

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

December 7, 2016

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present: Andrew Truamn
Satya Mitra
John Vigliotti
Andrew Freilich
Barbara Carmody

Staff Present: Stephen S. Rolle Division of Planning & Regulatory Services
Domenica Tatasciore, Division of Planning & Regulatory Services
Jody Kennedy-Valade, Department of Inspectional Services
Nicholas Lyford, Department of Public Works
Alexandra Kalkounis, Law Department

Call to Order – 5:30 pm

Approval of Minutes: July 20, 2016, Aug. 17, 2016, Sept. 7, 2016 & Sept. 28, 2016

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to approve the July 20, 2016, August 17, 2016, September 7, 2016 and September 28, 2016.

Requests for Continuances, Extensions of Time, Postponements, Withdrawals

1. Kiara Drive (aka 770 Franklin Street) – Definitive Subdivision (PB-2016-018)

Michael Frongillo, abutter to the property, stated that at the last Planning Board meeting the Board stated that they would not allow any more postponements from the applicant.

Mr. Truman stated that he would give them one more chance. Mr. Vigliotti stated that staff had requested that applicant at last meeting ask for a postponement for a meeting further out and they refused so his position is that he would not allow another postponement. Mr. Mitra stated he would also be reluctant to allow another postponement.

Mr. Freilich stated that they have made it clear to staff that they would like to see a new process for postponements and knows staff is working on that but they have allowed postponements for other applicants and would allow one more.

Mr. Mitra asked if staff could send notice to the applicant that the Board after this meeting would not accept any more requests to postpone.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to postpone the item to the January 17, 2017 Planning Board meeting and to extend the Decision deadline until February 28, 2017. Mr. Rolle stated that staff would send a letter to the applicant informing them that Board would not accept any more requests to postpone.

2. 0, 146, 148, 152, 152R, 166 Moreland Street – Amendment to Special Permit for Cluster Subdivision (PB-2016-019)

Attorney Donald O’Neil appeared on behalf of the applicant and stated that they are still working to resolve issues with the abutter.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to postpone the item to the February 1, 2017 Planning Board meeting and to extend the Decision deadline until March 30, 2017.

3. 2 Main Street – Special Permit for Commercial Corridors Overlay District (PB-2016-044)

4. 2 Main Street - Definitive Site Plan (PB-2016-044)

Items #3, #4 were taken contemporaneously.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to allow for Leave to Withdraw without Prejudice for the petition.

5. 0 (aka Lot 6A) Salisbury Street - Definitive Site Plan (PB-2016-040)

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to postpone the application to the January 17, 2017 Planning Board meeting and to extend the Decision deadline until February 28, 2017.

6. 10 Pullman Street – Parking Plan (PB-2016-041)

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to postpone the application to the February 1, 2017 Planning Board meeting and to extend the Decision deadline until March 30, 2017.

7. 0 & 9 Hemans Street and part of 40 Milton Street - Amendment to Definitive Site Plan (PB-2016-047)

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to postpone the application to the January 11, 2017 Planning Board meeting and to extend the Decision deadline until February 15, 2017.

8. 119 Belmont Street - Definitive Site Plan (PB-2016-049)

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to allow for Leave to Withdraw without Prejudice for the application.

9. Approval Not Required Plans

a. 150 Blackstone River Road & a portion of the current Blackstone River Road Right-of-Way (public) (AN-2016-028)

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 4-0 to allow for Leave to Withdraw without Prejudice for the application.

Unfinished Business

Public Meeting

11. 25, 38 & 45 Arctic St., 1, 14 (aka 8 & 10 Plastics St.) & 23 Hygeia St., 274, 284 (aka 5 & 7 Arctic St.) & 290 Franklin St. – Definitive Site Plan (PB-2016-034)

Attorney Donald O’Neil appeared on behalf of the applicant, DOK Realty, LLC, along with Jeff Howland from JH Engineering, Robert Michaud of MDM Transportation and Larry Escoboar.

Attorney O’Neil stated that staff had raised some issues and one issues was an ANR that needed to be recorded with connection with a street removal and the ANR had been prepared and needs to be recorded.

Attorney O’Neil stated that with regard to staff’s comment about trash removal that they will have internal collection of the trash and will have trash compactors located in utility room.

Attorney O’Neil stated that they would also be requesting a waiver to not show abutters to abutters within 300 feet on the plan.

