

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

April 22, 2020

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 23, 2020 Order, as amended, imposing strict limitation on the number of people that may gather in one place, this meeting was conducted through remote participation. The meeting was livestreamed from the City of Worcester website and via the local cable access channel and is available for streaming online. Public participation was facilitated through a call-in number, 415-655-0001 (Access Code: 730323290#), which was publicized on the posted meeting agenda and during the video broadcast.

Planning Board Members Participating: Albert LaValley, Chair
Paul DePalo, Vice-Chair
Eleanor Gilmore, Clerk
Edward Moynihan
John Vigliotti

Planning Board Members Not Participating:

Staff present: Stephen Rolle, Division of Planning & Regulatory Services
Michelle Smith, Division of Planning & Regulatory Services
Gabrielle Weiss, Division of Planning & Regulatory Services
Jody Kennedy-Valade, Department of Inspectional Services
Alexandra Kalkounis, Law Department

Call to Order

The meeting was called to order by Albert LaValley at 6:00PM.

Approval of Minutes – 1/29/2020, 2/19/2020, 3/11/2020

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted to 4-0 to approve the minutes as reviewed.

Requests for Continuances, Extensions, Postponements, and Withdrawals

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 4-0 to postpone the following items:

1. Malden Woods Subdivision (aka 0 Whipoorwill Drive & 0 Danielle's Way, Castine Street, Danielle's Way and Whipoorwill Drive Right of Ways) (PB-2018-026)

- a. Public Hearing – Definitive Subdivision Plan Amendment
- b. Public Meeting – Definitive Site Plan

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to postpone the item to 5/13/2020 and extend the constructive grant deadline to 5/23/2020.

2. 141 (aka 139 & 143) Southwest Cutoff (PB-2020-008)

- a. Public Meeting – Definitive Site Plan

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to postpone the item to 6/3/2020 and extend the constructive grant deadline to 6/25/2020

3. 115 Northeast Cutoff (PB-2020-011)

- a. Public Hearings –
 - i. Special Permit to allow expansion, alteration, change of pre-existing non-conforming uses within the Water Resource Protection Overlay District
 - ii. Special Permit to allow more than 20% impervious surface within the Water Resource Protection Overlay District
- b. Public Meeting – Definitive Site Plan

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to postpone the item to 6/3/2020 and extend the constructive grant deadline to 6/25/2020

4. Agenda item 5 75 Park Avenue & Rumford Avenue Right-of-Way (PB-2020-017)

- a. Public Meetings –
 - i. Definitive Site Plan
 - ii. Chapter 12, Section 12 Street Alteration - Rumford Avenue (Private)
- b. Public Hearing – To remove a portion of Rumford Avenue (Private) from the Official Map
Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to postpone the item to 5/13/2020 and extend the constructive grant deadline to 5/23/2020.

5. Agenda item 8a, amending the requirements of all the Planning Board's Rules and Regulations to align with updated State and national stormwater standards.

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to dismiss the item. This item will be re-advertised and introduced by staff once City departments are coordinated on the matter.

6. Agenda items 10a and 10b, Request for Acceptance of (Open Space) Restrictive Covenant(s)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to postpone this item until staff determines the request is complete.

New Business

7. 96 William Street (PB-2020-015)

- a. Public Meeting – Definitive Site Plan
Michelle Smith reviewed the project, and listed the updated conditions of approval and described the requested waiver for location, size, and arrangement of lighting.
Applicant agreed with Ms. Smith's characterization of the project.
Mr. Moynihan Inquired as to the nature of the changes to the exterior of the structure, and asked if there would be an increase in impervious surface area, also checked on status of garage.
Mr. Rafael Hernandez of Acropolis Design assured the board that the majority of the work on the structure will be internal, with only necessary repairs to the exterior, and the garage is to remain.
Mr. David Sadowski clarified that all runoff from newly paved areas will be infiltrated through a Cultec system to be installed under the parking area.
Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to approve the plan with the conditions outlined in the staff memo, as well as the following waiver from the plan requirements:
1. Location, size, and arrangement of lighting.

