

COMMITTEE ON SPECIAL PERMITS

As a Committee of the Whole

APRIL 8, 2019 at 6:19 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, Alderman Lindsay Higgins, and Alderman Robert Ferullo. Absent: President Michael Anderson. Recused: Alderman Michael Concannon.

Also present: Christopher Kuschel, Senior Regional Planner, Metropolitan Area Planning Council; Thomas Quinn, Building Commissioner, City of Woburn

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: Alderman Concannon recused himself and left the Committee Room. Representing the petitioner were Attorney Mark Vaughan, Riemer & Braunstein LLP, 700 District Avenue, Burlington, MA, 01803; Brad Dumont, Woburn (Edens) LLC, c/o Edens 21 Custom House Street, Suite 450, Boston, Massachusetts 02110; and David Gillespie, Vice President of Development, Avalon Bay Communities. Mr. Kuschel said he would be happy to talk to the committee about a report from MAPC that was issued on March 25. He said MAPC is finalizing a corridor study from the Woburn Mall site to Anderson Station. He said the mayor and Planning Director Tina Cassidy are reviewing the report. Mr. Kuschel said the property has been sold to Edens and the Woburn Mall site is considered catalytic. He said he grew up in Woburn, is familiar with the site and is excited about the transformation of the mall. He said MAPC was excited to learn there is going to be a mixed use component to the mall and MAPC will help address the regional needs as an agent for the city. He said MAPC has kept away from the peer review component this far. He said MAPC submitted a memo a couple of weeks ago and Edens has responded very well to the principles that were set forth. He said MAPC's role is to review what was submitted by the applicant for conformity to design standards. He said overall the petitioner did a good job. He said MAPC did have a couple of suggestions that were outlined in the memo, to which the developer responded satisfactorily. He said the changes initiated by the developer in response to MAPC make a good project better. He said MAPC was pleased with changes to the north-south access and those will go a long way toward enhancing public safety for pedestrians and reducing the amount of asphalt. Chairman Gately asked Mr. Kuschel about the plausibility of a bike path from the Woburn Mall to Anderson Station. Mr. Kuschel said MAPC advised Director Cassidy to hire a transportation engineer, which he said will cost around \$50,000. He said the bike path is little out of MAPC's wheelhouse. He said he sent Director Cassidy a list of 4-5 traffic engineers. He said most of the river is on the applicant's property and there is a strong argument for creating a bike path, but it will cost a lot of money. He said it is a \$1 million project that might have to be built in sections. Alderman Mercer-Bruen asked if it might be better to add a pedestrian access to the west of the primary entrance off Mishawum Road. Mr. Kuschel said that might be difficult due to the change in grade from the roadway to the parking lot. Attorney Vaughan said the petitioner is providing sidewalks at the entrance cited by Alderman Mercer-Bruen to allow access to the theater or retail

