

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

**November 15, 2017**

**WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Planning Board Members Present:** Andrew Truman, Chair  
John Vigliotti, Vice Chair  
Barbara Carmody

**Absent:** Satya Mitra

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

**Call to Order** – 5:30 pm

**Approval of Minutes** - Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to approve the minutes of October 25, 2017.

**Requests for Continuances, Extensions of Time, Postponements, Withdrawals**

- 1. 92 Grand Street - More Than One Building On A Lot (PB-2017-054)**
- 2. 92 Grand Street – Special Permit for Adaptive Reuse Overlay District (PB-2017-054)**
- 3. 92 Grand Street - Definitive Site Plan (PB-2017-054)**

Items #1, #2 #3 were taken contemporaneously

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to postpone the More Than One Building on a Lot, Special Permit for Adaptive Reuse Overlay District and Definitive Site Plan to the December 6, 2017 Planning Board meeting and to extend the decision deadline until January 30, 2018.

- 4. 505 Salisbury Street - Definitive Site Plan (PB-2017-049)**

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to postpone the Definitive Site Plan to the December 6, 2017 Planning Board meeting and to extend the decision deadline until January 30, 2018.

## **5. 19 Hemans Street – Definitive Site Plan Extension of Time (PB-2017-051)**

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to postpone the Definitive Site Plan Extension of time to the December 6, 2017 Planning Board meeting and to extend the decision deadline until December 30, 2017.

## **Unfinished Business**

### **Public Meeting**

## **6. 287 Grove Street - Definitive Site Plan (PB-2017-041)**

Mr. Truman stated that he had reviewed the application materials, meeting minutes and video from last meeting and will be able to vote on item.

Attorney Todd Brodeur appeared upon behalf of the applicant, Galaxy Grove, LLC and stated that the item was continued so the item could be heard by the Zoning Board of Appeals which had happened and that the ZBA has approved the Special Permit to allow a drive-thru.

Attorney Brodeur reviewed the application and stated the applicant's intent to use the 5.3 acre property which was formerly used as the WRTA bus office, maintenance and storage facility since 1936. The parcel is currently vacant as all former structures have been demolished or are in the process of demolition. The petitioner seeks site development with associated grading and site work located within a BG-3.0 (Business, General) zoning district, consisting of a total of 4 new buildings totaling 66,477 SF, specifically:

- Building A: A 1-story 9,485 SF mixed use building (retail, restaurant and personal service uses) along Park Avenue which also includes a fast-food restaurant with 240-foot drive-thru & escape lane.
- Building B: A 1-story 10,160 SF mixed use building (food service & retail uses) along Grove Street;
- Building C: A 1-story 6,832 SF mixed use building (retail & restaurant uses) at the corner of Park Ave. & Sagamore Rd.
- Building D: A 2-story 40,000 SF medical office building at the corner of Grove Street & Sagamore Road.
- A total of 318 proposed parking spaces

Attorney Brodeur provided an overview of the plan revisions, which include:

- The drive-through use has been relocated to a less prominent location with a more centrally located entrance;
- Buildings B and C have been rotated 90 degrees so that the rear of the buildings are not prominently sited on Park Avenue, and these buildings are better connected and integrated with the external sidewalk network;
- An expanded plaza and enhanced landscaped area has been incorporated near Building B to establish a pedestrian gateway to the site;
- Active façade (windows, doors, architectural treatments) has been incorporated onto all buildings, most notably Building D;
- Internal pedestrian walkways have been incorporated

Upon a motion by Ms. Carmody and seconded by Mr. Vigliotti the Board voted 3-0 to approve the waiver requested to not show abutters to abutters on the plan.

Upon a motion by Ms. Carmody and seconded by Mr. Vigliotti the Board voted 3-0 to approve the Definitive Site Plan with conditions outlined in staff's memo as well as peripheral sidewalks be located as close to the property line as possible.

