

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

February 1, 2017

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present: Andrew Truman, Chair
Satya Mitra, Vice-Chair
John Vigliotti
Andrew Freilich
Barbra Caramody

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

Board Site Views

Approval of Minutes:

Call to Order – 5:30 pm

Requests for Continuances, Extensions of Time, Postponements, Withdrawals

1. Nebraska Street – Special Permit for Commercial Corridors Overlay District (PB-2017-001)

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 5-0 to continue the item until the March 1, 2017 Planning Board meeting.

2. 0, 20, 34, & 36 Washington Square (aka 123 Summer Street) - Special Permit for Commercial Corridors Overlay District (PB-2017-004)

3. 0, 20, 34, & 36 Washington Square (aka 123 Summer Street) – Parking Plan (PB-2017-004)

Items #2, #3 were taken contemporaneously.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 5-0 to postpone the item until the March 1, 2017 Planning Board meeting and extend Decision deadline until April 30, 2017.

4. 0 (aka Lot 6A) Salisbury Street - Definitive Site Plan (PB-2016-040)

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 5-0 to postpone the item until the March 22, 2017 Planning Board meeting and extend Decision deadline until April 30, 2017.

5. 10 Pullman Street – Parking Plan (PB-2016-041)

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

6. 0 & 9 Hemans Street and part of 40 Milton Street - Amendment to Definitive Site Plan (PB-2016-047)

Patrick Burke from H.S.& T. appeared upon behalf of the item and stated that they are working on architectural drawings for the site.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 5-0 to postpone the item until the March 1, 2017 Planning Board meeting and extend Decision deadline until April 30, 2017.

Unfinished Business

Public Hearing

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

Patrick Burke from H.S.&T. appeared on behalf of the application Mr. Burke stating that they are looking to construct 8 single-family semi-detached dwellings.

Mr. Burke stated that they are looking for a waiver for the sidewalk at the end of the cul de sac and from showing abutters to 300 feet of the site.

Ms. Tatasciore asked Mr. Burke about fencing for the property. Mr. Burke stated that they are open to recommendations about the fence.

Michael Frongillo, abutter to the property, stated that that there are some open items on this application at the Conservation Commission so he would request the Board hold off on their decision until Conservation Commission meeting has completed its decision as neighbors do not want to see the wetlands in the area getting bigger. Mr. Burke stated that they have met the Storm water standards required by the Conservation Commission and reviewed the drainage for the site.

Timothy Moynagh, abutter to the property, expressed concerns about the road access on the site.

Jerry Cox, President of the Ecotarium, abutter to the property, expressed concern that drainage from this property could cause drainage problems on their site.

A discussion was held about what type of fence would be installed and was recommended that a minimum that a black vinyl coated fence be used.

Upon a motion Mr. Freilich and seconded by Mr. Mitra the Board voted 4-0 to close the public hearing.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 4-0 to approve the waivers requested.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra the Board voted 4-0 to approve the Definitive Subdivision with conditions listed in staff's memo and that the chain link fence shall be black coated vinyl.

List of Exhibits:

Exhibit A: Definitive Subdivision Plan Application; received June 9, 2016; prepared by Cesmir Spiro.

Exhibit B: Kiara Drive (aka 770 Franklin Street) Definitive Subdivision Plan; dated June 9, 2016 and revised through to January 25, 2017; prepared by HS&T Group, Inc.

Exhibit C: Wetland Resource Evaluation; dated January 6, 2015; prepared by EcoTec, Inc.

Exhibit D: Hydrology & Stormwater Management Report; dated June 9, 2016 and revised through to January 5, 2017; prepared by HS&T Group, Inc.

Exhibit E: Comment Letter from Michael Berberian, Principal Sanitary Inspector of the Department of Inspectional Services' Division of Housing & Health Inspection; received January 12, 2017.

Exhibit F: Fire Department Comments; received January 23, 2017.

Exhibit G: DPW Comments; received January 19, 2017.

Exhibit H: Letter to applicant from DPRS; dated December 28, 2016.

Public Meeting

8. 104, 108, 110, 112, 116 (aka 102) Shrewsbury Street & 112 East Central Street – Amendment to Parking Plan (PB 2016-022)

YZ from H.S.T. appeared on behalf of the application. He stated that the applicant is looking to construct an additional 24 parking spaces for a total of 56 spaces onsite.

Mr. Lyford stated that the applicant has updated the stormwater calculations and DPW is all set with that and the curb cut that DPW requested to be shown on the plan is now shown on the plan.

Ms. Tatasciore asked if applicant had consider a stockade fence, whether additional landscaping could be added to the site and what the occupancy is for the site.

Mr. Truman stated that he like sign listed for every compact space on site.

Mr. Rolle asked YZ what the occupancy was for the site.