Mr. Howland stated that they have addressed the comments by DPW and the Fire Department and reviewed the loading spaces for the site.

Mr. Howland stated that the alleyway is to maintain access to the abutter, and that the garage entrance will not be used by residents.

Mr. Rolle stated that he would leave it up to the Board whether they will require a photometric plan of the lighting for the site.

Mr. Lyford stated that the applicant had done good job of addressing DPW’s concerns.

Mr. Truman stated that the Board had received a letter from CSX expressing concern about residential units being that close to the tracks.

Attorney O’Neil stated that it should be obvious to anyone renting that the apartments are next to the tracks.

Mr. Freilich asked if any soundproofing going to be done for the windows in the building. Mr. O'Neil stated that is being looked but it is obvious the railyard is right there but they are taking that consideration into their design of the building.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 4-0 to approve the request for the waiver of showing abutters to abutters within 300 feet on the plan.

Upon a motion by Mr. Freilich and seconded by Mr. Vigliotti the Board voted 4-0 to approve the Definitive Site Plan with the conditions of approval recommended by staff.

List of Exhibits:

- Exhibit A: Definitive Site Plan Application; received August 18, 2016; prepared by DOK Realty LLC.
- Exhibit B: Proposed Definitive Site Plan, Franklin Street Lofts; prepared by JH Engineering Group and; dated October 16, 2014 and revised through to November 2, 2016.
- Exhibit C: Architectural renderings with elevations and floor plans; prepared by Dimensions 2 & 3; dated May 4, 2015 (included as part of the plan set).
- Exhibit D: Definitive Site Plan Decision; signed May 25, 2007.
- Exhibit E: Amendment to Definitive Site Plan Decision; signed April 15, 2015.
- Exhibit F: DPW Comments; dated November 23, 2016.
- Exhibit G: Fire Department Comments; received September 8, 2016 and revised on November 15, 2016.
- Exhibit H: Traffic Impact and Access Study; received October 19, 2016; prepared by MDM Transportation Consultants, Inc.

12. Goddard Street – Street Petition for Discontinuance & Removal a Portion of Private Way from Official Map (ST-2016-015)

Bob Clark from Allen and Major Associates stated from the last meeting they have made two revisions to the plan and they have met with the abutter to the site and his client does not want to shut down the access they just want to remove the green strip that zoning requires to just have more efficient land.

Mr. Rolle asked DPW if easements for the utilities were already on site. Mr. Lyford stated that he believes an easement already exists.

Mr. Rolle stated for the record that he just wanted to remind the Board that remove the street from the official map does not impede the rights for people who currently have right to pass through the way.

Upon a motion by Mr. Mitra and seconded Mr. Freilich the Board voted 4-1 to allow for the Removal of a Portion of a Private Way – Goddard Street from the official map.

New Business

Public Hearing

13. 128 Chandler Street - Amendment to the City of Worcester Zoning Map (ZM-2016-003)

The petitioner seeks to amend the City of Worcester Zoning Map by extending the CCOD-E (Commercial Corridor Overlay District – Elsewhere) district to include the entire property located at 128 Chandler Street. Presently, the property is split zoned with a portion located within the CCOD-E overlay district.

Mr. Rolle stated that applicant had to leave so he would present on his behalf. Mr. Rolle stated that the request is to extend the CCOD-E overlay zoning district to encompass the entire lot, thus eliminating the split zone which would increase this overlay zoning district by approximately 19,200 SF or 0.44 acres and stated that this would not have an adverse effect on the neighborhood.

Mr. Rolle presented a letter of support from the Chamber of Commerce in support of the petition.

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

Upon Mr. Vigliotti and seconded by Mr. Mitra the Board voted 5-0 to approve the Amendment to the City of Worcester Zoning Map.

List of Exhibits

Exhibit A: Petition – Gregory T. Lano of Chandler 128 Associates LLC; referred to Planning Board on September 20, 2016.

Exhibit B: GIS Map; dated October 31, 2016; prepared by DPRS Staff.

14. 64 Beacon Street (aka 51-53 & 57-59 Jackson Street & 64-68 Beacon Street), 79 Beacon Street, 42 & 54 Jackson Street & 35 Hermon Street – Amendment to Special Permit for Adaptive Reuse Overlay District (PB-2016-045)

15. 64 Beacon Street (aka 51-53 & 57-59 Jackson Street & 64-68 Beacon Street), 79 Beacon Street, 42 & 54 Jackson Street & 35 Hermon Street – Amendment to Definitive Site Plan (PB-2016-045)

Items #14 and #15 were taken contemporaneously.

