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

September 30, 2015
WORCESTER CITY HALL – ESTHER HOWLAND ROOM

Planning Board Members Present: Andrew Truman, Chair
Satya Mitra, Vice Chair
Robert Ochoa, Clerk
John Vigliotti
Andrew Freilich
Alexandra Kalkounis

Staff Present: Steven Rolle, Division of Planning & Regulatory Services
Domenica Tatasciore, Division of Planning & Regulatory Services
Michael Antonellis, Division of Planning & Regulatory Services
Katie Donovan, Inspectional Services
Nicholas Lyford, Department of Public Works & Parks

BOARD SITE VISITS

CALL TO ORDER
Chair Truman called the meeting to order at 5:32 p.m.

REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS, WITHDRAWALS

1. Forest Hill Drive – Special Permit Cluster Subdivision (PB-2015-025)
   Chair Truman stated that the board received a request to postpone the item to October 21, 2015. Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the board voted 5-0 to approve the postponement request.

List of Exhibits:

Exhibit A: Special Permit Application; received April 2, 2015; prepared by Melissa O’Connor.
Exhibit B: Forest Hill Drive – Cluster Subdivision Special Permit Plan; dated April 2, 2015; prepared by HS&T Group, Inc.
Exhibit C: Overview of Existing Onsite Easements; received April 28, 2015; prepared by HS&T Group, Inc.
Exhibit D: Cluster Zoning Calculations; received April 28, 2015; prepared by HS&T Group, Inc.
Exhibit E: Lot Layout Plan; received April 28, 2015; prepared by HS&T Group, Inc.
2. **128 Alvarado Avenue – Amendment to Definitive Subdivision (PB-2015-032)**

Chair Truman stated that the board received a request to postpone the item October 21, 2015 and to extend the constructive grant deadline to November 15, 2015. Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the board voted 5-0 to approve the postponement request.

**List of Exhibits:**

Exhibit A: Definitive Subdivision Plan Application; received June 18, 2015; prepared by Howard Winter.

Exhibit B: 128 Alvarado Avenue – Definitive Subdivision Plan; dated November 13, 2006 and revised through to April 17, 2008; prepared by HS&T Group, Inc.

Exhibit C: Planning Board Certificate of Approval for 128 Alvarado Avenue Definitive Subdivision Plan; approved June 18, 2008.

Exhibit D: Various e-mail correspondence regarding stormwater calculations; dated September 14, 2009 to May 11, 2010.

Exhibit E: Comment Letter from Fire Chief Courtney; received July 27, 2015.

3. **128 Alvarado Avenue – Definitive Site Plan (PB-2015-034)**

Chair Truman stated that the board received a request to postpone the item October 21, 2015 and to extend the constructive grant deadline to November 15, 2015. Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the board voted 5-0 to approve the postponement request.

**List of Exhibits:**

Exhibit A: Definitive Site Plan Application; received July 2, 2015; prepared by Howard T. Winter.

Exhibit B: 128 Alvarado – A Definitive Site Plan; dated July 2, 2015; prepared by HS&T Group, Inc.

Exhibit C: Stormwater Management Report & Drainage Calculations; dated May 12, 2008 and revised through to June 12, 2008; prepared by HS&T Group, Inc.

Exhibit D: Comment Letter from Fire Chief Courtney; received July 27, 2015.


Chair Truman stated that the board received a request to postpone the item October 21, 2015 and to extend the constructive grant deadline to November 30, 2015. Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the board voted 5-0 to approve the postponement request.

**List of Exhibits:**
Exhibit A: Definitive Site Plan Application; received August 3, 2015; prepared by Carol Redden.
Exhibit B: More Than One Building On A Lot Application; received August 14, 2015; prepared by Carol Redden.
Exhibit C: Definitive Site Plan; prepared by H.S.& T. Group, Inc.; dated July 31, 2015 and revised on September 30, 2015.
Exhibit D: Renderings, Floorplan and Elevations; dated May 13, 2015; prepared by William F. Lee II, AIA.
Exhibit F: Approval Not Required Plan for subject property; endorsed on April 5, 2006.
Exhibit H: Comments from Fire Chief Courtney; received on August 26, 2015 & September 2, 2015.
Exhibit I: Comments from DPW; dated September 2, 2015.
Exhibit K: E-mail from James Gettens; received September 9, 2015.
Exhibit L: Letter from Patrick Healy, PE; received September 9, 2015.