YZ stated that he was not sure what the occupancy is for the site.

Mr. Rolle stated that without not knowing the occupancy he would request item be continued so that can staff can review what the actual parking requirements would be for the site.

Upon a motion by Mr. Vigliotti and seconded by Mr. Mitra the Board voted 3-0 to continue the item to the March 1, 2017 Planning Board meeting.

List of Exhibits:

Exhibit A: Parking Plan Amendment Application; received July 7, 2016; prepared by Jerry Azzarone.

Exhibit B: Parking Amendment Plan; dated May 9, 2016 and revised January 3, 2017; prepared by H.S. & T. Inc.

Exhibit C: Site Lighting Plan; dated September 9, 2016; prepared by Hubbell Lighting Inc.

Exhibit D: Stormwater Management Report; dated January 3, 2017; prepared by H.S. & T. Inc.

Exhibit E: Parking Plan Decision; signed October 29, 2009 (included with application materials).

Exhibit F: DPW Comments; dated January 25, 2017.

New Business

Public Hearing

9. 0, 146, 148, 152, 152R, 166 Moreland Street – Amendment to Special Permit for Cluster Subdivision (PB-2016-019)

Attorney Don O'Neil appeared on behalf of the applicant, Anthony Romeo. Attorney O'Neil stated that the request is to modify building footprints, driveway access locations and the StormWater Management system and reviewed the proposed plans.

Zac Couture, H.S.&T. stated that he was the engineer for the site and if Board had any questions regarding drainage he could address that.

Mr. Antonellis asked Mr. Couture to address staff comments. Mr. Couture stated that the basin on site would remain on site.

Paul Matthews, stated that he was speaking on behalf of his parents who live in the area. Mr. Matthews stated that his parents are willing to work with the applicant on finding a shared solution as they understand that it is a shared solution so has no objection to dropping the retaining basin condition.

Mr. Truman stated that if basin was required as part of the original subdivision why is it not needed now. Mr. Couture stated that original application didn't account for groundwater so it wasn't going to work correctly.

Mr. Truman asked if Conservation Commission has no problem with the basin being taken out. Mr. Couture stated basins just a stop gap.

Attorney O’Neil stated that they are requesting a waiver from showing abutters to abutters within 500 feet on the plan.

Mr. Vigliotti asked if DPW had any concerns with the removal of the basin. Mr. Lyford stated that they did not.

Upon a motion by Mr. Freilich and seconded by Ms. Carmody the Board voted 5-0 to approve the waiver for showing to abutters to abutters within 500 feet of the plan.

Upon a motion by Mr. Freilich and seconded Ms. Carmody the Board voted 4-1 (Mr. Truman voted against) to approve the Amendment to Special Permit for Cluster Subdivision with conditions listed in staff’s memo.

List of Exhibits

- Exhibit A: Special Permit – Cluster Zoning Application; received June 29, 2016; prepared by applicant’s attorney Donald J O’Neil.
- Exhibit B: Plan of Land; dated April 27, 2016 and revised through to January 24, 2017; prepared by H. S. & T. Group.
- Exhibit C: Memo from HS&T Group to Anthony Romeo; Re: 148 Moreland Street, Soil Evaluation.
- Exhibit D: Planning Board decisions – 2009 & 2011
- Exhibit E: Moreland Woods Homeowners Association Declaration of Restrictive Covenants – 2005.
- Exhibit F: Moreland Woods Homeowners Association Amendment to Declaration of Restrictive Covenants – 2008.
- Exhibit G: DPW Comments; dated January 25, 2017.

10. 190 &192 Brookline Street Definitive Subdivision Plan (PB-2017-006)

11. 190 &192 Brookline Street Definitive Site Plan (PB-2017-006)

Items #10, #11 were taken contemporaneously.

Attorney Don O’Neil and Robert O’Neil appeared on behalf of the applicant, Norcross Development, LLC. He stated that the proposal is a 4 lot subdivision consisting of 3 new single-family detached dwelling lots and to create a separate lot for the one existing dwelling slated for retention, located at 190 Brookline Street. Robert O’Neil reviewed the plans for the site.

Attorney O’Neil stated that they would be requesting a waiver from the sidewalks as there are no sidewalks on Brookline Street and a waiver from showing abutters to abutters within 300 feet on the plan.

Ms. Tatasciore stated that the revised plans were received very late so staff and DPW did not have time to review and would request item be continued. Mr. Lyford stated that he would agree as there are several small items that need to be addressed.

Ms. Tatasciore stated that it was staff recommendation that sidewalk be installed.

Upon a motion by Mr. Freilich and seconded by Mr. Viglotti the Board voted 5-0 to continue items #10, #11 until the March 1, 2017 Planning Board meeting.

List of Exhibits:

Exhibit A: Definitive Subdivision Plan Application; received December 22, 2016; prepared by Norcross Development, LLC.

