

APPROVED MEETING MINUTES

Tuesday, April 26, 2022 Woburn Planning Board Meeting | 7:00 p.m.
City Council Chamber, Woburn City Hall, 10 Common Street, Woburn, MA

Chair Claudia Bolgen called the meeting to order at 7:00 pm. Bolgen asked all in attendance to silence their cell phones and noted the meeting was being recorded. Planner Karen Smith called the roll.

Mr. Bob Doherty, Mr. Jim Callahan, Mr. Kevin Donovan, Mr. Dave Edmonds, Ms. Carolyn Turner, Mr. Michael Ventresca and Chair Claudia Bolgen were present. Planning Director Tina Cassidy and Planner Karen Smith were also in attendance.

ANR 202-204 SCHOOL STREET / Kevin Parlee

Cassidy stated the owner/applicant is proposing to adjust lot lines between two (2) existing lots (Assessors Map 19, Block 07, Lots 10 and 11) into the same number of newly-configured lots. Lot 2 (Area = 13,118 sq. ft.) and Parcel A (1,814 sq. ft.) are to be combined to form one lot totaling 14,932 sq. ft. and having 128.63' of frontage on School Street. Lot 1 is currently 13,940 sq. ft. in size and will have 12,126 sq. ft. of area after the transfer. It has 122.98' of frontage today and will have 101.68' of frontage after the transfer. Both lots will therefore have more than the minimum 100' of required frontage for the R-2 zoning district. Cassidy recommended the Board endorse the plan as one not requiring approval under the Subdivision Control Law.

MOTION by Doherty to accept the Planning Director's recommendation;
Seconded by Donovan;
Motion carried, 7-0.

PUBLIC HEARING (CONTINUED): ROADWAY IMPROVEMENT PLAN 0 VILLAGE STREET

Cassidy stated the applicant has requested a continuance of the public hearing to the meeting on May 24, 2022. The applicant needs additional time to vet a legal issue that has been raised. Additionally, prior to the Board's vote on the continuation, the petitioner's attorney has offered an extension of time for Board action to June 2, 2022.

MOTION by Ventresca to accept the petitioner's offer to grant an extension of time for Board action on this definitive subdivision plan filing from May 2, 2022 to June 2, 2022;
Seconded by Doherty;
Motion carried, 7-0.

MOTION by Ventresca to continue the Public Hearing to May 24, 2022 at 7:00 p.m.;
Seconded by Turner;
Motion carried, 7-0.

PUBLIC HEARING: PROPOSED ZONING AMENDMENT to amend Sections 13 and 28 of the zoning ordinance to allow for offsite directional signage for, and solar photovoltaic systems in, the Technology and Business Mixed Use Overlay District (TBOD) / Montvale Land LLC

Attorney Joseph Tarby of Rubin and Rudman, 600 Unicorn Park, Woburn, MA, representing the Petitioner, Montvale Land, LLC, asked permission to submit a document into the record to be referenced during his presentation. Tarby noted Mr. Chad Reynolds, Executive Vice President of Leggett McCall Properties, was in attendance with him.

MOTION to accept the petitioner's document made by Edmonds;
Seconded by Doherty;
Motion carried, 7-0.

Tarby stated his presentation includes a copy of the petition to amend the zoning with the language that has been submitted in addition to a document that depicts the two proposed off-site free-standing signs and their locations. He said one proposed sign will be on the AL Prime property and one sign will be on the McDonald's property. The signs will not be used for advertising and they will only identify the names of up to six developments, projects, or names of businesses on The Vale site. Tarby provided an overview of the benefits to the City in addition to the status of The Vale project.

Tarby stated the proposed amendment seeks to allow for up to two off-site free standing wayfinding signs that are part of the overall traffic mitigation plan for this development. It also proposes dimensional regulations for those signs that are identical to the regulations currently applicable to the B-I zoning district. Those regulations allow a maximum height of 30' and total size of up to 100 square feet per sign face.

Tarby added they are also seeking to restate Section 28.3 to allow the City Council to authorize, by special permit, other accessory uses not otherwise allowed in the district. In addition, the petitioner is asking to incorporate language into the TBOD that would allow all types of solar photovoltaic installations by right and also eliminate setback requirements for solar installations abutting Interstate 93.

