

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

October 21, 2015

WORCESTER CITY HALL – ESTHER HOWLAND ROOM

Planning Board Members Present: Andrew Truman, Chair
Satya Mitra, Vice Chair
Robert Ochoa, Clerk
Andrew Freilich

Planning Board Members Absent: John Vigliotti

Staff Present: Steven Rolle, Division of Planning & Regulatory Services
Domenica Tatasciore, Division of Planning & Regulatory Services
Michael Antonellis, Division of Planning & Regulatory Services
Katie Donovan, Inspectional Services
Nicholas Lyford, Department of Public Works & Parks
Alexandra Kalkounis, Law Department

BOARD SITE VISITS

CALL TO ORDER

Chair Truman called the meeting to order at 5:39 p.m.

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

1. Forest Hill Drive – Special Permit Cluster Subdivision (PB-2015-032)

Chair Truman stated that the board received a request to Leave to Withdraw. Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the board voted 4-0 to approve the request to Leave to Withdraw without prejudice.

Hussein Haghanizadeh, from HS & T Group, stated that the applicants have sold the property and approval of the application is no longer desired.

2. 128 Alvarado Avenue – Amendment to Definitive Subdivision Plan (PB-2015-032)

Chair Truman stated that the board received a request to postpone the item to November 4, 2015 and to extend the constructive grant deadline to December 31, 2015. Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the board voted 4-0 to approve the postponement request.

List of Exhibits:

- Exhibit A: Definitive Subdivision Plan Application; received June 18, 2015; prepared by Howard Winter.
- Exhibit B: 128 Alvarado Avenue – Definitive Subdivision Plan; dated November 13, 2006 and revised through to April 17, 2008; prepared by HS&T Group, Inc.
- Exhibit C: Planning Board Certificate of Approval for 128 Alvarado Avenue Definitive Subdivision Plan; approved June 18, 2008.
- Exhibit D: Various e-mail correspondence regarding stormwater calculations; dated September 14, 2009 to May 11, 2010.
- Exhibit E: Comment Letter from Fire Chief Courtney; received July 27, 2015.

3. 128 Alvarado Avenue – Definitive Site Plan (PB-2015-034)

Chair Truman stated that the board received a request to postpone the item to November 4, 2015 and to extend the constructive grant deadline to December 31, 2015. Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the board voted 4-0 to approve the postponement request.

List of Exhibits:

- Exhibit A: Definitive Site Plan Application; received July 2, 2015; prepared by Howard T. Winter.
- Exhibit B: 128 Alvarado – A Definitive Site Plan; dated July 2, 2015; prepared by HS&T Group, Inc.
- Exhibit C: Stormwater Management Report & Drainage Calculations; dated May 12, 2008 and revised through to June 12, 2008; prepared by HS&T Group, Inc.
- Exhibit D: Comment Letter from Fire Chief Courtney; received July 27, 2015.

4. Approval of Minutes: April 15, 2015, May 6, 2015 & September 30, 2015

Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the board voted 4-0 to approve the minutes from April 15, 2015, May 6, 2015 & September 30, 2015.

NEW BUSINESS

5. 0 & 9 Hemans Street – Definitive Site Plan & More Than One Building On A Lot (PB-2015-042)

Mr. Haghanizadeh and Carol Redden from HS & T Group were present along with traffic engineer Dan Dumais.

Mr. Haghanizadeh presented the application and indicated that the number of proposed units was to make the project financially feasible for the client. The final product consists of 3 buildings, 2 of which are adjoining. The project consists of about 3 acres. Mr. Haghanizadeh stated that open space is being proposed within the development which consists of a jogging path around a detention pond.

Carol Redden stated that there will be a phased construction for 3 buildings and a total of 78 units, consisting of 21 one-bedroom and 57 two-bedroom units. Adequate parking has been provided in the

form of surface parking as well as under the buildings which will be serviced by elevator shafts and stairways. A total of 156 parking spaces have been provided as well as 24-foot travel lanes for 2-way traffic and 15 foot lanes for 1-way traffic. The site slopes from Hemans Street towards Milton Street and as a result, retaining walls will be placed on the property designed by a structural engineer. No structures are proposed in the Hemans Court right of way. A Photometric Plan that was submitted conforms with the City's ordinance.

