

**APPROVED**  
**Meeting Minutes**  
**June 12, 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, Mr. Jim Callahan and Chair Dave Edmonds were present; Ms. Carolyn Turner was absent. Also present were Planning Director Tina Cassidy and City Planner/Grant Writer Dan Orr.

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

**PUBLIC HEARING: 88-92 PEARL STREET DEFINITIVE SUBDIVISION PLAN (PROPOSED: ALAN R. GERRISH DRIVE) (Cattle Crossing LLC)**

Edmonds and Ventresca recused themselves from this matter; Donovan assumed the role of Chair Pro-tem.

Attorney Joseph Tarby, Murtha Cullina, 600 Unicorn Park Drive, approached the Board on behalf of the Petitioner to provide a brief overview of the subdivision plan and the current status of plan revisions.

Tarby further provided an overview of the additional department comments received to date and of the materials that were recently submitted to the Board, including documentation of fire flow testing and revised line-of-sight calculations (with the removal of an abutting neighbor's planting), and revised plan sheet reflecting calculations demonstrating compliance with the City's Flood Plain-related zoning ordinance.

Mr. Nick Havan, traffic engineer with ASB Design Group, Reading, MA, approached the Board on behalf of the Petitioner to explain the sight distance calculations that he performed. A 25 mph speed limit was employed for both directions on Pearl Street for the purpose of the calculation. Information was provided relative to the context of the site distances and their compliance with the Subdivision Rules & Regulations.

Havan further provided an overview of the lotting plan for the site, which had to be revised based on the zoning requirement stipulating that no more than 20% of a lot's area can be contained within a flood plain.

Mr. Andy Bramhall, project engineer with Benchmark Survey, 41 Elm St., Suite 4A, Stoneham, MA, provided an overview of these modifications.

Callahan inquired about the significance in the reduction in the square footage of the lot. Cassidy responded that there is no material or tangible change to the plan as a result of the modifications, only slight shifts in lot lines. Each lot will still comply with the minimums required by the Zoning Ordinance.

Bolgen asked for clarification as to the discrepancies during the discussion of sight distances. Cassidy responded that the sight distance discrepancies arose from different methodologies of calculation, but the current "in the field" measures have resolved the issue, largely due to modifying the landscaping on an abutting property.

Bolgen asked for clarification as to potential recourse for the Board in terms of sight distance enforcement in the case of voluntary landscaping alterations. Cassidy responded that it is the case that there is no current enforcement tool for prohibiting alterations to landscaping on the abutting property.

Thad Berry, project engineer with ASB design group, Reading, MA, approached the Board to provide an update that it is highly unlikely for the vegetation to return, due to the fact that the planting appeared to no longer be alive/growing.

Bolgen asked Berry for additional clarification about the methodology for calculating sight distances. Berry responded with examples as to how measurements from different stopping points will yield different results.

Callahan asked for clarification about the line-of-sight method of calculation regarding the public way, as well as the impact of the utility pole. Haven responded with another overview of the calculation method and Berry confirmed that there is no impact regarding the utility pole at the point of measurement.

Tarby stated that the applicant will be submitting an HOA document relative to the definitive subdivision.

Tarby further stated that, with the new 25 miles per hour speed limit placed in the vicinity of 88-92 Pearl Street, the applicant is now well over the 200-ft. threshold in sight distance during the daytime hours.

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. Francis O'Rourke, 39 Chandler Road, Burlington, stated that something needs to be done with the drainage in the area. In walking the area recently, he found that it was saturated with water.

Mr. Nick Catizone, 8 Bartlett Drive, stated that he is concerned about the drainage conditions and the City's general attention to this issue.

Mr. George Hughes, project developer, stated that he has met with the abutters and understands their drainage concerns, but the dumping issue in the area of the waterway is longstanding. He is willing to help facilitate meetings with the City to help alleviate the issue.

Hughes further offered a handout of pictures taken of dumping that has occurred on the property.

Motion to accept the Petitioner's handout, made by Callahan;  
Seconded by Bolgen;  
Motion carried, 4-0-0.

Bolgen responded that it is in the interest and purview of the Board to address the issue of drainage obstructions onsite, regardless of whether it was caused by the applicant.

Berry stated that the issue of drainage obstruction is present, and the subject property appears to be the source for some of the obstruction. However, even if the Board were to stipulate a condition of approval for the developer to clean-up the site it would still be subject to Conservation Commission approval because the area of debris is within a Wetland Resource Area.

