

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

March 22, 2016

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present: Andrew Truman, Chair
Satya Mitra
John Vigliotti
Andrew Freilich

Planning Board Members Absent: None

Staff Present: Steven Rolle, Division of Planning & Regulatory Services
Domenica Tatasciore, Division of Planning & Regulatory Services
Marlyn Feliciano, Division of Planning & Regulatory Services
Katie Donovan, Inspectional Services
Nicholas Lyford, Department of Public Works & Parks
Jennifer Beaton, Law Department

BOARD SITE VISITS

CALL TO ORDER

Chair Andrew Truman called the meeting to order at 6:00 p.m.

NEW BUSINESS

Public Hearing

1. 0 (aka 727 & 757) Salisbury Street (Salisbury Hills CCRC) – Amendment to Special Permit (PB-2015-065)

List of Exhibits

- Exhibit A: Amendment to Definitive Site Plan Application; received January 24, 2016; prepared by Salisbury Holdings, LLC.
- Exhibit B: Amendment to Special Permit and Definitive Site Plan; dated January 14, 2016 and revised on February 16, 2016; prepared by H.S. & T. Group.
- Exhibit C: Rendering; dated October 7, 2015; prepared by R.C. Searles Associates.
- Exhibit D: Memorandum from the City of Worcester Fire Department to the Planning Board; re: Project Review Sheet; undated.
- Exhibit E: Amendment to Definitive Site Plan; Salisbury Hill (CCRC); Prepared by Thompson-Liston Associates; Dated August 25, 2014.
- Exhibit F: Amendment to Special Permit – Findings of Fact and Decision; 0 Salisbury Street (fka 727 & 757) MBL 50-023-00003; PB-2014-007 A; Signed June 25, 2014.
- Exhibit G: Letter from Attorney Mark Donahue; received February 9, 2016.

Public Meetings

2. **0 (aka 727 & 757) Salisbury Street (Salisbury Hills CCRC) – Amendment to Definitive Site Plan (PB-2016-001)**

Items 1 & 2 were taken up contemporaneously.

Attorney Todd Brodeur introduced the engineer for the project, Zac Couture from HS&T Group. Mr. Brodeur stated that this project was originally approved in 2001 and the private developer at the time failed. Salisbury Holdings came into ownership of the project in 2011. In 2014, there was an amendment changing the following items:

- Construction of the Project shall be phased as indicated in the application and on the submitted plan(s) and all construction shall be completed by July 2, 2020;
- That construction of the community center commence on or before December 30, 2015, and construction be substantially completed on or before June 30, 2016;
- That an emergency access to Barrows Road be provided upon construction of the 100th unit in Phase

This petition seeks to modify the requirements of the previous approval by modifying the location, footprint, elevation, and parking layout associated with the community center and also to extend the construction and completion date of said center. Mr. Brodeur stated that as of today only 84 units have been sold (34% of the entire project).

The applicant has been meeting with the unit owners to determine what they want the community center amenities to be. There is a consensus amongst the unit owners to eliminate certain amenities (pool tennis courts, putting green, etc.) due to the costs of upkeep. The applicant proposes to modify the location, elevation, parking layout, reduce the size and eliminate certain amenities (tennis courts and pool) associated with the proposed community center (aka clubhouse). Mr. Brodeur requested the following waivers:

1. The labeling of all abutters and abutters thereto within 300 ft. on the plan.
2. Showing trees in excess of 9 inches in diameter on the plan.

Mr. Brodeur submitted a letter (Exhibit K) from Milton Frem, unit owner on the clubhouse committee.

Ms. Tatasciore stated that staff supports an extension of time to complete the clubhouse and other amenities as necessary and deemed reasonable by the Board, and further, is not concerned with the proposed relocation of the clubhouse. Staff is concerned with the proposed reduction of amenities without additional commitments to offset the changes, or a corresponding reduction in the size of the community (280 units currently permitted). While staff is receptive to the relocation of the clubhouse facility and recognizes that the community is only partially developed at this point, the changes as proposed would ultimately result in a significant reduction in the amenities provided at full build-out. The applicant is asking for a 57% reduction for the clubhouse.

The 2014 Amendment to Special Permit decision references that the community center will have a library, computer/media room, game room, function space with caterer's kitchen and exercise area with lockers and shower and also the provision of walking trails, tennis courts and a putting green. The letter from the applicant's attorney stated that the reduced size of the Clubhouse will provide a library, computer/media room and function space with a caterer's kitchen but that the exercise area with lockers and showers has been removed as a recommendation of the unit owners.

As an alternative to completely eliminating the clubhouse, tennis courts and pool, the applicant could instead request that these elements be phased relative to future development at the location. For example, a smaller clubhouse could be allowed at this time, but the special permit could be modified to require a second clubhouse, expansion to the existing clubhouse, or some other amenity considered equivalent by the Board, once a particular development threshold (number of units) is reached.

If the Board does approve an Amendment to the Special Permit, staff respectfully recommends the following suggested Conditions of Approval:

1. That all previous conditions of approval are re-affirmed and shall remain in effect, except those amended by this approval.
2. That construction of the Community Center (clubhouse) would commence construction on or before August 1, 2016 and be substantially completed on or before June 30, 2017.

