

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

August 7, 2013

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present: Andrew Truman, Chair
Stephen Rolle, Vice Chair
Satya Mitra, Clerk (arrived at 5:35 p.m.)
Robert Ochoa-Schutz
John Vigliotti

Planning Board Members Absent: None

Staff Present: Abigail McCabe, Division of Planning & Regulatory Services
Marlyn Feliciano, Division of Planning & Regulatory Services
Katie Donovan, Department of Inspectional Services
K. Russ Adams, Department of Public Works & Parks
Michael Traynor, Law Department
Alexandra Haralambous, Law Department

BOARD SITE VISITS

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Andrew Truman called the meeting to order at 5:33 P.M.

APPROVAL OF THE MINUTES:

The approval of the minutes (5/15/15, 6/26/13, 7/17/13) was held.

**REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS,
WITHDRAWALS**

1. 184 Highland St and 2 Einhorn Rd – More than One Building on a Lot (PB-2013-012B) and Definitive Site Plan Approval (PB-2013-012)

Mr. Truman stated that the applicant submitted a request to postpone the hearing to September 18, 2013. Upon a motion by Mr. Rolle and seconded by Mr. Ochoa-Schutz, the Board voted 4-0 to postpone the item to September 18, 2013.

List of Exhibits.

- Exhibit A: Definitive Site Plan Application; received 3/4/2013; prepared by D. E. Realty LLC.
- Exhibit B: Definitive Site Plan; dated February 28, 2013; last revised 6/28/2013; prepared by Land Planning, Inc.
- Exhibit C: Floor Plans; dated 1/4/2013; prepared by R. C. Searles, Associates.
- Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 184 Highland Street (PB-2013-012) – Definitive Site Plan; dated May 31, 2013; revised June 21, 2013.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 184 HIGHLAND STREET; Definitive Site Plan– PB-2013- 012; dated April 18, 2013.
- Exhibit F: Request to postpone the meeting to July 17, 2013 and to August 7, 2013.
- Exhibit G: Stormwater Report for 184 Highland Street and 2 Einhorn Road; dated June 27, 2013, prepared by Land Planning, Inc.

2. 110, 112, 120 Gold Star Blvd & 33 Millbrook St – Amendment to Definitive Site Plan Approval (PB-2013-025)

Mr. Truman stated that the applicant submitted a request to postpone the hearing to August 28, 2013. Upon a motion by Mr. Ochoa-Schutz and seconded by Mr. Vigliotti, the Board voted 4-0 to postpone the item to August 28, 2013.

List of Exhibits.

- Exhibit A: Amendment to Definitive Site Plan Application; received May 23, 2013; prepared by EJR Real Estate Trust.
- Exhibit B: Amendment to Definitive Site Plan; dated May 23, 2013; prepared by American Survey and Engineering, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 110, 112, 120 Gold Star Boulevard & 33 Millbrook Street – Amendment to Definitive Site Plan Approval (PB-2013-025); dated June 25, 2013.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 110, 112, 120 GOLD STAR BOULEVARD; Definitive Site Plan Amendment– PB-2013- 025; dated June 20, 2013.
- Exhibit E: Request to postpone from June 26, 2013 to July 17, 2013; and August 7, 2013 to August 28, 2013.

NEW BUSINESS

PUBLIC HEARING:

Satya Mitra joined the meeting.

3. **631 Sunderland Road – Zoning Map Amendment – Amend zone from RS-7 (Residence, Single-Family) to BL-1.0 (Business, Limited) (ZM-2013-002)**

Ms. McCabe stated that the applicant was not present. She stated that the proposed zone change was that the petitioner proposes to extend the BL-1.0 (Business, Limited) zoning district northerly from its existing location along southern side of Sunderland Road to include the entire parcel at 631 Sunderland Road. The petitioner did not include a concept plan for this area or elaborate on any future development plans. The property has been zoned RS-7 (Residence, Single-Family) since at least 1973.

Ms. McCabe stated that there is a 1.5 story single-family residential dwelling located at 631 Sunderland Road. The abutting property to the northwest at 627 Sunderland Road is a single-family residence. The surrounding properties southwest to Ideal Road at 625 and 621 Sunderland Road are also single-family residential. The subject property at 631 Sunderland Road abuts the Shrewsbury town line. The abutting property to the northeast is in Shrewsbury but is also low density residential, and residential uses continue on the north side of the street in Shrewsbury. The five properties across the street on the south side of Sunderland Road are zoned BL-1.0 (Business, Limited). She stated that she respectfully recommended that the Board recommend that the City Council deny the requested zone change for the following reasons:

- Extending the BL-1.0 business zone further into the existing residential district will change the character of the abutting residential area by removing an important buffer that the low-density residential uses along Sunderland Road provide.
- The convenience retail needs of this residential area are adequately served by the existing business limited zone and by the nearby shopping center off Southwest Cutoff.
- The uses permitted in the BL-1.0 zoning districts may be incompatible with abutting residential properties and could cause undesirable quality of life impacts such as loss of visual buffer, additional light and noise from potential business operations etc.

