

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

May 18, 2016

WORCESTER CITY HALL – ESTHER HOWLAND CHAMBER

Planning Board Members Present: Andrew Truman, Chair
Satya Mitra
John Vigliotti (left at 7:20 pm)
Andrew Freilich

Staff Present: Stephen Rolle, Division of Planning & Regulatory Services
Domenica Tatasciore, Division of Planning & Regulatory Services
Michael Antonellis, Division of Planning & Regulatory Services
Nicholas Lyford, Department of Public Works & Parks
Katie Donovan, Inspectional Services
Alexandra Kalkounis, Law Department
Jennifer Beaton, Law Department

BOARD SITE VISITS

Call to Order – 5:39 pm

REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS, WITHDRAWALS

1. 128 Alvarado Avenue – Amendment to Definitive Subdivision (PB-2015-032)
Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 4-0 to postpone the hearing to June 8, 2016 and to extend the constructive grant deadline to June 30, 2016.
2. 128 Alvarado Avenue – Definitive Site Plan (PB-2015-034)
Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 4-0 to postpone the meeting to June 8, 2016 and to extend the constructive grant deadline to June 30, 2016.
3. Sarah Drive - Arboretum Phase I – Amendment to Definitive Subdivision (PB-2015-055)
Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 4-0 to postpone the hearing to June 8, 2016 and to extend the constructive grant deadline to July 30, 2016.
4. Hemans Court – Street Petition for removal of Private Way from Official Map (ST-2016-003)
Attorney Don O’Neil was present for the petition and requested a Leave to Withdraw without prejudice. Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 4-0 to approve the requested Leave to Withdraw without prejudice.

5. **9 & 37 Piedmont Street – Definitive Site Plan (PB-2016-008)**

Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 4-0 to postpone the meeting to June 8, 2016 and to extend the constructive grant deadline to July 30, 2016.

New Business

Public Hearings

1. 0 & 9 Hemans Street and a portion of 40 Milton Street – More Than One Building On A Lot and Definitive Site Plan (PB-2015-042)

Mr. Vigliotti recused himself from participating in these pending applications.

Attorney Donald O’Neil stated that Hemans Court was included on the official street map by accident. Due to the inability to remove the street from the Official Map, the project is in the process of being redesigned to include only 1 building. Attorney O’Neil stated that the petitioner has asked for a continuance to June 29, 2016.

Mr. Rolle stated that requiring the applicant to withdraw and reapply is within the Planning Boards purview should they decide to exercise that right.

Attorney O’Neil stated that the Planning Board’s involvement in this matter up until this point has been minimal, and that trying to deal with cooperation from abutters concerning what is essentially land locked property has halted the petitioners ability to continue with the original plan and the petitioner should not be subject to a new application and application fee due to their efforts.

Mr. Freilich asked if the petitioner will be ready for a June 29 meeting and Attorney O’Neil stated they will be ready.

Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 3-0 to postpone the meeting to June 29, 2016. Mr. Vigliotti recused himself from the vote.

2. 1 & 15 Webster Street – Special Permit for CCOD to allow a great front-yard setback and Parking Plan (PB-2016-009)

Both the Special Permit and Parking Plan for this property were taken up contemporaneously.

Jared Gentilucci from Nitsch Engineering and Brian Barrows from Barrows Hardware are present for the petition. Mr. Gentilucci stated that the parking lot will be expanded into the lot next door which has been acquired by the owner. The existing utilities will feed the addition of the building and a new storm water mitigation system will be introduced greatly reducing runoff.

Mr. Lyford stated that DPW will require the following:

1. Use City of Worcester standard catch basins and manholes.
2. Provide revised drainage calculations using City of Worcester standard catch basins.
3. Show existing sanitary connections on existing conditions plan.
4. Drainage connection in public right of way must be reinforced concrete pipe.

Ms. Tatasciore stated that the applicant is proposing a 58 foot front yard setback and the applicant has proposed 38 parking spaces with complies with the provisions of the Zoning Ordinance. The plan shows a net reduction in impervious surface.