Ms. Donovan stated that retaining walls greater than 15 feet in height needs to conform to non-accessory building setbacks.

Mr. Lyford stated that DPW continues to be concerned about low level of service (LOS) (i.e. long delays) for the intersections of Grove and North Streets, and Millbrook and Byron Streets, under "Build Conditions". Very long delays could potentially result in increased frequency of crashes at these locations. The LOS was "F".

Mr. Dumais, traffic engineer responded that observed results showed that levels of service were better than what was calculated. Critical left turns would be adding 6 vehicles or 1 car every 10 minutes. Crashes were calculated at 1 per year, which is below state average.

Mr. Rolle asked why the traffic engineer thinks there's such a discrepancy. Mr. Dumais stated that there are gaps from signals at nearby intersections. Additionally, the calculated results are unrealistic based on what the criteria is.

Mr. Rolle asked if the traffic signal warrants were looked at and Mr. Dumais replied no.

Mr. Rolle reviewed the staff review memo and indicated that the applicant has met the concerns for More Than One Building on a Lot. There is still a concern how the applicant will address the required 5 foot buffer given the location of the proposed retaining walls and that a variance for setback may be required. The design of the wall, given its substantial height, should be done by a structural engineer. To date, no specifications have been given pertaining to the design of the wall.

Mr. Rolle asked about the handling of garbage and waste. Mr. Haghanizadeh stated that it will be handled through private hauling, similar to single-family homes.

Mr. Rolle reviewed the following items under the Planning Board Review Standards:

- Adequacy and arrangement of vehicular traffic access and circulation including intersections, road widths, pavement surfaces, dividers and traffic controls.

Vehicular circulation around buildings 1 and 2 is constrained and limited to one-direction of travel. Given the volume of traffic that will be generated, staff recommends that stop signs be placed at each driveway exit. The revised plans show the location of the two recommended stop signs at each driveway exit.

- Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.

Please refer to Worcester Fire Department comments – Exhibit H and outlined here:

- a. The Fire Chief has asked for a confirmation, in writing, that all three proposed buildings will be protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13. If the sprinkler system is not an NFPA 13 system, then the Fire Department disapproves of the proposed configuration since it will be non-compliant with code. The revised plan provides a statement that the structures will have NFPA 13 system.*

- b. *The Fire Chief has asked that the applicant's engineer confirm that the gradient of the proposed roadways do not exceed 10%, per 527 CMR 18.2.3.4.6.1. The applicant's engineer has stated that the parking areas will have a maximum slope of 10% and that the proposed driveway travel lanes have a maximum slope of 14%. Staff defers judgment of this information to the satisfaction of the Fire Chief.*
- c. *The Fire Chief has asked per 527 CMR 18.1.1.3, that the plan show with turn simulation software whether or not the fire apparatus, with the specifications outlined in the exhibit, can successfully navigate throughout the roadways and parking lot lanes surrounding the proposed buildings. This turn simulation has been provided on Plan Sheet 11 and appears to comply with turning radii standards.*

Mr. Haghanizadeh stated that he spoken with the Fire Department and there was no issue, but if this is still a concern they will address it.

- Adequacy and impact on the regional transportation system.

Staff has concerns regarding the proposed high density of this development proposal in relation to the transportation infrastructure. A total of 78 dwelling units are proposed with a combination of 1 & 2 bedrooms. Such a development could be expected to generate, on average, some 518 daily vehicle trips (Institute of Transportation Engineers Trip Generation Manual, 9th Edition). These trips would access the site via Hemans and Dryden Streets, both of which are narrow local residential streets that are not well suited to accommodate high volumes of traffic. The proposed site is located approximately ¼-mile from the nearest WRTA transit service, and not connected by sidewalks.

