

APPROVED

MEETING MINUTES

Tuesday, August 18, 2020 Woburn Planning Board Meeting | 7:00 p.m.

Meeting held virtually via Zoom Platform

Chair Kevin Donovan called the meeting to order at 7:00 pm and asked Planner Karen Smith to call the roll.

Mr. Bob Doherty, Mr. Jim Callahan, Mr. Michael Ventresca, Ms. Claudia Bolgen, Mr. Dave Edmonds, and Chair Kevin Donovan were in attendance. Ms. Carolyn Turner was absent during roll call. Planning Director Tina Cassidy, City Planner/Grant Writer Dan Orr and Planner Karen Smith were also in attendance.

Cassidy stated the meeting was being recorded by both video and audio.

Turner joined the meeting at 7:02 pm.

PUBLIC HEARING: 316 NEW BOSTON STREET DEFINITIVE SUBDIVISION (DM Five, Inc.)

Cassidy provided an overview of the proposed subdivision plan and its status in the review process. She advised that she would like the Board to consider continuing the public hearing on this matter to the September 22nd meeting to allow more time to examine some of the recent subdivision plan modifications in more detail and, if necessary, address any outstanding legal questions with the City Solicitor. She added that the applicant is amenable to a continuance this evening based on prior discussion with their legal counsel.

Donovan asked if members of the Board had any questions. Seeing none, he opened the public hearing and Cassidy provided detailed instructions to audience members how to participate electronically and/or by telephone.

PUBLIC HEARING

Mr. Peter O'Neill, PX Realty Trust, 216 New Boston Street, asked for more information regarding what is being proposed as far as managing stormwater runoff on the site for the section of the subdivision abutting his property. He added that he has hired a private engineer to examine the plan, who has identified stormwater retention at the northern side of the proposed subdivision abutting his property as an important focal point.

Tarby responded that all of the requirements have been met as proposed for stormwater management and that he would be willing to have the project engineer reach out to the abutter's hired engineer between now and the Board's next meeting on September 22nd in lieu of waiting until the hearing is reopened. O'Neill was agreeable to this arrangement. Cassidy added that Mr. O'Neill may contact Attorney Tarby directly or the Planning Office to forward his message to Attorney Tarby.

Seeing no one else wishing to speak, Donovan asked if the Board is inclined to make motion.

Ventresca stated he has a question regarding the comments made by the Planning Director relative to her characterization of staff comments. Cassidy stated for clarification that she wanted to convey that review of the subdivision should be considered as a legitimate application on its face, regardless of how it will be constructed as a different type of project. The developer would still be entitled to construct an industrial subdivision, as approved, in the event that their development plan shifts. She added that because of that possibility, all standards required by Woburn's Subdivision Rules & Regulations for subdivision projects should be adhered to.

Edmonds stated that he agrees with the notion that the subdivision application should be processed as though it is being built, as proposed, given the potential to sell the property with approved plans in place.

Donovan asked if members had any further questions. Seeing none, he asked if the Board was inclined to make a motion on the Planning Director's recommendation.

Motion to continue to the public hearing on the 316 New Boston Street Definitive Subdivision application to September 22, 2020, at 7:00 pm, made by Doherty;
Second by Callahan;

Roll call vote on the motion to continue the 316 New Boston Street public hearing to September 22, 2020 at 7:00 pm:

Bolgen-Aye
Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Donovan-Aye

Motion carried, 7-0-0.

PUBLIC HEARING: 0 NEW BOSTON STREET DEFINITIVE SUBDIVISION (Industriplex Woburn LLC)

Cassidy provided an overview of the proposed subdivision plan and the current status of the application as it stands before the Board. Similar to the 316 New Boston Street filing, she would like the Board to consider a public hearing continuance this evening to the September 22, 2020 meeting to allow more time for her review of recent plan modifications and resulting department comments. She added that Attorney Tarby has indicated that his client is also in agreement with taking such action this evening.

Donovan asked if members of the Board had any questions. Seeing none, he opened the public hearing and Cassidy provided detailed instructions to audience members how to participate electronically and/or by telephone.

PUBLIC HEARING

No meeting participants indicated that they would like to participate.

Seeing none, Donovan asked if any Board members wished to make a motion on the Planning Director's recommendation.