Joseph George, 20 Viking Terrace, stated that he objected to the proposed zone change because it would have a negative impact on the neighborhood. He stated he likes having the buffer to the business zone. Mr. George stated that the Shrewsbury abutters were not notified of this zoning map amendment.

Mr. Traynor stated that there is no requirement to send notices on zoning changes and the city does it as a matter of course to abutters in the city.

Philip George, 16 Viking Terrace, stated he was opposed because he does not wish to abut a business and would be concerned about the safety of his children.

Nick Mitchell, Shrewsbury abutter, stated that according to the town of Shrewsbury does not plan to approve any zoning changes to the residential uses in that area of Route 20.

Mr. Rolle stated that it would be a significant change in character and use and would not support the change.

Mr. Vigliotti stated that he was familiar with the neighborhood as that was his district and he agrees with Mr. Rolle. Mr. Mitra and Mr. Ochoa-Schutz agreed with the analysis that it would be unfavorable for the neighborhood.

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

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 5-0 to deny the zoning change.

List of Exhibits.

Exhibit A: Petition to Amend the Zoning Map for 631 Sunderland Road; submitted by Timothy and Diana Dillon; undated.

Exhibit B: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 631 Sunderland Road – Zoning Map Amendment; dated August 1, 2013.

Exhibit C: Map – Proposed Zone Change From RS-7 to BL-1.0 – 631 Sunderland Road; 1”=100 feet and 1” = 300 feet; dated August 7, 2013.

4. Aurilla Street – Remove Portion of Private Street from Official Map (ST-2013-018)

Roy Soderman stated that he owns property at 479 Southwest Cutoff and a disconnected piece of property in the rear of the building and wants to join the properties together. That is why he is requesting the abandonment of that portion of Aurilla Street.

Mr. Traynor stated that if there was anyone there in opposition then it could not be removed. He also stated that this process only removes the street from the official city map but it does not join the properties.

Ms. McCabe stated that there would be no impact to connectivity if this portion of Aurilla is removed because it is presently undeveloped. She stated that no one's frontage would be affected therefore staff recommends approval of the partial removal of Aurilla Street, from Route 20 (Southwest Cutoff) to the Worcester/Millbury city line, with the following conditions of approval:

- That the petitioners record at their own expense the plan depicting the partial street removal of Aurilla Street in accordance with the Registry of Deeds Rules and Regulations.
- That the petitioners provide evidence of such recording to the Division of Planning & Regulatory Services.

Mr. Rolle stated that he performed a site visit and it is a place where it does not make sense to place a street.

Upon a motion by Mr. Ochoa-Schutz and seconded by Mr. Rolle, the Board voted to closed the public hearing.

Upon a motion by Mr. Ochoa-Schutz and seconded by Mr. Mitra, the Board voted 5-0 to recommend approval of the removal of Aurilla Street.

List of Exhibits.

- Exhibit A: Removal of Aurilla Street Petition; undated; referred to Planning Board on June 18, 2013; prepared by Roy H. and Marylan A. Soderman.
- Exhibit B: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: Aurilla Street – Removal of a Portion of Private Street from Official Map; dated August 2, 2013.
- Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: Aurilla Street – Remove a portion from Official Map; dated July 25, 2013.
- Exhibit D: Certified Abutters List and Map
- Exhibit E: Abutter Notification and Legal Advertisement for street removal.

PUBLIC MEETING:

5. 3 Faraday Street – Parking Plan Approval (PB-2013-031)

Attorney Mark Donahue, representing Lancaster Island LLC, stated that this is a subsidiary owned by the developers of 75 Grove Street. The site plan that was approved for the residence hall included approval of the parking lot of 87 spaces. The plan submitted expands that parking lot to 124 spaces for the use of WPI students.

John Bensley reviewed the revised plans with the Board. In summary, they plan to keep a curb cut which they originally planned to abandon, reconfigure the parking to fit 124 spaces, restripe the lot, move the fence westerly, and repave sections of the lot. There will be three pedestrian access points and three emergency phones. Fourteen trees will be provided in planters because the electric substation does not want anyone excavating on their property.