NEW BUSINESS

Public Hearing

5. **462 Grafton Street – Special Permit Commercial Corridors Overlay District (PB-2015-023)**

The applicant has applied for a Special Permit to allow for motor vehicle service, repair, garage, and display within the CCOD.

Attorney Mark Borenstein, Attorney Todd Rodman, and engineer Michael Andrade represented the applicant, Mr. Kamel, who is also the owner of 462 Grafton Street.

Mr. Borenstein stated that they have held meetings with all applicable staff and invited neighbors to discuss certain concerns relative to the use and changed the plan accordingly.

Mr. Andrade stated that the ramp that was previously proposed has been removed from the scope of the project and no longer viable. Mr. Andrade proposed a landscaping buffer between the use and nearby abutting residents. The only parking spaces that will be striped will be the two customer parking spaces that are located closer to the building near Grafton Street. The chain link fence will be removed and replaced with a 6’ solid fence, likely to be vinyl.

Mr. Rolle stated that the proposal is for the use of automobile repair within the CCOD which does not require parking review. There were staff concerns about vehicles backing onto Grafton Street, including pedestrians and oncoming traffic issues complicating the use of auto-repair. The parking that is pre-existing on site must be retained but not additional parking is required per the ordinance.
Mr. Rolle stated that staff recommended that the two parking spaces, located closest to Grafton Street and the building be striped and the diagonal parking be retained for use for vehicles being operated on by the shop which will give the operator flexibility to stack the vehicles in a manner that fits the operation. Mr. Rolle stated there are a number of conditions that are recommended by staff, which include:

1. That the project be completed and the site be operated in substantial accordance with the final approved plan;
2. That the applicant provide six (6) copies of revised, to-scale plans, to DPRS showing the following prior to the issuance of a certificate of occupancy:

*Landscaping/Screening:*

a. That all proposed trees are of a non-Asian-Longhorned Beetle susceptible species;
b. That the existing trees along the west of the site be protected;
c. That landscaping be provided and maintained as depicted on the plans provided;

*Operations/Maintenance:*

d. That snow shall be stored in the areas designated on the plan and shall be trucked off-site once on-site storage impedes with the required number of parking spaces or impedes visibility on-site;
e. That the hours of operation and hours of any/all deliveries and dumpster servicing shall be limited to Monday through Saturday from 7 a.m. to 7 p.m.;
f. That all customer vehicles shall be delivered via the Grafton Street access to the site;
g. That all windows facing Acton Street shall be closed during business hours to attenuate noise;
h. That no equipment, machinery, or motor vehicles, etc. shall be parked or stored outside of the building on the portion of the property adjacent to Acton Street to provide a visual buffer from the site;

*Parking/Loading/Circulation:*

i. Demarcate the required loading space to be shown wholly inside the lower level of the structure (per Article IV. Section 7, Table 4.5. 2);
j. That any and all loading and unloading shall not take place in the public rights-of-way;
k. That the site shall be striped to provide two customer parking spaces as depicted between the building and Grafton Street, and that other paved areas as depicted on the plans provided be retained for additional parking and/or temporary storage of vehicles (striping not required);
l. That a 20 ft. clear aisle width be maintained at all times on the north side of the building;
m. That the rear portion of the site, accessed by Acton Street, shall be restricted for access and used by employees only and shall be designated as such with appropriate signage;
n. That a 6 ft. tall stockade style fence shall be maintained along the Acton Street entrance in order to restrict access to the site;
o. That the chain link fence bisecting the paved area to the north of the building be removed;
p. That any chain link fencing to remain be retained in a good state of repair. If/when replaced, fencing should be solid stockade fencing or black-vinyl coated chain link;
q. Barbed wire fencing shall be removed or hidden from public view;
r. That a maximum of two service bays shall be used on-site and all associated repair and service activities shall be conducted on the first floor (i.e. Grafton Street level); and

s. That the use of the lower level of the structure (i.e. Acton Street level) shall be used for indoor storage of motor-vehicles and no service or repair activities shall be conducted therein.