Exhibit B: Barrows Circle Definitive Subdivision Plan; dated October 10, 2016; prepared by Robert D. O'Neil, Jr. and Malley Engineering Co. Inc.

Exhibit C: Stormwater Management & Hydraulic Calculations Report; dated December 20, 2016; prepared by Malley Engineering Co. Inc.

Exhibit D: DPW Comments; dated January 25, 2017.

Exhibit E: Comments from the Principal Sanitary Inspector from the City's Air, Water and Hazardous Materials Division; received January 26, 2017.

Public Meeting

12. 222 Harrington Way – Definitive Site Plan (PB-2016-053)

Attorney Todd Brodner along with representatives working on the project appeared on behalf of the application.

Ecotarium representatives stated that they would like to do the following,

- To convert/retrofit the existing polar bear exhibit into a proposed wild cat station for mountain lions;
- To construct a new exhibit structure and associated building for bobcats;
- To renovate the existing bird mews located at the south side of the property, and to also construct an additional bird mews;
- To improve/upgrade/install appurtenant walkways, plaza area, public safety access stairs and onsite stormwater management systems.

The Board thanked the Ecotarium for the presentation and stated that they look forward to seeing the exhibit.

Upon a motion by Mr. Mitra and seconded by Mr. Vigliotti 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; received December 1, 2016; prepared by Joseph P. Cox, President.

Exhibit B: Permitting Plans for Ecotarium Wild Cat Station; dated November 30, 2016; prepared by Waterman Design Associates, Inc.

Exhibit C: Rendering, Demolition Plans, Floor Plans; dated November 30, 2016; prepared by Gorman Richardson Lewis Architects.

Exhibit D: Stormwater Management Report; dated November 30, 2016; prepared by Waterman Design Associates, Inc.

Exhibit E: Fire Department comments; dated December 12, 2016.

Exhibit F: DPW Comments; dated January 25, 2017

13. 6, 8, 8A, 8B, 10, 12, 12A & 12B Sever Street – Parking Plan (PB-2017-002)

Phil Cordeiro from Allan and Major Associates appeared on behalf of the applicant, TCB Sever Street, LLC. Mr. Cordeiro stated that the applicant seeks to increase the amount of parking spaces on a lot in association with 4 existing multi-family low-rise buildings with associated grading, paving, drainage, and site work on property. Mr. Cordeiro reviewed the plans for the site.

Mr. Cordeiro stated that they would be asking for waiver for showing abutters to abutters within 300 feet on the plan.

Upon a motion by Mr. Mitra and seconded by Mr. Viglotti the Board voted 5-0 to approve the waiver for showing abutters to abutters within 300 feet on the plan.

Upon a motion by Mr. Mitra and seconded by Mr. Freilich the Board 5-0 to approve the parking plan with conditions outlined in staff's memo and condition the fence be black vinyl.

List of Exhibits:

Exhibit A: Parking Plan Application; received December 9, 2016; prepared by TCB Sever Street LLC.

Exhibit B: Parking Plan; dated November 4, 2016; prepared by Allen & Major Associates, Inc.

Exhibit C: DPW Comments; dated January 4, 2017.

14. Sever Street – Parking Plan (PB-2017-003)

Phil Cordeiro from Allan and Major Associates appeared on behalf of the applicant, TCB Sever Street, LLC. He stated that the applicant seeks to increase the amount of parking spaces on a lot in association with an existing multi-family high-rise dwelling with associated grading, paving, drainage, and site work on property. Mr. Cordeiro reviewed the plans for the site.

Mr. Rolle asked if the chain link fence would be removed. Mr. Cordeiro stated that they are looking to remove current fence and installing a more decorative fence.

Mr. Rolle asked that applicant also provide a photometric plan. Mr. Cordeiro stated that would not be a problem.

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

Upon a motion by Mr. Mitra and seconded by Mr. Freilich the Board voted 5-0 to approve the Parking Plan with conditions listed in staff's memo and that a photometric plan be submitted to staff.

List of Exhibits:

Exhibit A: Parking Plan Application; received December 9, 2016; prepared by TCB Sever Street LLC.

Exhibit B: Parking Plan; dated November 4, 2016; prepared by Allen & Major Associates, Inc.

Exhibit C: DPW Comments; dated January 4, 2017.

Board took five minute recess.

15. 34 Mechanic Street (aka 200 Commercial Street) - Parking Plan (PB-2017-005)

Attorney Mark Donahue along with representatives from Massachusetts Pharmacy College appeared on behalf of the application. Attorney Donahue stated that the pharmacy seeks to retrofit an existing basement into a subterranean garage containing ~19 parking spaces in association with an existing 2 story building for educational use with associated grading, paving, drainage, and site work.