area. Alderman Ferullo said there is nothing to feed foot traffic from the hotel across the street to the mall. Attorney Vaughan said there is a crosswalk by Dave & Buster's for pedestrians. Alderman Ferullo said his fear is if there is a set of stairs there, people will try to cross Mishawum Road. Mr. Kuschel said MAPC asked if it is possible to move the building but recognized that will be a major change. He said there have been on-going discussions about curve radii and acknowledged having tighter curve radii is better for pedestrians but perhaps not as good for cars. He said MAPC has suggested continental crosswalks instead of regular crosswalks. Alderman Mercer-Bruen asked what the difference is between a continental crosswalk and a regular crosswalk. Mr. Kuschel replied a continental crosswalk has painted blocks and offered a hand-drawn illustration. Alderman Mercer-Bruen asked if there will be reflective paint on the crosswalks. Alderman Ferullo said the material used for crosswalks has financial considerations. Mr. Kuschel said thermo-plastic is better than regular paint. Mr. Kuschel said the up-lighting planned for the project keeps within the spirit of the development. Chairman Gately said he does not want tractor-trailers entering the site from Mishawum Road. He said he will be looking for some kind of regulation in that regard. He said he does not want 53-foot tractor-trailers. Alderman Higgins said she thinks that is addressed in the peer review submitted by VHB. Alderman Mercer-Bruen said the council received a plan today that has changes and asked if there are different versions of the plan in circulation. She said everyone needs to be notified if there are changes to the plan. Attorney Vaughan said a different version of the same plan was submitted this morning and the only change is there are red highlights that are easier to see. He said otherwise the plan is the same. Commissioner Quinn said the MAPC report is dated March 25 and wanted to know if that includes an updated plan for signage. He asked Mr. Kuschel if he has seen the updated plan. Mr. Kuschel said MAPC's assessment was the signage plan was complaint. Alderman Mercer-Bruen said she is frustrated and she does not know how to fix it. Commissioner Quinn said all of the work is good but he is concerned about discrepancies among the plans. Mr. Dumont said he is confused about what the committee is discussing procedurally. Commissioner Quinn said the report from MAPC references signage in the March 25 memo but he wants to know if MAPC has also seen the plans dated April 5. Mr. Kuschel said the plans were changed on the basis of MAPC's memo from March 25 and the April 5 plans have been reviewed. Alderman Higgins asked if the committee could get that in writing. Mr. Dumont said he believes Eden has been following protocol. Alderman Mercer-Bruen said if there are changes to the plans, then the plans need to go out to everybody. Mr. Dumont said he believes Edens has been complying with that request. Attorney Vaughan said the plan that was sent out today was due to a concern that the red lines on the original version were not apparent. He said nothing else has been changed. Commissioner Quinn said he just wants to make sure the committee is looking at the correct plan. Mr. Dumont said Edens is trying to do the right thing. Commissioner Quinn asked if the City Council is going to regulate bedroom counts. Mr. Gillespie said the bedroom counts are on the residential floor plan and should not change. Alderman Mercer-Bruen said her other questions have to do with the peer traffic review. Attorney Vaughan offered a memo regarding the lease of the Market Basket store that was requested by the committee at its meeting on March 25. Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to receive and make part of the permanent record a copy of a memo dated April 8, 2019, from Anne H. Meyer, Senior Counsel, to Brad Dumont and Keith Hague, entitled "Market Basket, Woburn Mall;" approved, 7-0. Commissioner Quinn said his only other concern was the area behind the New China Pearl and the status of an easement there. Alderman Mercer-Bruen said Market Basket has a special permit and asked if all the

conditions are being complied with. Commissioner Quinn said Market Basket's special permit dates back many years. Alderman Mercer-Bruen asked Commissioner Quinn if he can review it. Motion made by Alderman Mercer-Bruen and seconded by Alderman Campbell to provide the Building Commissioner with a copy of Market Basket's special permit and for him to review it; approved 7-0. Chairman Gately said when he worked for the DPW there was a plan to run a water line behind Market Basket but the city was told it could not be legally done, so the water system was kept the way it was. He said the objective was to try to figure out who was using the most water. Chairman Gately asked if the utilities were addressed in the peer review. Alderman Tedesco said there is a separate peer review for utilities being conducted by Weston & Sampson. Motion made by Alderman Tedesco and seconded by Alderman Higgins to send a communication to City Engineer John Corey and DPW Supt. John Duran about the status of the peer review report for utilities; approved, 7-0. Motion made by Alderman Mercer-Bruen and seconded by Alderman Tedesco to accept the peer review traffic report from VHB and make it part of the permanent record; approved, 7-0. Alderman Tedesco said at last month's meeting the council was waiting for further information from the applicant. Mr. Dumont said the applicant was waiting for the VHB peer review. Alderman Mercer-Bruen said she thought the development was going to be pedestrian friendly. She said went with her daughter recently to the mall in Lynnfield and the situation for pedestrians was very dangerous. She said she believes there is still work to be done. She said she is looking forward to meeting with VHB. Mr. Dumont said Edens will be ready to respond to the peer traffic review. Motion made by Alderman Mercer-Bruen and seconded by Alderman Tedesco to send a communication to City Engineer Corey asking him to invite someone from VHB to the council's regular meeting on Tuesday, April 16, 2019; approved, 7-0.

Motion made by Alderman Tedesco and seconded by Alderman Mercer-Bruen to adjourn, all in favor, 8-0. Chairman Gately adjourned the meeting at 7:02 p.m.

Attest: _____
Gordon Vincent
Clerk of Committees