

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

May 13, 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
Nicholas Lyford, Department of Public Works & Parks
Alexandra Kalkounis, Law Department

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

Approval of Minutes – 4/1/2020

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted to 5-0 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 5-0 to continue or postpone the following items:

- 1. Higgins Farm (fka 727 Salisbury Street) or Salisbury Hill CCRC (PB-2019-047) -**
 - a. Public Hearing – Special Permit Amendment – To allow a Continuing Care Retirement Community (CCRC)
 - b. Public Meeting – Definitive Site Plan

Testimony Date(s): 10/2/2019 & 11/13/2019

Continue to 6/24/2020 and extend the constructive grant deadline to 7/16/2020.

New Business

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

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

Postpone to 6/3/2020 and extend the constructive grant deadline to 6/25/2020.

3. 185 Madison Street (PB-2019-079)

- a. Public Hearings
 - i. Special Permit for CCOD to allow drive-through facilities and services
 - ii. Special Permit for CCOD for relief from the maximum front-yard setback dimensional requirement
- b. Public Meeting – Definitive Site Plan

Postpone to 6/3/2020 and extend the constructive grant deadline to 6/25/2020.

4. 90 Brookline Street (aka 47 Gates Lane) (PB-2020-016)

- a. Public Meeting – Definitive Site Plan

Postpone to 6/3/2020 and extend the constructive grant deadline to 6/25/2020.

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

- a. Public Hearing – To remove a portion of Rumford Avenue (Private) from the Official Map
- b. Public Meetings –
 - i. Definitive Site Plan
 - ii. Chapter 12, Section 12 Street Alteration - Rumford Avenue (Private)

Postpone to 6/3/2020 and extend the constructive grant deadline to 6/25/2020.

6. 3 Newton Avenue (PB-2020-022)

- a. Public Hearing – Definitive (Frontage) Subdivision Plan

Gabrielle Weiss reviewed the project and discussed staff curiosity about the necessity of the filing. Attorney Donald O’Neil spoke on behalf of the item and described that this filing is necessary. Steven Rolle reviewed the staff recommended conditions of approval on page 2 of the staff memo. Ms. Eleanor Gilmore asked Attorney O’Neil if he would like to request the staff suggested waivers outlined in the memo.

Attorney O’Neil stated he would request the suggested waivers and is aware of the conditions noted.

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 the plan with the conditions outlined in the staff memo, as well as the following waivers from the plan requirements:

- 1. A waiver from all requirements of the Subdivision Regulations, with the exception of those that apply to an Approval Not Required (ANR) plan;*
- 2. 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;*
- 3. A waiver of the minimum frontage requirements for each lot otherwise mandated by the Worcester Zoning Ordinance.*

7. 337 Granite Street (PB-2020-024)

- a. Public Meeting – Definitive Site Plan

GW reviewed the project and outlined the staff recommended conditions of approval as well as suggested waivers.

Mr. Jason Dubois spoke on behalf of the item and responded to the recommended conditions each in turn, stating how the items would be addressed on a revised plan.

Ms. Justina Calcgetti, resident of Worcester and a neighbor to the property commented that she is concerned about water draining from this property on her site.

The applicant Mr. David Matte, responded that the adjacent property has not yet finished the landscaping but once it is installed it should take care of any runoff issues. He also pointed out that the home of the commenter is an older home with a history of flooding in the basement, not the result of his construction.

Mr. Vigliotti inquired as to the stockpiling of trees and boulders on site, and if the infiltration trench proposed would be acceptable to planning staff.

Ms. Weiss responded, describing limitations of the proposed stormwater infiltration.

Mr. LaValley inquired as to conditions on the stormwater. Ms. Weiss clarified that the stormwater system is conditioned.

Ms. Gilmore inquired if the applicant would like the waivers noted by staff. Mr. Dubois stated they would.

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 waivers from the plan requirements:

- 1. Providing information regarding trees over 9 inches in diameter.*
- 2. Providing information on soil types.*

8. 76 Millbury Street (PB-2020-026)

a. Public Hearing – Special Permit to allow Adult Use Marijuana establishment, Storefront Retailer Use

Ms. Michelle Smith reviewed the project and pointed out that this application is only for the retail portion of their planned operation any other type of use would need to be authorized separately. She inquired if there will be any additional lighting installed on Harding Street and clarified that if they would like to install lighting on the rear façade, they would need permission from the Historic Commission to do so.

Ms. Laury Lucien spoke on behalf of the project, stated they are not planning to install new lighting on Harding St. Mr. Ulysses Youngblood also spoke on behalf of the item, stating that the work on the building was done prior to the applicants intending to open a business

Ms. Beaton stated that the manufacturing host agreement is currently under discussion and would be back before the board at a later date.

Mr. Moynihan asked that the plan be revised to show the correct direction of traffic on the streets. Ms. Smith commented that the applicant has already submitted such.

Ms. Gilmore commented that she is glad to see this project, both because it requires no parking and because it is an economic empowerment project and the board has seen so few of these. She inquired how product delivery and waste removal would be coordinated.

Mr. Youngblood clarified that waste removal would not be by wheeling barrels out through a loading bay door.

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 the Special Permit for the Adult Use Marijuana use with the conditions outlined in the staff memo, as well as the following waivers from the plan requirements:

- 1. Labeling lot dimensions on the plan;*
- 2. Demonstration that the plan is the result of a field survey.*

9. 38, 40, 50, & 68 Gardner Street, 58 Gardner Street (fka Tainter Street), 95 Grand Street, and 30 Hollis Street (PB-2020-028)

a. Public Meeting – Definitive Site Plan

Mr. Patrick Healy, the civil engineer and applicants' representative introduced himself and reviewed the project.

