

**COMMITTEE ON SPECIAL PERMITS
NOVEMBER 27, 2017 at 6:45 PM
WOBURN CITY HALL
COMMITTEE ROOM**

Voting members: Chairman Richard Gately, Alderman Mark Gaffney, Alderman Edward Tedesco, Alderman Darlene Mercer-Bruen. Absent: Joanne Campbell.

Non-voting members present: Alderman Mark Gaffney, Alderman Michael Anderson, Alderman Lindsay Higgins and President Richard Haggerty

- 1. On the petition from Lord Hobo Brewing Company for special permits as follows: 1. to allow for warehousing; 2. to allow parking of commercial vehicles; and 3. to allow alteration of a pre-existing nonconforming structure to add a canopy over the loading dock and refrigeration equipment outside of building, at 8 Draper Street:** Representing Lord Hobo Brewing Co., Attorney Mark Salvati, 10 Cedar Street, Woburn, MA, submitted a revised site plan. Motion made by Alderman Mercer-Bruen and seconded by Alderman Tedesco to accept the revised site plan; approved, 4-0. Attorney Salvati said the new site plan includes four new parking spaces, and his client is seeking to park one box truck and four vans. The vans will be parked on the right hand side of the building and the parking space for the truck will be remain on the left hand side of the loading dock. Attorney Salvati said Lord Hobo is requesting hours of operation from 7 a.m. to 7 p.m., with additional hours of 7 p.m. to midnight for the box truck to travel from 5 Draper Street to 8 Draper Street, and vice-versa. Alderman Mercer-Bruen said she gets complaints all the time about trucks traveling in the area. Alderman Anderson asked if there would be any disturbances in the neighborhood from the beeping noise the truck will make when it is backing up. Attorney Salvati said Lord Hobo hasn't bought the truck yet so it doesn't know, but added he does not foresee any problems with the noise from the truck, as the business loads grain and that process is much louder than the beeping noise from a truck and there have been no complaints about that. Attorney Salvati suggested the Council can review the special permit if there is a complaint about the noise from the truck. Attorney Salvati said the closest residence to Lord Hobo is more than 500 feet away and down a hill. Alderman Tedesco asked if there were hours on Sunday. Attorney Salvati said his client wants to run the truck on Sunday. President Haggerty said 8 Draper Street is bordered by a cemetery on the left hand side. Mike Labbe from Lord Hobo said he expects there will be a trip between the buildings approximately every two hours. Motion made by Alderman Mercer-Bruen and seconded by Alderman Gately to accept a list of seven conditions authored by Attorney Salvati; approved, 4-0. Alderman Mercer-Bruen asked if the vans and box truck will be marked with Lord Hobo's insignia so the neighbors can identify them. Mr. Labbe said he would prefer not to put conspicuous markings on the vehicles or the building in which beer is being stored, but Lord Hobo will abide by U.S. Dept. of Transportation regulations for the graphics on the vehicles. Alderman Mercer-Bruen asked if Lord Hobo could abide by a closing hour of operation of 10 p.m. Mr. Labbe replied the earlier closing hour would mean Lord Hobo's product becomes warmer in storage. Alderman Mercer-Bruen said she

will notify residents when the special permit takes effect so they can let her know if there are any problems. Alderman Concannon asked if Lord Hobo needs the hours on Sunday night. Mr. Labbe said Lord Hobo won't need those hours right away but the long-term goal is to operate during all the requested hours. Alderman Concannon asked Lord Hobo to look into obtaining trucks that aren't big and don't make a lot of noise. Nathan Whipple of Lord Hobo said the company will investigate the possibility of obtaining smaller trucks. President Haggerty said the use of 8 Draper Street by Lord Hobo will be less intense than the previous use. Mr. Labbe said they will try to conduct business as quietly as possible. Attorney Salvati said he will notify the Council when Lord Hobo purchases its new truck. Alderman Mercer-Bruen said it is unusual to allow 24-hour operations in that neighborhood. Alderman Gaffney noted the brewery at 5 Draper Street operates on a 24-hour basis, but a lot of the time there is only one person there. President Haggerty said he understands the concerns about 24-hour operations but they are allowed in the zoning district. Chairman Gately said the business 8 at Draper Street that repaired food trucks caused problems but there haven't been too many complaints since then. President Haggerty said the Council can attach a condition for a 6-month review. He said Lord Hobo is committed to the community and has shown a willingness to cooperate. Alderman Mercer-Bruen asked about condition #7 on Attorney Salvati's list that stipulates the special permit is not transferable except "to an entity of which Lord Hobo Brewing Co. is the primary or principal owner." Attorney Salvati said his client doesn't want to come back if there is a transaction involving a subsidiary. Chairman Gately told Lord Hobo they have to keep their vehicles off Nashua Street. Motion made by Alderman Mercer-Bruen and seconded by Alderman Tedesco to add the following conditions to special permit:

7. All deliveries to and from the property shall be from Montvale Avenue to Nashua Street (only the portion from Montvale Avenue to Draper Street).
8. The box truck and three vans shall be affixed with the LHBCo. Logo and address as required by the U.S. Dept. of Transportation.
9. There shall be a review of the Special Permit after six months

Motion made by Alderman Tedesco and seconded by Alderman Gately that the special permit "ought to pass," as amended, 4-0.

2. **On the petition from 36 Cabot Road LLC for a special permit to allow construction of new building for 1. Wholesale establishment, warehouse and distribution use, 2. Office use, and 3. Light manufacturing use, at 32 Cabot Road:** Appearing for the petitioner were Attorney Joseph Tarby of Murtha Cullina, Timothy Williams of Allen & Major Associates, Corinne Tobias of Allen & Major Associates, and Robert Traina, property owner. Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to receive and place on file copies of the document entitled "traffic report and impact study" for 32 Cabot Road from Allen & Major Associates; approved, 4-0. Attorney Tarby said the project entails of the construction of a new building of 49,600-square-feet on two floors with 17,360-square-feet for office space and 24,800-square-

feet of light manufacturing space on 6.25 acres of land. The building will generate approximately \$136,000 in real estate taxes along with an unspecified amount of personal property taxes. Attorney Tarby said the traffic study was submitted to City Engineer Jay Corey earlier in the day. Attorney Tarby said the matter is still before the Conservation Commission and he does not expect the Council to act on the Special Permit until the Conservation Commission finishes its review and he will file a request to continue the public hearing until January. Mr. Williams said the only three acres of the parcel are developable because of wetlands restrictions. Mr. Williams said there have been two hearings with the Conservation Commission and after a peer review there was some re-design of the drainage system which resulted in the loss of three parking spaces. Mr. Williams said 112 parking spaces are required and the revised plans show 193 spaces are provided. Mr. Williams said one of the next steps is to organize a meeting with EPA before the ConCom meets again on December 14. Ms. Tobias addressed the traffic report, the scope of which includes the driveway at the Target shopping center to the Woburn Mall. Ms. Tobias said she expects the development will result in 377 trips per day and about one trip per minute during peak driving hours. She said there has not yet been a discussion about mitigation and the possibility of adding a traffic signal at the intersection of Cabot Road and Commerce Way. Attorney Tarby said he will be discussing mitigation with City Engineer Corey. Alderman Mercer-Bruen asked how many trips to the site would be made by 18-wheel trucks. Mr. Traina said the current design includes two loading docks and he expects the larger vehicles will arrive at off-peak times. Alderman Anderson said it is unfortunate Cabot Road and Constitution Way on the opposite side of Commerce Way don't line up. Mr. Williams acknowledged there are issues with left turns because the traffic can become backed up and said that will be one of the things that is discussed with City Engineer Corey. Chairman Gately asked how much more space is available on the lot for a further build-out. Mr. Williams said he thinks this will be the only building on the site. President Haggerty said it would be great if the petitioner fixed the damaged guardrails on Commerce Way. Mr. Williams said the tendency is to have the guardrails replaced only to find them damaged again two weeks later. Alderman Mercer-Bruen asked why the petitioner opted for an underground drainage system instead of a swale. Mr. Williams replied the underground drainage system was added at the suggestion of the peer review consultant working with the ConCom to accommodate runoff from a 100-year storm. ConCom has also asked the petitioner to dig test pits but that can't be accomplished without consent from the EPA. President Haggerty asked why the applicant has opted for more parking over green space. Attorney Tarby replied that the increased number of parking spaces will give the property owner more flexibility when he leases the building. Attorney Tarby acknowledged there is more work to do on the petition and his client is not seeking a recommendation from the Committee at this time. Attorney Tarby said he expects the ConCom to deliberate until at least its meeting on January 12 and he would file with the City Clerk for a continuation until the second meeting in January of the City Council's public hearing. Chairman Gately said there will be another committee meeting before then.

Motion made by Tedesco and seconded by Alderman Mercer-Bruen to adjourn; approved, 4-0.
Chairman Gately adjourned the meeting at 7:33 p.m.

Attest: _____
Gordon Vincent
Clerk of Committees