

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

September 18, 2019

ESTHER HOWLAND CHAMBERS

Planning Board Members Present: John Vigliotti, Chair
Eleanor Gilmore
Edward Moynihan

Planning Board Members Absent: Albert LaValley, Vice Chair
Paul DePalo, Clerk

Staff Present: Stephen S. Rolle, Division of Planning & Regulatory Services
Tim Gilbert, Division of Planning & Regulatory Services
Jodi Kennedy Valade, Department of Inspectional Services
Alexandra Kalkounis, Law Department
Nick Lyford, Department of Public Works

Approval of Minutes – 7/17/19; 8/7/19; 8/28/19

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to postpone the minutes to the October 2, 2019 Planning Board meeting.

Requests for Continuances, Extensions, Postponements, and Withdrawals

1. 165 Southbridge Street (PB-2019-944)

a. Public Meeting – Parking Plan Approval

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to continue the Parking Plan application to the October 2, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to October 24, 2019.

2. Malden Woods (aka 0 Whippoorwill Drive & 0 Danielle’s Way, Whippoorwill Drive and Castine Street Right of Ways) (PB-2018-026)

a. Public Hearing – Definitive Subdivision Plan Amendment

b. Public Meeting – Definitive Site Plan

Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to postpone the Definitive Subdivision Plan & Definitive Site Plan to the October 23, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to November 14, 2019.

3. 700 Plantation Street (PB-2019-036)

Public Hearings –

a. Special Permit to allow expansion, alteration, change of pre-existing non-conforming uses within the Water Resource Protection Overlay District

b. Special Permit to allow more than 20% impervious surface within the Water Resource Protection Overlay District

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to postpone the Special Permit applications to the October 2, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to October 24, 2019.

4. 128, 130, 132, 134 & 136 Alvarado Avenue (PB-2019-039)

a. Public Hearing – Definitive Subdivision Plan Amendment

b. Public Meeting – Definitive Site Plan Amendment

c. 128 Alvarado Avenue Subdivision: Request to Extend Work Completion Date and Amend Performance Agreement

Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to postpone the Definitive Subdivision Plan Amendment, Definitive Site Plan Amendment and the Request to Extend Work Completion Date and Amend Performance Agreement to October 2, 2019 Planning Board meeting and to extend the Constructive Grant Deadline October 24, 2019.

5. 57 Highland Street, 33 & 35 Wachusett Street (PB-2019-043)

a. Public Hearing – Special Permit for CCOD

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to postpone the Special Permit for CCOD to the October 2, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to October 24, 2019.

6. Higgins Farm (fka 727 Salisbury Street) or Salisbury Hill CCRC (PB-2019-047)

a. Public Hearing – Special Permit Amendment – To allow a Continuing Care Retirement Community (CCRC)

b. Public Meeting – Definitive Site Plan Approval

Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to postpone the Special Permit Amendment – To allow a Continuing Care Retirement Community (CCRC) and Definitive Site Plan to the October 2, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to October 24, 2019.

7. 49 Arlington Street (PB-2019-052)

c. Public Meeting – Definitive Site Plan Approval

Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to postpone the Definitive Site Plan application to the October 2, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to October 24, 2019.

8. 757 Salisbury Street (PB-2019-053)

d. Public Hearing – Special Permit to allow a Continuing Care Retirement Community (CCRC)

e. Public Meeting – Definitive Site Plan Approval

Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to postpone the Special Permit for Continuing Care Retirement Community (CCRC) and Definitive Site Plan Approval to the October 2, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to October 24, 2019 Planning Board meeting.

9. 1023 & 1029 (aka 1025) Southbridge Street (PB-2019-054)

f. Public Hearing – Special Permit for Adult Use Marijuana Establishment – Storefront Retailer Use

g. Public Meeting – Parking Plan Approval

Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to postpone the Special Permit (Adult Use Marijuana) & Parking Plan to the October 2, 2019 Planning Board meeting and to the Constructive Grant Deadline to October 24, 2019.