Mike Beaudry from Mooradian Associates along with Chris Lewis from Brady and Sullivan appeared on behalf of the application

Mr. Beaudry stated that this site had been previously been before the Board several times for different parts of this project and the building is 98% occupied but since the time of the original approval the applicant has acquired two additional parcels that are located at 35 Hermon Street (presently being demolished) and 54 Jackson Street (already demolished) which requires altering the parking layout and other site alterations. Mr. Beaudry reviewed the changes that would take place on the site and the parking required for the site.

Mr. Beaudry stated that they have met with DPW to address their concerns with the site.

Mr. Lyford stated that the applicant had addressed DPW's concern except for two items, all catch basins have a green trap and information on how catch basin #12 would be connected. Mr. Beaudry reviewed how those two items would be addressed.

Mr. Rolle asked that the loading requirements for the site be reviewed. Mr. Beaudry reviewed on the plans how the trucks would load and unload and where they would park.

Mr. Rolle stated that staff had a concern with the number of trees being removed and whether some other type of landscaping could be utilized for the site.

The Board stated that they agree with Mr. Rolle that they had concern about a 75% reduction in trees as that would be very high for the site.

The Board discussed with Mr. Beaudry and Mr. Lewis options for the trees and different options and was decided that applicant would provide no fewer than three (3) trees in each lot, for a total of ten (10) additional trees onsite.

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

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti the Board voted 5-0 to approve the Amendment to Special Permit - Adaptive Reuse Overlay District was approved with staff's recommended conditions of approval and waiver relief granted under Article XV, which include the following:

Article XV, Section 5.D. – Compact Spaces – Modification of the requirement to provide in excess of 25% compact car parking spaces. The amendment provides approximately 36% compact spaces.

Article XV, Section 5.D. – Loading Spaces – Relief of three additional loading spaces for Buildings A–C (four are required, one has been previously waived).

Article XV, Section 5.D. – Layout Requirements – Relief from requirement to provide a five (5) foot landscaped buffer for parking area on several portions of the site as shown on the plans (unchanged from last approval).

Article XV, Section 5.D. – Aisle Width – Relief to provide less than 24-foot parking access aisle width on Parcel 1 (64 Beacon Street), at three locations (unchanged from last approval). The amendment now shows a new non-compliant approximately 21-foot parking aisle at both the 35 Hermon Street and 54 Jackson Street parking lots.

Article XV, Section 4 – Non-Conforming Structure – Continuation of existing front, rear, and exterior side yard setback nonconformities for the existing buildings on Parcel 1 (unchanged from last approval).

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti the Board voted 5-0 to approve the Amendment to Definitive Site Plan was approved with staff's recommended conditions of approval.

List of Exhibits:

- Exhibit A: Special Permit Amendment Application; received October 24, 2016; prepared by Shane Brady, Brady Sullivan Worcester Properties LLC.
- Exhibit B: Definitive Site Plan Amendment Application; dated received October 24, 2016; prepared by Shane Brady, Brady Sullivan Worcester Properties LLC.

- Exhibit C: Layout & Materials Plan for Junction Shop Loft Apartments Site Plan Set; dated October 21, 2016; prepared by Meridian Associates.
- Exhibit D: Amendment to Special Permit Decision; signed March 2, 2012.
- Exhibit E: Amendment to Definitive Site Plan Decision; signed March 2, 2012.
- Exhibit F: Historic Building Demolition Waiver Determination – 35 Hermon Street; dated July 16, 2015.
- Exhibit G: Historic Building Demolition Waiver Determination – 49-57 Hermon Street, 51-59 Jackson Street, 62-74 Beacon Street; dated January 30, 2015.
- Exhibit H: Fire Department Comments; dated November 14, 2016.
- Exhibit I: DPW Comments; dated November 9, 2016.

Public Meeting

16. 6 Norfolk Court – Definitive Site Plan (Extension of Time) (PB-2016-043)

Carl Hultgren from Quinn Engineering appeared on behalf of the applicant, Talladage Adams, LLC. He stated that there is a title issue on the site and that they like a one year extension so the property owner can straighten that out.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich the Board voted 5-0 to allow the Extension of Time for the Definitive Site Plan with staff's recommended conditions of approval.

