

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

October 24, 2018

LEVI LINCOLN CHAMBERS

Planning Board Members Present: Andrew Truman, Chair
John Vigliotti, Vice Chair
Satya Mitra
Albert LaValley
Paul DePalo

Absent Members:

Staff Present: Stephen Rolle, Division of Planning & Regulatory Services
Michael Antonellis, Division of Planning & Regulatory Services
Nick Lyford, Department of Public Works
Jennifer Beaton, Law Department
Jodi Kennedy Valade, Department of Inspectional Services

Call to Order – 5:35 pm

Mr. Rolle stated that it does not look like there will be a quorum for the November 14, 2018 Planning Board meeting so would recommend items be continued to the Special Planning Board meeting of November 7, 2018.

Approval of Minutes: October 3, 2018

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the minutes of October 3, 2018.

Requests for Continuances, Extensions of Time, Postponements, Withdrawals

- 1. Country Club Acres (fka Paradise Point & 190 Mountain Street East) - Special Permit Amendment for a Continuing Care Retirement Community - Extension the Construction Completion Date (PB-2018-042)**

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to continue the Special Permit Amendment for a Continuing Care Retirement Community to the November 7, 2018 Planning Board meeting.

- 3. 225 Shrewsbury Street – Special Permit for CCOD (PB-2018-056)**

- 4. 225 Shrewsbury Street – Definitive Site Plan (PB-2018-056)**

Items #3, #4 were taken contemporaneously.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to continue the Special Permit for CCOD and the Definitive Site Plan applications to the November 7, 2018 Planning Board meeting and to extend the constructive grant deadline to December 30, 2018.

5. Zoning Map Amendment – 8 (aka 8 ½) Washburn Street (ZM-2018-007)

Amendment to rezone 8 (aka 8 ½) Washburn Street which is currently zoned RG-5 (Residence, General) to be included within the BL-1.0 (Business, Limited) zoning district.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to postpone the Zoning Map Amendment to the November 7, 2018 Planning Board meeting.

6. 57 Highland Street, 33 & 35 Wachusett Street – Parking Plan (PB-2018-046)

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to postpone the Parking Plan application to the December 5, 2018 Planning Board meeting.

Old Business

Public Hearing

New Business

Public Hearing

7. Zoning Map Amendment – 4 Winslow Street (ZM-2018-006)

Amendment to rezone 4 Winslow Street which is currently zoned BG-3.0 (Business, General) within the CCOD-E (Commercial Corridor Overlay District – Elsewhere) overlay district, to be included entirely within the RG-5 (Residence, General) zoning district and to exclude this parcel from the CCOD-E overlay district.

Attorney Jonathan Finkelstein appeared upon behalf of the petition and requested Leave to Withdraw.

Upon a motion the Board voted 5-0 to allow for Leave to Withdraw for the Zoning Map Amendment.

List of Exhibits:

Exhibit A: Petition – received from Jonathan Finkelstein on behalf of Miriam Hyder; referred to Planning Board on September 12, 2018.

8. 503-505 Mill Street – Definitive Site Plan Amendment (PB-2018-066)

Norman Hill appeared upon behalf of the applicant, Carl Foley.

On October 31, 2017, the Department of Inspectional Services issued a letter to the applicant notifying them that they concluded an inspection of the failed retaining wall and have deemed it as unsafe and in violation of building codes.

Mr. Hill stated that the applicant is looking for an amendment to the Definitive Site Plan so that they can repair the retaining wall. Mr. Hill stated that they have designed a new wall that will be built in front of the existing retaining wall and will result in the loss of 9 parking spaces.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the waiver from labelling abutters to abutters within 300 feet of the property.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the Definitive Site Plan Amendment.