Mr. Truman opened to the public for comments.

Michelle Bouffard of 2 Gambier Avenue distributes pictures for board review as she described each in detail. Ms. Bouffard described the property as being in disrepair and cluttered with unnecessary equipment unrelated to auto-repair and a lack of readiness to conduct the proposed use effectively. Ms. Bouffard went on to describe concerns over traffic and pedestrian safety as well as noise and stormwater draining to Broad Meadow Brook and Beaver Brook. Ms. Bouffard stated that she would like a clear path for enforcement of issues as they arise for the use.

Ms. Donavan stated that ISD received the complaint regarding the use of the property and that the Building Inspector and Fire Department were notified and made the appropriate inspection which did not result in the finding of a violation. Mr. Truman stated that all complaints, present and future will be directed and handled by Inspectional Services Division (ISD).

Mr. Freilich asked if there are any other businesses being conducted on the property currently? Mr. Borenstein stated that to his knowledge there is no business conducted on the property currently.

Mr. Freilich asked what will be done about the machinery and equipment currently stored on the property? Mr. Borenstein stated that Mr. Kamel is aware of the concern and is currently working to remove extraneous materials.

Mr. Mitra asked if it is the word of Attorney Borenstein or will this be a condition? Mr. Borenstein stated that they are willing to accept this as a condition.

Mr. Rolle suggested additional conditions that parking of vehicles be prohibited within 30 feet of the northern driveway and that no vehicle may block access from the northern driveway, that all debris not related to the use of the property be removed and that the plans show 1 van accessible parking spot.

Mr. Freilich stated concerns over noise to reiterate Ms. Bouffard’s concerns. Mr. Rolle stated that this will be addressed through the conditions listed in the review memo. Mr. Borenstein stated that the use will not include auto-body shop, which reduces the amount of noise.

Upon a question by the Chair, Mr. Rolle stated that in sometime during its history the building has historically been used as a motor vehicle repair shop.

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti, the board voted 5-0 to approve the close the public hearing.

Upon a motion by Mr. Freilich and seconded by Mr. Vigliotti, the board voted 5-0 to approve the Special Permit to allow the proposed use including the additional conditions recommended by Mr. Rolle and the acceptance of the findings of facts.

**List of Exhibits:**

Exhibit A: 462 Grafton Street Application; received 2/2/2015, revised 4/27/2015 & 9/22/2015; prepared by Kamel Kamel.

Exhibit B: 462 Grafton Street Plan; dated 4/1/2015; prepared by TASC.
Exhibit C: Worcester Fire Department Comments, undated.
Exhibit D: E-mail from Mary Anne Abraham; received August 26, 2015.
Exhibit E: 462 Grafton Street Plan; dated 9/28/2015; Revised 9/29/2015; prepared by Graves Engineering, Inc.
Exhibit F: Pictures submitted to the board by Michelle Bouffard, 2 Gambier Ave.


The applicant seeks to construct a ~37 space parking lot to the rear of the existing ~3,203 square foot commercial building which is proposed to be used as a place of worship. The applicant also plans to install an enclosed play area adjacent to the rear of the existing structure. The proposed occupancy for the existing structure is 148 people.

Carol Redden, from H.S. &T. Group, representing the applicant presented. The applicant intends to occupy the vacant commercial building as a place of worship. There will be a play area behind the church used during services. Connections to the building will be maintained. Snow storage, as noted on the plan, will be located at the rear of the property. Silt fence and hay bales will be installed during construction, and at end of construction the area will be loamed and seeded.

Ms. Redden reviewed staff’s memo and identified the items that have been addressed. Asian Long-horned Beetle plants will be used. The proposed dumpster will be enclosed by a 6-foot stockade fence. Curb cuts are existing and there is no intention to expand, but will use signage and line painting to notate circulation. The proposed retaining wall, that will be located near the play area, is less than 4 feet high and they intend to use versa lock. The chain link fence will be removed and the building entrances will be maintained. The front entrance is accessible by concrete steps and the east side entrance will remain since it services the basement. At the rear of the building there will be an entrance to the first floor to the playground and also stairs to the second floor in order to provide fire access.