10. 51 & 53 Windsor Street (PB-2019-056)

h. Public Hearing – Definitive Plan – More Than One Building on a Lot Approval

i. Public Meeting – Definitive Site Plan Approval

Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to postpone the Definitive Site Plan-More Than One Building on a Lot and Definitive Site Plan to the October 2, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to November 14, 2019.

11. 142 (aka 148) Southbridge Street (PB-2019-059)

b. Public Hearing – Amendment to Special Permit for Adult Use Marijuana Establishment – Storefront Retailer Use

Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to postpone the Special Permit Amendment (Adult Use Marijuana) to the October 2, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to October 24, 2019.

12. Planning Board Rules & Regulations Amendment

- a. Public Hearing – To require the use of the most current precipitation data (i.e. NOAA Atlas 14 or Cornell Data, in lieu of TP40 data) when preparing required stormwater (i.e. hydraulic/hydrologic) calculations
Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to postpone the Planning Board Rules & Regulations Amendment to the October 23, 2019 Planning Board meeting and to extend the Constructive Grant Deadline to November 14, 2019.

New Business

13. 67 West Boylston Street (PB-2019-038)

- c. Public Meeting – Definitive Site Plan

Chris Barton of Graves Engineering appeared upon behalf of the applicant, Yatco Distribution, LLC.

Yatco Distribution, LLC seeks Definitive Site Plan Approval to expand the existing parking area (to add 7 additional parking spaces) associated with a food-service drive-thru and automobile re-fueling station, in order to re-configure the existing parking layout to add an escape lane to the drive-thru, and conduct associated site work on a property with 15% slope or more.

Mr. Barton provided an overview of the site and the proposal.

Mr. Lyford stated that the applicant has made some changes to the curb cut which satisfies DPW requirements.

The Board and Mr. Barton discussed the retaining wall and whether a fence would be required. The Board stated they would not like to see a chain link fence and would suggested a stockade or vinyl fence.

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 approve a waiver of the plan requirements to provide information regarding soil types.

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to approve the Definitive Site Plan with conditions outlined in staff's memo with an additional condition that any fence on top of the retaining wall be of a stockade material or vinyl and not a chain link fence.

List of Exhibits

- Exhibit A: Site Plan Application; received May 22, 2019; prepared by Graves Engineering, Inc.
- Exhibit B: Site Plan; dated May 21, 2019; prepared by Graves Engineering, Inc.
- Exhibit C: Fire Department comments
- Exhibit D: DPW comments

14. Zoning Map Amendment – 8 (aka 8½) Washburn Street (ZA-2019-007)

- d. Public Hearing – Zoning Map Amendment to extend the BL-1.0 (Business, Limited) zoning district to include the property at 8 (aka 8½) Washburn Street

Patrick Healy of Thompson & Liston appeared upon behalf of the applicant, Branded Realty Group, LLC.

Branded Realty Group, LLC seeks to amend the City of Worcester Zoning Map by rezoning 8 (aka 8 ½) Washburn Street, which is split zoned RG-5 (Residence, General) and BL-1.0 (Business, Limited), to be wholly located within the BL-1.0 (Business, Limited) zoning district.

Mr. Healy provided an overview of the proposal.

Mr. Vigliotti stated that he wanted to be on the record that prefers not to extend business districts into residential districts, but the lack of abutter opposition and the nature of the proposal make this an exception.

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan the Board voted 3-0 to close the Public Hearing.

Upon a motion Ms. Gilmore and seconded by Mr. Moynihan the Board voted 3-0 to favorably recommend the zone change to the City Council.

List of Exhibits

- Exhibit A: Petition – Branded Realty Group, LLC; referred to the Planning Board on July 23, 2019.

