in the units being smaller, more condensed and less expensive.

Callahan asked as to if there are any other flats located in the city. Seaver responded noting there are flats included in the 855 Main St. / St. Anthony development in the back with townhouses on the end of the units.

Motion to close the public hearing made by Bolgen;
Seconded by Callahan;
Motion carried 5-1-0, with Callahan opposed.

Orr recommended the Board approve the zoning amendment noting that it would be consistent with the general area of Baldwin Avenue as long as the developer is committed to doing the same fashion of development that has been proposed in the past. As such, staff recommend that the Board issue a recommendation to adopt the proposed zoning map amendment to the City Council.

Motion by Doherty to accept the Acting Planning Director's recommendation;
Seconded by Bolgen;

Motion carried 5-1-0, with Callahan opposed.

TUFTS ROAD SUBDIVISION (89 WYMAN STREET) and WATSON LANE SUBDIVISION (30 WYMAN STREET)

Orr stated that with respect to Tufts Road, the developer has requested an extension of the subdivision completion date from June 1, 2018 to December 31, 2018 and has also requested a reduction of their current bond amount of \$54,507.70 to \$28,006.35 for work that has been completed; however, based on the findings by the city's Engineering Department, staff recommends reducing the bond to \$17,158.00.

George Gately, representing 89 Wyman LLC, stated the majority of the work has been completed noting that light poles will be a 10-12 week wait and then topping the road will follow with the As-Built Plan the last item to finalize the subdivision.

Bolgen asked for an explanation from the developer for the delay. Gately responded he was working on both Tufts Road and Watson Lane simultaneously and the only remaining items on Tufts Road are the small details and will be finished by year end. Gately continued that Watson Lane consists of 32 houses and a 2000-foot roadway that also needs the light poles set, topping of the roadway, raising the manhole structures and catch basins and completing the As-Built.

Motion made by Bolgen to grant extensions of the completion dates for both the Tufts Road and Watson Lane subdivisions to December 31, 2018 on the basis the developer has in good faith built out the majority of the subdivisions and just needs to finish the details;

Seconded by Doherty;

Motion carried 6-0-0.

Motion by Bolgen to reduce the Tufts Road subdivision bond from \$54,507.70 to \$17,158.00;

Seconded by Doherty;

Motion carried 6-0-0.

Orr stated the developer, George Gately, representing Melanson Gately LLC, has also asked for a reduction of the bond posted for the Watson Lane (30 Wyman Street) subdivision from \$423,364.45 to \$193,191.95. However, based on the findings by the City's Engineering department, Staff recommends reducing the bond to \$130,490.00.

Motion by Bolgen to reduce the Watson Lane subdivision performance bond from \$423,364.45 to \$130,490.00;

Seconded by Doherty;

Motion carried 6-0-0.

SHANNON FARM SUBDIVISION (FERULLO DRIVE)

Turner recused herself from this discussion in addition to the following discussion regarding Dragon Court (Garvey Road).

Attorney Tarby, representing Shannon Farm Estates LLC on behalf of Robert Murray, stated they are requesting the Planning Board release Lot 34 from the language of the Covenant so that they may be built upon and sold. Attorney Tarby explained the reason for this is that the lot takes its legal frontage and access from Lexington Street which is an existing Mass DOT roadway for which the developer

has received State access and utility permits. Tarby noted they will put easements in effect to Lot 33 before requesting it also be released from the Covenant.

Orr stated Staff recommends that the Board release Lot 34 from the language of the restrictive covenant posted as surety to guarantee completion of the Shannon Farms, as Lot 34 has sufficient frontage on the existing roadway Lexington Street.

Motion to accept Planning staff's recommendation made by Doherty;
Seconded by Callahan;
Motion carried 5-0-0, with Turner recusing.

DRAGON COURT SUBDIVISION (GARVEY ROAD)

Attorney Tarby, representing Mr. Robert Murray, developer of the Dragon Court Subdivision, stated they are appearing before the Board at the Board's request regarding a neighbor's complaint that a subcontractor was working at the site after 1:00 pm on Saturday, June 23, 2018. The project supervisor, Mr. Nuzzo, reported that the worker was a hardwood floor finisher working inside the house, and when contacted at approximately 1:30pm, he packed up and left the property between 1:30pm and 2:00pm. There was no exterior construction, and the work was performed only inside the dwelling.

Edmonds inquired if there was a dust issue during the same time period.

