

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

July 11, 2018

LEVI LINCOLN CHAMBERS

Planning Board Members Present: John Vigliotti, Vice Chair
Satya Mitra
Albert LaValley

Absent Members: Andrew Truman, Chair
Paul DePalo

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

Approval of Minutes:

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to approve the minutes of June 13, 2018.

Requests for Continuances, Extensions of Time, Postponements, Withdrawals

- 1. 47R Fourth Street – Special Permit for Cluster Zoning (PB-2018-023)**
- 2. 47R Fourth Street – Definitive Site Plan (PB-2018-023)**

Items #1, #2 were taken contemporaneously.

Upon a motion by Mr. Mitra and seconded by Mr. LaValley the Board voted 3-0 to continue the Special Permit for Cluster Zoning and Definitive Site Plan to the August 1, 2018 Planning Board meeting and to extend the decision deadline to August 30, 2018.

- 3. 11 Nathaniel Court (aka 80 Southwest Cutoff) - Definitive Site Plan (PB-2018-018)**

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to continue the Definitive Site Plan to the August 1, 2018 Planning Board meeting and to extend the decision deadline to August 30, 2018.

- 4. Lots 66L, 66R, 67L & 67R Honeysuckle Road – Definitive Site Plan (PB-2018-024)**

Upon a motion by Mr. Mitra and seconded by Mr. LaValley the Board voted 3-0 to continue the Definitive Site Plan to the August 1, 2018 Planning Board meeting and to extend the decision deadline until August 30, 2018.

5. Zoning Map Amendment – 50 Harding Street (ZM-2018-004)

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to allow for Leave to Withdraw for the Zoning Map Amendment petition, per the petitioner's request.

6. Malden Woods – Definitive Subdivision Plan Amendment (PB-2018-026)

7. Malden Woods – Definitive Site Plan (PB-2018-026)

Items #7, #8 were taken contemporaneously.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to postpone the Amendment to Definitive Subdivision Plan & Definitive Site Plan to the August 1, 2018 Planning Board meeting and to extend the decision deadline to August 30, 2018.

8. 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. Mitra the Board voted 3-0 to postpone the Special Permit Amendment for a Continuing Care Retirement Community to the August 1, 2018 Planning Board meeting and to extend the decision deadline to August 30, 2018.

9. 30 & 32 (aka Lot 2) Chiltern Hill Drive – Definitive Site Plan (PB-2018-032)

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to postpone the Definitive Site Plan to the August 1, 2018 Planning Board meeting and to extend decision deadline to August 30, 2018.

10. 30 & 32 (aka Lot 3) Chiltern Hill Drive – Definitive Site Plan (PB-2018-033)

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to postpone the Definitive Site Plan to the August 1, 2018 Planning Board meeting and to extend the decision deadline to August 30, 2018.

11. 30 & 32 (aka Lot 4) Chiltern Hill Drive – Definitive Site Plan (PB-2018-034)

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to postpone the Definitive Site Plan to the August 1, 2018 Planning Board meeting and to extend the decision deadline to August 30, 2018.

12. 7 (aka 9) & 17A North Street – Parking Plan Amendment (PB-2018-025)

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to postpone the Parking Plan Amendment to the August 1, 2018 Planning Board meeting and to extend the decision deadline to August 30, 2018.

13. 1 Davis Way – Definitive Site Plan (PB-2018-038)

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to postpone the Definitive Site Plan to the August 1, 2018 Planning Board meeting and to extend the decision deadline to August 30, 2018.

14. 30 & 32 Chiltern Hill Drive (public) & Aylesbury Road (public) (AN-2018-024)

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to postpone the ANR to the August 1, 2018 Planning Board meeting and to extend the decision deadline to August 30, 2018.

15. 513 Burncoat Street (public) (AN-2018-032)

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to allow for Leave to Withdraw for the ANR.

New Business

16. 316 Shrewsbury St (aka 48 & 50 Wilson Street) – Special Permit for CCOD (PB-2018-028)

17. 316 Shrewsbury St (aka 48 & 50 Wilson Street) – Definitive Site Plan (PB-2018-028)

Items #16 and #17 were taken contemporaneously.