Motion to continue to the public hearing on the 0 New Boston Street definitive subdivision to September 22, 2020, at 7:00 pm, made by Edmonds;
Seconded by Bolgen;

Roll call vote on the motion to continue the 0 New Boston Street public hearing to September 22, 2020 at 7:00 pm:

Bolgen-Aye
Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Donovan-Aye

Motion carried, 7-0-0.

PUBLIC HEARING: 3 SHERMAN TERRACE DEFINITIVE SUBDIVISION (Kathleen Paulsen c/o Attorney Mark Salvati)

Cassidy provided an overview of the status of the application and the outstanding items that remained for comment and submission at the time of the Board's July meeting. Although the Board of Health comments remain outstanding, the developer had since provided draft deed language supporting the use of Sherman Terrace as frontage for the corner lot. Attorney Salvati has also provided more information regarding the Probate Court determination that Kathleen Paulsen has legal standing to develop Sherman Terrace. In addition, the project engineer has made modifications to drainage/infiltration at various points on the property to address Engineering Department comments.

Cassidy further reviewed a few of the other issues discussed at the last meeting requiring further Board consideration this evening, such as desired pavement width (20- vs. 24-foot), several proposed waivers to the Subdivision Rules & Regulations, and potentially imposing conditions of approval suggested by both the Engineering and Public Works Departments.

Cassidy further stated that she has drafted and provided an approval letter on this subdivision for the Board's consideration this evening, subject to any desired modifications expressed by members.

Attorney Mark Salvati, representing the applicant, 10 Cedar Street, began to address the Board on updates relative to meeting with abutting property owners between the Board's July 21st meeting and this evening and plan modifications made to address stormwater infiltration and drainage concerns of abutting property owners.

He added that while abutters on Sherman Terrace would appreciate the Board's approval of 24' pavement width for parking purposes, they are understanding if the Board ultimately chooses a 20' foot width. In addition, the measures and conditions of approval being proposed as part of the Sherman Terrace subdivision relative to drainage, landscaping (i.e., replacement tree plantings) and rodent abatement, should comprehensively address all other abutter concerns raised during the public hearing process.

Mr. Mark Sleger, project engineer, Alan Engineering, 110 Winn St., Suite 209, began to address the Board and provide an explanation (via screen sharing) of drainage features and details of the stone trench and berm added to the southerly portion of the property and how they will work to capture and handle stormwater runoff. He added that some modifications made to the stormwater detention system will facilitate maintenance.

Cassidy began to review (via screen sharing) the content of the draft approval letter, including all proposed conditions, for the benefit of audience and Board members. She continued to recite the proposed wording of the conditions of approval of the 3 Sherman Terrace definitive subdivision application, which are as follows:

- 1. This subdivision is being approved with the condition that the entirety of Sherman Terrace shall remain a private way, the maintenance of which is the responsibility of the Homeowners Association (HOA) and not the responsibility of the City of Woburn. Prior to endorsement of the subdivision plan, the developer must provide copies of acceptable easement documents (Utility Easement, Roadway & Drainage Easements, and Temporary Construction/Access Easements), as well as homeowners association documents making the homeowners responsible for the maintenance and repair of all of the roadway and all drainage and infiltration system components, the proposed new water and sewer mains and gas lines, and the section of new retaining wall to be constructed for this project (existing retaining walls for #31 Sherman Place and #4 Sherman Terrace shall continue to be maintained by the respective property owners). The developer shall also submit, prior to recordation of the plan with the Registry of Deeds, Operation and Maintenance (O&M) and Dust Control Plans to the Planning Board for review and approval, which Plans meet the requirements of the City's Engineering Department relative to the drainage/infiltration systems and provide assurance of no undue impact on nearby residents during construction. The O&M Plan must include reference to the requirement for periodic maintenance and annual inspections/documentation by the HOA;*

