

Meeting Minutes
November 27, 2018 Planning Board Meeting
7:00 P.M. | Council Chambers, Woburn City Hall

Chair Dave Edmonds called the meeting to order at 7:00 pm and asked City Planner/Grant Writer Dan Orr to call the roll.

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

Edmonds stated that this meeting is being recorded by video.

Edmonds asked if there are any Approval Not Required (ANR) applications before the Board this evening. Cassidy responded that there are none.

PROPOSED ZONING TEXT AMENDMENT TO ADD NEW SECTION 29 TO THE ZONING ORDINANCE ENTITLED CONVERSION OF SIGNIFICANT HISTORIC BUILDING OR STRUCTURE (Alderman Tedesco)

Councilor Edward Tedesco approached the Board to provide an overview of the modifications that have been made to the draft zoning amendment since the Board's last meeting as a result of discussion between the Planning Director, Building Commissioner, Attorney Joseph Tarby and Councilors Anderson and Tedesco. Notably, the ordinance was amended to ensure sufficient clarity relative to the authenticity and age of historic structures.

Tedesco further stated that the Council's authority to grant relief where appropriate (i.e., setbacks and parking requirements) relative to dimensional regulations for pre-existing, non-conforming structures was also clarified in the draft zoning text.

Tedesco stated that a new subsection was added to the draft ordinance to further specify application and plan content requirements to ensure better documentation of proposed building modifications/alterations.

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

Attorney Joseph Tarby, Murtha Cullina, 600 Unicorn Park Drive, approached the Board representing John Flaherty, owner of the Tidd Home (the property to which this proposed ordinance could apply). He stated that the proposed revisions that have made it into the ordinance will add greater clarity and broaden its scope to additional properties throughout the city.

Tarby further reviewed the background information provided to members this evening regarding the Tidd Home's history and conveyed his client's support for this ordinance. Mr. Flaherty intends to preserve the exterior of the building during proposed renovations.

Edmonds asked whether the large kitchen on the property will remain. Mr. Flaherty responded that the kitchen on the property will be removed during the renovations.

Edmonds asked if anyone else wished to speak about this matter. There were none so Bolgen made a motion to close the public hearing;
Seconded by Turner;
Motion carried, 6-0-0.

Cassidy stated that she has spoken with the Building Commissioner regarding potential tenancy of the Woburn Historical Society within the Tidd Home facility and discovered that this use is in fact precluded in a residential district. The Building Commissioner would consider it a commercial use under current zoning regulations.

Cassidy further stated that, after correspondence between the interested parties on the draft zoning ordinance and subsequent amendments, she is confident that the added parameters will ensure that only property owners whose buildings have historical integrity will apply for a special permit under this ordinance, in addition to ensuring that such integrity is maintained post-renovation.

Cassidy further stated that, if the Board has no further suggestions, she would recommend that the Board send a recommendation to the Council to adopt the ordinance, as amended.

Bolgen stated that there is nothing currently part of the draft application requirements that would specifically require documentation of 50% of a building being in existence prior to the year 1918. Cassidy responded that the ordinance could be further modified to include a provision (number 12) to the application requirement subsection, which would require documentation of evidence satisfactory to the Special Permit Granting Authority that at least 50% of the gross floor area of the building was in existence prior to 1918.

Ventresca stated that based on previous internal discussion and the modified version of the ordinance presented this evening, he would support sending a favorable recommendation to the City Council, as further amended this evening with a clarified application requirement noted above relative to age and min. floor area.

Edmonds stated that he appreciates the addition of a specific date to the ordinance to limit potential new applications as time progresses.

Motion to send a favorable recommendation to the City Council to adopt a new Section 29, as amended, made by Ventresca;
Seconded by Bolgen;
Motion carried, 6-0-0.

EAST DEXTER AVENUE SUBDIVISION: REQUEST FOR ACCEPTANCE OF AS-BUILT PLAN (Seaver Construction, Inc.)

Cassidy stated that there is a need to defer action on this matter to a future meeting when it is ready for discussion after a resolution is found relative to securing easement documentation for the affected property owners where the roadway retaining wall has been constructed outside of the right-of-way.

Motion to decline to accept and approve the final As-Built Plan, pending submission of required easement documentation, made by Bolgen;
Seconded by Ventresca;

Motion carried, 6-0-0.

APPROVAL OF MINUTES: November 13, 2018 Planning Board meeting

Motion to accept the November 13, 2018 Planning Board minutes, as submitted, made by Bolgen;
Seconded by Ventresca;
Motion carried, 6-0-0.

PLANNING BOARD DIRECTOR UPDATE

Cassidy stated that the Board's next meeting is scheduled for December 11th and there are two potential subdivision matters for discussion: The impending expiration of the Baker Way subdivision construction completion date as well submission of a draft Covenant/supplemental legal documents for the 88-92 Pearl Street subdivision.

Cassidy further stated that the January 8th meeting will cover two proposed zoning amendments relative to existing interim medical marijuana regulations and modifications to Section 5.1, Table of Use regulations.

Edmonds asked the Planning Director if there is anything currently scheduled for the December 11th meeting that must be handled prior to the Board's first meeting in January. Cassidy responded that there is no statutory requirement that would require the Board to take action on the pending subdivision matters, although Board action on any ANR's that might be filed would still be required within 21 days of receiving an ANR application.

Edmonds asked what the will of the Board would be regarding scheduling a December meeting. No members objected to forgoing the currently scheduled December meeting. Cassidy added that no motion is necessary and that matters scheduled for the December meeting will simply be placed on the January meeting agenda instead.

Edmonds stated, as reminder, that the election of Board officers should take place in January and that he would like to continue serving as Chair for another year.

Edmonds asked if there is any other Board business to attend to. Ventresca responded that it may be appropriate for the Board to authorize the Chair to endorse ANR plans during the interim period between now and the January Board meeting, as has been done in the past. Cassidy agreed with this approach.

Motion to authorize the Board chair to endorse, or not endorse, plans purported not to require approval under the Subdivision Control Law on the Board's behalf, effective until January 8, 2019, made by Bolgen;
Seconded by Turner;
Motion carried, 6-0-0.

ADJOURNMENT

Seeing no further business, Bolgen made a motion to adjourn the meeting at 7:26 pm;
Seconded by Donovan;
Motion carried, 6-0-0.

Meeting adjourned at 7:26 pm.

Table of Documents Used and/or Referenced at Meeting

Planning Board Staff Report
Staff Report Attachment: Revised (as of 11/27/2018) version of draft Section 29 amendment
Staff Report Attachment: Copy of M.G.L. Chapter 41 Section 81-U
Meeting Handout: Tidd Home profile (Mass. Cultural Resource Information System)
Meeting Handout: Tidd Home visuals (addition and renovation materials)
Draft Planning Board Meeting Minutes: November 13, 2018

Respectfully submitted,

Dan Orr

Dan Orr
City Planner/Grant Writer