

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

**March 22, 2017**

**WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Planning Board Members Present:** Andrew Truman, Chair  
Satya Mitra, Vice-Chair  
Andrew Freilich  
John Vigliotti  
Barbra Caramody

**Staff Present:** Stephen R. Rolle, Division of Planning & Regulatory Services  
Michael Antonellis, Division of Planning & Regulatory Services  
Jody Kennedy-Valade, Department of Inspectional Services  
Nicholas Lyford, Department of Public Works  
Jennifer Beaton Law Department

**Board Site Views**

**Approval of Minutes:**

**Call to Order** – 5:30 pm

**Requests for Continuances, Extensions of Time, Postponements, Withdrawals**

- 1. 383 Shrewsbury Street - Special Permit for Commercial Corridors Overlay District (PB-2017-008)**
- 2. 383 Shrewsbury Street – Parking Plan (PB-2017-008)**

Items #1, #2 were taken contemporaneously.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board 5-0 to continue the item to the April 12, 2017 Planning Board meeting and to extend the decision deadline until April 13, 2017.

- 3. 0 (aka Lot 6A) Salisbury Street - Definitive Site Plan (PB-2016-040)**

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board 5-0 to postpone the item to the April 12, 2017 Planning Board meeting and to extend the decision deadline until May 30, 2017.

**4. 261 & 253 Lincoln Street – Definitive Site Plan (PB-2017-010)**

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board 5-0 to postpone the item to the April 12, 2017 Planning Board meeting and to extend the decision deadline until April 13, 2017.

**5. 102-104 Merrick Street – Definitive Site Plan (PB-2017-015)**

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board 5-0 to postpone the item to the April 12, 2017 Planning Board meeting and to extend the decision deadline until April 13, 2017.

**Unfinished Business**

**Public Hearing**

**6. 128 Alvarado Avenue – Amendment to Definitive Subdivision (PB-2016-054)**

**7. 128 Alvarado Avenue – Definitive Site Plan (PB-2016-054)**

Items #6, #7 were taken contemporaneously.

Patrick Burke, from H.S.&T. appeared on behalf of the items. He stated that the request is for all single-family and semi-detached lots located in a subdivision which consists of dividing one of the single lots into a single-family semi-detached lot thus increasing the number of approved dwelling units from 4 to 5. He stated that they are revising the stormwater detention basin in order to be consistent with the approval granted by the Conservation Commission.

Mr. Vigliotti asked if the highway monuments mentioned in staff's memo had been addressed. Mr. Burke stated that they had requested a waiver for that.

Mr. Viglotti asked what the fence type it would be at location. Mr. Burke stated that it would be a black vinyl coated fence.

Upon a motion by Mr. Freilich and seconded by Ms. Carmody the Board voted 3-0 to close the public hearing for the Amendment to the Definitive Subdivision.

Upon a motion by Mr. Viglotti and seconded by Ms. Carmody the Board voted 3-0 to approve the waivers requested by the applicant.

Upon a motion by Mr. Viglotti and seconded by Ms. Carmody the Board voted 3-0 to approve the Amendment to Definitive Subdivision with conditions listed in staff's memo.

Upon a motion by Mr. Viglotti and seconded by Ms. Carmody the Board voted 3-0 to approve the waiver requested.

Upon a motion by Mr. Viglotti and seconded by Ms. Carmody the Board voted 3-0 to approve the Definitive Site Plan with conditions listed in staff's memo.

## List of Exhibits

- Exhibit A: Definitive Subdivision Plan Application; received December 1, 2016; prepared by Howard T. Winter of ELLI Realty Trust.
- Exhibit B: Definitive Site Plan and Amendment to Definitive Subdivision Plan -128 Alvarado Avenue; dated December 1, 2016 and revised through to March 9, 2017; prepared by HS&T Group, Inc.
- Exhibit C: Hydrology & Stormwater Management Report; dated December 1, 2016; prepared by HS&T Group, Inc.
- Exhibit D: Planning Board Certificate of Approval for 128 Alvarado Avenue Definitive Subdivision Plan; approved June 18, 2008.
- Exhibit E: Comments from Michael Berberian, Principal Sanitary Inspector; undated; received December 19, 2016.
- Exhibit F: Fire Department Comments; dated March 15, 2017.
- Exhibit G: DPW Comment Letter; dated February 10, 2017.

### **8. 190 &192 Brookline Street - Definitive Subdivision Plan (PB-2017-006)**

### **9. 190 &192 Brookline Street - Definitive Site Plan (PB-2017-006)**

Items #8, #9 were taken contemporaneously.