2. *Proof of gas company approval of the proposed individual gas line services arrangement must be submitted to the Planning Board prior to the issuance of any building permit. Absent such approval, the definitive subdivision plan must be formally modified to incorporate propane service in each house, in lieu of providing individual gas lines;*
3. *Adequate street light illumination data must be submitted to the Planning Board prior to recordation of the Plan at the Registry of Deeds. If illumination is found to be inadequate, the subdivision plan must be modified to incorporate a streetlight in a location approved by the Department of Public Works prior to its recordation at the Registry of Deeds;*
4. *That the portion of Sherman Terrace not already slated for full depth reconstruction shall be milled and overlain with new pavement (final coat). If the pavement depth is found to be insufficient for milling and a final coat of pavement, then it shall be removed entirely and new base with a final coat of pavement shall be installed in its place."*
5. *Proof that a Petition has been filed with the Traffic Commission seeking a no parking restriction on both sides of Sherman Terrace shall be submitted to the Planning Office prior to the issuance of any building permit; (to be included only if pavement width is reduced to 20');*
6. *That the following clause be included in the deed to Lot #1: "Sherman Terrace shall be considered to be the legal frontage for all zoning purposes, and shall be considered the "front lot line" for said zoning purposes. Such portion of the lot as fronts on Sherman Place as shown on the plan is not to be considered the front lot line, nor utilized as such, other than for access.";*
7. *Proof that Petitioner Kathleen Paulson has the right to improve Sherman Terrace shall be submitted to the Planning Office prior to commencement of any work within the Sherman Terrace right-of-way;*
8. *That the developer plant shade trees (a minimum of 2" in caliper at the time of planting) along the southern property lines of Lots 1 and 2, beginning at the end of the existing bituminous driveway on Lot #1 (approximately 75' southeast of the Sherman Place right-of-way) for a distance of approximately 225', with said trees planted at 20' intervals;*
9. *The developer must submit, prior to commencement of site work and/or building demolition, proof that the services of a rodent abatement firm have been secured; and*
10. *Construction of all aspects of this subdivision shall be completed within two (2) years of the date the definitive subdivision plan was approved (August 18, 2022).*

She added that Condition #8 would be modified to allow a variation of the interval of tree plantings, with the agreement of the abutter, but with a standard minimum interval of 20'.

Callahan asked about the feasibility of proposed Condition #5 relative to Traffic Commission a jurisdiction over private ways. He added that he does not necessarily find it to be appropriate for the Planning Board to create such a requirement, particularly in light of the fact that 20' street width meets the requirement of the Subdivision Rules & Regulations for street width on a short cul-de-sac layout. Cassidy responded that her understanding is that the City has the authority to regulate parking on private ways, although she will make sure to verify that fact prior to including Condition #5 in a filed version of the approval letter. She added that while it is true that either proposed street width would meet the Board's minimum width requirement at and potentially accommodate street parking, it may be prudent for the Board to err on the side of public safety if it has the ability to ensure it via parking restriction.

Callahan stated for clarification that the roadway is nine (9)-feet in excess of the short cul-de-sac category. He added that it appears that the Board's approval of the Downs Court subdivision appears to have set a precedent for roadway layout in this type of subdivision scenario relative to its proposed conditions.

Edmonds asked for clarification of potentially adding a condition stipulating the hours of construction activity during subdivision construction. Cassidy responded that it is true that the Board has imposed conditions of approval in the past stipulating hours of construction activity that differ somewhat from the City ordinance; however, she finds it to be a best practice of the Board to simply adhere to the City ordinance for hours of construction activity (which covers all subdivision projects by default) as to avoid confusion and inconsistency. She committed to attempting to look up the language of the City ordinance for the Board's information.

Callahan asked Attorney Salvati if the developer has any sense of a timeline for receiving approval from the gas utility relative to obtaining individual gas hookups for each newly constructed home. Salvati stated that the step has not yet been taken and thus there the developer is unaware of such a timeline as of now; however, if approval is obtained this evening, application for such gas service arrangement would likely take place immediately as to complete the within the proposed completion timeframe.

Cassidy stated that it would also be ideal for the developer to get in touch with the United States Postal Service (USPS) as soon as possible to ensure that the individual mail service arrangement for each residence may be accommodated, given their recent notice of transitioning to a "cluster" arrangement for all new residential projects with multiple units.

Turner asked for clarification that the comments of the Department of Public Works (DPW) have been accounted for and will be addressed relative to modifying the drainage calculations and resulting configuration of the proposed catch basin in the right-of-way, should the Board approve a 20' street width. Cassidy responded that this is an important point that will be reflected as another condition of approval in an amended Decision letter, although she would defer to the project engineer for more descriptive information.

Sleger stated that, based on his discussions with Engineering and DPW staff, the reference to modifying the new catch basin as a result of pavement width reduction pertains to the type of grate utilized to increase runoff capture capacity. He added that the conditions of approval should make specific reference to requiring any and all plan modifications prior to Board endorsement.