Mr. Antonellis went through the staff memo and asked the applicant’s engineer about the vegetative buffer and landscaping. The applicant agreed to provide an additional 3” caliper tree in the rear of the property behind the turn-around area noted on the plan. The circulation will be marked on the plan and will be striped accordingly.

Mr. Antonellis asked about the eastern entrance stairs. Ms. Redden stated that the stairs are existing and that they will be adding paved area to widen the driveway width. Mr. Antonellis asked that the width of pavement be noted on the plan as it relates to the eastern side entrance.

Residents Carl Sevo and Marianne Sevo, of Ingleside Avenue, spoke about parking concerns relating to overflow onto Plantation Street which currently serves the residents. Ms. Sevo stated that with the winter it will become even more difficult to park. Ms. Sevo stated that there are concerns that residents will now have to park farther away from their homes. Ms. Redden stated that she will defer to the city for how to manage on-street parking.

Chair Truman asked about the accessible route to the property from the street. Chair Truman stated that code requires an accessible route from the public way and the applicant may need to include an extension of the sidewalk into the property.

Mr. Freilich asked about stated concerns from a resident about noise levels late into the night. Ms. Sevo stated that the resident who submitted that email owns the property across the street. Mr.
Freilich asked if the plan meets all the requirements in regard to circulation and the ability of vehicles to pull out and turn around.

Mr. Rolle stated that providing access from the street is the responsibility of the applicant. Chair Truman stated that a sidewalk or walkway needs to be provided separate from the driveway.

Michael Aroujo stated that the size of the congregation will not fill all the proposed parking. He stated that there are Wednesday night services and Sunday morning services. He stated that the congregation would not be there later than 11 pm.

Mr. Vigliotti asked, without adding conditions to the application, that the applicant pay special care with respect to neighbors and noise.

Mr. Ochoa asked what the current congregation size is. Mr. Aroujo stated 30 people. Mr. Ochoa stated that currently the congregation is young and growing. Mr. Aroujo stated that there are currently 5 vehicles available. Mr. Ochoa stated his apprehensions to discussing potential limitation on noise and operation as it pertains to churches. Mr. Aroujo stated that they will respect city ordinances as they pertain to operation and noise.

Mr. Aroujo asked for the board to clarify what he needs to provide for access. Chair Truman stated that it does not need to be concrete; it just needs to be a dedicated pathway.

Chair Truman asked about providing weddings and special services. Mr. Aroujo stated that the construction loan is intended to provide for all future uses which included weddings, holidays, and other special events.

Mr. Freilich asked if additional structures will be included. Mr. Aroujo stated that no additional construction will occur and that the footprint will remain the same; they only intend to reconstruct the second floor.

Mr. Sevo stated that they are more comfortable with the proposed use and potential overflow. He also stated that if people cross Plantation St in order to find parking, it should be noted that the street is potentially dangerous and a crosswalk would be a good idea.

Mr. Lyford stated that DPW would look into providing a sidewalk at the specified location.

Mr. Rolle asked the Chair to not include a sidewalk as a part of conditions of approval.

Mr. Rolle expressed that 20 feet for clearance is required by the Fire Department for the driveway access to the rear of the lot. Ms. Redden stated she does not believe that 20 feet clearance on the east side of the building exists or is proposed. Chair Truman stated that the applicant will have to work out this issue with the Fire Department.

Mr. Rolle asked if the Fire Department has a concern over access, would that hold up an approval of a permit. Ms. Donavon stated yes, that would happen.

Chair Truman stated the applicant can choose to continue the hearing or decide to end the hearing tonight to render a decision from the board.

Upon a motion by Mr. Ochoa and seconded by Mr. Mitra the board voted 5-0 to approve the Definitive Site Plan with the following noted conditions;

1. That the project shall be constructed in substantial accordance with the final revised plans on file with the City of Worcester and in accordance with all applicable governmental codes;
2. That six (6) copies of the final revised plans are submitted to the Division of Planning & Regulatory Services prior to the issuance of a Building Permit showing the following:

General
a. Remove Existing Conditions note #6 that is located on Plan Sheet 2 since this reference is not applicable to the project.