Staff has questions remaining about lighting and snow storage. Mr. Gentilucci stated that they have proposed lighting and it will be greatly improved. Snow is currently removed from the site and this will be the continued practice.

Ms. Tatasciore stated that staff recommends approval with suggested conditions.

Mr. Rolle stated that the board received a letter of support from the Worcester Regional Chamber of Commerce.

Mr. Vigliotti asked if the issue of the fence has been addressed. Mr. Gentilucci stated that there is a new fence in place which is a 6-foot high ornamental fence.

Mr. Freilich asked about empty space on site. Mr. Barrows stated that snow is taken from the front to the back onto separate lots.

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

Upon a motion by Mr. Mitra, and seconded by Mr. Freilich, the board voted 4-0 to approved the requested waiver to list the abutters and abutters to abutters within 300 feet of the property.

Upon a motion by Mr. Mitra, and seconded by Mr. Freilich, the board voted 4-0 to approve the requested Special Permit with conditions of approval as noted on the staff review memo and DPW comments.

Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 4-0 to approve the requested Parking Plan with conditions of approval as noted on the staff review memo and DPW comments.

List of Exhibits:

Exhibit A: Special Permit – CCOD & Parking Plan Applications; received April 11, 2016 and revised on April 15, 2016; prepared by Matthew Brassard of Nitsch Engineering, Inc.

Exhibit B: Site Layout Plan; dated April 4, 2016 and revised on April 11, 2016; prepared by Nitsch Engineering.

Public Meetings

3. 104 Harding Street (aka 106 & 112 Harding Street and 45 Winter Street), 26 Harding Street, 51, 57, 63, 67 & 73 Winter Street, 8 & 12 Beach Street, 18, 38 & 40 Pond Street and 12 Goddard Street – Definitive Site Plan (PB-2016-010)

Attorney Todd Brodeur and Robert Clark presented the application. Attorney Brodeur stated the property houses an old facility that has been closed since 2007 and is riddled with asbestos. The petitioner is seeking site plan approval for the construction of an indoor sports complex including 2 hockey rinks, changing rooms, stands for spectators and some retail space.

Mr. Clark stated that many lots have been consolidated totaling over 3 acres. The proposed building is 101,000 square feet and 150 parking spaces are proposed. There will be a net decrease of impervious surfaces and they are proposing approximately 73 street trees; the front lot has been designed with compact spaces to comply with the street tree ordinance requirements and the overlay district.

Mr. Lyford stated that any street lights to be removed shall be relocated by the developer to a location approved by the City of Worcester to ensure sufficient street lighting as required by DPW.

Mr. Rolle stated that the project team had agreed to move the building closer to the front of the site providing better compliance with intent of the overlay district. Also, the plan includes an appropriate amount of parking and the site is optimally located for parking, transit and transportation.

Mr. Truman opened the meeting to public comment.

John Giangregorio, member of the Canal District Alliance and Businesses Association and local business owner stated that the project is too large, does not fit within the overlay district, has too much parking, is not appropriate development, ignores history of the parcels, does not meet the needs of the community, and is not inclusive of all people who wish to recreate.

Paul Cooney stated that the project is a bad fit for Worcester; it is not in a great location, better served in a different brownfield location, and ignores history of the land.

Mullin Sawyer, president of the Canal District Alliance stated the alliance's support of the project and that the site has been an eyesore for a very long time and this specific area has seen no investment. Mr. Sawyer also stated there is a regional draw for this facility and the site is a priority for development.

Jessica Walsh, owner of Worcester Wares, stated that Cliff Rucker has entered into discussions with local artists to provide a mural on the blank wall of the building.

Mike Covino with Niche Hospitality Group spoke in favor of the project and that will be an asset to all business owners.

Ed Russo stated that the subcommittee of the Business Alliance voted in favor of the project. Mr. Russo also spoke personally in favor of the project.

