Zoning Board of Appeals
City Council Chambers
Woburn City Hall
Wednesday, May 20, 2026 – 6:00 p.m.

Present: Chair Margaret Pinkham, Member Anne Chatfield, Member Richard Clancy, Member Daniel Parrish, and Member John Ryan III. Absent: Alternate Member Mark Cavicchi.

1. **Clair Contracting LLC, 41 Independence Drive (Lot 28), Woburn MA, 01801, Petitioner, and, Stephanie Rae, 19 Summer Street, Andover, MA, Landowner, appealing the decision of the Building Commissioner to deny a building permit for a single-family dwelling at 41 Independence Drive (Lot 28), Woburn, MA:** Chair Pinkham said there are three petitions on the agenda and she would like to take the third item out of order in case there is anyone in the audience who has an interest in that petition. Motion made by Member Parrish to take item #3 out of order from the posted agenda; all in favor; 5-0. Representing the applicant was Attorney Joseph Tarby, Rubin Rudman, 500 Unicorn Park, Woburn, MA. Chair Pinkham said the applicant has requested a continuance. Attorney Tarby said he submitted a letter to the clerk asking for a continuance because there will be only four members of the Board voting tonight and he would like a full Board to vote, and that his office was just hired to represent the applicant. Chair Pinkham asked if anyone in the audience is here for this petition. A majority of the members of the audience raised their hands. Chair Pinkham said the applicant has requested a continuance and she does not want people to wait. Motion made by Member Parrish and seconded by Member Ryan to continue the public hearing until the Board's meeting on Wednesday, June 17, 2026; all in favor, 5-0. Chair Pinkham said this matter is going to be continued until the Board's meeting in June. She said it will be first on the agenda. Motion made by Member Parrish and seconded by Member Ryan to return to the regular order of business; all in favor, 5-0.

2. **Greystone Investments LLC, 31 Grape Street, Woburn MA, 01801, Petitioner and Landowner, seeking a Special Permit from Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to reconstruct a single-family home at 31 Grape Street, Woburn, MA:** Representing the applicant was Attorney Joseph Tarby, Rubin Rudman, 500 Unicorn Park, Woburn, MA. Attorney Tarby said the petitioner has been the owner of the property for over a year and is seeking a special permit for the reconstruction of a single-family dwelling. He said he submitted an area map and a proposed site plan. He said the property is located in an R-2 zoning district and the existing home does not meet the zoning requirements for lot size, lot width, street frontage, side yard, and front yard setbacks. He said the existing rear yard setback is 128.8 feet and the proposed rear yard setback will be 97.5 feet. He said the height of the existing house is 23.7 feet the proposed height is 20 feet which is shown on sheet A.1.1 of the drawings that were submitted to the Board. He said the existing building ground coverage is 21.44 percent and proposed building ground coverage will be 19.9 percent. He said the existing open space ratio is 70.6 percent and the proposed open space ration will be 80.1 percent. He said the home was built in the 1800s and is a pre-existing, non-conforming use. He said

