

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

October 30, 2013

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present: Andrew Truman, Chair
Stephen Rolle, Vice Chair
Satya Mitra, Clerk
Robert Ochoa

Planning Board Members Absent: John Vigliotti

Staff Present: Luba Zhaurova, Division of Planning & Regulatory Services (DPRS)
Marlyn Feliciano, Division of Planning & Regulatory Services
Michelle Smith, Division of Planning & Regulatory Services
Katie Donovan, Department of Inspectional Services
Jon Gervais, Department of Public Works & Parks
K. Russell Adams, Department of Public Works & Parks
Alexandra Haralambous, Law Department
Amanda Gregoire, Office of Economic Development

BOARD SITE VISITS

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Andrew Truman called the meeting to order at 5:35 P.M.

APPROVAL OF THE MINUTES:

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the minutes for September 18, 2013 and October 9, 2013 were approved without any edits.

REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS, WITHDRAWALS

1. **184 Highland St and 2 Einhorn Rd –More than One Building on Lot (PB-2013-012B)**

Ms. Zhaurova stated that staff received a request for leave to withdraw for the More Than One Building application due to significant amendments to the project. Upon a motion by Mr. Mitra and seconded by Mr. Rolle, the Board voted 4-0 to grant a leave to withdraw without prejudice for this petition.

List of Exhibits.

- Exhibit A: Definitive Site Plan Application; received 3/4/2013; prepared by D. E. Realty LLC.
- Exhibit B: Definitive Site Plan; dated February 28, 2013; last revised 6/28/2013; prepared by Land Planning, Inc.
- Exhibit C: Floor Plans; dated 1/4/2013; prepared by R. C. Searles, Associates.
- Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 184 Highland Street (PB-2013-012) – Definitive Site Plan; dated May 31, 2013; revised June 21, 2013.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 184 HIGHLAND STREET; Definitive Site Plan– PB-2013- 012; dated April 18, 2013.
- Exhibit F: Request to postpone the meeting to July 17, 2013 and to August 7, 2013.
- Exhibit G: Stormwater Report for 184 Highland Street and 2 Einhorn Road; dated June 27, 2013, prepared by Land Planning, Inc.
- Exhibit H: Request to Postpone DSPA and Leave to Withdraw More Than One Building on a Lot; received October 25, 2013.

2. **184 Highland St and 2 Einhorn Rd – Definitive Site Plan Approval (PB-2013-012)**

Ms. Zhaurova stated that staff received a postponement request for 184 Highland Street to December 11, 2013. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to postpone the item to December 11, 2013.

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- Exhibit A: Definitive Site Plan Application; received 3/4/2013; prepared by D. E. Realty LLC.
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Exhibit H: Request to Postpone DSPA and Leave to Withdraw More Than One Building on a Lot; received October 25, 2013.

UNFINISHED BUSINESS:

3. 17 Fairfield Street – Definitive Site Plan Approval (PB-2013-034)

Donald O’Neil, project attorney, on behalf of KLA Holdings, stated that the land located at 17 Fairfield Street is between two public streets, noting that the parcel begins on Maple Tree Lane and ends on Fairfield Street. Mr. O’Neil stated that this was the first time this parcel was properly surveyed. The square footage stated in the deed the abutter referred to is based off of a betterment plan dating to 1947; a plan that did not show side dimensions. There was a 1909 plan on record that only showed the frontage dimensions. There was also a 1981 plan on record that showed only part of the property. Mr. O’Neil stated the additional 305 square feet in question represents an increase of 2%, and is within a half inch of what it should be based on the survey of the property located on the northerly side of the property. Mr. O’Neil further stated that the monumentation used in the survey should take precedence over the distances mentioned in the deed.

Mr. Rolle stated the board was seeking additional information due to concerns raised at the previous meeting about the applicant overstating the square footage of the lot and that the explanation provided by Mr. O’Neil addressed the concerns.

Ms. Zhaurova stated that staff received copies of the final revised plans today, but did not have time to formally review them prior to the meeting.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 3-0 (Andrew Truman was not present at the last meeting) to approve the Definitive Site Plan subject to the following conditions:

- Eight (8) copies of final revised plans are submitted to the Division of Planning & Regulatory Services addressing the missing plan annotations called out in the DPRS memo.