Attorney Donald O'Neil appeared on behalf of the applications

He stated the applicant would like construct a 4 lot subdivision consisting of 1 existing single family detached dwelling and 3 new single family detached dwelling. He stated that this is on a 2.5 acre parcel, is a 4 lot subdivision consisting of 3 new single-family detached dwelling lots and they plan to create a separate lot for the one existing dwelling slated for retention.

Attorney O'Neil stated that they are looking for two waivers, one for showing abutters to abutters on the plan and one for the sidewalk.

Mr. Lyford stated that DPW would like to see an emergency basin for the spillway and that the applicant provide design calculation for dispersion area at basin outlet to ensure no scouring.

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

Upon a motion by Mr. Viglotti and seconded by Mr. Mitra the Board voted 5-0 to approve the waiver's requested in staff's memo for the Definitive Subdivision and the Definitive Site Plan.

Upon a motion by Mr. Viglotti and seconded by Mr. Mitra the Board voted 5-0 to approve the Definitive Subdivision Plan with conditions outlined in staff's memo and DPW.

Upon a motion by Mr. Viglotti and seconded by Mr. Mitra the Board voted 5-0 to approve the Definitive Site Plan with conditions outlined in staff's memo and DPW.

List of Exhibits:

- Exhibit A: Definitive Subdivision Plan Application; received December 22, 2016; prepared by Norcross Development, LLC.
- Exhibit B: Barrows Circle Definitive Subdivision Plan; dated October 10, 2016 and revised through to March 11, 2017; prepared by Robert D. O’Neil, Jr. and Malley Engineering Co. Inc.
- Exhibit C: Stormwater Management & Hydraulic Calculations Report; dated December 20, 2016 and revised February 20, 2017; prepared by Malley Engineering Co. Inc.
- Exhibit D: DPW Comments; dated January 25, 2017.
- Exhibit E: Comments from the Principal Sanitary Inspector from the City’s Air, Water and Hazardous Materials Division; received January 26, 2017.

**Public Meeting**

**10. 104, 108, 110, 112, 116 (aka 102) Shrewsbury Street & 112 East Central Street – Amendment to Parking Plan (PB 2016-022)**

YZ from H.S.&T. appeared on behalf of the application. He stated that the applicant is proposing to construct a total of 46 spaces on site. He stated that the hearing had been continued at last meeting as the Board had a question about the occupancy for the premises. He stated that they have revised the rate of occupancy for the premises and the plans are now in compliance with the zoning requirements.

YZ stated that they are requesting waivers from showing trees greater than 9-inches in diameter on the site and from showing abutters to abutters on the plan.

Upon a motion by Mr. Mitra and seconded by Mr. Viglotti the Board voted 3-0 to approve the waivers requested.

Upon a motion by Mr. Mitra and seconded by Mr. Viglotti the Board voted 3-0 to approve the Amendment to the Parking Plan with conditions outlined in staff’s memo.

List of Exhibits:

- Exhibit A: Parking Plan Amendment Application; received July 7, 2016; prepared by Jerry Azzarone.
- Exhibit B: Parking Amendment Plan; dated May 9, 2016 and revised through to February 16, 2017; prepared by H.S. & T. Inc.
- Exhibit C: Site Lighting Plan; dated September 9, 2016; prepared by Hubbell Lighting Inc.
- Exhibit D: Stormwater Management Report; dated January 3, 2017 and revised on January 30, 2017; prepared by H.S. & T. Inc.
- Exhibit E: Parking Plan Decision; signed October 29, 2009 (included with application materials).
- Exhibit F: DPW Comments; dated January 25, 2017.

## **New Business**

### **Public Hearing**

#### **11. 8 Nebraska Street – Special Permit for Commercial Corridors Overlay District (PB-2017-001)**

Mr. Viglotti recused himself from the item and left the meeting room.

Don O’Neil appeared on behalf of Nebraska Street, LLC. He stated that the applicant would like to use a portion of the existing building for auto-detailing, auto-repair and auto-body use.

Attorney O’Neil stated that the building was built in 1930 and the location had previously been a Ford dealership and the applicant’s proposed use is auto repair, detailing and some auto body work and building is still set up for an auto repair station. He stated that currently part of the building is used as an auto painting business and he stated that with this addition the hours would be 8:00 a.m. to 5:00 p.m. Monday thru Friday.

Attorney O’Neil stated that they are requesting a waiver from showing abutters to abutters within 300 feet and a waiver of submitting a new plan.

Tony Bianco, abutter to the property, asked about the hours for employees and where they will park.

Attorney O’Neil reiterated the hours and stated that there would be no customer parking. The employees will bring cars to the location.

Mr. Rolle stated that the Board could condition the hours.