The applicant has submitted a traffic study for the proposed project. This study indicates that the project would generate an estimated 596 daily trips. Traffic operations analysis indicates that these trips – combined with other traffic growth, including trips associated with previously permitted development of the adjacent property at 19 Hemans Street – will not adversely affect capacity or Level of Service (LOS) on local neighborhood streets, but will contribute to increased delay and/or congestion at the intersections of Grove Street/North Street and Millbrook St/Bryon St.

While local streets in the immediate vicinity of the project are projected to operate acceptably, the traffic volumes carried by Whittier St. and Dryden St. is expected to increase considerably as a result of the project and other permitted development.

Mr. Rolle asked about phasing and Mr. Haghanizadeh stated that the phasing is in reference to the construction and that the project itself will not be done in phases.

Chair Truman opened up the public hearing and meeting to the public.

Jim Gettens and Wendy Gettens addressed the board. Ms. Gettens inquired about traffic overflow onto Milton Street. Mr. Dumais stated that there will be an entrance into Hemans Street.

Mr. Gettens asked if the board has a copy of his wife's list of objections. Chair Truman answers yes. Mr. Gettens asked where the zoning boundaries are located on the plan. Ms. Redden showed him where the RG5 zone was located on the plan.

Mr. Gettens stated that he believes the proposal would be in violation of the zoning ordinance and would require a variance under RG-5. Ms. Donovan stated that for a multi-family high rise, there must be certain square footage of land. There is no issue for having more than one building on a lot, and is included in the application. There is no zoning violation associated with the use. Mr. Rolle concurred.

Engineer Patrick Healy, from Thompson & Liston Associates, said that he represents John Murdock, the abutting property owner of 19 Hemans Street. Mr. Healy questioned Mr. Murdock's right and ability to pass and repass on the plan provided. Mr. Healy stated that along the easterly property line, there are mature trees which are jointly owned by the 2 property owners and conflict with the location of the proposed retaining wall. Mr. Healy contended that proper access was not provided to the landlocked piece of land. Mr. Healy asked what types of retaining walls are proposed and he expressed concerns over seepage of stormwater through retaining walls onto Mr. Murdock's property. Mr. Healy stated that there are existing water services going through Hemans Court serving Mr. Murdock's property which is not shown on the plan. They are concerned that this should be maintained through the development of the project. Mr. Healy expressed concerns over the proposed detention basin and how it will be maintained. Mr. Healy stated that the proposed pavement and grading would cause difficulty passing over Hemans Court.

Mr. Haghanizadeh stated that his proposal to make Hemans Court a public road was denied. Mr. Haghanizadeh stated that they could not locate a water main and also that they will maintain any existing water connections. Regarding fruit trees, the retaining walls will not impact the fruit trees not on the applicant's property and that this is a civil matter. Mr. Haghanizadeh stated that the detention pond will be maintained on the applicant's property and will drain into the detention pond and would not create erosion issues.

Mr. Gettens stated that the existing townhouses on Milton Street have retaining walls and he expressed concerns over washing out roads from erosion. Ms. Redden responded by describing provisions which have been included to prevent such an occurrence including berms.

John Murdock, Jr. stated that he is also representing John Murdock, his father. He stated that there are no sidewalks from the bottom of the hill to 19 Hemans Street and that winter creates serious traffic considerations.

Mr. Freilich asked about the conflict of retention pond, snow storage and recreation area. Ms. Redden stated that the walking trails will be near the detention basin but not one in the same, there will be separate areas for snow storage, recreation and a detention pond.

Mr. Freilich asked about variances for retaining walls. Ms. Donovan responded that if the proposed retaining walls would require relief through the ZBA. Mr. Rolle suggested a continuance to explore options with the retaining wall.

Mr. Haghanizadeh stated that a new plan may include stepping or staggering the walls so no one wall is greater than 10 feet tall.

Mr. Ochoa asked if there is a certain consumer these units are being marketed to. Mr. Haghanizadeh responded by stating that they will be marketed towards market-value consumers, including UMass workers and other hospitals and colleges, but there is no preferential consumer.