Landscaping & Screening:
b. Provide one additional 3” caliper shade tree along the eastern lot line nearest the 36” Sumac tree in compliance with Article IV, Section 7, Table 4.4, Note 5 and Article V, Section 5C.
c. Provide one additional 3” caliper shade tree along the northern lot line nearest the proposed turn-around hammer in the parking area;
d. That all proposed plantings shall be on a non-Asian Longhorned Beetle susceptible species and shall not be known invasive species;
e. That the proposed dumpster shall be screened by a minimum 6’ tall stockade style fence;

Parking and Traffic:
f. That the existing easternmost curb cut be demarcated on the plan, and signed in accordance, as “enter” only and the westernmost curb cut be demarcated on the plan, and signed in accordance, as “exit” only;
g. Notate the proposed vehicular circulation patterns on the plan and stripe accordingly;
h. Provide a detail for the proposed lighting and label the location of the proposed lighting on the plans OR provide a photometric plan showing compliance with the requirements of the ordinance as they pertain to light spillover;
i. Provide a detail for the proposed retaining wall; and
j. Provide a detail for the proposed fencing.

And the Board included an additional condition that the plan show and the applicant provide an accessible extension of the sidewalk onto the property from the public way.

Upon a motion by Mr. Ochoa and seconded by Mr. Mitra the board voted 5-0 to grant requested waiver to label abutters and abutters thereto within 300 feet on the plan; staff supports such a waiver request.

Mr. Ochoa left the meeting at 6:43pm.

List of Exhibits:
Exhibit A: 151 Plantation Street Parking Plan Application; received 8/26/2015; prepared by Oasis Construction, Inc.

Exhibit B: 151 Plantation Street Parking Plan; dated 8/26/2015, prepared by H.S. & T. Group, Inc.
Exhibit C: E-mail from Norma Candela; received September 16, 2015.
Exhibit D: Worcester Fire Department Comments; undated.
7. **28 Water Street – Definitive Site Plan (PB-2015-045)**

The petitioner seeks to convert the existing structure into a mix of residential dwelling units (~20 units) and commercial space (~5,000 SF) with ~17 off-street parking spaces, and associated site work, on property located at 28 Water Street and located in an area zoned BG-3.0 (Business, General) and within the Commercial Corridors Overlay District – Canal District sub area (CCOD-C), Union Station View Corridor Sign Overlay District (USOD), and Downtown/Blackstone Canal Sign Overlay District (DSOD).

Attorney Todd Brodeur from Fletcher Tilton, and James Tetreault from Thompson-Liston Associates presented the application.

Attorney Brodeur stated that the building has been vacant for quite some time. The main focus is to refurbish the building and re-working the parking area plus landscaping buffer. Currently there is a small landscaping buffer on the corner of Winter Street and Water Street. Attorney Broder stated this is an urban project intended to be pedestrian friendly with inclusion of bike racks and some parking. It was not the intention to provide parking for all residents thus encouraging the pedestrian nature of the development.

Attorney Brodeur described the ability to provide for parking and the challenges with the shape of the lot. Attorney Broder stated that they have addressed some of the concerns in the staff memo. Attorney Broder stated that narrowing the curb cut on Winter Street is not planned, but if DPW has a specific concern then they would address it. Bike racks are included in the plan will be added to the rear of the building under a canopy. A dumpster exists at the rear of the property. A more desired location would be in the interior of the building. Commercial tenants would want signage and will be encouraged to comply with applicable ordinances. Regarding lighting, there is a plethora of light pollution illuminating on-site currently. There is no snow storage available on site, so snow will be removed as necessary.

Mr. Lyford stated that the curb cut on Winter Street is currently 40 feet wide and should be narrowed to ~25 feet per DPW standards.

Ms. Tatasciore stated that the applicant has addressed most of her concerns. Landscaping on Winter Street is required for a depth of 3 feet and asked the applicant to comment. Attorney Brodeur stated that he understands and will add this to the plan.

