

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

June 5, 2019

LEVI LINCOLN CHAMBERS

Planning Board Members Present: John Vigliotti, Chair
Albert LaValley, Vice Chair
Paul DePalo, Clerk
Eleanor Gilmore

Board Members Absent: Satya B. Mitra

Staff Present: Stephen S. Rolle, Division of Planning & Regulatory Services
Michelle Smith, Division of Planning & Regulatory Services
Timothy Gilbert, Division of Planning & Regulatory Services
Nick Lyford, Department of Public Works & Parks
Jody Kennedy Valade, Department of Inspectional Services
Alexandra Kalkounis, Law Department

Approval of Minutes – 1/2/19, 1/23/19, 2/13/19, 3/13/19, 4/3/19, 4/29/19 & 5/15/19 – Held to 6/26/19

Requests for Continuances, Extensions, Postponements, and Withdrawals

1. Lots 66L, 66R, 67L & 67R Honeysuckle Road – Definitive Site Plan (PB-2018-024):

a. Public Meeting – Definitive Site Plan

Upon a motion by Mr. LaValley and seconded by Mr. DePalo, the Board voted 4-0 to postpone the Definitive Site Plan to the June 26, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to July 18, 2019.

2. 383 Shrewsbury Street (PB-2019-016):

a. Public Hearing – Amendment to Special Permit for CCOD

b. Public Meeting – Definitive Site Plan

Upon a motion by Mr. LaValley and seconded by Mr. DePalo, the Board voted 4-0 to postpone the Amendment to Special Permit for CCOD and the Definitive Site Plan to the June 26, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to July 18, 2019.

3. Hospital Drive Extension (aka 305 Belmont Street) (PB-2019-033):

a. Public Hearing – Definitive Subdivision

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 4-0 to postpone the Definitive Subdivision application to the June 26, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to July 18, 2019.

4. 4 & 6 Hacker Street (Public) (AN-2019-030)

Upon a motion by Mr. Depalo and seconded by Ms. Gilmore the Board voted 4-0 to postpone the ANR plan to the June 26, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to July 18, 2019.

5. 128-136 Alvarado Avenue (Developer's Street) (AN-2019-031)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo the Board voted 4-0 to postpone the ANR plan to the June 26, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to July 18, 2019.

6. 62 Marjorie Street (Private) & 59 Anderson Avenue (Public) (AN-2019-032)

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 4-0 to postpone the ANR plan to the June 26, 2019 Planning Board meeting to extend the Constructive Grant Deadline to July 18, 2019.

Old Business

New Business

Items #7 and #8 were taken contemporaneously.

7. 129 & 133 Granite Street (PB-2019-014):

- a. Public Hearing – Special Permit for a Common Driveway
- b. Public Meeting – Definitive Site Plan

8. 129 & 133 Granite Street (Public) (AN-2019-033)

Attorney Katherine Garrahan from Bowditch & Dewey and David LaPointe from Beals and Thomas appeared upon behalf of the applicant, Acquisitions Trust, LLC.

The petitioner seeks to purchase the property at 133 Granite Street from the current owner (who will retain 129 Granite Street and access provided thereto via a shared common driveway) to demolish the existing site improvements, and to construct four (4) multi-family low-rise structures, each with 12 dwelling units (48 total units), located on four separate lots. Note: The applicant will need to submit an ANR plan to the Board for endorsement in order to create these lots before the Board votes on the application.

The new structures are proposed along Granite Street with parking areas and common access drives proposed in the rear. Dimensional requirements are met for each lot and separate utility connections are provided therefor. Similarly, 96 parking spaces are proposed – a 24 space parking area is provided on each lot in compliance with the minimum number and location requirements of the Ordinance such that each of the proposed lots individually complies with zoning.

The proposed project will eliminate two existing curb-cuts that service the property while re-configuring the alignment of the two main entrances. A northerly entrance will provide a new common driveway that will serve the existing Catholic Charities property at 129 Granite Street to the north of the development site at 133 Granite Street, as well as proposed Lots 1 and 2 therein, while a southerly entrance will serve proposed lots 2 & 4.

The petitioner seeks a Special Permit to allow a common driveway that serves three or more lots. The Ordinance limits the maximum length for common driveways to 300 feet. Subsequently, the applicant has proposed an access gate in order to establish two separate common driveways, while still allowing for emergency access between all parking areas. Staff notes that unencumbered access (i.e. no gate) would be preferred, and is seeking clarification of the 300 feet limit as it applies in this context. The driveway network has been proposed in such a way to provide future interconnectivity where the access gate could be eliminated if the requirements of the Ordinance are determined to allow otherwise, either at present or at some future date.