Mr. Ochoa stated that he would like to make sure all parking is ADA compliant. Mr. Haghanizadeh stated that all parking will be ADA compliant. Chair Truman stated that access by pedestrians must be given to the property and serviced buildings from the street. Mr. Rolle stated that there currently are no sidewalks on Hemans Street.

Mr. Mitra stated concerns over traffic and asked staff if the traffic study is acceptable. Mr. Lyford stated that DPW outstanding concerns remain.

Mr. Mitra stated that he would like to see all the statements by the applicant to improve the project and respond to concerns on the plan.

Mr. Haghanizadeh stated that they will likely ask to postpone so that they can show all the discussion topics on the plan.

Chair Truman asked about making Hemans Court accessible. Ms. Kalkounis stated that Hemans Court does not have to be made accessible because it is not a public way, but that the abutter maintains access through the way.

Upon a motion by Mr. Truman and seconded by Mr. Ochoa, the board voted 4-0 to continue the meeting to December 9, 2015.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra, the board voted 4-0 to extend the constructive approval deadline to December 30, 2015.

List of Exhibits:

Exhibit A: Definitive Site Plan Application; received August 3, 2015; prepared by Carol Redden.

Exhibit B: More Than One Building On A Lot Application; received August 14, 2015; prepared by Carol Redden.

Exhibit C: Definitive Site Plan; prepared by H.S.& T. Group, Inc.; dated July 31, 2015 and revised on September 30, 2015.

Exhibit D: Renderings, Floorplan and Elevations; dated May 13, 2015; prepared by William F. Lee II, AIA.

Exhibit E: Hydrology & Stormwater Management Report; prepared by H.S.& T. Group, Inc.; dated July 31, 2015 and revised on September 24, 2015. Form 11 – Soil Suitability Assessment for On-Site Sewage Disposal; received September 24, 2015.

Exhibit F: Approval Not Required Plan for subject property; endorsed on April 5, 2006.

Exhibit G: Definitive Site Plan & More Than One Building on a Lot Decisions; dated September 16, 2009.

Exhibit H: Comments from Fire Chief Courtney; received on August 26, 2015 & September 2, 2015.

Exhibit I: Comments from DPW; dated September 2, 2015.

Exhibit J: Letter from Wendy Gettens; dated September 9, 2015.

Exhibit K: E-mail from James Gettens; received September 9, 2015.

Exhibit L: Letter from Patrick Healy, PE; received September 9, 2015.

Exhibit M: Updated Graphics for Traffic Study; MDM Transportation Consultants, Inc.; September 5, 2015.

6. Lot 3R (aka 0) Bowker Street – Definitive Site Plan (PB-2015-046)

Andrew Baum from New England Land Surveying was the engineer that represented applicant KLA Holdings, LLC.

Mr. Baum stated that the site has a slope greater than 15% on a 7,000 square foot lot where the applicant has proposed a 3-bedroom single family home with a single bay garage; slope stabilization will be

accomplished by rip rap on the back side of the property. Mr. Baum showed the location of a utility easement in the rear of the property which services the neighborhood.

Mr. Baum went through the staff memo and addressed all the questions and comments. He stated that the driveway easement is not noted on the plan, but that the easement and information will be conveyed to the future owner. The height of the structure will also be included on the plan. The shade tree will be moved to the front of the house. A rendering has been provided to the board.

Mr. Baum requested waiver of the requirement to show abutters within the 300 foot buffer requirement.

Mr. Baum stated that the intention is to minimize disturbed area and to stabilize slopes by using rip rap. Pedestrian access will be granted to the front door and the driveway will be paved. There will be a gravel drive off the side of the building to provide a second parking space.

Mr. Baum responded to the Engineering Department memo. Regarding erosion controls, the details will provide hay bales and silt fencing. All extra excavation material will be exported immediately. Removal of tree stumps and debris will be removed prior to final fill.

Mr. Lyford stated items from staff memo:

1. Site plan needs to show a drainage stub into property for future use.
2. Provide City of Worcester standard detail for residential water service.

