

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

**May 24, 2017**

**WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Planning Board Members Present:** Andrew Truman, Chair (Arrived at 6:20 p.m.)  
Andrew Freilich  
Barbra Caramody  
Satya Mitra  
John Vigliotti

**Staff Present:** Stephen R. Rolle, Division of Planning & Regulatory Services  
Domenica Tatasciore, Division of Planning & Regulatory Services  
Michael Antonellis, Division of Planning & Regulatory Services  
Amanda Wilson, Department of Inspectional Services  
Jody Kennedy Valade, Department of Inspectional Services  
Nicholas Lyford, Department of Public Works  
Alexandra Kalkounis, Law Department

**Call to Order** – 5:30 pm

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

1. **649 Plantation Street – Water Resource Protection Overlay District Special Permit (PB-2017-012) &**
2. **649 Plantation Street – Definitive Site Plan (PB-2017-012)**

Items #1, #2 were taken contemporaneously.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 4-0 to postpone the items to the June 14, 2017 Planning Board meeting and to extend the decision deadline to July 30, 2017.

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

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 4-0 to postpone the item to the July 12, 2017 Planning Board meeting and to extend the decision deadline to August 30, 2017.

**4. 7 (aka 9) & 17A North Street – Parking Plan (PB-2017-026)**

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 4-0 to postpone the item to the June 14, 2017 Planning Board meeting and to extend the decision deadline until July 30, 2017.

**5. 7-9 Richards Street – Definitive Site Plan (PB-2017-028)**

Upon a motion by Mr. Freilich and seconded by Ms. Carmody the Board voted 4-0 to postpone the item to the June 14, 2017 Planning Board meeting and to extend the decision deadline until July 30, 2017.

**Unfinished Business**

**Public Hearing**

- 6. Zoning Ordinance Amendment – Urban Agriculture (ZO-2017-002) &**
- 7. Review & provide comments regarding proposed Revised Ordinance Amendment relative to honeybee keeping and farms stands**

Items #6, #7 were taken contemporaneously.

The petition seeks to create a new section in Article IV of the Zoning Ordinance whose intent is to encourage urban-scale farming and to improve access to fresh, locally grown produce, while establishing proper land use controls to govern such uses.

Ms. Carmody stated that she was not present for the first meeting when this item was discussed but has reviewed the materials and does plan to participate and vote on the item.

Mr. Rolle gave brief overview of the proposal and reviewed what the beekeeping regulations would be.

Ali Suvi, Mike Crompton and Rochelle Frazier spoke in support of the ordinance.

Mary Dwayne, President of the Worcester Beekeeper Association stated that she supports local growers but has concern about how this ordinance affects the current beekeepers and does not understand why the local beekeeping association was not involved.

Ms. Dwayne also expressed concern that beekeepers would need a permit as the state already inspects the hives and know where the hives are located and doesn't understand why the abutter notification is going to be required.

Jo Hart stated that there a lot of rules in the ordinance that don't make sense.

Dante Compreto spoke in support of the ordinance.

Steve Provosky stated that he would be in support of regulations and permits for beekeepers.

John Tagney spoke regarding the ordinance

Art Johnson stated that the beekeeping should be separate from the ordinance.

Paul Popinchalk stated that the ordinance is positive step but changes need to be made.

Robert Cohane spoke in support of the ordinance and stated that it important for the future but has concerns about the beekeeping portion of the ordinance.

Lisa Tangney expressed concern about the limiting of the height requirement for the beehives.

Diane Laughlin stated that she doesn't think the beekeepers need these regulations and they have the Beekeeper Association and the state association who inspects the hives.

Ms. Carmody stated that she is in favor of ordinance with amendments.

The Board discussed the different amendments that they would like to see to the ordinance.

