

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

August 6, 2014

WORCESTER CITY HALL – LEVI LINCOLN ROOM

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

Planning Board Members Absent: Robert Ochoa, Clerk

Staff Present: Stephen Rolle, Division of Planning & Regulatory Services
Domenica Tatasciore, Division of Planning & Regulatory Services
Michelle Smith, Division of Planning & Regulatory Services
Jon Gervais, Department of Public Works
Katie Donovan, Department of Inspectional Services
Alexandra Haralambous, Law Department

BOARD SITE VISITS

CALL TO ORDER

Chair Andrew Truman called the meeting to order at 5:30 P.M.

APPROVAL OF MINUTES

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the Board voted 4-0 to approve the minutes from June 4, 2014 with no edits. The minutes for June 25, 2014 and July 16, 2014 were not ready for review.

REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS, WITHDRAWALS

1. **224 Southwest Cutoff (MBL 34-034-00002) – Amendment to Parking Plan Approval (PB-2014-024)**
Ms. Smith stated that staff received a request to postpone the item to August 27, 2014. Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra, the Board voted 4-0 to postpone the item to August 27, 2014.

List of Exhibits:

- Exhibit A: 224 Southwest Cutoff Application; received 7/3/2014; prepared by HS&T Group.
- Exhibit B: Original 224 Southwest Cutoff Plan; dated 4/7/2009, revised 6/4/2009; prepared by HS&T Group.
- Exhibit C: Amended 224 Southwest Cutoff Plan; dated 5/21/2014; prepared by HS&T Group.
- Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 224 Southwest Cutoff; dated 7/31/2014.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 224 Southwest Cutoff.
- Exhibit F: Fire Comments; re: 224 Southwest Cutoff; dated 7/15/2014.
- Exhibit G: Original Planning Board PPA Decision re: 224 Southwest Cutoff; approved 6/ 3, 2009.
- Exhibit H: Original Landscaping plan for Billboard location; re: 224 Southwest Cutoff site plan approval from 8/11/1999.
- Exhibit I: DPRS Memorandum issued at the time of original approval; dated 5/27/2009.

2. **53 Rankin Street (Lots 1L, 1R, 2L and 2R) – Site Plan Approval (PB-2014-025)**

Ms. Smith stated that staff received a request to postpone the item to September 10, 2014. Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the Board voted 4-0 to postpone the item to September 10, 2014.

List of Exhibits

- Exhibit A: Definitive Site Plan Application; prepared by Luigi Digioia; received July 3, 2014
- Exhibit B: Definitive Site Plan for Lots 1 & 2 Rankin Street (53 Rankin Street); prepared by HS&T Group, Inc.; dated June 12, 2014; received July 3, 2014.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 53 Rankin Street (Lots 1L, 1R, 2L, 2R) – Definitive Site Plan Approval; dated August 1, 2014.
- Exhibit D: Decision (Approval) for Rankin Street Definitive Subdivision Plan (PB-2010072); dated January 26, 2011.

UNFINISHED BUSINESS

3. **38 Toronita Avenue (Lots 1, 2 & 3) – Definitive Site Plan Approval (PB-2014-008)**

Carl Hultgren, Quinn Engineering, stated that they have an application before the Board for three single-family homes and the meeting had been continued from May 14, 2014 to allow the applicant to obtain approval from the Conservation Commission. They obtained approval from the Conservation Commission on July 14, 2014 and Mr. Hultgren provided the Board with

revised plans due to the Conservation Commission revisions required. He stated that the only revision to the plan was that the drainage was revised to go from the driveway to the back of the lot and into the wetland.

Ms. Tatasciore stated that the outstanding annotations were addressed. She respectfully recommended approval of the Definitive Site Plan for 38 Toronita Avenue with the condition that 8 copies of the revised plans be submitted to close out both the Planning and Conservation Commission files.

Walter Burns, 10 Knapp Ave, stated that he was representing some of the other neighbors as well. He stated that he spoke to Director Moosey from the Department of Public Works regarding the sewer work that is to occur at Toronita and Knapp Avenues. Mr. Burns stated that he informed him that Toronita Ave had not been recently surveyed and the delineation was incorrect. Mr. Burns stated that he was not against the development but against the number of homes they want to build on this lot. He stated that he was concerned about the plant and animal life in this area. He is concerned about the drainage and the easement the City needs to do the sewer and drain work for the right-of-way.

Mr. Hultgren stated that Mr. Burns seems to have an issue with the City's project and not with the project before the Board.

Mr. Mitra asked if there were any conditions of approval from the Conservation Commission. Mr. Rolle responded that there were the standard conditions.

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti, the Board voted 3-0-1 (Mr. Mitra abstained because he was not present at all the meetings) to approve the Definitive Site Plan subject to the applicant providing 8 copies of the final revised plan.