Catizone stated that his understanding is that he and other abutters own approximately 15 feet of land beyond the fencing on their respective properties, an area where they are legally entitled to place debris. He is not certain as to exactly whose property the debris has been placed in this situation, since the very wet conditions have made it difficult to survey.

Bolgen stated that she is concerned that the extent of obstructed drainage has not been seriously raised until this evening, with no comment received from reviewing departments. She would appreciate any guidance from the Planning Director on how to address this concern at this point.

Cassidy stated that the Board is faced with a situation that could be addressed in a number of ways. The Board could request for an extension of time for consideration of the definitive subdivision application to allow for additional time to request a meeting with the Conservation Commission Administrator for greater clarity on the allowance of obstruction clearing work. Additionally, the Board could opt to incorporate this issue into a condition of approval that requires the Petitioner to seek Commission approval for obstruction/debris removal.

Berry stated for clarification that the Petitioner has been aware of this issue from the beginning and communicated that it was willing to clean-up/remove any debris that was on the subject property, depending upon the wishes of the Conservation Commission. However, the Petitioner can only be responsible for what is on their land, and that is only one portion of where dumping has occurred.

Berry further stated that, because of the way the current drainage system has been installed, each property that has been affected by dumping must undergo the same kind of clean-up/maintenance in order to bring relief to the aggrieved abutters.

Tarby asked if the Board would feel more comfortable making a decision if it met with the Conservation Commission. Bolgen responded that the Board must grapple with weighing the concerns of the abutters, who have legitimate concerns, and to respect the application of the Petitioner. Although the Petitioner's role in the drainage problems may be small, it is still a public issue that the Board cannot ignore and whose responsibility it is to address is still not entirely clear.

Cassidy stated that she believes the best approach at this point would be to engage the Commission and the Engineering and Public Works departments to obtain as much objective information on the status of the drainage conditions as possible and to discuss the most feasible mitigation measures.

Bolgen stated that she would not be necessarily inclined to simply issue a condition of approval on top of a final decision this evening; she would like to make the most of the abutters' efforts to raise this issue with the City generally and leave this area in the best condition possible. More specifically, it would be helpful to have hard numbers regarding mitigation efforts that identify the measures that need to be taken and how much it will cost.

Tarby stated for clarification that the plan reflects a sewer easement, which would be granted to the City in order to enable drainage mitigation work as necessary.

Tarby further stated that he and his client would be amenable to an in-person meeting with the aforementioned participants. Cassidy responded that she agrees with that suggestion and will work to schedule a meeting as soon as possible, but it will be subject to the applicant's agreeability to an extension of time for Board consideration.

Board discussion ensued regarding scheduling for an upcoming hearing and discussion of this matter based on member availability and the preferred course of action for considering the application. Callahan indicated that he would prefer the approach of holding all-stakeholder meeting to address concerns raised this evening prior to further Board action.

Tarby stated that placing this matter on the agenda for the next meeting would be ideal due to greater scheduling constraints in July.

Catizone stated that there was a report drafted on this area in recent years, and a cleanup notice was sent by the City regarding the rear of his property, but this work never actually occurred. He will attempt to find a record of this notice to submit to the office of the Planning Board.

Doherty stated that if the Board is going to continue this matter, it must mean that the developer is willing to conduct the mitigation work that comes out of an all-stakeholder meeting. Bolgen added that the other piece of holding off until a meeting takes place is that the Board can make a confident decision in the type of work that the developer must commit to doing.

Cassidy stated that she is willing to meet with the Conservation Commission Administrator to gather her perspective as to actionable steps that can be taken by the developer on this issue. Additional information can be gathered as to the status of City work on its plan to conduct multi-site maintenance work surrounding the waterway, including in the area of the subject property.

Cassidy further stated that she would endeavor to provide an outline of what transpired at the meeting to inform the Board's final decision on this subdivision application.

Cassidy stated that it would be best to continue the hearing on June 26<sup>th</sup>, with the understanding that the deadline for action must be extended until July 12<sup>th</sup> to accommodate future Board deliberations.

Board discussion ensued about the timeline for action and Tarby submitted an extension of time for Board action.

