

COMMITTEE ON SPECIAL PERMITS

As a Committee of the Whole
MARCH 11, 2019 at 8:04 p.m.
WOBURN CITY HALL
COMMITTEE ROOM

Voting members present: Chairman Richard Gately, Alderman Joanne Campbell, Alderman Mark Gaffney, Alderman Darlene Mercer-Bruen, Alderman Edward Tedesco, President Michael Anderson, and Alderman Lindsay Higgins. Absent: Alderman Michael Concannon and Alderman Robert Ferullo

Also present: Building Commissioner Thomas Quinn

Woburn (Edens) LLC for Plan Approval and Special Permit Approval to permit the redevelopment of the existing Woburn Mall property into a mixed-use residential and commercial development at 300 Mishawum Road: Representing the petitioner was Keith Hague, Woburn (Edens) LLC, c/o Edens 21 Custom House Street, Suite 450, Boston, Massachusetts 02110. Motion made by Alderman Mercer-Bruen and seconded by Alderman Campbell to receive and place on file a copy of memoranda from the following municipal department heads: Theresa Murphy, Conservation; Supt. John Duran, Public Works; Chief Robert Rufo, Police; Tina Cassidy; Planning; approved, 6-0 (Alderman Tedesco was absent from the Committee Room at the time of the vote). Mr. Hague said Edens wants to sit down and talk about the process and make it as efficient as possible. He said VHB will have the peer review traffic report by the end of March and there can be a discussion about traffic then. He said Edens wants to respond to comments from the department heads and incorporate them into the final plans. He said he wants to get some feedback about the process moving forward. Chairman Gately said Chief Rufo is not on board with the petitioner's traffic analysis. He said for him, the traffic report was not quite right. He said the traffic report has to be reconfigured and adjusted. He said the perimeter of the traffic report has to be extended beyond the existing scope. He said the council has to be cognizant of the traffic issue. He said it is incumbent upon the council to make the traffic situation work. He said the signals on Washington Street are 100 percent better since they were re-timed. He said he has spoken to Supt. Duran about demolition. He asked Commissioner Quinn about the status of demolition permits. Commissioner Quinn said the applicant is demolishing at its own risk. Alderman Tedesco returned to the Committee Room. Chairman Gately said he believes the project will go forward, but the petitioner has some work to do regarding the utilities. He said the water system has to be bigger and better because there are already problems. He said the sewer lines have to be gutted and cleaned. He said he likes the renditions of the mall. He said he is still adamant about the bike path between Mishawum Road and Anderson station. Motion made by Alderman Mercer-Bruen and seconded by Alderman Tedesco to send a copy of the communications from the four municipal department heads to Vanasse Hangen Brustlin, the peer traffic reviewer; approved, 7-0. (Scrivener's note: The documents from the department heads were sent via email on March 13 to City Engineer John Corey, who forwarded the documents to the peer reviewer that same day.) Chairman Gately said the petitioner should think about increasing the height of the traffic signals. Mr. Hague said the traffic signals will not have arms. He said the bottom of the fixtures will have 12 feet or clearance and the top will be roughly 14 feet high. He said the fixtures are pedestrian-oriented.

Alderman Campbell said she wants to talk about traffic. She said she likes the project but if the council does not get the traffic right it could be devastating for the area. She said there will be 489 units coming to the Commerce Way/Presidential Way area and a lot of the traffic will be coming down Commerce Way, and there are going to be difficulties accessing the residential area. She said she believes there is going to be a huge backup on Commerce Way, perhaps as far back as the Target store off Atlantic Avenue. She said she thinks the developer and the council have to think more aggressively. She said she cannot approve this because it is not going to work. She said people are not going to be able to get there. She asked if the right-of-way owned by Cummings Properties behind the mall might be used for access. Commissioner Quinn said the right-of-way is private property. Alderman Campbell asked if the petitioner could work out some kind of arrangement with the property owner. She asked if there is a way to give some incentive to Market Basket to be a little more cooperative. Mr. Hague said Market Basket pays next-to-nothing already, and a financial incentive would be a percentage of next-to-nothing. He said the driveway entrance will be a huge improvement over what is there now. Alderman Campbell said the proposed change to the driveway is more like a Band-Aid. She said she knows they don't want to open the back of Market Basket but that seems like a reasonable solution to allow access. President Anderson said that would require some type of easement from Cummings Properties. Commissioner Quinn said that would not be permitted under the current zoning for the 40R district. Alderman Campbell said it may still be worth looking into. She said if the traffic in the area doesn't work, people will end up avoiding it. Alderman Tedesco said he has a concern about people turning left onto Commerce Way. Alderman Campbell asked if a traffic signal will work there. Alderman Mercer-Bruen said she thinks the project is great, but if the traffic doesn't work, she is not going to put her name on it. Alderman Higgins said there is a slip lane that can accommodate about 10 cars. Chairman Gately said the council was told Cummings Properties will never give permission for an easement behind the mall. He said the traffic pattern has to be better than it is right now. Mr. Hague said Edens met with the abutters across the street. He said Edens does not want a project that is plagued with traffic. He said the developer wants to attract people to the mall. He said the council and the developer can dig into the traffic details once the peer review comes back. Alderman Campbell asked if Market Basket will be willing to widen its entrance. Mr. Hague said he does not know if widening the entrance is going to help. He said the biggest issue with the driveway is the proximity to the crosswalk. He said it will not be feasible for Market Basket to remove the crosswalk and effectively eliminate one of its entrances. He said they spent a long time with Market Basket to get the slip lane. Alderman Campbell said the driveway is the one way in from Commerce Way and that is a problem. President Anderson said the peer review will probably be submitted in two weeks and the committee can resume discussions about traffic then. Commissioner Quinn requested that he be provided with copies of all documents that are submitted by the petitioner, for the sake of continuity. He said the mall is located at a very visible site. He said there is quite a bit of work going on in the area. He said the Building Dept. should receive all relevant information. He said there is no will toward anyone but it is an important project that should be done right. Chairman Gately said the committee is meeting as a committee of the whole due to the importance of the project. Commissioner Quinn said any changes to the plan need to be reviewed by the City Council, unless the council is planning on a contingency like a permissible building envelope that was included with the plan for 369 Washington Street. Alderman Mercer-Bruen said a 40R project involves a different approval process. Mr. Hague said the big box tenants have been identified, but the smaller spaces may change. He said he does not want to come back to the council for minor changes. Alderman

Mercer-Bruen said the last thing the council wants to deal with is a mish-mosh. President Anderson said if the Building Commissioner thinks something needs to be referred to the City Council, language could be added to that effect. Commissioner Quinn said there is not as much wiggle room with a 40R project as there is with a special permit. Mr. Hague asked what would happen if there is a minor change to the footprint. President Anderson said that would have to be reviewed by the council. Mr. Hague said changing a door could change the footprint. Alderman Campbell said the developer will have to come back to the council in that instance. Commissioner Quinn said it is important for the details to get worked out now. Mr. Hague suggested including language defining what is a major change and what is a minor change. Alderman Higgins said the zoning for a 40R project is a lot different and there are some things that would be prohibited by the zoning code. Mr. Hague said he is trying to make everyone's lives a little easier. He said if Edens sends out any documents, everyone is going to get a copy. Commissioner Quinn said that is great.

Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to adjourn, all in favor, 7-0. Chairman Gately adjourned the meeting at 8:45 p.m.

Attest: _____
Gordon Vincent
Clerk of Committees