Ms. Carmody stated that she would like to know why the pharmacy needs parking when it seems there is plenty of parking in the downtown area. Attorney Donahue stated that the plan is for an acupuncture clinic and after treatment some patients may not be physically able to walk very far.

Mr. Freilich and Mr. Truman stated that they appreciate that the college did not just knock the building down for surface parking.

Attorney Donahue stated that they would like to request a waiver form showing abutters to abutters within 300 feet on the plan.

Upon a motion by Mr. Mitra and seconded by Mr. Freilich the Board voted 5-0 to approve the waiver from showing abutters to abutters within 300 feet on the plan.

Upon a motion by Mr. Mitra and seconded by Mr. Freilich the Board voted 5-0 to approve the parking plan with conditions outlined in staff's memo.

List of Exhibits:

Exhibit A: Parking Plan Application; received December 28, 2016; prepared by Fletcher Tilton.

Exhibit B: Parking Plan; dated December 22, 2016; prepared by KSID.

Exhibit C: MACRIS listing; 34 Mechanic Street.

Exhibit D: DPW Comments; dated January 25, 2017.

16. 104 Harding Street (aka 106 & 112 Harding Street and 45 Winter Street), 26 Harding Street, 51, 57, 63, 67 & 73 Winter Street, 8 & 12 Beach Street, 18, 38 & 40 Pond Street and 12 Goddard Street – Amendment to Definitive Site Plan (PB-2017-007).

Robert Clark from Allen and Major Associates along with representatives of the applicant appeared on behalf of the applicant. Mr. Clark reviewed the amendments to the site plan.

Mr. Rolle stated that applicant should request a waiver for labeling abutters to abutters within 300 feet on the plan.

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

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

List of Exhibits:

Exhibit A: Definitive Site Plan Amendment Application; received January 4, 2017; prepared by Craig L. Blais.

Exhibit B: Definitive Site Plans for New Garden Sports Center; dated April 19, 2016 and revised through to January 3, 2017; prepared by Allen & Major Associates, Inc.

Exhibit C: Fire Chief comments; dated January 18, 2017.

Exhibit D: Goddard Street Private Street Removal Map – December 7, 2016.

Exhibit E: DPW Comments; dated January 25, 2017.

Other Business

17. Request to Reduce/Release Performance Bond – LaChapelle Street Definitive Subdivision

Mr. Vigliotti recused himself from the item.

Mr. Lyford stated that DPW would not recommend as the work has not been done.

Upon a motion by Mr. Mitra and seconded by Mr. Freilich the Board voted 4-0 to deny the Request to Reduce/Release Performance Bond.

18. Approval Not Required (ANR) Plans

- a. 3 Vig's Way (public) & 521 Sunderland Road (public) (AN-2017-002)

Mr. Vigliotti recused himself.

Upon a motion by Mr. Mitra and seconded by Mr. Freilich the Board voted 4-0 to approve the ANR.

- b. 32 Brooks Street (public) & Mount Avenue (public) (AN-2017-003)

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

- c. 24 Brooks Street (Public) (AN-2017-004)

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

- d. 200 West Mountain Street (Public) & Lanesboro Road (Public) (AN-2017-005)

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

- e. 38 Harlow Street (Public) & New Street (Private) (AN-2017-006)

Mr. Lyford stated that street is passable.

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

- f. 8 Bluff Street (Public) & Bellevue Street (Public) (AN-2017-007)

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

- g. 0 Firglade Street (Private) aka 19 Briarcliff Street (Private) (AN-2017-008)

Mr. Lyford stated that Firglade is passable.

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

- h. 85 McKeon Road (Public) (AN-2017-009)

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

19. Communication

- a. Letter from CB&I re: Notice of Activity and Use Limitation for Komtek Forge Facility Property at 40-50 Rockdale Street; dated January 5, 2017. No comment.
- b. Letter from Massachusetts Historical Commission re: National Register Nomination for State Hospital Farmhouse; dated January 6, 2017. No comment.
- c. Environmental Notification Form for the Downtown Urban Revitalization Plan, dated January 17, 2017. No comment.

20. Election of Officers

Upon a motion by Mr. Freilich and seconded by Mr. Mitra, Mr. Truman was appointed chair.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra, Mr. Viglotti was appointed vice-chair.

Upon a motion by Mr. Freilich and seconded by Mr. Mitra, Ms. Carmody was appointed clerk.

21. Registry of Deeds Signature Sheet

22. Signing of Decisions from prior meetings

23. Other Business

Mr. Freilich asked if there was a way to prevent applicants from coming before the Board with incomplete applications so that Board and staff does not have to repeatedly hear items that are not ready to go forward.

Mr. Rolle stated that they could recommend at beginning of each meeting items that need to be continued due to incompleteness.

Adjournment - Meeting adjourned at 8:15 p.m.