Motion to accept the applicant's extension of time for Board action on this matter to July 12, 2018 and to continue the public hearing until the June 26<sup>th</sup> meeting, at 7:00 pm, made by Bolgen;

Seconded by Callahan;

Motion carried, 4-0-0, with Ventresca and Edmonds recusing.

**CONCURRENT PUBLIC HEARINGS: ZONING MAP AND TEXT AMENDMENT: (A) CHANGE THE ZONING DISTRICT DESIGNATION FOR THREE PARCELS OF LAND KNOWN AS 0 HILL STREET (54-05-04); 0 HILL STREET (54-05-01); AND 1 WASHINGTON AVENUE (62-01-29), WOBURN, MASSACHUSETTS FROM I-G/B-I TO TECHNOLOGY AND BUSINESS MIXED USE OVERLAY DISTRICT (TBOD) AND (B) AMEND THE 1985 WOBURN ZONING ORDINANCES (WZO) BY ADDING HOSPITAL, EXTENDED CARE FACILITY TO THE LIST OF USES ALLOWED BY SPECIAL PERMIT WITH SITE PLAN REVIEW IN A TBOD (Montvale Land LLC)**

Ventresca and Edmonds returned to the meeting; Edmonds re-assumed the role of Chair.

Tarby provided an overview of the two separate zoning-related applications before the Board and the nature of the zoning map and text changes.

Tarby further provided an overview of the process related to the rezoning and the approvals being sought by the City Council. In addition to the approvals being sought currently, the concept plan, once in the form of a refined Master Plan, would be subject to City Council approval in the form of Special Permit application with site plan approval.

Mr. Bill Gause, Leggat McCall properties, 10 Post Office Square #13, Boston, MA, approached the Board to explain the concept plan for the site and the envisioned mix of uses via PowerPoint presentation.

Gause further reviewed the concept plan's placement of uses and envisioned interior road circulation.

Gause stated that considerations will be made for abutting property owners, particularly those living along Sunset Road in Winchester, including elements such as vegetative screening.

Gause further stated that the concept plan is in keeping with the development envisioned for the site based on conversations surrounding the creation of the TBOD overlay district several years ago.

Callahan asked about the accessibility of the retail component to residents. Gause responded that it is anticipated that the retail portion of the site will be accessible to all residents, with accommodations for pedestrians.

Callahan stated that there will need to be more consideration given to how the two halves of the site connect (i.e., residential component to the office/retail component).

Ventresca stated that he would like consideration to be given to accessibility to the adjacent "rail trail".

Ventresca further stated that he is concerned with the bottlenecks in the surrounding roads, such as Hill Street. Gause responded that it is anticipated that Hill Street will actually become five lanes wide to accommodate an increase in traffic volume.

Ventresca asked about the impact of the development on adjacent properties that may be developed in terms of traffic. Tarby stated that, as part of the Special Permit review, the Council will explore required offsite mitigation measures in the form of a development agreement.

Tarby stated that, as part of a Site Plan Review application to the City Council, the applicant will have to address offsite mitigation measures.

Ventresca stated that, as the site plan becomes more clear, consideration should be given to preventing parking on Sunset Road in Winchester to access the residential units at the southern end of the property. Gause and Tarby responded that this should not be a concern given that the units will be offered as for-sale condos and will have their own parking spaces on site. On-street parking restrictions for Sunset Road could be adopted by the Town of Winchester to prevent it.

Edmonds asked about the presence of three dead-end roadways in the townhome segment of the site plan. This would seem to present a challenge to first responders and accommodation of fire trucks in particular. Cassidy responded that street connectivity is something that will likely be analyzed during the Site Plan Review process in concert with a required a special permit application. Gause responded that they intend to work with the Fire Department to ensure that the site plan is specifically designed to accommodate fire apparatus. He mentioned the possibility of connecting the driveways to each other to improve vehicle circulation.

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

Mark Dougherty, 73 Sunset Road, Winchester, stated that this could be a successful project if done properly. More attention should be paid in particular to the design of the townhome component of the site. In addition, he does not personally see the benefit to Winchester by providing an emergency access point to the site.

Ann Sera, 5 Andrea Circle, Winchester, stated that because this proposal directly abuts Winchester, it is important to keep abutting property owners apprised of the development as it progresses. In particular, the need for a second point of access will require interaction with Winchester residents.