his client is proposing to improve all the setbacks that can be improved, except for lot side, lot width and frontage, which are static. He said the petitioner wants to demolish the existing single-family home and build a new single-family home with a two-car garage. He said the existing basement is unfinished. He said the new garage and the basement in the new dwelling will remain unfinished. He said the proposed dwelling will not be substantially more detrimental to the neighborhood. He said the existing house is in poor repair. He said the proposed house will be a major improvement to the neighborhood. Chair Pinkham asked if the plans show the access easement. Attorney Tarby answered affirmatively. Chair Pinkham said she does not see any exterior access to the basement. Attorney Tarby said access is going to be through an existing bulkhead. Chair Pinkham asked if the bulkhead is shown on the plans. Attorney Tarby said sheet S.1.01 shows the existing unfinished basement and the crawl space. Chair Pinkham said there is no bulkhead shown on the proposed plot plan. She said the Board does occasionally see plans that show no exterior access. She said if there is a bulkhead she is not seeing it on the plans. Member Chatfield said the May 1 plot plan appears to show what is being proposed. She said Attorney Tarby can continue to address the bulkhead if that issue has not been resolved. Attorney Tarby said there is a version of the plan that shows the bulkhead. He said it is the May 1 plan. He said you can see the bulkhead but it is faded out. Chair Pinkham said she assumed the new footprint would be superimposed over the old footprint. Attorney Tarby said his suggestion is the applicant could initial that portion of the plan that shows the bulkhead. Chair Pinkham said the bulkhead is also not shown on the plan drawn by Rise Architecture. She said she is looking at the plan marked A.1.01. She said the attorney told her the bulkhead is shown on A.1.01 but it is not shown on A.1.04. She said it is also not shown on the foundation plan marked S.1.01. Chair Pinkham asked if anyone in the audience would like to address the Board in regard to the petition. Marcelo Viana, 1 Brentwood Road, approached the lectern but it was determined he was present for another petition on the agenda. Member Clancy said there seems to be some mention of the rear entry, just a mention, on A.1.07, with the door schedule. He said it shows there will be some type of door that would be there. Chair Pinkham it looks like a regular door. Member Clancy said the plans indicate it is a “type A” door. He said page A.1.07 has a door schedule that shows rear entry. Attorney Tarby said that is a regular door. Member Clancy said that does not include the bulkhead. Chair Pinkham said there is a door shown on A.1.05, the rear elevation. Member Chatfield said she is looking at the plot plan dated May 1. She asked what the setbacks are on the left hand side. Attorney Tarby said the setback on the left side of the plan is shown to the easement line, which is 12 feet, but in reality, the side yard setbacks on that side are 6.2 feet and 7.6 feet. He said those setbacks will remain. He said the applicant wanted to show the distance to the easement line is 12 feet and that makes it a better situation. Chair Pinkham asked if the side setback shown on the plan should be 6.2 feet instead of 6.5 feet. Attorney Tarby said if you look at the plan that shows the existing conditions it shows 7.6 feet and 10.4 feet to the back of the house and 6.2 feet to the front of the house and none of that is changing. Chair Pinkham said there appear to be six different measurements for the side lot line. She said she assumed the surveyor would choose the shortest one and asked why he picked 6.5 feet instead of any of the other numbers. Attorney Tarby said the 6.5-foot distance is on the right side. He said the left side setbacks remain 6.2 feet, 7.6 feet and 10.5 feet. He said on the proposed plan the distance is 12 feet to the easement. She said

that is not correct because the applicant does not own that property and it only measures to the lot line. She said the applicant can't really rely on the easement to establish the setback. Attorney Tarby said the zoning chart shows 6.2 feet. Member Parrish said that is the distance shown on the March 24 plan. Chair Pinkham said she is still confused as to why it is shown as 6.2 feet on the March 24 plan and 6.5 on the other plan. Attorney Tarby said he thinks what the engineer did on the October 15 plan he showed what the existing setbacks were but only showed the left side, and on the proposed plan he showed the right side at 6.5 feet. He said during his presentation he referenced the side yard setbacks which are shown on the plan but not in the chart. Chair Pinkham said what she tries to do in the decisions, if the Board is inclined to grant this, is she tries to make it clear that if one of the setbacks is smaller than the others she references that so the decision is completely accurate. She said her feedback is the plans are inaccurate. She said the plans don't reflect the bulkhead and they needs to be corrected. She said she does not have any issues substantively with the plans and this to her is a very straightforward special permit application. She said she knows in the past there has been an application that did not show the bulkhead. She said she checked with the Building Commissioner and confirmed the bulkhead has to the shown on the plans. Member Parrish said the bulkhead is shown on the plot plan but it is faded. He asked if the Board can reference the bulkhead narratively. Chair Pinkham said she is not doing that. Member Parrish said if there is no more debate he would ask for the applicant to request a continuance if counsel wants to go that way to provide the Board with the correct plans. Attorney Tarby asked if the request is to have the applicant submit a revised plan that shows the bulkhead door and the side yard setbacks on the left side of the property. He said he thinks the bulkhead is the biggest issue. Member Parrish said if that is the case the Board can take the March 24 plan and just go with that. Chair Pinkham said the Board would typically identify one plan as the plan of record. She said if the bulkhead is added to the plan it does make sense to also clarify the side setback. She said she is legitimately curious as to why there are five different side setbacks. She said she believes the shortest proposed setback would be listed. Member Ryan said his question is why the plan shows the distance to the easement. Attorney Tarby asked if the revised plan should just show the 6.2-foot distance. Chair Pinkham said she will probably ask the Building Commissioner about this but she does not know if the stamp necessarily enshrines the zoning chart, which she said it really helpful to have, but she relies on the plot plan itself to determine the dimensions. She said she does not know if there is a standard protocol in a situation like this, but she is not basing her analysis on the zoning chart. She said she is basing her analysis on the measurements shown on the plot plan. Member Parrish said the March 24 plot plan indicates in the chart the setback is 6.2 feet. He asked if the setback is actually 4.5 feet because the garage is closer. Attorney Tarby said he addressed that in the presentation. Chair Pinkham said that makes it seven different setback distances. Attorney Tarby asked if the Board wants the shortest one. Member Parrish said the point is counsel is letting the Board know there is no real increase here. He said he agrees the Board probably should not look at the chart and the March 24 plan is the one to go with. He said the other plot plan shows the distance to the access easement. Member Ryan said that is the one that is confusing him. He asked why it shows the 12-foot distance to the easement rather than the distance to the property line. Attorney Tarby asked if the hearing is continued until the next meeting and the applicant submits revised plans, will that be adequate. Chair