Donovan asked if members of the Board had any further questions. Seeing none, he opened the public hearing and Cassidy provided detailed instructions to audience members how to participate electronically and/or by telephone.

PUBLIC HEARING

Ms. Jennifer Jones, 4 Sherman Terrace, addressed the Board on the topic of specific conditions of approval (Conditions #1 and #3). She would like abutters residing on Sherman Terrace to be made aware of what is ultimately adopted as HOA requirements for maintenance so that neighbors are aware of the responsibilities of the new homeowners. As for the proposed streetlight condition, it is the preference of Sherman Terrace neighbors that additional roadway lighting is not added to the end of the street. Her additional comments comment specified a preference to approve the roadway with 24' of pavement width to accommodate additional traffic and street parking, to reduce the proposed construction completion timeline from 2-years to 18 months, and ensuring that there are no modifications to the mail delivery arrangement for abutting neighbors as a result of subdivision approval.

Ms. Erin Craven, 6 Sherman Place Court, addressed the Board with regard to proposed Condition #7 relative to the Petitioner's submission proof of the right to develop Sherman Terrace and the subject property. It is her understanding that the condition does not appear to ensure that final determination prior to construction of the subdivision. Cassidy responded to ask Attorney Salvati if he would be willing to address the comments just raised by Ms. Craven.

Salvati stated that the point raised actually refers to two separate issues: the right to develop the roadway and the right to develop the property. He further explained that the Chain of Title clearly entitles Ms. Paulsen to all of the land previously owned by her husband, and such proof has already been submitted to the Planning Board. The outstanding documentation verifying Ms. Paulsen's right to develop the roadway is what must still be obtained via Probate Court. Cassidy added that she is able to share the Probate ruling on the subject property to Ms. Craven, as it is now part of the record.

Mr. Andrew Martin, 10 Ingalls Street, asked for clarification on the proposed start date for constructing the project and whether a landscaping plan will be submitted with more details on the planting and/or preservation of trees. He added that his concern is that some existing trees may become destabilized during the construction phase and land on and/or cause damage to his property, so he would be in support of tree clearing so long as a buffer was maintained between his and the subject properties. Salvati stated that he would be willing to work with Mr. Martin to ensure that all trees of concern are removed, potentially to be replaced at the same distance/caliper as required post-construction. Mr. Martin expressed agreement with this arrangement.

Cassidy stated that there are no additional audience members expressing an interest in speaking.

Donovan asked if there are any additional questions from Board members.

Ventresca stated that the issue with which he is struggling and would appreciate additional discussion is whether to support a 20' or 24' pavement width. He personally is in support of maintaining the currently proposed 24' of pavement width. Doherty added that he is also in agreement with a 24' pavement width for the record.

Ventresca further stated that it seems that the most obvious benefit of a 20' pavement width is a reduction in impervious surface. Cassidy added that the primary benefit indicated by department comments as to a 24' pavement width is increased public safety and snow plowing accommodation.

Bolgen stated that she too is struggling with a decision on pavement width given that there are pros and cons to both configurations. She added that she agrees with Callahan's earlier statement as to adhering to the City's Subdivision Rules & Regulations, since there are broader planning-related questions of which the Board must be cognizant outside of each individual project. She further added that because the Board must consider the precedent it is setting with each decision, in addition to the practical reason of a lack of strict adherence to any parking restrictions that would be imposed, she would offer her support to approving a 24' pavement width.

Edmonds stated that the Board has had extensive discussion regarding pavement width in the past, and the consensus seemed to be in support of consistently requiring subdivision roadways to be constructed with public safety in mind, particularly given parking demands and other potential hazards. He is in support of a 24' pavement width for the reason of public safety.

Bolgen the Planning Director for clarification of any additional issues for the Board to consider aside from pavement width on this matter. Cassidy responded that the additional issue was relative to requiring the Petitioner to file a Petition with the Traffic Commission requesting a parking restriction on the entirety of Sherman Terrace (draft Condition #5), which only would have been necessary under the scenario of the Board adopting a 20-foot pavement width. With a 24-foot pavement width, she recommends the Board amend the draft approval to delete proposed Condition #5.

