

APPROVED

MEETING MINUTES

Tuesday, May 9, 2023 Woburn Planning Board Meeting | 7:00 p.m.

Vice-Chair Michael Ventresca called the meeting to order at 7:00 pm and asked people to silence their cellphones and stated the meeting is being recorded. Ventresca asked Planner Karen Smith to call the roll.

Mr. Jim Callahan, Mr. David Edmonds, Mr. Kevin Donovan, Ms. Carolyn Turner, and Mr. Michael Ventresca were in attendance along with Planning Director Tina Cassidy and Smith. Ms. Claudia Bolgen and Mr. Bob Doherty were absent.

PUBLIC HEARING: Petition to amend the Zoning Map of the City of Woburn by rezoning the following 20 parcels of land on Lake Avenue, Lake Terrace, and Lake Circle from the R-1 to R-2 Zoning District: Assessors Map 68, Block 12, Lots 01, 02, and 03; Assessor Map 68, Block 13, Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19; Assessors Map 75, Block 02, Lots 01, 02, 03, and 04; Assessors Map 75, Block 03, Lots 01 and 02

Attorney Joseph Tarby, of Rubin and Rudman, 500 Unicorn Park Drive, Woburn, MA, representing the applicants, Kevin and Susan Little of 36 Lake Ave, stated the applicants are looking to rezone their parcel from R1 to R2. In doing so, the application includes an additional 19 parcels surrounding them on Lake Circle, Lake Avenue and Lake Street which would allow conversion of single-family dwellings into two-family dwellings by right, if certain dimensional requirements are met. Tarby stated the area was originally an R2 zoning district and was rezoned in the mid 80's to R1. Last June, Councilor Joanne Campbell held a meeting with residents of the area slated for rezoning and listened to their opinions. Tarby submitted a 1973 Zoning Map that show the particular parcels originally in the R2 district. Tarby added a number of reasons for the request including a.) to return to the original zoning of R2; b.) the applicants and their neighbors have lived in the neighborhood for over 40 years and would like to remain in their homes; c.) to provide housing for elderly parents; and d.) to allow the opportunity to garner extra income to allow residents to remain in their homes. Tarby explained Section 6 of the 1985 Woburn Zoning Ordinance in relation to lot size and setbacks, etc. for conversion from single-family to two-family uses.

Tarby asked for permission to submit a current petition signed by residents in favor of the conversion from R1 to R2 in the designated area.

MOTION by Edmonds to accept Tarby's document;
Seconded by Turner;
Motion carried, 5-0-0.

Ventresca opened the PUBLIC HEARING and asked any audience members if they wished to speak in favor or against the plan.

Mr. Dan O'Keefe of 1 Lake Terrace, formerly of 30 Lake Avenue, life-long resident of the neighborhood, spoke in favor of the Littles and the rezoning petition.

Ms. Kelly Dean, thirty-year resident of 7 Lake Terrace, stated the history of her house and her knowledge of it being previously zoned as R2 and stated she is in favor of the petition.

Mr. Keith Little, resident of 36 Lake Avenue and son of the applicants, stated their intention is to keep the family together in the house, neighborhood and community. Little stated there are multi-family houses to his left and his right and would like to see the area reverted to the original zoning in place when his parents first bought the home.

Edmonds stated his pleasure of seeing a family hoping to convert their house to a two-family to remain together versus the developers desire to maximize profit.

Several members asked for clarity and discussed the eligibility in regards to the zoning requirements to convert from a single-family to a two-family dwelling and Cassidy provided a brief overview of the regulations. Cassidy stated Councilor Campbell's understanding of the 1980's zoning change from R2 to R1 was that a particular property owner wanted to develop an existing lot into a two-family and the neighbors were opposed due to the close proximity of the stream in the area. Cassidy continued the property was rezoned to R1, but in some twist of fate, a two-family home was built on the lot despite the zoning change.

Keith Little stated his current neighbor, James Coronis of 38 Lake Avenue was the resident that built the two family and noted he is a good neighbor. The concern at the time in the 1980's was the close proximity of the potential house to the brook. When Little's parents first bought their home at 36 Lake Ave, the parcel next to the brook only contained a foundation. Little stated his parents looked into buying the lot and were told by the Conservation Commission nobody will ever build on that particular lot. A two-family house eventually was built on the parcel despite the zoning being changed to R1.