Jo Hart stated that this project opposes natural growth of the city, does not fit in this location, parking should be located underground, the project is car-centric and should be respectful of those who don't own cars, public art does not save a building's aesthetics, and the building should be redesigned to fit the space.

Richard Carr stated that the project is sure to increase traffic, is located in the wrong place, is a needed use but in the wrong place.

John Prisett spoke in favor of the project and stated that the project is a needed use in the city and will be a regional draw and invite a population to the canal district that will spend money, prevent Worcester children hockey players from traveling around the commonwealth including Rhode Island, and will be an showcase as a way to introduce visitors to Worcester.

Robert Liddy, president of the Junior Sharks program, spoke in favor of the project, and that the project will give city children a place to play hockey which currently doesn't exist.

Mr. Freilich asked where the Zamboni will be storing the ice. Mr. Clark stated that the ice will be kept on the inside of the rink and tied to the sewer system.

Mr. Vigliotti asked about the 4-way intersection at Harding and Winter Streets. Mr. Rolle stated that MassDOT and the city have been working to redesign Harding Street and Harding will be tuned into a 2-way street and the intersection will be a 4-way stop.

Mr. Mitra stated that he was encouraged by the positive testimony of those who spoke.

Mr. Truman stated the project looks great.

Mr. Freilich asked that traffic signage be extremely clear to drivers to avoid clogging roadways.

Upon a motion by Mr. Mitra, to and seconded by Mr. Vigliotti, the board voted 4-0 to approve the waiver to list abutters and abutters to abutters within 300 feet of the property.

Upon a motion by Mr. Mitra, and seconded by Mr. Vigliotti, the board voted 4-0 to approve the petition with conditions of approval as noted in the staff's review memo and DPW's comments.

List of Exhibits:

- Exhibit A: Definitive Site Plan Application; received April 20, 2016; prepared by Craig L. Blais.
- Exhibit B: Site Development Plans for New Garden Sports Center; dated April 19, 2016 and revised May 12, 2016; prepared by Allen & Major Associates, Inc.
- Exhibit C: Stormwater Summary Report; dated April 19, 2016; prepared by Allen & Major Associates, Inc.
- Exhibit D: Waiver Request Letter; dated May 12, 2016; submitted by Brian Jones, P.E.
- Exhibit E: Fire Chief comments; received on May 17, 2016.
- Exhibit F: Letter of support; received May 12, 2016; submitted by Gilbert J. Winn, CEO of WinnCompanies.
- Exhibit G: DPW Comments; received May 17, 2016.

4. 23 Southwest Cutoff – Parking Plan (PB-2016-007)

John Riel of JR Associates and Leslie Wilson of Bertin Engineering presented the application. The owner was also present.

Mr. Riel stated that the owner is looking to re-use the building for its original purpose. There will be 3-bays to the rear of the building. The front bays will be used for transportation of parts, not vehicles. A dumpster will be added and the property will be striped and repaved.

Mr. Lyford asked that the petitioner address the following in revised plans:

1. Provide more complete drainage calculations. More detail needed on breakdown of areas to show square footage of grass/dirt, grass/landscaped, asphalt grindings, etc. Provide explanation on how each storm water management standard is being met or why it is not required to be met.
2. Provide access from center driveway to parking area to the north for safer circulation.
3. Recommend relocation of hydrant from center driveway.
4. Coordinate with Massachusetts DOT for necessary approvals.

Mr. Antonellis asked the petitioner to expand on traffic circulation. Ms. Wilson stated that the hydrant will be moved to the side, the front existing curb cut will be closed, the landscape island to the left will be removed to improve circulation around the building, and the three-front bays will not be used by vehicles.

Mr. Rolle asked that the petitioner show which driveway is proposed to be closed. Ms. Wilson noted the curb cut that is located directly in front of the building and noted that the curb cut to the right of the building will remain open, totaling 3 curb cuts on the property.

Mr. Rolle stated that staff would prefer to see 2-curb cuts only.

The owner spoke and stated that the revisions to the plan are not a problem. Mr. Rolle suggested the board move to continue the item to address outstanding items.