Bolgen posed a question to Attorney Salvati relative to proposed Condition #7 requiring the Petitioner to file documentation as to the right to improve Sherman Terrace prior to commencement of any work within the right-of-way. She asked for clarification as to the Petitioner's legal standing for filing a subdivision application with the Planning Board without a definitive documentation of development rights to the roadway, as she does not recall this ever being a topic of discussion for a subdivision filing. Salvati responded that it is generally accepted that homeowners abutting private ways own the roadway to the center of the street. He added that if he was unable to obtain the required documentation via Probate Court, his next step would be to consider filing a Land Court Petition.

Bolgen further stated that her understanding is that without the Probate documentation of development rights in hand at the time of Board approval, the Petitioner could proceed with making improvements to the roadway, but if it is subsequently determined that required documentation or a favorable Land Court ruling cannot be secured, then subdivision development of the Petitioner's property cannot occur. She asked Attorney Salvati to verify her understanding. Salvati responded that her understanding is correct but he maintains confidence that his client has the legal standing for Board approval this evening and to develop the subdivision as submitted for approval.

Ventresca asked for clarification of the process verifying the Petitioner's right to develop the roadway and thus have the capability to build the subdivision. Cassidy responded that she does not believe that the Board would be responsible for making such determination. Bolgen added that the determination of the right to develop the roadway would likely be challenged by an abutting property owner with similar roadway ownership rights. Salvati further added that a Title search completed in connection with the sale of one of the subdivision lots may also reveal that there is no clear chain of Title, and as such, make the determination that the roadway/subdivision was not legally created.

Ventresca asked about the need for including Condition #7 given what was just discussed regarding the legal process. Bolgen responded that Condition #7 would still seem to be appropriate as one additional measure for Board oversight.

Jennifer Jones, abutter residing at 4 Sherman Terrace, stated for clarification that in all conversations she has had with the Petitioner as her neighbor, her understanding is that the roadway is a shared responsibility given co-ownership of the roadway to the center line from their respective properties.

Bolgen asked Salvati to verify her understanding that although Ms. Jones, for example, is an abutter with similar rights to the centerline of Sherman Terrace, she will not be required to contribute to the proposed roadway improvements nor be party to the proposed Homeowners' Association (HOA). Salvati responded that Bolgen's understanding is accurate and added that this scenario has occurred in other approved subdivisions.

Ms. Kathleen Paulsen, Petitioner, stated that she was always told by her late husband that she owned half of the roadway from the center line.

Ventresca asked for clarification as to any requirements for a submitted landscape plan by the Petitioner. Cassidy responded that a landscaping plan is not a requirement for subdivision filings in Woburn. Ventresca added that he takes no issue with no official landscaping plan as long as the Petitioner's commitment to working with abutters on land improvements to address vegetation concerns is on the record.

Bolgen stated that her recollection is that there was prior Board discussion on matters of landscaping, but it may not have been in the subdivision review context. Cassidy stated that she does not recall landscaping being a regular topic of subdivision discussion during her time as Planning Director, although it is commonly reviewed as part of special permit Petitions. Salvati further added that his recollection is that the Planning Board in the past retained jurisdiction over landscaping for certain special permit projects, but that has been removed from the purview of the Board.

Motion to close to the public hearing on the 3 Sherman Terrace definitive subdivision application, made by Edmonds;
Second by Turner;

Roll call vote on the motion to close the 3 Sherman Terrace public hearing:

Bolgen-Aye
Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye

Donovan-Aye

Motion carried, 7-0-0.

Cassidy stated that her recommendation is to adopt the draft Decision letter on the matter of the 3 Sherman Terrace definitive subdivision, as amended, to: 1) strike draft Condition #5, and 2) to add a condition requiring notification of all abutters residing on 3 Sherman Terrace when any HOA action is taken for roadway/utility maintenance;

Bolgen stated, for discussion, she would support the addition of the HOA notification requirement as a Board condition of approval, given that legal documentation of roadway development rights is still technically outstanding. She added that it would be ideal to add language to the draft Decision letter stipulating that the draft HOA document must also include such reference to a notification requirement, given that the developer will act as the HOA until future homeowners are established in the subdivision. Cassidy responded that she will make such modification and provide the amended language (via email) to the Board for final review prior to officially filing the letter.