List of Exhibits

- Exhibit A: Definitive Site Plan Application; prepared by AET Realty Trust; received March 12, 2014
- Exhibit B: Definitive Site Plan; prepared by Quinn Engineering, Inc.; dated March 11, 2014.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 38 Toronita Avenue (Lots 1, 2 and 3); dated April 23, 2014
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 38 Toronita Avenue, Site Plan Application – PB-2014-008; dated April 17, 2014.
- Exhibit E: Email from Carl Hultgren of Quinn Engineering, representative for AET Realty Trust re: 38 Toronita Avenue (postpone meeting to May 15, 2014); dated and received April 30, 2014.
- Exhibit F: Definitive Site Plan; prepared by Quinn Engineering, Inc.; dated March 11, 2014; revised May 1, 2014; received May 7, 2014.
- Exhibit G: Request to Continue (5/14 to 6/4) & Extend Constructive Grant Deadline (6/26 to 7/16); submitted by Carl Hultgren, applicant representative; received May 14, 2014.

Exhibit H: Request to Continue (6/4 to 7/16) & Extend Constructive Grant Deadline (7/16 to 8/7); submitted by Carl Hultgren, applicant representative; received May 29, 2014.

Exhibit I: Request to Continue (7/16 to 8/4) & Extend Constructive Grant Deadline (8/7 to 8/28); submitted by Carl Hultgren, applicant representative; received July 16, 2014.

NEW BUSINESS

4. 1280 & 1284 Main Street – Amendment to Parking Plan Approval (PB-2014-023)

Attorney Joel Green, representing Salloom Realty, introduced Ed Salloom, petitioner, and Andy Liston, engineer. Mr. Green reviewed the conditions of approval in the staff memo and asked the Board if they would be amenable if the applicant uses a simulated stone fence instead of the wood or simulated wood stockade fence. Mr. Green stated that there was a condition of approval that asks that the applicant “Ensure that lighting levels provide sufficient lighting wherever there is pedestrian movement onsite.” He stated that access to the building is down a sidewalk and into the building. He believes there will be sufficient lighting but he can’t get actual photometric readings until the light fixtures proposed are installed.

Mr. Rolle stated that staff mentioned that because the photometric plan provided showed a low level of light in the driveway location. Pedestrians have to exit the parking lot through that driveway access in order to access the building so they were concerned that what was shown was not sufficient light.

Mr. Green stated that there are other ambient lights not accounted for in the photometric plan but he believes there will be sufficient lighting. He stated that drainage calculations were provided to DPW and no free-standing signs are proposed with this project. The hours of operation will remain unchanged. They did consider joining the two parking lots with stairs but ultimately decided against it because of the maintenance issues in the winter associated with them. Mr. Green stated that he feels the sidewalk is adequate because his client maintains the sidewalk and parking lots in good condition during winter storms.

Mr. Green stated that the fence at the back of the site will not be replaced because it is owned by the abutter along with the retaining wall it is on. They are proposing a 4 ft. high black vinyl chain-link fence along Brookline Street because they will be providing abundant landscaping along that edge and they feel it will look better than a solid wood fence.

Ed Salloom, 255 Wildwood Ave., stated that he preferred the chain-link fence because it provides better visibility. South High and Gates Lane School are close by and he does not want anyone hiding between the solid wood fence and the solid wall of landscaping. He also stated that because the fence would be so long, it would look like a compound and separate it from the neighborhood.

Mr. Rolle stated that given the specific concerns and the topography of the site, staff would support a black vinyl chain-link fence.

Mr. Green asked for clarification on the height of the landscaping along Brookline Street and Mr. Truman stated that along the sidewalk it should only be 4 ft. high. Where the fence abuts a residential area, the landscaping can be taller.

Mr. Green stated that they were amenable to making all the annotation changes suggested in the memo.

Ms. Donovan stated that the Zoning Ordinance calls for clear view of intersecting streets meaning that on a corner such as Main Street and Brookline Street, the fence and landscaping would have to be set back 10 ft. at the corner so as to not interfere with the line of sight.

Mr. Gervais stated that DPW has not received the drainage calculations.

Andrew Liston stated that the drainage calculations were part of the original filing and then a letter was submitted answering additional questions.

Ms. Tatasciore stated that the applicant seeks to construct a 28 space accessory parking lot at 1284 Main Street parcel in order to provide more parking for the current tenants at 1280 Main Street thus resulting in a total of 50 parking spaces. Presently located on the premises at 1280 Main Street is a 5,940 SF office/retail building of rentable space and an accessory parking lot currently servicing a tax preparation business, an outreach mental health crisis facility and an insurance company. The applicant proposes to re-grade & re-stripe the four parking spaces, located in front of the building, in order to provide an additional handicapped space to improve circulation – this will result in the reduction in the total number of parking spaces from 23 to 22 spaces. The applicant is seeking to amend the Parking Plan for 1280 Main Street (approved June 3, 1992 – see Exhibit D) in order to construct a 28-space parking lot on this property with associated grading, drainage improvements and site work to serve the businesses located at 1280 Main Street. The applicant was granted Special Permit approval from the ZBA on November 4, 2013 for an Extension, Alteration or Change of a Privileged Pre-Existing Nonconforming Use to extend the existing pavement at 1284 Main Street northerly into the RS-7 zoning district. A portion of the existing pavement appears to have been used as parking and is already within RS-7. Therefore, while commercial use is not allowed in RS-7, expansion of the accessory parking lot within this zone is allowed by granting a Special Permit for Extension, Alteration or Change of a Privileged Pre-Existing Nonconforming Use. The property at 1284 Main Street is located within the BL-1 along the front portion of the lot and RS-7 to the rear portion of the lot.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the Board voted 4-0 to approve the parking plan amendment with the conditions in the memo and that fencing of black vinyl chain-link style with black posts - set back to allow clear-view triangle near street intersections; drainage calculations be provided to DPW; landscaping be 7 ft. in rear only all other areas need to comply with Zoning Ordinance regarding landscaping.