Applicant Selim Lahoud presented his application and stated that he is seeking to renovate the existing buildings and convert it into a 14-unit multi-family dwelling with associated parking and site work located at 316 Shrewsbury Street & 50 Wilson Street and reviewed the plans for the site.

Mr. Lahoud stated that they do have the required parking for the site and stated that he is just waiting the Board's approval so he can apply for a building permit.

Mr. Rolle asked Mr. Lahoud to review the buffer for the parking lot.

Mr. LaValley asked Mr. Lahoud to review where the bicycle storage would be.

Mr. Lahoud requested a Leave to Withdraw for the Special Permit for CCOD.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to allow for Leave to Withdraw for the Special Permit for CCOD.

Upon a motion by Mr. LaValley, and seconded by Mr. Mitra, the Board voted 3-0 to allow a waiver to not show abutters to abutters on the plan.

Upon a motion by Mr. Mitra and seconded by Mr. LaValley the Board voted 3-0 to approve the Definitive Site Plan with conditions outlined in staff's memo and DPW conditions as well as condition that a three foot landscape buffer adjacent to the parking spaces abutting Shrewsbury Street be installed and that the revised plans be submitted that reconcile the elevations with the plans.

List of Exhibits:

Exhibit A: Definitive Site Plan & Special Permit – CCOD Application; received May 10, 2018; Graves Engineering, Inc.

Exhibit B: Plan of Land; dated May 9, 2018; prepared by Graves Engineering.

Exhibit C: Floorplans; dated June 26, 2018; prepared by AA Design Services LLC.

Exhibit D: Supplemental Information Narrative Regarding Ventilation & Product Information; dated July 2, 2018; prepared by Graves Engineering, Inc.

Exhibit E: Fire Department Comments; dated July 2, 2018

- 19. The Village at Burncoat Heights - Definitive Subdivision Plan Amendment – Extension of Sunset Date (PB-2018-040)**
- 20. Vote to accept Subdivision Performance Agreement & Conditional Release of Restrictive Covenant - The Village at Burncoat Heights Definitive Subdivision**

Items #19, #20 were taken contemporaneously.

Pat Harrington appeared upon behalf of the item and stated that he needs to file the amendment in order to extend the sunset date.

Ms. Tatasiore presented a brief history of the project and stated that the Village at Burncoat Heights Definitive Subdivision, consisting of 10 duplex lots, was approved (5-0) on July 17, 2013 with a sunset/expiration date of July 17, 2018. The subdivision is secured by a Restrictive Covenant, with a work completion date of July 17, 2018, and is recorded at the Registry of Deeds in Book 52883, Page 244. There is currently no Subdivision Performance Agreement in place.

On April 12, 2017, the Planning Board endorsed an ANR plan that created 2 additional duplex lots, thus increasing the number of lots from 10 to 12. On April 11, 2018, the Planning Board endorsed an ANR plan that split each duplex lot into single-family semi-detached lots, thus increasing the number of lots from 12 to 24.

This subdivision approval is set to expire on July 17, 2018. The applicant filed the request to extend this sunset date, via this subdivision amendment, on June 8, 2018. On May 23, 2018, the Planning Board voted to extend the work completion date to July 17, 2019 for the completion of the subdivision.

Because the required improvements will not be completed by the sunset date on July 17, 2018, the applicant is requesting that the Planning Board retroactively waive the provisions of Section VI(I)(2) of the Worcester Subdivision Regulations and is requesting that the Board establish a new sunset date of July 17, 2019.

Abutter Michael Reinia, 604 Burncoat Street, stated that he had concerns about how long the project has been taking and reviewed this issues he has with the site and hopes the problems at the site do not continue as it has been over six years and hopes the Board can do something to make sure the applicant is doing what is required to finish the project.