NEW BUSINESS:

Public Hearing

4. 9 and 37 Piedmont Street (aka 39 Piedmont Street) – Parking Plan Approval (PB-2013-037)

Attorney Wayne LeBlanc, representing the Evangelical Church of Worcester, stated that the petitioner would like to add 25 parking spaces on the property thereby bringing the parking capacity for the church to 60 spaces.

Richard Alfonso, of Tetra Tech, Inc., the engineer for the project, stated that the church would remediate the slope on site, restripe the 35 spaces that already exist on site, and add 25 diagonal spaces behind the warehouse in addition to adding 2 catch basins, 9 new trees and some landscaping in the front of the property. Mr. Alfonso stated that a rip-rap slope would be a rock slope of 1:1 or 1.5:1 and that the slope can be completed before the winter with paving in the

spring. Snow would be placed along the slope and into unused driveway at the front of the property along the warehouse.

Mr. Alfonso requested a waiver for the requirement to list all abutters on the plans, and noted the plan would be properly labeled per staff direction, but requested the petitioner be allowed to maintain the three striped compact car striping for use solely on Sunday.

Ms. Donovan stated that the Zoning Board of Appeals would have to address those parking spaces since the Planning Board does not have purview over aisle width and those three compact spaces create a smaller aisle width that was is allowed

Mr. Adams stated that there would need to be 8" PVC catch basins and that the water mains must be reinforced concrete, and also noted that the 3 compact spaces require a minimum of 24' for the aisle therefore he is not amenable to the striping.

When asked about the variance in the rip-rap slope Mr. Alfonso stated that they were attempting to keep the slope as flat as possible in areas where it allowed.

Ms. Zhaurova stated that the annotations on the plan must be addressed, and that generally a 15% slope would trigger a site plan, but only in cases where a building permit is pulled. Ms. Zhaurova also noted that the trees listed on the plan were Asian-Longhorned Beetle susceptible and must be changed to an ALB resistant species and that the Fire Department suggested that the handicapped space near the church porch be relocated for better access. She also stated that staff recommends approval of the waiver.

Jo Hart stated that a cease and desist should be issued regarding this project because of the affect it may have on Castle Park and that the changing of slope may result in the hill falling down.

Senior Pastor of the church, William Almeda, stated that the church does not intend to disrupt the neighborhood and that the additional parking will actually enhance the neighborhood by removing cars from Piedmont Street.

James Cuadrado, Minister of the church, stated that he is a member of the Castle Park Taskforce and at no point did the taskforce raise concerns regarding the parking plan.

Carmen Carmona, a member of the church, stated that the lack of parking represents a safety issue because the parked cars often make passing on Piedmont Street difficult and impedes the flow of traffic.

Mr. Rolle expressed concern regarding the striping of the three compact spaces given the proximity to the retaining wall and the lack of adequate space to turn.

Mr. Truman asked whether DPW would oversee the installation of the rip-rap slope and Mr. Adams stated that DPW would inspect the slope but the details provided are compliant.

When asked whether the Castle Park Taskforce is aware of the work on the site, Ms. Zhaurova stated that they were notified as an abutter.

When asked about the timing of the project, Mr. Alfonso stated that the catch basins will be installed and that grades would be addressed prior to the winter with paving to happen in the spring and proper erosion measures put into place.

Upon a motion by Mr. Rolle and seconded by Mr. Ochoa, the Board voted 4-0 to approve the Parking Plan subject to the following conditions:

- Eight (6) copies of final revised plans are submitted to the Division of Planning & Regulatory Services addressing the comments/annotation in the DPRS memo;
- Reinforced concrete pipe (RCP) be used for surface water mains from on-site manholes to connections in the street;
- 8" DR18 PVC is used for catch basin connections;
- Compact spaces to the north of warehouse will not be striped; and
- Retaining wall will be a radius wall.

The waiver for site plan showing and labeling abutters within 300' was also approved.

List of Exhibits.