Upon a motion by Mr. Freilich and seconded by Ms. Carmody the Board voted 5-0 to close the public hearing.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to recommend to City Council the Zoning Ordinance with the following changes:

- Incorporate the clerical corrections shown in the attached Exhibit B: Recommended Technical/Clerical Changes to the Urban Agriculture Zoning Ordinance Proposal (Dated May 24, 2017).
- Revise Section 15.1.C.3. to identify the Planning Board as the special permit granting authority, rather than the Zoning Board of Appeals.
- Remove Section 15.1.I.1.ii.b. regarding flyway barriers, in its entirety.

The Board had a brief discussion as to what they wanted to see relative to beekeeping in the City of Worcester.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Mr. the Board voted 5-0 to recommend the following recommendations to the City Council:

- Permit Requirements (Section 1.c.1) – The Board recommends limiting the information required in the permit to name, address, telephone number and number of colonies only (retaining permit requirements a and c, eliminate proposed permit requirements b, d and e).
- Abutter Notice (Section 1.c.2). The Planning Board is of the opinion that the proposed abutter notification requirement is too burdensome and unnecessary. However, the Board also understands that some residents may have bona fide concerns regarding proximity to beehives, and encourages staff to identify means of providing generalized information regarding the locations of bee colonies to those who seek such information.
- Flyway barriers (Section 1.i). The Planning Board recommends removing requirements pertaining to flyway barriers (remove requirements 2 and 3).

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to approve the farm stand ordinance, as written, with no proposed amendments.

## **New Business**

### **Public Hearing**

#### **8. Zoning Map Amendment – 11 Nathaniel Court (aka 80 Southwest Cutoff) (ZM-2017-004)**

Amendment to rezone the property that is currently zoned RL-7 (Residence, Limited), to be rezoned to the ML-0.5 (Manufacturing, Limited) zoning district

David Abramo appeared on behalf of the petition. He stated that he would like to change the zoning from residential to business.

Ms. Tatasciore stated that the Board should consider the following relative to the petition:

- Whether the proposed zoning change is consistent and compatible with other uses in the area;
- Whether safeguards in the zoning ordinance would adequately protect neighboring residential uses from potential adverse impacts of manufacturing development of the site; and,
- Whether manufacturing or residential uses would be more viable and appropriate for this property given its location fronting a major highway corridor

Jason Southext stated that Nathaniel Court is a private street and been there for 15 years and why is this happening now. Mr. Vigliotti explained that this is just a change in business use and would not extend the street.

Belinda Santiago stated that this is a private street and doesn't believe there can be access from Nathaniel Court and expressed concern relative to what type of business is going to be put in.

Mr. Freilich asked the applicant what the plans were for the building. Mr. Abramo stated an office building for cars.

Dennis Podin expressed concerns about the proposal.

Thomas and Linda Therrien had questions about abutter notification and Mr. Rolle explained the notification provision for them.

Mr. Freilich stated that he tends to agree with the neighbors and the Board should know what the business is proposed to be before they recommend a zone change.

Mr. Rolle explained that the Board cannot hold the property owner to a specific use for a zone change petition.

Mr. Mitra stated that with a the zone changes if council recommends that no matter what use the applicant proposes the applicant would still need to come back before the Board, if specific triggers are met.

Mr. Vigliotti stated that he does have concern about expanding manufacturing so close to a residential zone.

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. Freilich and seconded by Mr. Mitra the Board voted 2-2 on the petition. Mr. Mitra and Mr. Freilich voted in favor and Mr. Vigliotti and Ms. Carmody voted against.

Mr. Rolle stated that the City Council will be informed that the Board voted a split vote.

#### *List of Exhibits*

Exhibit A: Petition – Dave Abramo; referred to Planning Board on April 25, 2017.

Exhibit B: GIS Map; dated May 15, 2017; prepared by DPRS Staff.

**9. 501 Salisbury Street – Special Permit for Cluster Zoning (PB-2017-024) &  
10. 501 Salisbury Street – Definitive Site Plan (PB-2017-024)**

Items #9, #10 were taken contemporaneously.

Attorney Don O’Neil appeared on behalf of the application. He stated that the application was previously approved in 2013 and that they are not proposing any changes. It was just that time had run out on the permit.