Ventresca stated that there was mention of streetlighting by the abutters and concerns relative to potential glare, and he would like to propose an amendment to Condition #3 reflecting such concerns. Cassidy responded that she can also modify the wording of the Condition to provide assurance that any new necessary lighting will be as unobtrusive as possible to abutting homeowners.

Ventresca asked Mark Sleger, project engineer, if both the Engineering and Public Works departments were satisfied with the drainage calculations post-modification of the new catch basin in the roadway. Sleger responded affirmatively and added that the only remaining question was which style of grate to install. He further recommended installation of twin grate for its lack of clogging. Cassidy added that she can also include another condition of approval that captures a requirement for the catch basin grate detail.

Donovan asked if Board members had any additional questions. Seeing none, he asked the Planning Director for any of her additional comments. Cassidy responded that she had none and reiterated her recommendation for Board members to consider the adoption of the draft Decision letters, as amended and revised during discussion.

Motion to adopt the Planning Director's recommendation to approve the 3 Sherman Terrace definitive subdivision and draft Decision letter, as amended and revised during discussion this evening, made by Bolgen;

Seconded by Doherty;

Roll call vote on the motion to approve the 3 Sherman Terrace and Decision letter, as amended and revised:

Bolgen-Aye
Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Donovan-Aye

Motion carried, 7-0-0.

225 WILDWOOD AVENUE

Cassidy provided an overview of the proposed special permit modification to modify the wording of Condition #1 relative to transferability of the special permit to amend the current language or delete the condition entirely, depending on the will of the Board.

Attorney Joseph Tarby, Murtha Cullina, 600 Unicorn Park Drive, began to address the Board on behalf of the Petitioner. He summarized that the Petitioner is seeking the modification to Condition #1 as a result of the change

of ownership of the existing tenant company, with the majority (60%) of the company being transferred to a different business entity. He added that the proposed shift in majority-stake ownership will not affect the tenancy, current hourly operations, and staffing at the property.

Tarby further stated that in recent years the City Council has reconsidered the imposition of conditions prohibiting special permit transferability, as it has been found to be detrimental to the interests of special permit holding Petitioners. He added that the new language proposed in place of the existing Condition #1 was adopted by the City Council following a similar modification request for property located on Holton Street.

Bolgen stated that she does not recall why the subject condition in question was originally imposed, although her thought is that proposed may have made transferability less ideal. She asked Attorney Tarby to confirm such use. Tarby responded that the Petitioner designs, fabricates and sells biogenic laboratory equipment. He added that the findings stated in the Decision did not seem to indicate any glaring shortcomings with the Petition.

Cassidy stated that she has done some amount of background research on this matter, including review of meeting minutes from 2013 and 2014 at the time the special permit was adopted, and found that there was no information or explanation as to why the transferability condition was originally imposed.

Edmonds asked if a recording of 2013 meeting was available for review. Cassidy responded that she is unaware of the status of the 2013 meeting, although her understanding is that the 2014 meeting was recorded, as she attended the meeting when the Board considered the prior modification request. She added that it is possible that the Board wanted to ensure that any change in ownership would not result in a need to amend or modify other Conditions of Approval by imposing Condition #1, but the inclusion of this type of condition was common to include in special permits decisions at the time the Petition was originally approved.

Ventresca stated that his recollection of the inclusion of Condition #1 is that it was intended as a standard for all special permits so that Petitioner would revisit the City Council in the event a transfer of special permit is desired, with the intent to reiterate all required conditions should a transfer of the permit be ultimately approved.

Tarby reiterated that the proposed new language to include in place of existing Condition #1 would clarify what seems to be the intended purpose of ensuring that any new business owners are aware of special permit conditions by coming before the issuing Board.

Donovan asked if members of the Board had any questions. Seeing none, he opened the public hearing and Cassidy provided detailed instructions to audience members how to participate electronically and/or by telephone.

PUBLIC HEARING

Cassidy stated that she sees no members of the audience expressing an interest in speaking.

Motion to close the public hearing on the matter of 225 Wildwood Avenue, made by Doherty;
Seconded by Ventresca;

Roll call vote on the motion to close the public hearing for the matter of 225 Wildwood Avenue:

Bolgen-Aye
Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Donovan-Aye

Motion carried, 7-0-0.

Cassidy stated that her recommendation is to consider the modification of original Condition #1 to read as follows:

Within three (3) months of any change in the business operator of the underlying property which is subject to this Special Permit, the new operator shall appear before the Planning Board to review the conditions of the Special Permit, to ensure conformance therewith."