*List of Exhibits:*

- Exhibit A: Definitive Site Plan Application; received July 26, 2017; prepared by Michael C. O'Brien of Galaxy Grove LLC.
- Exhibit B: Site Plans – The Trolley Yard, 287 Grove Street; dated July 17, 2017 and revised on October 16, 2017; prepared by MidPoint Engineering + Consulting.
- Exhibit C: Renderings with elevations; dated July 7, 2017 and revised October 13, 2017; prepared by Phase Zero Design.
- Exhibit D: Technical Memorandum - Stormwater Report; dated July 17, 2017; prepared by MidPoint Engineering + Consulting.
- Exhibit E: Traffic Impact and Access Study; dated May 2017; prepared by Green International Affiliates, Inc.
- Exhibit F: Fire Department Comments; dated October 18, 2017.
- Exhibit G: DPW Comments & Review of Traffic Impact and Access Study; dated September 6, 2017.
- Exhibit H: Site Plan Exhibit with Cover Letter; dated November 7, 2017; prepared by MidPoint Engineering + Consulting.

**New Business**

**Public Hearing**

**7. Zoning Map Amendment – 1 Tiverton Parkway (ZM-2017-008)**

Amendment to rezone the property which is currently split zoned, located in BL-1(Business, Limited) and RS-7 (Residence, Single-Family) to be included entirely within the BL-1.0 zoning district.

Allyn Jones appeared upon behalf of the application and stated that the property use to be commercial.

Mr. Rolle gave a brief overview of history of location which included:

- In 2010, the Planning Board recommended denial of the petition to rezone the entire property. The City's Economic Development Committee held a hearing March 23, 2010 which was then recessed and never reconvened.
- In 2013, the Planning Board recommended denial of the petition to rezone the entire property. This petition was later withdrawn without prejudice by the applicant.

Mr. Rolle stated that if recommended it would allow for a variety business uses that would be allowed by right or by Special Permit.

Michael Riordan spoke in opposition to the item and stated that it would impact the neighborhood.

Brian Bisceglia spoke in opposition to the application based on parking and possibility of manufacturing going into the location.

Abutter at 28 Rich Street spoke in opposition to the proposal stating that this is a residential area.

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to close the public hearing.

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to not recommend to City Council a Zoning Map Amendment for 1 Tiverton Parkway which is currently split zoned located in a BL-1.0 and RS-7 to be included entirely within the BL-1.0 zoning district as it not compatible with the residential area that it abuts.

*List of Exhibits:*

Exhibit A: Petition – Allyn Jones; referred to Planning Board on September 26, 2017.

Exhibit B: GIS Map; dated October 13, 2017; prepared by DPRS Staff.

**8. Zoning Map Amendment – 1097 Pleasant Street (ZM-2017-009)**

Amendment to rezone the property which is currently split zoned, located in BL-1.0 (Business, Limited) and RS-7 (Residence, Single-Family) to be included entirely within the BL-1.0 zoning district.

Allyn Jones appeared upon behalf of the petition. The applicant had previously submitted the following items:

- In 2006, the petitioner submitted a zoning map amendment petition to extend the BL-1.0 zoning district to include the entire parcel. In 2007, the City Council ordained a modified extension of the BL-1.0 zoning district to include a reduced area by extending the zoning district line straight across along the southern border of 4 Pomona Road.
- In 2009, the Planning Board recommended denial of the petition to rezone the entire property. The City's Economic Development Committee held a hearing March 23, 2010 which was then recessed and never reconvened.
- In 2013, the petitioner sought to extend the BL-1.0 zoning district to the limit of the existing paved parking area located to the rear of the businesses. The Planning Board recommended a Leave to Withdraw without Prejudice per the applicant's request at the hearing.

Michael Riordan spoke in opposition to the proposal.

Cliff Wilson asked that the application be approved as parking needed in the area.

Candy Gamel spoke in opposition to the application.

Mr. Vigliotti stated that he felt this was an encroachment on the residential neighborhood.

Mr. Jones stated that he has been paying the commercial tax rate for the past several years for the property even though zoned residential and cannot get an answer to why. Mr. Rolle stated that Mr. Jones would need to discuss that matter with the City's Assessing Department.

Ms. Carmody stated that she could sympathize with the tax situation but would not recommend a zone change at this time.

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 2-1 to not recommend to City Council (Andrew Truman with the dissenting vote) the Zoning Map Amendment for 1097 Pleasant Street to rezone the property which is currently split zone located in a BL-1.0 (Business, Limited) and RS-7 (Residence, Single-Family) to be included entirely within the BL 1.0 zoning district as the business uses would be inconsistent with the abutting residential and commercial uses in the area.