Mr. Adams, DPW&P, stated that their memo requested that drainage information be submitted but it does not need to be a condition of approval since the site does not have formal drainage due to soil types.

Ms. McCabe stated that staff recommends that six (6) copies of revised plans be submitted to the Division of Planning and Regulatory Services addressing the following:

1. Provide a summary of zoning classification requirements;
2. Provide a summary of the Parking Schedule, including existing, required, and proposed parking spaces
 - Include a breakdown of the number of regular, compact and handicap spaces;
3. Provide a landscaping table of proposed quantity, species, and at least 3” caliper;
4. Extend the landscape buffer along the southerly property line and provide two additional trees near the three proposed spaces;
5. Label capacity and drainage;
6. Label area available for snow storage. Snow storage may not be located in parking buffer areas;

7. Label any relief being sought from the Planning Board or Zoning Board of Appeals on the plan;

Ms. McCabe asked whether the three spaces along Faraday Street will be repaved and Mr. Bensley stated that they will be resurfaced in order to provide the appropriate grading for the handicapped space. Ms. McCabe asked if the landscape buffer could be extended but Mr. Bensley stated that if required to do so, they will lose the 24' aisle width that is required. He also stated that they would like to keep it as is because three spaces currently exist in that area and the grading will be minimal.

Ms. McCabe stated that the Board needed to provide a waiver for the location of the interior trees. Mr. Bensley argued that the trees are interior since they are within the paved areas that belong to National Grid and Lancaster Island LLC.

James Athy, abutter at 111 Lancaster Street, asked if the parking lot will be ready for the student's arrival in a few weeks. Mr. Donahue stated that the anticipated completion date would be the end of October but in the meantime the students will be allowed to park in the gateway Park parking lot so they will not be taking over street parking.

Anthony Athy, abutter at 111 Lancaster Street, asked if the fencing will be retained. Mr. Bensley stated that the fence along the perimeter of the property will still be a chainlink fence but reduced from a 6ft to a 3ft height.

Ms. McCabe stated that Article 4, Section 7 of the Ordinance states that "All existing parking lots are exempt from Parking Plan Approval provided that upon a change, alteration or expansion of the use it serves, it will continue to be utilized in its existing condition with no physical alterations except for changes in circulation and/or striping, and provided the number of parking spaces satisfies the parking requirements." She stated that the applicant is re-grading in the area where the 5ft landscaping buffer is required and to obtain relief from that requirement the applicant would need to go before the Zoning Board.

Mr. Traynor stated that the determination would need to be made by the zoning enforcement officer. The Board can approve the plan and if needed then the applicant would go before the Zoning Board.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 5-0 to approve the parking plan with the conditions in the staff memo except item #4 and that exterior fencing be a maximum of 42" high and of a see-through material (such as chainlink). Also, to approve the waiver for the location of the interior trees.

List of Exhibits.

- Exhibit A: Parking Plan Application; received July 3, 2013; prepared by Lancaster Island, LLC.
- Exhibit B: Lancaster Street Parking Plan; dated June 28, 2013; prepared by Beals + Thomas, Inc..
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 3 Faraday Street – Parking Plan Approval; dated August 2, 2013.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 3 Faraday Street – Parking Plan; dated August 2, 2013.

6. **7-11-15 Lancaster Street – Parking Plan Approval (PB-2013-032)**

Attorney Mark Donahue, representing Mass College of Pharmacy and Health Sciences (MCPHS), stated that he is before the Board for Parking Plan Approval because the building is under renovation to be converted as a dorm. The parking is being re-striped to ensure that the spaces meet size requirements, a handicapped space is being created, drainage is being installed, landscaping is being installed, and a dumpster will be added. Mr. Donahue stated that the conditions of approval are amenable.

Ms. McCabe stated that if approved, staff respectfully recommends that six (6) copies of revised plans be submitted to the Division of Planning & Regulatory Services addressing the following:

1. Provide a summary of zoning classification requirements.
2. Annotate the Zoning Board's relief granted and list the conditions of approval.
3. Label minimum yard dimensions.
4. Label the percentage of the lot covered by the existing buildings.
5. Label landscaped areas.
 - Show existing and proposed landscaping in a landscape table with the number, species, and size included
 - Provide three trees with a minimum of 3" caliper in the landscape buffer along Lancaster Street (one in each landscape area)
 - If any existing landscaping is removed, it shall be replaced and enhanced.

