

APPROVED MEETING MINUTES

Tuesday, June 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. 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.

SUBDIVISION APPROVAL NOT REQUIRED PLAN: 4 Crossman Road / Frederick and Bruce Cialdea

Cassidy stated the owners of an approximately 34,528 sq. ft. parcel of land on the north side of Crossman Road have filed an ANR plan to subdivide the lot into two building lots. Each will have sufficient area and frontage to meet zoning requirements as Lot 1 has 140.04' of frontage and Lot 2 has over 233' of frontage where a minimum of 100' of frontage is required. The parcel is zoned R1.

Staff reviewed the plan and found it conforms to the Board's requirements for ANR plans, and therefore recommends the plan be endorsed as one not requiring approval under the Subdivision Control Law.

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

PUBLIC HEARING (CONTINUED): SPECIAL PERMIT/SITE PLAN REVIEW application to authorize 33,514 sq. ft. of light manufacturing space within a two (2) story, 133,738 sq. ft. building at 216 New Boston Street

Cassidy stated this public hearing is a continuation from the meeting held on June 14, 2022 and noted all members were present that evening and are eligible to participate in the hearing tonight. The petitioner's attorney submitted a request to continue the public hearing to an August date to be determined and Cassidy recommended the Board grant the petitioners request. The Board discussed the potential dates of August 23rd and August 30th, ultimately concluding the date of August 23rd was preferred.

Bolgen opened the PUBLIC HEARING and asked if any member of the audience wished to be heard. No audience members chose to participate.

MOTION to continue the PUBLIC HEARING to August 23, 2022 at 7:00 p.m. made by Callahan;
Seconded by Edmonds with discussion as to whether the meeting should be held in person or virtually;

After some discussion, members agreed the meeting would be held virtually via the Zoom platform.

Callahan revised his motion to continue the PUBLIC HEARING to August 23, 2022 at 7:00 p.m. via ZOOM virtual platform;
Seconded by Edmonds;

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

PUBLIC HEARING: REQUEST TO MODIFY THE APPROVED BAKER WAY DEFINITIVE SUBDIVISION PLAN

Attorney Mark Salvati, 57 Arlington Road, Woburn representing the petitioner, David Baker, stated the developer installed a planting strip between the curbing and neighbor's property as required on the Approved Plan and it has since been removed by someone other than the developer. The modification request seeks to revise the plan to allow for removal of some of the planting strip. Meanwhile, since the filing of the modification, more of the planting strip has been removed resulting in the need to have to re-file an additional modification to allow for all of the planting strip from Washington Street to the fence to be removed as a construction requirement. Salvati noted the developer has to address an issue on Washington Street with the Department of Public Works and will need to request an extension of the construction completion date for ninety (90) days; the construction completion date expired on July 25, 2022.

Bolgen asked Board members if they had any questions for the petitioner and they did not.

Bolgen opened the PUBLIC HEARING and invited members of the public to speak in favor or in opposition to the matter and to approach the podium and state their name and address for the record. No audience members chose to participate.

Cassidy recommended closing the PUBLIC HEARING and granting the request to modify the subdivision as requested by waiving the requirement for a 6" grass strip, to the extent shown on the sketch accompanying the petition.

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

Motion by Ventresca to grant the waiver as requested;
Seconded by Turner;
Motion carried 6-0-0 (Doherty absent).

Attorney Salvati verbally requested a 90-day extension of the construction completion date. The request will be laid on the table and discussed at the next Planning Board meeting which will be held on August 23rd.

SPECIAL PERMITS: 225 WILDWOOD STREET: Discussion of conformance with condition #1 of Special Permit granted on August 18, 2020 / American ULT Cryotronics Inc

Cassidy stated Attorney Joseph Tarby, representing High Precision Devices, Inc., has submitted a communication associated with a special permit previously granted to American ULT Cryotronics Inc. as High Precision recently purchased the assets of American ULT at 225 Wildwood Street and will occupy the manufacturing, office and warehouse areas previously designated for American ULT. In August of 2020, the wording of Condition #1 of the original 2013 Special Permit Decision was modified. Condition #1, which initially read "That this Special Permit shall be exclusive to Janis Research Company, LLC and shall not be transferable" was revised in 2020 to read "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.”

Cassidy stated High Precision Devices submitted an affidavit dated July 19, 2022 attesting they have reviewed all of the conditions set forth in the various Decisions and understand they must comply with all of them.