- Exhibit A: Parking Plan Application; received September 26, 2013; prepared by Iglesia Evangelica De Worcester aka Evangelical Church of Worcester; received September 26, 2013.
- Exhibit B: Drainage Calculations supporting the Parking Lot Expansion at 9 Piedmont Street; prepared by Tetra Tech; dated September 24, 2013.
- Exhibit C: Parking Lot Expansion Plans for 9 Piedmont Street; prepared by Tetra Tech; dated September 25, 2013; revised October 16, 2013.
- Exhibit D: Handicap Parking Layout for 9 Piedmont Street; prepared by Tetra Tech; dated October 18, 2013.
- Exhibit E: Emails between Rick Alfonso (Tetra Tech) and Luba Zhaurova (DPRS) re: Worcester CARD District Review Memo; dated September 11, 2013 & September 12, 2013.
- Exhibit F: Email between Luba Zhaurova (DPRS), Karl R. Adams (DPW&P) and Jonathan Gervais (DPW&P) re: 9 Piedmont Street – IRT follow-up question; dated August 29, 2013, September 11 & 13, 2013.
- Exhibit G: Cease and Desist from the City of Worcester Department of Inspection Services – Building/Zoning Division.
- Exhibit H: Emails between Attorney Wayne LeBlanc (Glickman, Sugarman, Kneeland, and Gribouski) and Michelle Smith (DPRS) re: Questions about the Definitive Parking Plan Application for Iglesia Evangelica of Worcester; dated October 11, 2013.
- Exhibit I: Email from Rick Alfonso (Tetra Tech) to Michelle Smith (DPRS); re: Handicap Spaces; dated October 18, 2013.

- Exhibit J: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 9 and 37 Piedmont Street (aka 39 Piedmont Street) – Parking Plan; dated October 25, 2013.
- Exhibit K: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 9 Piedmont St – Parking Plan Application; dated October 25, 2013.

OTHER BUSINESS:

5. **Chambers Street – Street Petition Convert to Public (ST-2013-024)**

Mr. Adams stated that DPW recommends priority #1 for this item.

Upon a motion by Mr. Ochoa and seconded Mr. Mitra, the Board voted 4-0 to recommend approval of the street conversion with DPW's Priority #1 recommendation.

6. **Nathaniel Street and Nathaniel Court – Street Petition Convert to Public (ST-2013-027)**

Mr. Adams stated that DPW recommends priority #1 for this item.

Upon a motion by Mr. Ochoa and seconded Mr. Mitra, the Board voted 4-0 to recommend approval of the street conversion with DPW's Priority #1 recommendation.

7. **Approval Not Required (ANR) Plans:**

a. **31 Southview Road (public street) (AN-2013-047)**

Ms. Zhaurova stated that the request was to split the lot into 2 lots. The required frontage for an RS-7 zone is 65' and the frontage provided is 80' and 114'.

Upon motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to endorse the Approval Not Required Plan.

b. **Oak Hill Road (public street) (AN-2013-48)**

Ms. Zhaurova stated that Parcel A and Parcel B are to be conveyed to the direct abutters. The lots meet all frontage requirements.

Upon motion by Mr. Ochoa and seconded by Mr. Mitra, the Board voted 4-0 to endorse the Approval Not Required.

c. **47 Wyola Drive (public street) (AN-2013-049)**

Ms. Zhaurova stated that the petition is to subdivide the lot into two lots to build single family detached homes. Both lots have 75' of frontage where only 65' is required in the RS-7 zone.

Upon motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to endorse the Approval Not Required.

d. **1550-1554 Great Post Road (public street) (AN-2013-050)**

Ms. Zhaurova stated that staff recommends the postponement of this item due to a discrepancy between the parcel delineation on the plan and the parcel delineation according the assessor's data. The Board has 21 days to address the matter.

Upon motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to postpone the ANR to November 20, 2013.

8. **Signing of Decisions from prior meetings – 755-759 West Boylston Street, 140 Goddard Memorial Drive, Havana Road, Candlewood Street, and AND Denial fro Sarah Drive.**

ADJOURNMENT:

Upon a motion by Mr. Rolle and seconded by Mr. Mitra the Board voted 4-0 to adjourn the meeting at 6:33 p.m.