Mr. Harrington stated that in past few months they have made a lot of progress on the project and want to complete the project quickly and do not want to inconvenience the abutters any more than they have too and if an abutter is having a problem he is happy to talk to them.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to approve the defintivie subdivision amendment with a new sunset extension to July 17, 2019.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 accept the Subdivision Performance Agreement & Conditional Release of Restrictive Covenant for all lots.

List of Exhibits:

Exhibit A: Definitive Subdivision Plan Application; received June 12, 2018; prepared by Patrick Harrington.

Exhibit B: Village at Burncoat Heights Plan; dated March 22, 2018; prepared by CFS Engineering.

21. 190 & 192 Brookline Street Ext. - Definitive Subdivision Plan Amendment (PB-2018-041)

Attorney Donald O’Neil and professional land surveyor Robert O’Neil, along with Scott Barrows, appeared upon behalf of the application. Attorney O’Neil stated that the applicant is requesting, per the request by DPW that the relocation of one (1) existing overhead pole be permitted in the subdivision.

Mr. Lyford stated that the plan shown wires are overhead and DPW recommends that all wires be placed underground.

Mr. LaValley asked why DPW recommends underground. Mr. Lyford stated it for protection of residents as it safer to have the utilities underground.

Attorney O’Neil stated that the entire street currently has overhead wires.

Scott Barrow reviewed on the plans the wires currently on the site.

Mr. LaValley asked if any discussion had taken place with National Grid regarding the wires.

Mr. Rolle stated that staff would need to investigate further to see what the status was of the utilities and why some are above ground and would need to see if a waiver was granted for that.

Mr. Vigliotti stated that he would like information before he votes.

The applicant and DPW discussed the type of material for the pole on the site.

Mr. Rolle stated that if the item was to be continued he would suggest the applicant meet with DPW to discuss their concerns.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to continue the Definitive Subdivision Plan Amendment to the August 1, 2018 Planning Board meeting.

List of Exhibits:

Exhibit A: Definitive Subdivision Plan Application; received June 15, 2018; prepared by Attorney Donald O’Neil.

Exhibit B: Definitive Subdivision Plan; dated October 10, 2016 and revised through to May 8, 2018; prepared by Robert D. O’Neil, Jr.

Exhibit C: Certificate of Approval; dated April 12, 2017.

22. 122 Woodland Street – Definitive Site Plan (PB-2018-037)

Attorney Joshua Lee Smith appeared upon behalf of the applicant, Clark University and stated that the applicant seeks to raze the existing garage and construct a new 1-story academic building and reviewed the plans for the site.

Attorney Smith stated that the applicant will work with DPW regarding the condition to provide separate water and sewer connections for proposed studio into Woodland Street.

The Board and Attorney Lee discussed what the final conditions for the utilities would be for the site.

Attorney Beaton stated that since DPW was not available last week to meet with the applicant and the plan submitted does not meet DPW standards that it might be better to continue the item to the next Planning Board meeting so the applicant has time to meet with DPW to address this issue.

The Board took a four minute recess.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to continue the Definitive Site Plan to the August 1, 2018 Planning Board meeting.

List of Exhibits:

- Exhibit A: Definitive Site Plan Application; received May 31, 2018; prepared by Trustees of Clark University.
- Exhibit B: Definitive Site Plan; dated May 30, 2018; prepared by Graves Engineering, Inc.
- Exhibit C: Letter from ISD to Applicant's Attorney; dated May 30, 2018.
- Exhibit D: Rendering with elevations and floorplans; dated May 23, 2018; prepared by Dixon Salo Architects Inc.

23. 79 & 81 Gold Star Boulevard – Parking Plan (PB-2018-039)

Engineer Austin Turner, along with John Scirber appeared upon behalf of the applicant, Lisciotti Development Corporation, and stated that the applicant seeks to demolish the existing structures and to construct a commercial structure, to be used for retail and a clinic use. He reviewed the plans and the parking for the site and stated that they have gone before the Zoning Board of Appeals and have received their approval.

Staff expressed concern about where the landscaping would be located on the site.