Mr. Freilich stated that he has problem with fact that they gave relief for Mr. Bianco’s project and this is not going to be a retail business so doesn’t feel they should restrict the business hours for establishment who has been there for years.

Carolyn Beruli stated that she used to live near property and the spray painting was done illegally done there and that should be reviewed.

Attorney O’Neil stated that the painting is all done inside and it is a water-based paint.

Joe Boreilli stated that is no parking in the area.

Upon a motion by Mr. Mitra and seconded by Mr. Freilich 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 approve the waivers requested.

Upon a motion by Mr. Mitra and seconded by Mr. Freilich the Board voted 4-0 to approve the Special Permit with conditions outlined in staff’s memo.

## List of Exhibits

- Exhibit A: Special Permit – CCOD Application; received December 2, 2016; prepared by applicant Robert Franchi.
- Exhibit B: Mortgage Inspection Plan; dated July 4, 2011; prepared by Reney, Moran & Tivnan.
- Exhibit C: Fire Comments; dated December 28, 2016.
- Exhibit D: DPW Comments; dated January 4, 2017.

Mr. Viglotti returned to the meeting room

### **12. 35 Modoc Street, Anthony Circle - Definitive Subdivision Plan (PB-2017-011)**

### **13. 35 Modoc Street, Anthony Circle - Definitive Site Plan (PB-2017-011)**

Items #12 and #13 were taken contemporaneously.

Attorney Don O’Neil and Bob O’Neil appeared upon behalf of the applicant St. Anthony Realty, LLC. Attorney O’Neil stated that the applicant would like to construct an 18 lot subdivision consisting of 8 single-family semi-detached structures and 2 single-family detached structures for a total of 18 dwelling units on 5.21 acres.

Attorney O’Neil stated that they have submitted revised plans in response to staff and DPW’s comments.

Attorney O’Neil stated that a question raised by staff was why this subdivision is not connected to Modoc Street and in response to that it is due to this being a cul de sac so there is not a safe distance for a turn around so they looked at connection to Orton Street.

Mr. Truman stated that there are quite a few comments from staff so it may be better to ask to continue item and work on the items. Attorney O’Neil stated that he believes that they have addressed all of staff’s comments.

Mr. Lyford stated that DPW does have the following concerns, the infiltration pond does not meet engineering standards outlined in the Massachusetts Stormwater Handbook, concern about how the steep the slopes are and amount of fill going to be used, that the sewer and drain main must be extended to front all properties and no long connection waivers will be granted, that City of Worcester Standard catch basins must be provided and catch basin connections must be 8” DR-18. Mr. Lyford stated that DPW does not feel comfortable with these outstanding issues and would not recommend approval at this time.

Mr. Rolle stated that this is a difficult site to build upon a reviewed the history of the site and reviewed staff’s concerns for the site.

Kathy McMahan, a resident of Orton Street, expressed concern about disruption that this development will cause in the neighborhood.

Helen Hemmingway expressed concern about the development and how many homes will be built and increased traffic in area.

Mr. Freilich asked if a modification could be made to plan to accommodate neighbor concerns and asked if this was the final plan. Attorney O’Neil stated that what they presented he believes meet the subdivision regulations.

Mr. Freilich asked Attorney O’Neil if it would make more sense if applicant met with the neighbors prior to the Board taking their final vote.

Mr. Mitra stated that Planning and DPW still have serious concerns about the site so feels the item should be continued so the items can be resolved.

Carolyn Berluce stated that she considers the street private since they had to pay to pave it and expressed concern about the traffic.

Attorney O’Neil stated that he would request a continuance to the next Planning Board meeting.

Tony Bianco stated that the development he is building is within the law. Mr. Freilich explained that concern is what is being proposed does not meet the regulations and that is what the Planning Board is looking at.

Upon motion by Mr. Truman and seconded by Mr. Frieilich the Board voted 5-0 to continue the Definitive Subdivision until the April 12, 2017 Planning Board and to continue the Definite Site Plan until April 12, 2017 Planning Board meeting and to extend the constructive grant deadline until April 12, 2017.

List of Exhibits:

- Exhibit A: Definitive Subdivision Plan Application; received January 19, 2017; prepared by St. Anthony Realty, LLC.
- Exhibit B: Anthony Circle Definitive Subdivision Plan; dated January 16, 2017 and revised through to April 1, 2017; prepared by Robert D. O’Neil, Jr. and Malley Engineering Co. Inc.
- Exhibit C: Stormwater Management & Hydraulic Calculations Report; dated January 16, 2017 and revised through to April 1, 2017; prepared by Malley Engineering Co. Inc.
- Exhibit D: Quitclaim Deed; Book 17359, Page 84; executed and recorded on September 29, 1995.
- Exhibit E: DPW Comments; dated March 15, 2017.

