

**MINUTES OF THE PROCEEDINGS OF THE  
PLANNING BOARD OF THE CITY OF WORCESTER**

**August 29, 2018**

**LEVI LINCOLN CHAMBERS**

**Planning Board Members Present:** Andrew Truman, Chair  
John Vigliotti, Vice Chair  
Satya Mitra  
Paul DePalo  
Albert LaValley

**Staff Present:** Stephen R. Rolle, Division of Planning & Regulatory Services  
Domenica Tatasciore, Division of Planning & Regulatory Services  
Nick Lyford, Department of Public Works  
Jodi Kennedy Valade, Inspectional Services  
Jennifer Beaton, Law Department  
Alexandra Kalkounis, Law Department

**Call to Order** – 5:30 pm

**Requests for Continuances, Extensions of Time, Postponements, Withdrawals**

1. **Country Club Acres (fka Paradise Point & 190 Mountain Street East) - Special Permit Amendment for a Continuing Care Retirement Community - Extension the Construction Completion Date (PB-2018-042)**

Upon a motion by Mr. DePalo and seconded by Mr. Vigliotti the Board voted 5-0 to continue the Special Permit Amendment to the October 3, 2018 Planning Board meeting.

2. **Malden Woods – Definitive Subdivision Plan Amendment (PB-2018-026)**
3. **Malden Woods – Definitive Site Plan (PB-2018-026)**

Items #2, #3 were taken contemporaneously.

Upon motion by Mr. LaValley and seconded by Mr. Vigliotti the Board voted 5-0 to postpone the Definitive Subdivision Plan Amendment and the Definitive Site Plan to the September 12, 2018 Planning Board meeting and to extend the decision deadline to October 30, 2018.

4. **30 & 32 (aka Lot 2) Chiltern Hill Drive – Definitive Site Plan (PB-2018-032)**
5. **30 & 32 (aka Lot 3) Chiltern Hill Drive – Definitive Site Plan (PB-2018-033)**
6. **30 & 32 (aka Lot 4) Chiltern Hill Drive – Definitive Site Plan (PB-2018-034)**

Items #4, #5, #6 were taken contemporaneously.

Upon a motion by Mr. DePalo and seconded by Mr. Mitra the Board voted 5-0 to postpone the Definitive Site Plan requests to the October 3, 2018 Planning Board meeting and to extend the decision deadline for each item to the November 30, 2018 Planning Board meeting.

**7. 57 Highland Street, 33 & 35 Wachusett Street – Parking Plan (PB-2018-046)**

Upon a motion by Mr. DePalo and seconded by Mr. LaValley the Board voted 5-0 to postpone the Parking Plan to the September 12, 2018 Planning Board meeting and to extend the decision deadline to October 30, 2018.

**8. 30 & 32 Chiltern Hill Drive (public) & Aylesbury Road (public) (AN-2018-024)**

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 5-0 to postpone the ANR Plan to the October 3, 2018 Planning Board meeting and to extend the decision deadline to October 3, 2018.

**Old Business**

**Public Hearing**

**9. 190 & 192 Brookline Street Ext. - Definitive Subdivision Plan Amendment (PB-2018-041)**

Attorney Donald O’Neil appeared upon behalf of the applicant, Norcross Development. The project consists of an amendment to the definitive subdivision plan in order to obtain a waiver from the Subdivision Regulation provision pertaining to Design Standards, Section IX.C.9. whereby utilities are required to be placed underground. The applicant is requesting, per the request by DPW that the relocation of one (1) existing overhead pole be permitted in the subdivision.

Ms. Tatasciore identified Mr. Vigliotti, Mr. Mitra and Mr. LaValley as sitting members who are able to vote on the matter.

Upon a motion by Mr. Mitra and seconded by Mr. DePalo the Board voted 3-0 to close the public hearing.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to approve the Definitive Subdivision Plan Amendments with conditions outlined in staff’s memo and the waiver that the utilities can be placed underground.

*List of Exhibits:*

- Exhibit A: Definitive Subdivision Plan Application; received June 15, 2018; prepared by Attorney Donald O’Neil.
- Exhibit B: Definitive Subdivision Plan; dated October 10, 2016 and revised through to May 8, 2018; prepared by Robert D. O’Neil, Jr.
- Exhibit C: Certificate of Approval; dated April 12, 2017.
- Exhibit D: DPW Comments; dated July 10, 2018.