Diane Mahland stated they have the Harr Dealership across the street and expressed concern about the driveway planned for the site on Gold Star Blvd. and stated that it would create more traffic problems as the proposed exit will be very close to the abutting bank exit. She also expressed concern about the parking load in the area and that asked that the Board takes that into consideration.

Gordon Dick stated he owned the cleaners in the area and asked if there were any environmental issues on the site and expressed concerns that once the construction begins that a lot of dust will be blowing off the site.

Mr. Turner stated that an environmental assessment has been done for the property and has been documented appropriately with the DEP. Mr. Dick stated that he believed the item was still open with DEP.

Mr. Scriber stated that he be happy to provide the Board with the documentation from DEP.

Mr. Vigliotti stated that when the applicant applies for permits all those issues would need to be addressed.

Mr. Vigliotti stated that he would have concern about the exit/entrance off Gold Star Boulevard and asked if anyone had considered that just being only an entrance.

Mr. Rolle stated that in this case staff thought it would be better to have the two means of egress.

Upon a motion by Mr. LaValley, and seconded by Mr. Mitra, the Board voted 3-0 to approve the waiver to not label abutters to abutters on the plan.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to approve the Parking Plan with conditions outlined in staff's memo and DPW's memo and the additional condition that trees would be to the northerly side of the curb cut on Gold Star Boulevard.

List of Exhibits:

- Exhibit A: Parking Plan Amendment Application; received June 7, 2018; prepared by the applicant.
- Exhibit B: Parking Plan; dated June 7, 2018; prepared by Bohler Engineering.
- Exhibit C: Rendering & Elevations; received June 7, 2018; prepared by BKA Architects.
- Exhibit D: Site Development Traffic Memorandum; dated June 7, 2018; prepared by Bohler Engineering.
- Exhibit E: Drainage Report; dated June 7, 2018; prepared by Bohler Engineering.

Other Business

24. Street Petition – Agrand Street – Discontinue Public Street (ST-2018-006)

Mr. Lyford stated that the street only services one abutter, Rand-Whitney, and they are requesting to discontinue the public street and DPW would recommend approval in addition to the retention of the utility easements.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to approve the street petition for Agrand Street with the retention of the utility easements.

25. Street Petition – Brookside Avenue – Private Street Conversion (ST-2018-007)

Mr. Lyford stated that the Brookside Avenue does not have drainage in the street so DPW would need more time to investigate the street before they could provide a recommendation.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to continue the Street Petition to the September 12, 2018 Planning Board meeting.

26. Vote for Conditional Release of Restrictive Covenant – 128 Alvarado Definitive Subdivision

Patrick Harrington petitioned the board for a conditional release of the restrictive covenant for all lots, contingent upon the receipt of a subdivision performance agreement.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to approve the conditional release of the restrictive covenant for all lots, contingent upon the receipt of a subdivision performance agreement.

27. Vote to Release Subdivision Performance Agreement – Papagni Estates Definitive Subdivision

Ms. Beaton stated that the road has been completed but the performance agreement on file was never released by the developer and they have confirmed with DPW that the city is not holding a bond.

Upon a motion by Mr. LaValley and seconded by Mr. Mitra the Board voted 3-0 to approve the release of the subdivision performance agreement.

28. Mylar Endorsement:

- a. 14 & 16 Coburn Avenue Frontage Subdivision - Endorsed
- b. 5 (aka 3A & 3B) Havana Road Frontage Subdivision - Endorsed

29. Approval Not Required Plans (ANR)

- a. 121 & 125 Shrewsbury Street (public) (AN-2018-033)

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

- b. 496 Hamilton Street (public) (AN-2018-034)

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

- c. Chino Avenue (public) & 8 Boylston Street (public) (AN-2018-035)

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

- d. 12L & 12R Crillon Road (private) (AN-2018-036)

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

- e. 3A & 3B Corrine Street (private) (AN-2018-037)

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

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

30. Communication

31. Signing of Decisions from prior meetings

Adjournment

Upon a motion the Board voted 3-0 to adjourn the meeting at 8:14 p.m.