

**MEETING OF THE  
CITY OF WOBURN  
BOARD OF APPEALS  
JUNE 22, 2016 – 7:00 P.M.  
COUNCIL CHAMBER  
WOBURN CITY HALL**

Attending: Chair Margaret Pinkham, Member Daniel Parrish, Member John Ray, Member John Ryan, Member Edward Robertson and Alternate Member Sheila McElhiney

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**Petition of Mill Street Property Group, LLC, 57 Mill Street, Woburn, MA 01801, applicant, and James T. Lichoulas, Jr., 57 Mill Street, Woburn, MA 01801, landowner relative to an application for Comprehensive Permit (pursuant to M.G.L. Chapter 40B) for purposes of a public hearing pertaining to the property located at Mill Street.** Chair Pinkham suggested that Attorney Regnante might review the status subject matter by subject matter. Representing the petitioner, Theodore Regnante, Esquire, 401 Edgewater Place, Wakefield, MA suggested that the Civil Engineer, Chris Sparages review his portion and then David Giangrande can review the issues raised at the last meeting. Mr. Sparages stated that he prepared a brief summary; that he presented a colored rendering of the landscape plans (copies given to the Board prior to the start of meeting); that one addition was snow removal and calculation of land area; that there is snow storage on either side of the entrance, the larger area across Mill Street, along the frontage of Mill Street, some snow storage on top of the play area, totaling 6,532 Sf; that the plan would be to truck off-site when full; that the impervious area totals 65,241SF which also includes the building; that he could calculate the square footage of the parking area; that during the wintertime the play area would be inaccessible; referred to the Utility Plan and stated that in the parking lot there are deep sink catch basins and down the line there are catch basins as well as the back corner; used the plan and reviewed all deep sink catch basins; that there 4-5 catch basins; that there is a catch basin in front of the dumpster pad; that at the last hearing the lighting was questioned; reviewed the Photometric Plan and stated that the project will include seven (7) pole-mounted lights (6-A Type); that in the center, there will be 1 B-Type; that the A-type will have three shields with LED lamps; that the zoning ordinance (§8.1) talks of safe lighting in the parking lots; speaks to tick lights and foot candle values; that the parking lot is lit with the most common practice; that the play area will be illuminated at night with typically something brighter than the parking lot (reviews the foot candle value); that the play area will be more of a passive recreational area; that when they pulled back from the Conservation area and submitted a Fire Apparatus Access Plan; described how the apparatuses can access; that they haven't confirmed this plan with the fire officials but will follow up and report back; that there will be three fire hydrants, namely: one in front of Building 2, one in the landscape area at Building 1, and the inside the site at Building 1; that they went back and forth the fire official and basically placed the hydrants where they asked; that the Conservation Commission last approved on June 9<sup>th</sup>; that the City Solicitor is reviewing the letter from their attorney and will meet on June 30<sup>th</sup>. Responding to Chair Pinkham's question of the Flow Test, Mr. Sparages stated that they have yet to schedule with the DPW but are waiting to hear back; that they are ready, willing and able; that there is a portion of 4" pipe that Mr. Lichoulas is

willing to replace; that they will take a closer look at the town's records; that they may need to dig test holes to determine where it begins and ends; that they will work with Mr. Duran (DPW) and Mr. Corey (City Engineer); that it is not uncommon to have hydrants in snow storage areas; and that if there is concern, they can add language for open and clear access to hydrants. There was brief discussion of landscape plan and plantings. Mr. Sparages stated that it is common for hydrants to fall within the layout of Mill Street; that it varies from city/town; that they reviewed in detail with the fire department and have yet to sit with the DPW, but it's not uncommon; that David O'Sullivan did the calculation of the parking lots which leave 39,200 SF, snow storage of 6532 SF; that they will calculate for snow storage for the next meeting.

TRAFFIC: Design Consultant David Giangrande stated that at the last meeting there were 8-10 questions, and followed up that they went out and looked at the Country Club Garden (hereafter CCG) and did traffic numbers for that site and calibrated trip generation and also looked at cars for cut through; that they hired outside company and should have the information next week; that the City hired WorldTech with whom they will consult; that they will be counting and calculating; that the Chairperson had asked for census data (displayed Census Tract 3334-Woburn) which will give them an idea, to which Chair Pinkham questioned Census Tract 3334 and the report referred to Census Tract 3343 (Mr. Giangrande will check); responding to Member Ryan's question of updated information in consideration of the Benchmark project, Mr. Giangrade stated that they would like to meet with the peer consultant and get it on the table; that the information they used was from the original traffic impact study; that they are counting the apartments from site for trip generation. Member Ryan restated that he wants to make sure the report includes the assisted living facility and he is interested in seeing what data they are using with The Landing/Madison Properties and if they are 'real world figures'. Mr. Giangrande stated that the data is out there today and adjusted upwards; that they didn't add the assisted living; and that they use estimated trip which is the industry standard. SIDEWALK INVENTORY: Mr. Giangrande explained that Washington/Salem Streets have at least one sidewalk on one side; that he will get the Chair/Board a copy of the Sidewalk Inventory slide; that the street widths are variable throughout; that they use blacktop-to-blacktop or grass-to-grass; that they sent someone out to do a 'synchro run' which went back 75'; that they were asked to look at the parking at CCG; that 256 spaces were utilized when looked at 8:00 pm-9:00pm on two different dates; that they find that it is not a capacity issue but a convenience issue; that the assisted living at Cedar Street, they used the StanTech Report; that they will take all information into account for the additional development to cover future growth; that they use what's provided by the State projected five years out. When questioned by Members Ray and Ryan on the trip generation, Mr. Giangrande referred to the StanTech Report. Responding to Chair Pinkham, Mr. Giangrande stated that he recalled eight cars in the right of way; and to Member Parrish's question of cut through once the dumpsters are removed, he stated that there has been conversation with the team of a gate system, by placing a gate where the dumpsters are to prevent cut through: that they would like to get organized with the peer consultant; and that they will move the dumpster and gate onto the private lane. Attorney Regnante summarized that those were the questions they had heard from the last meeting; that money (\$11,000) has been deposited with the City; and that he hopes the contract is executed so they can get on to peer review. Chair Pinkham stated that she believes that WorldTech has reached out for information.