Mr. Rolle stated that the credits for mixed usage and bike spaces makes the parking requirement 17 spaces and this can be obtained through a lease agreement.

Mr. Freilich asked if there is still a need for lofts in this area. Attorney Brodeur stated that they are confident about the market for these lofts. Mr. Freilich asked about the status of the garage owned by the city. Attorney Brodeur stated he would like to see that as an option for leasing, however there was not a 5 year lease option, as required per the Zoning Ordinance. Mr. Rolle stated that the applicant would need to discuss with DPW regarding the leasing of spaces.

Ms. Tatasciore recommended the conditions of approved, listed on page 2 of 5 on the staff memo that she recommends striking items 1. a, b, f, g, h, i and modifying c. by striking out the words “5 foot landscape buffer along Water Street” and to include DPW’s comment regarding the sidewalk reconstruction and narrowing the curb cut on Winter Street to ~25 feet. Ms. Tatasciore mentioned that the applicant should request to waive the 300 foot abutter buffer requirement.
Upon a motion by Mr. Freilich and seconded by Mr. Mitra the board voted 4-0 to approve the Definitive Site Plan with the remaining conditions;

1. That six (6) copies of final revised plans be submitted to the Division of Planning & Regulatory Services and that the project is constructed in substantial accordance with those plans addressing the issues below:
   a. Provide a 3-foot landscape buffer along Winter Street where parking abuts the front yard setback and streets. A width of 5 feet by 5 feet shall be required in this area for tree plantings which are required to be every 20 to 25-feet on center;
   b. Provide the location of the required street trees on the plan, to be provided every 20 to 25-feet on center and are required to have no less than a 3-inch caliper when measured 6 inches above ground;
   c. Provide a landscaped table on the plan and provide a notation that any proposed trees shall be non-Asian Longhorned Beetle susceptible species;
2. Reconstruct the sidewalk and driveway apron on Winter Street to City standards and narrow the curb cut to approximately 25 feet.
3. That the applicant submits a copy of the new Parking Lease Agreement for review and that such agreement shall be in compliance with the terms specified by the Worcester Zoning Ordinance, Article IX, Section 7(G).
4. Provided that the project is constructed in substantial accordance with the final revised plans on file with the City of Worcester and in accordance with all applicable governmental codes.

Additionally, the Board voted 5-0 to approve the requested waiver to label all abutters on the plan within 300 feet of the property.

**List of Exhibits**

Exhibit A: Definitive Site Plan Application; received August 27, 2015; prepared by applicant’s representative, Attorney Todd Brodeur.

Exhibit B: Project Impact Statement; received August 27, 2015; prepared by James Tetreault, PE of Thompson-Liston Associates, Inc.

Exhibit C: Site Plan of Land at 28 Water Street in Worcester, MA; dated May 26, 2015; prepared by Thompson-Liston Associates, Inc.

Exhibit D: MACRIS Listing for 28 Water Street.

Exhibit E: Planning Board 1997 Site Plan decision and site plan.

Exhibit F: ZBA 1996 Special Permit decision.

Exhibit G: Planning Board 2015 ANR plan.

Exhibit H: Fire Department comments; received September 1, 2015.
Other Business

8. Signing of Covenant and mylars – 128 Alvarado Definitive Subdivision
Ms. Tatasciore stated that the covenant has not been prepared. The item will be moved to the next meeting, if the applicant is prepared.

9. Approval Not Required (ANR) Plans:
   a. 551 Park Avenue & rear portion of lot on Birch Street (public) (AN-2015-029)
      Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra, the board voted 4-0 to endorse the ANR.
   b. 120 Front Street (public) (AN-2015-030)
      Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the board voted 4-0 to endorse the ANR.
   c. 27 Arbutus Street (private) (AN-2015-031)
      Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the board voted 4-0 to endorse the ANR.

10. Communication – None

11. Signing of Decisions from prior meetings

ADJOURNMENT
Upon a motion by Mr. Freilich and seconded by Mr. Vigliotti, the board voted 3-0 to adjourn at 7:07pm.