

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

June 5, 2013

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present: Andrew Truman, Chair
Stephen Rolle, Vice Chair
Satya Mitra, Clerk
Robert Ochoa-Schutz

Planning Board Members Absent: None

Staff Present: Joel Fontane, Division of Planning & Regulatory Services (DPRS)
Marlyn Feliciano, Division of Planning & Regulatory Services
Katie Donovan, Department of Inspectional Services
K. Russell 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 5:40 P.M.

APPROVAL OF THE MINUTES:

Upon a motion by Mr. Rolle and seconded by Mr. Ochoa-Schutz, the Board voted 4-0 to approve the minutes for April 3, 2013 with no edits.

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

1. **525 (aka 525-545) Lincoln Street (Lincoln Plaza) – Special Permit for Comprehensive Sign Plan Approval (PB-2013-007)**

Mr. Truman stated that the applicant submitted a request a postponement to the August 28, 2013 meeting. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the postponement to August 28, 2013.

List of Exhibits.

- Exhibit A: Special Permit for Comprehensive Sign Plan Approval; received February 13, 2013; prepared by Trustees of Clark University.
- Exhibit B: Partial Site Plan – Existing Tenant Locations, Lincoln Plaza, Worcester, MA; dated February 12, 2013; prepared by Dana F. Perkins, Inc.
- Exhibit C: Photographs of existing permanent signage in site with dimensions (application packet).
- Exhibit D: Building Key Plan (Exhibit A of the application packet).
- Exhibit E: Summary of wall sign and freestanding sign dimensions (application packet)
- Exhibit F: Application requirement waiver request; submitted by Michael Maurello; e-mail dated March 14, 2013.
- Exhibit G: Summary of freestanding sign dimensions compiled by staff.
- Exhibit H: Building Key Plan marked up by staff summarizing tenants and freestanding sign location and size.
- Exhibit I: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 525 (aka 525-545) Lincoln Street (Lincoln Plaza) - Special Permit for Comprehensive Sign Plan Approval (PB-2013-007); March 15, 2013.
- Exhibit J: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 525 LINCOLN STREET; Special Permit – PB-2013-007; dated March 14, 2013.
- Exhibit K: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Zoning Board of Appeals; re: 525 (aka 525-545) Lincoln Street (ZB-2012-049); dated August 24, 2012, last revised January 23, 2013.
- Exhibit L: Request for postponement and extension of the public hearing deadline to June 5, 2013; dated April 1, 2013; received April; 3, 2013.

2. **501 & 509 Salisbury Street – Cluster Zoning Special Permit (PB-2013-011) and Definitive Site Plan Approval (PB-2013-011A)**

Mr. Truman stated that the applicant requested a postponement in writing to the June 26, 2013 meeting. Upon a motion by Mr. Ochoa-Schutz and seconded by Mr. Rolle, the Board voted 4-0 to approve the postponement to June 26, 2013.

List of Exhibits.

- Exhibit A: Definitive Site Plan, Definitive More Than One Building on a Lot, and Special Permit Application; received February 28, 2013; prepared by Brookside Gardens, Inc.
- Exhibit B: Definitive Site Plan of Land; dated January 25, 2013, revised February 25, 2013 and March 12, 2013 and revised on April 16, 2013; prepared by Quinn Engineering.

- Exhibit C: Architectural Roof Plans, Elevations & Sections; dated June 8, 2012; and revised on April 22, 2013; prepared by Theodhosi & Michael Architecture and Design.
- Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 501 & 509 Salisbury Street – Definitive Site Plan Approval (PB-2013-011A) and Cluster Zoning Special Permit (PB-2013-011); dated April 3, 2013; revised on April 19, 2013 and April 24, 2013.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 501 & 509 Salisbury Street Special Permit – PB-2013-011; re: 501 & 509 Salisbury Street Definitive Site Plan – PB-2013-011A; re: 501 & 509 Salisbury Street More Than One Building on a Lot – PB-2013-011B; dated March 14, 2013; and revised on April 23, 2013.
- Exhibit F: Letter from Quinn Engineering, Inc. to Planning Board; re: Special Permit/Site Plan 501 & 509 Salisbury Street; dated April 3, 2013.
- Exhibit G: Definitive Plan – More Than One Building on a Lot Application; received April 4, 2013; prepared by Brookside Gardens, Inc.
- Exhibit H: Letter from Donald J. O’Neil to Andrew Truman; re: 501 & 509 Salisbury Street (1987 Order of Conditions); dated April 22, 2013.
- Exhibit I: Project Review Form from the City of Worcester Fire Department; date received April 23, 2013.
- Exhibit J: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Conservation Commission; re: 501 & 509 Salisbury Street – Notice of Intent (CC-2013-018)); dated May 10, 2013; revised on May 30, 2013.