**Board took five minute recess**

**14. 417, 421 & 423 Cambridge Street – Special Permit for Cluster Zoning (PB-2017-013)**

**15. 407, 417, 421 & 423 Cambridge Street – Definitive Site Plan (PB-2017-013)**

Items #14 and #14 were taken contemporaneously.

Mr. Viglotti recused himself from the item and left the meeting room.

Attorney Don O’Neil appeared on behalf of the applicant, Gold Star Builders. He stated that the applicant would like to construct 23 single family attached dwelling units within 5 buildings with some area being

maintained for open space. Attorney O’Neil reviewed the plans for the site and stated that they have discussed with the Law Department the conditions for the deed restriction for the property.

Attorney O’Neil stated that they have agreed to meet with the neighbors to discuss traffic concerns.

Mr. Lyford stated that DPW had a few concerns, the Stormwater Report must be updated to show the 25 year storm, maintain 24’ aisle width, remove stop sign and pave markings from public right of way, coordinate with Water Department for water main extension in Princeton Street and the catch basin connections must be 8” DR-18.

Ron Charette, expressed concerns about increased traffic in the area.

Russ Carlstead expressed concerns about traffic and snow removal.

Upon a motion by M. Freilich and seconded by Mr. Mitra the Board voted 4-0 to continue the Special Permit for Cluster Zoning and Definitive Site Plan to the April 12, 2017 Planning Board meeting and to extend the constructive grant deadline for the Definitive Site Plan to May 30, 2017.

#### List of Exhibits

- Exhibit A: Special Permit Application – Cluster Zoning; received January 19, 2017; prepared by Gold Star Builders.
- Exhibit B: Cluster Zoning Plan – Cambridge Street; dated January 17, 2017 and revised February 27, 2017; prepared by Level Design Group, LLC & Cabco Consult.
- Exhibit C: Development Impact Statement; dated January 17, 2017; prepared by Level Design Group, LLC.
- Exhibit D: DPW Comments; dated March 15, 2017.
- Exhibit E: Fire Department Comments; dated March 20, 2017.

#### **Public Meeting**

Mr. Viglotti returned to the meeting room.

Mr. Freilich left the meeting room.

#### **16. 400 Southwest Cutoff (aka Lot A Latti Farm Road) – Definitive Site Plan (PB-2017-014)**

The applicant did not appear for the meeting.

Upon a motion by Mr. Mitra and seconded by Mr. Viglotti the Board voted 4-0 to postpone the item until the April 12, 2017 Planning Board meeting.

#### List of Exhibits:

- Exhibit A: Definitive Site Plan Application; received February 6, 2017; prepared by K. Martin Linder.
- Exhibit B: Definitive Site Plan; dated February 1, 2017; prepared by Guerriere & Halnon, Inc.
- Exhibit C: Rendering; dated January 4, 2017; prepared by Gary Moyer, Architect.
- Exhibit D: Fire Department Comments; dated February 23, 2017.



Exhibit E: DPW Comments; dated March 15, 2017.

## **Other Business**

### **17. Soheili Circle – Street Petition to make Public (ST-2017-003)**

Mr. Lyford stated that DPW would recommend a Priority #1

Upon a motion by Mr. Viglotti and seconded by Mr. Mitra the Board voted 4-0 to approve the Street Petition.

### **18. Welcome Street – Street Petition to make Public (ST-2017-004)**

Mr. Lyford stated that DPW would recommend a Priority #1.

Upon a motion by Mr. Viglotti and seconded by Mr. Mitra the Board voted 4-0 to approve the Street Petition.

### **19. Garrison Avenue – Street Petition to make Public (ST-2017-005)**

Mr. Lyford stated that DPW would recommend a Priority #1.

Upon a motion by Mr. Viglotti and seconded by Mr. Mitra the Board voted 4-0 to approve the Street Petition

### **20. Approval Not Required (ANR) Plans**

#### **a. 16 Marlboro Street (private) and Palfrey Street (private) (AN-2017-015)**

Mr. Lyford stated that the street is open and accessible.

Upon a motion by Mr. Viglotti and seconded by Mr. Mitra the Board voted 4-0 to approve the ANR.

#### **b. 3 Vig's Way (public) & 521 Sunderland Road (public) (AN-2017-016)**

Mr. Viglotti recused himself from item.

Upon a motion by Ms. Carmody and seconded by Mr. Mitra the Board voted 3-0 to approve the ANR.

### **21. Communication**

### **22. Signing of Decisions from prior meetings**

**Adjournment** - Upon a motion the Board adjourned the meeting at 7:50 p.m.