Mr. Antonellis asked applicant to explain the office use. Ms. Wilson stated the addition will be eliminated and the office will be moved within the existing footprint of the building.

Mr. Antonellis asked if there will be any lighting or signage with the project. Ms. Wilson stated there will be additional lighting. Ms. Wilson also stated that the existing fence will be repaired.

Mr. Riel stated the removal of the addition will eliminate need for sprinkler system.

Mr. Truman asked about the status of the cesspool. The owner stated that nothing will change regarding to the cesspool.

Upon a motion by Mr. Mitra, and seconded by Mr. Freilich, the board voted 3-0 to continue the item to June 29, 2016.

5. Downtown Worcester Urban Revitalization Plan - statutory findings pursuant to MGL c.121B Section 48

Mr. Rolle stated that the Planning Board's job on this item is to provide findings regarding the boundary of the revitalization plan and that the proposal conforms to the plans of the city.

Heather Gould, Assistant Chief Development Officer, gave a presentation on the redevelopment plan.

Ms. Gould described the process of developing the plan and including properties within the plan.

Presentation topics included transformative development, financial benefits of urban revitalization, and the boundary of the plan.

Ms. Gould stated that the goal of the plan is to establish a sense of place within downtown Worcester and also noted properties that are vacant or targeted for demolition and rehabilitation. Also, other properties outside the plan are noted for future development options.

Ms. Gould stated that eminent domain will be used as a last resort.

Jo Hart had specific concerns regarding the outreach and contact between the residents and stakeholders and the administration of such plans. She also stated that the plan should be redone and she had concerns over land takings.

Walter Hamrency expressed concerns over properties targeted for acquisition which threatens Worcester's history and uniqueness. Mr. Hamrency stated that the decision of the Planning Board impacts the ability for City Council to enact eminent domain.

Mr. Truman asked if the presentation is available to the public. Mr. Rolle stated that the plan is available on the City's website. Ms. Gould stated that the presentation is not currently available.

Ms. Beaton stated that a June 14, 2016 meeting would be held by City Council after the approval by the Planning Board. If the plan were to change substantially change it would come back before the Planning Board, however, the action before the board is to certify that the plan is consistent with that of the City and the boundary has been surveyed. Ms. Beaton then explained the process for eminent domain.

Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 3-0 to find that the Downtown Urban Revitalization Plan Figure A1 Project located in URA boundary is based on a local survey located and conforms to a comprehensive plan for the City of Worcester as a whole in accordance with MGL c.121b s.48, adopted May 18, 2016.

Other Business

6. Execute Final Release for Olean Estates Subdivision - Soheili Circle

The Planning Board chairman executed the final release for Olean Estates Subdivision.

7. Conditional Partial Release of Covenant – Arboretum Phase IV Definitive Subdivision

The Planning Board chairman executed the conditional partial release of covenant for Arboretum Phase IV Definitive Subdivision.

8. Endorsement of Amendment Number 1 to Covenant for 128 Alvarado Avenue Definitive Subdivision

The Planning Board chairman endorsed Amendment No. 1 to Covenant for 128 Alvarado Definitive Subdivision Plan.

9. Endorse Frontage Subdivision mylar for 10 A&B Clapp Street

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the board voted 3-0 to endorse the plan.

10. Approval Not Required (ANR) Plans

a. 44 Moore Avenue (public) (AN-2016-022)

Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 3-0 to endorse the plan.

b. 19 Hilda Street (public) (AN-2016-023)

Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 3-0 to endorse the plan.

c. 32 & 34 Fielding Street (private) (AN-2016-025)

Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 3-0 to endorse the plan.

11. Approval of Minutes – April 25, 2016

Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 3-0 to approve the April 25, 2016 minutes.

12. Communication – There were no communication items.

13. Signing of Decisions from prior meetings

Adjournment

Upon a motion by Mr. Freilich, and seconded by Mr. Mitra, the board voted 3-0 to adjourn the meeting at 8:05 pm.