*List of Exhibits:*

Exhibit A: Petition – Allyn Jones; referred to Planning Board on September 26, 2017.

Exhibit B: GIS Map; dated October 13, 2017; prepared by DPRS Staff.

**9. Zoning Ordinance Amendment – Accessory Apartments (ZM-2017-003)**

The petition seeks to amend Article IV, Section 8 of the Worcester Zoning Ordinance to allow accessory apartments as an accessory use by Special Permit in all residential districts.

Attorney Don O’Neil appeared upon behalf of the petitioner, Guri Dura and Marieta Skenderi and stated that the purpose of the petition is to provide additional housing options to Worcester residents by allowing accessory apartments, by grant of a Special Permit by the Zoning Board of Appeals within all residential zones and only in association with Single Family Detached, Single Family Semi-Detached, and Two-Family Detached dwellings. The proposed petition also allows for Accessory Apartments to be permitted within the primary dwelling unit or within an external, detached accessory structure.

Attorney O’Neil stated that the City of Worcester has no provision for in-law apartments and knows it might be considered in the upcoming city master plan but master plans take a few years to develop and does not feel this proposal needs to wait for the master plan.

Mr. Rolle stated in the present form he could not make a recommendation that this item go forward at this time.

Jo Hart stated that she needs no reason not to have accessory apartments as they are needed in Worcester.

Ms. Carmody stated that she would be in support of a detached accessory apartment via Special Permit.

Mr. Vigliotti and Mr. Truman stated that they like the idea but think need works need to be done.

Upon a motion by Ms. Carmody and seconded by Mr. Vigliotti the Board voted 3-0 to close the public hearing.

Upon a motion by Ms. Carmody and seconded by Mr. Vigliotti the Board voted 3-0 to not recommend to City Council to allow an Amendment to the Zoning Ordinance to allow accessory apartment as an accessory use by Special Permit in all residential districts but they endorse support for the concept of accessory apartments, as they pertain to a Special Permit approval for detached structures, but additional time is required to undertake a more thorough review and modification of the Zoning Ordinance.

*List of Exhibits:*

Exhibit A: Proposed Zoning Ordinance Amendment Petition; petition submitted by Attorney Donald J. O’Neil on behalf of Guri Dura and Marjeta Skenderi; referred to Planning Board on September 26, 2017.

Exhibit B: State Model By-law for Accessory Dwelling Units.

## Public Meeting

10. 261 Clover Street (aka 175 James Street) – More Than One Building On A Lot (PB-2017-052)
11. 261 Clover Street (aka 175 James Street) - Definitive Site Plan (-052 PB-2017)
12. 261 Clover Street (aka 175 James Street) – 81-G Street Opening (PB-2017-052)

Items #10, 11, 12 were taken contemporaneously.

Carl Hultgren from Quinn Engineering along with Carl Foley and John from Botany Bay Construction appeared upon behalf of the applications.

Mr. Hultgren stated that the applicant plans to demolish the existing structure and erect a 90-unit dwelling multi-family low-rise structure consisting of eleven structures, comprised of a mix of 56 one-bedroom & 34 two-bedroom units for a total of 124 bedrooms. He stated that the Zoning Board of Appeals granted a Variance for 34 parking spaces.

Mr. Hultgren reviewed the location of onsite parking and reviewed how snow storage would be handled. He stated that staff had a recommendation that snow be removed off site and the applicant would prefer to not have that condition. Mr. Rolle stated that they typically have a condition that excess snow be removed from site so parking available for residents and leave up to the Board how they want that worded. The Board discussed with the applicant suggestions snow storage locations.

Denise Faucher expressed concerned about increased traffic and whether a traffic light was being installed. Mr. Truman stated that no light was planned.

Upon a motion by Ms. Carmody and seconded by Mr. Vigliotti the Board voted 3-0 to close the public hearing on the More Than One Building on a Lot.

Upon a motion by Ms. Carmody and seconded by Mr. Vigliotti the Board voted 3-0 on waiver on showing abutters to abutters on the plan for all three applications.

Upon a motion by Ms. Carmody and seconded by Mr. Vigliotti the Board voted 3-0 to approve the application for More Than One Building on a Lot with conditions outlined in staff's memo.