Mr. Rolle reviewed staff comments and recommended conditions, and pointed out that truck access will be majority from Gardner Street. He noted that consolidating driveways was discussed but ultimately deemed infeasible due to the function of the plant. He then requested that the photometric plan be updated to include existing street lights, staff wants to ensure that there will be sufficient lighting along Gardner Street, particularly at the driveways. Mr. Rolle also noted that though stormwater infiltration is not required on the site, it should be undertaken to the maximum extent practicable. He also noted that fencing will be set back 5 feet from sidewalks to improve the pedestrian experience.

Mr. Healy stated that the applicant agreed to the conditions described. He stated that the lighting plan will be updated. The proposed trailer parking area is only for vehicles not in use, therefore should cause no noise concern. Regarding stormwater, he described that the applicant is currently working on developing a plan to manage runoff, including a hydrodynamic separator and are studying potential to treat stormwater before it runs into the combined sewer on the south of the site.

Mr. Nicholas Lyford commented that DPW would request that connections into Gardner Street be separated into sanitary and stormwater. He further stated that a mid-block crosswalk has to be approved through a separate process, petition to City Council, and therefore the crosswalk should not be shown on any final submitted plans.

Mr. Rolle suggested a condition that any changes to the stormwater design be reviewed and approved by DPW.

Mr. Healy requested removal of condition 1e, and Mr. Rolle stated it would be acceptable to staff to strike this condition.

Mr. Steve Teesdale of Main South CDC expressed their strong support for the project, provided the staff recommended conditions are met. He expressed concerns that truck traffic needs to be prevented from circulating northerly on Gardner Street and requested that the Planning Board recommend to the Traffic and Parking Committee that commercial truck traffic from Table Talk not be permitted to travel northerly from the site into the adjacent residential area.

Ms. Beaton stated that if such a petition would be to go before the Traffic and Parking Committee, the Planning Board could then comment on their support for such a petition.

Mr. DePalo stated that he is in support of this project and was swayed by Main South CDCs support.

Ms. Gilmore stated that the support of Main South CDC is important to her support for this project. She also expressed appreciation for the neighborhood outreach undertaken by the applicant. She then inquired about staff comment 1d. Mr. Rolle described that Tainter Street is no longer truly a street and there will not be access along Tainter Street and Grand Street. Mr. Healy stated that they are simply leaving existing 'historic fabric' of a walkway in place, but the entire street will be gated. Ms. Gilmore then asked the applicant to consider making the bicycle racks covered. Mr. Healy stated they will explore that option.

Mr. Moynihan inquired as to whether Fire Department comments have been addressed and asked if it was possible to add any more electric vehicle parking stations. He then suggested making the northerly drive right turn only to try to deter truck traffic from heading north on Gardner Street. Mr. Healy replied that they have made plan adjustments in response to Fire Department feedback.

Mr. LaValley stated that if a petition comes before the Traffic and Parking Committee regarding truck traffic on Gardner Street, he would definitely support such a motion. He further pointed out that a current program from National Grid is paying for the costs of installing charging stations, suggested the applicant study adding more.

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, striking condition 1e, adding a 10th condition that any changes to stormwater design be reviewed by the Department of Public Works, and adding an 11th condition to separate sanitary and stormwater connections into Gardner Street, as well as the following waivers from the plan requirements:

- 1. Identification of trees over 9" in diameter.*
- 2. Labelling Soil Types.*

Other Business

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

- a. 0 & 173 Brookline Street (Public & Developer's) (AN-2020-019)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 4-0 to endorse the plan (Mr. Vigliotti did not vote)

- b. 158, 144, 142 Wildwood Avenue (Public) & 2 Spring Road (Private) (AN-2020-022)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to endorse the plan

- c. 6 & 8 Phillips Street (Private) (AN-2020-023)

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to approve the plan.

11. Discussion of Board Policies and Procedures

- a. Consideration of adoption of M.G.L. c.110G, regarding the use of electronic signatures by Board members pursuant to Amendment 13-7 to the Massachusetts Deed Indexing Standards 2018, effective April 17, 2020.

Ms. Smith reviewed the reasons for pursuing electronic signatures, including the current remote nature of Planning Board meetings and closure of City Hall.

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to adopt the use of electronic signatures.

Ms. Gilmore expressed a desire to provide applicants with more information about what the board are looking to evaluate. Mr. Rolle clarified that the board cannot institute new requirements but can inquire as to whether applicants have considered certain elements. Ms. Smith explained that staff is working on evaluating and revising the site plan application. Mr. DePalo stated that he fully supports the efforts of staff to consider these items. Ms. Gilmore requested that this item be added to the agenda for the June 3 meeting.

Mr. LaValley stated that he is proud that the City of Worcester is continuing to hold meetings and proceed with business despite the current circumstances with COVID-19.

12. Communication(s)

- a. Notice of a Community Outreach Meeting (May 8, 2020) for a proposed Adult Use Marijuana Microbusiness Establishment at 20 Envelope Terrace; from Teddy's Veggie Farm, LLC; received May 6, 2020.

No action taken.

Adjournment

Upon a motion by Ms. Gilmore and seconded by Mr. DePalo, the Board voted 5-0 to adjourn the meeting at 7:20 PM.