List of Exhibits:

- Exhibit A: 1280 & 1284 Main Street Parking Plan Amendment Application; received 6/124/2014; prepared by Joel P. Greene, Attorney for Salloom Realty Corporation.
- Exhibit B: Parking Lot Layout Plan – 1280-1284 Main Street; dated 11/18/2013 and revised through to 3/24/14; prepared by Thompson-Liston Associates, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 1280 & 1284 Main Street Parking Plan Amendment; dated 7/25/2014.
- Exhibit D: Parking Plan Approval for 1280 Main Street (PB-1992-006); dated June 17, 1992.

OTHER BUSINESS

5. **692-694 Millbury St – Street Petition Name as Oilzum Place (ST-2014-006)**

Mr. Gervais stated that DPW recommends a favorable recommendation for the renaming of the road. Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the Board voted 4-0 to recommend a favorable recommendation to City Council.

6. **Glendale Street (from Patch Reservoir Dr to Hunthurst Cir) – Street Petition Convert to Public (ST-2014-007)**

Mr. Gervais stated that DPW recommends a Priority #2 for this request. Upon a motion by Mr. Freilich and seconded by Mr. Vigliotti, the Board voted 4-0 to recommended a priority #2.

7. **Wescott St (from Paris Ave to Scandinavia Ave) – Street Petition Convert to Public (ST-2014-008)**

Mr. Gervais stated that DPW recommends a Priority #1 for this request. Upon a motion by Mr. Freilich and seconded by Mr. Vigliotti, the Board voted 4-0 to recommended a priority #1.

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

a. **38 Toronita Avenue (private) (AN-2014-022)**

Ms. Smith stated that the purpose of this ANR is to subdivide the one lot into three parcels. It is on a RS-7 zone and Toronita is currently a private street and will be converted into a public street. All lots comply with the 65' of frontage required.

Upon a motion by Mr. Mitra and seconded by Mr. Freilich, the Board voted 4-0 to endorse the ANR plan for 38 Toronita Ave.

b. **414R Massasoit Road (MBL 45-032-02+03) (public) (AN-2013-031)**

Ms. Smith stated that this lot will be subdivided into two parcels and they are land-locked parcels so they will be unbuildable lots. They do not comply with frontage because no frontage is provided. Because all lots are labeled unbuildable staff recommends approval.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra, the Board voted 4-0 to endorse the ANR plan for 414R Massasoit Road.

c. **169-171 Chester Street / 0 (aka 20) Azalea Drive (MBL 33-022-00007, 33-022-00006, 33-022-56-65, 33-022-00004, 33-022-00003, 33-022-00002, 33-022-00001) (public) (AN-2014-032)**

Ms. Smith stated that these lots are located in the RS-7 zoning district on a public street. Required frontage is 65' and 140' of frontage will be provided. The applicant is seeking to form one lot out of the seven lots, which had previously been created by ANR in 2009.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the Board voted 4-0 to endorse the ANR plan for 169-171 Chester Street / 0 (aka 20) Azalea Drive.

d. **113 & 117 Highland Street (public) (AN-2014-033) Endorsed (JV, SM; 4-0)**

Ms. Smith stated that the applicant is seeking to create a new lot line and reconfigure what is an existing on both parcels. This is an interior lot line change that does not affect frontage. It does not comply currently with frontage requirements but staff recommends endorsement because there is no change to the frontage.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra, the Board voted 4-0 to endorse the ANR plan for 113 & 117 Highland Street.

9. **Communication Received:**

- a. **From CMRPC re: Appointment of Delegates and Alternates to the Central Massachusetts Regional Planning Commission for FY '15; dated July 5, 2015; received July 18, 2015.**

No action taken since Board Member Ochoa was absent. The item was tabled until the next meeting.

10. **Signing of Decisions from prior meetings**

The decision for 266 Chandler St. Parking Plan Decision (PB-2014-021) was signed.

The Subdivision ANR for Burncoat Heights was endorsed by the Board. A covenant already exists and has been signed by the Planning Board.

ADJOURNMENT

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti, the Board voted 4-0 to adjourn the meeting at 6:25 p.m.