**Public Meeting**

**10. 11 Nathaniel Court (aka 80 Southwest Cutoff) - Definitive Site Plan (PB-2018-018)**

Patrick Burke from H.S.&T. Group appeared upon behalf of the applicant, David Abramo. Mr. Burke stated that the applicant seeks to construct a building in association with used car sales and display for 22 vehicles and reviewed the plans for the site.

Mike Sacetto stated that a traffic survey needs to be done to protect the public.

Ms. Tatasciore identified Mr. Truman, Mr. Vigliotti, Mr. DePalo as sitting members who are able to vote on the matter.

Upon a motion by Mr. DePalo and seconded by Mr. Vigliotti the Board voted 3-0 to approve the requested waiver from the requirement to label abutters and abutters thereto within 300 feet of the property.

Upon a motion by Mr. DePalo and seconded by Mr. Vigliotti the Board voted 3-0 to approve the Definitive Site Plan with conditions outlined in staff's memo.

*List of Exhibits:*

- Exhibit A: Definitive Site Plan Application: received March 8, 2018
- Exhibit B: Definitive Site Plan; dated March 7, 2018 and revised on July 23, 2018; prepared by HS&T Group, Inc.
- Exhibit C: Rendering & Floor Plans; dated November 28, 2017; prepared by J.R. Associates.
- Exhibit D: Hydrology and Stormwater Management Report; dated March 21, 2018 and revised on July 23, 2018; prepared by HS&T Group, Inc.
- Exhibit E: Fire Department Comments; dated March 16, 2018; revised and received on July 24, 2018.

**11. 122 Woodland Street – Definitive Site Plan (PB-2018-037)**

Attorney Joseph Lee Smith appeared upon behalf of the applicant, Clark University.

Presently on the premises is a 3-story academic building and an accessory 2-car garage. The applicant seeks to raze the existing garage and construct a new 1-story academic building, ~1,360 SF, to be used as a sculpture studio. The existing sculpture studio, currently located at 144 Charlotte Street, is proposed to be relocated to the new proposed building on the subject property.

Mr. Lyford stated that the proposed utility connection is acceptable to DPW.

Ms. Tatasciore identified Mr. Vigliotti, Mr. Mitra and Mr. LaValley as sitting members who are able to vote on the matter.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to approve the waiver from the requirement to label abutters and abutters thereto within 300 feet of the property.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to approve the Definitive Site Plan with conditions outlined in staff's memo.

*List of Exhibits:*

- Exhibit A: Definitive Site Plan Application; received May 31, 2018; prepared by Trustees of Clark University.
- Exhibit B: Definitive Site Plan; dated May 30, 2018; prepared by Graves Engineering, Inc.
- Exhibit C: Letter from ISD to Applicant's Attorney; dated May 30, 2018.
- Exhibit D: Rendering with elevations and floorplans; dated May 23, 2018; prepared by Dixon Salo Architects Inc.
- Exhibit E: DPW Comments; dated July 19, 2018.

## **New Business**

### **Public Hearing**

#### **12. 9 (aka 7, 11, 15, & 19) Harrison Street (aka 192 Harding Street) – Special Permit for Adult Use Marijuana (PB-2018-051)**

Attorney Mark Donahue along with representatives from Good Chemistry appeared upon behalf of the application.

The petitioner seeks to establish an Adult Use - Marijuana Storefront Retailer use and the applicant seeks a Special Permit for a Marijuana Storefront Retailer use in this space. This use provides a retail location accessible to consumers 21 years of age or older, in addition to the existing medical Registered Marijuana Dispensary which serves customers in possession of a registration card demonstrating that the individual is a registered qualifying patient with the Medical Use of Marijuana Program.

The petitioner has secured a parking lease agreement across the street at 8 Harrison Street for 10 parking spaces, which is the minimum number of spaces required to satisfy the provision of the Zoning Ordinance.

Per the board's request, the petitioner provided an overview of onsite security procedures.

Upon a motion by Mr. DePalo and seconded by Mr. LaValley the Board voted 5-0 to close the public hearing.

Upon a motion by Mr. DePalo and seconded by Mr. LaValley the Board voted 5-0 to approve the waiver from showing parcels and ownership information for abutters within 300 ft. of the subject property.

