

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

April 11, 2018

LEVI LINCOLN CHAMBERS

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

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

Call to Order – 5:30 pm

Requests for Continuances, Extensions of Time, Postponements, Withdrawals

1. Zoning Ordinance Amendment – Table 4.1 (ZO-2018-002)

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to postpone the Zoning Ordinance Amendment to the May 2, 2018 Planning Board meeting.

2. 100 Wall Street & 38 Norfolk Street - Definitive Site Plan (PB-2018-004)

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti the Board voted 4-0 to postpone the Definitive Site Plan to the May 2, 2018 Planning Board meeting and to extend the decision deadline until May 30, 2018.

Old Business

Public Hearing

- 1. 26 Narragansett Avenue and 5 & 13 Keach Avenue – Special Permit for Cluster Zoning (PB-2018-009)**
- 2. 26 Narragansett Avenue and 5 & 13 Keach Avenue – Definitive Site Plan (PB-2018-009)**
- 3. Narragansett Avenue – 81G Street Opening (PB-2018-009)**

Items #1, #2, #3 were taken contemporaneously.

Carl Hultgren from Quinn Engineering appeared upon behalf of the applicant Ten Realty, LLC and stated that these hearings were continued from the last meeting as there was concern about increased traffic on Steele Street. He stated that they met with IRT staff and indicated that there will be a significant increase

in traffic in the area as there are already four major roadways in the area, but the applicant as a good faith gesture, has offered a one-time improvement to a portion of Steele Street and submitted a copy of that plan to the board.

Abutters Steve Chad and Madalyn Meagher expressed concern about the increased traffic that would be caused by this proposal.

Abutter Mike Largness expressed concern that the applicant would be cutting into his property. Mr. Truman stated according to the plan that is not proposed.

Abutter Debbie Matthews stated that this proposal cannot handle all the new traffic on the adjacent private streets.

Mr. Vigliotti asked if the detention basin was included in the open space calculation. Mr. Hultgren said it was. Mr. Vigliotti asked for clarification on the zoning ordinances open space regulations. Ms. Tatasciore read that Article VIII, Section 3.A.6. states that the designated open space must be accessible and capable of being used and that it cannot be constituted only of unbuildable land. Mr. Rolle stated that the zoning provision is that some of the space should be open and available for use and it is for the Board to determine what portion would be sufficient.

Mr. Vigliotti asked how much of the open space calculation includes the entire detention basin. It was calculated that the detention basin is approximately 4,000 SF and if it were removed from the calculation, the open space provision would be approximately 37%.

Upon a motion by Mr. Vigliotti, and seconded by Mr. Mitra, the board voted 4-0 to close the public hearing.

Upon a motion by Mr. Mitra and seconded by DePalo voted 3-1 (Mr. Truman voting against it) to approve the Special Permit for Cluster Zoning with the conditions outlined in staff's memo and that the open space is considered useable by the Board. Since a unanimous 4-0 vote is required, the motion failed and the Special Permit application was denied.

Mr. Vigliotti asked to go on record that he was very torn on his assenting vote considering the by-right development alternatives the applicant's engineer previously conveyed.

Mr. Truman based his dissenting vote on his opinion and interpretation that the detention basin should not be included as allowable and usable in the open space calculation as it is a stormwater management system.

Mr. Hultgren requested to withdraw for both the Definitive Site Plan and the 81G application.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to allow for Leave to Withdraw without prejudice the applications for the Definitive Site Plan and the 81G application.

List of Exhibits:

- Exhibit A: Special Permit Application – Cluster Zoning; received January 26, 2018; prepared by Tim McGrath.
- Exhibit B: Definitive Site Plan, 81G Plan & Cluster Zoning Plan; dated January 16, 2018 and revised on March 9, 2018; prepared by Quinn Engineering Inc.
- Exhibit C: Stormwater Report; dated January 16, 2018; prepared by Quinn Engineering Inc.
- Exhibit D: Renderings with elevations; dated March 10, 2017; prepared by AADesign.
- Exhibit E: DPW Comments; dated February 22, 2018.

Exhibit F: Fire Comments; dated February 28, 2018.

Exhibit G: Photographs by Abutter; submitted February 28, 2018.