UNFINISHED BUSINESS:

Public Hearing

3. 0 Sarah Drive (aka Bittersweet Boulevard – Arboretum Village Subdivision – Phase IV) – Definitive Subdivision Amendment (PB-2013-010)

Cynthia Ramos was the ASL interpreter for this item.

Attorney George Kiritsy requested a continuance of this item to the June 26, 2013 meeting in order to have additional time to produce plans. Mr. Kiritsy stated that after the last meeting they realized that they needed a lot more field work than what they had already done in terms of the present conditions on the site. The redesign will encompass land much further down the road.

Mr. Kiritsy stated that there were revised plans submitted but they received comments that the plans need to be rescaled. They expect to be able to submit the revised plans by June 12 and be able to present to the Board on June 26.

Mr. Truman asked if the applicant was sure that they will be ready to proceed on June 26, 2013.

Mr. Kiritsy stated that he was sure.

Mr. Adams stated that they might have more comments once the revised plans are submitted. The DPW memo stated only the two comments regarding the scaling and the maximum slope because the plan was too dense to review more in depth.

Nicole Reeves Lavallee, attorney representing James Bisceglia, 54 Honeysuckle Ave, stated that there are many people here to represent their interest in the matter. She stated that she was concerned with the deterioration of the wall and the damage it was causing to her client's property. Also, Mr. Bisceglia is paying for her time to be present and the City is paying for the interpreter, therefore she stated she was against granting them the continuance.

Mr. Traynor stated that it is a civil matter and that it is between the private property owner and the developer.

Mr. Truman stated the Board was frustrated with the number of postponements and continuances.

Mr. Mitra emphasized that a delay should not occur again.

Mr. Kiritsy stated that his client was anxious to get this resolved so they will move forward on June 26, 2013.

Upon a motion by Mr. Rolle and seconded by Mr. Ochoa-Schutz, the Board voted 4-0 to approve the continuation to June 26, 2013.

List of Exhibits.

- Exhibit A: Definitive Site Plan Application; received August 8, 2012; prepared by Arboretum Village LLC.
- Exhibit B: Arboretum Bittersweet Boulevard Definitive Site Plan in Worcester, MA Plan; dated July 24, 2012; revised on October 15, 2012 (sheets 1-5 & 7) and December 4, 2012 (sheet 6) and revised on February 11, 2013, prepared by HS&T Group, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 0 Sarah Drive (MBL 29-11A-00090) Arboretum Phase IV (Bittersweet Boulevard) – Definitive Site Plan – Lots 81-92, 112-116, 18 dated September 19, 2012 (revised on September 27, 2012, October 19, 2012, November 9, 2012, December 7, 2012 January 11, 2013, February 22, 2013, and March 15, 2013, March 29, 2013, and June 4, 2013).
- Exhibit D: Letter from Inspectional Services Commissioner, John Kelly to Mr. Gallo dated October 3, 2012.
- Exhibit E: Letter from Arthur Allen of EcoTec, Inc. dated October 11, 2012.
- Exhibit F: Request for Postponement Form dated November 14, 2012, dated February 22, 2013.
- Exhibit G: Fire Department comments from Deputy District Chief Ed Thomas dated January 9, 2013.
- Exhibit H: Letter from Lesley Wilson, HS&T Group, Inc.; Re: Arboretum – Phase 4 Amendment to definitive subdivision plans; dated February 11, 2013.
- Exhibit I: Letter from Brian Dorwart of Brierley Associates; Subject: Arboretum – Bittersweet Boulevard Slope Assessment, Worcester, MA; dated February 6, 2013.