Attorney O’Neil stated that DPW had requested some additional detail on the plan regarding the plan and they will update the plan to address their concerns.

Mr. Freilich asked when the applicant will start construction. Attorney O’Neil stated that they have a contractor ready to go and applicant is very anxious to go.

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 Ms. Carmody and seconded Mr. Vigliotti to approve the waivers requested.

Upon a motion by Ms. Carmody, and seconded by Mr. Vigliotti, the board voted to approve the Special Permit with conditions outlined in staff’s memo.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to approve the waivers requested for the Definitive Site Plan.

Upon a motion Mr. Vigliotti and seconded by Mr. Mitra the Board to approve the Definitive Site Plan with conditions outlined in staff’s memo.

*List of Exhibits*

- Exhibit A: Definitive Site Plan & Special Permit Application – Cluster Zoning; received March 30, 2017; prepared by Attorney Donald O’Neil.
- Exhibit B: Site Plan – St. Mary’s Albanian Orthodox Church; dated January 25, 2013 and revised through to September 19, 2013; prepared by Quinn Engineering, Inc.
- Exhibit C: Various Planning Board Decisions – submitted in application materials.
- Exhibit D: DPW Comments; dated April 27, 2017

**11. 106 Harding Street & 73 Winter Street – Special Permit for Comprehensive Sign Plan (PB-2017-027).**

Attorney Todd Brodeur, David Glispin and the property owners appeared on behalf of the application.

Attorney Brodeur stated that this is for signs for the new hockey rink and reviewed the different signs and where they would be placed.

Mr. Freilich asked if any of the signs would be illuminated. Mr. Glispin stated that it an electronic messaging sign. Mr. Freilich stated asked if the sign would be tone down due to the neighborhood. Mr. Glispin stated that that there are factory settings so can be set to control the illumination.

The Board thanked the applicants for their investment in the city.

Upon a motion Mr. Freilich and seconded by Ms. Carmody the Board voted to close the public hearing.

Upon motion by Mr. Mitra and seconded by Mr. Freilich the Board voted 5-0 to approve the Special Permit for Comprehensive Sign Plan with conditions outlined in staff’s memo.

*List of Exhibits:*

- Exhibit A: Definitive Site Plan Application – Cluster Zoning; received March 30, 2017; prepared by Attorney Donald O’Neil.
- Exhibit B: Site Plan – St. Mary’s Albanian Orthodox Church; dated January 25, 2013 and revised through to September 19, 2013; prepared by Quinn Engineering, Inc.
- Exhibit C: Various Planning Board Decisions – submitted in application materials.
- Exhibit D: DPW Comments; dated April 27, 2017.

**Public Meeting**

**12. 261 & 253 Lincoln Street – Definitive Site Plan (PB-2017-010)**

Tim Callahan appeared on behalf of the applicant. He stated that they would like to construct a 2-story addition atop an existing liquor store to provide 6 residential dwelling units.

Mr. Rolle stated that this item has already gone before the Zoning Board of Appeals who had placed a fencing requirement for the site and the site will have 22 parking spaces.

The Board discussed where the handicapped parking spaces would be on the site.

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. Vigliotti and seconded by Mr. Mitra the Board voted 5-0 to approve the Definitive Site plan with conditions outlined in staff’s memo, the requested waivers and condition that that accessible parking meet ADA compliance.

*List of Exhibits:*

- Exhibit A: Definitive Site Plan Application; received January 19, 2017; prepared by Huy Nguyen.
- Exhibit B: Plot Plan; dated December 30, 2016 and revised through to May 4, 2017; prepared by Hawk Consulting, Inc.
- Exhibit C: Rendering, Elevations and Floorplans; dated January 12, 2017; prepared by Vina Design, Inc.
- Exhibit D: Open Space/Landscaping Plan; dated February 2, 2017 and revised through to May 4, 2017; prepared by Hawk Consulting, Inc.
- Exhibit E: Fire Department Comments; dated January 31, 2017.