Attorney Tarby, accompanied by Kenneth G. Torline, Operations Director for FormFactor, Inc., the parent corporation of High Precision Devices confirmed, in person, the firm’s understanding of, and willingness to conform to, all conditions set forth in the earlier Special Permit decisions. Torline also attested they have reviewed all of the conditions set forth in the various Decisions and understand they must comply with all of them.

Cassidy stated no action is required of the Board on this matter and complimented Torline and his firm on the fact they take permitting seriously, by devoting the company resources needed to proactively ensure they’re complying with all requirements of their new community.

PLANNING BOARD DIRECTOR UPDATE

Cassidy stated the State Legislature has authorized remote meetings through March of 2023 which provides the Board the flexibility to hold meetings in-person or virtually. Cassidy mentioned there is some discussion at the State level to possibly require in-person meetings to offer a virtual option at the same time.

The next Planning Board meeting will be held on August 23, 2022 and will be a virtual meeting. Items on the agenda will include a continuation of the public hearing for 216 New Boston Street, a new public hearing for a zoning map and text amendment for a Life Science Overlay District located on four parcels on Middlesex Canal Park, and, possibly, a request for an extension of the construction completion date for Baker Way in addition to the possibility of another filing for a modification to Baker Way’s approved subdivision plan to account for the most recent changes made by an abutter.

The meeting agenda for September 13th will include items for the Legacy Lane Subdivision, acceptance of the As-Built Plan and release of surety being held to guarantee completion of the subdivision; Sherman Terrace, expiration of construction completion date on August 30, 2022 and recent complaints about site and activities from abutters; Crossman Road, update on the Land Court ANR, detailed timeline for any work not part of the original subdivision, and discussion regarding Engineering Department’s comment that the current balance of surety may not be sufficient to cover the cost of work that remains incomplete; and Highview Estates, update on litigation and discussion of extension of construction completion date on September 30, 2022.

APPROVAL OF MINUTES: JUNE 28, 2022 MEETING

Bolgen stated the next item on the agenda is approval of the Board’s June 28, 2022 draft meeting minutes and asked if there were any comments or corrections. There were none.

Motion by Turner to accept the June 28, 2022 Planning Board minutes as drafted;
Seconded by Ventresca;

Motion carried, 5-0-1 (Edmonds abstained; Doherty absent).

The Board briefly discussed the benefits of virtual meetings and the technological advances cities and towns will need to make to provide hybrid-type public meetings.

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, Ventresca made a MOTION to adjourn the July 26, 2022 Planning Board meeting at 7:24 p.m.;
Seconded by Edmonds;
Motion carried, 6-0-0 (Doherty absent).

The meeting adjourned at 7:24 p.m.

Table of Documents Used and/or Referenced at Meeting

<u>SUBDIVISION APPROVAL NOT REQUIRED PLAN:</u> 4 Crossman Road / Frederick and Bruce Cialdea; Application and Plan
<u>PUBLIC HEARING (CONTINUED): SPECIAL PERMIT/SITE PLAN REVIEW</u> application to authorize 33,514 sq. ft. of light manufacturing space within a two (2) story, 133,738 sq. ft. building at 216 New Boston Street; Letter dated July 18, 2022 from Attorney Tarby requesting continuance to a meeting date to be decided in August 2022;
<u>PUBLIC HEARING: REQUEST TO MODIFY THE APPROVED BAKER WAY DEFINITIVE SUBDIVISION PLAN:</u> Request letter for modification dated July 14, 2022 along with a request to extend the completion date to July 25, 2022; Plan depicting location of request to eliminate grass strip; photos of specific area on Baker Way abutting Washington Street; City Engineer Rheume's letter dated July 14, 2022 commenting on request; Subdivision approval letter dated December 14, 2016.
<u>SPECIAL PERMITS: 225 WILDWOOD STREET:</u> Discussion of conformance with condition #1 of Special Permit granted on August 18, 2020 / American ULT Cryotronics Inc; Letter of request dated June 23, 2022 to appear before Board to review conditions of Special Permit; Affidavit from Kenneth Torline representing High Precision Devices dated July 19, 2022; Special Permit decision letters dated February 14, 2013; April 23, 2014; August 19, 2020; June 22, 2021.
<u>PLANNING DIRECTOR UPDATE:</u> Email from City Solicitor dated July 21, 2022 regarding Chapter 107 of the Acts of 2022; MMA article by Ali DiMatteo, Legislative Analyst regarding remote meetings;
<u>DRAFT MEETING MINUTES:</u> June 28, 2022 meeting

Respectfully submitted,

Karen Smith

Planner