Mr. Brodeur stated that the reduction in the clubhouse size and amenities is driven by what the unit owners have expressed they want and don't want. They are usually retired individuals and are on fixed incomes and they do not want the additional expense when they won't be using these amenities.

Bob DePietri, applicant, stated that the funds are there and they are ready to start construction. They are willing to come back at a later date and ask for amendments to add amenities as needed. They have the land to expand the facility if needed.

Milton Frem, 1 Tideswell Lane, stated that he has been living there for over 10 years and praised Salisbury Holdings for their work. He is in favor for the amendment because he has been waiting for a long time for a clubhouse and he recognizes that because of the age of the residents there won't be much use for the pool or the tennis courts.

Carl Schneider, 11 Salisbury Hill Blvd, stated that they need a clubhouse to make the community more cohesive. He doesn't want the expenses or liability of the additional amenities.

Dick Adams, 1 Primmitt Lane, stated that there were a few residents that stated they didn't want any clubhouse at all. They can use the pool and exercise room at the Jewish Community Center (JCC), which is only ½ mile away.

Mr. Brodeur stated that they have an agreement with the Jewish Community Center that has supplemented the amenities that have not been onsite (outpatient clinic, transportation services, wellness programs, etc). The clubhouse will only house the community services to foster that sense of community.

Mr. Rolle reviewed the amenities that were approved in the original special permit and reiterated in the amendment. The amenities proposed to be eliminated are: pool, tennis courts, exercise room with lockers and showers, and putting green.

Mr. Freilich stated that the proposed amenities will not be enough once the rest of the development is fully built. He was also concerned that the units won't sell without the additional amenities.

Mr. Vigliotti agreed and suggested a condition that after selling a certain number of units the clubhouse is to be expanded.

Ms. Beaton stated that our Zoning Ordinance does not require a clubhouse rather it has a list of amenities that could be provided as part of this type of development. Therefore, she would suggest the condition be to provide additional amenities as opposed to expanding the clubhouse.

Mr. Brodeur stated that they are listening to the unit owners and this is meant to be a complement to the amenities they receive from the JCC.

Mr. Mitra stated that he was concerned that new unit owners might want more amenities.

Mr. Truman stated that since ownership to the unit owners switches when 90% of the units are sold, they can set a trigger then to come back and amend the special permit. They will either be amending to keep things as they are or to add additional amenities.

Mr. Rolle stated that they can condition the approval that an additional 4,200 SF of amenity space (originally approved), to be determined at a future time and subject to required approvals, be provided once 252 units are sold.

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. Mitra and seconded by Mr. Freilich, the Board voted 4-0 to approve the waivers requested.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the Board voted 4-0 to approve the special permit amendment by allowing that the clubhouse be built as depicted on the plans with an additional 4,200 SF of amenity space, to be determined at a future time and subject to required approvals, be provided once 252 units are sold.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the Board voted 4-0 to approve the definitive site plan with the following other conditions of approval:

1. That all previous conditions of approval are re-affirmed and shall remain in effect, except those amended by this approval.
2. 2. That construction of the Community Center (clubhouse) would commence construction on or before August 1, 2016 and be substantially completed on or before June 30, 2017.

List of Exhibits:

- Exhibit A: Amendment to Special Permit – CCRC Application; received December 24, 2015; prepared by Salisbury Holdings, LLC.
- Exhibit B: Amendment to Special Permit Plan; dated December 23, 2015 and revised on January 14, 2016 and revised on February 16, 2016; prepared by H. S. & T. Group.
- Exhibit C: Rendering; dated October 7, 2015; prepared by R. C. Searles Associates.
- Exhibit D: Memorandum from the City of Worcester Fire Department to the Planning Board; re: Project Review Sheet; received January 21, 2016.
- Exhibit E: Special Permit Decision for Salisbury Hill CCRC; approved January 23, 2002.
- Exhibit F: Amendment to Definitive Site Plan; Salisbury Hill (CCRC); Prepared by Thompson-Liston Associates; Dated August 25, 2014.
- Exhibit G: Amendment to Special Permit – Findings of Fact and Decision; 0 Salisbury Street (fka 727 & 757) MBL 50-023-00003; PB-2014-007 A; Signed June 25, 2014.
- Exhibit H: Master Deed of Salisbury Hill Condominium; recorded June 22, 2004; Book 33936 and page 46.

- Exhibit I: Eighth Amendment to Master Deed of Salisbury Hill Condominium; recorded October 27, 2005; book 37653 and page 377.
- Exhibit J: Letter from Attorney Mark Donahue; received February 9, 2016.
- Exhibit K: Letter from Milton Frem dated and received March 22, 2016.

John Vigliotti left the meeting at 7:17 p.m.

3. Approval Not Required (ANR) Plans

a. 198 & 200 West Mountain Street (public) (AN-2016-015)

Ms. Tatasciore stated that this was to reconfigure the side lot line and they are complaint with the zoning requirements.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the Board voted 3-0 to endorse.

4. Signing of Decisions from prior meetings – decisions from the 3/16/16 meeting were signed.

5. Signing of Frontage Subdivision mylars for 37 Sigel Street – Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the Board voted 3-0 to sign the frontage subdivision plans.

ADJOURNMENT

Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the Board voted 3-0 to adjourn at 7:20 p.m.