List of Exhibits:

- Exhibit A: Extension of Time Application for 6 Norfolk Court; received October 13, 2016.
- Exhibit B: Definitive Site Plan - 6 Norfolk Court; dated August 14, 2015; received October 13, 2016.
- Exhibit C: Definitive Site Plan Decision; 6 Norfolk Court; Signed December 9, 2015 (included in application materials).

17. 4 (aka Lot 24) Hillcroft Avenue - Definitive Site Plan (PB-2016-046)

Carl Hultgren from Quinn Engineering appeared on behalf of the item. He stated that this is for construction of a single family detached dwelling with a deck and garage.

Mr. Hultgren stated that his only concern is with staff's comment with regarding installing a fence and they would prefer to put in row of arbor vitae if required.

Mr. Lyford stated that the plan shows removal of a street tree and they would like applicant to make note on plan regarding that and the water service detail needs to be updated.

Elizabeth Knott, abutter to the property, expressed concerns about the slope on the property and how silt from site runs off into the street and concerns about off street property.

Dermott O'Donnell expressed concern about water coming from the site.

Mr. Hultgren explained how they would control water on the site. After discussion Mr. Freilich stated that it seems that what is being proposed should help with controlling the water on the site.

Mr. Hultgren requested waiver for labeling abutters to abutters within 300 feet of the property.

Upon a motion by Mr. Freilich and seconded by Mr. Vigliotti the Board voted 5-0 to approve the waiver for labeling abutters to abutters within 300 feet of the property.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 5-0 to approve the Definitive Site Plan with staff's recommended conditions of approval.

List of Exhibits:

Exhibit A: Definitive Site Plan Application; received October 28, 2016; prepared by Van Nguyen.

Exhibit B: Definitive Site Plan; dated October 24, 2016; prepared by Quinn Engineering, Inc.

Exhibit C: Variance – Findings of Fact and Decision; Date received at City Clerk September 20, 2016; Book 56161, Page 51 (included in application materials).

Exhibit D: DPW Comments; dated November 30, 2016.

18. 0 (aka 47 & 49) Eustis Street - Definitive Site Plan (PB-2016-050)

Jeff Howland from J.H. Engineering appeared upon behalf of the application. He stated that this for the construction of a single-family semi-detached dwelling (duplex) along with four off-street parking spaces and associated drainage, grading, paving, site work, and landscaping. Mr. Howland stated that they had received prior approval from the Board but it expired on May 6, 2016 and this is the same proposal that was previously approved.

Mr. Howland stated that they are requesting a waiver from labeling abutters to abutters within 300 feet.

Mr. Lyford stated that the plan shows a planting in middle of the right away and DPW would like that removed. Mr. Howland stated that would not be a problem.

Daniel Romero, abutter to the property, expressed concern about the fence and the retaining wall on the property and whether an easement would be necessary for his property as it would be near his patio.

Mr. Freilich and Mr. Truman pointed out that area Mr. Romero was talking about is actually on the applicant's property.

Jimmy John, the owner of the property, stated that they have surveyed the property but can work with the abutter to resolve the issue.

Mr. Freilich stated that he understands Mr. Romero concerns but he should work the owner of the property as this is a civil matter and not before this Board.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 5-0 to approve the waiver for labeling abutters to abutters within 300 feet.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 5-0 to approve the Definitive Site Plan with staff's recommended conditions of approval.

List of Exhibits:

Exhibit A: Definitive Site Plan Application; received November 15, 2016; prepared by J.H. Engineering Group LLC.

Exhibit B: Definitive Site Plan; dated November 15, 2016; prepared by J.H. Engineering Group LLC

Exhibit C: Definitive Site Plan Decision; signed May 6, 2015.

Exhibit D: DPW Comments; dated November 30, 2016.

Other Business

19. Approval Not Required (ANR) Plans

- a. 22 Eskow Road (private) (AN-2016-045)

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

- b. 692 Millbury Street & McKeon Road (Blackstone Gateway Park) (public) (AN-2016-046)

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

20. Communication

21. Endorse Frontage Subdivision mylar for 22 (Lot 4) & 24 (Lot 5) Northboro Street

Ms. Tatasciore stated that applicant did not submit mylar on time so item will be on for the next Planning Board meeting.

22. Signing of Decisions from prior meetings

Adjournment

8:05 p.m.