Motion to accept the Planning Director's recommendation to modify Condition #1 of the Planning Board's 225 Wildwood Avenue special permit Decision, dated February 13, 2013, made by Doherty;
Seconded by Bolgen;

Roll call vote on the accept the Planning Director's recommendation to modify Condition #1 of the Planning Board's February 13, 2013 Decision for the matter of 225 Wildwood Avenue:

Bolgen-Aye
Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Donovan-Aye

Motion carried, 7-0-0.

APPROVAL OF MINUTES: July 15, 2020 special meeting and July 21, 2020 regular meeting.

Chair Donovan asked if members had reviewed the draft minutes of the last meeting and whether anyone was prepared to offer a motion to accept them.

Motion to accept the July 15, 2020 meeting minutes, as submitted, made by Bolgen;
Seconded by Ventresca;

Roll call vote on the motion to accept the July 15, 2020 meeting minutes, as submitted:

Bolgen-Aye
Callahan-Abstain
Doherty-Abstain
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Donovan-Abstain

Members discussed their recollection of attendance at the July 15, 2020 meeting.

Motion carried, 4-0-0, with Doherty, Donovan, and Callahan abstaining due to their absence at the July 15th meeting.

Motion to accept the July 21, 2020 meeting minutes, as submitted, made by Bolgen;
Seconded by Doherty;

Roll call vote on the motion to accept the July 21, 2020 meeting minutes, as submitted:

Bolgen-Aye
Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye

Ventresca-Aye
Donovan-Aye

Motion carried, 7-0-0.

PLANNING DIRECTOR UPDATE

Cassidy stated that she would recommend cancelling the Board's originally scheduled September 8th meeting with the intent to hold the Board's September 22nd meeting. Members expressed no opposition.

Cassidy stated that the matters slated for the September 22nd meeting (as of this evening) include the two public hearing continuances for the New Boston Street subdivisions and continued discussion on the matter of grading and drainage concerns at the location of the Ferullo Drive subdivision. She added that there is a chance that there will be a one or two pressing subdivision matters that the Board could meet to consider between this evening and the Board's September meeting and solicited the Boards amenability to holding such meeting. Ventresca responded that he will be unavailable for the next two weeks, but members otherwise expressed a generally willingness to meet, if need be.

Cassidy stated that the Commerce Way Corridor Overlay District Review Committee meeting recently held a meeting to discuss recent applications for the multifamily concept plans in the District. She added that Planning staff is in receipt of the 316 New Boston Street Committee Report, which has been provided to members for their information, and that the second report will be forwarded when available.

Doherty stated that his experience being on the Committee is that the review process is straightforward in terms of required criteria for each project in order to obtain approval.

ADJOURNMENT

Donovan asked Cassidy if there was any other business for the Board to conduct. There was none.

Seeing no further business, Bolgen made a motion made to adjourn the August 18, 2020 Planning Board meeting at 8:48 pm;

Seconded by Doherty;

Roll call vote on the motion to adjourn the August 18, 2020 Planning Board meeting at 8:48 pm:

Bolgen-Aye
Callahan-Aye
Doherty-Aye
Edmonds-Aye
Turner-Aye
Ventresca-Aye
Donovan-Aye

Motion carried, 7-0-0.

The meeting adjourned at 8:48 p.m.

Table of Documents Used and/or Referenced at Meeting

316 New Boston Street Definitive Subdivision: (1) Revised subdivision plan; (2) Project engineer memo; (3) Departmental comments on revised plan; and (4) Correspondence from City Solicitor re: use of land in abutting municipality, dated August 13, 2020
0 New Boston Street Definitive Subdivision: (1) Waiver request table; (2) Revised site plan; (3) Project engineer memo; and (4) Department comments on revised plan
3 Sherman Terrace Definitive Subdivision: (1) Revised subdivision plan; and (2) Correspondence from Attorney Mark Salvati
225 Wildwood Avenue: (1) Copy of proposed modification request; (2) Copy of proposed amendment; and (3) Copies of the original special permit Decisions, dated February 14, 2013 and April 23, 2014
Draft Meeting Minutes: July 15, 2020 and July 21, 2020 meetings

Respectfully submitted,

Dan Orr

Dan Orr
City Planner/Grant Writer

APPROVED