

APPROVED

MEETING MINUTES

Tuesday, February 8, 2022 Woburn Planning Board Meeting | 7:00 p.m.

Meeting held virtually via Zoom Platform

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

Chair Claudia Bolgen called the meeting to order at 7:00 pm and asked Planner Karen Smith to call the roll.

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

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 summarized the previous meeting, stating the Board continued the public hearing to seek additional guidance from the City Solicitor on a number of points related to private way ownership versus public ways. The hearing was also continued to gather some additional information from the applicant relative to proposed regulatory signage that would be posted if it were to remain a private way.

Having only received the Solicitor's most recent opinion the afternoon of this meeting, the developer's attorney, Joseph Tarby of Rubin and Rudman, 600 Unicorn Park Drive, Woburn, filed a request to continue this hearing to February 22, 2022 to allow him the opportunity to thoroughly read and understand the Solicitor's opinion in addition to discussing it with his client.

Bolgen and Cassidy also noted the absence of three Board members, stating Doherty and Donovan would be able to qualify themselves to participate in the next public hearing while Ventresca would be ineligible due to the fact that he already missed one segment of the Public Hearing.

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 audience members chose to be heard.

Motion by Callahan to continue the Public Hearing on the modification request for Legacy Lane to Tuesday, February 22, 2022 at 7:00pm;

Seconded by Turner;

Roll call vote on the aforementioned motion:

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

The motion carried, 4-0-0 (Doherty, Donovan and Ventresca absent).

LEGACY LANE SUBDIVISION: REQUEST FOR EXTENSION OF CONSTRUCTION COMPLETION DATE

Cassidy recommended the Board table this discussion of a possible completion date extension so that the matter can be taken up with the modification request at the February 22, 2022 Board meeting. The Board concurred.

BAKER WAY SUBDIVISION: REQUEST FOR EXTENSION OF CONSTRUCTION COMPLETION DATE

Cassidy stated developer David Baker has filed a request to extend his construction completion date to May 30, 2022. Cassidy recently had a productive virtual meeting with Baker and his attorney, Mark Salvati, to determine a course of action to bring the subdivision to completion due to the outstanding issues. She recommends granting Baker's request.

Motion by Edmonds to accept the Director's recommendation to extend the construction completion date for the Baker Way subdivision to May 30, 2022;

Seconded by Callahan;

Roll call vote on the aforementioned motion:

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

The motion carried, 4-0-0 (Doherty, Donovan and Ventresca absent).

PLANNING BOARD DIRECTOR UPDATE:

Cassidy noted the items on the tentative agenda for the February 22, 2022 meeting include: **(a)** discussion of extensions of completion dates for the Robertson, Carlson Way, and Gerrish Drive subdivisions, **(b)** discussion of potential increases to fees charged by the Planning Board, and possibly **(c)** continuation of the public hearings on the Legacy Lane subdivision modification request and Village Street Roadway Improvement Plan. The Board will also need to decide if the next meeting will be in-person or virtual.

Cassidy also mentioned a recently-adopted state law called the Housing Choice Act and noted it contains some provisions that have significant ramifications on the city. Unless the city is willing to do some aggressive rezoning with respect to multi-family housing, it will be precluded from applying for certain grants in the future. Cassidy added that communities that have MBTA service are expected to take bolder steps to create additional housing units, but not necessarily any affordable units. The Mayor and Cassidy will make a public presentation in the near future to the City Council of what the implications of the new law will be on the community. Cassidy stated the Board will be invited to the City Council meeting the night of the presentation.

The Board discussed the pros and cons of virtual versus in-person meetings and decided that the next meeting will be in-person in the Council Chambers. Weighing heavily in the decision was the recent request

from an individual interested in the Village Street subdivision who specifically asked the Board to consider meeting in person to accommodate other citizens who have no experience participating in virtual meetings.

APPROVAL OF MINUTES: JANUARY 25, 2022 MEETING

Motion by Turner to accept the January 25, 2022 Planning Board minutes as drafted;
Seconded by Callahan;

Roll call vote on the aforementioned motion:

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

The motion carried, 4-0-0 (Doherty, Donovan and Ventresca absent).

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 February 8, 2022 Planning Board meeting at 7:22 p.m.;

Seconded by Turner;

Roll call vote on the aforementioned motion:

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

The motion carried, 4-0-0 (Doherty, Donovan and Ventresca absent)

The meeting adjourned at 7:22 p.m.

Table of Documents Used and/or Referenced at Meeting

<p><u>PUBLIC HEARING (Continued): Legacy Lane Modification:</u> Memorandum dated January 26, 2022 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; Draft list of questions to be submitted to City Solicitor; As-Built plan dated January 24, 2022; Memorandum dated February 8, 2022 from Ellen Callahan Doucette regarding Abutters Rights in Private Ways – Legacy Lane – Supplemental; Email from Joseph Tarby dated February 8, 2022 request continuance; email from Joseph Tarby</p>
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attached signage examples and photos; email from Joseph Tarby dated January 26, 2022 showing unauthorized trucks parked on Legacy Lane.

LEGACY LANE SUBDIVISION: Attorney Tarby letter dated January 6, 2022 requesting extension of time; Engineering Department email dated January 6, 2022;

BAKER WAY SUBDIVISION: Attorney Mark Salvati letter dated February 4, 2022 requesting extension.

DRAFT MEETING MINUTES: January 25, 2022 virtual meeting

Respectfully submitted,

Karen Smith

Karen Smith
Planner

APPROVED