Bolgen asked for clarification relative to the proposed zoning amendments timeline and elaboration as the Petitioner meeting the definition of the proposed use. Cassidy responded with an explanation of the proposed zoning amendments and that the applicant must still make an argument to the Building Commissioner that its site concept plan comports with definitions of the uses permitted by the overlay district, including whether the planned "senior housing" component complies with the definition of HOSPITAL, EXTENDED CARE FACILITY.

Edmonds asked if there was anyone else wishing to speak on this matter. There were none.

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

Edmonds asked Cassidy if she could provide a recommendation to the Board. Cassidy responded that her recommendation is for Board to recommend adoption of both the proposed zoning map and text amendments to the City Council.

Motion to adopt the Planning Director's recommendation, made by Doherty;  
Seconded by Bolgen;  
Motion carried, 6-0-0.

**PUBLIC HEARING: MODIFICATION TO SPECIAL PERMIT (FLOOR) PLAN OF RECORD (Lord Hobo Brewery)**

Attorney Mark Salvati, 10 Cedar Street, approached the Board to provide an overview of the application and the nature of the applicant's request.

Joe Schomer, project architect, 343 Medford Street, Suite 4C, Somerville, MA, approached the Board to provide an overview of the proposed modifications to the Lord Hobo floor plan. The proposed modifications do not bear on the parking requirements for the facility (e.g. do not increase the number of required parking spaces) nor on the snow storage within the parking lot.

Ventresca asked about the continued presence of food trucks onsite. Attorney Salvati stated that the Petitioner will be ending food truck service in lieu of the onsite food service.

Ventresca asked about the extent of deliveries that are anticipated onsite in connection with providing onsite food service. Salvati responded that only minimal delivery activity is expected given the limited scope of food service.

Attorney Salvati stated that he would also like to propose removal of the Planning Board's prior Condition of Approval relative to the hours of the brewery operations. Cassidy responded that due to the nature of this

request and its relation to a condition of approval, she would advise that the Petitioner file this request as a separate matter for the purpose of sufficiently advertising it as part of a subsequent public hearing.

Cassidy stated that it was also discovered that a modified Lord Hobo site plan must be submitted to the Board for adoption. The City Council approved a revised special permit late in 2017 for outside materials storage but a revised site plan reflecting that approval was never submitted to the Planning Board. Cassidy stated that consideration of deletion of the hours of operation condition could be considered concurrently with the request to approve the revised site plan. Salvati responded that his client would support this approach and plans to file modified site plans with the intent for it to be heard at the Board's July 10<sup>th</sup> meeting.

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

No one stepped forward.

Seeing none, motion to close the public hearing, made by Ventresca;  
Seconded by Doherty;  
Motion carried, 6-0-0.

Cassidy stated that her recommendation to the Board is to approve the revised interior floor plans, as submitted.

Motion to adopt the Planning Director's recommendation, made by Ventresca;  
Seconded by Bolgen;  
Motion carried, 6-0-0.

#### **PUBLIC HEARING: 285 LOCUST STREET DEFINITIVE SUBDIVISION PLAN (285 Locust LLC)**

Attorney Mark Vaughn, Riemer & Braunstein, 700 District Avenue, 11th Floor, Burlington, MA, approached the Board to provide an overview of the definitive subdivision application and plan. The proposal represents a continuation of the 4-lot preliminary subdivision plan that the Board reviewed earlier in the year with the intent to entitle the property owner to a "zoning freeze."

Vaughn stated that no subdivision waivers are being sought, as with the preliminary application.

Callahan inquired about the timeline for development of the parcel and expressed a concern that utility work may impact the operation of the nearby school. It would be ideal for utility work to be scheduled for the summer season for that reason. Vaughn responded that the general timetable is for construction to commence within the next year.

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

No one stepped forward.

Seeing none, motion to close the public hearing, made by Ventresca;

Seconded by Bolgen;  
Motion carried, 6-0-0.

Cassidy stated that there is one outstanding item related to this subdivision and that is the Petitioner needs to submit a hazardous materials environmental report and risk assessment review to the Board of Health, which was adopted as one of the Board's preliminary subdivision conditions of approval. Vaughn responded that it appears that there is a misunderstanding based on the wording of that condition and the Petitioner was not aware that this was a requirement for definitive plan approval.

Cassidy stated that it would be appropriate given the misunderstanding to incorporate submission of the two reports as part of the definitive plan conditions of approval by tying it to allowance to commence construction.