**13. 1 & 2 Agrand Street, 207, 223, & 241 Greenwood Street – Definitive Site Plan (PB-2017-016)**

Attorney Stephen Madaus appeared upon behalf of the petitioner, Rand Whitney, along with representatives from Rand Whitney.

Attorney Madaus stated that the applicant wishes to construct a ~45,000 SF addition to one of the existing structures, to create a new access driveway, and to re-configure and expand the existing parking and traffic.

Britney Gesner from VHB reviewed the plans for the site.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to approve the requested waivers.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to approve the Definitive Site plan with staff's recommendations including a condition regarding fence replacement.

*List of Exhibits*

- Exhibit A: Definitive Site Plan Application; received February 13, 2017; prepared by Attorney Stephen Madaus.
- Exhibit B: Site Plan – Rand-Whitney Expansion; dated February 9, 2017 and revised May 3, 2017; prepared by VHB.
- Exhibit C: Renderings with elevations and floorplans; dated May 3, 2017; prepared by PROCON.
- Exhibit D: Fire Department Comments; dated May 22, 2017.

**14. Lots 4, 5, 6, 7, 8, & 11 – Burncoat Heights (fka 604 Burncoat Street) – Definitive Site Plan (PB-2017-025)**

Chuck Scott from CFS Engineering appeared upon behalf of the applicant Burncoat Heights Trust. Mr. Scott stated that the applicant would like to construct two-family detached dwellings located on Lots 4, 5, 6, 7, 8 & 11 Burncoat Heights, within the Village at Burncoat Heights Definitive Subdivision and reviewed with the Board the plan.

Heather Dudley, abutter to the property, expressed concerns about how long it was taking for this project is taking to complete and amount of construction debris.

Mr. Scott stated that there have been new partners brought into the project and they want the project completed by the end of the year.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 5-0 to approve the waivers requested.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 5-0 to approve the Definitive Site Plan with conditions outlined in staff's memo and that an effort be made to dampen the sound from the pump on the site.

*List of Exhibits*

- Exhibit A: Definitive Site Plan Application; received April 3, 2017; prepared by CFS Engineering on behalf of Burncoat Heights Trust.
- Exhibit B: Definitive Site Plan; received April 3, 2017; dated June 30, 2016; prepared by CFS engineering.
- Exhibit C: Rendering and Elevations; received April 3, 2017; dated October 27, 2016; prepared by Dimensions

## **Other Business**

### **15. Private Street Conversion & Sewer Extension Petition – Rydberg Terrace (ST- 2017-008)**

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 5-0 to approve the private street conversion at priority level #4.

### **16. Private Street Conversion – Westfield Street Ext. (ST-2017-009)**

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 5-0 to not to recommend approval since this portion is not on the Official Map.

### **17. Endorse Definitive Frontage Subdivision Plan mylar for 35 Colton Street**

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to endorse the Definitive Frontage Subdivision mylar.

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

#### **a. 72 Boyd Street (public) (AN-2017-028)**

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to endorse the ANR.

#### **b. 0 Wigwam Hill Drive (private), 22R Taconic Road (private) & Wauwinet Road (private) (AN-2017-029)**

Mr. Lyford stated that Wigwam Hill Drive and Taconic Road are passable.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to endorse the ANR.

#### **c. 2 & 4 Brewer Street (private) & 80 Brigham Road (private) (AN-2017-030)**

Mr. Lyford stated that the streets are passable.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to endorse the ANR.

#### **d. 1 & 3 Rodi Circle (public) (AN-2017-031)**

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to endorse the ANR.

## **19. Communication**

- a. Letter from Massachusetts Historical Commission, dated May 12, 2017, re: Worcester State Hospital nomination form. The Board has no comment.
- b. ENF – Worcester Biomanufacturing Campus; dated May 10, 2017. The Board has no comment.

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

**Adjournment** - Upon a motion the Board voted 5-0 to adjourn the meeting at 9:35 p.m.