Upon a motion by Mr. DePalo and seconded by Ms. Gilmore, the Board voted 4-0 to close the Public Hearing.

Upon a motion by Mr. LaValley and seconded by Ms. Gilmore, the Board voted 4-0 to endorse the ANR.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 4-0 to approve the Special Permit for a Common Driveway with conditions outlined in staff's memo as well as accepting the petitioner's Findings of Facts as modified by staff.

Upon a motion by Mr. LaValley and seconded by Ms. Gilmore, the Board voted 4-0 to approve the Definitive Site Plan with conditions outlined in staff's memo with the following modifications: deleting conditions 1.n. and 1.o., and modifying condition 1.1.2., add a condition requiring crosswalks leading from each parking lot to their respective building, and accepting the petitioner's Findings of Facts as modified by staff.

List of Exhibits

- Exhibit A: Application for Definitive Site Plan Approval & Application for Special Permit: submitted by Acquisition Trust LLC; received February 7, 2019.
- Exhibit B: Definitive Site Plan; prepared by Beals & Thomas, Inc.; dated January 18, 2019, revised January 31, 2019; received February 7, 2019.
- Exhibit C: Stormwater Management Report; prepared by Beals & Thomas, Inc.; dated January 8, 2019; received February 7, 2019.
- Exhibit C: Renderings; prepared by Dario Designs, Inc.; dated January 3, 2019; received February 7, 2019.
- Exhibit D: DPW&P Comments
- Exhibit F: Fire Comments

Ms. Gilmore recused herself from item #9 and left the meeting room.

9. 120 & 126 (aka 124) Chandler Street (PB-2019-032):

a. Public Meeting – Definitive Site Plan

Joel Feinberg from Worcester Common Ground has applied for Definitive Site Plan Approval under the requirements of the City of Worcester Zoning Ordinance.

At 126 Chandler Street, the applicant seeks to renovate the existing building and construct a five-story mixed-used (residential and commercial) addition (for a total of 31 dwelling units and +/- 2,000 SF of commercial); at 120 Chandler Street, the applicant seeks to demolish the existing building and construct related surface parking (+/- 20 spaces).

The properties are split-zoned, located within both a BG-3.0 (Business, General) and an RG-5 (Residence, General) zoning district, and partially within the CCOD-E (Commercial Corridors Overlay District)

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 3-0 to approve the following waivers:

- Providing information regarding soil types.
- Labeling of abutters to abutters within 300 feet on the plan

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 3-0 to approve the Definitive Site Plan with conditions outlined in staff's memo with the following modifications: on 1.i., add "per applicable fire requirements," amend condition 4 to clarify that ornamental fence should be provided on Chandler Street and all areas on the site will be of black vinyl if to be of a chain-link variety, and accepting DPW's conditions as stated in their memo.

Mr. Feinberg asked for a fee waiver of the application fee to the City of Worcester.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo, the Board voted 1-2 to approve the fee waiver requested, Mr. DePalo and Mr. Vigliotti voting against. The motion failed.

List of Exhibits

- Exhibit A: Site Plan Application; received April 19, 2019; prepared by Worcester Common Ground.
- Exhibit B: Site Plans & Elevations; dated April 19, 2019; prepared by Davis Square Architects.
- Exhibit C: DPW&P Comments
- Exhibit D: Fire Comments

Ms. Gilmore returned to the meeting room

10. 640 Lincoln Street (PB-2019-034):

- a. Public Hearing – Special Permit for Adult Use Marijuana:
- Cultivator Use
 - Storefront Retailer Use
 - Product Manufacturer Use

Attorney Joshua Lee Smith appeared upon behalf of the applicant, Mission MA, Inc.

The petitioner seeks to allow an Adult Use Marijuana Establishment with Cultivator, Product Manufacturer, and Storefront Retailer Uses on the property and Mr. Lee provided an overview of the proposal.

Lizette Barro, abutter, stated that she had concern increased traffic to the neighborhood and stated that she is opposed to this coming in her neighborhood.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo, the Board voted 4-0 to close the Public Hearing.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo, the Board voted 4-0 to approve the Special Permit for Adult Use Marijuana:

- Cultivator Use
- Storefront Retailer Use
- Product Manufacturer Use

with the following conditions:

- To approve a waiver from showing parcels and ownership information for abutters within 300 feet of the subject property on the plan.
- To approve the Findings of Facts as proposed by the applicant and modified by staff, adding a condition that operator shall hold a valid Host Agreement at all times and the hours of operation between 10:00 A.M. to 7:00 P.M., Monday through Sunday.