- Exhibit J: Arboretum – A Definitive Subdivision in Worcester, Massachusetts; dated June 30, 2009; received on February 14, 2013; sheets 1-13 approved plans.
- Exhibit K: Arboretum – A Definitive Subdivision in Worcester, Massachusetts; sheets 1 - 13 dated June 30, 2009; revised on February 11, 2013; revised on April 4, 2013; received on April 22, 2013.
- Exhibit L: Memorandum from Department of Public Works; Re: Arboretum IV – Definitive Subdivision – PB-2013-010; dated March 14, 2013.
- Exhibit M: Memorandum from Department of Public Works; re: Arboretum IV – Revised Definitive Subdivision PB-2013-010; dated May 13, 2013.
- Exhibit N: Letter from Lesley Wilson, HS&T Group, Inc.; Re: Arboretum – Phase 4 Amendment to definitive subdivision plans; dated May 1, 2013.

Public Meeting

4. 1413 Grafton Street - Definitive Site Plan Approval (PB-2013-014)

Chris Keenan, Quinn Engineering, introduced the applicant, Jack Richards and stated that this was continued to allow the Zoning Board to approve the three special permits for the site. They were approved on May 20, 2013 with conditions and they are back before the Board to close the public hearing.

Mr. Fontane stated that they did receive revised plans and staff did state that there were no additional changes needed but he asked the Board to vote it with the conditions of approval. If all of them were fulfilled then the decision would be released to the applicant right away.

Upon a motion by Mr. Mitra and seconded by Mr. Ochoa-Schutz, the Board voted 4-0 to approve the Definitive Site Plan for 1413 Grafton Street with the condition noted in the DPRS memo of May 14, 2013, updated May 31, 2013.

List of Exhibits.

- Exhibit A: Definitive Site Plan Application; received March 19, 2013; prepared by 1413 Grafton Street Realty Trust.
- Exhibit B: Definitive Site Plan; dated March 15, 2013; prepared by Quinn Engineering, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 1413 Grafton Street – Definitive Site Plan Approval; dated May 14, 2013, revised May 31, 2013.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 1413 Grafton Street – Definitive Site Plan - Revised– PB-2013-014; dated May 8, 2013.
- Exhibit E: Comments from the Fire Department; re: 1413 Grafton Street – Definitive Site Plan - Revised– PB-2013-014; dated May 8, 2013.
- Exhibit F: Supplemental – Elevations & Exterior Finish Schedule; dated July 1, 2012; prepared by C.L. Holt Architect, Inc.; Definitive Site Plan; dated March 13, 2013; prepared by Quinn Engineering, Inc.

5. **184 Highland Street – Definitive Site Plan Approval (PB-2013-012)**

Mr. Fontane recommended postponement of the Definitive Site Plan for 184 Highland Street, because the applicant has informed staff that the abutting parcel at 2 Einhorn Street has been purchased by the owner and the plans will be consequently amended. Upon a motion by Mr. Ochoa-Schutz and seconded by Mr. Mitra, the Board voted 4-0 to postpone it to June 26, 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; 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.
- 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.

6. **428 Shrewsbury Street - Parking Plan Approval (PB-2013-018)**

Chris Keenan, Quinn Engineering, introduced the applicant, Frank Fechner, and the project architect, Dan Benoit. Mr. Keenan stated that the applicant is proposing to construct an addition to the existing professional offices building and to make changes to the parking lot which required parking plan approval. There is an existing 13 spaces in the parking lot. The proposal is to restripe and extend that parking lot to accommodate 16 spaces in order to be compliant.

The garage will be renovated to become professional office space as well. They had previously postponed the item to allow the Zoning Board to hear the matter; the special permit was approved.

Mr. Adams commented that they had submitted a comment that the aisle width should be 24' wide but because this is a pre-existing non-conforming parking lot, it doesn't apply.

Mr. Keenan stated that part of the relief from the ZBA was to allow relief from the aisle requirement.

Mr. Fontane stated that he respectfully recommends approval of the Parking Plan with a condition that 6 copies of final revised plans are submitted to the Division of Planning & Regulatory Services prior to release of the decision with the missing annotations (as listed in the memo); and ZBA relief granted and conditions of approval noted.

Karen Solitro, on behalf of Maria Piracci, 436 Shrewsbury St resident, introduced Ms. Piracci's brother, Antonio Piracci, who has a power of attorney to speak on behalf on his sister, stated that Ms. Piracci was concerned that the expansion might create more traffic and be a safety hazard for the children that live there since there is no setback.