Orr stated dust was part of the complaint and that pictures were submitted as documentation.

Murray stated they were not working outside at that particular time and there were not any dust control issues, although the hardwood finisher did dump his sawdust as he emptied his bag out. He noted the worker was trying to finish sealing the floor also stated he believes his contractor finished up and was out of the subdivision by 1:30.

Bolgen asked Mr. Murray the status of the subdivision and whether or not he would be meeting the completion date of September 1, 2018. Murray stated the subdivision will not be finished by that specific date and added it is common to lose one full year before you can start work while applying for permits (Edison, Gas, etc.). Mr. Murray responded that his intention is to have the road topped and curbing in prior to winter and then he will set stone bounds and complete the As-Built plans. He added that all the major construction will be done by the end of this construction season.

Bolgen stated it is clear that this subdivision is being closely watched by the abutters and is causing substantial distress during the building process. She is hopeful that he can do everything in his power to expedite the construction process and close the subdivision out.

Edmonds asked if the developer would be asking for an extension of the September 1, 2018 completion date and noted if so, he would like it before that specific date.

Murray noted he will be filing for possibly a one-year extension as he will finish construction, weather permitting, late fall and the as-built plans, street acceptance plan and closing documents will be prepared during the winter.

Edmonds reminded the developer that abutters will have complaints if people are on site working after hours.

Murray noted they have not had any violations in the past six months and the contractor was working inside the house.

Edmonds asked if the Board differentiated between inside work and outside work. Orr responded not to his knowledge.

Edmonds noted the importance of insuring the abutters rights that need to be protected; the need to respect abutters and the fact that their rights need to be secure.

Orr stated that no specific action is required on this matter.

APPROVAL OF MINUTES FROM JUNE 26, 2018 PLANNING BOARD MEETING

Edmonds asked if members had read the minutes and were prepared to make a motion.

Motion to approve the June 26, 2018 minutes made by Callahan;
Seconded by Donovan;

Turner rejoined the meeting and reviewed the minutes.

Bolgen questioned the draft minutes regarding a comment made by Chief Adgate in reference to 24' of pavement width being desirable in a residential area and asked Orr to amend the draft noting that Chief Adgate did feel that 24' pavement width was preferable.

Edmonds reiterated that the Board had a motion by Callahan;
Seconded by Donovan to approve the June 26, 2018 minutes, as amended;
Motion carried 5-0-1, with Doherty abstaining due to absence at the meeting.

ACTING PLANNING DIRECTOR UPDATE

The Board discussed and agreed to hold an additional Planning Board meeting for the purposes of conducting a Public Hearing regarding the Commerce Way Corridor Overlay District maximum residential density zoning amendment. The meeting will be held on July 31, 2018, at 7:00 pm in the Council Chambers. Edmonds noted he will not be able to attend the meeting.

ADJOURNMENT

Motion by Bolgen to adjourn the meeting at 8:22 pm;
Second by Doherty;
Motion carried 6-0-0.

Table of Documents Used and/or Referenced at Meeting

88-92 Pearl Street: Draft Decision Letter; Figure 1 ASB Design Group Drainage Channel Clean Up Plan;
Woburn Mall (300 Mishawum Rd) Definitive Subdivision: Form C Application; ES-1 Certificates; Bohler Engineering Infrastructure Summary Letter; Hydrant Flow Test Report; Request for Comment Letters and responses; Draft Decision Letter;
Zoning Text Amendment/Seaver Properties: Petition to Amend Zoning Map Application; Exhibit A List of Assessor Map References; Proposed Zoning Plan; Copies of Proposed Plan and Conceptual Layout Plan; City Solicitor Opinion regarding More than One Building on a Lot;
Public Hearing/ Street Names Zoning Amendment: Copy of Order
Tufts Road Subdivision: Letter to DPW and Engineering for comments; Letter of Request from Developer along with Detail Itemization and Timeline; Gately email; Bond reduction comment letter from Engineering
Watson Lane Subdivision: Letter of Request from Developer and Detail Itemization; Letter to DPW and Engineering for comments; Gately email; Bond reduction comment letter from Engineering
Murray Shannon Farm/Ferullo Drive: Developer's letter requesting lot release; Copy of recorded Covenant; Copy of signed Definitive Plan Existing Conditions; Copy of Release of Covenant Form;
Draft meeting minutes from June 26, 2018

Respectfully submitted,

Karen Smith,
Planner