Edmonds asked Cassidy for her recommendation on this matter. Cassidy stated that she would recommend that the Board vote to approve the definitive subdivision plan, as submitted, subject to:

1. Conformance of construction to the definitive subdivision plan;
2. That prior to endorsement of the plan, the developer must draft and record acceptable HOA and O&M plan documents, with homeowner responsibility for utility, drainage and infiltration system maintenance and repair on all aspects of those systems, including submission of an acceptable O&M plan (all meeting the requirement of the Engineering and Public Works Departments requirements for drainage and infiltration systems);
3. That the O&M plan is to include periodic maintenance and inspection by the HOA;
4. That prior to endorsement of the plan, the developer is to submit an acceptable easement document.

Mr. Brian Tim, project architect, RJ O'Connell, 80 Montvale Ave # 201, Stoneham, MA, stated that an infiltration system is no longer proposed for this project because the amount of impervious surface will be reduced substantially. Only a deep sunk catch basin is proposed.

Tim further stated that a draft O&M plan was also submitted as part of the stormwater report found in the application package.

Cassidy stated that based on the need for additional review of outstanding items, she would recommend that the Board continue discussion and consideration of approval of this matter until its June 26<sup>th</sup> meeting.

Motion to continue discussion of this matter to the Board's June 26<sup>th</sup> meeting, made by Bolgen;  
Seconded by Callahan;  
Motion carried, 6-0-0.

#### **APPROVAL OF MINUTES: May 22, 2018 meeting**

Edmonds asked if members had had an opportunity to review the minutes.

Motion to accept the draft minutes for the May 22, 2018 meeting, as submitted, made by Callahan;  
Seconded by Ventresca;  
Motion carried, 5-0-0, with Doherty abstaining due to prior meeting absence.

#### **PLANNING BOARD DIRECTOR UPDATE**

Cassidy stated that the workshop of the evening will focus on a discussion of Fire Department-related matters, with attendance by at least a couple of fire department officials including Fire Chief Stephen Adgate.

Cassidy stated that she has received correspondence from the attorney for the Highview Definitive Subdivision stating that the case is still in litigation and likely will not have a hearing scheduled until January 2019. The matter will be placed on the Board's June 26<sup>th</sup> meeting agenda and he asked whether his presence at that meeting would be required. The consensus is that he does not need to attend.

Cassidy further provided an overview of the upcoming public hearings for the June 26<sup>th</sup> and July 10<sup>th</sup> meetings, including the Woburn Mall property, a multi-parcel rezoning request in north Woburn, and an amendment to the ordinance relating to naming newly-created streets after deceased Woburn veterans.

## ADJOURNMENT

Seeing no further business, motion to adjourn at 9:22 pm, made by Bolgen;  
Seconded by Doherty;  
Motion carried, 6-0-0.

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

Planning Board Staff Report
88-92 Pearl Street (Alan R. Gerrish Drive) Definitive Subdivision Application: 1) Revised line-of-sight graphic; 2) Explanation memo regarding the updated line-of-sight graphic; 3) Update draft subdivision plan (revised 6/12/2018); 4) Fire flow test confirmation email; 5) Department comments on updated materials (Fire Dept. and Dept. of Public Works); 6) On-site pictures taken of dumping/debris in area of flood plain (Petitioner handout)
Proposed Zoning Map and Text Amendments (TBOD): 1) Map of properties proposed for rezoning; 2) Proposed Order of Zoning Text Amendment; 3) Master Development Plan package; 4) PowerPoint presentation given by Leggat McCall properties; 5) Two resident emails dated 6/12/2018
Proposed Modification to the Lord Hobo Floor Plan: 1) Floor plan of proposed occupancy areas/uses; 2) Taproom floor plan; 3) Plan highlighting modifications made to floor plan as compared to the 2015 adopted plan; 4) Dept. comments on revised floor plans (from Board of Health, the Conservation Commission and the Fire Dept.)
285 Locust Street Definitive Subdivision: 1) Definitive Subdivision application materials, including site plan; 2) Department comments from the Building, Public Works, Engineering, Fire, Police, and Conservation Commission; 3) Preliminary Subdivision plan Planning Board decision letter; 4) Phase I Environmental Site Assessment (executive summary); 4) Traffic assessment
Draft Meeting Minutes: May 22, 2018 meeting

Respectfully submitted,

  
Dan Orr,  
City Planner/Grant Writer