Mr. Keenan stated that the addition would not add to the non-conformity and that the abutter's home will be further shielded by the addition from the vehicles in the parking lot.

Mr. Rolle asked if there is screening proposed. Mr. Keenan stated that there are shrubs proposed and an existing 4 ft chain-link fence.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the parking plan with the conditions and labeling required in the DPRS memo.

List of Exhibits.

- Exhibit A: Parking Plan Application; received March 21, 2013; prepared by Frank Fechner.
- Exhibit B: Parking Plan; dated March 20, 2013; Landscaping Sheet revised May 10, 2013; prepared by Quinn Engineering, Inc; titled "Definitive Site Plan".
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 428 Shrewsbury Street (PB-2013-018) – Parking Plan Approval; dated May 14, 2013.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 428 SHREWSBURY STREET, Parking Plan – PB-2013-018; dated May 13, 2013.

7. 75 Grove Street – Insubstantial modification to Definitive Site Plan Approval (Priority Site Development - Article XVIII, Section (2)(B)) (PB-2013-020)

Todd Brodeur, Attorney at Fletcher Tilton in Worcester, representing 75 Grove Street LLC, stated that a triangular portion of Lancaster Street was approved last night by City Council to be abandoned. The city has agreed to deed that portion to WPI retaining utility easements. The parcel will be added to the dorm that is being constructed at 75 Grove Street. Mr. Brodeur stated that the changes are to adjoin the parcel, add landscaping feature such as grass, pavers, benches, crosswalks, etc. for the triangular parcel that is being deeded to them.

Mr. Fontane stated that he recommended approval and noted that the ANR will be before the board later in the agenda.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the definitive site plan amendment as submitted.

List of Exhibits.

- Exhibit A: Definitive Site Plan Amendment Application; received May 10, 2013; prepared by Worcester Polytechnic Institute.
- Exhibit B: Definitive Site Plan Amendment; dated April 18, 2012; prepared by Daniel O'Connell's Sons, Inc. and Beals & Thomas.
- Exhibit C: Planning Board's Report to the City Council regarding Removal of a Portion of Lancaster Street; dated September 26, 2013.

Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 75 Grove Street (PB-2013-020) - Definitive Site Plan Amendment (Priority Site Development - Article XVIII, Section (2)(B)); dated May 14, 2013.

OTHER BUSINESS:

8. Approval Not Required (ANR) Plans

- **4 Lebanon Street Pocasset Street (AN-2013-027) (public)**

Mr. Fontane stated that this property was on a public way, the purpose is to divide the lot to create three lots. It will have the sufficient frontage of 65' and it is endorsable. Upon a motion by Mr. Rolle and seconded by Mr. Ochoa-Schutz, the board voted 4-0 to endorse.

- **112 Sachem Avenue (AN-2013-028) (public)**

Mr. Fontane stated that this was in the RS-7 zone, on a public way. The purpose is to subdivide it into two lots; each lot will have 100' of frontage meeting the required 65'. The existing building will be demolished. Mr. Fontane recommended endorsement. Upon a motion by Mr. Mitra and seconded by Mr. Rolle, the board voted 4-0 to endorse.

- **41 Providence Street (AN-2013-029) (public)**

Mr. Fontane stated that this ANR was on a public way, has sufficient frontage, and is endorsable. Upon a motion by Mr. Ochoa-Schutz and seconded by Mr. Rolle, the board voted 4-0 to endorse.

- **75 Grove Street (AN-2013-030) (public)**

Mr. Fontane stated that this is the corresponding ANR to the previous insubstantial modification to Definitive Site Plan for the purposes that were already discussed. The parcel is on the public way and will be conveyed to the adjoining parcel. Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the board voted 4-0 to endorse.

9. Decisions from prior meetings – The decisions for 70 Elm Street, 230 Park Avenue, and 0 Pocasset St were signed at this meeting.

Mr. Fontane stated that Mr. Mitra was re-appointed by the City Manager for an additional five years. He also informed the board that a District 3 member was appointed; his name is John Vigliotti and he will begin at the next meeting.

ADJOURNMENT:

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted to adjourn the meeting at 6:15 p.m.