List of Exhibits

- Exhibit A: Special Permit Application for Adult Use Marijuana; submitted May 2, 2019; prepared by Bowditch & Dewey, LLP.
- Exhibit B: Site Plans; dated May 1, 2019; prepared by RJ O’Connell & Associates, Inc.
- Exhibit C: Revised Site Plans; dated May 1, 2019, received May 20; prepared by RJ O’Connell & Associates, Inc.

11. 6 Rowena Street (aka 0 or Lot 2 Housatonic Street) (PB-2019-035):

- a. Public Hearing – Definitive Frontage Subdivision

Patrick O’Connor, petitioner, appeared upon behalf of the application.

The scope of the project is as follows:

- The applicant seeks to divide the existing lot at 6 Rowena Street into two – Lot 1 (6 Rowena Street) and Lot 2 (0 Housatonic Street). The portion of the property located at 6 Rowena Street, identified as Lot 1, contains an existing single-family detached dwelling.
- The property is zoned as RS-7 (Residence, Single Family) zoning district and is located within the Water Resource Protection Overlay District (WR (GP-3)).
- For a single-family detached dwelling in a RS-7 district the Zoning Ordinance requires 65 feet of frontage; Lot 1 has 60 feet of frontage, and Lot 2 has 50 feet of frontage.
- The Zoning Board of Appeals approved Variances for the respective relief from the frontage requirements for both lots on February 4, 2019 – see Previous Approvals.
- A Frontage Subdivision from the Planning Board is required since inadequate frontage impedes ANR plan approval to divide the lot.

John Nordberg, abutter, spoke in opposition to the project.

David Sundstrom, abutter, expressed concerns about parking for the site and the curb cut.

Jose Rainwater, abutter, expressed concerns about parking and feels that the lot is not buildable.

Sharon O’Connor, petitioner, gave a history of the property.

Kathleen Sundstrom, abutter, expressed her concern about the project.

Mr. Rolle reviewed the conditions that the Zoning Board of Appeals had placed on their approval of the proposal.

Upon a motion by Ms. Gilmore and seconded by Mr. LaValley, the Board voted 4-0 to close the Public Hearing.

Upon a motion by Mr. LaValley and seconded by Ms. Gilmore, the Board voted 4-0 to approve the Definitive Frontage Subdivision with conditions outlined in staff's memo as well as the following waivers:

- A waiver from all requirements of the Subdivision Regulations, with the exception of those that apply to an Approval Not Required (ANR) plan;
- A waiver of Sections IX and X of the Subdivision Regulations, because no new street is being constructed and no improvements to the existing way is required;
- A waiver of the minimum frontage requirements for each lot otherwise mandated by the Worcester Zoning Ordinance;
- A waiver from labeling all abutters and abutters thereto within 300 feet on the plan or provide additional references to abutters on the plan.

List of Exhibits

- Exhibit A: Definitive Frontage Subdivision Plan Application; received May 9, 2019; prepared by S + P O'Connor Properties LLC.
- Exhibit B: Definitive Frontage Subdivision Plan; dated September 23, 2018; prepared by Jarvis Land Survey, Inc.

12. Planning Board Rules & Regulations Amendment:

- a. Public Hearing – To eliminate the application requirement to label abutters and abutters to abutters within 300 feet on plans from all Planning Board Rules & Regulations

Upon a motion Mr. LaValley and seconded by Ms. Gilmore, the Board voted 4-0 to eliminate the applicant requirement to labels abutters and abutters to abutters within 300 feet on plans from all Planning Board Rules & Regulations.

Other Business

13. Street Petition(s)

14. Approval Not Required (ANR) Plan(s)

- a. 3 & 7 Farrington Street (Private) and Warner Avenue (Public) (AN-2019-028)

Upon a motion by Mr. LaValley and seconded by Ms. Gilmore, the Board voted 4-0 to endorse the ANR.

- b. 28 & 30 Narragansett Avenue (Private) (AN-2019-029)

Upon a motion by Mr. LaValley and seconded by Ms. Gilmore, the Board voted 4-0 to endorse the ANR.

15. Subdivision(s)

- a. 128 Alvarado Avenue Subdivision:

- i. Request for 81X Certification for Amended Definitive Subdivision Plan

Upon a motion by Mr. LaValley and seconded by Ms. Gilmore, the Board voted 4-0 to approve the Request for 81X Certificate for Amended Definitive Subdivision Plan.

- ii. Request to Extend Work Completion Date and Amend Performance Agreement-Held

16. Communication(s)

- a. Notice of Appeal regarding a Special Permit granted for 225 Shrewsbury Street (PB-2018-056)-No comment.

17. Discussion of Board Policies and Procedures

18. Signing of Decisions from prior meetings

Adjournment

Upon a motion by Mr. LaValley and seconded by Ms. Gilmore the Board voted 4-0 to adjourn the meeting at 7:43 P.M.