Pinkham reiterated she does not have any issue with the substantive part of the application but she wants the plans to be accurate. Member Parrish said the plans should also show the bulkhead. Attorney Tarby requested a continuance until the Board's meeting in June. Motion made by Member Parrish and seconded by Member Clancy to continue the hearing until the Board's meeting on June 17, 2026; approved, 5-0.

3. **Rochelly Viana, 1 Brentwood Road, Woburn MA, 01801, Petitioner and Landowner, seeking a Special Permit from Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, for an addition to a 2-family home at 1 Brentwood Road, Woburn, MA:** Also representing the applicant was Marcelo Viana, 1 Brentwood Road, Woburn, MA. Chair Pinkham asked if the dwelling contains two units now. Mr. Viana answered affirmatively. Chair Pinkham said according to the plans one unit has two bedrooms and one bathroom, and the second unit has one bedroom and one bathroom. She asked what is going to change. Mr. Viana said the footprint will not change. Chair Pinkham asked if the second unit will have three bedrooms and two bathrooms. Mr. Viana answered affirmatively. Chair Pinkham asked if there is a bulkhead to the basement. Mr. Viana answered affirmatively. He said there are no changes proposed to the foundation. Chair Pinkham asked if the only changes are to the second floor. Mr. Viana answered affirmatively. Chair Pinkham asked what is in the basement. Mr. Viana said there are laundry facilities and open space. Chair Pinkham asked if the basement is finished. Mr. Viana said the basement is finished. Chair Pinkham said she assumes there will only be crawl space in the attic. Mr. Viana said the attic will be accessed by a pull down set of stairs and will be used for storage. Ms. Viana said they are also planning to put an HVAC system in the attic. Chair Pinkham asked what the shed dormers will be used for. Mr. Viana said the dormers will be the same, just one floor higher. Ms. Viana said her daughter is going to move in to one of the units. Member Parrish asked if the dwelling is a two-family now. Mr. Viana answered affirmatively. Member Parrish asked how many cars can be accommodate in the parking area. Mr. Viana said six cars can be parked in the driveway, which is the entire length of the house. Chair Pinkham asked if the garage is used for parking. Mr. Viana said the garage is used for storage. Ms. Viana said they will not have six cars, but the driveway can accommodate that many. Chair Pinkham said the zoning ordinance requires parking for four cars. She asked if the cars will be parked two by two. Mr. Viana said parking will be parallel. Ms. Viana said the driveway is entirely paved. Member Ryan asked if the dwelling will remain a two-family. Mr. Viana answered affirmatively. Motion made by Member Parrish and seconded by Member Clancy to grant the special permit based on the plans and drawings that were submitted to the Board; approved, 5-0.

4. **Approval of minutes from meeting of April 15, 2026:** Chair Pinkham said she has made edits and given a revised version of the minutes to the clerk. Motion made by Member Parrish and seconded by Member Clancy to approve the minutes of the meeting of April 15, 2026, as amended by the Chair; all in favor, 5-0.

5. **Any other matters that may be legally before the Board:** None

6. **Motion** made by Member Clancy and seconded by Member Ryan to adjourn; all in favor, 5-0. Chair Pinkham adjourned the meeting at 6:40 p.m.

ATTEST:

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Gordon Vincent
Clerk of the Zoning Board of Appeals