

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

June 10, 2015

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present: Andrew Truman, Chair
Robert Ochoa, Clerk
John Vigliotti
Andrew Freilich

Planning Board Members Absent: Satya Mitra, Vice Chair

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

BOARD SITE VISITS

CALL TO ORDER

The meeting was called to order at 5:30 pm. by Chair Truman.

**REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS,
WITHDRAWALS**

1. 462 Grafton Street – Special Permit Commercial Corridors Overlay District (PB-2015-023)

Upon a motion by Mr. Freilich and seconded by Mr. Ochoa, the Board voted 4-0 to postpone it to August 5, 2015.

APPROVAL OF MINUTES: June 3, 2015

The Board accepted the minutes for June 3, 2015. Upon a motion by Mr. Freilich and seconded by Mr. Vigliotti, the Board voted 4-0 to accept the minutes without edits.

NEW BUSINESS

Public Hearing

2. 92 Gardner Street & 57 Southgate Street - Amendment to the City of Worcester Zoning Map (ZM-2015-001)

Mr. Truman opened the public hearing.

Mr. Rolle stated that the petitioner seeks to amend the City of Worcester Zoning Map by changing the RG-5 (Residence, General) zoning district to a ML-2.0 (Manufacturing, Limited) zoning district for properties located at 92 Gardner Street and 57 Southgate Street. Presently, the properties are each split zoned - located in both the RG-5 (Residence, General) zoning district and the ML-2.0 (Manufacturing, Limited) zoning district.

Mike Anderson, 81 Canterbury Street, asked why Mr. Smith was requesting the change. He was concerned the petitioner was planning to erect a building because the lots were surrounded by residential homes.

Mr. Rolle stated that his understanding was that the applicant wanted to locate some accessory parking to the existing uses there.

Peter Dunn, Office of Economic Development, stated that the purpose is to enable the petitioner to use those two parking areas. If they are proposing more than 15 spaces, then they will be subject to a parking plan approval process and will have to provide landscaping/screening, etc. He also stated there was a letter of support from the South Worcester Industrial Park taskforce, which includes some of the abutters that are part of that residential zone. This rezoning is consistent with the vision of the Industrial Park as a whole.

Mr. Anderson stated that they have been using that as a parking lot already. He has no problem with it being used that way. The problem is that in the future that zone change can allow him to build a building in those locations that can negatively affect the neighborhood.

Mr. Freilich asked if they can restrict the use to parking only.

Mr. Rolle stated that the Board cannot do that and once it is rezoned then any of the uses allowed are permitted.

Mr. Truman stated that he does not like encroaching into residential areas.

Ms. Donovan stated that any new building in the ML zoning district abutting a residential area must have a buffer of at least 50 feet so if they wanted to build a new building or an addition it is already restricted by zoning.

Mr. Freilich stated that they cannot restrict the use but they can state that the intention of the Board was that it be used for parking and if they come before another board that can be taken into consideration.

Mr. Ochoa stated that this was only a recommendation to City Council, who has the final decision.

Craig Thorn stated that he worked for Absolute Machinery, which owns the parcels in question. He stated that they have been a stellar neighbor to everyone and should not be punished by the bad deeds of the roofing company that owned the lot before. He stated that they have no intention of building anything on those lots; they want to use it for parking. They are working with the city to buy a lot on Janice Nadeau Way and they would build there.

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the Board voted 4-0 to close the public hearing.

Upon a motion by Mr. Freilich and seconded by Mr. Ochoa, the Board voted 3-1 (Truman voting against) to recommend that the City Council approve the requested zone change because the extension of the light manufacturing zone would not have an adverse effect on the surrounding neighborhood and businesses.

List of Exhibits

- Exhibit A: Petitioner – Nate Smith, President of Absolute Machinery
- Exhibit B: GIS Plan; dated February 3, 2015; prepared by DPRS Staff.
- Exhibit C: E-mail correspondence of support from Jim Gasek, owner of 67 Southgate Street; received May 24, 2015.
- Exhibit D: Letter of Support from South Worcester Neighborhood Improvement Corporation; dated May 15, 2015.

3. 0 (aka 435) Shrewsbury Street – Special Permit Commercial Corridors Overlay District (PB-2015-028A)

Mr. Truman opened the public hearing.

Emad Zrein stated that they are proposing to construct a four story, ~19,039 GSF commercial building to be used for professional office space, with a total of 38 surface parking spaces. They are proposing the main access to the building off of Shrewsbury Street. They are proposing a second access point near Fidelity Bank, which has a signal light. He explained the queuing and where stop signs will be located. He requested a waiver from labeling the abutters within 300 feet. He also stated that they were amenable with staff's recommendations and explained that the abutter next door asked for an easement so that they can service their easterly wall, which is right on the property line.