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to approve the Definitive Site Plan with conditions outlined in staff's memo with Item #2 being removed and that a new plan be submitted that one of the recreation areas be designated as no snow storage on that space and that snow storage can be in one of the two designated areas but must be showed on the final plan.

Upon a motion by Ms. Carmody and seconded by Mr. Vigliotti the Board voted 3-0 to approve the 81-G with conditions outlined in staff's memo.

### *List of Exhibits*

- Exhibit A: More Than One Building On A Lot Application, Definitive Site Plan Application & 81-G Street Opening Application; received September 13, 2017; prepared by Foley, President of Botany Bay Construction Co., Inc.
- Exhibit B: Definitive Site Plan; dated September 5, 2017 and revised through to November 6, 2017; by Quinn Engineering, Inc.
- Exhibit C: Photometric Plan; dated September 7, 2017; prepared by Reflex Lighting.
- Exhibit D: Renderings; undated; preparer unknown.
- Exhibit E: Fire Department Comments; updated November 10, 2017.
- Exhibit F: DPW Comments; dated November 13, 2017.

### **13. Lots 87L & 87R Bittersweet Boulevard - Definitive Site Plan (PB-2017-055)**

Pat Burke from H.S.&T. Group appeared upon behalf of the applicant, Arboretum Village, LLC. Mr. Burke stated that the applicant seeks to construct a Single-Family Semi-Detached dwelling within an existing subdivision.

Mr. Rolle stated that the subject parcel, Lot 87, was created as part of the Phase IV Arboretum Definitive Subdivision Plan whereby this lot was designated as an Open Space parcel. A note placed on Plan Sheet 4 of the approved subdivision plan restricts any development on Lot 87 (and 88) for a period of 3 years from the date of full build-out for the three specified roadways, which has not been satisfied. Staff therefore recommends that the applicant request a Leave to Withdraw without Prejudice for this Definitive Site Plan application.

Mr. Burke stated that they are looking to swap another area to be used as open space.

Mr. Rolle stated that the applicant could look into doing an amendment to the subdivision plan.

Steven Gallo stated that he like to continue the item.

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to continue the Definitive Site Plan to the December 6, 2017 Planning Board meeting.

#### *List of Exhibits:*

- Exhibit A: Definitive Site Plan Application; received October 5, 2017; prepared by the applicant.
- Exhibit B: Arboretum – Lots 87L & 87R Bittersweet Boulevard Definitive Site Plan; dated October 5, 2017; prepared by HS&T Group, Inc.
- Exhibit C: Arboretum Definitive Subdivision – Plan Sheets 2 & 4; endorsed November 18, 2011.

### **Other Business**

#### **14. Mylar Endorsement for 26 McKinley Road Frontage Subdivision**

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to endorse the 26 McKinley Road Frontage Subdivision mylars.

#### **15. Approval Not Required Plans (ANR)**

- a. 713 Franklin Street (public) & 8 Peabody Street (private) (AN-2017-065)

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to approve the ANR.

- b. 49 Pine Hill Road (private) (AN-2017-066)

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

Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to approve the ANR.

- c. 33 & 37 Wendover Road (public) (AN-2017-067)  
Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to approve the ANR.
- d. 68 Moreland Street (public) & Penhallow Road (private) (AN-2017-068)  
Mr. Lyford stated that Penhallow Road is not open and passable.  
Upon a motion by Mr. Viglottio and seconded by Ms. Carmody the Board voted 3-0 to deny the ANR request due to the road not being open and passable.
- e. 186 & 194 Prescott Street (public) (AN-2017-069)  
Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to approve the ANR.
- f. 16 Third Street (private) (AN-2017-070)  
Mr. Lyford stated that the street is open and passable.  
Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to approve the ANR.
- g. 22 Milton Street (private) (AN-2017-071)  
Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to approve the ANR.
- h. 55 Nanita Street (public) (AN-2017-072)  
Upon a motion by Mr. Vigliotti and seconded by Ms. Carmody the Board voted 3-0 to approve the ANR.

## **16. Communication**

## **17. Signing of Decisions from prior meetings**

### **Adjournment**

Upon a motion the Board voted 3-0 to adjourn the meeting at 7:20 p.m.