8. Hospital Drive Subdivision (aka 305 Belmont Street) (PB-2020-021)

- a. Public Meeting – Definitive Subdivision Plan Amendment
Michelle Smith reviewed the proposed amendment and the requested waivers.
Mr. John Kusick with Bohler Engineering agreed with Ms. Smith's review of the project.
Ms. Gilmore asked for clarification on the dead-end waiver length, Ms. Smith responded that the applicant previously applied for a longer length and therefore does not need to request a new waiver, since the newly proposed length is shorter than that originally allowed by the board.
Mr. Moynihan asked why the levelling areas are getting steeper at the intersections, and how it will impact stormwater runoff. Mr. Kusick described the road layout change as a result of a desire to move the road to make the lots larger but minimize earthwork. Because the proposed road has shifted to a steeper part the site, it would therefore become steeper along existing grade. He further explained that since this change shortens the road, it should in fact lessen stormwater runoff compared to the previously approved plan
Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to close the public hearing.
Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to approve amending the Definitive Subdivision Plan with the conditions outlined in the staff memo, and maintaining previously granted waivers, with the exception of a revision to the following waiver:

1. Section IXE.4, Maximum Grade for 100-foot Leveling Area at Intersections - Allow a maximum grade of 7.0% at the Hospital Drive Extension approach to Clocktower Drive.

9. Zoning Map Amendment - 43-45 Goldthwaite Road and 24-26 Varney Street (ZA-2020-004)

- a. Public Hearing – To consider a modification to the Zoning Map to extend the RG-5 (Residence, General) zoning district to wholly include both properties

Ms. Gabrielle Weiss reviewed the project.

Attorney Donald O’Neil added that there was previously an allowance in the ordinance to address split-zoned properties but as this provision is no longer in the ordinance, it has necessitated this petition. This change would simplify any future use for the owners, and would make the zoning consistent with current use of the sites and surrounding uses. Ms. Weiss clarified that the properties at 24 and 26 Varney Street were developed under the previous ordinance.

Mr. Moynihan asked what uses would be permitted in the zone. Attorney O’Neil described permitted residential uses in the zone, Ms. Weiss further described the commercial uses allowed in RG-5 compared with RS-7 zones.

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to close the public hearing.

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to favorably recommend to the City Council the amendment to the zoning map.

Other Business

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

- a. 2 Mercantile Street (Public) (AN-2020-018) *Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to endorse the plan.*
- b. 1 Nuttall Lane (Private) (AN-2020-020) *Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to endorse the plan.*
- c. 143 Wildwood Avenue (Private) (AN-2020-021) *Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to endorse the plan.*

11. Subdivisions - None

12. Discussion of Board Policies and Procedures

Mr. Rolle and Ms. Smith described the addition of application materials being available for the public to access online.

Ms. Gilmore expressed her desire to have the presentation element (slideshow of agenda items) to continue once in person meetings resume to make it easier for members of the public to be able to see the projects that are being presented.

Chair LaValley inquired as to how long the board and staff are able to review items before they move forward.

Mr. Rolle responded that staff is being conscientious to not bring items before the board until they are ready to be heard. He is hopeful that this is establishing a precedent. Suggested that the presentation element can continue, even if only as a supplement.

Ms. Gilmore inquired as to whether the board passed a motion to change the time allowed for review of applications. Ms. Smith clarified that the board did vote to require revisions be submitted a minimum of 1 week before the meeting. Additionally, emergency legislation has given the board the right to hold applications, and the constructive grant deadlines have been paused.

Ms. Gilmore expressed an interest in following how these changes influence filings over time.

13. Communication(s)

- a. Letter from Massachusetts State Historic Preservation Officer Re: Adding the Printer’s Building located at 44 Portland St to the National Register of Historic Places; received on 4/14/2020.

Adjournment

Upon a motion by Ms. Gilmore and seconded, by Mr. DePalo, the Board voted 5-0 to adjourn at 7:25pm.