Mr. Zrein stated that the reason for this relief is that McDonald's has an existing line of sight easement which prohibits putting the building up to the sidewalk. In order to mitigate that they provided walkways from Shrewsbury Street and a bench off the sidewalk.

Mr. Gervais stated that the catch basin connections shall be 8" DR-18 pipe type.

Mr. Rolle stated that the Commercial Corridors Overlay District Ordinance's (CCOD) key objectives were to encourage and foster development that was pedestrian oriented. In this case there is a restriction that makes it legally impossible for them to develop the property close to the right-of-way. Staff has worked with the applicant to still make this pedestrian friendly and they believe that the proposal still meets the intention of the ordinance.

Ms. Tatasciore stated that in the CCOD a maximum of 10 feet is allowed for setback but this proposal is for 71 ft. of setback due to the location of the existing line of sight easement. The application also requires a parking plan due to the number of spaces. She asked if the interconnection with the neighboring bank currently exists. Mr. Zrein stated that there is an easement already in place. Ms. Tatasciore stated that the applicant should provide a copy to staff. Staff was concerned about the proximity of the driveway to the signalized intersection with Shrewsbury Street and the configuration of travel lanes on the abutting property.

Atty. Robert Longden, Bowditch and Dewey, stated that he was representing General Wire Products, 425 Shrewsbury Street. Atty. Longden stated that they requested of the applicant that General Wire Products be allowed to have access to the property along the landscape buffer that will be provided in order to access the east wall if it needs repair. They requested access four times a year and will all be done with hand tools and no heavy equipment will be brought into the property. The applicant granted that access and they greatly appreciate the cooperation from the applicant and for that reason his client does not oppose the project.

Mr. Vigliotti asked if wither the light pole or the Fidelity Bank sign will have to be moved to provide access to the site. Mr. Zrein stated that the light pole will have to be moved but the sign placement should not interfere in any way.

Upon a motion by Mr. Freilich and seconded by Mr. Ochoa, the Board voted 4-0 to close the public hearing.

Upon a motion by Mr. Freilich and seconded by Mr. Ochoa, the Board voted 4-0 to approve the waiver requested.

Upon a motion by Mr. Freilich and seconded by Mr. Ochoa, the Board voted 4-0 to approve the special permit with the findings of fact and the conditions in staff's memo.

Upon a motion by Mr. Freilich and seconded by Mr. Ochoa, the Board voted 4-0 to approve the parking plan with the conditions in staff's memo.

List of Exhibits

- Exhibit A: Special Permit – CCOD & Parking Plan Applications; received March 11, 2015; prepared by Amjad Bahnassi of B & B Investment, LLC.
- Exhibit B: Site Development Plans – Proposed Office Building for 435 Shrewsbury Street; dated March 10, 2015; prepared by Kelly Engineering Group, Inc.
- Exhibit C: E-mail correspondence between Fire Chief Courtney and the applicant's engineer, Imad Zrein; dated from April 27, 2015 to June 2, 2015.

Public Meetings

4. 0 (aka 435) Shrewsbury Street – Parking Plan (PB-2015-028B)

This petition was taken up contemporaneously with item #3.

5. 6 Gothic Street – Definitive Site Plan (PB-2015-026)

Carl Hultgren, Quinn Engineering, stated that they are proposing to construct a ~1,980 SF (footprint) single-family detached dwelling (3 bedrooms) with two off-street (garage) parking spaces along with associated site-work, grading, and paving, on property with 15% slope or greater, located at 6 Gothic Avenue. Gothic Avenue is a private dead end street. The lot has 50 ft. of frontage and over 8,000 SF of area. The lot was created in 1917 and the ordinance now requires 65 feet of frontage in that zoning district, so they are requesting 15 ft. of frontage relief from the Zoning Board of Appeals. Currently on the property is a mobile home, which isn't allowed in the City.

Mr. Hultgren stated that sewer and drainage connections will be made to Gothic Avenue. They are proposing a tree along the frontage. There is a tree on their property line (over 9" in diameter) that will have to be removed. They received comments from their abutter to the rear at 7 Fatima Lane, who is concerned about excess water on their lot since the Gothic Ave slopes to the rear. They are proposing to tie their roof runoff drains into the drain system on Gothic Avenue.

Mr. Gervais stated that DPW will be issuing an approval for the engineer to be allowed to tie into their drainage system.