List of Exhibits:

- Exhibit A: Definitive Site Plan Application: received September 14, 2018; prepared by the applicant
- Exhibit B: Definitive Site Plan; dated August 9, 2018; prepared by Land Planning, Inc.
- Exhibit C: Approved Site Plan on file; dated April 4, 2001; Prepared by Cullinan Engineering.
- Exhibit D: Letter from ISD to the applicant with accompanying photos; dated October 31, 2017; from Bruce E. LaBoffa and John R. Kelly, Building Commissioner

9. 71 to 81 (aka Lots 1, 2 & 3) West Chester Road – Frontage Subdivision (PB-2018-067)

Attorney Donald O’Neil appeared upon behalf of the applicant, Joyce Burman. Mr. O’Neil stated that the applicant seeks to divide the property into three lots, with each existing structure to be located on its own lot.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve 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, as no new street is being constructed and no improvements to the existing way is required;
- A waiver of the minimum frontage requirement for 71 & 73 (aka Lot 1) West Chester Street, otherwise mandated by the Worcester Zoning Ordinance;
- A waiver from labeling all abutters and abutters thereto within 300 ft. on the plan or provide additional references to abutters on the plan.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the Frontage Subdivision with conditions outlined in staff's memo.

List of Exhibits:

- Exhibit A: Definitive Frontage Subdivision Plan Application; received September 14, 2018; prepared by Attorney Donald J O'Neil on behalf of Joyce Burman.
- Exhibit B: Definitive Frontage Subdivision Plan; dated September 12, 2018; prepared by HS&T Group, Inc.

10. 7 Glade Street – Frontage Subdivision (PB-2018-071)

Attorney Donald O'Neil appeared upon behalf of the applicant, KLA Holdings. Mr. O'Neil stated that the applicant proposes to divide the property and to construct a single-family semi-detached structure.

Mr. O'Neil stated that the applicant has received approval from the Zoning Board of Appeals from the Variance needed.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve 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, as no new street is being constructed and no improvements to the existing way is required;
- A waiver of the minimum frontage requirement for each lot, otherwise mandated by the Worcester Zoning Ordinance;
- A waiver from labeling all abutters and abutters thereto within 300 ft. on the plan or provide additional references to abutters on the plan.

List of Exhibits:

- Exhibit A: Definitive Frontage Subdivision Plan Application; received September 20, 2018; prepared by the applicant.
- Exhibit B: Definitive Frontage Subdivision Plan; dated September 17, 2018; prepared by Robert D. O'Neil, Jr. PLS.

Public Meeting

11. 573 Grafton Street – Definitive Site Plan (PB-2018-065)

Carl Hultgren from Quinn Engineering appeared upon behalf of the applicant, Van K Nguyen. Mr. Hultgren stated that the applicant is looking to construct a single - family detached structure and reviewed the plans for the site.

The Board discussed with Mr. Hultgren if other means of access out of the site had been explored.

Mr. Rolle suggested that the Board might want to ask staff or DPW to go view the site to explore other means of access.

The Board and the applicant agreed that site view would be acceptable and applicant asked to continue the item.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to continue the Definitive Site Plan application to the November 7, 2018 Planning Board meeting.

List of Exhibits:

Exhibit A: Definitive Site Plan Application; received September 10, 2018; prepared by the applicant.

Exhibit B: Definitive Site Plan; dated September 7, 2018; prepared by Quinn Engineering, Inc.

12. 1 College Street – Definitive Site Plan (PB-2018-069)

Attorney Joshua Lee Smith appeared upon behalf of the applicant, The Trustees of the College of The Holly Cross. Mr. Smith stated that the applicant is looking to construct a 2-story, 85,500 SF, 400-seat Performing Arts Center consisting of flexible studio space, dressing & rehearsal rooms, a media lab and the relocated Cantor Art Gallery and reviewed the plans for the site.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the requested waiver from labeling abutters and abutters within 300 feet of the property on the plan.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the Definitive Site Plan with conditions outlined in staff's memo.

List of Exhibits:

Exhibit A: Definitive Site Plan Application; dated October 20, 2018; prepared by the applicant.

Exhibit B: Definitive Site Plan: dated September 12, 2018; prepared by Nitsch Engineering.

Exhibit C: Renderings; undated; preparer unknown.

Exhibit D: Photometric Plan; dated October 10, 2018; preparer unknown.

Exhibit E: Stormwater Report; dated September 20, 2018; prepared by Nitsch Engineering.

Exhibit F: Email from Attorney Joshua Lee Smith and attachments; dated October 17, 2018.

13. Firglade Street, Briarcliff Street & Balmoral Street - 81-G Private Street Opening (PB-2018-070)

Attorney Donald O'Neil appeared upon behalf of the applicant, Paul Valente. Mr. O'Neil stated that the applicant is requesting an 81G Street Opening Permit to open and improve, via proposed grading, paving, and drainage, the private portion Briarcliff Street, Firglade Street and Balmoral Street.