PUBLIC: Nancy Jordan of 25 Mill Street asked that when they do the numbers for CCG, that they take the number from Mill at Washington Streets; that she also notices that the playspace equals ten parking spaces; that there is not spot for adults; that it is not big enough for kids activities; that as for the gate, she thinks would cause more of a problem; and that she has consistently requested the applicant to refer to the subject property at 43 Rear Mill Street rather than 43 Mill Street as that is her parent's home. Matthew Marino of 1 Mill Street read statement (copy attached hereto); referred to landscape areas: that the snow storage is all on Mill Street; that as for drainage, the water table is high; that the dumpsters are as close to Conservation as possible, questions if it's a good idea; questioned the turnaround area; that when they redo the traffic study, questioned it be done during the average; that the parking is for the existing; and that they have all this space, asked of building townhouses which have a lesser impact; and noted/questioned that Board being able to deny if the City has had a one-half percent increase in the past year.

40B Consultant for Petitioner Ed Marchant stated that Woburn doesn't have a Housing Production Plan which has incentive; explained the numbers of Woburn which led into discussion of Housing Production Plan which creates a 'safe harbor'. Mr. Marino added that he just wants to make sure that all is considered. Member Robertson appreciated Mr. Marino raising the question, but that option is not available for the Board at this time. There was a discussion led by Mr. Marchant relative to 40B statutory requirements. Ward 5 Alderman Darlene Mercer-Bruen stated that the City of Woburn has approved, submitted and await further approval of a Housing Production Plan; that she finds it interesting that it's referred to as a 'safe harbor' questions if it is implying that it is not safe; that she hears us (City) asking them (Petitioner) when we need to consult with our own; referring to traffic, states that if it is not presented in written form, we shouldn't look at it; questioned if the peer consultant will review and provide recommendation for the City; asked what the Board asked for from the peer consultant; noted her experience with a particular project (i.e. Chik-Fil-A) wherein there was missing data; that she is not sure if consideration can be given to the existing traffic conditions; that Reading has developed and all the traffic comes through Washington Street; that they should ask for what they want; that she hopes they can do better with the lighting; that the playground be lit properly; that the landscape is minimal; and that she is not sure how they can review traffic. Member Robertson asked if the Alderman is looking to hear if the peer consultant will give substantive opinion; and if there is any safe way to use Mill Street. Member Ryan asked if Alderman Bruen was conferring whether we can reasonably expect the peer consultant to be impartial. Chair Pinkham stated that the peer consultant can advise the Board of any conditions to be address and give the Board the 'tools' to make its decision.

PUBLIC: Rebecca Gore of Washington Terrace voices her opposition to the project; that she appreciates the Board's comments; that her commute is different every morning; that she takes walks through the CCG; that she has seen the parking completely full; that it is a tight area; that safety is a big concern; that Washington Terrace is used frequently (example of cut through traffic); and that she is concerned of the traffic pattern and safety for this area. Joseph Gore of Washington Terrace stated that they are in close proximity to project; that he is a professional contract, who is concerned about his property values; that there are traffic and safety concerns; that Washington Terrace is disintegrating; that he has concerns for emergency vehicles when there is snow, it is single lane; that he has safety concerns during construction; that there is lots

of trash from cut through; that he is concerned for school buses; that it's only going to become worse; and asks the Board to deny the application. Mary Hart of 43 Mill Street stated that the snow storage and removal all seems to be on Mill Street; that all the water and snow will come down Mill Street and cause icing; that there are several school buses that come through and she sees as a safety concern; ask if catch basins and sewer is the same thing; asks how the fire engines can come through Salem Street; that it is too densely populated for this project; and that the play area is small and too close to conservation land. Member Ray asked of the turning of fire trucks and that they have to look at it again. Member Ryan questioned that at the current location of the dumpster there is a steep drop and questions if a fire truck would be able to turn in there, to which Mr. Sparages stated that they will follow up with the Fire Department. Steve Nelson of 5 Washington Terrace stated that he has lived here most of his life; that it's a lovely neighborhood; that this is too much for the neighborhood; that he doesn't know how apartments can go in there; that he has trouble getting out of his driveway; and that his concerns are with safety, traffic and crime.

Motion was made and seconded to continue the matter. The Vote was all in favor, 5-0.

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The next meeting on the Petition of Mill Street Property Group LLC was scheduled for Wednesday, July 27, 2016 at 6:00 pm in the Council Chamber.

The next regular meeting of the Board of Appeals will be held on July 20, 2016 at 6:00 pm.

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Motion made and 2<sup>nd</sup> to ADJOURN, all in favor, 5-0.

Meeting adjourned at 9:28 p.m.

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Patricia Bergeron-George  
Clerk of Committees