Ms. Tatasciore stated that Mr. Hultgren submitted Exhibit C, which was a plan for the Fatima Lane subdivision. She stated that a light is proposed at the south-eastern property line with N/F Owusu. What is the purpose of this light? Staff recommends that the applicant utilize an outdoor wall mounted light instead.

Mr. Hultgren stated that the only lights proposed are the typical lights for a residential dwelling. No light pole is proposed, they will all be building-mounted.

Upon a motion by Mr. Vigliotti and seconded by Mr. Ochoa, the Board voted 4-0 to approve the definitive site plan with the conditions in the memo and that they obtain approval for the drainage from DPW and that the lights be building-mounted.

List of Exhibits

- Exhibit A: Definitive Site Plan Application; prepared by William Cowin of Tallage Adams, LLC; received April 9, 2015.
- Exhibit B: Definitive Site Plan; prepared by Quinn Engineering, Inc.; dated December 8, 2014 and revised December 9, 2014; received April 9, 2015
- Exhibit C: Definitive Site Plan for Jasmine Place Subdivision showing Fatima Lane; received June 10, 2015.

6. 730 Plantation Street – Parking Plan (PB-2015-027)

Mark Sweeney stated that he is seeking approval for a parking plan. He is seeking to construct a ~2,800 SF commercial structure to be used as a laundromat with 21 associated parking spaces. They have obtained Zoning Board and Conservation Commission approval for this project. He stated that he had received the memo from staff and he is amenable to all the conditions of approval recommended by staff.

Mr. Rolle stated that staff recommends approval of the petition. It is a difficult site and the building is proposed to be built in the one portion of the site that is buildable. The site was previously owned by the city and the applicant was designated as the preferred developer after going through a RFP process. The city will maintain sewer and access easements to the site.

Upon a motion by Mr. Ochoa and seconded by Mr. Vigliotti, the Board voted 4-0 to approve the parking plan with the conditions listed in the memo.

OTHER BUSINESS

7. Street Petition Convert to Public – Camden Avenue (ST-2015-007)

Mr. Gervais stated that DPW recommends a Priority 1 Recommendation.

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the Board voted 4-0 to recommend Priority 1 for the Camden Avenue conversion.

8. Sewer Extension Petition – Aetna Street (ST-2015-008)

Mr. Gervais stated that DPW recommends a Priority 1 Recommendation.

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the Board voted 4-0 to recommend Priority 1 for the sewer extension for Aetna Street.

9. Blackstone Heritage Corridor Visitors Center Project (ST-2015-009):

- a. Discontinue a portion of the former Millbury Street public layout and abandon the City’s easement for street purposes for this parcel (the easement for utility purposes to remain)**
- b. Discontinue a portion of Dryden Access Road public way (the easement for utility purposes to remain)**
- c. Make public a segment of Dryden Access Road**

Mr. Rolle stated that these are a number of discontinuances and changes to the official map that are necessary to enable the reclamation of that property and ultimately the creation of the Blackstone Heritage Visitor’s Center.

Mr. Rolle stated the there is a portion of the former Millbury Street public layout that will never be built because it is bisected by Route 146. The request will discontinue the street but retain a utility easement. There is also a portion of Dryden Access Road public way that will be discontinued because it’s not needed for road purposes.

There is also a portion of the street that will remain that is part of the Dryden Access Road and that will be made public. All of this is clearly laid out in the maps provided.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the Board voted 4-0 to recommend to City Council to discontinue a portion of the former Millbury Street, discontinue a portion of Dryden Access Road public way, and make public a segment of Dryden Access Road.

10. Approval Not Required (ANR) Plans:

- a. 47 Greencourt Street (private) (AN-2015-020)**

Ms. Tatasciore stated that the applicant is looking to remove a shed and subdivide the one parcel into 4 buildable parcels. Mr. Truman stated that the street was passable when they went on the view.

Upon a motion by Mr. Freilich and seconded by Mr. Vigliotti, the Board voted 4-0 to endorse the ANR.

11. Review and adoption of draft Special Permit Application for Commercial Corridor Overlay District

Mr. Rolle stated that the application is similar to the Board’s other applications with the difference of the addition of the supplemental pages to allow applicants to provide findings of fact for special permits in the CCOD.

Upon a motion by Mr. Vigliotti and seconded by Mr. Ochoa, the Board voted 4-0 to approve it without any edits.

12. Communication - None

13. Signing of Decisions from prior meetings – the decisions were signed.

ADJOURNMENT

Upon a motion by Mr. Freilich and seconded by Mr. Ochoa, the Board voted 4-0 to adjourn at 6:30 p.m.