Mr. Mitra left the meeting at 6:07 pm.

New Business

Public Meeting

4. 590 & 610 Southbridge Street and 4 Washburn Street – Parking Plan (PB-2018-015)

Patrick Healey from Thompson Liston appeared upon behalf of the applicant, Branded Realty Group 2, LLC and stated that the applicant is seeking approval for a parking plan under the requirements of the City of Worcester Zoning Ordinance. The petitioner seeks to construct a parking lot in association with a proposed automobile refueling station and 12-seat coffee-shop with drive-through and review the plan for the site.

Mr. Lyford stated that DPW wants to make sure that the proposed sanitary connection meets city standards and DPW would like additional information on ground water.

Mr. Truman asked if the application had been before Conservation Commission. Mr. Healey stated that the applicant had received approval from the Conservation Commission and the Zoning Board of Appeals.

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

Upon a motion by Mr. Vigliotti, and seconded by Mr. DePalo, the Board voted 3-0 to approve the waiver to not show abutters to abutters on the plan.

Upon a motion by Mr. Vigliotti and seconded by Mr. DePalo the Board voted 3-0 to approve the Parking Plan with conditions outlined in staff's memo as well as DPW comments.

List of Exhibits:

Exhibit A: Parking Plan Application; received February 28, 2018; prepared by the applicant.

Exhibit B: Site Plan of Land; dated February 12, 2018 and revised through to March 22, 2018; prepared by Thompson-Liston Associates, Inc.

Exhibit C: Drainage Report; dated Feb. 12, 2018; prepared by Thompson-Liston Associates, Inc.

Exhibit D: Dunkin Donuts Building Prototype; dated March 26, 2018; preparer unknown.

Exhibit E: Fire Comments; dated March 15, 2018.

5. 982 Grafton Street & 275 Sunderland Road – Parking Plan Amendment (PB-2018-016)

Brendan Barry from Bohler Engineering appeared upon behalf of the applicant, McDonald's Real Estate Company. He stated that the applicant has applied for an Amendment to the Parking Plan Approval, under the requirements of the City of Worcester Zoning Ordinance. The applicant seeks to reconfigure the existing drive-through to a dual lane and parking lot with associated site work.

Mr. Barry stated that the applicant has received approval from the Conservation Commission and the Zoning Board of Appeals and reviewed the plans for the site.

Abutter Paul (last name unknown) expressed concern about the noise coming from the drive thru operation.

Abutter Michelle (last name unknown) expressed concern about the noise.

Mr. Vigliotti stated that he understands the concerns of neighbors but that is outside of the purview of the Board as this is an existing business and they are reconfiguring their lot. He asked if the applicant would be willing to add more trees as a noise barrier. Mr. Barry said they are amenable to this.

Upon a motion by Mr. Vigliotti, and seconded by Mr. DePalo, the Board voted 3-0 to approve the waiver to not label abutters to abutters on the plan.

Upon a motion by Mr. Vigliotti and seconded by Mr. DePalo the Board voted 3-0 to approve the Parking Plan Amendment with conditions outlined in staff's memo as well as adding two 2-3 inch caliper Asisan Long Horn Beetle resistant trees in the landscaped area located at the rear of the lot.

List of Exhibits:

- Exhibit A: Parking Plan Amendment Application; received February 28, 2018; prepared by the applicant.
- Exhibit B: Site Development Plan; dated December 31, 2017 and revised on February 19, 2018; prepared by Bohler Engineering.
- Exhibit C: ZBA Special Permit Decision & Findings of Fact.

6. 46 Rustic Drive Extension - Definitive Site Plan (PB-2018-017)

Zac Couture from H.S.&T appeared upon behalf of the applicant, Elio Romeo, and stated that they are applying for a Definitive Site Plan under the requirements of the City of Worcester Zoning Ordinance. The applicant seeks to construct a single-family detached dwelling with associated site work with 15% or more slope and lot in a subdivision and reviewed the plans for the site including the erosion controls for the site.

Upon a motion by Mr. DePalo, and seconded by Mr. Vigliotti, the Board voted 3-0 to approve the waiver to not label abutters to abutters on the plan.