The Board and Mr. O'Neil discussed what would be the width of the road.

Mr. Lyford stated that DPW would like to see revised drainage calculations.

Nicole Hunt expressed concern about drainage from the proposed site.

William Landers asked if the road will remain private. Mr. Truman stated that it will remain private

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the 81-G Private Street Opening with conditions outlined in staff's memo as well as the following DPW conditions:

- Revised Drainage calculations must be provided to reflect this change. Pre and post condition areas must be the same in these calculations.
- Provide City Standard catch basin detail.
- Asphalt must be City Standard Superpave mix.
- The street and drainage improvements will be subject to an agreement with the DPW&P, and include a monetary performance security.

and accepting the condition that the road be paved to a minimum of 26 feet.

List of Exhibits:

- Exhibit A: 81-G Application; dated September 19, 2018 and received September 20, 2018; prepared by the applicant.
- Exhibit B: 81-G Street improvement plan; dated September 20, 2018; prepared by Robert O'Neil, Professional Land Surveyor and Joseph Graham, Professional Engineer.
- Exhibit C: Stormwater Management & Hydraulic Calculations Report; dated September 17, 2018; prepared by Joseph Graham, PE.

14. 19 Hemans Street – Definitive Site Plan – Extension of Time (PB-2018-072)

Patrick Healy from Thompson Liston appeared upon behalf of the applicant, The Estate of John Murdock. The applicant is currently seeking an Extension of Time for a Definitive Site Plan for a period of 1 year; the application indicates that the property is currently listed for sale and there is no purchase and sale agreement in place at this time. The current approval expired on September 29, 2018; this application was filed on September 26, 2018, prior to the expiration of the previous extension of time. The applicant is seeking an extension until September 29, 2019.

Upon a motion by Mr. Mitra and seconded by Mr. DePalo the Board voted 5-0 to approve the Definitive Site Plan – Extension of Time.

List Exhibits:

Exhibit A: Extension of Time Application for 19 Hemans Street; received September 26, 2018.

Exhibit B: Definitive Site Plan – 19 Hemans Street; dated May 16, 2006 and revised through December 27, 2016; prepared by Thompson-Liston Associates, Inc.

Exhibit C: Definitive Site Plan Decision; 19 Hemans Street; Signed December 13, 2017 (included in application materials).

Other Business

15. Street Petition Name Change – Kilby Street to be renamed Boys & Girls Club Way (ST-2018-009)

Mr. Lyford stated that DPW recommends the name change.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to send the Street Petition Name Change to City Council.

16. Street Petition – Marlboro Street – to make public (ST-2018-010)

Mr. Lyford stated that at this point DPW cannot make a recommendation.

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to postpone the Street Petition to December 5, 2018.

17. Vote to Accept Restrictive Covenant for Anthony Circle (aka 35 Modoc Street) - Definitive Subdivision Plan & endorse mylars

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 5-0 to Accept the Restrictive Covenant for Anthony Circle.

18. Frontage Subdivision Mylar Endorsements:

a. 34 Holden Street-Signed

b. 118 Commonwealth Street-Signed

19. Approval Not Required Plans (ANR)

c. 22 Chino Avenue (public) (AN-2018-051)

Upon a motion by Mr. LaValley and seconded by Mr. DePalo the Board voted 5-0 to approve the ANR.

d. 3 & 5 Taconic Road (private) (AN-2018-052)

Mr. Lyford stated that the road was open and passable.

Upon a motion by Mr. Mitra and seconded by Mr. DePalo the Board voted 5-0 to approve the ANR.

e. 525 Pleasant Street (public) (AN-2018-053)

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 5-0 to approve the ANR.

f. 521 Sunderland Road (public) & 3 Vig's Way (public) (AN-2018-054)

Upon a motion by Mr. Vigliotti and seconded by Mr. DePalo the Board voted 5-0 to approve the ANR.

g. 4 Caroline Street (public) (AN-2018-055)

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 5-0 to approve the ANR.

20. Communication

21. Signing of Decisions from prior meetings

Adjournment

Upon a motion the Board voted 5-0 to adjourn the meeting at 6:53 p.m.