

APPROVED MEETING MINUTES

Tuesday, May 24, 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. Jim Callahan, Mr. Kevin Donovan, Mr. Dave Edmonds, Ms. Carolyn Turner, Mr. Michael Ventresca and Chair Claudia Bolgen were present. Mr. Bob Doherty was absent. Planning Director Tina Cassidy and Planner Karen Smith were also in attendance.

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

Ms. Anne Reynolds, on behalf of Attorney Joseph Tarby of Rubin and Rudman, 600 Unicorn Park, Woburn, MA, representing the Petitioner, Montvale Land, LLC, recapped the applicant's April 26, 2022 presentation to the Board. She stated that after hearing the Board's concerns, the applicant proposed the signage be limited to one off-premise sign, that the maximum height of the sign be reduced from 30' to 10', that the sign be limited to the listing six of the development projects at The Vale, and that the Planning Director's proposed revisions to Sections 28.3 and 28.6.3.3 be adopted. Reynolds summarized they have reviewed the Planning Director's recommendation and are in agreement with it.

Bolgen asked if any members have any questions or comments for the applicant. Callahan asked for confirmation that this zoning amendment was specific only to the Vale and noted the importance of sight lines in relation to street access and signage.

Cassidy stated she received a letter from Cummings Properties noting they did not have an objection to the proposed amendment but would like the city to consider adding to this proposal allowance for other properties adjacent to a BI District to also have off-site signage. Cassidy noted, at this time, the city cannot contemplate expanding this proposal to incorporate other parcels as the Legal Notice was submitted specifically only for the TBOD parcels at the former Kraft site. Cassidy stated perhaps in the future it is conceivable that the City may take on the issue of off-site signage to benefit other zoning districts, but this proposal is TBOD-specific.

Cassidy recommended closing the Public Hearing once testimony concludes, and submitting a report to the City Council with the following recommendations:

That with respect to incorporating solar photovoltaic installations into the TBOD, the proposed amendments be revised as follows before adoption:

- In Section 28.3, replace the citation "26.6.1.19" with "28.6.1.19"; and
- In Section 28.6.3, replace the proposed phrase "...except as authorized by a Special Permit pursuant to Section 28.3" with the phrase "...except for accessory uses that may be authorized by a Special Permit pursuant to Section 28.3."

That with respect to allowing off-site signage in a B-I District for a TBOD development, the proposed amendments be revised as follows before adoption:

- Reduce the maximum height of such an off-premise sign to ten (10) feet;
- Limit the number of allowed off-premises signs to one (1);
- Limit the number of "developments, projects, or businesses" that can be included on such a sign to six (6), and require that if the sign has two faces, then each face must have the same text and design; and
- Eliminate authority to include a street address on the off-premise sign.

Cassidy also stated a copy of the proposed revisions, in redline format, will be attached to the recommendation.

Bolgen stated the Public Hearing is still open and noted there were no participants in the audience.

MOTION to close the PUBLIC HEARING made by Edmonds;
Seconded by Callahan;
Motion carried, 6-0-0 (Doherty absent).

Motion to accept the Planning Director's recommendation and forward it to the City Council made by Ventresca;
Seconded by Turner;
Motion carried, 6-0-0 (Doherty absent).

**PUBLIC HEARING (CONTINUED): ROADWAY IMPROVEMENT PLAN VILLAGE ST / Frederick J. Gonsalves
(Request has been filed to withdraw, without prejudice, the definitive subdivision application)**

Cassidy stated a question has been raised relative to whether or not this lot, which was created by a variance granted years ago, is still a valid building lot. There has been a somewhat recent court case that has led the Building Inspector to confer with the City Solicitor, who is of the opinion that the variance has lapsed and the lot is not longer a separate legal lot. The petitioner applied for a building permit and was denied by the Building Inspector. The owner has appealed that denial to the Zoning Board of Appeals (ZBA) and will be heard at the June 2022 ZBA meeting. If successful, the applicant hopes to re-file with the Planning Board. If not successful with the Zoning Board of Appeals, perhaps they will have to pursue it at a higher level.

Bolgen stated the Public Hearing is still open and noted there were no participants in the audience.

MOTION to close the PUBLIC HEARING made by Edmonds;
Seconded by Callahan;
Motion carried, 6-0-0 (Doherty absent).

Cassidy recommended the Board accept the applicant's request to withdraw the application without prejudice.

Motion to accept the Planning Director's recommendation made by Edmonds;
Seconded by Turner;
Motion carried, 6-0-0 (Doherty absent).