Upon a motion by Mr. DePalo and seconded by Mr. Mitra the Board voted 5-0 to approve the Special Permit for Adult Use Marijuana and accepting the petitioner's Finding of Facts and approving the application subject to conditions outlined in staff's memo with modification to item #7 with regard to the security plan.

#### *List of Exhibits:*

- Exhibit A: Special Permit Application for Adult Use Marijuana; submitted July 25, 2018; prepared by Attorney Mark Donahue.
- Exhibit B: Required Supplemental Information; submitted July 25, 2018; prepared by Attorney Mark Donahue.

### **Public Meeting**

#### **13. 315 Grove Street – Parking Plan (PB-2018-049)**

Mike Andrade from Graves Engineering appeared upon behalf of the applicant, 315 Grove Street LLC. The applicant seeks to re-configure the existing surface parking lot. He stated that the property at 315 Grove Street is currently a vacant commercial building previously used as Jillian's Billiards and that the applicant proposes two new retail uses consisting of retail sales for an auto parts store and a personal service use as a laundromat. The site currently has 3 separate curb-cuts and the applicant is proposing 2 separate and unconnected parking lots for a total of 43 parking spaces and 2 loading spaces on the premises.

Mr. Lyford stated that DPW comments have been satisfied.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the requested waiver from labelling abutters to abutters within 300 feet of the subject property.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 5-0 to approve the Parking Plan with conditions outlined in staff's memo but striking 1.a. & 1.b.

*List of Exhibits:*

Exhibit A: Parking Plan Amendment Application; received April 13, 2017; prepared by Domar Realty Group LLC.

Exhibit B: Parking Plan of Land; dated April 11, 2017 and revised through to July 16, 2018; prepared by Thompson-Liston Associates, Inc.

Mr. LaValley recused himself from item #14 pertaining to the 7 Oak Street Definitive Site Plan and left the meeting room.

**14. 7 Oak Street – Definitive Site Plan (PB-2018-050)**

Taylor Bearden appeared upon behalf of the application and stated that they are looking to convert the existing building into a lodging house and only change to be made is striping of the parking lot and that a Special Permit has been approved by the Zoning Board of Appeals.

Upon a motion by Mr. DePalo and seconded by Mr. Mitra the Board voted 4-0 to approved the requested waivers pertaining to the labelling of abutters and abutters thereto within 300 feet of the property, from the provision that the plan be prepared by a Professional Engineer, and from showing utilities, topography, existing contours & soil types.

Upon a motion by Mr. DePalo and seconded by Mr. Mitra the Board voted 4-0 to approve the Definitive Site Plan with conditions outlined in staff's memo.

*List of Exhibits:*

Exhibit A: Definitive Site Plan Application; received July 23, 2018; prepared by Taylor Bearden.

Exhibit B: Site Plan; dated June 12, 2018; prepared by Sustainable Comfort.

Mr. LaValley returned to the meeting room

**15. 3 Oak Hill Road – Definitive Site Plan (PB-2018-052)**

Bill Hannigan from Hannigan Engineering, Inc. appeared upon behalf of the applicant, Katherine Sakalglou. Mr. Hannigan stated that the applicant seeks to construct a single family detached dwelling on a property with 15% or more slope and reviewed the scope of the project.

Abutter Jessica Walsh asked how far the property line was from the back of the house and how many floors were proposed for the house. Mr. Hannigan reviewed the measurements and erosion controls that would be used for the site and stated that it would be single story house with a basement.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the waivers for labeling trees in excess of 9 inches in diameter and labeling abutters and abutters thereto within 300 feet of the property.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the Definitive Site Plan with conditions outlined in staff's memo along with additional condition that the drywell furthest from Oak Hill Road be connected to the drywell adjacent to Oak Hill Road.

*List of Exhibits:*

- Exhibit A: Definitive Site Plan Application; received July 26, 2018; submitted by the applicant.
- Exhibit B: Definitive Site Plan; dated June 28, 2018; prepared by Hannigan Engineering, Inc.

**16. 1 College Street – Definitive Site Plan (PB-2018-053)**

**17. 1 College Street – Parking Plan (PB-2018-054)**

Items #18, #19 were taken contemporaneously.

Attorney Joshua Lee Smith appeared upon behalf of the applicant, College of the Holy Cross. Attorney Smith stated that the college seeks to demolish the existing field house and construct a 3-story, a ~53,062 SF Recreational Center with associated parking and site work on property located within an IN-S (Institutional, Educational) zoning district. The recreation center will contain a 2-court gymnasium, a 3-lane track, weight room, fitness studio, offices, storage areas as well as housing the College's Public Safety offices and control center. The applicant also seeks to create a 295 space surface parking lot. Mr. Smith reviewed the proposal for the site.