Ms. Tatasciore stated that the rendering that was previously submitted did not match the footprint of the building on the plan. Mr. Baum stated that the intention is to have the garage flush to the face of the rest of the building.

Ms. Tatasciore asked staff to clarify if there is an issue placing a shade tree in the right of way. Mr. Rolle Stated that trees must be planted on the property. Mr. Baum stated that the tree will be relocated as required.

Stephanie Wood, abutter, asked if they were proposing a full basement. Mr. Baum stated that it is a full basement except for the garage.

Ms. Wood stated that she has concerns regarding property owner Mr. Olsen, the abutter to the rear, regarding concern over slope and placement of material. She stated she has concerns over groundwater and stormwater. She asked how the rip rap will affect the stormwater and potential unintended impact.

Mr. Baum stated that the basement will be exiting at existing grade. The proposed grade will drain to the front of the property from the front of the house. The rip rap slope will cover the existing bump in the grade and no cuts will be made into the ledge or existing grade. Rip rap will only be used to stabilize slope.

Ms. Wood stated that there is a shallow soil column on the back side of the property and there is water moving through the fractured bedrock horizontally. She stated that her concern is that the rip rap will disrupt this natural order.

Mr. Baum stated that hydraulic pressure is outside the scope of the project. Chair Truman stated he has never seen rip rap dislodged by water pressure.

Ms. Wood stated that she has another concern over tracking and failing pavement.

Mr. Baum stated that the site will be stabilized and splash pads will be added.

Mr. Lyford stated that the DPW is okay with the proposal.

Mr. Freilich asked what is the correlation between stabilization and retention and when does the need arise from one to another regarding slope? Chair Truman stated that rip rap is usually needed when a

slope is 2:1 and does not need to be contained because the rocks are locked in together. Mr. Baum stated that the difference between needing a retaining wall and rip rap are based on the needs of the site and at this time it would be an option to go for retaining wall. Mr. Rolle stated that the board has approved rip rap on slopes up to 1:1 (45 degree slope).

Ms. Tatasciore suggested that a modification be made to memo condition “i” to change the wording pertaining to the location of the required shade tree to include “Outside of the Right of Way” and to also include both of Mr. Lyford’s comments.

Upon a motion by Mr. Freilich and seconded by Mr. Ochoa, the board voted 4-0 to approve the waiver to include abutters within a 300 foot buffer on the plan.

Upon a motion by Mr. Freilich and seconded by Mr. Ochoa, the board voted 4-0 to approve the site plan with conditions as noted by Ms. Tatasciore, including DPW comments and condition modifications by Ms. Tatasciore.

Chair Truman left the meeting at 7:34pm.

List of Exhibits

Exhibit A: Definitive Site Plan Application; received September 17, 2015; prepared by KLA Holdings, LLC.

Exhibit B: Site Plan; dated September 17, 2015, prepared by New England Land Survey, Inc.

Exhibit C: City of Worcester Fire Department Comment Memo.

Exhibit D: Worcester Highlands Subdivision Plan from 1909.

Exhibit E: ANR Plan from 2006.

Exhibit F: ANR Plan from 2007.

Exhibit G: Driveway Easement from 2006.

Exhibit H: Rendering provided by applicant at meeting; undated; untitled.

Other Business

7. Signing of Covenant and mylars – 128 Alvarado Definitive Subdivision

The board voted 3-0 to accept the covenant and to endorse both the covenant and the mylars.

8. Election of Officers

No action taken by the board at this time; to be placed on the November 9 meeting agenda.

9. Communication

- a. Notice of Project Change – Greenwood Street Landfill Solar Project; Supplemental Information
- b. Letter from Stephen Rolle to Jeffrey Cunningham & Sean Brennan, dated September 17, 2015, re: Clay Street 81G

c. CPTC Fall 2015 Workshops Flyer

No action taken by the board.

10. Signing of Decisions from prior meetings

Items signed.

ADJOURNMENT

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the board voted 3-0 to adjourn at 7:41 pm