LEGACY LANE DEFINITIVE SUBDIVISION

Cassidy stated progress has been made wrapping up the subdivision. All outstanding documents have been executed and recorded at the Registry of Deeds. The As-Built mylar plan is in the City's possession but needs a final confirmation from the Engineering Department to confirm it is identical to the one they've previously reviewed. Also, DPW Director Jay Duran would like to confirm the Middle Street roadwork at Legacy Lane was successfully repaired and prefers to observe it during a rainstorm as it was a condition of approval. Cassidy recommended laying any vote on the table for Legacy Lane until a June meeting as a result. The Board concurred.

ALAN R. GERRISH DRIVE

Cassidy stated the subdivision is almost complete. The approved plan showed a new street light on the end of the cul-de-sac that was missed during construction and noticed by the Engineering Department while reviewing the As-Built plan. Two Board members observed the cul-de-sac and made a judgement that additional lighting was needed. The developer is pursuing permission from Eversource to add a second light fixture to an existing street pole that could be directed toward the subdivision and provide adequate lighting. The developer is waiting to heard back from Eversource, but in the meantime has acted to procure a vendor for a street light and fixture in case Eversource returns a less than positive answer.

Cassidy recommended extending the construction complete date for Gerrish Drive to September 30, 2022.

Edmonds noted he is an abutter and will abstain from voting.

Motion by Ventresca to accept the Director's recommendation;
Seconded by Callahan;
Motion carried, 5-0-1 (Edmonds abstained; Doherty absent).

RUSSO DRIVE DEFINITIVE SUBDIVISION

Cassidy stated the Board has received written confirmation from the engineering firm of Dresser, Williams, and Wey that indicates the subdivision was constructed in substantial conformance with the approved subdivision plan. The final As-Built plan has been found acceptable by the City's Engineering Department.

Cassidy recommended the Board releases the remaining funds that are being held to guarantee completion of the Russo Drive subdivision (in the form of a Tri-Partite Agreement in the amount of \$111,958.25) and accept the final As-Built plan.

Motion by Ventresca to accept the Director's recommendation;
Seconded by Turner;
Motion carried, 6-0-0 (Doherty absent).

PLANNING DIRECTOR UPDATE

Cassidy clarified with the Board that the Carlson Way developer's responsibility regarding the sidewalk on Wyman Street near Rose Farm Lane was fulfilled. Cassidy noted there is a small section of sidewalk on the approved plan that did not require the developer to install new concrete all the way to the existing sidewalk.

After discussing the June schedule, the Board agreed their next meeting will be virtual and will be held on June 14th at 7:00 pm. Items on the agenda will include a public hearing for a proposed zoning amendment to allow retail marijuana sales as a Special Permit use in the IP2 Zoning District, and a public hearing on a Special Permit and Site Plan review application for 216 New Boston Street that will have 33,500 square feet of light manufacturing space.

The Board scheduled a summer meeting for July 26, 2022 that most likely will be needed to conduct a hearing on proposed zoning map and text amendments for the property located at the end of Middlesex Canal Park Drive. The Board prefers this meeting to be held virtually for the convenience of the public that may want to participate but may be unable to attend in person.

APPROVAL OF MINUTES: MAY 24, 2022 MEETING

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

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

Motion carried, 6-0-0 (Doherty absent).

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, Edmonds made a MOTION to adjourn the May 24, 2022 Planning Board meeting; Seconded by Ventresca; Ventresca noted the time of adjournment to be 7:31 pm; Motion carried, 6-0-0 (Doherty absent).

The meeting adjourned at 7:31 p.m.

Table of Documents Used and/or Referenced at Meeting

<u>PUBLIC HEARING (Continued): ZONING AMENDMENT Section 13 and Section 28: 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; Draft recommendation letter to City Council; Cummings Properties letter dated May 9, 2022;</u>
<u>PUBLIC HEARING CONTINUED / 0 VILLAGE STREET: Attorney Salvati letter dated May 17, 2022</u>
<u>RUSSO DRIVE: Engineering memo dated May 19, 2022;</u>
<u>CARLSON WAY: Google map photos of Wyman Street sidewalk near Carlson Way; Carlson Way Subdivision approval letter dated September 27, 2012; Except of Approved plan depicting sidewalk on Wyman Street</u>
<u>Draft MEETING MINUTES: April 24, 2022 meeting</u>

Respectfully submitted,
Karen Smith
Planner

APPROVED