

# APPROVED

## MEETING MINUTES

Tuesday, January 11, 2022 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.

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

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

### **ANNUAL ELECTION OF PLANNING BOARD CHAIR AND VICE-CHAIR**

Cassidy presided over this portion of the meeting. She explained that it is customary for the Board to hold its annual elections for Chair and Vice-Chair at the beginning of each year.

Cassidy asked if there were any nominations for the position of Planning Board Chair for 2022.

Ventresca nominated Bolgen for position of Board Chair;  
Seconded by Edmonds.

Cassidy asked if there were any other nominations for Chair. There were not.

Motion to close the nominations and elect Bolgen to the position of Board Chair for calendar year 2022 made by Doherty;  
Seconded by Turner;

Bolgen expressed her appreciation of her colleagues's confidence in giving her the opportunity to serve as the Board's chair for a third time.

### **Roll call vote on the motion to close the nominations to elect Bolgen as Board Chair for 2022:**

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

The motion carried, 7-0.

Bolgen thanked Donovan for his service and for leading the Board through unprecedented times.

Cassidy continued leading the discussion and called for nominations for Board Vice Chair for 2022.

Bolgen nominated Ventresca for the position of Vice Chair;  
Seconded by Doherty;

Cassidy asked if there were any other nominations for Vice Chair. There were none.

Motion to close the nominations and elect Ventresca to the position of Vice Chair for calendar year 2022 made by Doherty:  
Seconded by Turner;

Ventresca thanked the Board while acknowledging Bolgen's chairmanship. Ventresca also mentioned the opportunity of possibly of being able to reinstitute the Zoning Ordinance Review Committee (ZORC).

Roll call vote on the motion to close the nominations and elect Ventresca to the position of Vice Chair for 2022:

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

The motion carried, 7-0-0.

Bolgen took the metaphorical gavel from Cassidy and began to Chair the meeting.

**PUBLIC HEARING (CONTINUED): LEGACY LANE SUBDIVISION: Modification request to retain the roadway as a private way, to be maintained by the private homeowners' association, rather than have the road become a public way maintained by the City after completion of construction / Frank Michienzi**

Cassidy noted that members Edmonds and Ventresca have filed Missed Hearing Certification Forms with Planning staff as they did not participate in the first segment of the public hearing held on December 14, 2021. They have both reviewed the tape and signed the certifications and are qualified to participate.

Cassidy summarized the previous meeting and why the Board voted to continue discussion to this evening. Reasons included the applicant preparing a plan that would show locations and proposed text for street signage that would be used if the road were to be a private way, and addressing some of the issues that were raised relative to ownership of the roadway as a private way. The Board also chose to request an opinion from the City Solicitor relative to the rights of abutters to private ways in terms of their right to use and perhaps alter the roadway as opposed to the rights people have who abut public ways. The Board also chose to obtain the Solicitor's opinion regarding the enforcement mechanism, if the Board were to approve the current modification request and condition it upon no barriers being erected in the roadway.

Cassidy stated the developer's engineer was unable to complete the plan due to personal issues, and the applicant's attorney has requested the hearing be continued to January 25<sup>th</sup> because he is unable to attend this meeting due to circumstances beyond his control. Cassidy stated she would also like additional time to gather clarification from the Solicitor regarding some comments written in her opinion letter to the Board.

Bolgen opened the PUBLIC HEARING and asked if any audience members wished to be heard. Cassidy explained the process to participate in the virtual ZOOM meeting. No participants raised their virtual hands to comment.

Doherty made a motion to continue the public hearing on the Legacy Lane modification request to January 25, 2022 at 7:00 pm.

Seconded by Ventresca;

Roll call vote on the aforementioned motion:

Doherty-Aye  
Callahan-Aye  
Donovan-Aye  
Edmonds-Aye

Turner-Aye  
Ventresca-Aye  
Bolgen-Aye

The motion carried, 7-0-0.

**LEGACY LANE SUBDIVISION: REQUEST FOR EXTENSION OF CONSTRUCTION COMPLETION DATE**

Cassidy recommended the Board table this discussion until the January 25, 2022 Board meeting. The Board concurred.

**RUSSO ESTATES SUBDIVISION: REQUEST FOR EXTENSION OF CONSTRUCTION COMPLETION DATE**

Cassidy stated the developer has requested the completion date be extended from December 31, 2021 to February 28, 2022. The city's Engineering Department confirmed the stone bounds and final paving are complete. Preparation of acceptable As-Built and Acceptance plans are the only outstanding items in addition to receipt of a signed letter from the developer's engineer certifying that the subdivision road was constructed as designed. Cassidy recommended the Board extend the construction completion date for this subdivision to February 28, 2022.

Doherty made a motion to extend the construction completion date for the Russo Estates subdivision from December 31, 2021 to February 28, 2022.

Seconded by Turner;

Bolgen stated she is inclined to vote favorably on the extension due to the small amount of additional time requested to complete the unfinished plans.

**Roll call vote on the aforementioned motion:**

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

The motion carried, 7-0-0.

**PLANNING BOARD DIRECTOR UPDATE:**

Cassidy noted January 25, 2022 is the next meeting of the Board and it will be virtual. The agenda will include a continuation of the Legacy Lane Public Hearing, a Public Hearing on a new subdivision application titled Roadway Improvement Plan 0 Village Street, and discussion on several subdivisions with expired completion dates.

Bolgen noted the January 25, 2022 meeting will be virtual and would like the Board to have ongoing discussions about what the members are comfortable doing with regards to meeting in person or continuing to conduct virtual meetings.

**APPROVAL OF MINUTES:** December 14, 2021 meeting

Motion by Doherty to accept the December 14, 2021 Planning Board minutes as drafted;  
Seconded by Callahan;

**Roll call vote on the aforementioned motion:**

Doherty-Aye

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

The motion carried, 5-0-2.

**ADJOURNMENT**

Bolgen asked if there was any other business for the Board to conduct this evening.

Seeing no further business, Doherty made a motion to adjourn the January 11, 2022 Planning Board meeting at 7:21 p.m.;

Seconded by Edmonds;

**Roll call vote on the aforementioned motion:**

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

The motion carried, 7-0-0.

The meeting adjourned at 7:21 p.m.

*Table of Documents Used and/or Referenced at Meeting*

<b>PUBLIC HEARING: Legacy Lane Modification:</b> Memorandum dated December 15, 2021 to Ellen Callahan Doucette from Planning Board requesting opinion; Memorandum dated January 5, 2022 from Ellen Callahan Doucette regarding Abutter's rights in Private Ways and Planning Board's ability to condition private ways
<b>LEGACY LANE SUBDIVISION REVIEW:</b> Attorney Tarby letter dated January 6, 2022 requesting extension of time; Engineering Department email dated January 6, 2022;
<b>RUSSO DRIVE SUBDIVISION REVIEW:</b> Attorney Salvati letter dated January 6, 2022 requesting extension of time; Engineering Department email dated January 6, 2022;
<b>DRAFT MEETING MINUTES:</b> December 14, 2021 meeting

Respectfully submitted,

*Karen Smith*

Karen Smith  
Planner