Ventresca voiced concern in regards to potential parking issues and Cassidy stated any new units would have to conform to parking regulations.

Ventresca asked if there were any other members of the audience wishing to comment. There were none.

MOTION to close the Public Hearing made by Edmonds;
Seconded by Callahan;
Motion carried, 5-0-0.

Cassidy recommended, based on the comments from the neighborhood and the fact that the area is surrounded by R2 zoning districts, that the Board send a favorable recommendation to the City Council to rezone the 20 parcels of Land on Lake Avenue, Lake Terrace and Lake Circle, as outlined in the proposed zoning map amendment from R1 to R2.

MOTION by Callahan to accept the Director's recommendation;
Seconded by Turner;
Motion carried, 5-0-0.

HIGHVIEW ESTATES SUBDIVISION PLAN: EXPIRATION OF CONSTRUCTION COMPLETION DATE AND UPDATE ON LITIGATION

The developer's attorney, Roshan Jain, stated significant progress has not been made since the last update as there is a wrinkle in the settlement case with Eversource regarding the blasting plan. Draft settlements have been exchanged with the most recent draft from Eversource containing a number of onerous conditions from the developer's prospective. Santullo has had several conversations with his contractor, Maine Drilling and Blasting, who feel some of those conditions can be met. The parties are currently in negotiations to see which of those conditions can be taken out to reach some sort of resolution. A January 2024 civil trial date has been set if there is no resolution in the interim. Jain stated, at this time it does not make sense for Santullo to engage with contractors and expend the resources for a comprehensive project plan at this point in time until they have an agreement plan with Eversource in place.

Jain asked for a two month leave at which time they would return to the Board with a status update and detailed construction timeline. Jain stated Santullo removed the leaves and debris from the catch basins today and fixed the No Trespassing sign and the Board requested the developer continue to maintain the silt and site.

After some discussion, the Board asked the developer and his attorney to provide an additional update at the second Board meeting in September. (Note: During the meeting, the anticipated meeting date was inadvertently stated as the 19th of September but the correct meeting date is the 26th).

PLANNING BOARD DIRECTOR UPDATE

Cassidy stated the Board’s next meeting will be held in person in the Council Chamber on May 23, 2023 at 7:00 p.m. The agenda will include the continuation of the public hearing on the proposed definitive subdivision located at 43 Poole Street.

APPROVAL OF MINUTES: April 25, 2023 MEETING

Ventresca stated that the next order of business was acceptance of the draft minutes of the last Board meeting.

Motion by Turner to approve the April 25, 2023 Planning Board draft minutes as submitted; seconded by Edmonds;

Motion carried, 4-0-1 (Callahan abstained).

ADJOURNMENT

Ventresca 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 9, 2023 Planning Board meeting at 7:31 p.m.;

Seconded by Turner;

Motion carried, 5-0-0.

The meeting adjourned at 7:31 p.m.

Table of Documents Used and/or Referenced at the May 9, 2023 Meeting:

<p><u>Application to amend the Zoning Map</u> of the City of Woburn by rezoning 20 parcels of land on Lake Avenue, Lake Terrace, and Lake Circle from the R-1 to R-2 Zoning District; Summary of Lots proposed for rezoning using City’s GIS Information; Current Zoning Map; PowerPoint showing examples of recent single-family houses in the City converted to two-family houses^(c1); Tarby Petition submitted during Hearing that included signatures of residents in support of rezoning; Tarby document submitted during Hearing with Campbell letter dated June 2022 regarding neighborhood meeting with signatures of residents in support of rezoning.</p>
<p><u>HIGHVIEW ESTATES:</u> Email exchange between Attorney Jain and Planning Director Cassidy dated May 9 2023; Copy of September 17, 2019 Planning Board letter filed in the City Clerk’s Office extending the construction completion date for Highview listing details condition of the extension;</p>
<p><u>DRAFT MEETING MINUTES:</u> April 25, 2023 meeting</p>

Respectfully submitted,

Karen Smith

Karen Smith
Planner