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; completed by Elio Romeo.
- Exhibit B: Definitive Site Plan; dated March 8, 2018; provided by H. S. & T Group, Inc.

7. 11 Nathaniel Court (aka 80 Southwest Cutoff) - Definitive Site Plan (PB-2018-018)

Pat Burke from H.S. &T. Group appeared upon behalf of the applicant, David Abramo, and stated that the applicant is seeking to construct a building in association with used car sales and display for 22

vehicles as well as related parking and site work in on a property with 15% grade. Mr. Burke stated that the item has been before the Zoning Board of Appeals and has received the necessary approvals.

Mr. Lyford stated that the site is increasing impervious area and with this change, the stormwater standards have not been met.

Mr. Vigliotti expressed concern that the Fire Department stated that there is no access to the fire hydrant on site and that would need to be addressed.

Mr. Rolle stated that the applicant may want to continue to see what options they have for putting the fire hydrant on the site.

Upon a motion by Mr. DePalo and seconded by Mr. Vigliotti the Board voted 3-0 to continue the Definitive Site Plan to the May 2, 2018 Planning Board meeting.

List of Exhibits:

- Exhibit A: Definitive Site Plan Application: received March 8, 2018
- Exhibit B: Definitive Site Plan; dated March 7, 2018; prepared by HS&T Group, Inc.
- Exhibit C: Rendering & Floor Plans; dated November 28, 2017; prepared by J.R. Associates.
- Exhibit D: Fire Department Comments; dated March 16, 2018.

8. 135 Goddard Memorial Drive & 3 Coppage Drive – Definitive Site Plan (PB-2018-019)

Mike Andrade from Graves Engineering appeared upon behalf of the applicant, TJX, and stated that the applicant is seeking to expand the existing parking with associated grading, landscaping, and other site work on a property with 15% or more slope and reviewed the plan for the site.

Mr. Rolle stated that one of the stormwater components on the applicant's plan is on City of Worcester property so they will need to explore some type of easement. Mr. Andrade stated that he will discuss that with the applicant. Ms. Beaton recommended a conditional approval stating that the applicant is required to secure all necessary easements or other interests from the City to construct the storm drain and curbing on the 3 Coppage Drive parcel, as shown on the plan.

Upon a motion by Mr. DePalo and seconded by Mr. Vigliotti the Board voted 3-0 to approve the waivers requested to not label abutters to abutters on the plan and to not have to label trees three inch in diameter on the plan.

Upon a motion by Mr. DePalo and seconded by Mr. Vigliotti the Board voted 3-0 to approve the Definitive Site Plan subject to conditions outlined in staff's memo, DPW comments and an additional condition pertaining to the recommended language provided by Ms. Beaton.

List of Exhibits:

- Exhibit A: Definitive Site Plan Application; Submitted by TJX Companies, Inc; Received March 9, 2018.
- Exhibit B: Definitive Site Plan Application; Submitted by TJX Companies, Inc.; Prepared by Graved Engineering, Inc.; Dated March 7, 2018.
- Exhibit C: Stormwater Report: Prepared by Graves Engineering: dated March 7, 2018.

Other Business

9. Vote to Extend the Work Completion Date and Acceptance of Performance Agreement & Release of Restrictive Covenant - The Village at Burncoat Heights

Item held to the May 2, 2018 Planning Board meeting.

10. Approval Not Required Plans (ANR)

- a. Lots 2A to 13B Burncoat Heights (private) (AN-2018-013)

Upon a motion by Mr. DePalo and seconded by Mr. Vigliotti the Board voted 3-0 to approve the ANR.

- b. 183 Sunderland Road (public) (AN-2018-014)

Upon a motion by Mr. DePalo and seconded by Mr. Vigliotti the Board voted 3-0 to approve the ANR.

11. Communication

- a. MassDEP Notice re: Local Planning Board Responsibilities Regarding Chapter 91 General License Certifications, dated March 28, 2018. The board issued no comments.

- b. Notice of License Application Pursuant to MGL Chapter 91 Waterways re: 10 Lake Avenue North, dated April 2, 2018. The board issued no comments.

12. Signing of Decisions from prior meetings

Adjournment

Upon a motion the Board voted to 3-0 to adjourn the meeting at 7:12 p.m.