Mr. Lyford stated that DPW requires that the catch basin connections must be DR18 and that the drainage pipe in public right of way must be reinforced concrete and have a manhole at the connection to the main in College Street.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the waiver for the Definitive Site Plan from labeling abutters and abutters thereto within 300 feet of the property.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the Definitive Site Plan with conditions outlined in staff's memo as well as conditions imposed by DPW.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the waiver for the Parking Plan from labeling abutters and abutters thereto within 300 feet of the property.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the Parking Plan with conditions outlined in staff's memo as well as conditions imposed by DPW.

*List of Exhibits:*

- Exhibit A: Definitive Site Plan Application; dated July 26, 2018; prepared by the applicant.
- Exhibit B: Definitive Site Plan: dated July 26, 2018; prepared by CannonDesign.

*List of Exhibits:*

- Exhibit A: Parking Plan Application; July 26, 2018; prepared by the applicant.
- Exhibit B: Parking Plan of Land; dated July 26, 2018; prepared by Waterfield Design Group.

**18. 6 Eskow Road (aka 234A Southwest Cutoff) – Parking Plan (PB-2018-055)**

Zac Couture from H.S.&T Group appeared upon behalf of the applicant, Kasbana Properties, LLC. The proposed project consists of paving and striping a 52 space parking lot in association with auto sales and display use with 2 office trailers on the premises. While the subject property is located on a corner lot, the applicant is proposing one curb cut with sole access from Southwest Cutoff.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the requested a waiver from labelling abutters to abutters within 300 feet of the subject property.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the Parking Plan with conditions outlined in staff's memo.

*List of Exhibits:*

Exhibit A: Parking Plan Application; received July 24, 2018; prepared by Applicant.

Exhibit B: Parking Plan of Land; dated July 26, 2018; prepared by H. S. & T. Group, Inc.

**Other Business**

**19. Jasmeen Place Definitive Subdivision:**

- a. Amendment to Subdivision Performance Agreement to reduce bond amount for Fatima Lane from \$75,000 to \$3,000 and establish a new work completion date of May 12, 2019.
- b. Conditional release of restrictive covenant for Naumaan Lane.
- c. Vote to accept bond in the amount of \$175k and enter into Subdivision Performance Agreement secured by surety for Naumaan Lane.
- d. Establish work completion date for Naumaan Lane of May 12, 2019.

Items a-d were taken contemporaneously. Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 5-0 to approve items a-d.

**20. Mylar Endorsement:**

- a. 513 (aka 73R & 74R) Burncoat Street Frontage Subdivision - No comment. Just required signature
- b. 329 June Street Frontage Subdivision - No comment. Just required signature
- c. 128 Alvarado Avenue Definitive Subdivision – 81X Certification

Upon a motion by Mr. DePalo and seconded by Mr. LaValley the Board voted 5-0 to approve the endorsement of the 81X Certification.

**21. Approval Not Required Plans (ANR)**

- a. 29 Lakewood Street (public) (AN-2018-041)

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the ANR.

- b. 585 & 587 Burncoat Street (public) (AN-2018-042)

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted to approve the ANR.

- c. 19 Orrison Street (public) (AN-2018-043)

Upon a motion by Mr. DePalo and seconded by Mr. LaValley the Board voted 5-0 to approve the ANR.

- d. 11, 13, & 15 Yukon Avenue (public) (AN-2018-044)

Upon a motion by Mr. DePalo and seconded by Mr. Mitra the Board voted 5-0 to approve the ANR.

- e. 7 & 7A Creston Street (public) (AN-2018-045)

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 5-0 to approve the ANR.

- f. 305 (aka 275) Belmont Street, Hospital Drive (public) & Innovation Drive (public) (AN-2018-046)

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the ANR.

## **22. Communication**

- a. Environmental Notification Form for Amendment #3 to the Union Station Urban Revitalization Plan – The Board had no comment.
- b. EEA Notice of Project Change – Worcester Biomanufacturing Campus – The Board had no comment.

## **23. Signing of Decisions from prior meetings**

### **Adjournment**

Upon a motion the Board voted 5-0 to adjourn the meeting at 7:37 p.m.