15. Zoning Map Amendment – 284 Highland Street (ZA-2019-008)

- e. Public Hearing – Zoning Map Amendment to extend the RL-7 (Residence, Limited) zoning district to include the property at 284 Highland Street

Attorney Mark Bornstein and Edward Madaus of The Guild of St. Agnes of Worcester, Inc. appeared upon behalf of the petition.

The Guild of St. Agnes of Worcester, Inc. seeks to amend the City of Worcester Zoning Map by rezoning the property located at 284 Highland Street, which is presently zoned RS-7 (Residence, Single-Family), to be included within the RL-7 (Residence, Limited) zoning district (ZM-2019-008).

Mr. Borenstein provided an overview of the proposal and stated that The Guild has contacted regarding the proposal.

Christopher Comeau stated that he would not be not in support of the change in the zoning.

Mo Bergman stated that he would like to see more information regarding the intended end use of the property before a zone change should be approved.

Mr. Vigliotti stated that he has a problem with ‘carving out’ zoning for individual lots.

Ms. Gilmore stated that there is a housing a shortage, and this is an opportunity to use the land that remains in harmony with the other uses in the area.

Mr. Moynihan stated that there are other multi families in the area, and therefore does not think this request would be out of line.

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to close the Public Hearing.

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 2-1 (Mr. Vigliotti voting against) to recommend the Zoning Map Amendment to the City Council.

List of Exhibits

Exhibit A: Petition – The Guild of St. Agnes of Worcester, Inc.; referred to the Planning Board on July 23, 2019.

Other Business

16. Street Petition(s)

- a. Request to extend sewer in Winnipeg Street (Public) (ST-2019-014)

Mr. Lyford stated that DPW would recommend a Priority Level #1.

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan the Board voted 3-0 to approve the Request to extend sewer in Winnipeg Street.

- b. Request to extend sewer in St. Louis Street (Public) (ST-2019-015)

Mr. Lyford stated that DPW would recommend a Priority Level #1.

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan the Board voted 3-0 to approve the Request to extend sewer in St. Louis Street.

17. Approval Not Required (ANR) Plan(s)

- a. 25 (aka 23) Cutler Street (Public) (AN-2019-047)

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan the Board voted 3-0 to endorse the ANR.

- b. 9 Montello Street (Public) (AN-2019-048)

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to endorse the ANR.

- c. 235 West Mountain Street (Public) (AN-2019-049)

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to endorse the ANR.

- d. 20 (A-D) Alvarado Avenue (Public) (AN-2019-050)

Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to endorse the ANR.

e. 142, 144, & 158 Wildwood Avenue & 2 Spring Lane (Private) (AN-2019-051)

Upon a motion by Mr. Moynihan and seconded by Ms. Gilmore, the Board voted 3-0 to endorse the ANR.

f. 12 & 14 Monmouth Road (Private) (AN-2019-052)

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to endorse the ANR.

g. 2 & 4 Brewer Street (Private) (AN-2019-053)

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to endorse the ANR.

h. 486, 488, 494, & 496 Hamilton Street (Public) (AN-2019-054)

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to endorse the ANR.

18. Subdivision(s)

a. Arboretum Village Subdivision Phase IV – Expiration

Mr. Rolle asked that item 18a be held.

a. Endorsement of 76-78 Toronita Avenue Definitive (Frontage) Subdivision. Endorsed by the Board.

b. Endorsement of 249-265 Lake Avenue Definitive (Frontage) Subdivision. Endorsed by the Board.

19. Request for Acceptance of (Open Space) Restrictive Covenant(s)

a. Worcester Country Club Acres (CCRC) (PB-2018-042). No comment.

b. 407 Cambridge Street (Cluster Special Permit) (PB-2018-021). No comment.

20. Communication(s)

21. Discussion of Board Policies and Procedures

a. Public Accessibility of Applications/Information-Held.

22. Signing of Decisions (from prior meetings)

Adjournment

Upon a motion by Ms. Gilmore and seconded by Mr. Moynihan, the Board voted 3-0 to adjourn the meeting at 6:45 p.m.