Mr. Rolle asked if the applicant plans to slope the parking lot from the curb since it sits below street level. The engineer replied that they will slope the parking lot towards the two catch basins for better drainage.

Mr. Rolle asked if they plan to include a sidewalk connection from the sidewalk to the building. Mr. Truman stated that the two parking spaces against the building are tight and would have to drive on the sidewalk in order to pull out. Mr. Donahue stated that because of the tight site they do not have space to make a sidewalk connection or to increase the space for those parking spaces to pull out without infringing on the landscape buffers.

Upon a motion by Mr. Ochoa-Schutz and seconded by Mr. Mitra, the board voted 5-0 to approve the parking plan for 7-11-15 Lancaster Street with the conditions in the DPRS memo.

List of Exhibits.

- Exhibit A: Parking Plan Application; received July 22, 2013; prepared by Mass College of Pharmacy & Health Sciences.
- Exhibit B: Definitive Site Plan; dated June 11, 2013, revised June 24, 2013; prepared by Graves Engineering, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 7-11-15 Lancaster Street – Parking Plan Approval; dated August 2, 2013.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 7-11-15 Lancaster Street – Parking Plan. – PB-2013-032; dated August 2, 2013.

OTHER BUSINESS:

8. **Malden Woods Subdivision (Whippoorwill Drive) – Lot 16 – Request for Release**

Mr. Adams stated that the Planning office received a request to remove Lot 16 from the covenant that's currently in place for the Malden Woods Subdivision. Mr. Adams stated that the requirements to release a lot are that the improvements that were proposed on the Definitive Subdivision Plan be built first. Those improvements are not complete and therefore Mr. Adams stated that DPW&P's recommendation is to deny the release of the lot.

Upon a motion by Mr. Rolle and seconded by Mr. Vigliotti, the board voted 5-0 to deny the request.

9. **Brookside Avenue – Street Petition (ST-2013-020)**

Mr. Adams stated that this was previously approved as a Priority 4 but DPW&P is not ready to make a new recommendation on the matter and requested the item be held until the next meeting.

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti, the Board voted 5-0 to hold the item to August 28, 2013.

10. **Approval Not Required (ANR) Plans:**

a. **0 Kelleher Street (private) (AN-2013-036)**

Mr. Adams stated that the Board needs to vote to release Lot 2 & 3 from the covenant its currently under so that they can enter into a performance agreement with a bond amount set at \$61,500 for this subdivision and that a work completion date of June 1, 2014 be set.

Ms. McCabe stated that the applicant is proposing to subdivide the existing 2 lots into four parcels. The plan proposes to subdivide lot 2 into Lot 2L, Lot 2R and lot 3 into Lot 3L and lot 3R to build single-family semi-detached dwellings in the RL-7 zone which requires 35 ft per DU. Each lot is proposed with more than 35 ft of frontage.

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

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the board voted 5-0 to release the covenant contingent on entering into a performance agreement with the recommended bond amount of \$61,500 with a work completion date of June 1, 2014.

b. **18-22-24 Canterbury Street (public) (AN-2013-37)**

Ms. McCabe stated that there is an existing 1 story commercial repair shop business at # 18, an existing commercial building at # 22, and an accessory parking lot at #24 in the MG-2.0 zone where there is no minimum frontage requirement in the city's zoning ordinance. The plan proposes to convey parcel A from lot B-2-R to Lot B-1-R and

convey parcel B from #24 to B-1-R. Parcel A & B are labeled as not independently buildable. #18 is proposed to have 165.85' frontage, #22 will have 273.79' frontage.

Upon a motion by Mr. Ochoa-Schutz and seconded by Mr. Mitra, the Board voted 5-0 to endorse the ANR.

c. **Off McKeon Road (AN-2013-038)**

Ms. McCabe stated that the City proposes to convey Parcel 62L2-21 and 62L2-22 to the state.

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

11. **LaChapelle Street Subdivision – Set Performance Bond**

This was taken up contemporaneously with item #10a.

12. **CMRPC (Central Massachusetts Regional Planning Commission) Board Appointments**

Upon a motion by Mr. Truman and seconded by Mr. Vigliotti, the Board voted 4-0 to recommend Stephen Rolle as a delegate. The staff liaison will be continued to the August 28, 2013 meeting.

13. **Signing of Decisions from prior meetings**

The decisions from the prior meeting were signed.

ADJOURNMENT:

Upon a motion by Mr. Rolle and seconded by Mr. Vigliotti, the Board voted 5-0 to adjourn the meeting at 6:45 p.m.