

APPROVED

MEETING MINUTES

Tuesday, March 22, 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 noted the meeting was being recorded and asked Planning Director Tina Cassidy to call the roll.

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

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

Cassidy summarized the status of the application for Village Street, noting the public hearing has been continued several times in order for the applicant to respond to a number of comments and issues that were raised by various city departments in addition to several area residents. The filing has been significantly reworked since the end of February and the Board received revised plans on Wednesday, March 16, 2022, along with a revised waiver list, drainage calculations, a proposed drainage and roadway easement and various legal documents related to the HOA. Cassidy stated the revised plans and documents have yet to be reviewed by city departments for comment, and therefore, Attorney Salvati has therefore requested an extension of the public hearing to the Board's April 26th meeting.

Bolgen noted Doherty missed the February 22nd public hearing but has filed a Missed Hearing Certification Form and is therefore eligible to participate in the Public Hearing.

Bolgen opened the PUBLIC HEARING and asked if any audience members wished to be heard.

Deborah Finn, 1 Village Street, stated she has comments on the proposal and will attend the next public hearing in April.

Motion by Doherty to continue the Public Hearing to April 16, 2022 at 7:00pm;
Seconded by Callahan;

Ventresca and Cassidy noted the revised plans are available for the public to view and will be posted on the city website.

Motion carried, 7-0-0.

ROBERTSON WAY: EXPIRATION OF CONSTRUCTION COMPLETION DATE

Cassidy stated Robertson Way was approved in 2009 and was substantially complete many years ago. Approximately 18 months ago a modification to the subdivision was approved that waived the requirement for a locking gate at the entrance to Conservation land at the end of the cul-de-sac. Since that time, the Board has approved several requests to extend the completion date in order for the As-Built to be completed and for submission of a letter from the design engineer stating the subdivision was built in substantial conformance with the approved plan.

Attorney Mark Salvati, 57 Arlington Road, Woburn, MA, a periodic representative for the developer, Bryan Melanson, stated the applicant did not contact him regarding this meeting, however, he reluctantly suggested the Board consider granting a final one-month extension request to see if the developer could produce the necessary filings to close out the subdivision. Salvati continued, if not, perhaps the bond could be revoked.

The Board members discussed the cost of the outstanding tasks in relation to the remaining balance of \$25,000 on the bond and questioned if that amount was sufficient. Cassidy described the steps that would need to be taken in

order to proceed with bond revocation. The Board decided to continue the discussion to the April 26th meeting and not to grant any request to extend the expired completion date at this time.

Callahan noted that the city's Senior Engineer, Greg Rheame, noted in his September 22, 2021 memo to the Board during his review of the "Interim" As-Built Plan (dated July 26, 2021) that the approved subdivision plans show a water main connection from the proposed roadway to the water main in Water Street that was to have a three-way gate valve system at the connection and this system does not appear to have been installed. Callahan would like additional information on this component being rectified and what with cost would be to repair the issue.

Motion by Turner to place the Robertson Way matter on the April 26, 2022 Planning Board Agenda to discuss the potential revocation of the surety bond in addition to requesting additional information from the city's Engineering Department and Department of Public Works regarding the three-gate water connection system and an analysis of the current surety balance and any inflationary effects on the completion costs;

Seconded by Edmonds;
Motion carried, 7-0-0.

PLANNING DIRECTOR UPDATE

Cassidy informed the Board she discussed with the City Solicitor the potential revision to Planning Board fees in relation to an approach to dealing with the expiration of construction completion dates and multiple requests for extensions due to unfinished work or obligations. The Solicitor confirmed that it would not be appropriate to implement a sliding scale increase in fees based on the sheer number of times an extension is requested and instead, the fee charged must in fact reflect the cost of providing the service. Cassidy stated the Solicitor was supportive of the idea of a fee and then a requirement that bond balances be reviewed with every request for an extension and the Board would certainly be within its rights to require a developer to post additional money to ensure sufficient funds to guarantee completion of the subdivision. Cassidy also stated she intends to complete 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.

Cassidy then summarized *The Housing Choice Act* that was adopted by the State Legislature in 2021. The new law requires communities serviced by the MBTA to have at least one zoning district of "reasonable size" in which multi-family housing is allowed by right, and which meets other criteria set forth in the statute. The intent of the law is to spur multi-family housing in all communities that have or benefit from MBTA service. Cassidy and Mayor Galvin recently spoke to the City Council's Committee of the Whole regarding the Act and whether councilors would support the City pursuing the creation of such a housing district. There was no support from the Council for the notion of creating a by-right district that would allow anything like the magnitude of the units the City would have to allow in order to comply with the law's guidelines as drafted. Cassidy is in the process of drafting a comment letter to the State that will outline the accomplishments Woburn has made in terms of reaching the 10% affordable housing threshold, its meeting of Housing Production Plan goals and objectives, and the magnitude of the number of units Woburn has created over the past decade. Cassidy feels the City's accomplishments warrant some exemption or consideration in the regulations that are currently absent from the *Act* as of now.

The Board's next meeting will be on April 26, 2022 at 7:00pm in the Council Chambers. Items on the agenda will include the continued public hearing for the 0 Village Street subdivision, a proposed zoning amendment that would allow off-site directional signage for the Technology Business Overlay District (TBOD) and allow installation of solar photovoltaic systems in the TBOD, discussion on the potential changes to Board fees, and the Carlson Way and Robertson Way subdivisions both with expired completion dates.

APPROVAL OF MINUTES: MARCH 8, 2022 MEETING

Bolgen stated the next item on the agenda is approval of the Board's March 8, 2022 meeting minutes and asked if there were any comments or corrections.

Motion by Doherty to accept the March 8, 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, Edmonds made a motion to adjourn the March 22, 2022 Planning Board meeting;
Seconded by Doherty;
Ventresca noted the time of adjournment to be 7:43 pm;
Motion carried, 7-0-0.

The meeting adjourned at 7:43 p.m.

Table of Documents Used and/or Referenced at Meeting

<u>PUBLIC HEARING (Continued): Village Street Roadway Improvement Plan</u> / Frederick Gonsalves: Revised plans dated March 15, 2022; Cover letter from Alan Engineering; Storm Water Calculations from Alan Engineering; Revised List of Waivers; Proposed Drainage and Roadway Easement; Proposed Declaration of HOA; proposed Covenant. Request dated March 16, 2022 from Attorney Salvati for continuance to the April Board meeting.
<u>ROBERTSON WAY: EXPIRATION OF COMPLETION DATE</u> / Bryan Melanson: Engineering memo dated September 22, 2021 written by City Senior Engineer Greg Rheume
<u>PLANNING DIRECTOR UPDATE</u> : Excerpt of minutes from Committee On Ordinances, Charter & Rules dated Monday, March 7, 2022; Draft Compliance Guidelines for Multi-Family Districts Under Section 3A of the Zoning Act
<u>Planning Department: Special Permit Comment Letters: 242 Salem Street; 211 New Boston Street</u>
<u>Draft MEETING MINUTES: March 8, 2022 virtual meeting</u>

Respectfully submitted,
Karen Smith
Planner