Bolgen opened questions to Board members and they began taking turns expressing concerns regarding the sign-related amendments such as (a) the potential number of free-standing, off-premise signs that might be erected on Montvale Avenue and/or Hill Street, (b) the maximum size and height limit of the signage, (c) the wording and number of tenants/owners listed on the signs, and the location of the proposed signs. After discussion, the majority of Board members objected to the possibility of more than one free-standing off-premise sign in addition to being opposed to the possibility that it could be as tall as thirty (30) feet, contain the address of The Vale, and list an unlimited number of businesses and developments.

The Board was supportive of the solar-related amendments as proposed by the Petitioner. The majority of Board members stated they are not necessarily fond of the aesthetic appearance of solar ground arrays and solar car ports but acknowledged the importance of solar in relation to the environment.

Reynolds joined in the discussion noting they envision installing a low, granite monument-type sign on the McDonald's property and a second, free-standing sign on the AL Prime property. Edmonds said he was not in favor of allowing a free-standing sign that could be as tall as 30'. Reynolds said he would be willing to revise the proposal to cap the height at ten (10) feet, if the Board so chooses. Reynolds also stated Pulte, LCS and the Life Science campus are excited about the opportunity to install flush-mounted rooftop solar panels as they are practical and expected in the current climate and it was also encouraged as a condition in their Special Permit that was granted by the City Council. Reynolds added that the only group proposing solar carports was Mass General Brigham and they have withdrawn their proposal.

Bolgen opened the PUBLIC HEARING and asked if there was anybody in attendance who wished to speak on the project and if so, to please come forward and state their name and address for the record. No one stepped forward to speak.

Bolgen summarized the Board's concerns regarding the proposed zoning amendment requests. Cassidy stated she is concerned with the proposed language regarding the off-premise signs and the potential number of signs that may be constructed. Cassidy also stated there is nothing in the proposed ordinance that would require the developer to limit the number of businesses/tenants listed on each directory-type sign. She also noted the need to revise the inaccurate citation in the original Petition which incorrectly references Section 26 instead of Section 28. Cassidy acknowledged benefits to the environmental perspective of solar energy but added she is not in favor of ground-mounted solar panels or car ports. In addition, Cassidy stated she is also opposed to the revisions proposed to Sections 28.3 and 28.6.3 as the amendments to those two sections would allow the Council to allow any land use in the TBOD by special permit, and that is far too vague and broad an expanse of possibilities to ever be acceptable.

In response to these concerns which were voiced, the Petitioner agreed to limit the number of possible off-premise signs to one (1) and to limit the height of a permitted off-premise sign to ten (10) feet. The Petitioner was also agreeable with deleting the potential for a street address to be included on the sign, and with limiting to six (6) the number of developments, projects, and/or businesses that might be advertised on an off-premise sign.

MOTION by Ventresca to CONTINUE the PUBLIC HEARING on the petition to May 10, 2022 at 7:00 p.m. to allow the Planning Director sufficient time to summarize the Board's concerns and draft a recommendation to the City Council;
Seconded by Doherty;
Motion carried, 7-0.

ROBERTSON WAY SUBDIVISION

Attorney Mark Salvati, 57 Arlington Road, Woburn, MA, representing the developer, Bryan Melanson, informed the Board the As-Built plan is complete and it has been reviewed by Engineering, DPW, and the Water Department. Field changes that were noted on the plan have been approved by the DPW Director Jay Duran and the Water Treatment Plant Manager Tony Blazejowski.

Cassidy confirmed the As-Built plan has been reviewed by Engineering and found to be acceptable and it came with the required certification from a registered engineer certifying that construction was completed substantially in conformance with the approved plan. The Certification letter lists several deviations between the approved plan and what was constructed in the field such as a "missing" three-way gate valve on the water line, the material used for a portion of pipe leading from a catch basin to a leaching pit, and a narrower pavement width than allowed at one point in the roadway. DPW Director Jay Duran indicated via email that it is his understanding all three deviations were field changes authorized DPW staff at the time of construction. He also indicated his office has no issues with any of the deviations. Cassidy recommended the Board accept the As-Built.

Attorney Salvati stated he was also formally asking the Board to release all remaining bond monies for Robertson Way.

MOTION by Doherty to accept the As-Built Plan for the Robertson Way subdivision;
Seconded by Turner;
Motion carried, 7-0.

MOTION by Doherty to release all remaining bond money currently posted to guarantee completion of the Robertson Way subdivision;
Seconded by Edmonds;
Motion carried, 7-0.

CARLSON WAY SUBDIVISION

Attorney Mark Salvati, 57 Arlington Road, Woburn, MA, representing the developer, Bryan Melanson, stated while there have been quite a few delays closing this subdivision, he is hopeful the end is in sight. He received DPW Director Jay Duran's April 22, 2022 memo stating he is comfortable without a gate at the entrance to the easement that runs on Mr. Haggerty's property at 17 Carlson Way. However, Duran would like an apron and a curb cut in addition to installing some type of markers/bounds along the easement to demarcate it for emergency vehicle use. Salvati requested a continuance of discussion to June 28, 2022, to allow time for an agreement to be reached between all parties concerned and for the necessary work to be done in the field. They will also need to finalize the As-Built plan, obtain the engineer's certification, and complete any necessary closeout documents.

Cassidy stated zoning allows for a maximum driveway curb cut for a single-family home to be 24'. Salvati stated that although this situation would result in approximately 40' total, he spoke with Building Commissioner Tom Quinn who indicated it would be allowed because the City would not consider an easement for emergency vehicles to be a driveway curb cut.

Callahan followed up on a question from a previous meeting regarding staff's inquiry as to an unfinished portion of sidewalk on Wyman Street headed toward Rose Farm Lane. Cassidy stated she has since reviewed the approved plan and that specific area of sidewalk was not required to be addressed by Melanson.

MOTION by Doherty to continue the discussion on the expired construction completion date for the Carlson Way subdivision to June 28, 2022;
Seconded by Edmonds;
Motion carried, 7-0.

PLANNING DIRECTOR UPDATE

Cassidy stated she is in the process of conducting a more thorough review of the Subdivision Rules and Regulations in addition to vetting some ideas with the Engineering Department before providing the Board with draft language for possible revisions. The Board briefly discussed assigning realistic construction completion dates upon approval, extension requests, bond reduction requests along with the necessity to review the itemized cost of all remaining items/tasks while adjusting for inflation if the contingency isn't sufficient; and revocation of bonds.

The Board's next meeting will be virtual and will be held on May 10th at 7:00pm. Items on the agenda will include the continued public hearing for proposed zoning amendment to allow off-site directional signage for the Technology Business Overlay District (TBOD) and allow installation of solar photovoltaic systems in the TBOD.

APPROVAL OF MINUTES: APRIL 10, 2022 MEETING

Bolgen stated the next item on the agenda is approval of the Board's April 10, 2022 draft meeting minutes and asked if there were any comments or corrections.

Motion by Doherty to accept the April 10, 2022 Planning Board minutes as drafted;
Seconded by Ventresca;

Motion carried, 7-0-0.

ADJOURNMENT

Bolgen asked if there were any other business matters that may legally come before the Board not known at the time of posting. Cassidy replied there were none.

Seeing no further business, Turner made a MOTION to adjourn the April 26, 2022 Planning Board meeting;
Seconded by Ventresca;
Ventresca noted the time of adjournment to be 8:30 pm;
Motion carried, 7-0-0.

The meeting adjourned at 8:30 p.m.

Table of Documents Used and/or Referenced at Meeting

<p><u>PUBLIC HEARING (Continued): Village Street Roadway Improvement Plan:</u> Applicant's request to Extend deadline for Board action on the definitive plan and request to continue public hearing dated 4/21/22; Departmental comments: Fire Department email dated 3/22/22, Engineering Department memo dated 3/18/22, City Solicitor memo dated 4/11/22, Salvati letter to Building Commissioner dated 2/24/22.</p>

<p><u>PUBLIC HEARING: ZONING AMENDMENT Section 13 and Section 28:</u> Petition including Exhibit A; Tarby handout at meeting including Petition, Exhibit A, and rendering of proposed signs and locations; Sample photos of solar carport at 300 Wildwood.</p>

<p><u>ROBERTSON WAY: EXPIRATION OF COMPLETION DATE /</u> Series of email exchanges between petitioner's attorney and Planning Director, DPW, Engineering, and Water Department dated 4/20/22 and 4/22/22.</p>
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CARLSON WAY: EXPIRATION OF COMPLETION DATE: Engineering memo dated 4/25/22; Email from Planning Director to Melanson dated 4/5/22; Email exchange with Planning Director, developer, and DPW Director dated 2/4/22 and 2/3/22.

Planning Department Letters: Mayor Galvin to Secretary Kenneally dated 3/30/22 re Housing Choice Law draft guidelines

Draft MEETING MINUTES: March 22, 2022 virtual meeting

Respectfully submitted,
Karen Smith
Planner

Approved